

**WALWORTH TOWN BOARD – REGULAR MEETING
21 AUGUST 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
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie C. Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent
	Rob Burns	Sewer Superintendent
	Jacqueline Van Lare	Recreation Director
	Ed Parrone	Engineer for the Town

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the minutes of August 7, 2008, Special Meeting as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

Motion by Councilwoman Hawkins-Mance to approve the minutes of August 7, 2008, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 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 July, 2008, as presented.

Seconded by Councilwoman Hawkins-Mance.

Discussion: Councilman Maciuska would like it noted that perhaps a quality check could be done on the copies verifying that all the information was legible.

Adopted: Vote Ayes 5 Nays 0

PUBLIC PARTICIPATION:

Paul Phillips, a member of the Walworth Fire Department, Chairman of the Walworth Ambulance Committee, and President of newly-formed Walworth Ambulance Incorporated was present to share some of the changes that have taken place with the Walworth Fire Department Ambulance Service in the last few months. In the Spring of 2008 the Walworth Fire Department convened a committee to look into stabilizing their budget for the ambulance for future years. The committee looked at several options and interviewed several local fire departments and found that a very successful route that a lot of departments were taking was to incorporate ambulance services and use third-party billing companies as a stable revenue source. At this time they have their Certificate of Need application filed with the State. The State is reviewing that information, and their hope is that by October 1, 2008, they should be declared as the new ambulance for the area. He assured everyone that with a new name they were still the same people, formed by the fire department members. The big difference is that NYS does not allow fire departments to bill for ambulance services, which makes fire departments' ambulance services totally dependent on donations, town tax money and charitable sources such as United Way. With the exception of Town money, both of the other sources are extremely variable and they needed to find a way to stabilize their income in order to ensure there would be a

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quality ambulance service for years to come. He introduced Eric Dodge with MedEx Billing who explained third-party billing. He stated that there would be a lot of questions and he would leave his number for anyone who needed to contact him. *(Mr. Dodge spoke very quickly and the recording was not clear enough to make an accurate documentation of his statements.)*

RESOLUTION 61-08 – AUDIT OF CLAIMS:

Councilman Maciuska offered the following Resolution **61-08** and moved its adoption. Seconded by Councilman Yale to wit:

WHEREAS, the following claims submitted at the scheduled Town Board Meeting of August 21, 2008, have been audited and approved by the appropriate Council Members.

BE IT RESOLVED that the claims be paid on **Abstract #8**, numbered 1,061 through 1,248, in the following amounts:

GENERAL FUND	\$ 118,971.58
HIGHWAY FUND	\$ 173,541.51
WALWORTH SEWER DISTRICT #1	\$ 23,491.27
BROOKSIDE LIGHT DISTRICT	\$ 10.47
GANANDA LIGHT DISTRICT	\$ 887.90
HARVEST HILL LIGHT DISTRICT	\$ 647.43
ORCHARD VIEW LIGHT DISTRICT	\$ 98.12
WALWORTH LIGHT DISTRICT	\$ 552.62
GANANDA SIDEWALK DISTRICT	\$ 23,488.14
WALWORTH CONSOLIDATED DRAINAGE	\$ 893.00
PARK SPECIAL REVENUE FUND	\$ 685.45

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #8**, numbered 124 through 156, in the following amounts:

TRUST & AGENCY	\$ 28,403.18
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NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopt resolution **61-08**.

Adopted this 21st day of August, 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	Aye

Resolution carried.

DEPARTMENT HEAD REPORTS:

HIGHWAY DEPARTMENT – BOYNTON ROAD PROJECT

Mike Frederes, Highway Superintendent, stated that the Boynton Road project was completed, except for the sweeping to be done.

HIGHWAY DEPARTMENT – CHIPS FUNDING

Mike Frederes stated that paperwork had been submitted for the CHIPS reimbursement; it should be here in September.

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SEWER DEPARTMENT – COMPLETED PROJECTS

Rob Burns, Sewer Superintendent, reported that the roof replacement at the Waste Water Treatment Plant was finished, the diffusers for the S.B.R. tank replacements had been completed, the sleeves were completed and the sludge tank patch work had been done.

RECREATION DEPARTMENT – GINEGAW PAVILION ROOF

Jacqueline VanLare, Recreation Director, reported that the roof replacement on the Ginegaw Pavilion was half-done.

ENGINEER FOR THE TOWN – DESIGN CRITERIA

Ed Parrone, Engineer for the Town, stated that this month he and Phil Williamson should finish the Design Criteria and present it to the Town Board.

TOWN CLERK – VAULT SHELVING TOWN CLERK OFFICE

Susie Jacobs, Town Clerk, reported that the new vault shelving was installed on Friday August 15, 2008, by ASR. The new 18 gauge interlock no-bolt/adjustable steel shelving has a total capacity of 210 cubic boxes. Each shelf can hold up to 480 pounds. This vault now meets NYS State Archives specifications. Susie thanked the Sewer Department for their help in removing the old shelving. The Sewer Department was most thankful to have them and will put them to good use.

COMMITTEE REPORTS:

LIBRARY COMMITTEE

Councilman Maciuska announced that Kitty Meier was the new President of the Friends of the Walworth-Seely Public Library. He also reported that the ice cream social was a huge success.

SEWER COMMITTEE – SEWER ENGINEER

Councilman Maciuska stated that the committee had completed all of the five (5) interviews for the Engineer for the Sewer Department and would like to present their first choice for consideration by the Town Board. The one that stood out, coming to the committee with recognition of what the problems were and proposing solutions with much more depth than what the others presented, that they would like to place a nomination for, was Parrone/Labela.

Motion by Councilman Maciuska to nominate Parrone/Labela for the Engineer for the Sewer Department.

Seconded by Councilwoman Marini.

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

Motion carried.

Councilman Maciuska stated that the Sewer Department was entertaining the budget for sewer and would like to go on record as saying that for years they did their best to keep the rates low and went for years without a rate increase. Up until two years ago they held rates stable and at one point had a six percent decrease, which was something unusual in the municipal area. In hindsight that frugality was great at the time but had hurt us now, because the reserves are low. We have a lot of repairs and things to do. We are regretfully looking at the potential of having to implement a rate increase. We are looking to partner with Macedon for some things, which would probably keep the costs down. Running a sewer business is not a cheap business, but we have an obligation to protect the asset.

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MORATORIUM – POWER GENERATION:

Councilman Yale reported that the Planning Board had an interesting work session proposal come before it on August 20, 2008, for a wind generator. Councilman Yale stated that he was not present but did some pre-work on it. In researching Town Law, he noted that we have very limited laws regarding wind generation of energy. Basically, all it addresses is making sure that it doesn't fall on somebody else's lot and has to do with the old concept of something being on a tower and falling over. This particular type of generation is not that type - it is actually a much smaller type - it's conical and fits on a roof. It comes somewhere out of the Midwest; the resident had spoken with RG&E and stated that RG&E was happy with it. It was going to be interesting to see, Councilman Yale said, as these proliferate to some degree. Discussion ensued. Councilman Yale stated that it was wonderful that people were entering into this, however, the Town needed to be prepared to see if there was anything the Town would need to be concerned with. Councilman Maciuska stated that it might be prudent for right now to have a moratorium until we could get a law on the books; he gave an example of the temporary garages as a reason for this. Councilman Maciuska stated that a moratorium would give the Town six months to research the issue and time to get something on the books. It would be easier to do this than to go back and try to fix it later. Discussion ensued with the decision that the presentation was a concept at a work session. Ed Parrone advised the Town Board that it would be very smart to do this now.

Motion by Councilman Yale to move a moratorium on the establishment of residential and commercial power generation, not to include emergency stand-by generators – conventionally accepted, for a period not to exceed six months while the Town takes time to draft the appropriate legislature.

Seconded by Councilman Maciuska.

Discussion: Supervisor Plant questioned what alternative energy included, a fireplace or wood burning stove. Councilman Yale amended the motion with power generation. Supervisor Plant questioned stand-by generators. Motion amended with "not to include emergency stand-by generators - conventionally accepted." Councilman Maciuska stated that it needed to be clear that the intent was not to stop it, the intent was to make sure that there would be clear guidance for people who want to do it.

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

Motion carried.

TOWN COMPLEX STUDY GROUP

Councilwoman Hawkins-Mance stated that the Town Complex Study Group would meet on September 24, 2008.

DOG CONTROL

Councilwoman Hawkins-Mance requested that a thank-you letter be sent to the Wayne County Sherriff's Office, Mark Plyter, Wayne County Humane Society, and Gary Rose, Town of Palmyra, for their assistance with the dangerous dog situation on August 11, 2008.

Councilwoman Hawkins-Mance stated that she was working with Phil Williamson, Code Enforcement Officer, regarding penalty fees.

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BINGO LAW:

Council members discussed preliminary information for the Bingo Law and decided that Sunday games would be permitted. The information would be compiled into legal form for the next Town Board meeting and then go to the County in order to be on the ballot in November, 2008.

MISSION STATEMENT:

To provide services to the Town residents for their health, safety and welfare which are not readily available from private sources and to do this in a way consistent with the needs of the residents as a whole.

Recognizing that we all serve at the pleasure of and for the benefit of the residents of the Town, we will strive to provide these services in a polite and friendly manner consistent with being public servants and recognizing that each person's request, question or problem is very important to them and therefore to us.

Motion by Councilman Yale to accept this as the Town of Walworth Mission Statement.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

FINANCIAL TRANSACTIONS:

Councilwoman Marini offered the following Resolution **62-08** 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:

\$3,657.90 from A1990.41 Contingent Account to cover current expenses:
 \$3,304.90 A1620.21R Computer Equipment
 \$65.50 A5410.21R Construction Hamlet Sidewalks
 \$67.50 A5410.41 Repair of Sidewalks
 \$220.00 A6989.41 Farm Land Preservation Grant

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

Resolution carried.

JUSTICE COURT AUDIT:

Councilman Maciuska inquired if there had been a response from the Justice regarding the checkbook and presenting it for audit. Supervisor Plant replied that there was a response and that both Justices' checkbooks would be present for audit at the September 4, 2008, meeting.

ADJOURNMENT:

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

Time: 8:14 PM.

RE-OPEN:

Supervisor Plant called Council members back to re-open the meeting to discuss an item. General public and media were still present, no objections to re-opening the meeting.

Time: 8:17 PM.

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BURN PERMIT – 4300 CANANDAIGUA ROAD:

Motion by Councilman Yale to approve the burn permit for 4300 Canandaigua Road given that after contact with the school there were no objections and providing the resident followed the recommendations of the school as presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

ADJOURNMENT:

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

Time: 8:19 PM.

Respectfully submitted,

Susie C. Jacobs
Town Clerk