

**WALWORTH TOWN BOARD – REGULAR MEETING  
20 NOVEMBER 2008**

Presiding Supervisor Plant called the regularly scheduled Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, to order at 7:52 PM.

Present:	Frank Maciuska	Councilman
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Rob Burns	Sewer Superintendent
	Jacqueline Van Lare	Recreation Director
	Karen Ambroz	Assessor
	Ed Parrone	Engineer for the Town
Absent:	Thomas Yale	Councilman

**EXECUTIVE SESSION:**

Motion by Councilwoman Marini to enter into executive session to discuss pending or possible litigation and the employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

Time: 7:55 PM.

**RECONVENE:**

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 8:50 PM.

**MINUTES:**

Motion by Councilwoman Marini to approve the minutes of November 6, 2008, as presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**CORRESPONDENCE:**

Susie Jacobs, Town Clerk, had nothing to enter into record.

**SUPERVISOR'S REPORT:**

Motion by Councilwoman Marini to approve and file the Supervisor's Monthly Report for October, 2008, as presented.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**PUBLIC PARTICIPATION:**

No one present had any comments.

**RESOLUTION 82-08 – AUDIT OF CLAIMS:**

Councilwoman Hawkins-Mance offered the following Resolution **82-08** and moved its adoption. Seconded by Councilman Maciuska to wit:

**WHEREAS**, the following claims submitted at the scheduled Town Board Meeting of November 20, 2008, have been audited and approved by the appropriate Council members;

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**BE IT RESOLVED** that the claims be paid on **Abstract #11**, numbered 1,582 through 1,780, in the following amounts:

GENERAL FUND	\$ 319,033.80
HIGHWAY FUND	\$ 23,243.80
WALWORTH SEWER DISTRICT #1	\$ 54,557.95
BROOKSIDE LIGHT DISTRICT	\$ 11.27
GANANDA LIGHT DISTRICT	\$ 877.74
HARVEST HILL LIGHT DISTRICT	\$ 668.85
ORCHARD VIEW LIGHT DISTRICT	\$ 106.96
WALWORTH LIGHT DISTRICT	\$ 576.72
WALWORTH CONSOLIDATED DRAINAGE	\$ 7,480.95
PARK SPECIAL REVENUE FUND	\$ 433.00

**BE IT FURTHER RESOLVED** that the claims be paid on **Abstract #11**, numbered 198 through 217, in the following amounts:

TRUST & AGENCY	\$ 25,145.51
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**NOW THEREFORE BE IT RESOLVED** that the Town Council of the Town of Walworth adopt Resolution **82-08**.

Adopted this 20<sup>th</sup> day of November, 2008, at the meeting of the Town Council.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Absent
	Supervisor Plant	Aye

Resolution carried.

**DEPARTMENT HEAD REPORTS:**

**SEWER DEPARTMENT- AUTHORIZATION TO ATTEND DEC FILM ID CLASS**

Motion by Councilman Maciuska authorizing two (2) sewer employees to attend DEC Film ID Class on December 11, 2008, in Binghamton, NY, for an amount not to exceed \$310.00, from Budgeted Line SS8110.41.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**SEWER - SEPTAGE RATES INCREASE**

Motion by Councilman Maciuska authorizing the increase of the septage rates for 2009. This would bring rates as follows:

.57 per hundred on residential wastes

.47 per hundred on gray water/holding tanks

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**SEWER - AUTHORIZATION FOR LETTER TO RICHARDSON FOODS STATING INCREASED RATES**

Motion by Councilman Maciuska authorizing a letter be sent to Richardson Foods stating their waste water rates will also increase 6% from the 2008 rates.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
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**SEWER – AUTHORIZATION PURCHASE RECALCULATION PUMP**

Motion by Councilman Maciuska authorizing the purchase of a recalculation pump on the sludge thickener for an amount not to exceed \$3,798.00, from Sewer Fund Balance to SS8130.49; funds to cover this transfer were credited to SS2120.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**RESOLUTION 84-08 AUTHORIZATION TO TRANSFER FUNDS AND SET UP CAPITAL PROJECT FUNDS FOR PARK PAVILION:**

Councilwoman Marini offered the following Resolution 84-08 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

**BE IT RESOLVED**, that the Senior Account Clerk be authorized to modify budget as follows:

Transfer \$180,000 from the General Fund Balance to establish a Capital Project Fund for the Ginegaw Park Pavilion (HP Fund),

**BE IT FURTHER RESOLVED**, that an Accounts Receivable would be set up in the General Funds for the Park Pavilion Grant when received,

**BE IT FURTHER RESOLVED**, that a Budget be set up in the Ginegaw Park Pavilion Capital Fund as follows:

HP8132.21	Equipment	\$ 3,000.00
HP8310.41	Utilities	\$ 22,000.00
HP8310.42	Engineering Fees	\$ 18,000.00
HP8310.43	Site Construction	\$ 35,500.00
HP8310.44	Surveyor	\$ 3,000.00
HP8340.41	R.M. Lyons Inc.	\$ 58,500.00
HP8340.42	Frame Contractor	\$ 40,000.00

Total Appropriated Funds \$180,000.00

**BE IT FURTHER RESOLVED**, that approval of Park Pavilion Audited Claims as follows:

Dolomite Products Inc.	Stone	\$ 2,868.24
Russell Kuelling	Backhoe Work	\$ 180.00
Parrone Engineering	Services 10/6 - 11/2	\$ 7,969.20

Total \$ 11,017.44

**NOW, BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopts Resolution 84-08.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Absent
	Supervisor Plant	Aye

Resolution carried.

**RECREATION DEPARTMENT – AUTHORIZATION TO PURCHASE WATER & SEWER SUPPLIES FOR GINEGAW PARK PAVILION**

Motion by Councilwoman Marini authorizing the purchase of water and sewer supplies for Ginegaw Park Pavilion from Vellano Bros., Inc., Rochester, NY, for an amount not to exceed \$6,185.00, from Budgeted Line Park Pavilion Capital Fund HP8310.41. Procurement form presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**RECREATION DEPARTMENT – ARCHERY GRANT RECEIVED**

Jacqueline Van Lare, Recreation Director, reported that the Town had received a \$500.00 grant from the National Parks and Recreation Society for the Town Archery program.

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**ASSESSOR –**

Nothing reported at this time.

**ENGINEER – DESIGN CRITERIA**

Ed Parrone, Engineer for the Town, reported that the Design Criteria has been prepared and will be presented at the next Town Board Meeting. Mr. Parrone also noted that the Town will receive bid proposals for the construction for the framing for Ginegaw Park Pavilion and that sealed bids would be received until 2:00 PM on Tuesday, December 9, 2008.

**TOWN CLERK–WALWORTH SPORTSMANS CLUB RENEWAL LIQUOR LICENSE**

**RESOLUTION 83-08 WALWORTH SPORTSMANS CLUB INC. LIQUOR LICENSE #3113086 RENEWAL:**

Councilwoman Hawkins-Mance offered the following Resolution **83-08** and moved its adoption. Seconded by Councilwoman Marini to wit:

**WHEREAS**, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premise are located, and;

**WHEREAS**, Walworth Sportsmans Club Inc., has requested a renewal of Liquor License application, and

**WHEREAS**, Walworth Sportsmans Club Inc., has requested that the Town waive the 30-day notification period required by New York State Liquor Authority in an effort to expedite the granting of a Renewal Liquor License to Walworth Sportsmans Club Inc.,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Walworth, that with respect to the renewal application submitted by Walworth Sportsmans Club Inc., License number 3013882, Walworth, New York, for a license to sell alcoholic beverages at retail for on-premises consumption, the Walworth Town Board does express a favorable opinion;

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth hereby waives the thirty (30) days notice period in regard to Walworth Sportsmans Club Inc., allowing an earlier submission of the renewal Liquor License application.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopts Resolution **83-08**

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Absent
	Supervisor Plant	Aye

Resolution carried.

**COMMITTEE REPORTS:**

**ALTERNATIVE ENERGY DISCUSSION**

Councilman Maciuska reported that a request was made that he also look into solar energy. He commented that he would look into solar power alternatives as well and report his findings. Councilman Maciuska stated that this would not hold the other people up. He will update Denise Munson, Attorney for the Town.

**TOWN COMPLEX STUDY UPDATE**

Councilwoman Hawkins-Mance presented Council members with a copy of the Request for Proposals for Architectural Services for the Expansion of the Town Complex. Councilwoman Hawkins- Mance asked that Council members review this and give their recommendations.

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**RG&E “VOICE YOUR CHOICE”:**

Motion by Councilman Maciuska to stay with the current RG&E “Voice your Choice” program – variable rate.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH-SEELY PUBLIC LIBRARY – BOARD OF TRUSTEES  
APPOINTMENTS:**

Councilman Maciuska reported that the Board of Trustees of the Walworth-Seely Library was recommending Brenda J. Blejwas and Mark W. Harrison for Trustees to the Library Board. Councilman Maciuska commented that both candidates met the criteria noted in the Board of Trustees Policy Manual.

Motion by Councilman Maciuska for the appointment of Brenda J. Blejwas (term expiring 12/31/2008) and Mark W. Harrison (term expiring 12/31/2008) as Trustees to the Library Board.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Motion by Councilman Maciuska authorizing that Mr. Richard Crook’s term of office be extended for another 5 years on the Library Board of Trustees.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**APPROVAL OF JOB DESCRIPTION AND ADVERTISE – FACILITIES MANAGER  
POSITION:**

Motion by Councilman Maciuska to accept the Job Description as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

Motion by Councilman Maciuska to advertise the Facilities Manager Position for ten (10) days, Part time/Full time and Civil Service. Town of Walworth resident is preferred.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**RESOLUTION 86-08 RECORDS MANAGEMENT RESERVE FUND  
EXPENDITURE SUBJECT TO PERMISSIVE REFERENDUM:**

Councilman Maciuska offered the following Resolution **86-08** and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

**WHEREAS**, the Town Council of the Town of Walworth adopted Resolution 83-07, Records Management Reserve Fund on December 27, 2008; and

**WHEREAS**, the expenditure are subject to permissive referendum if authorization to issue obligations would be subject to permissive or mandatory referendum; if authorization to issue obligations would be subject to referendum only if obligations have a proposed maturity of more than 5 years, expenditure from fund is subject to permissive referendum only if the period of probable usefulness of the capital improvement or equipment is more than 5 years,

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**WHEREAS**, the equipment intended to purchase has a probable usefulness of more than 5 years, and

**WHEREAS**, the purchase of Duplex Scanner, and 3-step ladder for use in vault (OSHA certified), and

**WHEREAS**, for an amount not to exceed three thousand dollars (\$3,000.00) subject to permissive referendum,

**THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Walworth directs the Clerk of the Board to advertise such in the legal newspaper for the Town of Walworth; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopts Resolution **86-08**.

Adopted this 20<sup>th</sup> day of November, 2008, at the meeting of the Town Council.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Absent
	Supervisor Plant	Aye

Resolution carried.

**RESOLUTION 85-08 FINANCIAL TRANSACTION:**

Councilwoman Hawkins-Mance offered the following Resolution **85-08** and moved its adoption. Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED** that the Senior Account Clerk be authorized to modify the budget as follows:

\$525.02 from A1330.42 Rec of Taxes Conferences to A1220.43 Supervisor

Conferences. To cover cost of Grant Writing Seminar for Recreation Director

\$63.02 from A1355.41 Assessment Annual Meeting to A1355.44 Mileage

Conferences. To cover cost of Training Session Assessment Clerk

\$197.77 from A1410.44 Town Clerk Records Management to A1410.41 Town

Clerk Conferences & Training. To cover current expenditures.

\$5,552.56 from A1990.41 Contingent Account to A1420.41 Town Counsel

Contractual Account \$1,780.98 and to A1420.42 Town Counsel Litigation

\$3,771.58. To cover current expenditures.

\$6,763.50 from General Fund Balance to A1620.42 Town Hall Building &

Maintenance. To reimburse line for court improvements. Funds to cover

Transfer credited to A3021 State Grant Court Facilities.

\$1,500.00 from A1990.41 Contingent Account to A1620.43 Town Hall

Copier/Office Expense. To cover current expenditures.

\$343.40 from A3510.42 Animal Control Dog Enumerator to A3510.41 Animal

Control General Expenses. To cover current expenditures.

\$652.50 from A1990.41 Contingent Account to A6989.41 Farm Land

Preservation Grant. To cover closing cost Wilbert Farm Land Grant. Funds

to be reimbursed to Town.

\$310.69 from A7110.11 Parks Groundskeeper to A7110.47 Park Fuel Usage. To

cover current fuel cost.

\$3,550.26 from Sewer Fund Balance to SS8130.42 Sewer Office Expense

\$102.76 and SS8130.404 Sewer Engineering \$3447.50. To cover current

expenditures. Funds to cover transfer credited to SS360 Richardson Foods

Receivable.

\$5,241.46 from SD1 Fund Balance to SD1-8540.41 Drainage Maintenance. To

cover current expenditures.

\$7,142.73 from Highway Fund Balance to DA5110.41 General Repairs. To cover

Expenditures. Funds to cover transfer credited to DA2680 Insurance

Recoveries.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
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Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Absent
	Supervisor Plant	Aye

Resolution carried.

**ADJOURNMENT:**

Motion by Councilwoman Marini to adjourn.

Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 9:20 PM.

Respectfully Submitted,

Susie C. Jacobs  
Town Clerk