

**WALWORTH TOWN BOARD – REGULAR MEETING
16 APRIL 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
	Patricia Marini	Councilwoman
	Frank Maciuska	Councilman
	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

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the Minutes of March 19, 2009, as presented.

Seconded by Councilman Maciuska.

Adopted: Vote Ayes 5 Nays 0

CORRESPONDENCE:

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

SUPERVISOR'S REPORT:

Motion by Councilman Maciuska to approve and file the Supervisor's Monthly Report for March, 2009, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

RESOLUTION 35-09 – AUDIT OF CLAIMS:

Councilwoman Hawkins-Mance offered the following Resolution **35-09** and moved its adoption. Seconded by Councilman Maciuska to wit:

WHEREAS, the following claims submitted at the scheduled Town Board Meeting of April 16, 2009, have been audited and approved by the appropriate Council members.

BE IT RESOLVED that the claims be paid on **Abstract #4**, numbered 423 through 550, in the following amounts.

GENERAL FUND	\$	57,749.27
HIGHWAY FUND	\$	9,704.14
WALWORTH SEWER DISTRICT #1	\$	19,426.16
BROOKSIDE LIGHT DISTRICT	\$	9.80
GANANDA LIGHT DISTRICT	\$	1,069.92
HARVEST HILL LIGHT DISTRICT	\$	629.72
ORCHARD VIEW LIGHT DISTRICT	\$	90.25
WALWORTH LIGHT DISTRICT	\$	531.05
PARK PAVILION CAPITAL FUND	\$	59,158.66
GANANDA SIDEWALK	\$	1,662.46
WALWORTH CONSOLIDATED DRAINAGE	\$	261.25

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BE IT FURTHER RESOLVED that the claims be paid on **Abstract #4**, numbered 58 through 76, in the following amount:

TRUST & AGENCY \$ 24,439.42

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopts Resolution 35-09.

Adopted this 16th day of April, 2009, at the meeting of the Town Council.

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

Resolution carried.

DEPARTMENT HEAD REPORTS:

HIGHWAY – AUTHORIZATION TO ATTEND HIGHWAY SUPERINTENDENT SCHOOL

Motion by Councilman Yale authorizing Mike Frederes, Highway Superintendent, to attend Highway Superintendents 2009 Conference in Cornell, NY, from June 1 through June 3, 2009, for pre-registration of \$90.00, plus room and board, budgeted item, from line A5010.41.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

HIGHWAY - CHIPS UPDATE

Mike Frederes reported that the CHIPS funding would remain basically the same as last year, with no reduction, due to additional funding from New York State.

SEWER

Nothing reported at this time.

RECREATION DEPARTMENT – PAVILION (LODGE) UPDATE

Jackie Van Lare reported that there were currently 23 reservations for the Pavilion (Lodge) to date and that the inside work was coming along.

RECREATION DEPARTMENT – ADVERTISEMENT FOR VENDOR

Jackie Van Lare informed the Board that she was placing an advertisement in the newspaper for a food vendor for softball and baseball games this season. It was commented that it was similar to last year's.

ASSESSMENT- AUTHORIZATION TO ATTEND CONTINUING ED COURSE

Motion by Councilman Yale authorizing Karen Ambroz, Assessor, to attend a Continuing Ed Course, April 17, 2009, for amount not to exceed \$95.00, budgeted item, from line A1355.41.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

ENGINEER FOR THE TOWN

Nothing reported at this time.

TOWN CLERK

Nothing reported at this time.

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COMMITTEE REPORTS:

Councilman Maciuska stated that the comments from the Attorney for the Town had been incorporated in the final draft for the Photo-Voltaic, and those were the only comments that he had received.

RESOLUTION 30-09 - PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2009

Councilman Maciuska offered the following Resolution **30-09** and moved its adoption. Seconded by Councilwoman Marini to wit.

WHEREAS a local law, that being proposed Local Law No. 4, 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 **7:45 o'clock PM** on **Thursday, May 7, 2009**, at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, New York 14568; and it is further

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 this 16th day of April, 2009, at the meeting of the Town Council.

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

Resolution carried.

LIBRARY COMMITTEE

Councilman Maciuska stated that it had come to his attention that some of the Board members were taken aback at last week's Tri-Board Meeting, regarding the Library having petitions put out for an increase in the taxable assessment. He commented that he was aware of it, however he did not bring it to the Board because in previous years you never really discussed this at the Town Board level, as this was a function of the Library Board of Trustees. As it was under their auspices, we really had no say over it, and that is why he did not bring it up. He stated that the reason the Board of Trustees was doing this was to find a way to augment staffing in the Library, due to the increase in use of middle-aged children. We have one Youth Specialist who needs special Certification to deal with teens and tweens, and what the Board wanted to do was to offer programming for those kids. Now that we had worked out transportation with the School district, the potential was there for us to draw more kids to the Library, and that was really the initiative for asking for the increase in funding. Councilman Maciuska apologized for not mentioning this to the Board. He concluded by indicating that the Board of Trustees had had much discussion on this and was moving forward with it.

MASTER PLAN COMMITTEE FOR PARKS AND RECREATION

Councilwoman Marini reported that the Master Plan Committee for Parks and Recreation met last week, have decided not to meet in May (due to the lodge

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completion), and will meet again in June. They are in the process of getting the documents turned into an electronic version so that they can be updated.

ECONOMIC DEVELOPMENT COMMITTEE

Councilman Yale commented that the next meeting for the Economic Development Committee would be held on Tuesday, April, 21, 2009, at 7:30 PM. Ms. Peg Churchill, Economic Development Corporation, Executive Director, will be in attendance as a guest speaker; she will speak about her duties with Wayne County.

TOWN COMPREHENSIVE PLAN COMMITTEE

Councilman Yale is holding off on convening this committee, mainly because he would like to have the Economic Development Committee, and also the Parks Committee, further along in their work so that they can provide some input to the comprehensive plan - such that it will truly be a "comprehensive plan," and not conflicting with what the other two committees do. This will probably start more toward the summer of 2009.

TOWN COMPLEX STUDY GROUP II

Councilwoman Hawkins- Mance stated that last Saturday the Committee interviewed for architects for the conceptual design proposals; they had four presentations. Now the Committee needs to meet to shorten the list or to present something to the Town Board. She will advise of the next meeting date.

REQUEST BOY SCOUT TROOP #113 – PAVILION (LODGE) USE AND WAIVE FEE FOR USE:

Supervisor Plant read the following:

Request of Walworth Troop #113

I would like to request the use of the Ginegaw Lodge on Sunday, May 17, 2009, to honor three scouts of Troop #113 at their Eagle Scout Banquet, Eric Smith – Project in Sherburne Park, Charles McBride and Nicholas Marini – Projects in Ginegaw Park.

As each of the boys' Eagle Projects were completed in the Ginegaw and Sherburne Road Parks, the Eagle Banquet Planning Committee would request that the fee for the use of the Lodge be waived.

Respectfully submitted,

Walworth Troop #113 Planning Committee

Contact Person: Ric Carley

Motion by Councilman Yale that based on the work that has been done by these individuals, the fee be waived for this one time.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

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FILL PERMITS – WAYNE COUNTY HIGHWAY / 430 & 424 BILLS ROAD:

Motion by Councilman Maciuska authorizing Wayne County Highway Department Fill Permits for 430 & 424 Bills Road. Engineer for the Town has reviewed and approved the application.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

PHONE AGREEMENT AUTHORIZATION:

Motion by Councilman Maciuska authorizing the closing of the phone contract.

Seconded by Councilwoman Hawkins-Mance.

Motion by Councilman Maciuska to Table the Motion.

Seconded by Councilman Yale and unanimously carried.

PUBLIC HEARING PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2009:

7:45 PM:

Susie Jacobs, Town Clerk, stated that the notice of Public Hearing for Proposed Local Law No. 3 of the Year 2009 was duly published 2 times in the Town's official newspaper on April 5, 2009, and April 12, 2009, with the same dates being posted at the Town Hall. Copies were available for the public.

Motion by Councilman Maciuska to waive the reading of the Legal Notice.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

Supervisor Plant declared the Public Hearing opened.

Time: 7:46 PM.

No comments were heard from the public.

Motion by Councilman Yale to close the Public Hearing.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

Time: 7:47 PM.

RESOLUTION 36-09 ADOPTION PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2009:

Councilman Maciuska offered the following Resolution **36-09** and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

**PROPOSED LOCAL LAW NO. 3
OF THE YEAR 2009
CHAPTER 117**

§117-3.

[Amended 4-16-2009 by L.L. No. 3-2009]

Amended 4-21-1983 by L.L. No. 1-1983]

The following rules and regulations shall be applicable in all Town parks within the Town of Walworth:

A.

The hours of use of the Town parks shall be from 1/2 hour before sunrise until 1/2 hour after sundown as reported daily in the Rochester Democrat & Chronicle newspaper, except that the hours of use after sundown shall be extended until 12:00 midnight in the following instances:

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[Amended 12-1-1994 by L.L. No. 7-1994]

(1)

The annual festival in the park; and

(2)

Where a permit has been granted for pavilion use. (This exception shall apply only to those who are in the park pursuant to said permit.)

(3)

Where a Town-sponsored program is being conducted.

[Added 6-6-2002 by L.L. No. 3-2002]

B.

The following acts are prohibited:

[Amended 6-6-2002 by L.L. No. 3-2002]

(1)

No person shall injure, deface, disturb or defoul any part of any park or any building, sign, equipment or other property therein, to remove, injure or destroy any tree, flower, shrub, rock or other mineral found therein.

(2)

No person shall interfere with any lamp, lamppost or any electric light apparatus or extinguish the light therein, except upon proper authority.

(3)

No person shall set fire or assist another to set fire to any timber, trees, shrubs, grass, leaves, growth or any other combustible material or suffer any fire upon other land to extend into any part of any park, except fires set in fire pits or bonfires, as may be provided in a permit issued by the Recreation Director. The use of cooking grills is excluded from this prohibition and such use is permitted within designated picnic areas of any park.

(4)

No person shall bring into any park any garbage, sewage, refuse, lawn or yard cuttings, waste or hazardous substances as defined by federal and state laws, rules and regulations; however, any garbage or refuse (not containing hazardous substances), which is generated by reason of any person's use of any park, shall be deposited in receptacles or pits provided in any park for such purpose.

(5)

No person shall drive, propel or cause to be driven or propelled along or over any park road any vehicle at a greater rate of speed than posted by the Town.

(6)

No person shall park or store any motor car, motorcycle, snowmobile, bicycle, wagon or other vehicle within any park, except in places designated for such purposes or park or operate any such vehicle in any park after dark without lights or park any vehicle in any park subsequent to 1/2 hour after sundown in areas other than those designated for such purpose; however, overnight parking within any park is prohibited. Notwithstanding the foregoing, overnight parking within any park by a person or persons affiliated with a legal entity, such as a municipality, not-for-profit organization, or corporation or any organization whose organized activities include camping may be permitted, upon the approval of the Town Board and the issuance of a permit by the Recreation Director, to park overnight. Further, notwithstanding the foregoing, parking after sundown within Ginégaw Park shall be permitted during the Town of Walworth annual function known as "Festival in the Park."

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(7)

No person shall operate an ATV, unlicensed or off-road motorbikes; snowmobiles or other motorized recreational vehicles unless an authorized trail has been designated for such use.

(8)

No person shall use any portion of any park from 1/2 hour subsequent to sundown to 1/2 hour before sunrise except as otherwise permitted in this chapter. It is the intent of this provision that any park not be used between 1/2 hour subsequent to sundown and 1/2 hour before sunrise. Notwithstanding the foregoing, overnight camping within any park by person or persons affiliated with a legal entity, such as a municipality, not-for-profit organization or corporation or any organization whose organized activities include camping, may be permitted, upon the approval of the Town Board and the issuance of a permit by the Recreation Director, to engage in camping activities.

(9)

No person shall gamble in any park or bring into any park or have in his or her possession while in any park any implement intended to be used for gambling purposes, except where a specific form of gambling is permitted pursuant to a permit issued by the Town Clerk.

(10)

No person shall bring into any park, keep, possess or harbor any cat, dog, pet or domestic animal unless said animal is leashed or caged or unless an area has been designated to permit any particular animal. Any individuals bringing cats, ¹dogs or other domesticated animals into a park shall be required to pick up and deposit in proper receptacles all solid waste excreted by such animals.

(11)

No person shall use loud, boisterous or indecent language or interfere with any Town of Walworth Park and Recreation employee or officer of the Town, county or state in the performance of his or her duties.

(12)

No person shall bring into any park any glass bottles or containers.

(13)

No person shall bring into any park alcoholic beverages, possess, consume, sell or drink in any park any alcoholic beverage, including, but not limited to, beer, wine, hard liquor or mixes to which hard liquor has been added except for the use and consumption within any park provided a permit issued by the Town Clerk, sets forth (1) the specific alcoholic beverage or beverages that may be brought into, possessed, consumed or drunk within any park and (2) the exact location within any park where the specific alcoholic beverage or beverages may be brought, possessed, consumed or drunk. The proposed permit, which may be approved by the Town Board, must specify (1) a designated location within any park wherein possession, consumption or drinking of the alcoholic beverage or beverages will be permitted, and in no instance shall such possession, consumption or drinking be allowed in an area of any park where organized recreational programs or activities are scheduled, anticipated and/or carried out; (2) that all those persons who shall have a right to use any park for such purpose must be 21 years of age or older; and (3) in the event it is determined by any duly authorized enforcement officers of the Town of Walworth or law enforcement officer of the Town, county and state that provisions (1) and/or (2) above have been violated, then in that event, the permit shall immediately terminate and is revoked.

(14)

No person shall engage in, sell, consume or drink alcoholic beverages of any kind or nature, including but not limited to beer, wine, hard liquor or mixes to which hard liquor has been added, in any parking lots or roadways within any park within the Town.

(15)

No person shall sell, consume or drink alcoholic beverages of any kind or nature, including but not limited to beer, wine, hard liquor or mixes to which hard liquor has been added by persons under the age of 21 years of age anywhere in any park.

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(16)

No person shall bring into any park, possess or ignite any firecrackers or any fireworks within any park unless a permit issued by the Town Clerk shall permit fireworks to be possessed or ignited and that the permit designate the area where said fireworks can be ignited.

(17)

No person shall engage in, instigate, aid or encourage a contention or fight whether or not in a ring or prize fight, except if the permit issued by the Recreation Director permits, with conditions, a sanctioned USA Amateur Boxing Federation event.

(18)

No person shall loiter in or near toilets or restroom facilities within any park.

(19)

No person shall loiter or remain within any park inside or outside of a vehicle or structure within any park during the period of time that any park is not open as provided in this chapter unless general or special permission is given or unless being in any park is otherwise permitted by this chapter.

(20)

No person, except law enforcement officers engaged in carrying out their professional duties, shall use, carry, possess or discharge any firearm within any park.

(21)

No person shall trap or hunt within any park, including trapping with the use of any instrumentality or trapping equipment and hunting with any type of a firearm or gun or bow and arrow, except trapping of beavers shall be permitted by individuals who are authorized to trap beavers by the Town Supervisor.

(22)

No person shall use, transport, carry or sell within a park any marijuana, narcotic drug, hallucinogen or controlled substance as defined in Chapter 220 or drug paraphernalia which would be a violation of § 220.50 of the New York State Penal Law.

(23)

No person shall use those portions of any park not open to the general public without specific permission of the Town Board.

(24)

No person shall solicit or engage in any business, trade, commercial transaction or other activity within any park involving the sale of merchandise or service, for which any fee, payment, donation or other consideration is required or requested, except upon the approval of the Town Board and the issuance of a permit by the Town Clerk, to engage in such activity.

(25)

No parent, guardian or custodian of any minor shall permit or allow him or her to do any act which would constitute a violation of this chapter, and such persons shall be jointly and severally liable for the actions of any such minors in their care.

(26)

No person shall in any park threaten, menace, strike, kick, shove or follow another person with the intent to harass, alarm or annoy such person.

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C.

Permits to use parks.

[Amended 9-1-1994 by L.L. No. 1-1994; 6-6-2002 by L.L. No. 3-2002]

(1)

Any group of individuals, ages 18 years or above, or 21 years of age or above, if an alcoholic beverage is requested to be brought into, possessed and/or consumed within any park as set forth in Subsection **B(13)** of this chapter, shall apply for a permit at least seven days prior to the day requested, and groups of 100 or more requesting the use of any park or part of a park must apply for a permit 21 days before the day requested.

(2)

In cases where a permitted event is scheduled for multiple dates within a specific season (Spring, Summer, Winter or Fall), and provided the conditions of the permit are to be the same, then the Recreation Director or Town Board (as the case may be) may issue and/or consider granting one permit which allows said events.

(3)

Whenever a permit is required by the Town pursuant to this chapter, applications must be obtained in person from the Recreation Director and filed with the Recreation Director on forms to be supplied by the Town, which shall include questions seeking such information as may be necessary for a fair determination of whether or not a permit should be issued. Upon issuance of a permit, the permittee must sign the permit and state that he or she has read any park rules which may then be in effect and this chapter of the Walworth Municipal Code and will abide by them.

(4)

No permit will be issued by the Recreation Director which permits the applicant and persons using any park pursuant to the permit:

(a)

To set fires as provided in Subsection **B(3)** of this chapter.

(b)

To gamble as provided in Subsection **B(9)** of this chapter.

(c)

To bring into any park, possess or consume alcoholic beverages within any park as provided in Subsection **B(13)** of this chapter.

(d)

To bring into any park, possess or ignite firecrackers or any fireworks as provided in Subsection **B(16)** of this chapter.

(e)

To engage in or partake in an amateur boxing event as provided in Subsection **B(17)** of this chapter.

(f)

To engage in the activity of camping within any park as provided in Subsection **B(8)** of this chapter.

(g)

To engage in the activity of parking after hours within any park as provided in Subsection **B(6)** of this chapter.

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(h)

To solicit or engage in any business, trade or commercial activity within any park as provided in Subsection [B\(24\)](#) of this chapter.

(i)

To use any park in the event the group or number of persons to use any park pursuant to the permit consists of 100 or more persons, unless the proposed permit is approved by the Town Board prior to issuance by the Recreation Director. If the Town Board approves the permit, it may add reasonable conditions and the Recreation Director issue the permit setting forth the conditions. The Town Board shall consider, in regard to the activities requested and/or the facilities used, the factors set forth in Subsection [C\(4\)\(a\)](#) through [\(j\)](#) and any other reasonable factors in order to protect the public interest.

(5)

The Recreation Director, when authorized to issue a permit without the approval of the Town Board, shall issue a permit when:

(a)

The proposed activity or use of any park will not unreasonably interfere with or detract from the general public enjoyment of any park.

(b)

The proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, safety and recreation.

(c)

The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.

(d)

The proposed activity or use will not entail unusual, extraordinary or burdensome expense to the Town.

(e)

The facilities desired have not been reserved for other use on the day and at the times requested in the application.

(f)

The facilities desired and/or the proposed activity will not interfere with a Walworth Recreation program; such program or programs shall have priority of use for any park.

(g)

The appropriate approval is given by the Town Board for permits required to be approved by the

Town Board as provided in Subsection [C\(4\)](#) of this chapter.

(6)

The Recreation Director, when authorized to issue a permit without approval of the Town Board, may set forth reasonable conditions in order to carry out the intent of this chapter. When issuance of a permit is subject to approval by the Town Board, the Recreation Director, upon issuing the approved permit, shall do so setting forth the conditions approved by the Town Board and may not add additional conditions unless so approved by the Town Board.

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(7)

Liability insurance may be required by the Town Board for groups using the facilities on a periodic scheduled basis. Civic and municipal groups must provide the Town with a certificate of insurance in a form satisfactory to the Town listing the Town as coinsured.

(8)

All groups or persons who use any park for events, when the proposed use is for a number of people requiring portable toilets as required by public health laws, rules and regulations, shall provide the number or numbers of portable toilets as may be so required.

(9)

All groups whose use of any park may have an impact on the public health or safety or the health and safety of individuals within the group or other individuals using any park must alert the State Police, ambulance corps, Fire Department or other appropriate public health and/or safety entity.

(10)

Effect of a permit.

(a)

A permittee shall be bound by all park rules and regulations and all applicable federal, state, local laws and ordinances and rules and regulations as though the same were set forth in said permit.

(b)

The permit shall cover use of the described site only and shall not include permission to use any other area, and where the permit permits an activity which would not otherwise be allowed in any park by this chapter without its inclusion in the permit, the permit shall not authorize any additional use of any park beyond the use specified or limited in the permit.

(c)

A person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person or persons to whom such permit has been issued. The permittee shall also be responsible for any damage done to any physical property within any park.

(11)

The Town Board shall have the authority to revoke a permit upon a finding of a violation of any rule or regulation, ordinance or local law or upon good cause shown, being a cause which could affect the public health and welfare of the group using any park or others using any park or affect in any way the public health and/or safety of the residents of the Town of Walworth or cause damage or interruption of use by others of any park itself. Under such circumstances, the Town Board may elect not to revoke the permit but in fact may amend the permit by setting forth additional conditions and restrictions for the proposed use of any park.

(12)

Fees for the use of the Town parks by residents and nonresidents of the Town shall be as set forth from time to time by Town Board resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Council of the Town of Walworth adopts Resolution 36-09.

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

Resolution carried.

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PHONE AGREEMENT AUTHORIZATION:

Motion by Councilman Maciuska authorizing the closing of the phone contract.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

AUTHORIZATION TO SIGN PHONE AGREEMENT:

Motion by Councilman Maciuska authorizing Supervisor Plant to sign the phone agreement.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

JOINT SERVICE GRANT REQUEST DISCUSSION:

Councilman Maciuska commented that the Town of Macedon and the Village of Macedon had met to discuss that there was stimulus money available for 2010, and they would like to submit a grant request so that we could upgrade our services and go to a new method for depositing sludge. We all understand there is no guarantee that this will happen, but we have to submit our grant and get our name on the list for consideration. There will be some expenditures for grant writing as well as preliminary engineering, but we are going to end up doing this anyway, whether we get the grant or not. Discussion ensued.

RESOLUTION 38-09 AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE WALWORTH PORTION OF THE AGREEMENT BETWEEN VILLAGE OF MACEDON, TOWN OF MACEDON AND TOWN OF WALWORTH RELATIVE TO JOINT SERVICES GRANT REQUEST:

Councilman Maciuska offered the following Resolution **38-09** and moved its adoption. Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Council of the Town of Walworth authorizes Town Supervisor to sign the Walworth portion of the agreement between Village of Macedon, the Town of Macedon and the Town of Walworth Relative to a Joint Services Grant Request; and

RESOLVED, that Robert Plant, Town Supervisor, is hereby authorized to sign the Agreement between Village of Macedon, Town of Macedon, and the Town of Walworth, New York, Relative to Joint Services Grant Request.

BE IT RESOLVED, that the Town Council of the Town of Walworth adopt Resolution 38-09.

Adopted this 16^h day of April, 2009, at the meeting of the Town Council.

Adopted: Vote Ayes 5 Nays 0

BURN PERMIT – 3549 DAANSEN ROAD:

Motion by Councilman Yale authorizing approval of Burn Permit for 3549 Daansen Road, based on the property having plenty of acreage and it will not be a hindrance to neighbors.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

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BURN PERMIT – 1974 FINLEY ROAD:

Motion by Councilman Yale authorizing approval of a Burn Permit for 1974 Finley Road, based on the property having acreage with protective covering around the burn area.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

BURN PERMIT – 1879 SHERBURNE ROAD:

Motion by Councilman Yale authorizing approval of a Burn Permit for 1879 Sherburne Road, based on the property having plenty of acreage with a lot of space between properties.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

RESOLUTION 37-09 - FINANCIAL TRANSACTION:

Councilwoman Hawkins-Mance offered the following Resolution 37-09, and moved its adoption. Seconded by Councilman Yale to wit:

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

\$2,090.00 to A1110.21 Justices Equipment from A599 General Fund Balance Reimbursement Court Grant. (4Drawer Legal File)

\$10,000.00 from A599 General Fund Balance to A1420.42 Town Counsel – Litigation. To cover Harris Beach PLLC & Insurance Archaeology Group Invoices.

\$119.43 from HP8340.42 Park Pavilion Finger Lakes Const. To HP8310.41 Utilities, to cover current expenditures

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

Resolution carried.

RECESS:

Supervisor Plant requested a 5-minute recess to catch up on what he missed while out of the office this week.

Time: 7:55 PM

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 7:58 PM

ADJOURNMENT:

Motion by Councilman Yale to adjourn. Seconded by Councilwoman Marini and unanimously carried.

Time: 8:00 PM.

Respectfully Submitted,

Susie C. Jacobs, Town Clerk