

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING  
1 JANUARY 2011**

Presiding Supervisor Plant called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 9:00 AM with the Pledge to the Flag.

Present:	Frank Maciuska	Councilman
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Thomas Yale	Councilman
	Susie C. Jacobs	Town Clerk

Absent:

**OTHERS PRESENT:** 5 attendees.

**RESOLUTION 01-11 - TOWN BOARD APPOINTMENTS:**

Councilwoman Hawkins-Mance offered the following Resolution 01-11 to appoint the following:

Seconded by Councilman Yale to wit.

Assessment Review Board	Phil Williamson – Chair	term expires	09/30/2015
Zoning Board	Steve MacNeal	term expires	12/31/2015
Zoning Board Counsel:	Denise Munson	term expires	12/31/2011
Planning Board:	Deborah Amsler	term expires	12/31/2015
Planning Board Counsel:	Denise Munson	term expires	12/31/2011
Recreation Committee:	Amy Dier-Chirdon	term expires	12/31/2015
Parks Committee	Bill Boyd	term expires	12/31/2013
Town Historian	Eugene Bavis	term expires	12/31/2011
Dog Control Officers	Lea Dill	term expires	12/31/2011
Rabies Responders:	Lea Dill	term expires	12/31/2011
Attorney for the Town:	Denise Munson	term expires	12/31/2011
Sewer Superintendent:	Robert Burns	term expires	12/31/2011
Budget Officer	Robert Plant	term expires	12/31/2011
Fire Marshall:	Norman Druschel	term expires	12/31/2011
Code Enforcement Officer:	Philip Williamson	term expires	12/31/2011
Justice Court Clerk:	Laurie Waltermyer	term expires	12/31/2011
Engineer for the Town	Parrone Engineering	term expires	12/31/2011

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**SUPERVISOR APPOINTMENTS:**

Supervisor Plant made the following appointments for 2011:

Thomas Yale	Deputy Supervisor
Barbara Kuelling	Secretary to the Supervisor

**RESOLUTION 02 -11 - JUSTICE COURT:**

Councilwoman Marini offered the following Resolution 02-11 and moved its adoption.

Seconded by Councilwoman Hawkins-Mace to wit:

**BE IT RESOLVED** that the Justice Court will be held at the Walworth Town Offices as follows:

Every Tuesday	- Regular Court at 7:30 PM
1 <sup>st</sup> Wednesday	-A.D.A. Court at 5:30 PM
4 <sup>th</sup> Tuesday	- A.D.A. Court at 1:00 PM
5 <sup>th</sup> Tuesday	- No Court

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 03 -11 - LEGAL PAPER DESIGNATION:**

Councilman Maciuska offered the following Resolution 03-11 and moved its adoption.

Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED** that the *Times of Wayne County shall remain* the legal newspaper for the Town of Walworth for 2011.

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 04-11 - TOWN BOARD MEETINGS:**

Councilman Maciuska offered the following Resolution 04-11 and moved its adoption.

Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED** that the Town Board meetings will be held the first and third Thursday of each month at the Walworth Town Offices, 3600 Lorraine Drive, Walworth, at 7:30 PM.

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING - CONTINUED  
1 JANUARY 2011**

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

Resolution carried.

**RESOLUTION 05-11 – EXPENDITURES:**

Councilwoman Marini offered the following Resolution 05-11 and moved its adoption.

Seconded by Councilman Maciuska to wit:

**BE IT RESOLVED** that the following expenditures by department heads be authorized without Town Board approval.

Supervisor	\$1,000.00	Highway Superintendent	\$2,500.00
Town Clerk	\$1,000.00	Sewer Superintendent	\$2,500.00
Recreation	\$1,000.00		

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 06-11 – OFFICIAL DEPOSITORIES:**

Councilwoman Hawkins-Mance offered the following Resolution 06-11 and moved its adoption.

Seconded by Councilman Yale to wit:

**BE IT RESOLVED** that the following banks be declared official depositories for Town Officials:

SUPERVISOR:	Fleet Bank, HSBC, JP Morgan Chase, M&T Bank
JUDGE YOUNG:	Citizens Bank (Charter One)
JUDGE MAJCHRZAK:	Citizens Bank (Charter One)
TOWN CLERK:	JP Morgan Chase
RECEIVER OF TAXES:	JP Morgan Chase
SEWER SUPERINTENDENT:	JP Morgan Chase

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 07-11 - MILEAGE ALLOWANCE:**

Councilman Maciuska offered the following Resolution 07-11 and moved its adoption.

Seconded by Councilwoman Marini to wit:

**BE IT RESOLVED** that Town Employees be reimbursed .51 cents per mile, or current IRS rate, when his or her personal vehicle is used for Town business.

**BE IT FURTHER RESOLVED** that the Town vehicle be used when available.

**BE IT FURTHER RESOLVED** that reimbursements have prior Town Board or Town Supervisor approval.

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING - CONTINUED  
1 JANUARY 2011**

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 08-11 - CHECK-SIGNING:**

Councilwoman Marini offered the following Resolution 08-11 and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

**BE IT RESOLVED** that Supervisor Plant and Deputy Supervisor Yale be authorized to sign checks for monies deposited in the Official depositories Banks.

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 09-11 OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS:**

Councilman Maciuska offered the following Resolution 09-11 and moved its adoption. Seconded by Councilman Yale to wit:

**WHEREAS**, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

**WHEREAS**, we the Town Board of the Town of Walworth hereby require the Supervisor, Town Clerk, Receiver of Taxes, Town Justice(s), and Highway Superintendent to execute said Official Undertaking as required by said law;

**NOW, THEREFORE BE IT RESOVED** that we, the Town Board of the Town of Walworth approve the document entitled "Town of Walworth Official Undertaking of Municipal Officers" as to its form and manner of execution and the sufficiency of the insurance, and

**BE IT FURTHER RESOVED** that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Adopted this 1<sup>st</sup> day of January, 2011 at a meeting of the Town Board.

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

Resolution carried.

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING - CONTINUED  
1 JANUARY 2011**

**RESOLUTION 10-11 CAREY LAKE, LLC FIREWORKS:**

Councilman Yale offered the following Resolution and moved its adoption.  
Seconded by Councilwoman Marini to wit:

**WHEREAS**, that the Town of Walworth recognizes the need to encourage and foster existing businesses within the Town. As such, the Town recognizes that Carey Lake, LLC, operates a party and banquet facility located within the Town; and

**WHEREAS**, the property on which the business is located has very unique characteristics not found on other properties within the Town; and

**WHEREAS**, the property is 210 acres of mostly undeveloped land with a large body of water; and

**WHEREAS**, the property is located in a relatively low developed portion of the Town on Route 441 and is readily accessible and open to the public at large; and

**WHEREAS**, Carey Lake, LLC has contracted with Young Explosives Corporation for fireworks displays for the past 9 years. The displays are requested/contracted for activities such as wedding parties being held at the banquet house but have been available for general public enjoyment by anyone in the public wishing to view; and

**WHEREAS**, Carey lake, LLC has applied for a Fire Works Permit for a period not to exceed ONE YEAR, commencing the 1<sup>st</sup> day of January, 2011 and terminating on the 31<sup>st</sup> day of December, 2011, and

**WHEREAS**, the unique nature of the property affords public safety not readily available at other properties within the Town during the displays;

**NOW, THEREFORE, BE IT RESOLVED**, that both parties have made it known to the Town Board that they wish to continue the contractual relationship;

**BE IT RESOLVED**, that given the unique property characteristics, its location available for general public enjoyment, the willingness of Carey Lake, LLC to publicly post notice in its restaurant and Town Hall regarding dates and times of displays, and provide copies of appropriate insurances to the Town Clerk, it is resolved that the Town of Walworth acknowledges the existence of and generally approves of such contractual relationship between these two parties in the year 2011.

Adopted this 1st day of January 2011 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 11-11 ESTABLISHING PETTY CASH FUND FOR THE SEWER DEPARTMENT:**

Councilman Maciuska offered the following Resolution 11-11 and moved its adoption.  
Seconded by Councilwoman Marini to wit:

**WHEREAS**, the Town of Walworth needs to establish a Petty Cash Fund for the Sewer Department for the purpose of making change in the amount of \$100.00.

**BE IT RESOLVED**, that a Petty Cash Fund be established for the Sewer Department for the purpose of making change in the amount of \$100.00.

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING - CONTINUED  
1 JANUARY 2011**

Adopted this 1st day of January 2011 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 12-11 AUTHORIZATION TO ISSUE FUNDS TO THE RECEIVER OF TAXES FOR THE 2011 TAX COLLECTION:**

Councilman Maciuska offered the following Resolution 12-11 and moved its adoption.

Seconded by Councilwoman Marini to wit:

**WHEREAS**, the Town of Walworth will provide the Receiver of Taxes with Petty Cash Funds for 2011 Tax Collection in the amount of \$100.00.

**BE IT RESOLVED**, that the funds for Petty Cash be given to the Receiver of Taxes for the 2011 Tax Collection in the amount of \$200.00.

Adopted this 1st day of January 2011 at the meeting of the Town Board.

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

Resolution carried.

**COMMITTEE APPOINTMENTS:**

Supervisor Plant appointed Council members to the following Committees for 2011:

**Councilwoman Marini:**

Recreation  
Zoning  
Town Clerk  
Personnel (Ch)  
Historical Society

**Councilman Maciuska:**

Insurance  
Sewer (Ch)  
Cable TV  
Drainage & MS4  
Public Safety  
Library

**Councilwoman Hawkins-Mance:**

Highway  
Animals  
Cemeteries  
Drainage & MS4 (Ch)  
Sewer  
Justice Court

**WALWORTH TOWN BOARD - ORGANIZATIONAL MEETING - CONTINUED  
1 JANUARY 2011**

**Councilman Yale:**

Deputy Supervisor  
Assessment  
Building  
Planning  
Highway (Ch)  
Personnel  
Development Review (Ch)

**ADJOURNMENT:**

Motion by Councilman Yale to adjourn.  
Seconded by Councilwoman Hawkins-Mance and unanimously carried.  
Time: 9:07 AM.

Respectfully Submitted,

Susie Jacobs, RMC  
Town Clerk

DRAFT