

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

Presiding Deputy Supervisor Yale called the regularly scheduled Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, to order at 7:30 PM.

Present:	Frank Maciuska	Councilman
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent
	Jacqueline Van Lare	Recreation Director
	Karen Ambroz	Assessor
	Ed Parrone	Engineer for the Town

UNITED WAY PRESENTATION:

Susie Jacobs, Town Clerk, read the following:

“Dear Council members,

We, the employees of the Walworth Town Hall, would like to request authorization to participate in our company campaign for the United Way. This year our company campaign is slated to kick off on April 1, 2008. Susie Jacobs, Town Clerk, has volunteered to lead the 2008 campaign. We have set a goal of \$500.00, which exceeds last year’s total. But remember, this is more than a goal; it translates to real programs and services for people in our community every day.

We had a lot of fun with the two activities we did last year: dress-down week and a bake sale. We have chosen these again this year with dates in April still to be determined.

Thank you.

Walworth Town Hall employees”

Susie Jacobs, Town Clerk, introduced Penny Gugino, a Walworth resident and United Way of Wayne County representative who presented a video on the 2008 United Way Campaign. She also stated that flyers and pledge forms were available. Penny thanked everyone on behalf of United Way.

Councilman Yale stated that as Chairman of the Board for the Wayne County Chapter of the Red Cross, Corporate Partners of the United Way, he would like to encourage all to consider giving to the United Way.

PUBLIC HEARING 7:45 PM – PROPOSED LOCAL LAW NO. 3:

Susie Jacobs, Town Clerk, stated that the notice for the Proposed Local Law No. 3 Public Hearing was duly published 2 times in the Town’s official newspaper on March 9 and March 16, 2008, with the same being posted on same dates at the Town Hall.

Motion by Councilwoman Hawkins-Mance to waive the reading of the Legal Notice.
Seconded by Councilman Maciuska.
Adopted: Vote Ayes 4 Nays 0

Deputy Supervisor Yale declared the Public Hearing opened.
Time: 7:47 PM.

No comments were heard from the public.

Motion by Councilwoman Hawkins-Mance to close the Public Hearing.

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Seconded by Councilwoman Marini.
Adopted: Vote Ayes 4 Nays 0
Time: 7:51 PM.

**ADOPTION PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2008 –
RESOLUTION 25-08:**

Councilwoman Hawkins-Mance offered the following Resolution **25-08** and moved its adoption. Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on March 20, 2008, to consider the adoption of Local Law No. 3 of the year 2008 entitled ACCESSORY BUILDINGS; and

BE IT RESOLVED, the Town Board of the Town of Walworth does hereby adopt Local Law No. 3 of the year 2008 amending “ZONING, ARTICLE V, SUPPLEMENTARY REGULATIONS; THAT AMENDING SUBDIVISION E OF CHAPTER 180-21 ENTITLED ‘ACCESSORY BUILDINGS’ IS HEREBY AMENDED TO ADD SUBPARAGRAPH (a)’ to the Town of Walworth Municipal Code”;

BE IT RESOLVED, that the Town Clerk submit the necessary documents pertaining to the adoption of Local Law No. 3 to the Attorney for the Town for filing with the Secretary of State.

NOW, BE IT FURTHER RESOLVED, that the Town Council of the Town of Walworth adopt Resolution **25-08**.

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

Resolution carried.

MINUTES:

Motion by Councilwoman Marini to approve the minutes of February 28, 2008, Special Meeting as presented.

Seconded by Councilman Maciuska.
Adopted: Vote Ayes 4 Nays 0

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the minutes of March 6, 2008, as presented.

Seconded by Councilwoman Marini.
Adopted: Vote Ayes 4 Nays 0

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the minutes of March 17, 2008, Special Meeting as presented.

Seconded by Councilwoman Marini.
Adopted: Vote Ayes 4 Nays 0

CORRESPONDENCE:

Susie Jacobs, Town Clerk, read the following letter from the Walworth-Seely Public Library Board of Trustees as follows:

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“Dear Bob, The Board of Trustees of Walworth-Seely Public Library would like to thank you for taking the initiative in creating the Town Complex Study Group to determine current and future space needs at the library and the town hall. The findings and recommendations of this group were presented at the March 6 Town Board meeting and were warmly received by the trustees.

The Board of Trustees fully supports the group’s recommendation for the construction of a separate building to be shared by the Recreation Department and Walworth-Seely Public Library. We deeply appreciate the work that Suzi Hawkins-Mance and the committee did in developing the recommendations. Residents will be better served.

We know there is much work to be done before the ceremonial shovel begins the construction of a long-awaited and much-needed facility, but we are encouraged by the positive progress made during a short period of time.

Thank you to all members of this study group for volunteering their time for the betterment of our community.

Very truly yours,

Dorothy A. French
Board of Trustees, Walworth-Seely Public Library”

Motion by Councilman Maciuska to accept and file letter submitted by the Board of Trustees of Walworth-Seely Public Library.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

SUPERVISOR’S REPORT:

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

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

PUBLIC PARTICIPATION:

No one present offered any comments.

EAGLE SCOUT PROJECT – ERIC SMITH:

Eric Smith, Life Scout with Troop 113, requested funds from the Town Board for the final cost of the birdhouses being built for Sherburne Road Park for his Eagle Scout project. He presented an aerial view of Sherburne Road Park, showing where he plans to place 20 birdhouses to be used as trail markers. He also outlined where the new fields should be brush hogged to create more level open space, while providing homes for blue birds. He presented Council members with the following budget:

Eric Smith’s Eagle Project Budget

Earth Auger: Cost \$60, Discounted to \$38
Cedar Fence Post: \$80, Discounted to \$40
Bluebird House Wood: \$225, Donated
Semi-Solid Gray Latex Stain: \$60, Donated
Mounting Hardware: \$22, Donated

Total Non-Discounted Cost: \$447
With Discounts and Donations: \$78

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Councilman Maciuska inquired as to how many helpers Eric had to build these birdhouses. The Scout responded that he had six (6) in the troop to build the bluebird houses, with more kids and adults coming the day of mounting. Councilman Maciuska asked what day that would be; Eric responded that the actual mounting would be done one week from March 22, 2008. Councilman Yale asked if this had been presented to the Parks/Recreation Committee. Jacqueline Van Lare, Recreation Director, stated, "Yes, I have actually walked the trail with Eric." Councilman Yale commended scout Eric Smith for his efforts in obtaining the significant discounts and donations; this was great work.

Motion by Councilwoman Marini authorizing funding for an amount not to exceed \$80.00 for the Eagle Scout Project presented by Eric Smith.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

Council members thanked Eric and wished him good luck.

AUDIT OF CLAIMS RESOLUTION 26-08:

Councilwoman Marini offered the following Resolution **26-08** and moved its adoption.

Seconded by Councilwoman Hawkins- Mance to wit:

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

BE IT RESOLVED that the claims be paid on **Abstract #3**, numbered 280 through 441, in the following amounts:

GENERAL FUND	\$ 40,029.28
HIGHWAY FUND	\$ 58,139.02
WALWORTH SEWER DISTRICT #1	\$ 21,685.96
BROOKSIDE LIGHT DISTRICT	\$ 12.39
GANANDA LIGHT DISTRICT	\$ 871.54
HARVEST HILL LIGHT DISTRICT	\$ 697.98
ORCHARD VIEW LIGHT DISTRICT	\$ 119.02
WALWORTH LIGHT DISTRICT	\$ 717.78
WALWORTH CONSOLIDATED DRAINAGE	\$ 2,316.50
PARK SPECIAL REVENUE FUND	\$ 50.00
ARBOR/TUMMONDS	\$ 6,632.50
LIN/SWA/CO/JAC/LEW/SMI/ARB/DAA	\$ 25,517.50

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #3**, numbered 19 through 40, in the following amounts:

TRUST & AGENCY	\$ 25,434.32
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NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopt resolution **26-08**.

Adopted this 20th day of March, 2008, at the meeting of the Town Council.

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

Resolution carried.

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DEPARTMENT HEAD REPORTS:

HIGHWAY DEPARTMENT – HIGHWAY COMMITTEE MEETING

Mike Frederes, Highway Superintendent, stated that the ½% that was proposed to be placed as a surcharge on all OGS purchases was going to be squashed at the Senate level, therefore saving the Town several thousands of dollars annually. Mike Frederes stated that the County and Town Superintendent Associations both have lobbyists working in Albany now on these matters.

HIGHWAY DEPARTMENT – CHIPS FUNDING UPDATE

Mike Frederes, Highway Superintendent, reported that he is uncertain on the CHIPS funding in terms of what level that will be at. Mike stated that he would keep Council members posted.

RECREATION -

Nothing presented at this time.

ASSESSOR –

Nothing presented at this time.

ENGINEER – ROOF REPLACEMENT UPDATE

Ed Parrone, Engineer for the Town, reported that Phil Williamson, Code Enforcement Officer, was working on this project, which was weather dependant.

ENGINEER – DESIGN CRITERIA UPDATE

Ed Parrone updated the Town Board stating that the design criteria were completed. Phil Williamson had some questions that needed to be discussed and reviewed with the Attorney for the Town. Ed Parrone will follow up with the Town Board in about one month.

ENGINEER – CONCEPTUAL PLAN FOR “RAIN GARDENS”

Ed Parrone stated that the Planning Board had received a conceptual plan from a developer who was proposing to build a project. In the project he was proposing for storm water, called “rain gardens,” which were patches that were usually for an urban-type project. The developer was asking that the Town do the maintenance. The Planning Board needed guidance on this. The MS4 issue was very open, and Ed strongly suggested that the Town really needed to determine what they wanted to do as it related to the maintenance part of the MS4; whether to take dedication of them, to set up a storm water district, or whether the developer (ie. commercial and industrial projects that have storm water ponds) would have a letter of credit or bond. Ed Parrone advised that Council members needed to give the Planning Board direction, since they would be seeing more of this. Discussion ensued with Council members providing background information. Councilwoman Marini reviewed what the Planning Board was presented with from the developer. Further discussion ensued regarding the formation of a special district of the benefited properties, therefore avoiding future problems.

TOWN CLERK – 2007 ANNUAL FINANCIAL REPORT

Susie C. Jacobs, Town Clerk, notified Council members that the 2007 Annual Financial Report for the Town of Walworth had been filed in the Town Clerk’s office and was available for public review during normal business hours. The legal notice had also been put in the Town’s official newspaper for posting for two weeks.

TOWN CLERK – PASSPORT CLINIC

Susie Jacobs, Town Clerk, reminded everyone present that the Walworth Town Clerk’s office would be hosting a Passport Clinic on Wednesday, March 26, 2008, from 6:00 PM to 7:30 PM.

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TOWN CLERK – REQUEST AUTHORIZATION TO ATTEND CMCI

Susie Jacobs, Town Clerk, requested authorization to attend Cornell Municipal Clerks Institute in Ithaca, New York, as part of her continuing education towards certification of Certified Municipal Clerk (CMC) from July 20 - July 24, 2008. The registration fee is \$725.00, which includes materials, meals, and lodging for four (4) nights.

Motion by Councilman Maciuska authorizing Susie Jacobs, Town Clerk, to attend Cornell Municipal Clerks Institute from July 20 - July 24, 2008, at a cost not to exceed \$725.00, from budgeted line A1410.41.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

COMMITTEE REPORTS:

WILLIAMSON LAW BOOK RECORDS MANAGEMENT CONTRACT RENEWAL

Motion by Councilman Maciuska authorizing Susie Jacobs, Town Clerk, to sign the renewal contract with Williamson Law Book for Records Management Support from April 1, 2008, through March 31, 2009, for an amount not to exceed \$220.00.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

APPOINTMENT OF SEWER SUPERINTENDENT –

Motion by Councilman Maciuska to appoint Robert Burns as probationary Sewer Superintendent effective March 31, 2008.

Seconded by Councilwoman Marini.

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

Motion carried.

LIBRARY BOARD OF TRUSTEES MEETING UPDATE

Councilman Maciuska reported that he met with the Library Board of Trustees. A couple members will be going to a conference for advanced training in Saratoga Springs, New York. Councilman Maciuska stated that he is reviewing the Library Manual, procedure by procedure.

SEWER DEPARTMENT HEAT FAILURE

Councilman Yale informed Councilman Maciuska of a failure in the heating plant at the Sewer Department. Councilman Maciuska will follow up with the Sewer Department.

TOWN COMPLEX STUDY GROUP DISCUSSION

Councilwoman Hawkins-Mance commented that she would like to address Councilman Maciuska's question with regard to the Receiver of Taxes office. Councilwoman Hawkins-Mance explained that she went through her notes and the study group did not interview her after all. However, Councilwoman Hawkins-Mance stated that there was discussion that the study group felt the Receiver of Taxes space was adequate. Councilman Maciuska stated that he did not question whether the square footage was adequate; rather, he personally would like to have the conference room available for executive sessions. Councilman Yale stated that the committee addressed adequacy of the amount of space, not necessarily location of same.

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DOG ENUMERATION DISCUSSION

Councilwoman Hawkins-Mance stated that the Dog Control Officers would be conducting a dog enumeration and were planning on doing half of the Town. Susie Jacobs, Town Clerk, will place a Public Notice for two (2) weeks in the Town's official newspaper. The Dog Control Officers have agreed to conduct the enumeration and will be compensated.

TOWN COMPLEX STUDY GROUP COMMENTS AND ACCEPTANCE

Comments: Councilwoman Marini commended the committee on the amount of time and effort put forth; it was a very eye-opening report. Councilman Yale commented that the committee found out some things that were of great surprise and disconcerting because of some of the safety and security issues involved with it. Councilman Maciuska commented that his question was answered and also felt that the report was a good report. Deputy Supervisor Yale explained that what was needed was a motion from the Board to accept the report. It then becomes a public entity. And then we would need an additional motion charging the Town Supervisor with the formation of the next committee as outlined in the report, which would be for engineering and mainly financial processes, to recommend options that the Board could then consider.

Acceptance:

Motion by Councilman Maciuska to accept the Town Complex Study Group report.
Seconded by Councilwoman Marini.

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

Motion carried.

Motion by Councilman Maciuska authorizing the Town Supervisor to form a Financial Investigation Committee to support the Town Complex Master Plan recommendation.

Seconded by Councilwoman Marini.

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

Motion carried.

Comments: Councilman Yale stated that there was a lot of effort and work done on this report by a multitude of people; everybody contributed a significant amount. He stated that it was an excellent report and a good template to move forward. Councilman Yale requested a copy of this report be made available to the public. Susie Jacobs, Town Clerk, stated that it was automatically available as part of the minutes.

NEWPORT ALLIANCE AGREEMENT CONTRACT AUTHORIZATION:

Motion by Councilwoman Marini authorizing Supervisor Plant to sign the contract with Newport Alliance for drug screening testing for employees.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 No 0

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THANK YOU TO COUNCILWOMAN HAWKINS-MANCE:

Councilwoman Marini thanked Councilwoman Hawkins-Mance for her hard work that resulted in an award of a \$26,000.00 grant for the court.

WAYNE COUNTY 911 LEASE AGREEMENT LETTER:

Motion by Councilman Maciuska to accept and file the following letter:

“March 10, 2008, Re: County of Wayne Parcel Lease, Dear Mr. Plant: In 2000, the County of Wayne executed a lease agreement with the Town of Walworth authorizing the County to lease a portion of Town-owned land on Lorraine Drive for the purpose of construction of a communications tower. As per this lease, the initial term was for five (5) years, with each of up to five (5) renewal terms to extend for a period of five (5) years from the expiration of the prior term. The lease also specifies that the County shall have the option to renew the lease, with “such option being exercisable by giving notice to Landlord not less than one (1) month prior to the expiration of the initial Term.”

Although it is commonly understood that the lease has continued uninterrupted since its commencement, the County, in 2005, did not provide notification to the Town of its intent to exercise its option to renew the lease as specified in the lease, and as noted above. Therefore, please accept this correspondence as evidence that the County intends to renew the parcel lease with the Town of Walworth for the entire first renewal term, which is scheduled to expire in 2010.

Please contact me directly if you have any questions or issues with the lease or its extension. Sincerely, James Lee, 911 Coordinator, Wayne County 911 Emergency Communications Department.”

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 No 0

ADJOURNMENT:

Motion by Councilman Maciuska to adjourn. Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 8:22 PM.

Respectfully Submitted,

Susie C. Jacobs
Town Clerk