

**WALWORTH TOWN BOARD – REGULAR MEETING  
4 SEPTEMBER 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:	Frank Maciuska	Councilman
	Patricia Marini	Councilwoman
	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
	Denise Munson	Attorney for the Town
Absent:	Thomas Yale	Councilman

**MINUTES:**

Motion by Councilwoman Hawkins-Mance to approve the Minutes of August 21, 2008, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

**CORRESPONDENCE:**

Susie Jacobs, Town Clerk, read the following letter from Palmyra-Macedon Central School District:

Dated: August 27, 2008

“Dear Mrs. Susie Jacobs, Town Clerk,

I am writing to inform you that the Palmyra-Macedon Central School District will continue collaborating with the Town of Palmyra in collecting school taxes for the 2008-2009 school year. At their meeting on August 26, 2008, the Board of Education appointed Lynne Green as its tax collector.

Sincerely, Claudia McLaughlin, District Clerk

Motion by Councilman Maciuska to accept and file.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Susie Jacobs read the following Resolution from West Walworth Village Cemetery Association:

Resolution:

I/We, the Officers, in recognition of the acceptance by the Town of Walworth, County of Wayne, New York, of the responsibility for the West Walworth Village Cemetery Association, do hereby convey the assets and property of said Cemetery Association to the Town for their management and maintenance.

Signed: Norman Druschel, Treasurer  
Debra Germain, President

Dated: September 2, 2008

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
4 SEPTEMBER 2008**

Susie Jacobs stated that an Official Check from Citizens Bank, payable to The Town of Walworth, in the amount of \$3,624.66, was received from West Walworth Village Cemetery Association.

Motion by Councilman Maciuska to regretfully accept the check from the West Walworth Cemetery Association and deposit it into the Special Revenue Account.

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

**PUBLIC PARTICIPATION:**

No one present offered any comments.

**DEPARTMENT HEAD REPORTS:**

HIGHWAY DEPARTMENT –  
Nothing reported at this time.

**SEWER DEPARTMENT – AQUA AEROBICS SEMINAR AUTHORIZATION**

Motion by Councilman Maciuska authorizing Rob Burns and Tim McMullen to attend the Aqua Aerobics seminar on Waste Water Operational Troubleshooting in Chicago, Illinois, on September 17 and 18, 2008. There is no cost to the Town.

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

**RECREATION –**

Nothing reported at this time.

**ASSESSOR – AFFORDABLE HOUSING CONTINUING EDUCATION**

Motion by Councilwoman Marini authorizing Karen Ambroz, Assessor, to attend a continuing education course on Affordable Housing in Rochester, New York, on October 10, 2008, at a cost not to exceed \$95.00, from budgeted line A1355.43.

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

**ENGINEER – MS4 VOLUNTEERS UPDATE**

Ed Parrone, Engineer for the Town, reported that he and Councilwoman Hawkins-Mance are finding and coordinating volunteers that are needed to do some photographing for the MS4 work to be done.

**ENGINEER – DESIGN CRITERIA**

Ed Parrone stated that he and Phil Williamson, Code Enforcement Officer, were meeting one more time to finalize the Design Criteria and would present it to the Town Board on September 18, 2008.

**TOWN CLERK – SATURDAY OFFICE HOURS**

Susie Jacobs, Town Clerk, stated that the Town Clerk's Office would be open Saturday, September 6, and Saturday, September 27, 2008, from 8:00 AM to 11:00 AM to accommodate the sale of NYS Hunting and Fishing Licenses to residents and to conduct all Town Clerk transactions.

**TOWN CLERK – NYALGRO WORKSHOP AUTHORIZATION**

Motion by Councilman Maciuska authorizing Susie Jacobs, Town Clerk, to attend the New York Association of Local Government Records Officers 2008 Fall Workshop on October 16 and 17, 2008, at a registration cost not to exceed \$49.95, from budgeted line A1410.41.

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

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
4 SEPTEMBER 2008**

**RECESS – AUDIT JUSTICE COURT BOOKS:**

Time: 7:38 PM.

**RECONVENED:**

Time: 7:42 PM.

**COMMITTEE REPORTS:**

Discussion ensued.

**RESOLUTION 49-08 - BINGO LAW:**

Councilwoman Hawkins-Mance offered the following Resolution 49-08 and moved its adoption. Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED**, that proposed Local Law No. 4 of the year 2008, entitled “A Local Law amending the Town of Walworth Municipal Code relating to Bingo; that by adding CHAPTER 93 entitled “BINGO”; SECTION 93-1 BINGO PERMITTED; RESTRICTIONS, SECTION 93-2 CONDUCT OF GAME, SECTION 93-3 SUNDAY GAMES AUTHORIZED, SECTION 93-4 PENALTIES FOR OFFENSES, SECTION 93-5 APPROVAL BY THE ELECTORATE REQUIRED, shall now amend the Town of Walworth Municipal Code be and is hereby introduced before the Town Board of the Town of Walworth in the County of Wayne in the State of New York, and

**BE IT FURTHER RESOLVED** that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board, and

**BE IT FURTHER RESOLVED** that the Town Board hold a Public Hearing on said Proposed Local Law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York at 7:45 o'clock PM on September 18, 2008, and

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

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

Resolution carried.

**ALTERNATIVE ENERGY MORATORIUM DISCUSSION:**

Council members discussed the supplied samples of Alternative Energy from other Towns. More time was given to review these samples, with the discussion to continue at the next Town Board meeting on September 18, 2008.

**EXECUTIVE SESSION:**

Motion by Councilwoman Hawkins-Mance 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 Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

Time: 7:48 PM.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
4 SEPTEMBER 2008**

**RECONVENE:**

Supervisor Plant reconvened the regular scheduled meeting.

Time: 8:08 PM.

**BUDGET REPORTS WITH DEPARTMENT HEADS:**

Supervisor Plant and Council members reviewed presented budgets with the following Department Heads. Discussion ensued with some departments.

Receiver of Taxes

Building

Court

Library

Sewer

Supervisor Plant stated that in order to adhere with deadlines, the Town needed to pass this Resolution tonight. He continued that the current rate for sewer rent was \$58.40 per quarter and the proposed amount would be \$60.40, an increase of \$2.00/3.5%; and the rate per thousand raise of \$3.50 to \$3.70 was a 5.5% increase. Supervisor Plant stated that this would cover what is needed and the Town would not need to do this for a few more years. Councilman Maciuska explained that it was not like we really wanted to do this, but we had to bear in mind that electricity was a significant amount of the Sewer budget. We all know what is going on with fuel prices and other overhead increases that have to be taken care of. Councilman Maciuska stated that the proposed rates adequately reflected the increased cost of doing business.

**RESOLUTION 63-08 – SEWER INCREASE PUBLIC HEARING:**

**PROPOSED LOCAL LAW NO. 5  
OF THE YEAR 2008**

Councilman Maciuska offered the following Resolution 63-08 and moved its adoption. Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED**, that proposed Local Law No. 5 of the year 2008, entitled A LOCAL LAW AMENDING THE TOWN OF WALWORTH MUNICIPAL CODE, MORE PARTICULARLY AMENDING CHAPTER 139 entitled “SEWERS”, pertaining to SEWER RENTS SETTING FORTH SEWER RENT CHARGES AND PROVISION FOR MINIMUM SEWER RENT NOT TO BE CHARGED IN CASE OF DISCONNECT FOR MORE THAN 30 CONTINUOUS DAYS, said proposed Local Law No 5 of the year 2008, is hereby introduced before the Town Board, and

**BE IT ENACTED** the Town of Walworth, County of Wayne, New York, as follows:

SECTION 1. Amending Chapter 139-6 of the Town of Walworth Municipal Code is hereby amended as follows:

1. That Subdivision A of 139-6 entitled “Amount; collection; late and additional charges; notification of charges; responsibility of sewer district” is hereby amended to read as follows:
  1. Amount. Each unit shall pay a minimum charge of **\$60.40** for each three-month period for sewer rent. In the event that the three months’ water consumption exceeds 16,000 gallons, then the unit shall also pay **\$3.70** for each additional 1,000 gallons or part

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED  
4 SEPTEMBER 2008**

thereof of water consumed as determined above during the three months covered by the water bill.

**SECTION 2. Effective 1<sup>st</sup> Day of January, 2009.**

This local law shall take effect immediately after filing in the Office of the Secretary of State.

**BE IT FURTHER RESOLVED** that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board, and

**BE IT FURTHER RESOLVED** that the Town Board hold a Public Hearing on said Proposed Local Law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York at **8:00 PM** on **September 18, 2008**, and

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

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

Resolution carried.

Supervisor Plant stated that there was a new State Law Chapter 258 mandating exemption reporting. The exemption report is required to show how much of the total assessed value on the final assessment roll used in that budgetary process is exempt from taxation. Karen Ambroz, Assessor, had prepared that report and it was available in budget books for review. Discussion ensued reviewing the report.

**BUDGET REPORTS WITH DEPARTMENT HEADS CONTINUED:**

Assessor  
Recreation

**ADJOURNMENT:**

Motion by Councilwoman Hawkins-Mance to adjourn.

Seconded by Councilwoman Marini and unanimously carried.

Time: 8:47 PM

Respectfully Submitted,

Susie C. Jacobs  
Walworth Town Clerk