

**WALWORTH TOWN BOARD – REGULAR MEETING
15 DECEMBER 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.

<u>PRESENT:</u>	Robert Plant	Supervisor
	Frank Maciuska	Councilman
	Suzi Hawkins-Mance	Councilwoman
	Patricia Marini	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent

<u>ABSENT:</u>	Thomas Yale	Councilman
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OTHERS PRESENT: Vaughn Pembroke, Councilman Elect; Larry L. Ruth, Councilman Elect; Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Karen Ambroz, Sole Assessor; Denise Munson, Attorney for the Town; Mary Zingerella, Library Director; Town Newspaper Reporter and 10 attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of December 1, 2011 Tri-Board Meeting as presented.
Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

Motion by Councilwoman Marini to approve the Minutes of December 1, 2011 Regular Meeting as presented.
Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to accept the Supervisor's Report for the month of November, 2011.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

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PUBLIC PARTICIPATION:

A Resident from Boynton Road commented she noticed that on tonight's agenda has a section for Other Business - Boynton Road Water Discussion can you expand on that; is the Town planning on acting on it tonight or authorizing the water authority to go forward on this project? Supervisor Plant stated "at this point he does not believe the Town is being asked to do anything with it tonight; it is a question on their next step."

COMMITTEE REPORTS:

Council members reported on their respective committees with the following Town Board Actions. Discussion ensued.

SEWER – BUILDING BLOWER VARIABLE FREQUENCY DRIVES

Councilman Maciuska reported on the following request.

TOWN OF WALWORTH
WASTE WATER TREATMENT FACILITY
3451 Ontario Center Road
Walworth NY 14568

Rob Burns, Sewer Superintendent
sewer@townofwalworthny.gov

315-986-3415 PHONE
315-986-1741 FAX

December 9, 2011

Attention:
Robert Plant, Walworth Town Supervisor
Walworth Town Board Members

Re: Building Blower VFD's

We have been made aware of the availability of a NYSERDA program that will refund the amount of \$3,500.00 per blower unit if we install a VFD (Variable Frequency Drive) on the 3 blower units for the SBR system. This will give us the ability to change the speed of the motor and the demand on start-up.

After working with Newark Electric we were able to receive a quote of \$8,923.00 per VFD installation and a rebate of \$3,500.00 per VFD, bringing the project per VFD installation to a total of \$5,423.00.

The total cost of the project would be as follows:

- \$26,769.00 / 3 units
- \$10,500.00 / less rebate on 3 units
- \$16,269.00 total cost to the Town

Not only do I feel this is a very good opportunity for the town to upgrade these units, it is also expected to be a significant electrical savings. The projected savings according to NYSERDA would be approximately 10% on the electrical usage of these units per month. My calculations show this to be about \$600.00 per month.

This program expires December 31, 2011. To meet the deadline, the application has been submitted to NYSERDA which makes us eligible for the rebates. I am asking the Town Board's permission to proceed with this project using funds from the utility line SS8130.401 and to have all necessary paperwork submitted before December 31, 2011. I am also asking that Newark Electric be used as the contractor for this project. They have done extensive work in the building, are very

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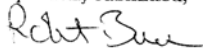
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Building Blower VFD's

familiar with the layout of the electrical system and would be able to work with us in the timeline allotted.

After December's utility bills there should be a projected balance of \$26,000.00 in this line. I am asking to encumber this amount and to use the remaining \$769.00 from the 2012 utility budget. The \$10,500.00 rebate check will be reimbursed to this account upon receipt.

If you should have any questions please give me a call.

Respectfully submitted,



Robert Burns
Waste Water Superintendent

Councilman Maciuska commented that it would be very beneficial to move forward with this project.

Motion by Councilman Maciuska authoring the project as outlined above for an amount not to exceed \$26,769.00 for 3 units from line SS8130.401. Upon receipt of the rebate (\$10,500.00) it would be credited to this line. Procurement form submitted.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

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PARKS AND RECREATION MASTER PLAN COMMITTEE:

The committee held a Public Hearing on December 14, 2011, presenting the Town of Walworth Parks and Recreation Master Plan 2011 update. The next course of action is for the Town Board to review the Plan and schedule a Public Hearing. Discussion ensued with a recommendation from the committee.

PARKS AND RECREATION – DRAINAGE IN GINEGAW PARK:

Councilwoman Marini read the following memo:

TO: Walworth Town Board
FROM: Walworth Master Plan Committee
DATE: December 14, 2011
RE: Drainage in Ginegaw Park

Throughout the Town's Parks and Recreation Master Plan committee meetings, a major limitation within Ginegaw Park has been identified. There is a need for drainage work to be done along Lorraine Drive (south side) where water impacts the park.

Based upon research regarding funding/phasing of the needed drainage work along Lorraine Drive in Ginegaw Park, the Parks and Recreation Master Plan Committee recommends that an Engineering Study should be completed for a cost of approximately \$1,000.00. This Engineering Study could then be part of a permit application to NYSDEC and a request for phasing of the project as funding becomes available. This committee recommends the creation of a Parks Capital Improvement Reserve and funds be budgeted to be placed in this account to allow the drainage work to be completed through this phasing of the project.

Motion by Councilman Maciuska to accept and file the following:
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

Discussion ensued.

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**HIGHWAY – PREPAY NYS DEPARTMENT OF ENVIRONMENTAL
CONSERVATION FOR PETROLEUM BULK STORAGE PERMIT LICENSE:**

A portion of the following memo was discussed:

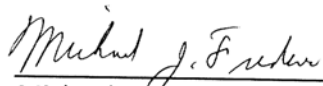
DATE: December 15, 2011
TO: Board Members
FROM: Mike Frederes
RE Pre-Pay Request

I am requesting a prepay be made out to New York State Department of Environmental Conservation in the amount of \$ 500.00 for the Petroleum Bulk Storage Permit Application.

The Total amount due is \$ 500.00 and is to be extended from Budget Line DA 5142.43.

Thank You.

Sincerely,



Michael J. Frederes – Town of Walworth Highway Superintendent

Motion by Councilwoman Hawkins-Mance authorizing the pre-pay to New York State Department of Environmental Conservation for the Petroleum Bulk Storage Permit License (5 year license) from DA5142.43 for amount not to exceed \$500.00.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

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AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT FOR THE PURCHASE OF CEMETERY SOFTWARE:

Motion by Councilwoman Hawkins-Mance authorizing the Town Supervisor to sign the purchase contract with Pontem Software for Cemetery Management Program from the Records Management Reserve line A1410.21R for an amount not to exceed \$3,585.00.

Seconded by Councilwoman Marini.

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

Motion carried.

AMENDMENT TO THE 2012 WAGE AND SALARY SCHEDULE:

Motion by Councilwoman Marini amending the December 1, 2011; “Motion – Amend to the 2012 Wage and Salary Matrix”. Councilwoman Marini stated this changes one sentence; and **DOES NOT REFLECT OR INCLUDE** any increases for performance that the employees in these positions are eligible for in 2012.”

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

BOYNTON ROAD WATER REQUEST DISCUSSION:

Mr. Don Lewis, AEY Enterprises addressed the Board on behalf of Kevin and Barb Heald regarding Twilight Valley RV Resort; requesting the creation of the water district required to extend the water main down Boynton Road supplying water to the proposed Twilight Valley RV Resort. He questioned what are the next options for this procedure?

Supervisor Plant indicated that the Attorney for the Town has looked at it and the Town has contacted the State. The following are three (3) options available:

1. By petition of 51% of the residents and 51% of the assessed value in the new district.
2. A Town Board Resolution authorizing a special district that would then be subjected to referendum.
3. Because it is water and WCWSA has a permit for the entire county, you could approach the WCWSA to create a service area. If they chose to create a service area; they would not do it unilaterally and the request would come back to the Town, for the Town to either agree or disagree with that request.

Supervisor Plant said that the next step is up to Twilight Valley; which of the three choices they wish to try.

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GENERAL CODE PAST DUE BILL:

Motion by Councilman Maciuska authorizing the General Code outstanding invoice for 10 additional code books and draft copy of the Administrative Review be paid for an amount not to exceed \$1,330.00.

Seconded by Councilwoman Marini.

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

Motion carried.

**APPROVAL OF THE TOWN HALL EMPLOYEES
2012 HOLIDAY SCHEDULE:**

Motion by Councilwoman Marini to approve the 2012 Holiday Schedule for Town Hall Employees.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

**WAYNE COUNTY HUMANE SOCIETY AGREEMENT FOR SHELTER
SERVICES FOR 2012 AUTHORIZATION:**

Motion by Councilwoman Hawkins-Mance authorizing the Town Supervisor to sign the Agreement for Shelter Services with Wayne County Humane Society for 2012.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

RESOLUTION 109-11 FINANCIAL TRANSFERS:

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

Jean Johnson, Town Comptroller, presented the following:

DECEMBER 15, 2011 TOWN BOARD MEETING

BE IT RESOLVED that the Town Comptroller be authorized to perform transfers, encumbrances and the establishment of accounts necessary to close the Town of Walworth Books for the calendar year 2011.

BE IT RESOLVED that the Town Comptroller be authorized to modify budget as follows:

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\$48.00 from A1410.45 Town Clerk Software to A1410.42 Town Clerk Office Expense.
To cover current expenses.

\$200.05 from A1440.41 Town Engineer to A1420.41 Town Counsel. To cover current expenses.

\$150.00 from A3510.41 Control of Animals General Expenses to A3510.44 Control of Animals Dog Licenses. To cover current expenses.

\$4,676.80 from A5132.41 Highway Garage Gas/Electric to A5010.44 Supt. Of Highways Counsel. To cover current expenses.

\$100.75 from A7620.41 Senior Recreation to A7310.43 Recreation New/Special Programs. To cover current expenses.

\$770.00 from General Fund Balance to A8020.43 Planning Board Engineering Fees.
Funds to offset transfer were credited to Income Line A2770R Reimbursement Review Fees.

\$5,470.61 from DA5112.21 Highway Equipment Wedge to DA5110.41 Highway General Repairs. To cover current expenses.

\$35.71 from SS8110.41 Sewer Conference & Training to SS8130.402 Sewer Office Expenses. To cover current expenses.

\$2,000.00 from SS8110.41 Sewer Conference 7 Training to SS8130.14 Sewer Over-Time. To cover current expenses.

\$2,000.00 from SS8110.43 Sewer Insurance to SS8130.410 Sewer Odor Control. To cover current expenses.

\$1,644.97 from SD1-8540.42 Drainage NYS DEC MS4 to SD1-8540.41 Drainage Maintenance. To cover current expenses.

\$372.83 from CM1-7110.44 Lodge Maintenance to Cm1-7110.21 Parks Capital. To cover current expenses.

\$93.15 from Brookside Light District Fund Balance to SL4-5182.42 Repairs. To cover current expenses.

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

Resolution carried.

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AUTHORIZING NEWLY ELECTED OFFICIALS TO ATTEND TRAINING:

Motion by Councilwoman Marini authorizing the Supervisor to pay for the Newly Elected Officials to attend training in Rochester, in January at the cost of \$150.00 per person and will come out of 2012 Budget.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

SUPERVISOR PLANT - SUBPOENA:

Supervisor Plant notified the Town Board he has been subpoenaed, as Town Supervisor, into court in January, 2012.

WAYNE COUNTY- SELF INSURED WORKER'S COMPENSATION :

Supervisor Plant discussed and presented the background information for the Self Insured Worker's Compensation charge back for the Town. Stating that a Wayne County Resolution was adopted stating the amount of underfunding of \$410,126.00 of which Wayne County shares \$258,637.00. The amount that the Town would be charged is \$22,013.00 (\$4,403.00 for the next 5 years). He believes the Town should not be charged back for their mistake and asked if Council members whether they agree if he should fight this or pay the County the amount.

Councilman Maciuska, Councilwoman Marini and Councilwoman Hawkins-Mance support Supervisor to fight against this payment.

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into Executive Session to discuss potential litigation.
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0
Time: 8:02 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:23 PM.

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APPROVAL OF ABSTRACT NO. 12:

Motion by Councilwoman Marini to approve Abstract No.12 from the Town Comptroller as presented:

Seconded by Councilwoman Hawkins-Mance.

Jean Johnson, Town Comptroller, submitted the following:

To: Walworth Town Board
From: Jean Johnson, Town Comptroller
Date: 15-Dec-11
Re: Abstract #12

Attached please find a copy of the audited Abstracts by Fund. I have audited all claims and will be transferring funds to cover payments by Fund as follows:

Voucher Numbers #1691 to #1825

General Fund	\$155,750.53
Highway Fund	\$280,894.27
Sewer Fund	\$51,280.05
Parks Special Revenue Fund	\$941.91
Walworth Consolidated Drainage	\$3,940.77
Walworth Light District	\$566.07
Harvest Hill Light District	\$661.87
Gananda Light District	\$1,003.13
Brookside Light District	\$103.85
Orchard View Light District	\$102.14
Parkview Green Park District	\$92.00
Mildahn Road Water Ext. #16	\$4,408.00
County Line Road Water Ext. #17	\$6,782.00
Plank Road Water Ext. #18	\$5,510.00
Total Abstract #12 Payments	\$512,036.59

Voucher Numbers #194 to #209

Trust & Payroll	\$26,221.86
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Checks will be issued on December 16, 2011.

Please note this Abstract includes the Annual Retirement Payment of \$218,260 and the purchase of the Highway Truck for \$167,480.36.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

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2012 HOLIDAY SCHEDULE AUTHORIZATION:

Motion by Councilwoman Marini to set January 2, 2012 as the holiday for the Highway Department as we are in collective bargaining negotiations. This is one of the items tentatively agreed on.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

NEXT TRI-BOARD MEETING:

Next Tri-Board meeting is set for June 7, 2012.

ACKNOWLEDGMENT:

Supervisor Plant thanked Councilman Maciuska and Councilwoman Hawkins-Mance for their years of service to this Town.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 8:30 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk