

**WALWORTH TOWN BOARD – REGULAR MEETING
5 NOVEMBER 2009**

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
	Suzi Hawkins-Mance	Councilwoman
	Patricia Marini	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent

RESTORE PUBLIC PARTICIPATION:

Motion by Councilman Maciuska to eliminate the “Privilege of the Floor” and to restore “Public Participation” to the Town Board meetings.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the minutes of September 24, 2009, Special Meeting, as presented.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 5 Nays 0

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the minutes of October 1, 2009, as presented.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 5 Nays 0

MINUTES:

Motion by Councilwoman Hawkins-Mance to table the minutes of October 15, 2009, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

CORRESPONDENCE:

Susie Jacobs, Town Clerk, stated she had nothing to enter into record.

Supervisor Plant commented that a letter from John Brankacz was received regarding his concerns about the New York State Retirement System.

Motion by Councilman Maciuska to accept and file.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

PUBLIC PARTICIPATION:

No one present offered any comments.

DEPARTMENT HEAD REPORTS:

SEWER DEPARTMENT – Finger Lakes Water Works Conference Authorization

Motion by Councilman Maciuska authorizing Sewer Staff (3) to attend Finger Lakes Water Works Conference, on December 3, 2009, held in Waterloo, NY, at a cost of

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\$25.00 per person to be expended from budgeted line SS8110.41. Credit hours will be earned as part of continuing education.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

COMMITTEE REPORTS:

SEWER COMMITTEE – Emergency Repair Waste Water Treatment Plant Tank
Councilman Maciuska reported that an emergency repair on one of the tanks at the Waste Water Treatment Plant had to be done, at a cost of \$3,800.00. DEC was notified.

TOWN CLERK – Permanent Deputy Town Clerk

Councilman Maciuska commented that Laurie Wiecek has successfully completed her six (6) month probationary period and has been appointed as permanent Deputy Town Clerk.

PARKS MASTER PLAN COMMITTEE –

Councilwoman Marini stated that the Parks Master Plan Committee met and the final report will be in by the end of the year.

LINCOLN VOLUNTEER FIRE DEPARTMENT CONTRACT HEARING:

Susie C. Jacobs, Town Clerk, stated that the notice for the Public Hearing was duly published in the Town's official newspaper on October 18 and October 25, 2009, with the same being posted on same dates at the Walworth Town Hall.

HEARING:

Motion by Councilwoman Hawkins-Mance to waive the reading of the legal notice.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 5 Nays 0

Supervisor Plant declared the Public Hearing open.

Time: 7:46 PM.

PUBLIC COMMENT

No one from the public offered any comments.

Motion by Councilman Yale to close the Public Hearing.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 5 Nays 0

Time: 7:47 PM.

WEST WALWORTH VOLUNTEER FIRE DEPARTMENT CONTRACT HEARING:

Susie C. Jacobs, Town Clerk, stated that the notice for the Public Hearing was duly published in the Town's official newspaper on October 18 and October 25, 2009, with the same being posted on same dates at the Walworth Town Hall.

HEARING:

Motion by Councilwoman Hawkins-Mance to waive the reading of the legal notice.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

Supervisor Plant declared the Public Hearing open.

Time: 7:51PM.

PUBLIC COMMENT –

No one from the public offered any comments.

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Motion by Councilman Yale to close the Public Hearing.
Seconded by Councilwoman Hawkins-Mance.
Adopted: Vote Ayes 5 Nays 0
Time: 7:52 PM.

2010 BUDGET PUBLIC HEARING:

Susie C. Jacobs, Town Clerk, stated that the notice for the Public Hearing was duly published in the Town's official newspaper on October 18 and October 25, 2009, with the same being posted on same dates at the Walworth Town Hall.

HEARING:

Motion by Councilwoman Hawkins-Mance to waive the reading of the legal notice.
Seconded by Councilman Yale.
Adopted: Vote Ayes 5 Nays 0

Supervisor Plant declared the Public Hearing open.
Time: 7:55PM.

APPEARED AND SPOKE AGAINST THE PRELIMINARY BUDGET:

Deb Germain, Steve Yuschak, Dennis Landry, Marian Vandenberg, Anna Prinsen.

APPEARED AND SPOKE IN FAVOR OF THE PRELIMINARY BUDGET:

Jim Lemay, Barbara Kuelling, Dave Mance.

No one else wished to comment.

Motion by Councilman Yale that the Public Hearing be closed.
Seconded by Councilwoman Marini.
Adopted: Vote Ayes 5 Nays 0

Time: 8:42 PM.

SCHEDULE 2010 ORGANIZATIONAL MEETING:

Motion by Councilman Yale scheduling 2010 Organizational Meeting for January 1, 2010 at 9 AM.
Seconded by Councilman Maciuska.
Adopted: Vote Ayes 5 Nays 0

SHERBURNE ROAD PERC TEST BILLING:

Motion by Councilman Maciuska to bill \$75.00 for one (1) perc test for property on Sherburne Road.
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.

RESOLUTION 96-09 PROPOSED LOCAL LAW NO. 7 OF THE YEAR

2009:

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

WHEREAS a local law, that being proposed Local Law No. 7 amending Chapter 56 of the Walworth Town Code - DOGS, a copy of which is attached hereto, was

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introduced at this meeting by a member of the Town Board of the Town of Walworth; and

WHEREAS the Town Board of the Town of Walworth desires to hold a public hearing with respect to the adoption of said proposed Local Law;

NOW, THEREFORE BE IT RESOLVED that a public hearing be held by the Town Board of the Town of Walworth with respect to the adoption of the aforesaid proposed Local Law at **7:45 o'clock PM** on **Thursday, November 19, 2009** at Walworth Town Hall, 3600 Lorraine Drive, Walworth, New York 14568; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Adopted 5th day of November, 2009 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 97-09 PROPOSED LOCAL LAW NO. 8 OF THE YEAR
2009:**

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

WHEREAS a local law, that being proposed Local Law No. 8 amending Chapter 128 of the Walworth Town Code Chapter 128 – PROPERTY MAINTENANCE, a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board of the Town of Walworth; and

WHEREAS the Town Board of the Town of Walworth desires to hold a public hearing with respect to the adoption of said proposed Local Law;

NOW, THEREFORE BE IT RESOLVED that a public hearing be held by the Town Board of the Town of Walworth with respect to the adoption of the aforesaid proposed Local Law at **7:50 o'clock PM** on **Thursday, November 19, 2009** at Walworth Town Hall, 3600 Lorraine Drive, Walworth, New York 14568; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Adopted 5th day of November, 2009 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.

AUTHORIZATION FOR PREPAYMENT TO ROBERT DENTICO:

Motion by Councilwoman Hawkins-Mance authorizing prepayment to Robert Dentico in the amount of \$1,970.00.

Seconded by Councilwoman Marini.

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

Motion carried.

BURN PERMIT- 2291 TUMMONDS ROAD:

Motion by Councilman Yale to approve the issuance of a burn permit for 2291 Tummonds Road on the basis that this is Agricultural and the location is not a burden to its neighbors.

Seconded by Councilwoman Hawkins-Mance.

Discussion: Council members commented the “burning regulations” should be given to the resident.

Adopted: Vote Ayes 5 Nays 0

ADJOURNMENT:

Motion by Councilwoman Hawkins-Mance to adjourn.

Seconded by Councilwoman Marini and unanimously carried.

Time: 8:52 PM.

Respectfully Submitted,

Susie C. Jacobs
Town Clerk