

TOWN OF COVERT, SENECA COUNTY
PUBLIC HEARING & REGULAR TOWN BOARD MEETING
May 11, 2026

The regular meeting and public hearing of the Town Board of the Town of Covert was held Monday, May 11th, 2026 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

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| Roll Call: | Supervisor Michael Reynolds | Present |
| | Councilwoman Deborah Nottke | Present |
| | Councilman Todd Wyckoff | Present |
| | Councilwoman Barbara Soyka | Present |
| | Councilman Ben Guthrie | Present |

Others Present: Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Town Attorney Patrick Morrell, Deputy Clerk Brian Quan, Code Enforcement Officer Roger Ward and other interested citizens.

Call to order: Supervisor Reynolds called the meeting to order at 7:02 PM. All rose for the pledge of allegiance.

Approval of Minutes: Wyckoff moved, seconded by Guthrie, to approve the minutes from April 13th Public Hearing + Regular Town Board Meeting. Aye-Wyckoff, Aye-Soyka, Aye-Guthrie, and Aye - Nottke.

Public Hearing: Nottke moved, seconded by Guthrie, to open the Public Hearing at 7:03 PM to hear comments on the Variance Request for Paula Maguire to construct a new garage to replace old garage where setback was short as required by Town of Covert Land Management Ordinance. A representative for Paula Maguire said that the old garage was 1 ft from boundary line. The new garage will be the same dimensions but further from property line. The neighbors are okay with it. Nottke moved, seconded by Guthrie, to close the Public Hearing at 7:04 PM.

Highway: MacCheyne reported on the activities for the month of April. They opened plugged pipes and removed debris from roadways after flooding, repaired headwalls on crossover and driveway pipes, replaced driveway pipe on Seneca Rd. Pipe had collapsed at Seneca/Congress St intersection. He said that 1/3 of pipe was gone near Trumansburg water lines and hopes Trumansburg will help. They did ditching on Arden Rd and replaced crossover pipe moving it 80' to the south, broomed all intersections and curves, cold-patched all town roads. They completed repairs on shoulders and lawns from wing damage. MacCheyne said they finished working on equipment trailer and trailer is now licensed. They dug and covered a grave. There was some discussion about putting down plywood pads, as opposed to plastic. They did regular maintenance on all equipment.

F-550 was taken to Tenco. They've had trouble with the F-550 since day-1...Hopefully, Tenco will do something about it. There was some discussion about the use of rickrack.

Nottke asked if there was any timeline for putting in a shoulder on the park road below. Not yet.

Town Clerk: Adams-Compton said that the borrowed scanner from NY Genealogical and Biographical Society had arrived and the 1st Town minutes book, beginning 1822, had been scanned.

Committees:

Nottke reported that at Three Falls LDC monthly meeting, Guthrie had also attended. The park is still operating on passive open. They are working on fund-raising and grants. Nottke reminded all that Three Falls LDC meetings are on the 1st Thursday of the month at Trumansburg Village Hall at 9:30 AM and all are welcome.

Updates to the new park can be found on the LDC website: <https://threefalls.org/>

Guthrie said he visited the town barns, tightened screws on the electrical panels and spoke with

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MacCheyne about a different way to heat water.

Town Supervisor: Reynolds said that April Moore has 501c3 status now for Charlie's Dog Haven. He didn't think it had been inspected yet.

Reynolds also said that Schuylar County Humane Society will contract with the Town, based on 1-2 dogs/yr at \$1333- for May – December this year.

Guthrie said he did some research on TeraWulf. He said according to Wikipedia the company has shifted from bitcoin to data centers. He said that he spoke with the Lansing Mayor who said that their plans have continually changed causing some mistrust. He said that TeraWulf does not intend to use the existing water delivery system, that there is no pipe big enough to deliver the 700,000 gallons of water (for 10-15 days/yr) and there is uncertainty how the water will be discharged. Guthrie said "swamp coolers don't work in this climate". Guthrie said they have 5-6 other projects around the East. He believes the County's resolution was an appropriate thing to do, until there's a clear idea of what they will do, this is not a good idea.

Attorney: Morrell had sent an email around to the Board that 90 days after the Public Hearing for the annexation of West Ave/96A property into the Village of Interlaken a decision would have to be made. 90 days is the day before the June 8th meeting, so they either make a decision now, schedule a special meeting, or do nothing which would count as approval.

Guthrie said that Barb and he met with Rich Richardson and that he has done a lot of homework on this. There isn't a real clear... or engineer's drawing. He came with concerns about Bruno Schickel. He called the Town of Hector supervisor. The Hector Supervisor had dealt with him for years because of the development in Hector (La Bourgade) and felt he(Schickel) was a straight-forward sort of guy. The septic system is on a slope (of shale) so Schuylar County cannot do the inspection on them; the State inspects frequently. The Town of Hector and Schickel have a good relationship.

Nottke said that our Town Clerk has another opinion on the development. Adams-Compton, neighbor of the proposed project, said that regarding the annexation, that the people living around there should have a say, and if it's annexed into the village, there won't be a variance, there won't be a public hearing, the village has no codes for development so it would fall on Seneca County/NY Building code. There was some discussion on the Town's code that does not allow a single dwelling on less than an acre, so there would have to be a variance if it remained in the Town. Many variances have been granted in that circumstance.

Wyckoff said he thought there are just too many negatives to positives for this type of development. He had concern that 10 years down the road, maintenance of roads, etc. would fall on the taxpayer. Schickel intends to maintain the property including roads privately. Wyckoff said, "until he sells it".

Morrell said any concern for Emergency access should be part of the application review if there were a variance. SEQR review would touch on water, emergency services, traffic, etc.

Nottke asked about whether the Village has the new water system yet. Village Trustee Terry O'Prey said with just a few more permits, it will be breaking ground and coming online. The sewer plant is being built, so everything should be underway by the time Schickel has built anything. Loops in the road and increase in fire hydrants should improve emergency access. He said it should spread the cost of the new water system to increase housing. He said that there will be more costs with the new water system. Soyka said that they estimate an increase of \$450-500 per customer if there is no increase in customers.

Adams-Compton asked why the new development couldn't hook in to the Village water/sewer system

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even if the property remained under the Town (like properties on County Road 150). O'Prey said there would be no mechanism to collect on the customers in the new development if the property was not annexed into the Village. O'Prey emphasized that without an increase in the Village, the cost of taxes and water will go up. O'Prey asked if having the land annexed into the Village is a benefit regardless of what goes in; he said yes, it is, because there will be more people paying into the water and sewer. O'Prey said that Schickel has a good track record for bringing people in. The rents will be high, but it will bring in good quality residents. He thought that having the development will control the flooding issue on Main St. He said that the Village would have a say on what goes in.

Morrell suggested that a written agreement between the applicant and the Village could be filed with the County Clerk. He suggested that there could be conditions or specifications proposed for the annexation and an additional meeting could be scheduled before the 90-day deadline.

Guthrie said that the land use laws of the Town do not really apply to this kind of development. Morrell said the minimum lot size, and setbacks are the main difference between County/State laws. The Village has nothing.

Morrell said that whatever went in could comply with the Land Management Ordinance, because the LMO does not restrict what type of structures could go in, just set back and minimum lot size.

Guthrie said that this development would be an exception to the LMO, but regardless of whether Schickel would continue to be the owner, the project should continue in the form that it's at.

Wyckoff said he has not heard anything good from people he's known to have lived in these cottages.

Nottke refocused the discussion on the annexation. She said that Richardson had answered all her questions regarding the development, and how could she say 'no' because he's done his homework. But she is concerned about the water situation that's not even available yet and wouldn't it be prudent to wait until that is completed before moving forward.

O'Prey said that they should break ground before Fall this year, which theoretically should beat Schickel's construction, but no guarantees. He said they would never tie in something that would deplete the current homeowners' water supply; it would be illegal and reprehensible to do that.

Nottke questioned whether it wouldn't be better to wait. O'Prey said they've made their proposal now and it's their decision.

Foster brought up the recent Josh Durso articles addressing the lack of affordable housing and that's exactly what's happening here: prevents a lot of projects from going forward and creates stagnation.

He said that the Village has what they consider to be a viable project and this town shouldn't stand in their way because you need to grow to keep the water rates the same, and that any outside the Village will require creation of a water district. He said you've got to take the chance that something good will happen otherwise nothing will happen and nothing is not a solution.

O'Prey said they recently lost one of their biggest water clients, 28,000 g/month, from the dairy farm, thus a surplus of water and reduction of revenue. Also, the Bixby Home, recently closed, will not be using water anymore.

Adams-Compton said she didn't think that these new houses were affordable, at least for most of the residents living in the Village, and what would attract the people that can afford them?

Soyka pointed out that regardless of the occupancy rate, they will still have to pay the taxes.

Someone(Sally Sumner?) brought up the question of whether the people drive the development of the Village or the development brings the people in.

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Guthrie said the question before us is whether we allow the Village to take this responsibility.

Adams-Compton said she didn't mind the idea of regular houses, but it's the "vacation houses" with an annual lease.

Foster said why not let Schickel do this "upscale housing", because the Town will benefit from additional Town taxes even though it's in the Village.

There was mention that this project would upset some of the neighbors, especially those with an adjacent driveway. They attended the Public Hearing, but did not speak out.

Morrell said that the application was for annexation, but the record of this action from the application until now is full of information from the applicant and the Village about a proposed residential development with 50-60 single family units. That information has been presented, and it is appropriate to base your decision on this, but ultimately the action is changing the border of the Village to include this property. Everything else is speculation. It is still wide open to what could be put on the property.

Petitioners:

Sally Sumner asked why the trees that are ready to fall on Interlaken Beach Road haven't been taken care of. MacCheyne's calls to the County contracted tree service have not been returned. He also spoke with the phone company to take care of them, because he doesn't want to be responsible for breaking fiber optic lines. Sumner said it is a scary situation; MacCheyne agreed. He said the other option would be get the Village of Trumansburg to help with their bucket truck.

Sumner also expressed concern about the deadend road with no turnaround and an unfriendly neighbor at the end of the road. She said that delivery trucks are now backing up around a blind curve. With nowhere for trucks to turn around, it is dangerous. MacCheyne has not been successful in speaking with the owner at the turnaround. The lake road turnarounds have never been recorded as having Town access: Hatch Rd, Littlepoint, Bergen Beach and Interlaken Beach. He said that eminent domain had been attempted before unsuccessfully.

Dick Westbrook expressed concern over taxes.

Barry Ford compared the Seneca Meadows landfill expansion over the years to what may happen with the data center.

Guthrie asked MacCheyne and Brayton Foster if they were aware of any uncapped gas wells in the Town. Neither knew of any. Foster said maybe in Steuben County. He didn't think there were many in New York.

Phil Stannard announced that the Memorial Day Ceremony at the Lake View Cemetery will be on Monday, May 25th at 9:00 AM. Michael Richardson will be the speaker. All are welcome to attend.

Resolutions:

Nottke moved, seconded by Guthrie, to reappoint Gary Hunt to the Board of Assessment Review for 5-year term ending 9/30/2031; Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Wyckoff, that

Whereas, the Town Board of the Town of Covert has reviewed the variance application of Paula Maguire Properties 9690 Frontenac, LLC to build garage as an accessory structure to a single-family residence at 9690 S. Frontenac Road Extension, Tax Map 21-2-04; and

Whereas, the SEQR regulations under 6 NYCRR 617 designates "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios,

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decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density” as a Type II action not being subject to SEQR review; and

Whereas, the Town Board finds that this application fits within this exemption.

NOW THEREFORE BE IT RESOLVED that the Town of Covert Town Board finds the variance application of Paula Maguire Properties 9690 Frontenac, LLC to build a garage as an accessory structure a single-family residence at 9690 S. Frontenac Road Extension, Tax Map 21-2-04 to be a Type II action under 6 NYCRR 617.5(c)(12).

Aye – Wyckoff, Aye - Foster, Aye - Nottke and Aye - Bishop.

Guthrie moved, seconded by Nottke, that the Town Board has determined, based on information and analysis, and any supporting documentation, that the benefit to the applicant outweighs the detriment to the health, safety, and welfare of the neighborhood or community, and that the Town Board approve the Variance Request for Paula Maguire, 9690 S Frontenac Rd Ext, Trumansburg, Tax Map #21-2-04, to construct a new garage where set back from side boundary is deficient as required under the Town of Covert Land Management Ordinance. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Guthrie moved, seconded by Wyckoff, to approve the 2026 Interlaken Historical Society Agreement, annual cost \$2400. Aye – Wyckoff, Aye - Guthrie, Aye - Nottke and Aye - Soyka.

Nottke moved, seconded by Soyka, to approve the 2026 Interlaken Library Agreement, annual cost \$2500. Aye – Nottke, Aye - Soyka, Aye - Wyckoff and Aye - Guthrie.

Nottke moved, seconded by Guthrie, to approve the following agreement with Schuyler County Humane Society:

AGREEMENT FOR DOG SHELTER SERVICES

THIS AGREEMENT made as of the First day of May, 2026, pursuant to the provisions of Article 7 of the Agriculture and Markets Law, by and between the Town of Covert, a municipal corporation in the State of New York ("TOWN"), and The Humane Society of Schuyler County having its office and principal place of business at 124 Marina Drive Montour Falls, County of Schuyler and State of New York, ("HSSC").

WITNESSETH:

FIRST: That the HSSC, in consideration of the payment to it by the TOWN of the sums of money to be paid in the manner and at the times hereinafter described, covenants and agrees that:

- a) The HSSC will provide and maintain a shelter or pound for seized dogs, will properly care for all dogs in such shelter and will humanely euthanize or make available for adoption seized dogs not redeemed as provided in Article 7 of the Agriculture and Markets Law. Such shelter shall at all times during the term hereof be under the care and charge of a competent employee and shall be open to the public at reasonable hours.
- b) The HSSC will comply with the provisions of Article 7 of the Agriculture and Markets Law and any rules and regulations promulgated pursuant thereto in relation to the holding, care, redemption and disposition of seized dogs.
- c) The HSSC will file and maintain a complete record of any seizure and subsequent disposition of any dog in the manner prescribed by the Commissioner of Agriculture and Markets as well as any other records required by Article 7. Without limiting the foregoing, HSSC shall keep and maintain the records described in Section 113(4) of the

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Agriculture and Markets Law.

- d) If a dog is redeemed by its owner within the mandated redemption period, it is understood that HSSC will bill the owner for all vaccination, licensing, and other veterinary expenses.
- e) If a dog is not redeemed by its owner by the conclusion of the mandated redemption period, the HSSC shall assume ownership of the dog and is responsible for all veterinary and shelter costs associated with preparing the dog for adoption.

SECOND: In consideration of the performance by the HSSC of the terms of this Agreement, the town of Covert, by its appropriate official hereby agrees that:

- a) The TOWN will pay to the HSSC the sum of one thousand three hundred thirty three dollars (\$1333) for the period.
- b) Such sum shall be paid by the TOWN in quarterly installments of four hundred forty four dollars (\$444) to the HSSC, installments to be paid by the 10th day of May, July, and October 2026.
- c) Payments will be sent to The Humane Society of Schuyler County, 124 Marina Drive, Montour Falls, NY 14865.
- d) The TOWN will continue to make all town-required State reports and will remit to the Department of Agriculture and Markets any funds due to that agency by the TOWN.

THIRD: The TOWN hereby appoints the HSSC as its agent to collect all impoundment fees provided for by Agriculture and Markets Law section 117(4). The TOWN hereby agrees that HSSC shall retain all such impoundment fees collected as additional consideration for the services provided by HSSC under this Agreement.

FOURTH: The obligations of the HSSC hereunder are conditioned upon the TOWN's having enacted and continuing in force throughout this contract, a leash law.

FIFTH: This Agreement shall be for an eight month period commencing May 1, 2026, and terminating December 31, 2026. The parties agree to convene a meeting by and among representatives of HSSC and representatives of the TOWN and any other municipality contracting with HSSC for dog sheltering services no later than November 15, 2026, for the purpose of discussing the renewal, amendment and/or replacement of this Agreement.

SIXTH: The TOWN shall provide a quarterly report of licenses issued under Section 110 of the Agriculture and Markets Law in the form designated by the Department and provide such report to the HSSC to facilitate the return of the dog to its owner. The report will list the license number, the dog's owner, and the dog's name. HSSC will provide a monthly report of all redemption and adoption activity to the TOWN including redemption fees charged.

SEVENTH: HSSC agrees that funds received by HSSC pursuant to this Agreement shall be used only as permitted by Article 7. In addition, HSSC agrees to include an additional fee of One Dollar (\$1.00) to each dog license application submitted pursuant to this Agreement. This fee shall be used solely to cover the postage costs incurred by the Town Clerk's office for mailing the corresponding dog tag to the owner. The parties agree that permitted expenses shall include the direct expenses of dog sheltering and care, as well as a reasonable allocation of HSSC's indirect or overhead expenses.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their duly authorized officers and their municipal seals to be annexed on the day and year first above written.

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Humane Society Schuyler County
By Georgie Taylor, Executive Director

Town of Covert
By Michael Reynolds, Supervisor

Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Resolution to Accept Dog Shelter Donations

Guthrie moved, seconded by Soyka, that

Whereas Chapter 59 of the Laws of 2010 as amended were further amended, effective December 2025, to require a line item on dog license renewals giving applicants the option of making a contribution in support of the pound or shelter managed or contracted by the municipality and deposit said funds in a dedicated fund to disperse annually to the applicable pound or shelter; and

Whereas the Town contracts for these services locally with Charlie’s Dog Haven, Inc.; and

Whereas the Town Clerk’s Office has initiated this requirement by listing the option to make donations to Charlie’s Dog Haven on all dog licensing renewal processes and using the budget line item of A2705 to be added to the monthly reconciliation and payment to the Town Supervisor of monies taken in by the Town Clerk’s Office, now, therefore be it

Resolved that the Town Board acknowledges the new legislation and approves the use of line item A2705 and the process and procedures made for implementing this law.

Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Resolution #1-2026 Annexation Denial
Town of Covert, County of Seneca

Whereas, the Town Board of the Town of Covert has reviewed the application to transfer approximately 12.6 acres of land, known as Town of Covert Tax Parcel Numbers 07-1-10.1 and 07-1-10.2 from the territorial bounds of the Town of Covert to the Village of Interlaken; and

Whereas, a joint public hearing was held by the Town of Covert and the Village of Interlaken on March 9, 2026; and

Whereas, the Town Board hereby makes the following findings:

- 1) The Village of Interlaken made a statement at the hearing that the annexation would allow the Village to “expand middle-income housing,” but there was no plan presented to show how this would be done.
- 2) Annexation of these parcels would remove them from the Town of Covert, which has adopted a Land Use Ordinance to the Village of Interlaken, which has not adopted land use regulations to control future development.
- 3) At the hearing the prospective developer stated that he intended to build between 50 to 60 single family residences on the parcels to be annexed. Such a development would greatly increase the density of that area with no real plan to address potential impacts on the surrounding community.

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NOW THEREFORE BE IT RESOLVED that the Town of Covert Town Board finds that the application to transfer approximately 12.6 acres of land, known as Town of Covert Tax Parcel Numbers 07-1-10.1 and 07-1-10.2 from the territorial bounds of the Town of Covert to the Village of Interlaken is not in the overall public interest.

Motion: Wyckoff, Second: Nottke. Aye – Wyckoff, Aye – Nottke, Aye – Reynolds; Nay – Guthrie, Nay – Soyka.

Nottke moved, seconded by Wyckoff, to approve the Town Supervisor's Income and Expense report for the month of April 2026. Aye-Wyckoff, Aye-Nottke, Aye-Soyka and Aye-Guthrie.

Nottke moved, seconded by Wyckoff, to approve the Highway Superintendent's report for the month of April 2026. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Wyckoff, to approve the Town Clerk report for the month of April 2026. Town Clerk received total of \$706.00 and \$364.12 was remitted to the Supervisor for the month of April 2026. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Guthrie, to approve the Code Enforcement Officer Report for April. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Guthrie, to approve the Dog Control Officer Reports for Feb, March, April 2026. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Soyka, that Highway Fund Vouchers #65-77 in the amount of \$86,882.63 and General Fund Vouchers # 94-116 in the amount \$36,058.37 be approved for payment. Aye – Nottke, Aye – Wyckoff, Aye – Soyka, and Aye – Guthrie.

Nottke moved, seconded by Guthrie, to adjourn the meeting at 8:40 PM.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk