

**WALWORTH TOWN BOARD – REGULAR MEETING  
17 APRIL 2008**

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

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

**MINUTES:**

Motion by Councilwoman Hawkins-Mance to approve the minutes of April 3, 2008, with a typographical correction to the draft copy regarding the National Library Week Proclamation.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**CORRESPONDENCE:**

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

**SUPERVISOR'S REPORT:**

Motion by Councilman Maciuska to approve and file the Supervisor's Monthly Report for March, 2008, as presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**PUBLIC PARTICIPATION:**

A resident from 3283 Creekside Circle explained that he would like to install a pool within the 60-foot buffer and that he was requesting the Town Board's authorization to do this. He presented maps and a diagram. Discussion ensued with regard to the placement and emergency removal of the pool, various responsibilities, expenses and MS4 regulations. It was also noted that an existing deck needed to be included in this License Agreement and would be brought to the Building Department's attention.

Motion by Councilman Yale that if the homeowner wished to proceed with the License Agreement, the Town would ask the Attorney for the Town to prepare the necessary document.

Seconded by Councilman Maciuska.

Discussion: Councilman Yale stated that this was due to a hardship with no other opportunity for a location within the individual's property to house such entity. Supervisor Plant stated that he would get an estimate from the Attorney for the Town, with the cost to be paid by the homeowner.

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

Motion carried.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

Councilwoman Hawkins-Mance inquired as to her initialing each page of the audited vouchers. She stated that what had been presented to her this evening did not have her initials; she wanted to know what had happened to them. Susie Jacobs, Town Clerk, stated that the pages in question had been replaced with new corrected copy due to corrections made from the audited package. Supervisor Plant stated that these changes were correct. Susie Jacobs, Town Clerk, further stated that she was responsible for certification to the Town Board that the figures were correct.

**AUDIT OF CLAIMS RESOLUTION 35-08:**

Councilwoman Hawkins-Mance offered the following Resolution **35-08** and moved its adoption. Seconded by Councilman Yale to wit:

**WHEREAS**, the following claims submitted at the scheduled Town Board Meeting of April 17, 2008, have been audited and approved by the appropriate Council Members.

**BE IT RESOLVED** that the claims be paid on **Abstract #4**, numbered 442 through 583, in the following amounts:

GENERAL FUND	\$	45,987.45
HIGHWAY FUND	\$	27,359.47
WALWORTH SEWER DISTRICT #1	\$	39,519.38
BROOKSIDE LIGHT DISTRICT	\$	12.02
GANANDA LIGHT DISTRICT	\$	919.85
HARVEST HILL LIGHT DISTRICT	\$	687.48
ORCHARD VIEW LIGHT DISTRICT	\$	114.62
WALWORTH LIGHT DISTRICT	\$	597.93
WALWORTH CONSOLIDATED DRAINAGE	\$	9,542.50
GANANDA SIDEWALK DISTRICT	\$	990.00
LINCOLN FIRE PROTECTION	\$	15,616.22

**BE IT FURTHER RESOLVED** that the claims be paid on **Abstract #4**, numbered 41 through 64, in the following amounts:

TRUST & AGENCY	\$	26,588.24
----------------	----	-----------

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Walworth adopt Resolution **35-08**.

Adopted this 17<sup>th</sup> day of April, 2008, at the meeting of the Town Council.

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

Resolution carried.

**DEPARTMENT HEAD REPORTS:**

**HIGHWAY DEPARTMENT – J MILES REPORT**

Mike Frederes, Highway Superintendent, reported that the *J Miles* for last winter were at about 108% and did not trigger any extra payment. However, the Town should receive a small fuel allowance from the State DOT for the miles the Town did for them for the increase in fuel - including not only what was burned in their trucks, but the fuel surcharge on the salt that was delivered to the Town. There was approximately 70 cents per ton or more fuel surcharge on every ton of salt purchased last winter.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

**HIGHWAY DEPARTMENT – CHIPS PROGRAM**

Mike Frederes, Highway Superintendent, reported that the Town CHIPS allocation was going to increase about 21%, or roughly \$16,000.00, from a result of the lobby efforts done in Albany back in March, 2008. Discussion ensued with the multiple benefits from the lobbying done in Albany.

**HIGHWAY DEPARTMENT – HIGHWAY SCHOOL**

Motion by Councilman Yale authorizing pre-pay in the amount of \$90.00 plus room and board for Mike Frederes, Highway Superintendent, to attend the Cornell Local Roads Highway School held at Ithaca College on June 2 – 4, 2008, to be expended from line A5010.41.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**HIGHWAY DEPARTMENT – OVERTIME PAY FOR HOSTING RABIES CLINIC**

Motion by Councilman Yale approving overtime pay for one Highway employee on Saturday, May 17, 2008, at the Highway Barn, for the purpose of hosting a Rabies Clinic.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**HIGHWAY DEPARTMENT – OGS**

Councilman Yale asked if Mike Frederes, Highway Superintendent, had received an update regarding an issue of the no salt investigation; had anything come of that? Mike Frederes responded that he had received a letter from Cargill, who was the Town's supplier, apologizing and stating that their reputation had definitely been blemished by lack of availability and assuring the Town that measures had been taken so that this would never happen again. He wasn't sure what measures, if it was just something being said to appease the Town. He further stated that he thought that the Town should communicate with OGS to see what in fact was going to happen. The Town submitted their requirement letters about a month ago, and the contracts will not be let until August or September. Councilman Yale stated that this was his point; they were looking at the contracts for next year, and if the Town did not have enough "beef" in those contracts, it needed to be put in there so that the product would not be diverted somewhere else at our expense. Mike stated that five (5) people from Wayne County met with purchasing at OGS and had their attention on this issue. Councilman Yale requested that Mike Frederes, through his organizations, keep the fire going on this, so that this would not be forgotten. Councilwoman Hawkins-Mance asked if this was also when the CHIPS were addressed? Mike responded that was all part of the same trip to Albany; they had a lot of things going on at once. Councilwoman Hawkins-Mance stated that she had read his letter to the Senator also; it was a great letter and had great results.

**SEWER DEPARTMENT – REQUEST TO DECLARE FILTER PRESS SURPLUS**

Rob Burns, Sewer Superintendent, stated that he would like the R & B Filter Press declared surplus equipment. Councilman Maciuska stated that he and Rob had spoken before the meeting this evening. Councilman Maciuska stated that he would like for Councilwoman Marini and himself to go over and look at the press. Councilman Maciuska would like the item tabled until the next Town Board meeting.

Supervisor Plant asked how long the Town could go before we replaced the other blower. Rob responded that he was hoping that nothing would happen to the two that were running currently. He had one price in and was waiting for two other people to give prices. Once he gets all three prices, it looks like it will be under the amount that a bid is required. He hopes to have this done before the next Town Board meeting.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

**RECREATION – ALCOHOL USE WEST WALWORTH FIRE DEPARTMENT  
SOFTBALL TEAM – SHERBURNE PARK SOFTBALL FIELD**

Motion by Councilwoman Hawkins-Mance authorizing the issuance of an Alcohol Use Permit at the Sherburne Park Softball Field for beer to the West Walworth Fire Department Softball Team, for various Wednesday nights for May through August, 2008, from 5:30 PM to 9:00 PM.

Seconded by Councilman Yale.

Discussion: Councilman Maciuska asked if the Town had any recreation activities scheduled in Sherburne Park on the same nights? Jacqueline Van Lare said “no.” Councilman Maciuska stated that Town Law says the Town cannot issue a permit if recreation has something going on there. Supervisor Plant stated that the West Walworth Fire Department had been given permission to use that field as their home field. Councilman Maciuska stated that he was worried because the law had been put in place that if recreation had something going on in Sherburne Park at the same time, no alcohol could be served. Councilman Maciuska stated that he didn’t want the Town Board to say yes and then have to tell the West Walworth Fire Department later on no, you can’t do it.

Adopted: Vote Ayes 4 Nays 0

**RECREATION – ALCOHOL USE DAN WOOD - GINEGAW PAVILION**

Motion by Councilman Yale authorizing the issuance of an Alcohol Use Permit at Ginegaw Pavilion for beer to Dan Wood on July 13, 2008, from 11:00 AM to 3:00 PM.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**RECREATION – PARKS UPDATE**

Jacqueline Van Lare commented that she hoped everyone would take notice of the excellent job her Parks guys have been doing on the baseball diamonds in getting them ready for the upcoming season. Field three (3) is now almost complete, the clay dressing has been put on it and it looks wonderful. Supervisor Plant stated that field three (3) was the field that would be getting the scoreboard; had we talked a lot about that yet? Jacqueline Van Lare responded, “No we haven’t.” Jacqueline informed that May 10, 2008, would be the first annual opening day celebration with team pictures during the morning, a hot dog roast for the baseball and softball kids and parents at noon, and at one o’clock there would be a ribbon cutting ceremony for the new scoreboard at field three (3), followed by two (2) baseball games. Discussion ensued regarding who would be doing some of the preparation and work for this ceremony. Jacqueline encouraged everyone to stop by.

**ASSESSOR – TENTATIVE ROLL**

Karen Ambroz, Assessor, reported that all of her information for the tentative roll was at Lyons and would be available for public review May 1, 2008.

**ENGINEER – MS4 UPDATE**

Ed Parrone, Engineer for the Town, reported that the draft report would be given to the Supervisor shortly and would like to have it available for the Public Review Process at the next Town Board meeting on May 1, 2008.

**ENGINEER – DESIGN CRITERIA UPDATE**

Ed Parrone, Engineer for the Town stated that there were still some issues with the Design Criteria that needed to be worked out with Phil Williamson, Code Enforcement Office, and Carl Hewings, Parrone Engineering, and may require input from the Attorney for the Town.

**ENGINEER – SMALL CITIES GRANT UPDATE**

Ed Parrone, Engineer for the Town, stated that the Supervisor would be receiving a letter from Parrone Engineering per instructions from Stuart Brown, relative to the

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

sewers. Stuart Brown indicated to Parrone Engineering that all of the issues from the last submission had been taken care of, and he believed that the Town of Walworth had a very good case this time around. Stuart Brown also indicated that the housing part (Home Leasing) would probably hear by the end of June, 2008. The Town would hear on its grant request a little bit later in the summer. If the housing happens, Stuart Brown had a very strong feeling that the Town would get funding for this sewer project and this would be a good thing, as we talked about it as economic development in that whole particular area.

TOWN CLERK –  
Nothing reported at this time.

**COMMITTEE REPORTS:**

**SEWER TREATMENT PLANT TOUR**

Councilman Maciuska mentioned that the Sewer Committee would be visiting the Sewer Treatment Plant to take a look at several things.

**LIBRARY BOARD OF TRUSTEES TRAINING UPDATE**

Councilman Maciuska reported that the Board of Trustees would be attending some training courses in Saratoga and locally to gather some conceptual ideas.

**MS4 COMMITTEE UPDATE**

Councilwoman Hawkins-Mance reported that the MS4 Committee met on Monday, April 14, 2008, and reviewed the long-term maintenance plan; they came to the conclusion that they needed to check with some neighboring towns to see how they dealt with this issue. Councilwoman Hawkins-Mance mentioned that after speaking with Karen Ambroz, Assessor and Jean Johnson, Senior Account Clerk, the Committee was not convinced that special districts were going to fly. The Committee was looking at some eastside and westside towns and hoped to have something ready by the next meeting.

**DOG ENUMERATION**

Councilwoman Hawkins-Mance stated that the dog enumeration would start May 1, 2008, and she would be meeting with the Dog Control Officers next week to converse with them on their strategy for that.

**AMEND ADVERTISEMENT FOR BID REQUEST FOR SEWER DEPARTMENT**

Motion by Councilman Maciuska to advertise to re-bid, in the interest of saving taxpayers money by combining projects, in that we increased the scope of the bid to include the pavilion in Ginewaw Park, with bid opening to be May 2, 2008, at 2:00 PM.

Seconded by Councilman Yale.

Discussion: Councilwoman Hawkins-Mance asked if that was also for a metal roof? Supervisor Plant said, yes, it was the same color and everything else.

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

Motion carried.

**RESCIND FIREWORKS DISPLAY JULY 26, 2008 - FESTIVAL IN THE PARK:**

Motion by Councilman Yale to rescind the fireworks display permit for Walworth Festival in the Park on July 26, 2008.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

**FIREWORKS DISPLAY AUGUST 23, 2008 – FESTIVAL IN THE PARK:**

Motion by Councilwoman Hawkins-Mance approving the Walworth Lions Club fireworks permit on August 23, 2008, for the Walworth Festival in the Park.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**RESCIND MOTION – LIONS CLUB FESTIVAL IN THE PARK:**

Motion by Councilman Maciuska to rescind the motion for the use of Ginegaw Park from July 24 through July 26, 2008, by the Walworth Lions Club for the Walworth Festival in the Park.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

**LIONS CLUB FESTIVAL IN THE PARK AUTHORIZATION:**

Motion by Councilman Maciuska to approve the use of Ginegaw Park August 22 - 23, 2008, by the Walworth Lions Club for Walworth Festival in the Park.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

**BURN PERMIT – 2024 SHERBURNE ROAD:**

Motion by Councilman Yale to approve the issuance of a burn permit for 2024 Sherburne Road, based on the location, predominant wind and low impact to the neighbors.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**BURN PERMIT – 900 WALWORTH-PENFIELD ROAD:**

Motion by Councilwoman Hawkins-Mance to approve the issuance of a burn permit for 900 Walworth-Penfield Road, based on the location, predominant wind and low impact to the neighbors.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**BURN PERMIT – 2126 FINLEY ROAD:**

Motion by Councilman Yale to approve the issuance of a burn permit for 2126 Finley Road, based on the location, predominant wind and low impact to the neighbors.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

**BURN PERMIT – 4575 WALWORTH-ONTARIO ROAD:**

Motion by Councilwoman Hawkins-Mance to approve the issuance of a burn permit for 4575 Walworth-Ontario Road, based on the location, predominant wind and low impact to the neighbors.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

**BURN PERMIT – 4522 ONTARIO CENTER ROAD:**

Councilwoman Hawkins-Mance tabled the burn permit for 4522 Ontario Center Road, pending location and what would be burned.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

**BURN PERMIT – 4592 WALWORTH-ONTARIO ROAD:**

Motion by Councilman Yale to approve the issuance of a burn permit for 4592 Walworth-Ontario Road based on the location, predominant wind and low impact to the neighbors.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**GREYSTONE GOLF CLUB LIQUOR LICENSE RENEWAL – RESOLUTION 33-08:**

Councilwoman Hawkins-Mance offered the following Resolution **33-08** and moved its adoption. Seconded by Councilman Maciuska to wit:

**GREYSTONE GOLF CLUB  
LIQUOR LICENSE #3113085 RENEWAL**

**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**, the notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Walworth, that with respect to the renewal application submitted by Greystone Golf Club Liquor License number 3113085, 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 adopt Resolution **33-08**.

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

Resolution carried.

**GREYSTONE GOLF CLUB LIQUOR LICENSE RENEWAL – RESOLUTION 34-08:**

Councilwoman Hawkins-Mance offered the following Resolution **34-08** and moved its adoption. Seconded by Councilman Yale to wit:

**GREYSTONE GOLF CLUB  
LIQUOR LICENSE #3113086 RENEWAL**

**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**, the notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board;

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Walworth, that with respect to the renewal application submitted by Greystone Golf Club Liquor License number 3113086, 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 adopt Resolution **34-08**.

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

Resolution carried.

**REMINDER OF MS4 PRESENTATION:**

Supervisor Plant reminded everyone that there would be an MS4 presentation here on Wednesday, April 23, 2008, at 7:00 PM, by a representative of the DEC.

**BINGO REQUEST:**

Supervisor Plant stated that the Town had received a Bingo request, and at this point the Town could not legally authorize the playing of Bingo. Supervisor Plant asked if the Town Board would like to be able to authorize the playing of Bingo within the Town. Councilwoman Hawkins-Mance stated that she would like to because it was a recreational activity that senior citizens enjoyed. Susie Jacobs, Town Clerk, stated that she had provided Council members with the information explaining the procedures required. Councilwoman Hawkins-Mance stated that she still wanted it to go to the Town's legal counsel.

**FINANCIAL TRANSACTION RESOLUTION 36-08:**

Councilwoman Hawkins-Mance offered the following Resolution **36-08** and moved its adoption. Seconded by Councilman Yale to wit:

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

\$3,616.22 from Lincoln Fire Dept. Fund Balance to SF3-3410.42 Service Award Program. To cover cost of 2008 Contribution.

\$80.00 from A8020.43 Engineering Fees Planning Board to A8020.41 Training Planning. To cover Board Member Training.

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

Resolution carried.

**INTERSECTION LIGHTS**

Supervisor Plant stated that he had received two (2) requests for intersection lights for the following:

County Line and Bills Road  
Cream Ridge and Bills Road

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
17 APRIL 2008**

Councilman Yale inquired if Mike Frederes, Highway Superintendent, had given his input. Mike Frederes, Highway Superintendent, stated that one for County Line and Bills Road would be warranted because of traffic flow. Supervisor Plant stated that there had been no requests from anywhere else, and his concern was, "Do we want to put one up where one really is not wanted by the people who live in that area when we have people who definitely do want one?" Councilman Yale commented that the Town was at a point now where it could get away from the East, West, North, South fairness issue unless there were more requests - so he had no problem with putting two (2) even next to each other at this point.

Motion by Councilman Yale to install one intersection light at County Line and Bills Road and one intersection light at Cream Ridge Road and Bills Road at the request of the public.

Seconded by Councilman Maciuska.

Discussion: Councilman Yale would like it noted that the public should come forward if they feel there is a priority; they should make their wishes known. Supervisor Plant stated that the Town would start a running list for intersection lights as people requested them.

Adopted: Vote Ayes 4 Nays 0

**EMPLOYEE HEALTH CARE DISCUSSION:**

Supervisor Plant asked if the Town Board had given any more thought to last month's presentation on employee health care? Supervisor Plant stated that he had notified the county in writing last month that the Town would be offering an additional health care plan and had not yet received a response. Discussion ensued with a decision to bring someone in with a comparison chart for further discussions.

**EXECUTIVE SESSION:**

Motion by Councilwoman Hawkins-Mance to enter into executive session to discuss 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: 8:31 PM.

**RECONVENE:**

Supervisor Plant reconvened the regularly scheduled Town Board meeting.

Time: 9:00 PM.

**ADJOURNMENT:**

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

Time: 9:02 PM.

Respectfully Submitted,

Susie C. Jacobs  
Town Clerk