

**WALWORTH TOWN BOARD – REGULAR MEETING
15 SEPTEMBER 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 7:30 PM with the Pledge to the Flag.

PRESENT:

Robert Plant	Supervisor
Thomas Yale	Councilman
Patricia Marini	Councilwoman
Mike Frederes	Highway Superintendent

ABSENT:

Susie Jacobs	Town Clerk
Suzi Hawkins-Mance	Councilwoman
Frank Maciuska	Councilman

OTHERS PRESENT: Beth Hart, Deputy Town Clerk; Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Karen Ambroz, Sole Assessor; Mary Zingerella, Library Director; Town Newspaper Reporter, two (2) attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of August 18, 2011 with the following amendment:

“Letter from Rebecca A. Connolly dated 8.3.2011 and vote shall be stricken in its entirety as it constitutes an item of personal correspondence which is prohibited from being placed in Town Board Minutes, page 31 of the Office of Town Clerk, per Section 30 (1) of Town Law”.
Seconded by Councilman Yale.¹

Adopted: Vote Ayes 3 Nays 0
Motion carried.

SUPERVISOR’S REPORT:

Motion by Councilwoman Marini to accept the Supervisor’s Report for the month of August, 2011.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0
Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

¹ The Town Boards request “stricken in its entirety”; if removed would alter Town History.

**WALWORTH TOWN BOARD – REGULAR MEETING
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**RESOLUTION 79-11 – PROPOSED LOCAL LAW NO. 5 OF THE YEAR 2011-
AMENDING CHAPTER 139-79 ENTITLED “SEWERS”, PERTAINING TO
CONCENTRATION-BASED LIMITATIONS AND CHAPTER 139-80 ENTITLED
“SEWERS”, PERTAINING TO MASS-DISCHARGE-BASED LIMITATIONS:**

Councilwoman Marini offered the following Resolution 79-11 and moved its adoption.

Seconded by Councilman Yale to wit:

BE IT RESOLVED, that proposed Local Law No. 5 of the year 2011, A LOCAL LAW AMENDING THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING CHAPTER **139-79** entitled “SEWERS”, pertaining to Concentration-based limitations and CHAPTER **139-80** entitled “SEWERS”, pertaining to Mass-discharge-based limitations, said proposed Local Law No 5 of the year 2011 is hereby introduced before the Town Board, and

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

139-79. Concentration-based limitations.

Substance ¹	Effluent Concentration Limit	
	Allowable Average Daily ² (mg/l)	Allowable Maximum
Instantaneous ³ (mg/l)		
Aluminum	0.6	1.2
Antimony	0.4	0.8
Arsenic	0.2	0.4
Barium	4.0	8.0
Beryllium	0.4	0.8
Bismuth	0.4	0.8
Bromine	4.0	8.0
Cadmium	0.4	0.5
Chlorides	500.0	750.0
Chlorine	5.0	5.0
Chromium (hex)	0.2	0.1
Chromium (tot)	4.0	1.0
Cobalt	0.8	1.6
Color	20.0	35.0

Copper	0.8	1.6
Cyanide (complex)	1.6	.10
Cyanide (free)	0.4	0.8
Fluorides	4.0	8.0
Gold	0.2	0.4
Iodine	4.0	8.0
Iron	0.6	5.0
Lead	0.2	0.1
Manganese	4.0	8.0
Mercury**	0.2	<500 ng/l
Molybdenum	4.0	8.0
Nickel	4.0	1.0
Phenols, total	4.0	8.0
Selenium	0.2	0.4
Silver	0.2	.25
Sulfates	500.0	25.0
Sulfides	6.0	12.0
Tin	0.6	1.2
Titanium	0.6	1.2
Vanadium	4.0	8.0
Zinc	1.2	.20

**The permittee shall inspect each tributary dental facility at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. Inspection and /or outreach to other industrial/commercial sectors which may contribute mercury is also recommended. All new or increased tributary discharges, including hauled wastes, which are from sources that are industrial in nature must be evaluated for mercury content and if levels exceed 500ng/l then authorization must be obtained from the Department prior to acceptance. A file shall be maintained containing the notices submitted by dental offices and all other pertinent information. This file shall be available for review by DEC representatives and copies shall be provided upon request. Note that a permit modification may be necessary to include more stringent requirement for POTWs which do not maintain low mercury effluent levels.

139-80. Mass—discharge-based limitations.

Substance	Allowable Influent Loading Average Daily (pounds per day)
Aluminum	0.500

Antimony	0.330
Arsenic	0.167
Barium	3.360
Beryllium	0.330
Bone	0.250
Cadmium	0.336
Chromium (hex)	0.167
Chromium (total)	3.0
Cobalt	0.670
Copper	0.672
Cyanide (complex)	.30
Cyanide (free)	0.336
Gold	0.167
Iron	0.500
Lead	0.167
Mercury	0.167
Nickel	3.0
Phenols (total)	3.340
Selenium	0.167
Silver	0.167
Suspended Solids	0.250
Tin	0.500
Zinc	.60

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 **8:15 PM** on **Thursday, October 6, 2011**, 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	Absent
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Absent
	Councilman Yale	Aye
	Supervisor Plant	Aye

Resolution carried.

**WALWORTH TOWN BOARD – REGULAR MEETING
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**RESOLUTION 80-11 PROPOSED LOCAL LAW NO. 6 OF THE YEAR 2011
AMENDING CHAPTER 139-3 (6) ENTITLED “SEWERS”, PERTAINING TO
SCHEDULE OF CHARGEABLE UNITS:**

Councilwoman Marini offered the following Resolution 80-11 and moved its adoption.

Seconded by Councilman Yale to wit:

BE IT RESOLVED, that proposed Local Law No. 6 of the year 2011, A LOCAL LAW AMENDING THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING THE LAST SENTENCE OF CHAPTER 139-3 (6) entitled “SEWERS”, pertaining to Schedule of Chargeable units,

(6) If the qualified owner of a unit has not applied for a one-time new lawn sewer credit within 8 billing cycles (24 months), the qualified owners right to register for a one-time new lawn sewer credit will expire.

Said proposed Local Law No 6 of the year 2011 is hereby introduced before the Town Board, 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 **8:20 PM** on **Thursday, October 6, 2011**, 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.

Discussion: Supervisor Plant inquired if the Town Board would like to add to the proposed Local Law. Motion amending Resolution 80-11 and Roll Call followed.

**MOTION AMENDING RESOLUTION 80-11 PROPOSED LOCAL LAW NO. 6
OF THE YEAR 2011- AMENDING THE AMENDMENT OF CHAPTER 139-3 (6)
ENTITLED “SEWERS”, PERTAINING TO SCHEDULE OF CHARGEABLE
UNITS:**

Motion by Councilwoman Marini amending Resolution 80-11 as follows:
Seconded by Councilman Yale.

To add the phrase “of the issuance of the C of O” to paragraph six (6) after 24 months; to read as follows:

(6) If the qualified owner of a unit has not applied for a one-time new lawn sewer credit within 8 billing cycles (24 months) of the issuance of the C of O, the qualified owners right to register for a one-time new lawn sewer credit will expire.

Adopted: Vote Ayes 3 Nays 0

Motion carried.

RESOLUTION 80-11 (ROLL CALL):

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

Resolution carried.

**WALWORTH TOWN BOARD – REGULAR MEETING
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RESOLUTION 78-11 FINANCIAL TRANSACTIONS:

Councilman Yale offered the following Resolution 78-11, and moved its adoption. Seconded by Councilwoman Marini to wit:

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

\$12.79 from A1410.42 Town Clerk Office Expense to A1410.44 Town Clerk Records Management. To cover cost of current expense.

\$1,475.00 from A231CR Capital Reserve Town Hall to A1620.42R Town Hall Maintenance And Repair. To cover final cost Cooling Tower Project.

\$5,000.00 from General Fund Balance to A8020.43 Planning Board Engineering Fees. To cover cost of current expense. Funds to offset transfer were credited to Income Line A2770R Reimbursement Review Fees.

\$25,179.15 from SS231C Sewer District Capital Reserve to SS8130.22R. To cover cost Force Main Project.

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

Resolution carried.

COMMITTEE REPORTS:

RECREATION – AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT FOR SENIOR CITIZENS PICNIC

Motion by Councilwoman Marini authorizing the Supervisor to sing a contract with “Group Therapy” for entertainment for the Senior Citizens Picnic on August 7, 2012 in the amount not to exceed \$200.00.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0
Motion carried.

SEWER- AUTHORIZING PURCHASE OF WATER PUMP FOR SBR SYSTEM

Motion by Councilwoman Marini authorizing the Sewer Superintendent to purchase one (1) new waste pump for the SBR system from ITT Water and Wastewater USA Flygt Products as per submitted quote, for an amount not to exceed \$3,009.00 to be expended from line SS8130.21. This is a budgeted item. Procurement Form submitted.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0
Motion carried.

RECESS:

Supervisor Plant indicated the Board would take a recess to complete the Audit Claims.

Time: 7:36 PM.

**WALWORTH TOWN BOARD – REGULAR MEETING
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RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:14 PM.

RESOLUTION 77-11 ABSTRACT OF CLAIMS:

Councilman Yale offered the following Resolution 77-11 and moved its adoption.
Seconded by Councilwoman Marini to wit:

WHEREAS, I certify that the vouchers listed below were audited by the Town Board on and allowed in the amounts shown:

You are hereby authorized and directed to pay to the claimant the amount opposite his name.

Dated: 9.15.2011

Town Clerk: _____
Susie c. Jacobs, CMC/ RMC

BE IT RESOLVED that the claims be paid on **Abstract #9**, numbered 1,192 through 1,326 in the following amounts:

GENERAL FUND	\$	34,643.73
HIGHWAY FUND	\$	17,083.00
WALWORTH SEWER DISTRICT #1	\$	61,384.91
WALWORTH LIGHT DISTRICT	\$	511.75
HARVEST HILL LIGHT DISTRICT	\$	611.06
BROOKSIDE LIGHT DISTRICT	\$	9.14
ORCHARD VIEW LIGHT DISTRICT	\$	84.58
GANANDA LIGHT DISTRICT	\$	1,044.05
PARK SPECIAL REVENUE	\$	416.70
WALWORTH CONSOLIDATED DRAINAGE	\$	1,155.00
WATER EXTENSIONS	\$	9,990.00
PARKVIEW GREEN PARK DISTRICT	\$	184.00

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #9** numbered 150 through 167 in the following amounts:

TRUST & AGENCY	\$	20,287.50
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Adopted this 15th day September, 2011 at the meeting of the Town Board.

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

Resolution carried.

EXECUTIVE SESSION:

Motion by Councilwoman Marini to enter into executive session for personnel issues.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Time: 8:15 PM.

Motion carried.

**WALWORTH TOWN BOARD – REGULAR MEETING
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RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 9:37 PM.

DATES FOR BUDGET WORK SESSION MEETINGS:

Town Board will hold Budget Work Session Meetings on the following dates:

- Monday, September 26, 2011
- Tuesday, September 27, 2011
- Thursday, September 29, 2011

Adopted: Vote Ayes 3 Nays 0
Motion carried.

ADJOURNMENT:

Motion by Councilman Yale to adjourn.
Seconded by Councilwoman Marini and unanimously carried.
Time: 9:38 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC/RMC
Town Clerk

Beth Hart
Deputy Town Clerk