

**WALWORTH TOWN BOARD – REGULAR MEETING
16 JULY 2009**

Presiding Supervisor Plant called the regularly scheduled Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, to order at 7:33 PM.

Present:	Thomas Yale	Councilman
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Laurie Wiecek	Deputy Town Clerk
	Mike Frederes	Highway Superintendent
	Rob Burns	Sewer Superintendent
	Jacqueline Van Lare	Recreation Director
	Ed Parrone	Engineer for the Town
Absent:	Frank Maciuska	Councilman

CORRESPONDENCE:

Laurie Wiecek, Deputy Town Clerk, had nothing to enter into record.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to approve and file the Supervisor's Monthly Report for June, 2009, as presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

PUBLIC PARTICIPATION:

UNIONIZATION OF THE HIGHWAY DEPARTMENT

A resident voiced his concerns over the possible unionization of the Highway Department. He stated that the Highway Department, under the supervision on Mike Frederes, has done a fantastic job. In light of the fact that inevitably there will be a union in the Highway Department, he feels that some items need to be addressed and some changes possibly made. Based on his experience, he said that it doesn't make any sense to begin working at 6:00 a.m. in the winter months. Work probably cannot begin until somewhere around 8:00 a.m. If the employees are in at 6:00 a.m. then they leave earlier and overtime will have to be paid for working later. He feels that before a union contract gets signed, this issue of hours and overtime should be addressed to help save money.

RESPONSE FROM LIFESPAN CONCERNING LINCOLN BUILDINGS:

Supervisor Plant stated that they did not respond so at this point, things should be turned over to Denise Munson, Attorney for the Town.

Motion by Councilman Yale to hand things over to Denise Munson, Attorney for the Town.

Seconded by Councilwoman Marini.

Discussion ensued. Councilman Yale stated that every opportunity has been given to mitigate this through the years. It has been difficult for the Hamlet of Lincoln to deal with and it is more than just an eyesore. It is clearly a health and safety issue. Supervisor Plant responded that the Code Enforcement Officer went by and verified that there is a "for sale" sign and nothing has changed.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED
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RESOLUTION 72-09 – AUDIT OF CLAIMS:

Councilwoman Marini offered the following Resolution **72-09** and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

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

BE IT RESOLVED that the claims be paid on **Abstract # 7**, numbered 908 through 1051, in the following amounts with the exception of voucher 1045 in the amount of \$69.57 in conformance with the Employee Handbook and Resolution 07-09.

GENERAL FUND	\$ 58,709.44
HIGHWAY FUND	\$ 47,764.81
WALWORTH SEWER DISTRICT #1	\$ 199,399.63
BROOKSIDE LIGHT DISTRICT	\$ 7.43
GANANDA LIGHT DISTRICT	\$ 848.04
HARVEST HILL LIGHT DISTRICT	\$ 568.62
ORCHARD VIEW LIGHT DISTRICT	\$ 64.63
WALWORTH LIGHT DISTRICT	\$ 460.65
PARK PAVILION CAPITAL FUND	\$ 1,279.29
GANANDA SIDEWALK	\$ 135.72
GANANDA IDDP GRANT FUND	\$ 73,283.02
PARK SPECIAL REVENUE FUND	\$ 9,520.10
WEST WALWORTH FIRE PROTECTION	\$ 17,000.00

BE IT FURTHER RESOLVED that the claims be paid on **Abstract 7**, numbered 108 through 130, in the following amount:

TRUST & AGENCY	\$ 25,040.07
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NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopts Resolution 72-09.

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

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

Resolution carried.

DEPARTMENT HEAD REPORTS:

HIGHWAY

Nothing reported at this time.

SEWER – COMPUTER MONITORING SYSTEM UPGRADE AUTHORIZATION

Rob Burns stated that he was able to get some quotes to upgrade the computer monitoring system for the Waste Water Treatment Plant. The current computer uses Windows 98 and was never updated. The information can no longer be transferred to a new computer because of the difference in technology.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED
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Motion by Councilwoman Marini that the computer update be awarded to Love Consulting for a price not to exceed \$9,954.50, to be expended from SS8110.22. Seconded by Councilwoman Hawkins-Mance.

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

RECREATION DEPARTMENT – HILL CUMMORAH CAST VOLUNTEERS

Jackie Van Lare reported that the cast from Hill Cummorah volunteered at the park. They painted the inside of the bathrooms in front of the park, they sealed the new mini pavilion at the top of the field and spread playground mulch.

ASSESSOR

Nothing reported at this time.

ENGINEER FOR THE TOWN - UPDATES

Ed Parrone, Engineer for the Town, spoke about the Green Innovation Grant. He won't hear anything until the end of July due to an overload of applications.

The second issue that Mr. Parrone discussed is that he received correspondence from Stuart Brown indicating that there is another round of grants for sewers and sewage treatment. He is going to schedule an appointment to discuss the possibilities of the next round of grant applications for sewage treatment, sanitary sewers and MS4. Applications are due October 16, 2009. He hopes to report something positive next month.

ATTORNEY FOR THE TOWN

Nothing reported at this time.

TOWN CLERK

Nothing reported at this time.

COMMITTEE REPORTS:

MASTER PLAN COMMITTEE FOR PARKS AND RECREATION

Councilwoman Marini reported that the committee met in July and the next meeting is scheduled for September. A pictometry of all of the Town owned lands is being worked on. They are also working on the revision and merging of the three Master Plan updates. The Resolutions were located where the update in 2002 was approved by the Town Board, which needs to be incorporated. They have 2000, 2001 and 2002.

ANIMAL CONTROL

Motion by Councilwoman Hawkins-Mance requesting the Town Clerk's office to type the Orchard Kennels lease agreement and for Supervisor Plant to execute the lease agreement with Orchard Kennels as soon as possible per New York State Ag and Markets.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

RESPONSE TO BONADIO & CO. AUDIT BY DEPARTMENT HEADS:

Supervisor Plant indicated that each of the Council members have copies of the Bonadio report. Responses have been received from the Tax Collector, the Bookkeeper and the Justice. Supervisor Plant indicated that they will be looked over and discussed at the next Town Board meeting.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED
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Motion by Councilwoman Marini requesting that the Town Clerk’s office be notified that the information needs to be provided to the Town Board prior to the next meeting addressing the concerns that were raised.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

PRE-PAY CHECK TO YOUNG EXPLOSIVES CORPORATION AUTHORIZATION:

Motion by Councilwoman Hawkins-Mance to approve a pre-pay check to Young Explosives Corporation for \$2,000.00.

Seconded by Councilwoman Marini.

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

Motion carried.

RESOLUTION 73-09 - FINANCIAL TRANSACTION:

Councilman Yale offered the following Resolution 73-09, and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

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

\$19,000.00 from General Fund Balance to A8020.43 Planning Board Engineering Fees. Funds to cover transfer credited to A2770R Reimbursement Review Fees.

\$6,947.00 from Park Special Revenue Fund Balance to CM1-7110.21 Parks Capital Expenditures. To cover Invoice Casco Security Inc.

\$88.65 from CM1-7110.23 Lodge Furnishings to CM1-7110.41 Parks Contractual. To cover current expenditures.

\$238.52 from Park Pavilion Fund Balance to HP8132.21 Interior for \$111.52 & HP8310.43 Site Construction for \$127.00. To cover current expenditures.

\$1,264.14 from Sewer Fund Balance to SS8130.404 Engineering. To cover Engineering Fees – To be covered by Reserve Transfer.

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

Resolution carried.

HISTORICAL SOCIETY REQUEST FOR SIGN DISPLAY DISCUSSION:

Supervisor Plant stated that the Historical Society has requested that the sign outside of the Historical Society, which is a replica of the sign that was up during World War II be put in the Town Hall. It is becoming damaged in the outdoors. Supervisor Plant suggested two places in the Town Hall.

Discussion ensued. Supervisor Plan will contact the Historical Society.

RECOMMENDATION FROM CODE ENFORCEMENT OFFICER FOR NOTICES BE PRINTED DISCUSSION:

Supervisor Plant received a letter from the Code Officer recommending that notices be printed stating “lawn maintenance at a specific address per Town Code, Article 2, brush, grass and weeds, paragraph 128-3 Regulation by Town Board. The total of such work shall constitute a lien in charge on the real property on which it is levied and be collected in the same manner and at the same time as other Town charges.”

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED
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Supervisor Plant indicated that a number of properties are needing to be mowed. The Code Officer is concerned that as banks foreclose on these properties, people may purchase a property without realizing that there could be a further tax charge when they close on said property. Councilman Yale stated that he agrees with the intent but is concerned with the wording. The Attorney for the Town will be contacted for her input.

CHECK ISSUED FOR NON-SUFFICIENT SEWER ACCOUNT CHECK:

Supervisor Plant informed the Board that he signed a check for \$66.44 because a returned check and insufficient funds from a Town Clerk account to a Sewer account in order to balance the books. Councilman Yale asked “How did this occur?” Plant replied “the Town Clerk wrote a check to the Sewer for operating expenses on rents collected and had failed to notice that prior to that a check had been returned”.

Motion by Councilman Yale ratifying the check that Supervisor Plant issued.
Seconded by Councilwoman Marini.

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

Motion carried.

BUDGET PROCESS:

Supervisor Plant stated that the budget packets went to the various department heads. The process has begun. Councilman Yale stated that the personnel committee will be meeting to review wages on an annual basis to make sure that wages are competitive and appropriate with surrounding communities. Councilwoman Marini will proceed.

ADOPTION OF STANDING ORDER OF PROCEDURES – PRIVILEGE OF THE FLOOR:

Motion by Councilman Yale to adopt the following Standing Order of Procedures:
Privilege of the floor for members of the public other than members of the Town Board shall extend to any person appearing for him/herself in which case each individual appearing shall be limited to three minutes; and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes. Any person requesting this privilege shall be limited to subject matter appearing on the agenda. All speakers must sign up with the Clerk at least 10 minutes before the starting time of the Board meeting. The total amount of time allowed for Privilege of the Floor at a Board meeting will be limited to 30 minutes. The Supervisor shall have the authority to place additional time limits on how long individuals may speak.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into executive session to discuss pending or possible litigation.

Seconded by Councilman Yale and unanimously carried.

Time: 8:00 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled Town Board meeting.

Time: 8:20 PM.

**WALWORTH TOWN BOARD – REGULAR MEETING CONTINUED
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BURN PERMIT – 3531 CANANDAIGUA ROAD:

Motion by Councilman Yale authorizing approval of Burn Permit for 3531 Canandaigua Road, based on the property having plenty of acreage and it will not be a hindrance to neighbors.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn. Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 8:30 PM.

Respectfully Submitted,

Laurie Wiecorek
Deputy Town Clerk