

**TOWN OF COVERT  
ORGANIZATIONAL MEETING  
AND  
MONTHLY BOARD MEETING  
7:00 PM ----- JANUARY 8, 2024**

The organizational and regular meeting of the Town Board of the Town of Covert was held Monday, January 8, 2024 at 7:00 p.m. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Absent

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

**Call to order:** Supervisor Reynolds called the meeting to order at 7:00 p.m. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Bishop, to approve the minutes from December 11<sup>th</sup>, 2023 and December 29<sup>th</sup> Year-end Meeting. Aye-Foster, Aye-Nottke and Aye-Bishop.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing at 7:02 PM for a Variance Request under the Town of Covert’s Land Management Ordinance (LMO) for Douglas Boyes and Michelle Hunt, 3714 County Rd 150, Interlaken, Tax Map #06-2-07, to construct a new home where set back from road and lot size are deficient as required under the LMO. The lot is substandard; they will be replacing a house that had been torn down. Four letters were received from neighbors in favor of the project, on file with the Town Clerk. There were no comments. Nottke moved, seconded by Bishop to close the public hearing at 7:03 PM.

**Highway:** MacCheyne reported that they cleaned the shop, hauled crusher run and 1Bs, mixed salt with 1Bs for winter use, and plowed, sanded and cold patched all town roads. They replaced the block heater on the 2010 10-wheeler, delivered tractor with side flail mower to Lodi for repairs, drained the hydraulic tank and changed filters on 2001 Gradall, which seems to be working, and did regular maintenance on all equipment.

MacCheyne said that the delivery location for the S Frontenac culvert pipe had changed after delayed delivery, but it should be delivered next week and the work should be done in 3-4 weeks.

Nottke said that Three Falls LDC will have a meeting at 9:30 AM tomorrow in Ulysses and all are welcome. They have been working on a draft for the bi-laws. Surveyors have completed a description of the property. She said that the LDC supports the Town of Covert’s resolution to request \$20,000 from Seneca County IDA for the LDC 2024 membership fee.

Reynolds said that Nick Joseph wants to build another house on their property which would require a Variance from the Land Management Ordinance.

Reynolds reminded all that the Town Board will audit the Town Books on January 15 beginning at 10 AM.

Reynolds said that he has offered the old Town Hall sign to a few entities but no one has been interested yet.

Morrell commented on the new Three Falls LDC Bi-laws. Morrell said that it was updated as of 4 PM that day. Morrell said that the LDC is a public entity, a separate corporation from the towns and village board, but it is still a municipal entity, subject to municipal requirements. He said there was nothing surprising in it: it still requires membership dues paid or no voting member privilege the following year. Nottke said it was still in process and Carrie would take suggestions and make a new draft.

Nottke asked regarding the easement for the Frontenac Bridge. Morrell said they are working on it. He said that the

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bridge property is still an easement and will not be transferred; the bridge will be set on top of the property; it is basically an easement to occupy.

Morrell said the process is continuing for the environmental impact statement on the Persoon's proposed solar farm. Neither Morrell nor Reynolds had spoken with Jason McCormick yet.

Morrell reported that in the Shaw assessment challenge, they had come to an agreement that will be presented to the court.

Regarding the cannabis applications within the Town, Morrell said the Town has opted out and can opt in at any time. Foster asked if they are obligated to vote on the two applications. Morrell said 'no'. Foster said he voted to opt out on cannabis dispensaries before, he is waiting for more information, but he hasn't seen anything to change his mind. He said it is only speculative what will happen, at this point.

**Petitioners:** Jim Borden, Interlaken Fire Chief, was asked to speak representing their 8-9 members from Covert, regarding the Firefighters exemption. He said that South Seneca School and the County had adopted the exemption and he thought it would benefit him and others if the Town adopted the exemption as well.

Borden spoke about recruitment being terrible and the need for benefits. The exemption is for 10% assessment for 5 year homeowners, with 5 years of active service to qualify. The \$200 income tax credit remains in effect through 2024. Assessor Anna Morgan advised that with the school adopting the exemption, it may be worthwhile. Foster believed that initially when our assessors generated the numbers, it would only benefit homeowners with 4 million dollar homes. Borden said with the compounded tax relief, it should be a better deal. Borden asked for the option to let the members decide. One may take the \$200, the other the exemption. Foster said the facts should be verified before the public hearing.

Henry Zomerfeld, representing New Leaf, said he will plan to address questions regarding the Persoon's proposed solar farm and the land use at the Public Hearing on March 4<sup>th</sup>. Nottke asked if the property lease can be re-sold to someone else with the sale of the property. Will Nieves, New Leaf, said yes, the lease will transfer to the owner/operator. Foster expressed his concern with the safety issues being so close to the school.

Zomerfeld asked for a list or letter, in writing, so they can address these questions in one fell swoop. Morrell suggested concerns be addressed to the engineers, and that emails sent to enter into public record.

Rob Schoffel said that the Planning Board did not favor the project as it is a massive deviation from the LMO, being a size more than 500 times the allowed kW. He said they do not know anything about something that large scale, but asked the Seneca County Planning Board to look at the 100s/page application/plan: the County said it looked okay to them. He said it would set a precedent. He suggested they could change the LMO if something like this is to be allowed.

Foster said that the Town has a long history of not wanting commercial development and the Board's focus on the impacts to the community and the flip-side of generating a tax base. He said that, included in the elements of the application, should be what's in it for the town, such as royalties, ie. gas well, and covering costs to the Town.

Barry Ford said this is why Towns consider having a comprehensive plan. It will be hard to say 'no' when precedent is set allowing big industry in.

Ben Guthrie said that in 24 years, it's obsolete, and can the posts be pulled up? There was discussion about decommissioning, and NYSERDA's plan. Guthrie mentioned that dumps and tire reclamation are permanent.

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Foster said that he thinks the sentiment has been that we don't want commercial scale development, but if that has changed, they should realize that.

**ORGANIZATONAL**

- 1) That for the year 2024 the Town Board sets 67 cents per mile reimbursement as mileage allowance for personal vehicles used by Town Officers while performing official duties other than attendance at Town Board Meetings or Town Court Proceedings.
- 2) To authorize that Community Bank, N.A., Ovid Branch, be designated the official bank of the Town of Covert and the Supervisor be authorized to invest town monies consistent with the requirements of New York State and with appropriate consideration given to elements of safety, liquidity and yield.
- 3) To authorize that Five Star Bank, Ovid Branch, be designated the official bank of Town Justice Schmidt.
- 4) To authorize Highway Superintendent MacCheyne to spend up to \$1000.00 per purchase to acquire equipment, tools, and implements and \$1,500.00 for repairs during 2024 without prior approval of the Town Board.
- 5) To designate the Interlaken Review as the official newspaper of the Town of Covert for the year 2024.
- 6) To appoint Jamie Vangalio as Dog Control Officer at the budgeted Salary and 67 cents per mile to Beverly Animal Shelter for the year 2024. A \$25.00 per day fee for each dog will be charged to the owner upon redemption of impounded dog from Beverly Animal Shelter.
- 7) To appoint Roger Ward as Code Enforcement Officer at the budgeted Salary and 67 cents per mile for the year 2024.
- 8) To appoint John Hunt as cleaner to the Town of Covert Municipal Building, at the wage of \$18.54 per hour for the year 2024.
- 9) To allow Supervisor Reynolds to file his 2023 annual report with the Town Clerk by the same date and in the same matter as Annual Report is required to be filed with the State Comptroller. Such authorization is allowed by Town Law Section 29 (10a).
- 10) That the salaries of all elected and appointed officers shall be the amount indicated by the currently effective resolution or the amount budgeted in the 2024 budget. The Highway Superintendent shall set wages of hourly highway employees with concurrence by the Town Board, within the limits of the Highway Budget. Payment of salaries and wages shall be at times and dates that are legally permissible and mutually acceptable to the Supervisor and the recipients.
- 11) The Personnel Policy and Procedures Handbook were reviewed with the updated NYMIR Policy Against Discrimination and Harassment.

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**APPOINTMENTS BY ELECTED OFFICIALS**

Highway Superintendent MacCheyne appoints Glenn Boyes as Deputy Highway Superintendent for 2024.

Town Clerk appoints Brian Quan as Deputy Town Clerk, Registrar of Vital Statistics, and Tax Collector. Wage shall be \$22.22 per hour.

Town Justice Eileen Schmidt appoints Lucille Smith as Clerk to the Town Justice. Wage shall be \$22.22 per hour.

**Supervisor Reynolds makes the following appointments for 2024:**

Bookkeeper and Secretary to the Supervisor – Nancy Swartwood

Budget Officer -- Michael Reynolds

Deputy Supervisor -- Deborah Nottke

Town Assessment Committee – Michael Reynolds and Brayton Foster

Historian for the Town – John Hunt

Highway Committee -- Bill Bishop, Chairman and Brayton Foster

Courts, Ordinances & Law Enforcement –Brayton Foster, Chairman and Bill Bishop

Utilities & Insurance – Bill Bishop, Chairman and Deborah Nottke

Personnel – Deborah Nottke, Chairwoman and Todd Wyckoff

Buildings and Grounds--Bill Bishop, Chairman and Todd Wyckoff

Fire and Ambulance –Deborah Nottke, Chairwoman, Todd Wyckoff and Michael G. Reynolds

Planning and Land Management Ordinance- Brayton Foster, Chairman and Todd Wyckoff

Any appointments which may have been overlooked shall continue to be filled by the incumbent subject to review by the appropriate appointing authority.

Nottke moved, seconded by Foster. Aye-Bishop, Aye-Foster, Aye-Nottke, Aye-Reynolds.

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**RETURN TO THE REGULAR TOWN BOARD MEETING**

**Resolutions:**

Nottke moved, Seconded by Foster, to approve the Variance Request for Douglas Boyes and Michelle Hunt, 3714 County Rd 150, Interlaken, Tax Map #06-2-07, to construct a new home where set back from road and lot size are deficient as required under the Land Management Ordinance.

Aye-Bishop, Aye-Foster, Aye-Nottke.

Nottke moved, seconded by Foster, to refer the Variance Request for Nick Joseph, 4330 E Covert Rd, Interlaken, NY, to construct a third dwelling where there is a limit of one dwelling structure per parcel allowed under the Land Management Ordinance to the Planning Board on January 25th, 2024 at 7 PM and schedule a Public Hearing for February 12th, 2024 at 7 PM. Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Foster, to approve the 2024 Beverly Animal Shelter Agreement. Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve revisions to the Personnel Policy with replacement of Policy Against Discrimination and Harassment with updated 2023 version. Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Bishop, to re-appoint Deborah Nottke and William Shaw as member Directors of the Three Falls Local Development Corporation representing the Town of Covert. Aye-Bishop, Aye-Reynolds, and Aye-Foster.

Foster moved, seconded by Nottke, to schedule a Public Hearing for a Local Law for Volunteer Firefighters' exemption pursuant to RPTL § 466-a on Monday, February 12, 2024 at 7 PM. Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to declare the old Town Hall sign as surplus. Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of December 2023. Aye Nottke, Aye-Foster and Aye-Bishop.

Nottke moved, seconded by Bishop, to approve the Town Clerk's report for the month of December 2023. A total of \$392.00 was received and \$185.00 was remitted to the Supervisor for the month of December 2023. Aye-Bishop, Aye-Nottke and Aye-Foster.

Nottke moved, seconded by Foster, to approve Code Enforcement Officer's report for the month of December 2023. Aye Nottke, Aye-Foster and Aye-Bishop.

Nottke moved, seconded by Bishop, that Highway Fund Vouchers #1-9 in the amount of \$34,336.97 and General Fund Vouchers # 1-18 in the amount \$120,521.52 be approved for payment. Aye-Foster, Aye-Nottke, Aye-Bishop.

Nottke moved, seconded by Bishop, to adjourn the meeting at 8:17 p.m.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARINGS and REGULAR TOWN BOARD MEETING**  
**February 12th, 2024**

The Public Hearings and regular meeting of the Town Board of the Town of Covert was held Monday, February 12, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Absent
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

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

**Call to order:** Supervisor Reynolds called the meeting to order at 7:01 P.M. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Wyckoff, to approve the minutes from January 8<sup>th</sup>, 2024. Aye - Wyckoff, Aye - Nottke, and Aye - Foster.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing at 7:02 to hear comments on the proposed Local Law Authorizing Section 466-a of the New York State Real Property Tax Law - A Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers to receive a maximum of 10% off their assessment after a minimum of two years of service, as is consistent with the Seneca County law.

Foster asked if they can flip between taking the property tax exemption and the income tax deduction year to year. Yes, they should be able to choose their benefit.

Nottke moved, seconded by Foster, to close the Public Hearing at 7:06 PM.

**Public Hearing:** Nottke moved, seconded by Wyckoff, to open the Public Hearing to hear comments on the Variance Request for Nick Joseph, 4330 E Covert Rd, Interlaken, Tax Map #17-1-09.7, to construct a third residence, a tiny home, 14' x 28', where roadway setback is short and there is a limit of one dwelling structure per parcel under the Town of Covert Land Management Ordinance (LMO).

Seneca County had approved septic to tie into the existing septic. The Covert Planning Board recommended denial and alternatives such as subdividing property or adding on to the original house.

Foster asked why it is planned for so close to the road when they have a five acre parcel. Joseph said it would probably not be as close as original plan, 40'-50' from right-of-way. Joseph said the County considered the building a shed. He said it would be portable, built on skids.

Joseph said he proposes that he could survey off 2 acres, or create a flag pole lot portion. Foster said a flag pole lot would not be okay by him because of the road frontage needed.

Foster said the structure sounds like a trailer on wheels, and way-back, the Town didn't want multiple trailers on a property. The residence would be 392 sq ft; Foster said the LMO used to require 900 sq ft.

Joseph will have to try something different and re-apply for a development permit.

Nottke moved, seconded by Wyckoff to close the Public Hearing at 7:22 PM.

**Committees:** Nottke reported that the trees were cut down right away by the County for the new bridge.

MacCheyne and Nottke sent a letter to the design team for needed permission from Trumansburg's DPW for the Town to adjust the grade for the driveway at the well house on S Frontenac Rd.

Barry Ford offered used concrete he had available for the project.

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Foster said with the Public Hearing for the Persoon's proposed solar farm in three weeks, he had created a list of questions and comments requesting clarification from the engineers at the Public Hearing. #1. Screening: planting trees - seedlings or larger? #2. Address the distance to the school, etc. and health issues. #3. State the source of the panels, etc. #4. Guarantee funding to cover Town's costs for evaluation of project. #5. Clarify reclamation bond. #6. No recycling available; guarantee no landfill disposal. #7. Clarify property assessment (taxes) through stages of project. #8. Since character of community changes, provide royalty based on production? (excerpted from list on file with Town Clerk)

Foster also said that he was not interested in a PILOT for the solar farm.

Foster said that on Friday they had received information from Henry Zomerfeld, attorney representing New Leaf Energy, with answers to previous concerns that were voiced regarding the proposed solar energy facility. (letter on file with Town Clerk) Foster said he agreed with the first 5 points, but the last three items, ie. #6, All equipment will follow applicable industry codes and standards. #7, A substantial change in use, "currently vacant land"? Or cornstalks? And #8, Construction of the project will take ~ four to six months, met with skepticism, referring to solar facility on Applegate Rd, Ithaca, as taking longer than that to construct.

Nottke said she had re-sent an email from last October when she had asked for \$20,000 to be reserved in the Town's budget for Three Falls LDC to maintain voting member status. She said she went to the County Board of Supervisors meeting to ask for the money, but it was tabled. Then she went to another Tuesday meeting where the County Manager suggested that the money come from the sales tax money the County will distribute in June. The Town is expected to get about \$100,000.

Nottke appealed to the Town Board again, reiterating that the Town of Covert deserves to have a say in the operation of the park and the money will allow the Town to keep their voting membership. She said that grant money will come in after the sale is completed. The Boy Scouts are waiting on the LDC, for assurance of continued use, and NY State Parks is waiting on the bridge. The expected opening date is May 1<sup>st</sup>.

Foster said he wouldn't commit taxpayer money, and was concerned that \$30,000 was already spent, mostly on legal fees, and 'we' still don't have the property. Foster remained opposed until a few things happen: transfer of property, boyscouts, + LDC, concrete results.

Nottke said that the money would be brought back to the Town of Covert. The Boy Scouts would be a revenue stream. When the NY Parks has ownership, they will be able to apply for grants. This last piece of lake front property is so important to the future, the community and tourism. Nottke said the contract was for ten years of management, with option for another 10 years.

Morrell said that the park is a service for your residents, and a tourist attraction: If it makes money, if it breaks even, great. Also, the Boy Scouts, who were using it, want to continue using it. It is a large chunk of land with lake frontage that will slip out of the Town's control if they do not take action and keep their seat at the table.

Foster said he did not want that to happen, but his fear is that the LDC will continue to ask for more money.

Morrell speculated that, as the Town of Covert has responsibility for the road and bridge, the LDC could contract with the Covert Highway Department going forward.

Nottke announced the next Three Falls LDC meeting on Thursday at 9:30 AM when they would hopefully finalize the contract with the Boy Scouts.

Nottke said that the County Board of Supervisors meeting was enlightening in their discussion of the Emergency Management being taken over at the County level. North Seneca EMS is falling apart. Trumansburg service works great, but at a high cost. South Seneca ambulance is surviving, but less efficient. There was more discussion about the need for workers and equipment, and that Schuyler County's EMS services join together to cover their area already.

Morrell has spoken with Donald MacCormack regarding bonding for the Booth Road project. Reynolds said it won't cost extra to use them for bonding.

Reynolds said the Town will need 5% of the cost for Frontenac bridge, \$100,000 - 120,000 to be bonded too. The County will be paying 95% of the bridge bills.

Reynolds said that Emminger Newton Pigeon & Magyar Inc.'s proposal for a townwide revaluation is the best deal at \$80,000.

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He said they will do public meetings. Morrell said they were good to work with in Seneca Falls. It has been 8 – 9 years since the last revaluation.

Reynolds said that Jason McCormick will review the documents for the Persoon solar facility, and that New Leaf will give the Town \$5,000 toward the hiring of an engineer.

Reynolds announced that the new electronic sign should be working Wednesday.

Morrell mentioned that the Town Board may want to change its April 8, regularly scheduled meeting date, as the solar eclipse will be that afternoon, and that schools are closed and many events planned.

There will be a Public Hearing for the Variance Request for Jack and Jen Persoon, 8182, 8184, 8186 State Rte 96, Interlaken, to install three solar arrays, where there is a limit of one electricity production system per parcel and all electricity production systems with a DC capacity greater than 25 kW are prohibited under the Town of Covert Land Management Ordinance on March 4<sup>th</sup> at 7 PM.

**Petitioners:** Ford asked how the Reval will be paid for. The revaluation will be paid with taxpayer money, \$40,000 this year, \$40,000 next year. Part of last year's sales tax money will be used this year.

Ford asked if there is a plan for guard rails in the Booth Rd FEMA project. Reynolds said it will probably be bid that way.

**Resolutions:**

Nottke moved, seconded by Wyckoff, to refer the Variance Request for Laurie Schuller + James Lowe, 8287 Dickerson Drive, Interlaken, Tax Map #06-2-24 to construct an addition where right setback and property size do not meet minimum requirements of the Town of Covert Land Management Ordinance, to the Planning Board on February 29<sup>th</sup> at 7 PM. Aye - Foster, Aye - Wyckoff, and Aye - Nottke.

Nottke moved, seconded by Wyckoff, to schedule a Public Hearing for the Variance Request for Laurie Schuller + James Lowe, to construct an addition at 8287 Dickerson Drive, Interlaken, on March 11<sup>th</sup> at 7 PM. Aye - Foster, Aye - Wyckoff, and Aye - Nottke.

RESOLVED, that the Town Board of the Town of Covert hereby adopts Local Law No. 1 of the year 2024, "A Local Law To Authorize A Real Property Tax Exemption For Volunteer Firefighters And Volunteer Ambulance Workers Pursuant To Real Property Tax Law Section 466-A"; to read in substantially the following form:

A Local Law To Authorize A Real Property Tax Exemption For Volunteer Firefighters And Volunteer Ambulance Workers Pursuant To Real Property Tax Law Section 466-A

Be it enacted by the Town of Covert, as follows:

Section 1. Purpose and Intent

It is the intent and purpose of this Local Law to grant a partial real property tax exemption to qualifying volunteer firefighters, volunteer ambulance workers, and their qualifying spouses, residing in the Town of Covert, County of Seneca, State of New York, as authorized by New York State Real Property Tax Law section 466-a.

Section 2. Exemption Granted.

A. Any qualified member who has been certified by the authority having jurisdiction (hereinafter the "AHJ") for the incorporated volunteer fire company, fire department or volunteer ambulance service as an enrolled member of such incorporated volunteer fire company, fire department or volunteer ambulance service for a period of at least 2 years shall be entitled to a 10% reduction in the taxable value of their real property for Town real property tax purposes subject to the following requirements of section 466-a:

- 1) The applicant resides in the Town of Covert, which is served by the incorporated volunteer fire company, fire department or volunteer ambulance service;
- 2) The real property is the primary residence of the applicant;
- 3) The property is used exclusively for residential purposes; provided however, that in the event any portion of



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such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and

- 4) The applicant submits a certification from the AHJ stating that they have been an enrolled member of the incorporated volunteer fire company, fire department or volunteer ambulance service for at least 2 years prior to submitting an application for this tax exemption.
- B. Any member who has achieved over 20 years of accumulated service shall be considered a life member and the exemption shall continue for the remainder of their life if the real property serves as their primary residence.
- C. Any un-remarried surviving spouse of a volunteer who is killed in the line of duty shall continue to receive the real property tax exemption if:
- 1) The AHJ certifies that the un-married surviving spouse is eligible for the exemption;
  - 2) The volunteer had accumulated at least 5 years of service;
  - 3) The real property continues to serve as the primary residence of the surviving spouse;
  - 4) The deceased volunteer had been receiving the exemption prior to their death.
- D. Any un-remarried surviving spouse of a deceased volunteer that shall continue to receive the exemption if:
- 1) The AHJ certifies that the un-married surviving spouse is eligible for the exemption;
  - 2) The deceased volunteer had accumulated at least 20 years of service;
  - 3) The real property continues to serve as the primary residence of the surviving spouse; and
  - 4) The deceased volunteer had been receiving the exemption prior to their death.

Section 3.

This Article shall take effect immediately upon filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this article.

Motion: Foster, Second: Wyckoff; Aye – Nottke, Aye – Foster, Aye – Wyckoff, and Aye – Reynolds.

Nottke moved, seconded by Foster, to allow the Town Supervisor to enter into negotiations with Emminger, Newton, Pigeon & Magyar for the purpose of a townwide revaluation at the sum total of \$80,000, subject to arriving at an acceptable contract between the Town of Covert and Emminger, Newton, Pigeon & Magyar as negotiated by the Town Supervisor. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Wyckoff, that the Covert Town Clerk and Tax Collector's records were examined on January 15th, 2024, and found to be in good order. Aye-Nottke, Aye-Foster, Aye-Wyckoff and Aye Reynolds.

Foster moved, seconded by Wyckoff, that the Covert Town Justice's Court records and dockets were examined on January 15th, 2024, and found to be in good order. Aye-Foster, Aye-Wyckoff and Aye-Reynolds.

Wyckoff moved, seconded by Foster, that the Covert Town Supervisor's Bookkeeper's records were examined on February 15th, 2024, and found to be in good order. Aye-Nottke, Aye-Foster, and Aye-Wyckoff.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of January 2024. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Foster, to approve the Highway Superintendent's report for the month of January 2024. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk/Tax Collector report for the month of January 2024. Town Clerk received a total of \$907.00; \$505.00 was remitted to the Supervisor. Tax Collector received a grand total of \$2,008,618.41 through January '24. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Foster, to approve the Code Enforcement Officer's report for the month of January 2024. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

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Nottke moved, seconded by Foster, that Highway Fund Vouchers #10-29 in the amount of \$75,232.33 and General Fund Vouchers #19-44 in the amount of \$370,456.12 be approved for payment. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 8:36 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING FOR PERSOON/NEW LEAF ENERGY**  
**March 4<sup>th</sup>, 2024**

The Public Hearing on Application for Variance for Persoon and Interlaken Solar 2, LLC, Interlaken Solar 3, LLC, and Interlaken Solar 8, LLC, of the Town Board of the Town of Covert was held Monday, March 4, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Supervisor Michael Reynolds	Present
Councilwoman Deborah Nottke	Present
Councilman Bill Bishop	Present
Councilman Brayton Foster	Present
Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Town Attorney Patrick Morrell, Planning Board Chairman Rob Schoffel, Planning Board member Eric Spiegler, Jack, Jen and Jake Persoon, New Leaf reps, Andrew Ward (?), Wil Nieves, and Alicia Stoklosa, La Bella Associates Project Manager, Emily Lukasik, and other interested citizens.

**Call to order:** Supervisor Reynolds called the meeting to order at 7:05 pm. All rose for the pledge of allegiance.

**Public Hearing:** The Public Hearing to hear comments on the Variance Request for Jack + Jennifer Persoon, 8182, 8184, 8186 St Rte 96, Interlaken, Tax Map #05-1-13.2, #05-1-24.2 + 05-1-18 and #05-1-13.2 to construct three community solar photovoltaic arrays, a total of 13 MW AC, where energy output exceeds the allowable limit under the Town of Covert Land Management Ordinance (LMO).

Reynolds explained that the engineer hired by the Town for the Environmental Review of the project had not been able to complete his review yet, due to health issues.

Reynolds introduced Emily Lukasik, Project Manager from LaBella Associates, supporting New Leaf Energy, who shared a presentation of the project on the large screen. Emily said the project is a straight forward one; there would be minimal tree clearing, no wetlands or any issues like that. She explained there would be three sites: the mid + lower sites would produce 5 megawatts each and would have satellite trackers that follow the sun, the Northern site is smaller and would have fixed panels. Of the 90 acre parcels, 68 acres would be used for solar. The only new impervious surfaces would be the access road and 5 equipment pads. She said that storm water treatment for the imp surfaces would be taken care of through grass filter strips, DEC-approved, and small xx retention basin. Some run-off would be decreasing, minimal change to the land. All the wiring would be under ground at the road, there would be 2 driveway entrances.

Jack Persoon said that they picked the site because it is hidden. (out of sight from Rt 96) They want to keep their farm in the family, but Cornell has told them for 40 years that small farms need to diversify. They intend to continue as dairy farmers.

Jen Persoon shared some of their family history, beginning in 1997 when they purchased the farm. She said they had looked in Iowa but it was too expensive. Friends told them about the Interlaken farm. She says nobody loves their farm more than them. Over the 27 years, maybe 7 of them were good price years, but the business has mostly been paid below production costs. She said they truly love their farm, and Interlaken, and it has been an honor to raise their children here. She said her son and daughter-in-law (and grandchildren) have moved back here. She said that leasing some of their land for solar panels is an unobtrusive way to diversify and to supplement, not replace, their farm income. She said they care about the community and have had many groups and events at the farm over the years.

Emily Lukasik said they will not be taking the land out of Agriculture: NYS law says it will be put back into Ag use when the solar arrays are no longer in use. For the decommission, they test the soil before and after. If the soil is

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low in a nutrient that was there before, they will enrich the soil. Posts and gravel drive are the only additions to the soil. Marcia Taylor asked if they have ever decommissioned a site before. Lukasik was unsure. She said her environmental group is involved in testing and agricultural monitoring on the sites regularly.

John Ditmars, 8301 Main St, whose family have owned a farm in Interlaken since the 1890's, spoke of individual rights and that everyone should be able to do what you want for yourself. He asked what is the capacity factor, explaining that 100% output would be the maximum output 100% of the time. He thought solar was around 30% and said that solar is not for this region, when measuring capacity factor per acre.

Lukasik said their professionals have determined that this area is good for solar. Wil Nieves said he thought the capacity factor for theirs was around 66%. Ditmars said if it was, you would be leading the world in solar panels.

Ditmars asked where the panels are made. Nieves said that it is currently a Japanese manufacturer, but by 2025, '26 they should be domestic sources. He said they were not made in China. Possibly Argentina? Persoon pointed out that 95% of the Dollar General is produced in China.

Taylor said it is about clarification of the manufacture of the panels the disposal of them. Nieves said the current panels will last from 20 – 25 years. Ten years ago it was different. Nieves said they are incentivized to buy local through the Inflation Reduction Act.

Ditmars said he had travels down I-90 and has seen a solar panel company. It would be nice to source our solar panels locally.

David Ferguson asked about the number of panels and what kind of heat they produce with concern for microclimate. They deduced there would be a total of 32,000 panels. Lukasik said they increase the temperature by 1°-2°. Lukasik said it is making it warmer, over a larger surface. Nieves (?) said panels are made out of glass/silicone. While the panel is capturing the heat, if it overheats, it will set off an alert to the monitoring center.

Marcia Taylor said their property butts up against the panels/across the driveway. Lukasik said they are following setback requirements of the Land Management Ordinance. Andrew Ward(?) said solar panels will be over 30 feet from Taylors'. Lukasik said the closest the panels would be is 90' from Taylors' property.

Ron McArde asked what will be done to curtail the increased runoff. Lukasik said this will not increase runoff. The type of vegetation under the panels will help slow the run-off. Jake Persoon said it will be like a permanent sod field, with less runoff and greater root system. The cover crop/hay field will absorb the runoff.

Taylor asked that if they are taking that much property out of production, how do they maintain their farm? Persoons said they've had years of 40-60 extra acres of grain to sell.

Jake Persoon introduced himself, son of Jack + Jen, saying that he grew up loving this community, went into the army for ten years, and he and his family have moved back to Interlaken. He said he gave up a successful career to move back to the family farm and raise his kids in this community.

He asked, how many small dairies there were 20 years ago? A lot more than now. He said they're a hardworking family. He said they did not have all good years for the 20 years in business. It was very hard on family, not knowing if they were doing the right thing, but through stubbornness and the grace of God, they kept fighting the good fight through hard work. He gave honor to his hardworking father. The solar farm will allow them to keep dairy farming. They have a strong commitment to this community, and want what's best for this community. Jen

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Persoon concurred, saying the reason they can put fields out of commission for the panels is because Jack is an excellent farmer.

Pete Messmer, cheese maker, production manager, whose family owns and operates Lively Run Dairy, said that he also grew up in this community with Jake. He said Lively Run Goat Dairy has bought cow milk exclusively from Persoons for their cow cheese for 10 years. He says they probably have doubled their cow milk production every year up till the last two years. If they go out of business, they're in trouble. He said we need to have a local economy with an agricultural dairy component, cows eating grass, making milk. He said, "We have to support small farms", otherwise we will have mega farms with 30,000 cows. They have been able to support Persoons by paying double the market price allowing them to stay in business. He wants to see them and small farms continue to exist. "We have to find small ways to support them." He said this (solar) will help the Persoons stay in business. Messmer also pointed out theirs is the only non-Amish not-mega farm.

Peter Messmer, Pete's dad and his son were co-founders of previous farm, said the reason that he supports the project is because we're in a war to save family farms. Family farmers are fighting big corporate businesses. The array of forces against the family farm is incredible and Jack's is one of the few left. He is not really a fan of solar and windmills, but he is a fan of saving the family farm. (letter on file with Town Clerk)

Emily Aman asked what happens after the 25 – 30 year solar panels life. Nieves spoke about the decommissioning plan. Barry Ford said there is already a recycling issue, the tech is not new but the reclaiming of them is still new to us, and it is just like the US to legislate before the plan. He said the issue is not about supplying better or more electricity, but is about certain individuals or companies making a profit on Wall Street. He asked, what are we weighing here: We're going to make somebody very wealthy at the expense of what? He then asked about the basin to filter out what?

Lukasik explained about the basin used for runoff from impervious surfaces, asphalt or hardpacked gravel on the roads and equipment pads. Lukasik said the runoff is filtered through them. The DEC requires them for every development. Water will run off the panels into the ground, however. She said they have a pollinator mix for dual use, that will be mowed once or twice a year, under the panels. Representatives for the project said there will be a fence around the project to keep people and deer out, with a 6" gap underneath.

There was explanation about the wiring to boxes to converters to poles by the road and hook-up to NYSEG/power grid.

Ford asked whether there would be reflection or glare. Lukasik said there would be no glare, panels have anti-glare properties, and with the vegetation. Nieves explained about the trackers that would cause panels to point on the sun maximizing the solar occlusion causing a reduced glare.

Ditmars asked about an environmental statement. Lukasik said there were no concerns from the DEC + US Fish + Wildlife. Morrell said the Town is required to complete an environmental review, but the engineer could not complete it by this evening. He said the notices were sent out to agencies and responses would be ongoing.

When asked about the project property tax-wise, Morrell explained that the state gives exemption for the project, not for the land, for the improvement. The law provides for the ability for affected municipalities to obtain a Payment In Lieu of Taxes agreement. The Town of Covert has expressed a desire for this, but a PILOT is still in the beginning stages of the process.

Ditmars asked who is on the hook for the cost of decommissioning if the decom fund isn't enough. The taxpayers?

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Morrell said it would be between the landowner and the applicant, and Nieves said they will work with the Town engineer for a plan and the fund.

Ford said there is no benefit to the Town for projects like this. Lukasik said that's an over-simplification. Survival of a small farm affects the community. Ditmars asked what is to stop other farmers from doing the same.

Nieves said they reached out to the Persoons is because of the location, proximity to the Interlaken substation. It will have to be upgraded. Once upgrade is complete, you cannot expect there to be more than 3 mW available on the grid for the foreseeable future.

Nieves said he has an environmental conservation background and concern for the farmers. He is helping farmers to diversify their land. The community will be eligible for a 10% savings on electricity bills. As an environmentalist and conservationist, it's important to him to not put these things in places that take up active Ag land.

At prompting from Jake Persoon, Morrell elaborated on the Town's request for a PILOT, payment in lieu of taxes. Morrell explained that the PILOT law is from the same law for the exemption. The PILOT is not to exceed what the assessment otherwise would be, taxing the land and the project. It would be generating tax revenue for the Town. The law is intended to promote solar.

Alicia Stoklosa said there is a model in place that the assessors must follow.

Marcia Taylor asked if there would be more taxes, since the ag exemption would go away.

Morrell said the property would be exempt if there were no PILOT.

In answer to a question about flexibility in timing, ie. instead of taking over 25 years, Morrell said you could try to take it all now, but generally there is an escalation after 5 years (PILOT to be divvied up between the Town/County/school).

Stoklosa said generally there is a 2% escalator, with a yearly payment. Morrell said the advantage to PILOTs is predictability.

There was a question about PILOT's longevity tied in with the lease. Morrell said it is open to negotiation. An expected time limit on the useable life of the panels, a possibility of better technology in a couple years, may extend the PILOT to 30 years. The applicant may want to extend the PILOT rather than leave it to the assessor.

Ditmars asked about the precedent the Town Board's decision would set.

Stoklosa said "there is absolutely no basis to say that if this project is approved, any and all future solar projects the Town must approve." She said the Board has to evaluate every single application on its own. She said that municipal boards are vested with wide lateral deferential approval. As long as they can articulate in a well-written resolution, it will not be an issue. She said it is not likely they will have a completely identical project.

Discussion about bringing an industry to the Town ensued. Ford made comparison with Seneca Meadows.

Ferguson said it is an industry we are going to need if we are going to live on this planet. He said one benefit is that it is energy that does not contribute to global warming.

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Marcia Taylor said that there are studies that will say that it will take more energy to produce this solar farm (make the components) than it will ever produce.

Someone said, you're harvesting the sun, its clean energy, and we're not putting out pollution harvesting the sun.

Recycle-ability of the panels was questioned and whether they contain heavy metals.

Nieves said, maybe in the past; they can research that.

Ford said there is no perfect solution. The question is, Do you want this industry in your community?

The site of the panels was chosen because they were off the main drag, not visible from the road.

Peter Messmer (Elder) said that coming from Lodi, Rt 96A, you will see the whole thing. He said it would need a hedgerow of trees. He also suggested the Town Board request a document ensured the panels are sourced from friends of the US.

Jake Persoon said that they talked with the developers about the row of houses and the school corner and spoke with Amans, and are putting in trees around every gap. Jake also spoke of the economics saying we are trying to create energy independence, but the nation has dependency on OPEC countries, that we are all entwined in the economy and the Chinese economy. He said soldiers sacrifice to secure energy resources for this country, so we can lessen our dependency abroad. He said it is a little unfair to put that on the Persoons, that because we're bringing in foreign material to help build this project, when everyone in this room has foreign product in their homes, that seems a little bit hypocritical.

Nieves said it is difficult today, because we don't know what the supply chain is going to do. They will try to make a pivot by 2025/26 as domestic production ramps up. He would not want it to be required that they use domestic product, that's still speculative. They, the manufacturers and the installers have made a pledge to not support manufacturers that have known impacts to the ??? community and they will comply with federal law. Ditmars said, if they have got to do this to survive, then he is all for it.

Jen Persoon said (the excuses/reasons) are not a reason not to try, and mentioned that John Deere is building a plant in South Carolina to build electric powered tractors.

Emily Aman asked who is going to buy (electricity) from these solar panels and said the electric bills have gone up and asked, will solar cause NYSEG bills to go up more?

Nieves said They pay for the "market driven upgrades" and there would be no cost to the user for the "upgrade". He said a notice would be sent out that your community has solar available to save you 10%. He also explained that New Leaf is the developer, and someone else maintains the panels.

Ferguson said it will back up to his house. But he thinks solar is a good way to go, not perfect, but he would not say "not in my backyard".

Art Taylor(?) asked, are there trees to be planted to obstruct view for properties adjacent to the farm. Yes. Lukasik said if they're uncomfortable with the visual, they can look into trees, species, heights, that is something they can do. The fence is a state requirement.

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Nieves said they can put in what you want. He invited the public to look at the materials available on DropBox through the Town of Covert website ([townofcovert.org/Home Page](http://townofcovert.org/Home Page), 2024 Board Reports)

Stoklosa asked the Town Board and Morrell about the draft escrow agreement. Morrell said they would look at it with the Town Board and engineer and get back with her.

Foster said the biggest issue is: Are we changing the character of the community? He thinks we are a little bit. He said it's unfortunate that it would be next to a Village but sees the reason for access to the grid. He said we've talked about PILOTs, but if we're changing the character of the community, maybe we need a host agreement, for example a royalty, such as with a gas well model, taxing up to 3% gross sales, although he's not suggesting 3%. He said instead of a PILOT or something tied to the assessment, you create a contract with the developer and the school + town + county share in some economic benefit or some consequence. He said the tax revenue is not enough. He said, according to the Farm Bureau news, it takes a few million to start a solar farm, with federal reimbursements and tax credits, the payout is like 2 years. He said that in his opinion, if that's true, this has more to do with money than the environment. Foster asked of the applicant: If not a monetary benefit, why do it? Foster said, in the past, there has been an aversion to commercial development in this town.

Foster continued with more issues: Screening -height of the trees? Reclamation - who holds the bond? Who determines when reclamation is completed? With gas wells or gravel pits, it is the State of New York, but in this situation the contract is between the landowner and the corporation. The Town shouldn't be the judge of reclamation. After the 25+ years, if the project is successful, will they be replaced and repaired, could it go on indefinitely? Why not continue using the infrastructure.

Foster said taxes will go up, costs will go up. We do not necessarily want to change the character of the community but change is inevitable. If it's using land that is less productive, wouldn't that be a good place for this?

Stoklosa answered some questions. The decommissioning written plan that goes along with the bond, is held with the Town. Who determines whether reclamation is completed is laid out in the plan. The attorneys would work together on an agreement for decommissioning.

Stoklosa said royalty concept does not exist in the renewable energy world. Municipalities can negotiate a host/community agreement. It is separate from a PILOT. You can have both.

Nieves said they plant trees with a height of 7' to start, 12' apart, 2 rows.

Nieves said the project is 1 mile from the substation, so, not the best. He said by no means is this the best location but it is a good location. 1 mile to the grid costs ≈\$1 million. Because they use direct feeders from the site to the substation, it limits options for other projects.

Hypotheticals of the bond logistics were discussed. The bond should be upgraded every five years and they generally have escalators built into them.

Foster said he wanted to get away from a fixed amount, fixed assessment, for when they have a good year, we (the Town) should benefit as well, or during a poor year or during development, the amount should be minimal.

Stoklosa said generally with the HCA (Host Community Agreement) is dollar amount per megawatt.



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Foster said that if approved, we will probably be changing the character of the community, and he doesn't see why the taxable community shouldn't see the benefit, like a commission.

Nieves said the Town can opt for both PILOT and HCA. Foster questioned the need for a PILOT. He said he could not say that the agreement would be tied to the production but he thought they could come up with an acceptable figure.

Morrell reminded the Town Board has a land use matter that we are trying to work our way through. Though agreements, while they are directly related to this project, should have no impact on the land use determination to be made by this Board.

Foster said that it is backwards, and we are going to do the negotiating before we approve this variance.

Ditmars(?) asked if the agreement is based on a flat rate and is it renewable? Stoklosa said it is not that it is not negotiable, but it will not be production-based, metered.

Foster said that we settle with the developer and when it transfers to the new owner, the obligation transfers to them.

Lukasik said, as a resident of Covert, she believes that LaBella has integrity, but it can't be finalized if we don't know if the project is even happening.

Stoklosa said the decommissioning agreement and the bond have to be in place before the building permit.

Ferguson asked, "What is the process for getting this variance approved?"

Morrell said, in other communities there would be another board that would handle various aspects. The way our land management ordinance is set up, discretion on any variances is with the Town Board who also negotiate agreements, and is also responsible for the fiscal budget and everything else. All that discretion rests right here. Morrell's intention is to try to keep them separate for a clear record: land-use considerations, environmental review, budget, etc. Environmental review first, then considering the variance, conditions or changes to the project. Simultaneously, they will be considering the decommissioning plan and the PILOT agreement (on the County's timeline). Then, it's permits and construction project.

Nieves said, while applying for permits, they are mobilizing construction units, in a procurement process, then 2-3 months of staging, another 6 months of construction; beginning to end, 9 months to 1 year.

Nieves said, for the community, in the beginning a lot of activity, tractor trailers making deliveries, then 25 vehicles in, 25 out, then 12 cars and pickups, 12-20 people on site, some noise with driving in the racking, then torque-based impact guns screwing in the panels for a few weeks (most obnoxious noise). Once it is up and running, once or twice a year maintenance and once or twice a year mowing. The sound of the transformers and converters is 30-50 decibels (whisper to light rainfall), only on the pads.

Nottke moved, seconded by Foster, to close the Public Hearing and adjourn at 9:18 p.m.

Respectfully submitted,  
Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**  
**March 11<sup>th</sup>, 2024**

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, March 11, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Town Attorney Patrick Morrell, Town Code Enforcement Officer Roger Ward, Deputy Clerk Brian Quan, Deputy Highway Superintendent Glenn Boyes, Laurie Schuller (via GoogleMeet) and other interested citizens.

**Call to order:** Supervisor Reynolds called the meeting to order at 7:00 P.M. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Bishop, to approve the minutes from February 12<sup>th</sup>, 2024. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing at 7:01 to hear comments on the Variance Request for Laurie Schuller and James Lowe, 8287 Dickerson Drive, Interlaken, Tax Map #06-2-24 to construct an addition where right setback and property size do not meet minimum requirements of the Town of Covert Land Management Ordinance (LMO).

Reynolds explained that the owners will be making their cottage bigger. Neighbors are okay with it. The Planning Board recommended approval for this project.

Nottke moved, seconded by Wyckoff, to close the Public Hearing at 7:02 PM.

**Presenter:** Meg Jastran of the Friends of the Interlaken Library shared about what they are doing and plans for the future. She said that the Interlaken Library had turned over the operation for the fundraising book sales to the Friends of the Library. They have 2 pallets of used books stored in the basement of the Town municipal building but need more space for donated books. She said there is a turnover all the time, with the annual Old Home Days sale at the library and more sales planned for the future. Jastran said there is no other public space except 'this one' at the town hall. She asked if they could use the basement for book sales, but an issue with crumbling outside stairs was brought up. Morrell said that the issue should be fixed before inviting the public in. They would like to do a whole weekend sale.

The question of insurance coverage was brought up for the liability. The Town's building use policy says that liability insurance is required for use of the main room. Jastran will look into getting a rider on their insurance.

Jastran also said they need a place to collect book donations, as they've been limited in how many they can accept, and asked if the Town Hall could have a collection box. She was asked if it would be like the outside bin at Trumansburg Shursave.

Nottke asked if there was no place else. Jastran said they had asked the Baptist church to store books there, but it hadn't worked out. She had also asked if they could have a sale there.

Adams-Compton reported that 107 tax bills remain unpaid.

Quan said that the Interlaken Historical Society had received a donation of a private collection of Tupperware for fundraising that needs staging and sorting for upcoming Historical Society meeting planned for April 22<sup>nd</sup> at 7 PM.

**Committees:** Foster said he had been looking at the numbers for the solar project, with about \$16/school tax rate, \$6/acre Town/County tax rate for Person property, they don't add up to a very big number.

Nottke said that revisions have been made on the Three Falls LDC By-Laws and the Town Board will need to pass a resolution

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to accept the new terms. Morrell said he had been in touch with the LDC's lawyer, Carrie Pollack, to make revisions.

Morrell said that instead of a non-profit model, the new Bi-Laws pull back to a municipal organization, which includes requirements for public bodies like quorums, openness and transparency, and the requirements for contributions by members has been loosened by extending time limits based on fiscal years (I.e. Village fiscal year is different than Town). He said there is no procedure, at this time, to reinstate a member.

Now, if the Town doesn't want to monetarily participate in a specific project, voted/approved by the other municipalities, they wouldn't be required to.

Nottke had enlisted Highway Superintendent MacCheyne to come up with a list of hours/cost spent by the highway department on the Park's maintenance and new bridge preparation. Morrell said the benefit of the updated LDC bi-laws is that in-kind services can be used instead of cash for membership.

Bishop voiced concern that the Town's highway department's use at the park would take them away from necessary Town work.

Morrell said the LDC can cover the Town highway costs. He said also the Covert highway dept. could cut trees or mow the roadside lawn, for example, because they have the right equipment, instead of paying someone else to do the job.

Nottke said it was very helpful for the Town + County highway departments to remove the trees by the bridge, and ultimately will help the park when it becomes a park.

Foster said that the Town would have to approve any work done off the right of way anyway.

Morrell said this is just an avenue to allow the Town to have another means to contribute, as opposed to just cash.

Reynolds said he and Morrell have been working on bonding for the Booth Rd FEMA project from Don McCormick. Morrell said they're collecting information between the Town and the bank, and will need a description of the project. Reynolds said that Owen/TG Miller is ready to put the project out to bid. He said that MacCheyne thinks they can do two of the sluice pipes themselves (they'll get a separate bid for those), with 4-6 bigger projects to bid out.

Owen said what was last year a \$400,000 job, will probably be a \$500,000 project. Hopefully, money from FEMA would come back in a year.

Barry Ford said he had ideas for how to do the guardrail at Booth Rd that would be less costly. He was afraid of people driving off the road.

Reynolds said he had spoken with Gerry Messmer, Mayor of Odessa, Town of Dix, regarding solar farms. They have 6 farms, with 4 more coming. Messmer had sent Reynolds their Host Community Agreement for reference. Reynolds said that their host agreement that pays \$25,000/megawatt (one time). Reynolds said he would like to get \$35,000/MW. For Covert project that would mean ≈\$375,000.

Discussion of solar project monetary benefits followed. Morrell said that the tax would be on vacant, unimproved land, a PILOT would be on the project.

Tony Del Plato, Village of Interlaken Trustee, spoke that he is in favor of the project. He said he had been a member of Solar Seneca in 2015. He thinks this is a good project for diversifying on the Persoon farm. He said Persoon said it will provide electricity for the dairy farm. Del Plato also has solar panels; he expects to save on electricity bills when he's paid them off. Excess will be sold back to NYSEG.

Foster said, if you're going to change the community, there ought to be a benefit. Reynolds said he had a call in to Sara/IDA about a solar PILOT, but had no information yet.

Morrell said we are still waiting for the Town's engineer's report.

Morrell introduced the Variance Request for Laurie Schuller and James Lowe to construct an addition to their existing home. The proposed addition would add 4 feet to the existing structure with a new setback of 3'6". The topography of the parcel renders the bank on the east, west and north side unbuildable. Morrell reminded the Town Board that they have the option to approve, deny, or approve with conditions, and that neighbors are temporary and variances are semi-permanent.

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Morrell led the Town Board through the procedure for an area variance under the NYS Zoning law. The Town Board considered the benefit to the applicant if the variance for Schuller/Lowe, 8287 Dickerson Drive, Interlaken, Tax Map #06-2-24 to construct an addition, is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant. The Board determined that no undesirable change would be produced in character of neighborhood or a detriment to nearby properties, there is no feasible alternative, the requested variance is not substantial, there would be no adverse impact on the physical or environmental conditions in the neighborhood, the alleged difficulty was self-created but not significant. Finally, the Town Board determined that the benefit to the applicant does outweigh the detriment to the neighborhood or community.

**Petitioners:** Barry Ford asked whether the Persoon solar project is in the Village. The proposed project is on the boundary line just outside the Village of Interlaken.

Morrell gave a brief timeline for the Persoon Solar variance:

- Complete SEQR after Town's engineer's report
- PILOT + Host Community Agreement
- If negative impacts – Alleviate the impacts (ie. Screening, setbacks, truck traffic)

He asked the Board to look at the application closely.

More discussion of the proposed solar farm ensued. "Plan B" is a massive cow farm? "Bergen Manure Days"?

**Resolutions:**

Foster moved, seconded by Nottke, to re-schedule the Town of Covert Regular Board meeting for April to the third Monday of the month, April 15<sup>th</sup>, due to solar eclipse festivities on the 8<sup>th</sup>. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Foster, to designate the Town of Covert Town Board as the lead agency for making SEQR determinations for the approval of the that Variance Request for Laurie Schuller + James Lowe, 8287 Dickerson Drive, Interlaken, Tax Map #06-2-24 to construct an addition, and Pursuant to 6 NYCRR 617.5(c)(11) it is hereby determined that the action proposed in this application constitutes a Type II action as defined under said regulations for granting of an area variance for a single-family residence. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Foster moved, seconded by Nottke, that the benefit to the applicant outweighs the detriment to the community with no significant adverse effects and hereby grant the Variance Request for Laurie Schuller + James Lowe, 8287 Dickerson Drive, Interlaken, Tax Map #06-2-24, to construct an addition where right setback and property size do not meet minimum requirements of the Town of Covert Land Management Ordinance. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Foster, to approve the Interlaken Historical Society to use the basement area for Tupperware sorting prior to and including use of the building for an IHS special program on Monday, April 22<sup>nd</sup> at 7 PM. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Foster, to approve the Friends of the Interlaken Library to use the basement area to store an additional pallet of books and to install a "donation box" outside on Town Hall premises under advisement of the Town Supervisor. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Foster, to create the classified position of Assessor, retroactive to the appointment of Sandra Hagin as Assessor on July 1, 2023. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

**RESOLUTION #1 OF 2024**

**To Amend the By-Laws of Three Falls Local Development Corporation**

**WHEREAS**, the Towns of Covert and Ulysses, and the Village of Trumansburg (together, the "Municipalities") formed the Three Falls Local Development Corporation (the "LDC") in 2023; and

**WHEREAS**, the creation of the LDC was intended to provide, among other things, flexibility and efficiency in decisions

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**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**

**March 11<sup>th</sup>, 2024**

and operations with respect to the future management of the Camp Barton property once it is acquired by the New York State Office of Parks, Recreation, and Historical Preservation, as well as the negotiations for licensing the right to manage the same; and,

**WHEREAS**, in its first year in office the members of the LDC Board of Directors have discovered certain inefficiencies in its bylaws, included but not limited to:

- The requirement that most operating decisions of the LDC be approved by the individual Boards of each Member Municipality rather than the Board of Directors of the LDC;
- The requirement that all agreements between the LDC and outside entities be approved by the individual Boards of each Member Municipality rather than by the Board of Directors of the LDC;
- The requirement that all Member Municipalities share equally in all costs of the LDC regardless of urgency, timing, or the ability to fund said costs; and,

**WHEREAS**, the Board of Directors of the LDC believes it will greatly improve the efficiency of operations of the LDC to amend the bylaws to address the above, and better allow the LDC to carry out the purposes for which it was formed; now therefore,

**WHEREAS**, the Board of Directors of the Three Falls Local Development Corporation recommends to its Member Municipalities that the Bylaws of the Corporation be amended as presented.

**BE IT RESOLVED**, that the Town Board of the Town of Covert approves the amended Bylaws of the Three Falls Development Corporation as presented and adopted 2/20/2024.

Nottke moved, seconded by Foster. Aye - Nottke, Aye - Foster, Aye - Wyckoff, and Aye - Bishop.

Nottke moved, seconded by Wyckoff, to approve Agreement For The Payment of Municipal Engineering and Legal Expenses with Interlaken Solar 2, LLC, Interlaken Solar 3, LLC and Interlaken Solar 8, LLC for Company to reimburse the Town of Covert up to \$10,000 for all documented, out-of-pocket expenses, including engineering and legal fees incurred in connection with Town's review of their Applications for Variance. (full agreement on file with Town Clerk) Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Wyckoff, to declare the following items as surplus: Used Microwave, Entrance Door/damaged, 3 well-used desk chairs, several mangled folding chairs, old circulator pump, floor grates, cast iron radiator. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of February 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Wyckoff, to approve the Highway Superintendent's report for the month of February 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk/Tax Collector report for the month of February 2024. Town Clerk received a total of \$439.75; \$238.03 was remitted to the Supervisor. Tax Collector received a grand total of \$2,131,148.86 through February '24. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Dog Control Officer's report for the month of February 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, that Highway Fund Vouchers #30-46 in the amount of \$118,460.29 and General Fund Vouchers #45-64 in the amount of \$11,071.00 be approved for payment. Aye-Wyckoff, Aye-Nottke, and Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 8:31 P.M.

Respectfully submitted,  
Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**  
**April 15<sup>th</sup>, 2024**

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, April 15, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

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

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

**Approval of Minutes:** Nottke moved, seconded by Wyckoff, to approve the March 4<sup>th</sup> Public Hearing + March 11<sup>th</sup> 2024 regular Town Board minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing at 7:03 to hear comments on the Variance Request for John Hubbell, 9791 Congress St. Ext., Trumansburg, Tax Map #20-1-44, to replace old home with new ≈28' x 50' home where property size and road frontage does not meet minimum requirements of the Town of Covert Land Management Ordinance (LMO).

Reynolds explained that the owners will be replacing an old trailer with a new manufactured home on a sub-standard lot. The Planning Board recommended approval for this project.

Ron King, neighbor across the road from Hubbell's, spoke about his concern for flooding on the property. He said the Hubbell property had flooded out twice, even though King had a pond, subsidized by the USDA, built in 1969 to curtail flooding. He said there is still a water problem and standing water after a rainfall. He said he would like to see conditions for the approval of a variance; the home needs to be built up on a slab or there needs to be a break wall or diversion ditches. He does not want to be sued for water damage. King wishes to go on record that he opposes this development permit. (Letter on file with the Town Clerk)

Barry Ford pointed out that flooding was probably not an issue 20 – 30 years ago, but the rains have changed so we're getting more rain and it has been an issue in this area.

MacCheyne said they have done all they can do. (catch basin, drainage ditches and culvert pipe) He said when there is 2"-3" of rainfall, a 10' ditch wouldn't catch it all. A natural gas line is 4' below the surface on King's side so they can't dig.

Code Enforcement Officer Ward thought that Seneca County would require them to put the house on a 2' slab.

Nottke moved, seconded by Wyckoff, to close the Public Hearing at 7:22 PM.

**Highway:** MacCheyne reported that they hauled ROC for summer road work, plowed and sanded roads, mowed and brushed along several roads, fixed areas damaged by the wings, ditched on Interlaken Beach Road, fixed washouts along roadsides with Gabion stone, cleaned up downed trees and patched all town roads. He said they replaced the hydraulic line and worked on a fuel issue on 2001 Gradall, serviced the 2022 F-550, greased equipment and spreaders, and did regular maintenance on all equipment. They cut brush on South Frontenac Rd and replaced 36" crossover pipe on South Frontenac.

MacCheyne said they have paving work(?) to do on Interlaken Beach Rd but they're holding off till the Village of Interlaken puts in new water line. Village Trustee Garcia said it hasn't gone out to bid yet.

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**April 15<sup>th</sup>, 2024**

MacCheyne said the 2006 Grader's circle needs to be rebuilt. He has a quote for \$15,256. He said they can use the County's in the meantime.

MacCheyne also reported that the upper highway barn roof folded over during the heavy winds. He has received one quote so far; insurance agency was contacted. They have made temporary repairs.

**Presenter:** Bill Shaw, Town of Covert representative member to Three Falls LDC gave a brief update of the group's progress. He began by thanking the Board, and especially Deb Nottke, who is there all the time and contributes in lots of ways and the monetary contribution and approvals of the amendments. The highway department did work on South Frontenac Rd valued at \$19,000 and Silverline put in the nice new culvert. The Frontenac Bridge project is waiting on the State of New York. Nottke and Shaw had been appointed as representatives for the LDC in January this year. There is a new resolution authorizing a representative to vote on behalf of the Town yet to be approved. He said when the park is up and running, they make money and return it to the municipalities that support it. He mentioned another \$20,000 being requested for this year's membership fee for the LDC, that built in is the option to modify (the fee) with different requests from different communities. And he asked that we not lose our voting membership by not funding this. The outcome would be sad, tragic...; it's in our town; we need to somehow stay involved. He said they are planning an event when they will formalize transfer of the deed from the scout council to the State and then the license of the State to the regional Parks and the LDC, as soon as a month. They have a lease for the scout council for about 20 weekends ready. They're working on landscaping, maintenance and operation management contracts. He said it is soon to be operational. Naming of the park has not been decided yet. The LDC will look for historic preservation of the entire park. They've applied for 501(C)(3) status and when approved, they will be able to accept large contributions. He has been working on fundraising and they have already secured \$50,000 pledge from Camp Barton Staff Alumni Association. Shaw said he is not sure if he will fill out the rest of this year on the Three Falls LDC board. He will need a successor. He may step down in June.

Adams-Compton reported that 57 tax bills remained unpaid when they were delivered to the County. She also said the Interlaken Historical Society's fundraising Tupperware Sale will be from 4:00 – 8:00 on April 22<sup>nd</sup> at the Town Hall.

**Committees:** Nottke said that the Three Falls LDC minutes are available through the Town's website. (see 2024 Board Reports) She said the park is supposed to open May 1<sup>st</sup>. There will be a ribbon cutting with the Governor/acting Commissioner. She asked the Board to contribute the \$20,000 to do our share and she cannot emphasize enough how important it is to keep our seat at the table. She said more sales tax money from the County is expected in August.

Wyckoff asked, why doesn't the \$19,000 of Frontenac Road work or money the Town is putting into the bridge count toward the membership fee? Nottke said she had mentioned it at the Three Falls meeting but they have not voted on it. Seneca County will pay the bills for the bridge, then bill the Town; the Town's commitment is \$110,000+. Wyckoff said they are the Town's road and the Town's bridge paid for by our taxpayers. Morrell suggested Wyckoff should go to the meetings.

Wyckoff and Bishop both said they had heard from the public against the Town's involvement in the park.

Bishop asked what happens at the park on May 1<sup>st</sup>. Nottke said not much yet – take a walk to the falls.

Nottke asked for ½ of the money, \$10,000, from the sales tax money to be distributed this summer and the other ½ later in the year. Seneca County had suggested the Town use the money from Seneca County tourism. Not much ARPA money remains. Nottke said the grants will fund renovations.

MacCheyne said he spoke with the neighbors on Frontenac Road about upgrades and pull offs on the road. They are concerned about an increase in partying and garbage with the new park.

Foster said he would like to see the transfer of the property to create a foundation for further discussions; he doesn't trust the State not to have contingencies.

Reynolds said regarding bonding for the Booth Road project, that Historical Preservation got involved because of the Booth property and now everything has to go through them.

MacCheyne said there is a holdup on the Booth Rd project because the State + Federal regulations keep changing.

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**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**

**April 15<sup>th</sup>, 2024**

Morrell said he will plan to guide the Board through the SEQR review for Persoon's solar, possibly next month, when the Town's engineer has provided his report.

Morrell said that in the ongoing assessment challenge from Pope that was originally filed in Tompkins County, that judge recused himself, then the case was moved to Cortland County, where an attorney is "familiar" with Pope, who is an attorney representing himself, and Judge Masler, also familiar with Pope, has asked if there is any objection to this.

Foster asked why this case is not in Seneca County. It was originally filed in Tompkins County because the Town was using the Tompkins Assessors at the time, but the property and owners are in Seneca County. Morrell said when the case is heard, he will make a motion to toss it out for being in the wrong court.

The Town Board members had no objection to the Cortland County attorney and judge's involvement in the Pope vs. Town of Covert case.

Morrell said that the variance request for John Hubbell is considered a Type II action for a single family residence. The parcel is a substandard lot with 96' of road frontage where 200' is required per the LMO. He said that the Town Board has 45 days to act on the application.

Also, in the LMO, it states that "All buildings shall be set at an elevation that will provide drainage of surface water away from the building when final grading of the site is completed. All disturbed areas shall be graded and seeded."

Morrell said that the Board can approve, deny or approve with conditions. They can impose/dictate related conditions reasonably.

The application for variance for John Hubbell was tabled for more information.

**Petitioners:** Glen Boyes said that he had been approached by 6 people (Trumansburg residents) within a week's time that are not in favor of a park. He said the public only became aware of the park at Frontenac's proceedings for acquisition a few months ago. He said that these people do not understand why we need another park five miles down the road.

Nottke emphasized that the By Laws say that the money will go back to the taxpayer and reminded all that the first \$10,000 was paid by Seneca County.

Foster said that the majority had said that we were not going to put the taxpayer on the hook.

Ford said that we will regret not continuing as a voting member, not having a say, giving up our right to this property, in *our* town. He said the road and bridge maintenance is a separate issue. They should send around a survey, when it counts. We know that Trumansburg and Ulysses will (run) the park regardless of what Covert does.

Emily Aman, resident of Bassett Road, said that cars are speeding down the road, using it as a short-cut between 96 and 96A. She said that 125 cars used Bassett Rd during the eclipse day. She said there is much activity on the road with their barn across the road, kids crossing the road and active (farm) machinery. She asked for a 40 mph sign to be placed on the road.

MacCheyne told Aman that there is a procedure for having a speed limit sign installed: First a petition of the residents, then the Town Board, then Seneca County, and then the State would complete a study before making a decision.

MacCheyne also said the farm machines sign needs replacing.

No Town Board members will contest Judge Masler of Cortland County in the proceedings of Pope vs. Town of Covert.

**Resolutions:**

Resolution Introducing Proposed Local Law  
And Providing for Public Hearing  
Board of Assessment Review Grievance Date

WHEREAS NYS Real Property Tax Law section 512(1) provides that the Board of Assessment Review shall meet to hear complaints relating to assessments on the 4<sup>th</sup> Tuesday of May and for as many days thereafter as the Board deems necessary; and



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WHEREAS NYS Real Property Tax Law section 512(1-a) provides that a municipality that employs an assessor that is also employed by another assessing unit may adopt a local law to provide for an alternate date for the board of assessment review meeting; and

WHEREAS the Town of Covert adopted Local Law #1 of 1995 to provide for such alternate date; and

WHEREAS the Town of Covert Assessor does not serve as the assessor for any other assessing unit and the alternate date is no longer necessary; and

WHEREAS the Town of Covert believes that it would be advantageous to the Town to supersede that local law by adopting a new local law to return to the statutorily prescribed grievance day.

NOW THEREFORE, BE IT RESOLVED that proposed Local Law No. 1 of the year 2024 entitled “*A Local Law To Supersede Local Law #1 of 1995 and Returning Grievance Day to the Fourth Tuesday of May*” be and the same is hereby introduced before the Town Board of the Town of Covert, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desks of each member of the Town Board; and

BE IT FURTHER RESOLVED that the Town Board will hold a public hearing on said proposed Local Law at 7:00 p.m. on May 13, 2024; and

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a notice of said public hearing in the official newspaper of the town at least ten (10) days prior thereto;

Upon adoption of the foregoing provision, the Clerk distributed copies of the aforesaid Local Law to each member of the Town Board.

Motion: Nottke, Second: Wyckoff. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Foster moved, seconded by Nottke, to table the Variance Request for John Hubbell until the next Town Board meeting on May 13<sup>th</sup>, 2024, at 7 PM. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Foster moved, seconded by Bishop, to allow Highway Superintendent to repair 2006 Grader not to exceed \$17,000. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of March 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Highway Superintendent's report for the month of March 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Wyckoff moved, seconded by Foster, to approve Town Clerk/Tax Collector report for the month of March 2024. Town Clerk received a total of \$339.00; \$230.00 was remitted to the Supervisor. Tax Collector received a grand total of \$2,214,800.90, tax bills were returned to the County with 57 tax bills remaining. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Code Enforcement Officer's report for the first quarter of 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, that Highway Fund Vouchers #47 - 64 in the amount of \$35,665.08 and General Fund Vouchers #65 - 87 in the amount of \$48,489.55 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 9:12 P.M.

Respectfully submitted,  
Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**  
**May 13<sup>th</sup>, 2024**

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, May 13, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Town Attorney Patrick Morrell, Town Code Enforcement Officer Roger Ward, Deputy Clerk Brian Quan, Deputy Highway Superintendent Glenn Boyes, Tim Thompson, Seneca County Sheriff, and other interested citizens.

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

**Approval of Minutes:** Nottke moved, seconded by Bishop, to approve the April 15<sup>th</sup> Public Hearing + Regular Town Board minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Presenter:** Seneca County Sheriff Tim Thompson shared of his career in the Seneca County Sheriff's Department, beginning in 1999 as a Dispatcher, then Road Patrol, and Commanding Officer of Criminal Investigation, and presently elected as the new Seneca County Sheriff. He said all the employees of the Public Safety departments work hard every day.

Thompson said he would like their department to be accessible and approachable in order to solve any Public Safety issues we may have. He would like to establish relationships with the Town Boards. His phone number is the same as former Sheriff Tim Luce, but email is the best way to communicate with him.

**Public Hearing:** Nottke moved, seconded by Wyckoff, to open the Public Hearing at 7:08 to hear comments on the proposed Local Law #2-2024 to Return Grievance Day to the fourth Tuesday of May. There were no comments. Nottke moved, seconded by Wyckoff, to close the Public Hearing at 7:09

**Highway:** MacCheyne reported that they took the win off the Grader, cleaned the salt spreader, replaced all fuel lines on the 2001 Gradall, as well as regular maintenance on all equipment. They did ditching on Halls Corners, Tunison, Townline and Burdick Roads, York raked lawns and roadsides from wing damage, cut shoulders on Burdick Rd, prepared for dust oil on dirt roads, sprayed Hickok, Arden and Stout Roads with dust oil, and did cold patching on all town roads. They patched the upper barn roof that was wind damaged. MacCheyne said they have three estimates for the roof repair.

Reynolds asked if MacCheyne had called Erin/Seneca County Soil and Water about using grass seed in the ditches using their machine. MacCheyne said the NY DOT had used seed but it washed away.

Nottke and MacCheyne gave an update on Frontenac Bridge. The Bridge construction is tentatively set for next year. They are still waiting on the State of New York: the grade of concrete in the plan has changed. Nottke said South Frontenac repairs should happen this Fall. MacCheyne said the bridge is due for another inspection next month. He doesn't think we should sink money into it, so it may have to be shut down.

Foster observed that the Trumansburg School projected tax rate is \$19.23 per \$1,000 for Covert and \$14.43 for Ulysses. He said that is another reason for the Reval to be done.

Reynolds said that Emminger, Newton, Pigeon + Magyar are ready to begin the Reval process with a Public informational meeting.

Prompted by the previous month's meeting controversy, Nottke said that anyone could call her with any questions or concerns regarding the Three Falls LDC. Wyckoff apologized to Nottke for letting it get out of hand.

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**May 13<sup>th</sup>, 2024**

Nottke said that she had called Jeff Trout, Seneca County Board of Supervisors, asking for \$10,000 of the \$20,000 needed for membership in the LDC. Nottke was waiting to hear back from Trout.

Morrell said the proxy vote resolution for Three Falls LDC looked fine.

Reynolds said that \$5194.27 in ARPA funds remained to be spent/committed by the end of 2024. MacCheyne asked whether the Highway shop qualified. Bishop asked about whether it could go for health and safety for employees. Reynolds said yes, or reimbursement for Covid sick time. Interlaken's water tower park was mentioned.

Reynolds said that the engineer doing the Environmental Impact Review for Persoon's solar project had planned to be there but cancelled at the last minute.

Morrell asked if everyone had reviewed the Host Agreements with the Town and Interlaken Solar 2, 3 + 8. He would negotiate with the applicant and their attorney(s) based on what the Board decides. The initial agreements states there will be a \$15,000/megawatt AC annual payment for 4 years. This would happen Jan 1, after operation begins. Morrell said he had received 2 comments from the Board: One to speed up and pay all at once, and the other to be paid the entire time it is in operation. He would like to come up with a counter proposal that accurately represents how the Board would like to move forward with this.

Morrell said there is also a PILOT agreement, generally for 15 years. The PILOT is based on property assessment. When the PILOT is over, it will be back on the roll and no longer receive full assessment. He said he would like feedback from our Assessors.

Foster would like clarification of the numbers from the Company. With the numbers he found on the internet, he said 1 mW should make \$1000-/day gross, 4 million/year gross. At 1%, that would be \$40,000/year. He said asking for 2 – 3% of gross is not unreasonable. He said when production goes down, the "royalty" goes down. He asked if the agreement could be for longer than 4 years...After 10 years, would the amount be adjusted? Foster speculated more about the cost to install the project and how much it should earn to make it worthwhile. Why not a 15 – 20 year payment? He said payment over an extended period would benefit the Town more.

Henry Zomerfeld said, to clarify, it would be \$195,000 collectively for the three plots over the four years. He said he would have to talk to the financial side of the team regarding Foster's suggestion to extend the payments. He said there is some flexibility with the HCAs, but depending on what happens with the PILOT, they may have to adjust. All the economics and variables have to be accounted for. He said that Host Community Agreements are based on loss of resources. For example, the Town's EMS services would have to be available from the beginning of the installation of the project. Zomerfeld said that the numbers are variable, like the weather. He said tying the agreement to megawatts gives some certainty. He will get better numbers than Foster's internet numbers.

Zomerfeld said there is a NYS model now. The standard is \$5000/mW. The Host agreement is only with the Town, not divided up with the County or School.

Morrell said that Pope agreed to withdraw their 2023 assessment challenge. They plan to meet with the assessors regarding the 2024 assessment. He said that an assessment challenge is usually good for three years, but when there is a reval,...

Reynolds said the nothing is happening with bonding for the Booth Rd. project or Frontenac Bridge. NYS Historic Preservation want the Booth Rd stonewall/sluice pipes preserved. The Frontenac Bridge project can't be bid out till NYS DOT finalizes the specs for the project. Reynolds and MacCheyne commented that the Booth Rd historic pipes do not work.

**Petitioners:**

Ford said that he agrees with Foster on the Solar project.

Ron King wished to go on record telling the Town Board that there is a problem with flooding on the Hubbell property and he will sue the Town, if he is sued by Hubbell, for granting of the Variance Request. Letter on file with Town Clerk.

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**  
**May 13<sup>th</sup>, 2024**

**Resolutions:**

**Resolution 2-2024**  
**Adopting Proposed Local Law #2-2024**

WHEREAS the Town Board of the Town of Covert believes that it would be advantageous to restore the Board of Assessment Review Grievance Day to the fourth Tuesday of May as set out in NYS Real Property Tax Law section 512; and

WHEREAS the Town Board had previously adopted Local Law #1 of 1995 for the purpose of moving grievance day to an alternate day and are now considering a local law to supersede such local law; and

WHEREAS the Town Board held a public hearing on said proposed Local Law at the Town of Covert Offices, 8469 South Main Street, Interlaken, NY on the 13<sup>th</sup> day of May, 2024 at 7:00 p.m.; and

NOW THEREFORE, BE IT RESOLVED that proposed Local Law entitled “*A Local Law To Supersede Local Law #1 of 1995 and Returning Grievance Day to the Fourth Tuesday of May*” is hereby adopted by the Town Board of the Town of Covert, New York.

BE IT FURTHER RESOLVED that the Town Clerk is directed to enter said Local Law in the minutes of this meeting; to file this Local Law with the Local Laws of the Town of Covert; to file this Local Law with the Commissioner of the New York State Department of Taxation and Finance and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Motion: Nottke, Second: Foster. Aye-Foster, Aye-Nottke, Aye-Bishop and Aye-Wyckoff.

Local Law #2 of 2024

Town of Covert, New York

A Local Law To Supersede Local Law #1 of 1995 and Returning Grievance Day to the Fourth Tuesday of May

Be it enacted by the Town Board of the Town of Covert as follows:

Section 1. Purpose

The State of New York has granted the governing body of an assessing unit, which employs an assessor who is at the same time employed by another assessing unit, the power to establish a date for the meeting of the Board of Assessment Review other than that provided by State Law. The Town of Covert previously adopted Local Law #1 of 1995 for this purpose. The current Town of Covert Assessor does not serve as the assessor for any other assessing unit and the alternate date is no longer necessary. This local law is intended to supersede Local Law #1 of 1995 and return the Board of Assessment Review meeting to the date set forth in Real Property Tax Law section 512(1).

Section 2. Date Established

The Board of Assessment Review for the Town of Covert shall meet on the fourth Tuesday in May each year and thereafter as may be necessary to discharge its duties, as set directed by Real Property Tax Law section 512(1).

Section 3. Effective Date

**TOWN OF COVERT, SENECA COUNTY  
PUBLIC HEARING and REGULAR TOWN BOARD MEETING**

**May 13<sup>th</sup>, 2024**

This act shall take effect immediately, including grievance day for 2024, to be held on Tuesday, May 28, 2024.

**Resolution # 3-2024**

**Awarding Contract for Highway Barn Upper Roof Replacement**

WHEREAS the Town of Covert Town Board finds that the Highway Barn Upper Roof is in need of replacement; and

WHEREAS the Town of Covert Highway Superintendent did solicit quotes for the contract for this project; and

WHEREAS three contractors submitted bids, the lowest being submitted by Peachey Builders LLC, Ovid, NY; and

WHEREAS all bids were reviewed by the Town Highway Superintendent and the Town Board.

NOW THEREFORE BE IT RESOLVED that the Town of Covert Town Board hereby awards the Roof Replacement Contract for the upper Highway Barn roof to Peachey Builders LLC with the lump sum bid of \$31,201.43; and

AND BE IT FURTHER RESOLVED the Town Board of the town of Covert authorizes the Highway Superintendent to execute all necessary documents to enter into a contract with Peachey Builders LLC for the completion of this work.

Motion - Foster, Second - Bishop. Aye - Foster, Aye - Bishop, Aye – Nottke, Nay – Wyckoff.

**Resolution # 4-2024**

**Resolution Designating Authorized Representative for Three Falls Local Development Corporation**

**WHEREAS**, the Towns of Covert and Ulysses and the Village of Trumansburg, having collectively engaged in discussions with the State of New York and the Boy Scouts concerning an opportunity to manage certain real property known as Camp Barton (the “**Park Premises**”) for public recreation and other purposes, determined to jointly form a local development corporation to take possession of and manage the Park Premises; and

**WHEREAS**, the Board of Trustees of the Town of Covert, having considered the proposed certificate of incorporation and bylaws of the Three Falls Local Development Corporation (the “**Park Corporation**”), approved the execution and filing of the certificate of incorporation and the adoption of said bylaws (the “**By-laws**”) on February 13, 2023, which certificate of incorporation was filed with the Department of State on March 17, 2023 and By-laws are in full force and effect; and

**WHEREAS**, the Town of Covert, together with the Town of Ulysses and the Village of Trumansburg, is a Voting Member of the Park Corporation, as such term is defined in the By-laws; and

**WHEREAS**, pursuant to Section 3.07 of the Corporate By-Laws, the Voting Members, must approve, *inter alia*, any transaction involving the purchase, lease, license, exchange or other acquisition by the Park Corporation of any assets; and

**WHEREAS**, the Park Corporation is currently negotiating a certain municipal park management agreement by and between the Three Falls Local Development Corporation and the New York Office of Parks, Recreation and Historical Preservation (the “**Park Management Agreement**”), which Park Management Agreement is the contractual vehicle by which the Park Corporation will acquire possession of the Park Premises, and which must be approved by the Voting Members in accordance with Section 3.07 of the Corporate By-laws of the Park Corporation.

**NOW BE IT**

**RESOLVED**, that Deborah Nottke and William Shaw (the “**Authorized Representatives**”) are hereby authorized and empowered to vote in the name of and on behalf of the Town of Covert as Voting Members of the Park Corporation for purposes of approving the Park Management Agreement without additional approval of the Town Board of the Town of Covert.

I, Leslie Adams-Compton, Town Clerk of the Town of Covert do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Covert, May 13, 2024 by the following vote:

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

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING and REGULAR TOWN BOARD MEETING**  
**May 13<sup>th</sup>, 2024**

Foster moved, seconded by Nottke, to deny the Variance Request for John Hubbell, application #3-2024, 9791 Congress St. Ext., Trumansburg, Tax Map #20-1-44, to replace old home with new ≈28' x 50' home, because application does not address history of flooding on the property and no details of project plan to mitigate flooding were provided. Applicant may re-apply with new information. Aye - Foster, Aye - Wyckoff, Aye - Bishop and Aye - Nottke.

Nottke moved, seconded by Bishop, to approve the 2024 Interlaken Historical Society Agreement, annual cost \$1,400. Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Foster, to approve the 2024 Interlaken Public Library Agreement, annual cost \$2,500. Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Supervisor's Income and Expenditure report for the month of April 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of April 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve Town Clerk report for the month of April 2024. Town Clerk received a total of \$979.00; \$490.80 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Code Enforcement Officer's report for April 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve the Dog Control Officer's report for March/April 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to advertise for a new Dog Control Officer in the Shopper, Interlaken Review and sign board. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #65 - 73 in the amount of \$13,645.23 and General Fund Vouchers #87b – 105 in the amount of \$13,780.26 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 8:29 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**June 10<sup>th</sup>, 2024**

The regular meeting of the Town Board of the Town of Covert was held Monday, June 10, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Town Attorney Patrick Morrell, Deputy Clerk Brian Quan, Jason McCormick, Jack Persoon, New Leaf Attorney Henry Zomerfield + LaBella Project Manager Emily Lukasik, and other interested citizens.

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

**Approval of Minutes:** Wyckoff moved, seconded by Nottke, to approve the May 13<sup>th</sup> Public Hearing and Regular Town Board meeting minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Presenter:** Jason McCormick, engineer hired for SEQR review for the Town regarding Solar 2, 3 + 8 projects on Persoon property, said that the project did a good job addressing his comments in the new documents they presented. He said there were missing signatures. He thought there hadn't been an adequate landscaping plan, needed approval from the DOT, didn't have all the area they would disturb in the plan, but they had corrected all of that. His concerns had been addressed in the decommissioning plans. They had addressed the estimates not lining up (\$). His concern for an adequate landscaping plan was addressed with the proper-sized trees. Emily Lukasik said the trees will be 6 feet tall at planting, a combination of eastern red cedar and Norway spruce, 268 trees total, two rows, in each location.

Foster questioned if the land owner should have the final say at reclamation rather than the Town. McCormick said that usually the Town okays what the land owner decides to keep, ie. driveways. Lukasik said it is included in the new plan.

Morrell said that they have been waiting to do the State Environmental Quality Review (SEQR) following the Town's engineer's report. Part 1 was submitted by the applicant, reviewed by McCormick. Part 2 – Identification of Potential Project Impacts is for the Town Board to complete. He asked if the Board would like to go through the 18 questions or the Town Board could accept the engineer's report that he did not see any significant environmental impacts associated with the project or identify any areas of concern.

**Resolution # 5-2024**

**State Environmental Quality Review for Interlaken Solar 2, 3 and 8**

Foster moved, seconded by Nottke, in the Variance Request for Interlaken Solar 2, 3 + 8, 8184 Route 96 Solar Project, the following determination for State Environmental Quality Review be approved as presented: FEAF Part I, prepared by Applicant, Interlaken Solar 2, LLC; Interlaken Solar 3, LLC; Interlaken Solar 8, LLC., dated 5/30/2024, and Part II, prepared by the Lead Agency, Town of Covert. Aye-Foster, Aye-Bishop, Aye-Wyckoff, and Aye-Nottke.

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

<b>Determination of Significance - Type 1 and Unlisted Actions</b>				
SEQR Status:	<input checked="" type="checkbox"/> Type 1	<input type="checkbox"/> Unlisted		
Identify portions of EAF completed for this Project:	<input checked="" type="checkbox"/> Part 1	<input checked="" type="checkbox"/> Part 2	<input checked="" type="checkbox"/> Part 3	

**TOWN OF COVERT, SENECA COUNTY  
REGULAR TOWN BOARD MEETING**

**June 10<sup>th</sup>, 2024**

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

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There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: 8184 Rt. 96 Solar

Name of Lead Agency: Town of Covert

Name of Responsible Officer in Lead Agency: Michael Reynolds

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date: 7/9/2024

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Leslie Adams-Compton

Address: PO Box 265, Interlaken, NY 14847

Telephone Number: 607-532-8358

E-mail: [covertclerk@rochester.rr.com](mailto:covertclerk@rochester.rr.com)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Foster shared his views regarding the financial side of the project. He would like the Host Community Agreement(HCA) to extend for the lifetime of production. The original HCA offer was for a chunk of money over four years. He believed the solar projects are not about saving the planet, but about making money. He speculated about the future production and prospect of it being sold.

Henry Zomerfeld said he had a brief discussion with Morrell and that generally an HCA is to reimburse the Town and tied to the megawatts(mW). He had provided the State's assessment model to Morrell. He said the State's model is speculative. It's



**TOWN OF COVERT, SENECA COUNTY  
REGULAR TOWN BOARD MEETING**

**June 10<sup>th</sup>, 2024**

important to have predictability for whether they keep it or not. It would have to be a set value tied to mW.

It was reiterated that the Land Use approval cannot be based on the HCA or financial benefit to the Town.

Foster proposed 3% of 3 million. Zomerfeld said they don't make that kind of money. More numbers were presented. Zomerfeld suggested the Town Board have consensus.

A sub-committee will plan to meet with the assessors on an upcoming Thursday to discuss the solar projects further.

Morrell recommended that the Town Board consider the Variance approval with conditions of satisfactory decommissioning plans, PILOT and HCA.

**Resolution:** Wyckoff moved, seconded by Foster, to table Variance Application #27-2023 for Interlaken Solar 2, 3 + 8 to construct 3 solar arrays on Persoon property.

**Highway:** MacCheyne reported scraping and adding crusher to Townline Rd, spreading dust oil on Hickok, Stout, Arden, and Six Corners Roads, and adding millings to Six Corners, they hauled crusher run for summer road work, hauled black top for Seneca County (CR 129 + 142), installed new pipe on field/access drive Schier Rd and did cold patching on all town roads. They took the grader to Alta Equipment and borrowed Seneca County's, did repairs to the fuel gauge on the roller, and did regular maintenance on all equipment.

MacCheyne said he had met with 5 others about the new CHIPS rules. He said NY had made it easier, but more time consuming. He said he had to provide proof that Townline Road wasn't done last year. It hadn't been done for 12 – 15 years.

Adams-Compton said there were 3 Dog Control Officer applicants. Personnel committee, Nottke + Wyckoff, can begin scheduling interviews.

Nottke said they had a meeting with the design team and Roy Gates/Seneca County about the Frontenac Bridge. Construction should begin in 2025. In the meantime, they will work on South Frontenac Rd.

She said she brought up the Town's in-kind service to Three Falls LDC. That was tabled for additional tally of this year's hours.

Nottke said she attended a press conference with Ulysses and Trumansburg for the \$3.5 million grant they received for a new Fire + EMS building. They will be taking out a loan for additional costs.


Reynolds said that FEMA has been requiring more information for the Stout Road project: 1<sup>st</sup> a DEC permit, then an Army Corp of Engineers permit – Disaster Consultants have followed through. Another \$200,000 is expected when approved.

Reynolds mentioned that the County Manager was put on leave of absence.

**Petitioners:** None.

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**June 10<sup>th</sup>, 2024**

**Resolutions:**

Office of the New York State Comptroller  
  
 New York State and Local Retirement System  
 110 State Street, Albany, New York 12244-0001  
 Please type or print clearly  
 in blue or black ink

Employer Location Code  
3 0 3 7 3

Received Date

**Standard Work Day and  
Reporting Resolution for  
Elected and Appointed Officials**

**RS 2417-A**  
38x11/19

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

BE IT RESOLVED, that the Town of Covert / 30373 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Michael Reynolds			Town Supervisor	01/01/2024-12/31/2026	6	10.53	<input type="checkbox"/>	monthly	<input type="checkbox"/>
Leslie Adams-Compton			Town Clerk/Tax Collector	01/01/2024-12/31/2027	6	20.69	<input type="checkbox"/>	bi-weekly	<input type="checkbox"/>
Jeffrey MacCheyne			Highway Superintendent	01/01/2024-12/31/2027	8	37.68	<input type="checkbox"/>	bi-weekly	<input type="checkbox"/>
<b>Appointed Officials:</b>									
Nancy Swartwood			Bookkeeper to Supervisor	01/01/2024-12/31/2025	6	1.86	<input type="checkbox"/>	bi-weekly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

Leslie Adams-Compton, secretary/clerk of the governing board of the Town of Covert of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of June, 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Covert on this 10th day of June, 2024.

\_\_\_\_\_  
(Signature of Secretary or Clerk)  
**Affidavit of Posting:** I, Leslie Adams-Compton being duly sworn, deposes and says that the posting of the Resolution began on 6/11/2024 and continued for at least 30 days. That the Resolution was available to the public on the: \_\_\_\_\_

Employer's website at: \_\_\_\_\_  
 Official sign board at: \_\_\_\_\_  
 Main entrance Secretary or Clerk's office at: 8469 S. Main St., Interlaken, NY

Page 1 of 1 (for additional rows, attach a RS 2417-B form.)

(seal)

Nottke moved, seconded by Wyckoff, to approve Standard Work Day and Reporting Resolution, above. Aye-Foster, Aye-Bishop, Aye-Wyckoff, and Aye-Nottke.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of May 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Highway Superintendent's report for the month of May 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve Town Clerk report for the month of May 2024. Town Clerk received a total of \$1465.25; \$514.62 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #74 - 83 in the amount of \$28,994.75 and General Fund Vouchers #106 – 122 in the amount of \$6,094.32 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to adjourn the meeting at 8:28 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

Town of Covert, Seneca County  
Regular Town Board Meeting  
8 July 2024

The regular meeting of the Town Board of the Town of Covert was held Monday, July 8<sup>th</sup> at 7 PM at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

**Members Present:** Supervisor Reynolds, Councilwoman Nottke, Councilman Bishop, Councilman Foster, Councilman Wyckoff.

**Others Present:** Town Clerk Adams-Compton, Town Attorney Morrell, Deputy Town Clerk Quan, Code Enforcement Officer Ward, Attorney Zomerfeld (representing Interlaken Solar LLCs), and other interested citizens.

**Call to order:** Supervisor Reynolds called the meeting to order at 7:06 PM. All rose for the pledge of allegiance.

**Approval of Minutes:**

Nottke motioned, Wyckoff seconded, to approve the minutes from the 10 June 2024 regular board meeting; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Nottke motioned, Foster seconded, to approve the minutes from the 20 June 2024 special meeting; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

**Town Clerk:**

Quan reported the town clerk's office will be closed until 2 PM on 16 July for the inaugural Seneca County New York State Town Clerk's Association meeting.

**Supervisor:**

Reynolds advised there will be an update on the insurance payout for the town barn roof tomorrow.

Reynolds advised three candidates were interviewed for the Dog Control Officer; while all were well qualified, April Moore was chosen because she currently has a related position.

**Attorney:**

Morrell suggested it would be an appropriate time to discuss directly with the applicant's attorney a reasonable more formal counterproposal to the host community agreement proposed by the applicant

Wyckoff asked about the option to renegotiate terms after the end of the host community agreement in order to consider repaneling or other reuse of the facility after the end of the life expectancy of the project because the infrastructure would be in place.

Morrell advised that without decommissioning, any remaining infrastructure takes away the ability to have the land return to its use for agriculture.

**Resolutions:**

Wyckoff motioned, Nottke seconded, to approve April Moore for the position of Dog Control Officer and allow the Town Supervisor to negotiate the terms of hire; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Nottke motioned, Wyckoff seconded, to approve the Supervisor's Income and Expenditure Report for the month of June 2024; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Nottke motioned, Wyckoff seconded, to approve the Town Clerk's Report for the month of June 2024. The Town Clerk received a total of \$1300.00; \$569.22 was remitted to the Supervisor; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Wyckoff motioned, Nottke seconded, to approve the Code Enforcement Officer's Report for the month of June 2024; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Nottke motioned, Wyckoff seconded, that Highway Fund Vouchers #84-98, amounting to \$239,835.42, and General Fund Vouchers #123-138, amounting to \$3364.76, be approved for payment; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

**Petitioners to the Board:**

Barry Ford spoke about news he heard of how solar production in California exceeds demand, resulting in curtailing or wasting the energy supply.

Reynolds declared the meeting in recess for the attorneys to discuss the agreements at 7:28 PM.

Reynolds reconvened the meeting at 7:56 PM.

Morrell advised he and the applicant's attorney reached an agreement in principle on the host community agreement with the application: each array (two 5 MW and one 3 MW) would have its own host community agreement in which the applicant would make an annual payment of \$1500.00 per megawatt to the town for fifteen years under the same framework proposed in the host community agreement received from the applicant at the beginning of this discussion. As the board and the applicant are in agreement with those terms in principle, the attorneys will be able to work out the written agreements reflecting those terms.

Nottke motioned, Foster seconded, to accept the terms for the host community agreements for these projects as presented and authorizing Morrell to finalize the agreement with those terms; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Morrell spoke about the land management ordinance and requests of variance are guided by the circumstances of the situation and the intent of the applicant and decisions act to protect the best interest of the community.

The State Environmental Quality Review (SEQR) considered the three projects making up the solar energy facility together because the adjoining sites make impacts difficult to differentiate.

Morrell reviewed and discussed the Public Utility Variance Standard:

1. There is a public necessity and that it is required to render safe and adequate service.  
Zomerfeld spoke of how the project is consistent with the state's goal in the Climate Leadership and Community Protection Act.
2. There are compelling reasons, economic or otherwise, that make it more feasible to seek the variance than use alternate sites.  
Zomerfeld spoke of site considerations: location to interconnection, connection of lease land with neighborhood infrastructure, how far back projects can be placed, and a number of other considerations.
3. The intrusion or burden on the community is minimal, the showing required by the utility should be correspondingly reduced.  
SEQR determined all issues to be minor.

Morrell summarized the process:

A public hearing was conducted, the application underwent significant review, the project was reviewed by an engineer, SEQR was completed, and the standards required of public utility variance under the town's Land Management Ordinance were reviewed.

Foster motioned, Nottke seconded, to approve with conditions—decommissioning agreements, plans, and bonds acceptable to the town's attorney be completed and a host community agreement under the terms previously discussed be formalized in writing from the applicant to the town—the request of variance of energy production systems from the land management or Interlaken Solar 2 LLC, Interlaken Solar 3 LLC, and Interlaken Solar 8 LLC; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Nottke motioned, Wyckoff seconded, to adjourn the meeting at 8:17 PM; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye, Wyckoff: aye.

Respectfully submitted,

Brian Quan  
Town of Covert Deputy Town Clerk

Town of Covert, Seneca County  
Regular Town Board Meeting  
12 August 2024

The regular meeting of the Town Board of the Town of Covert was held Monday, August 12<sup>th</sup> at 7 PM at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

**Members Present:** Supervisor Reynolds, Councilwoman Nottke, Councilman Bishop, Councilman Foster.

**Others Present:** Town Attorney Morrell, Deputy Town Clerk Quan, and other interested citizens.

**Call to order:** Supervisor Reynolds called the meeting to order at 7:00 PM. All rose for the pledge of allegiance.

**Approval of Minutes:**

Nottke motioned, Foster seconded, to approve the minutes from the 08 July 2024 regular board meeting; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

**Lake View Cemetery:**

John Hubbard, Trustee for Lake View Cemetery Association, spoke of the eventual, but not imminent, need of the Town's assistance in funding the costs of the cemetery maintenance because of the decline in volunteer hours. Currently, volunteers mow the fourteen-acre property; Dad & Sons (Seneca Falls) trims.

The general operating fund is about \$6k. Fund drives (biannually at the Masonic Temple) bring in some money but not enough to keep up with the costs of administration and operations. The estimated cost for mowing and trimming would be about \$35k annually. The occasional cleanup of fallen trees is about \$4k. Grant funding is only available for projects, not general operation.

Hubbard spoke of the administrative work involved, amounting to 0.4 full-time equivalent (FTE).

Hubbard noted the Town helps indirectly through the highway department: occasionally bringing in a load of crusher and relocating excess dirt from excavations.

**Highway Superintendent:**

MacCheyne reported on chip sealing, touching up roads, building up shoulders, ditching and cleaning ditches.

MacCheyne noted spreading millings over crusher increases road longevity.

Installed county radio in new payloader

Installed big concrete blocks to make a headwall at the crossover pipe on Townline Road to prevent people from going in.

MacCheyne spoke of how highway departments work together: shoulders and paving projects with Lodi, blacktopped roads with Town of Romulus, and grinding

and paving on County Road 121 with Seneca County Highway Department. Increased frequency (from twice seasonally) of mowing roadsides throughout the town allows people to walk not in the road. Additionally, it increases visibility of animals, especially deer, on road sides.

MacCheyne reported the main hydraulic pump on the Gradall excavator needs replacement, estimated to cost \$12,795. Alternatively, the Gradall can be replaced with a rubber-tired excavator at a state contract cost of \$313k. Delivering the Gradall to the full-service branch in Syracuse for repair will save travel and labor costs of the mobile repair van. Repair and timeline will not be known until after it is evaluated and pump availability is determined.

MacCheyne advised all Consolidated Local Street and Highway Improvement Program (CHIPS) reimbursement requests have been submitted except ~\$32k; payment is expected to be received mid-September.

### **Committees:**

Nottke asked about OSHA's proposed update to its standards for firefighters, first responders, and search and rescue crews. Interlaken Fire Department Second Assistant Chief Bailey said the comment period has been extended for one month.

Nottke attended a Boy Scouts of America Alumni Association sponsored picnic barbecue at Camp Barton. The association and other volunteers spent money and labor repairing trails, adding crusher run and picking up debris.

Nottke reported on the Three Falls Local Development Corporation (LDC):

- ❁ The next meeting will be at 9 AM on 22 August.
- ❁ Fred Bonn, Finger Lakes Regional Director for New York State Parks, offered to write letters of support for the application for a Park and Trail Partnership grant to help the LDC start operationally and consider how the land could and should be used.
- ❁ The Park Commission is expected to sign the documents by mid-September.
- ❁ The park has not been named yet; the Commissioner has the last say. It will not open until 2025.
- ❁ The new bridge will be in place by then and South Frontenac Road will be resurfaced; the Highway Department has done a lot of work.
- ❁ The Town of Ulysses and Village of Trumansburg have not voted on whether substituting in kind services would be acceptable for the \$20k because the full board was not present. Investing the money will preserve voting status necessary to make decisions on park operations and maintenance.

Reynolds advised the Fire and EMS meeting will be at 6 PM on 29 August at the firehouse. The budget will be available on 28 August. Reynolds spoke of the new firehouse, expressing concern about the shortfall between the \$3M grant and the estimated \$10M cost.

Reynold's advised the Board of Supervisors will vote on the bridge at their next meeting.

**Supervisor:**

Reynolds said the Interlaken Historical Society requests an additional \$600, totaling \$2k, to help pay for the increased cost of insurance.

There will be advertisements for the first public informational meeting on the upcoming revaluation, scheduled for 6 PM on 17 September, twice in the Seneca County Area Shopper and once in the Interlaken Review. The next informational meeting is proposed for spring. Reynolds advised revaluation has begun, with a lot being done on a computer; physical assessment, especially at the lake, will take place in spring.

Reynolds spoke of the town clerk's request for family health insurance beginning 01 September.

**Attorney:**

Morrell advised he and Attorney Zomerfeld are close to finalizing the Host Community Agreement, decommissioning, and PILOT Agreement for each of the three solar projects.

**Resolutions:**

Nottke motioned, Foster seconded, to approve health insurance for town clerk; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Nottke motioned, Bishop seconded, to approve the Supervisor's Income and Expenditure Report for the month of July 2024; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Foster motioned, Nottke seconded, to approve the Highway Superintendent's Report for the month of July 2024; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Foster motioned, Nottke seconded, to approve the cost of the repair of the Gradall Excavator based on Alta Equipment SQT137568 quote, dated 05 April 2024, and not to exceed \$15k; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Nottke motioned, Bishop seconded, to approve the Town Clerk's Report for the month of July 2024. The Town Clerk received a total of \$1363.00; \$765.52 was remitted to the Supervisor; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Nottke motioned, Foster seconded, to approve the Dog Control Officer's Report for the month of July 2024; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Nottke motioned, Bishop seconded, that Highway Fund Vouchers #99-117, amounting to \$31,859.01, and General Fund Vouchers #139-159, amounting to \$21,362.18, be approved for payment; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.



**Petitioners to the Board:**

Barry Ford asked about the Host Community Agreement for the solar projects. Morrell said the initial proposal from New Leaf Energy was \$15k/MW for the three projects (totaling 13MW) paid over four years. The HCA reached is \$1500/MW annually for 15 years for each project. Foster noted the HCA does start until commercial production begins, about three years hence. Morrell said a PILOT Agreement is regimented and restricted and is based on taxes; monies are shared with the county and school.

Nottke motioned, Bishop seconded, to adjourn the meeting at 7:58 PM; Reynolds: aye, Nottke: aye, Bishop: aye, Foster: aye.

Respectfully submitted,

Brian Quan  
Town of Covert Deputy Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**September 9, 2024**

The regular meeting of the Town Board of the Town of Covert was held Monday, September 9<sup>th</sup>, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

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

**Call to order:** Supervisor Reynolds called the meeting to order at 7:00 P.M. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Bishop, to approve the August 12, 2024 Regular Town Board meeting minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Presenter:** Bill Shaw gave an update on Three Falls LDC. He said the park does not have a name yet. He said the final deed from the Baiden Powell Council to New York State has been signed, submitted and filed.

The license from NYS Parks, Recreation & Historic Preservation has been agreed upon/ submitted awaiting signing event. The signing event is tentatively scheduled for early October with special invitations to the Governor, representatives and Town Boards, etc.

The Three Falls LDC/Baiden Powell Use Agreement, for the Scouts to use the park for their calendar events for a fee, is also to be signed in early October.

Shaw said he has been part of the task force for funding. They have submitted a grant application for Parks + Trails NY requesting \$150K for the Strategic Master Plan, a needs assessment (for safety + accessibility) and some immediate services in order to open in May of 2025. The LDC would come up with matching funds (LDC committed to 20%) by fundraising 30K. They expect a decision in January 2025.

Shaw said that Ulysses and Trumansburg paid their \$20K memberships for 2024. Nottke and Shaw proposed in kind services totaling 19K in 2023 expenditures for the Town of Covert's membership fee. This received a mixed response; membership said they didn't have input on the work and that the work provided other benefits to Covert residents. Shaw and Nottke disagreed in that the Town was aware of plan for a park. The work was done knowing the bridge would be out. But the request was denied because the LDC did not get formally asked for input on the work.

Shaw recommends MacCheyne go to the LDC board for input, giving them advanced notice of future plans and expenses impacting the park.

Shaw said that hundreds of people in the Camp Barton Staff Alumni Association (CBSAA)(501(c)(3)) have regularly contributed time and money with the purpose to preserve Frontenac Point for youth, education, recreation, outdoor activities. CBSAA have conducted several clean up weekends, providing near \$20,000 worth of gravel as well as parking signage. The Scouts had weekend events, but because the deed hasn't transferred yet, no 2024 rent was collected.

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
September 9, 2024

Shaw said that there had been open conversations with neighbors to the park at the Boy Scout Barbeque.

He said that furnishings, tools + equipment ownership has not been decided yet. Bonn of NYSPRHP said they don't care what is done with it, but do not want it. The NY State Parks want the branding. They may put in a kiosk with information on the Biden Powell Council.

Shaw said this year's expenses were fairly minimal (attorney and Insurance) and the budget for 2025 is looking similar, expecting \$150K grant, user fees, and requesting \$20K from each member municipality, despite Nottke and Shaw's objection. There is \$7K left of the \$40k collected this year so far.

Shaw reiterated that the excess revenue for the park can be used to repay the municipalities their membership fees.

Shaw said he will stay on the LDC board through the budget process, but it is the Town Board's responsibility to come up with his replacement. He also said they need to make a decision about contributing the \$20K membership fee this year or not and not continuing as a voting member.

Wyckoff said because they didn't accept \$19K roadwork, he did not see the incentive to continue, saying that road/bridge expenses will continue. He said the majority of the traffic will be for the Park and he thinks that counts. He wondered what would happen if the Town closes the bridge like the Ovid has done.

Nottke said that other LDC members felt that each municipality had given their time and money, and their lawyers.

Foster asked if, once the LDC has control, does that open up additional grant opportunities? Shaw said, absolutely. They can and should pursue state grants, environmental grants, etc.

Shaw said there are tens of thousands of local dollars from local private businesses available. The LDC has not received any of these funds yet because the board doesn't have a policy yet and wanted the agreement signed before accepting donations.

Bishop asked, why spend public money, when you've got private money waiting for you? It seems like a mismanagement. Shaw has said consistently, they don't need \$20K x 3. Their response is that it will be recovered.

**Highway:** MacCheyne's monthly report was submitted by email: Ditching on Dunn, Frontenac, and Little Point Roads. Cut brush on Little Point Road and trimmed trees at Town Hall.

Hauled some of the chunky millings and spread on seasonal section of West Covert Road.

Spread dirty crusher run on Little Point and South Frontenac Roads. Hauled more dirty crusher run into shop and to Covert. Changed rear wheel seals and brakes on 2010 International 10-wheeler. Cleaned eve troughs at the Town Hall and Town Highway barn. Installed new driveway pipe on East Covert Road – Jill Reed. Hauled crusher run and 1A's for road work. Two guys on vacation for a week. Cold patching on all town roads. Regular maintenance on all equipment.

**Town Clerk:** Adams-Compton reported 39 dogs licensed, about 50 hunting/fishing license customers, and 4 marriage licenses in August. She also advised that the Town Clerk's office will be closed until 2 pm on Tuesday, 9/17 for another regional Town Clerk's meeting.

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
September 9, 2024

**Committees:** Reynolds said that Seneca County needs a Town resolution for an agreement between Seneca County and the Town of Covert for payment of the Frontenac Bridge project.

Reynolds reminded all that there will be a public informational meeting with ENPM, consultants hired for the Town of Covert's reassessment project, on Tuesday, September 17<sup>th</sup> at 6 pm.

Reynolds reported that he and Nottke went to Trumansburg Fire/EMS meeting. He said we'll see a total of \$45,000 increase: Ambulance 30K, T-burg Fire 10K, Interlaken Fire 5K. Nottke said they will be going to a different billing service.

Reynolds said that he and Nancy Swartwood are working on the budget. He hopes to have the preliminary budget available by September 20<sup>th</sup>.

**Attorney:** Morrell said they continue to go back and forth on the Interlaken Solar/Covert agreements.

**Petitioners:** Barry Ford said that if the Town doesn't put in \$20k, there is no reason to have representation on the board (on the Three Falls LDC). Foster said everything's negotiable. Nottke said the fee is not needed till the end of the year. She has put in a request to Seneca County Cooperative Extension.

Ford asked, If the bridge closes bridge with a red flag, how long before the State makes you do something? If closed, the other road would have to be used. Some CHIPS money would be lost. We will have to come up with \$100,000 for our portion of the bridge expense. A letter of acceptance has not been sent to Vector yet, the lowest bidder for the project.

**Resolutions:**

**Resolution # 6-2024**

**Authorizing Town Supervisor to Execute Frontenac Bridge Sponsor Reimbursement Agreement**

Bishop moved, seconded by Nottke, to authorize the Town Supervisor to execute the agreement between Seneca County and the Town of Covert for Bridge Sponsor Reimbursement as appears below. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

NYS DOT SPONSOR REIMBURSEMENT AGREEMENT –  
FRONTENAC ROAD OVER TRUMANSBURG CREEK BRIDGE (post Marchiselli)

**This agreement, by and between Seneca County, a municipal corporation of the state of New York, with its office at 1 DiPronio Drive, Waterloo, NY; and the Town of Covert, a municipal corporation of the state of New York located in the County of Seneca, sets forth herein:**

By Seneca County Board of Supervisors' resolutions 210-22, 257-22, and 81-24, Seneca County agreed to act as the project sponsor for initial funding requests from New York State and other Federal sources on behalf of the Town of Covert, for design, engineering, and construction for the Frontenac Road Bridge Project, currently identified under BIN 2209490, P.I.N. 3755.41; and

The estimated total capital project cost estimate was in the amount of \$2,159,000, with the Town of Covert initial local share estimate of \$431,800; and

The project has been granted Marchiselli State funding in the estimated amount of \$323,850, which reduces the estimated 5% local share to the Town of Covert to \$107,950; and

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
September 9, 2024

The above calculation is based upon the estimated construction costs. Federal funding through NYSDOT is also limited based upon estimated costs. In the event that construction costs exceed the estimate, the Town of Covert is responsible for all additional costs of construction under the project.

The Town of Covert agrees to reimburse the County in an amount to cover the County sponsorship amount funds expended by the County, to include any supplement funding necessary to complete the project.

Seneca County shall invoice the Town of Covert periodically to recover charges paid by the County on behalf of the project not otherwise paid to the County from other sources.

In any event, all reimbursements are due to the County no later than twelve (12) months following project completion. Estimated completion date, based upon contract award, will be October 31, 2025.

The Town of Covert will provide a certified copy of its resolution authorizing the Town Supervisor to execute this agreement prior to its execution.

Seneca County will not make any further disbursements under the project contract until this agreement is signed and returned to the County.

For Seneca County

For the Town of Covert

Michael Enslow  
County Chairman

Michael Reynolds  
Covert Town Supervisor

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of August 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of August 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk report for the month of August 2024. Town Clerk received a total of \$3184.00; \$656.41 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, that Highway Fund Vouchers #118 - 125 in the amount of \$18,588.06 and General Fund Vouchers #160 - 173 in the amount of \$7,274.27 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to adjourn the meeting at 8:12 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**October 14<sup>th</sup>, 2024**

The regular meeting of the Town Board of the Town of Covert was held Monday, October 14<sup>th</sup>, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeff 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 7:00 P.M. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Wyckoff, to approve the September 9, 2024 Regular Town Board meeting minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Highway:**

MacCheyne reported the department cut brush and trimmed trees along Congress Street, worked with the Town of Ovid on their mixed paving job, a cold mix 1 mile beyond Center Rd, cut shoulder and ditch on Bergen Beach and E Covert Roads, paved with the Town of Romulus and did cold patching on all town roads. They hauled 1 b's for winter mix. MacCheyne priced the mix from a company in Burdett that was considerably cheaper, but not good. Many leaks on the 2001 Gradall, hydraulic and power steering, were fixed, as well as maintenance on all equipment. They installed new def fluid tank at the shop and replaced bathroom faucets at the Town Barn.

MacCheyne said that Seneca Stone would be paving S. Frontenac in the next few weeks. He also said that deer can be seen better after ditching on Bergen Beach and E Covert roads. He mentioned that they are waiting on the hydraulic pump from Alta for the Gradall. They will be finishing paving within the next couple weeks, then preparing for winter. He said the old Frontenac bridge will be knocked down in early Spring.

MacCheyne said there is a situation between neighbors on Interlaken Beach Rd; he is trying to negotiate between them.

**Town Clerk:** Adams-Compton reported 43 dogs licensed, more hunting/fishing licenses sold, and 4 more marriage licenses issued in September. She also mentioned that Beverly Animal Shelter passed their Ag and Market's inspection for the first time in a long time.

**Committees:** Foster said he spent time looking for a Three Falls LDC replacement of Bill Shaw, but without success. He wondered if an ad should be put in the paper. Nottke said she may have two possibilities.

Nottke gave an update on the Park. She said the deed transfer for the property was filed last month. No money has been transferred yet for NY Parks to take possession. She said the LDC, the Park Commission and others will do final walk thru on 10/22 @ 9am. She reported the Boy Scouts' Camp Barton sign came down Thursday and all memorabilia will have to go. May 1<sup>st</sup>, 2025 is the tentative ribbon cutting. They will hear from the Parks + Trails grant in January. There has been a lot of support from the congressman, assemblyman, and Fred Bonn from the Commission.

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**October 14<sup>th</sup>, 2024**

Nottke asked for a representative from the Historical Society to jump in and be involved in this historical time of land preservation.

Reynolds said that Tompkins County Historical Society had contacted him about erecting a blue/yellow historical marker for a landing at Frontenac.

Reynolds said Krassimira Woods Lane residents want to return the name to Appletrace.

Reynolds asked MacCheyne if we should think about ordering a truck. MacCheyne said that now there is an exemption from the NYS all-electric trucks requirement. The Town can order now, pay for the cab and chassis at the end of 2025, then the body when it's ready. The whole truck is \$320K. Orders are currently 4 – 5 years out. There was some discussion about manual vs. automatic, and the workforces' ability to drive manual anymore. Wages may be more for the skill.

Reynolds said the JCAP Grant resolution was approved by the Board via email.

**Attorney:** Morrell reported that he continues to work with attorneys and the Persoons for the solar project. He said the IDA is involved in the PILOT, as a courtesy.

**Resolutions:**

Nottke moved, seconded by Wyckoff, to schedule a Budget Workshop for October 21<sup>st</sup> at 5pm and a Public Hearing for the Town of Covert 2025 Budget on October 28<sup>th</sup> at 7pm. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

**Resolution # 7-2024**  
**Authorizing Town Court to Apply for JCAP Grant**

Be it RESOLVED,

The Town Board of the Town of Covert authorizes the Covert Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00.

Motion: Reynolds, Second: Foster. Aye-Nottke, Aye-Reynolds and Aye-Foster.

Dated: 9/18/2024

Leslie Adams-Compton, Town Clerk

**Resolution # 8-2024**  
**To Change Name of Krassimira Woods Lane to Appletrace Lane**

WHEREAS the residents of private road, Krassimira Woods Lane, within the Town of Covert have proposed a street name change from Krassimira Woods Lane to Appletrace Lane; and

WHEREAS the Town of Covert Town Board did receive a certified request from each property owner on said road; and

WHEREAS Krassimira Woods Lane was formerly known as Appletrace Lane; and

WHEREAS Town Law §64(9), allows the Town Board the naming of streets, and such names may also be changed and altered as the town board may determine;

NOW THEREFORE BE IT RESOLVED that the Town of Covert Town Board hereby concurs with the residents on Krassimira Woods Lane to cause proceedings for aforementioned name change; and

BE IT FURTHER RESOLVED the Town Board of the Town of Covert authorizes the Town Supervisor and Town Clerk to execute all necessary documents for notification of this change to the Town Assessor,

**TOWN OF COVERT, SENECA COUNTY**  
**REGULAR TOWN BOARD MEETING**  
**October 14<sup>th</sup>, 2024**

Seneca County Real Property Tax Services, NYS DOT, Seneca County Emergency Management and US Postal Service to facilitate this change.

Motion: Nottke, Second: Wyckoff; Aye-Nottke, Aye-Wyckoff, Aye-Foster, and Aye-Bishop

Nottke moved, seconded by Bishop, to approve the Supervisor's Income and Expenditure report for the month of September 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of September 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve Town Clerk report for the month of September 2024. Town Clerk received a total of \$2857.00; \$734.80 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Code Enforcement Officer's report for the month of September 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve the Dog Control Officer's report for the month of September 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #126 - 137 in the amount of \$26,128.29 and General Fund Vouchers #174 - 192 in the amount of \$15,335.37 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 7:45 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk



**TOWN OF COVERT, SENECA COUNTY**  
**BUDGET WORKSHOP**  
**October 21<sup>ST</sup>, 2024**

The budget workshop meeting of the Town Board of the Town of Covert was held Monday, October 21<sup>st</sup>, 2024 at 5:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Absent
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Absent

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeff MacCheyne, and other interested citizen.

**Call to order:** Supervisor Reynolds called the meeting to order at 5:00 P.M.

There was a short discussion about why Council members have not received a raise in many years. Foster said that about 20 years ago, it was an issue.

There was some discussion about the costs for the upkeep of Lakeview Cemetery. MacCheyne said the Covert Highway department does a lot. The society is collecting mowing bids. Another suggestion is that another highway employee be hired to mow during warm season and plow during winter.

The appropriated fund balance in the A fund seemed high. The DA and DB amounts raised by tax had not changed from 2024. The Town Board would like explanations for these numbers.

Reynolds would ask Bookkeeper Nancy Swartwood to attend a Budget Workshop on October 28<sup>th</sup> at 6 PM, prior to the 2025 Budget public hearing at 7 PM.

All in favor of adjourning the meeting at 6:10 PM.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**BUDGET WORKSHOP, PUBLIC HEARING**  
**October 28<sup>th</sup> 2024**

The Budget Workshop Meeting of the Town Board of the Town of Covert was held Monday, October 28, 2024 at 6:00 P.M. with a Public Hearing at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Supervisor Michael Reynolds	Present
Councilwoman Deborah Nottke	Present
Councilman Bill Bishop	Present
Councilman Brayton Foster	Present
Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Bookkeeper Nancy Swartwood and Highway Superintendent Jeffrey MacCheyne.

The purpose of the Budget Workshop was to discuss changes to be made to the 2025 Preliminary Budget.

Swartwood began by saying that the A fund is okay, the retirement fund will be higher. The DA, townwide, fund will have a negative fund balance, but the DB fund is okay with money due from FEMA and CHIPS.

Foster asked how the \$60,000 not spent in equipment factors in. Is it accounted for in the fund balance? Swartwood says it is calculated in the expenses.

MacCheyne said that the last two months of the year should just be repairs on equipment.

Foster asked why the DA tax rate is 50¢ less for the Trumansburg tax rate. Reynolds said the assessment went up.

There was discussion about the Lakeview Cemetery's need for funds this year. They have some savings and the highway department could use its employee to mow. Foster said if the cemetery doesn't need the funds (for mowing, etc.) in 2025, we could leave the \$35,000 out of the budget for this year.

Only \$100,000 of the Sales tax distribution from the county was included in the budget. Another \$53,000 could be added to the townwide highway account.

**Public Hearing:** Nottke moved, seconded by Wyckoff, to open the Public Hearing to hear comments on the 2025 Preliminary Budget at 7:02 P.M.

Barry Ford said we ought to take the Trumansburg Fire and school out of the Town of Covert.

Nottke moved, seconded by Wyckoff, to close the Public Hearing at 7:15 P.M.

Nottke moved, seconded by Bishop, to schedule a Public Hearing to hear comments on proposed Local Law of the Town of Covert authorizing the Town to adopt a budget that requires a real property tax levy in excess of the amount otherwise specified in General Municipal Law §3-c on November 11, 2024 at 7:00 P.M. All approved.

Proposed changes to the 2025 budget included a decrease in expense to A8810.4, Cemetery, \$35,000 and an increase in income to DA1115, Sales Tax Revenue, \$53,000.

Bishop moved that meeting adjourn at 7:20 PM. All approved.

Respectfully submitted,  
Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING &**  
**REGULAR TOWN BOARD MEETING**  
**November 11<sup>th</sup>, 2024**

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, November 11, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeff MacCheyne, Town Attorney Patrick Morrell, Deputy Clerk Brian Quan, and other interested citizens.

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

**Approval of Minutes:** Nottke moved, seconded by Wyckoff, to approve the October 14<sup>th</sup> Regular Town Board, Oct 21 and Oct 28, 2024 Budget meeting minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing at 7:03 PM to hear comments on a Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C.

There were no comments. Nottke moved, seconded by Foster, to close the Public Hearing at 7:03 PM.

**Highway:** MacCheyne reported activities for the month consisted of the following:

Oil & stone on Dunn Road with the Town of Ovid. Helped the Town of Romulus and Town of Ovid with paving projects. Ditching on Frontenac and Halls Corners Roads. Final round of mowing roadsides and backslopes. Put new seals in table chain gearbox on 2019 Western Star 10-Wheeler. Cut trees on Halls Corners Road. Paving on Kellys Corners, Savercool, and South Frontenac Roads. Put shoulders on Kellys Corners, Savercool, and South Frontenac Roads. Cold patching on all town roads. Regular maintenance on all equipment.

MacCheyne said they had hauled black top for their paving projects which was deducted from the Seneca Stone bill for paving Frontenac. He also said that Alta could start repairs of the Gradall, probably not billed till 2025. He expects over \$50 K for CHIPS in mid-December. The next CHIPS submission is January for a February payment.

**Town Clerk:** Adams-Compton said that DEC sporting license customers are allowed to be charged an additional one dollar for printing their licenses. This could be allowed by Town Board resolution.

The townofcovert.org website no longer works. Webmaster George Hunt has resigned. The new Town website will be townofcovertny.gov .

Deputy Clerk Quan reported that emails for Town officers have been created connected with the new Town website. Anyone needing assistance to access their email should see him.

Morrell strongly recommended Board members/employees use of the Town-provided emails as preferred and subject to FOIL, as personal emails conducting government business are subject to FOIL.

**Committees:** Nottke said that the Three Falls LDC meeting had been postponed until Thursday, 11/14 at 9:30 AM. MacCheyne was invited to share an update on S. Frontenac Rd.

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING &**  
**REGULAR TOWN BOARD MEETING**  
**November 11<sup>th</sup>, 2024**

Foster asked about the need for a replacement of Bill Shaw on the LDC. Nottke still has a couple people interested.

Reynolds said that he spent a couple hours with Susan Frykholm of Municipal Disaster Consultants regarding the Booth Road FEMA project. FEMA's estimates have been significantly lower (~\$500,000) than engineer plan's cost. MacCheyne said a couple of pipes need to be done/extended, the upstream side and a guide rail added on the other side. Frykholm is breaking the project down into 6 or 7 projects.

Reynolds said we are still waiting for money (\$250,000) for the S Frontenac project.

Reynolds and Swartwood made adjustments to the 2025 Budget, taking money from the fund balance for retirement accounts. It did not change the tax rate.

Nottke asked if the remaining ARPA money(≈\$5187) could be invested in former Camp Barton, Three Falls LDC membership dues. The money has to be committed by the end of 2024 and this would reduce the amount she would request from Seneca County. She said it is a win, win situation and if nothing else, "you will get your money back". (The Village used their ARPA money for infrastructure.)

Bishop asked if the ARPA money could be used for equipment repair. Bishop asked what the benefits would be using it toward membership in the LDC and where will the money come from.

Nottke said it is for recreation and the only public lake shoreline access in Covert. Money will come back to the Town from the Boy Scouts' use and, also, State Parks make money. She mentioned of the possible future connection to the Black Diamond Trail bringing more visitors to the area.

MacCheyne said, as a taxpayer in Covert, he wants Covert's involvement in the park.

Nottke said that in January they hope to hear about grant funding awards.

**Attorney:** Morrell reported that contact with Persoons' attorney is ongoing.

**Petitioners:** Barry Ford asked if Booth Road could be a seasonal road and still be maintained by the Town. MacCheyne said that if only one person lives year round, it would have to be maintained.

There was some discussion about widening the road. Ford had suggestions for the guard rail.

**Resolutions:**

**Resolution #9-2024**  
**Resolution Adopting Proposed Local Law**

WHEREAS the Town Board of the Town of Covert believes that it would be advantageous to the Town to override the tax levy limit imposed by General Municipal Law section 3-c;

WHEREAS subdivision 5 of General Municipal Law section 3-c expressly authorizes the Town Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board;

WHEREAS the Town Board held a public hearing on said proposed Local Law at the Town of Covert Offices, 8469 South Main Street, Interlaken, NY on this 11<sup>th</sup> day of November, 2024 at 7:00 p.m.; and

NOW THEREFORE, BE IT RESOLVED that proposed Local Law entitled "*A Local Law To Override The Tax Levy Limit Established In General Municipal Law 3-C*" is hereby adopted by the Town Board of the Town of Covert, New York.

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**Local Law No. 3 of the year 2024**  
Town of Covert, County of Seneca

**A Local Law To Override The Tax Levy Limit Established  
In General Municipal Law 3-C**

Be it enacted by the Town Board of the Town of Covert as follows:

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Covert pursuant to General Municipal Law § 3-c, and to allow the Town of Covert to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Covert, County of Seneca is hereby authorized to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.

Motion: Nottke, Second: Foster. Aye – Nottke, Aye – Foster, Aye – Bishop, Aye –Wyckoff.

**Resolution #10-2024**  
**Adopting Preliminary Budget as Final**

Nottke moved, seconded by Foster,

THAT the 2025 Preliminary Budget be adopted as the final budget for 2025 and,

WHEREAS, this Town Board met October 28, 2024 at the time and place specified in the notice of the Public Hearing on the Preliminary Budget and heard all persons desiring to be heard thereon;

NOW THEREFORE BE IT RESOLVED THAT The Town Board of the Town of Covert hereby adopts such Preliminary Budget, as originally compiled with modifications\* and amendments, as the Annual Budget of the Town of Covert, as for the fiscal year beginning January 1, 2025 and that

**TOWN OF COVERT, SENECA COUNTY**  
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**November 11<sup>th</sup>, 2024**

such budget, as adopted, be entered in detail into the minutes of the proceeding of the Town Board, and  
Be it

FURTHER RESOLVED THAT the Town Clerk of the Town of Covert shall prepare and certify in duplicate copies of said Annual Budget, as adopted pursuant to Section 202, Subd.2 of the Town Law, and deliver one copy thereof to Supervisor of this Town to be presented by him to the Board of Supervisors of this County.

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

\*Changes to Preliminary Budget:

Increase line item: Sales Tax Revenue.....	\$53,000.00
decrease line item: DA Appropriated Fund Balance.....	\$48,415.85
Increase line item: DA9010.8 State Retirement.....	\$4,584.15
Increase line item: DB Appropriated Fund Balance.....	\$4,584.10
increase line item: DB9010.8 State Retirement.....	\$4,584.10

Nottke moved, seconded by Foster, to allocate the remaining ARPA monies (\$5194.42) toward the Three Falls LDC membership dues for 2024. Aye – Foster, Aye – Nottke, Aye – Bishop, Aye – Wyckoff.

Nottke moved, seconded by Wyckoff, to schedule a Public Hearing for the Trumansburg and Interlaken Fire Contracts on December 9<sup>th</sup>, 2024, at 7:00 PM.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of October 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of October 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk report for the month of October 2024. Town Clerk received a total of \$1576.00; \$504.67 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve the Dog Control Officer's report for the month of October 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, that Highway Fund Vouchers #138 - 149 in the amount of \$102,107.17 and General Fund Vouchers #193 - 216 in the amount of \$29,127.02 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to adjourn the meeting at 8:02 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING &**  
**REGULAR TOWN BOARD MEETING**  
**December 9<sup>th</sup>, 2024**

The Public Hearing and regular meeting of the Town Board of the Town of Covert was held Monday, December 9, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeff 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 7:00 P.M. All rose for the pledge of allegiance.

**Approval of Minutes:** Nottke moved, seconded by Wyckoff, to approve the November 11<sup>th</sup> Regular Town Board minutes. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

**Public Hearing:** Nottke moved, seconded by Wyckoff, to open the Public Hearing for the Interlaken Fire Contract and the Trumansburg Fire Contract at 7:02 PM. Reynolds said the cost of Interlaken Fire is up about 5% from last year and up more for the Trumansburg Fire Contract. Nottke moved, seconded by Wyckoff, to close the Public Hearing for the Interlaken Fire Contract at 7:03 PM.

**Public Hearing:** Nottke moved, seconded by Foster, to open the Public Hearing for Local Law 4-2024 “to Allow Tax Bill Insertions” at 7:03 PM. Inserting notices in tax bill mailings for public information or matters of public concern is allowed by Municipal Home Rule Law § 10 by adopting a local law. Nottke moved, seconded by Bishop, to close the Public Hearing at 7:04 PM.

**Highway:** MacCheyne reported activities for the month consisted of the following:

Ditching on Kellys Corners Road, paving with the Town of Lodi, putting up delineators on South Frontenac Road, cleaning up trees felled from high winds, plowing and sanding town roads, mowing hard to reach areas with the County’s borrowed boom mower, and cold patching on all town roads. They took the Gradall to Syracuse for repairs, put winter tires on trucks #7 and #8, installed wing on the Grader, put salt spreader on pickup, cleaned up, repaired and painted rear flail mower, trouble shot #8 spreader and ordered parts for repair, and did maintenance on all equipment.

**Committees:**

Foster asked Reynolds if the County budget had passed yet. Reynolds said the meeting would be tomorrow night. He said it usually starts with a 25% increase and gets whittled down to 10%. He hopes it will be less than a 10% increase.

Nottke said that the Three Falls LDC had a good meeting with the NY Park Commission. They are ready to do winterization and prioritize tasks for the upcoming 6 months till opening. She said there is still no name for the park, may be waiting until permanent(?) commissioner is assigned. Nottke has emergency contact numbers for the park to file with the Town Clerk. She said there is an interested person for the LDC board, but they do not live in the Town of Covert. Next LDC meeting is Thursday, 12/12 at 9:30 AM.

Nottke said that she had signed petitions for a reduced speed limit on Frontenac Road and would like to see the speed limit lowered (from non-posted 55 mph) to posting 25 mph in anticipation of the park’s

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opening. The Town Board can make the request to the County via a resolution. The NYSDOT would have to conduct a study.

There are no signs posted currently. Park police and Sheriff's department would have to patrol. Fred Bonn, NY Parks, is in favor of the lowered speed limit posting and will work with the DOT to make it happen.

MacCheyne expressed concern for the sign expense. Morrell said there is a liability concern.

Nottke said that the Town of Ulysses has had Q & A meetings for the Public in regards to the park. She wondered if Covert should have a Public meeting perhaps in the Spring.

Reynolds said that the Trumansburg Fire Contract was lowered by \$13K, so the Trumansburg tax rate would be lowered.

Reynolds said that John Myers has submitted a variance request to tear down a cottage that is over the property line and replace it with a new structure.

The Planning Board will also discuss a proposed major subdivision on County Rd 141 and Bainbridge Beach Road for 8 lots.

**Attorney:** Morrell said that he is waiting to receive back documents from Persoons' attorney.

**Petitioners:** Dick Westbrook said that the Town's ambulance billing company would not accept credit card payment for service received. Reynolds would look into it.

**Resolutions:**

**Local Law No. 4 of the year 2024**  
Town of Covert, Seneca County N.Y.  
To Allow Tax Bill Insertions

SECTION 1. PURPOSE/INTENT.

The Town Board of the Town of Covert find that §1826 of the Tax Law of the State of New York generally forbids a municipality from mailing or delivering with tax bills any notice, circular, pamphlet, card, or other printed material unless the insertion of such material is authorized by law. However, in no case, by local law or practice, may a municipality include with the tax bill material that is advertising, political or propaganda. The Town Board wishes to take advantage of the ability to reach the many residents of the Town that is afforded by inserting notices in the tax bill but also wants to do so in a manner that does not violate the prohibitions of §1826 of the Tax Law.

SECTION 2. STATUTORY AUTHORITY

This local law is adopted pursuant to the power granted to towns to adopt local laws by §10

(a) (xii) and §22 of the Municipal Home Rule Law to authorize the Town to include appropriate notices in mailings with tax bills.

SECTION 3. DEFINITIONS

As used in this local law, the following terms shall have the meanings indicated:

*INSERTION*- a notice, circular, pamphlet, card, handbill or other enclosure containing public information or concerning a matter of public concern, but excluding any and all matter that is of a political nature, propaganda or any type of advertising.

*TAX BILLS* - An annual tax bill of the Town of Covert or any special district, or



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notification of a tax to be levied or assessed by the Town of Covert, or any special district thereof, or any receipt from the payment of any tax or levy.

**SECTION 4. REQUIREMENTS FOR INSERTIONS**

Insertions shall be included with tax bills of the Town of Covert only if:

- A. The insertion has been authorized by the Town Board of the Town of Covert.
- B. The insertion shall include upon it a notation that it is included with the tax bill "by order of the Town Board of the Town of Covert".

**SECTION 5. SEVERABILITY**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation of the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 6. EFFECTIVE DATE.**

This local law shall take effect immediately with the mailing of the 2025 Town of Covert/Seneca County Property Tax Bills, and upon filing with the Secretary of State.

Motion: Nottke Second: Foster; Aye-Nottke, Aye-Wyckoff, Aye-Foster, and Aye-Bishop

**Resolution # 10 -2024**

**To Request the NYDOT to Conduct Speed Limit study for North Frontenac and South Frontenac Roads**

WHEREAS the Town Board of The Town of Covert, the residents of North and South Frontenac Roads, members of the Three Falls LDC and NYS Parks Commission are requesting a formal study be done for a posted speed limit in anticipation of the opening of a New York State Park, formerly Camp Barton; and WHEREAS residents of these Frontenac Roads have placed their signatures on the attached Neighborhood Petition for Speed Limit Reduction to request a reduction in the speed limit to 25 MPH to improve safety measures to residents and pedestrians, and in consideration of this growth change of an increase in traffic with the addition of the NYS Park; and WHEREAS the Town Board wishes to protect its residents and visitors, as well as protect the Town from liability risk;

BE IT RESOLVED that the Town Board of The Town of Covert request that Seneca County Department of Transportation cause a formal study be conducted by New York State Department of Transportation to assess setting and posting a speed limit of 25 mph for both North and South Frontenac Roads.

Nottke moved, seconded by Foster; Aye-Nottke, Aye-Wyckoff, Aye-Foster, and Aye-Bishop

**Resolution #11 - 2024**

**To Amend the 2025 Budget**

WHEREAS, the Preliminary Budget of the Town of Covert for the Year 2025 was adopted on November 11<sup>th</sup>, 2024, and

WHEREAS, the public hearing on said Budget had been held on October 28<sup>th</sup>, 2024, as advertised, and

WHEREAS, it is desired to amend the approved Budget, now

**TOWN OF COVERT, SENECA COUNTY**  
**PUBLIC HEARING &**  
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**December 9<sup>th</sup>, 2024**

THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Covert, that the following amendments to the adopted Budget of 2025 be made:

Decrease line item: SF1-1001 Amount Raised by Taxes.....\$13,254.60  
Decrease line item: SF1-3410.4 Fire Protection-Contractual.....\$13,254.60  
Decrease Trumansburg Fire Tax Rate.....\$0.1004

Motion: Wyckoff Second: Nottke Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Wyckoff, to refer the Variance Request for John Myer, 8451 Bergen Beach Road, and Bainbridge Beach Rd subdivision to the Planning Board on December 19<sup>th</sup> at 7 PM. Aye – Foster, Aye – Nottke, Aye – Bishop, Aye – Wyckoff.

Nottke moved, seconded by Wyckoff, to schedule a Public Hearing for Variance Request for John Myer, 8451 Bergen Beach Rd, tax map #06-2-59.1, to construct a residence where right setback does not meet the minimum requirements of the Town of Covert Land Management ordinance, and there is a limit of one dwelling per parcel, on January 13, 2025 at 7 PM. Aye – Foster, Aye – Nottke, Aye – Bishop, Aye – Wyckoff.

Nottke moved, seconded by Wyckoff, to schedule Town Board's annual Audit of the Town's Books for Monday, January 20<sup>th</sup>, 2025 at 8 AM, 9 AM, and 10 AM. Aye-Foster, Aye-Nottke, Aye-Bishop, Aye-Wyckoff.

Nottke moved, seconded by Foster, to reappoint Gerald Reynolds to the Planning Board for 7 years, ending 12/31/2031. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of November 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of November 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk report for the month of November 2024. Town Clerk received a total of \$1693.00; \$489.66 was remitted to the Supervisor. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Code Enforcement Officer's report for the month of November 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Dog Control Officer's report for the month of November 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #150 - 161 in the amount of \$13,174.80 and General Fund Vouchers #217 - 231 in the amount of \$15,072.08 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to adjourn the meeting at 7:51 P.M.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk

**TOWN OF COVERT, SENECA COUNTY  
YEAR END TOWN BOARD MEETING  
December 30<sup>th</sup>, 2024**

The Regular year end meeting of the Town Board of the Town of Covert was held Monday, December 30<sup>th</sup>, 2024 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

<b>Roll Call:</b>	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Absent

**Others Present:** Town Clerk Leslie Adams-Compton, Highway Superintendent Jeff MacCheyne, Bookkeeper Nancy Swartwood and Code Enforcement Officer Roger Ward.

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

**Moment of Silence:** Reynolds said that Chuck Bosman recently passed. He was from Interlaken, most recently living in the southern US, a former Covert Town Council member, and had put a lot of time and effort into this town. All paused for a moment of silence.

**Resolutions:**

**Resolution #12-24 Highway Hourly Resolution**

WHEREAS the Town of Covert Highway Department appointed employees have all maintained acceptable work levels, now THEREFORE BE RESOLVED that the Town of Covert Town Board does hereby accept the recommendation of the Highway Superintendent that the following full-time employees will be given an increase in their hourly rate; part-time employees rates will be as stated.

	2024	3% increase	2025	2025
Employee:	Reg./hour		Total Reg.	O.T.
Roger Ike	\$28.38		\$29.24	\$43.86
Glenn Boyes	\$23.88		\$24.60	\$36.90
Jeffrey Monroe	\$23.18		\$23.88	\$35.82
Ryan Smith	\$23.18		\$23.88	\$35.82
Michael Huff	\$23.18		\$23.18	\$34.77
Thomas Hayward	\$15.00		Minimum \$15.50	

Motion: Nottke, Second: Bishop. Vote: Aye-Nottke, Aye-Bishop, Aye-Foster.

**TOWN OF COVERT, SENECA COUNTY  
YEAR END TOWN BOARD MEETING  
December 30<sup>th</sup>, 2024**

**Resolution #13-24 Yearend Transfers**

WHEREAS good fiscal policy dictates that all expenditure accounts are at or above a zero balance at fiscal year-end, and

WHEREAS a number of accounts are currently in a negative state and others in the same department area have excess funds,

NOW THEREFORE BE IT RESOLVED that the bookkeeper is hereby authorized to make adjustments to bring overspent line items to underspent accounts for the fiscal year-end of 2024.

			Offset with		
			A1110.2	500	
			A1110.4	325.1	
			A1220.4	659.78	
			A1320.4	200	
			A1355.1	6490.6	
			A1410.2	109.76	
General A			A1410.4	2360.41	
Over spent			A1420.4	650	
A1010.4	106.59	Board	A1460.4	50	
A1010.41	6.6	Board	A1620.42	1438.17	
A1355.4	13519.14	Assessor	A1620.43	2426.25	
A1650.1	596.76	Website wages	A1620.44	1178.72	
A1620.41	131.05	Bldg utilities	A1650.4	740.77	
A4540.4	260	Ambo	A1650.41	1542	
A5132.42	3353.7	HWY maint	A1910.4	657.46	
A6510.41	3.01	Vet memorial	A3510.4	278	
A7140.4	4894.42	playground	A5010.12	6348	
A8020.4	2.64	planning	A5010.4	727.91	
A9010.8	6151	Retirement	A5132.41	2484.23	
A9040.8	4994.78	Wk comp	A5132.43	2084.86	
A9055.8	4.03	DBL ins	A7510.4	10	
A9060.8	8873.29	Med ins	A8810.4	20	
	42790.42			31282.02	
			From Fund balance	<b>11508.4</b>	

HWY DA		
Over spent		
DA5130.4	14452.38	Macnine contr
DA5140.4	4503.44	Brush/Weeds
DA9010.8	6129.5	Retirement
DA9055.8	4.03	Dbl
DA9060.81	2935	Health svgs
	28024.35	
Offset with		
DA5130.2	28024.35	Machine equip
HWY DB		
Over spent		
DB9010.8	7175.5	Retirement
DB9050.8	21.13	Unemployment
DB9055.8	4.03	DBL
DB9060.81	2550	Health Svgs
	9750.66	
Offset with		
DB5112.4	9750.66	Road Const Cont

Nottke moved, seconded by Foster, that Highway Fund Vouchers #162 - 174 in the amount of \$29,176.89 and General Fund Vouchers #232 - 243 in the amount of \$6,084.02 be approved for payment. Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Foster, to adjourn the meeting at 7:27 PM.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk