

**WALWORTH TOWN BOARD – REGULAR MEETING
21 JANUARY 2010**

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:	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Thomas Yale	Councilman
	Laurie Wicorek	Deputy Town Clerk
	Mike Frederes	Highway Superintendent

Absent:	Frank Maciuska	Councilman
	Susie Jacobs	Town Clerk

CORRESPONDENCE:

The following review of correspondence was presented:

1. Letter from Sheriff Barry Virts stating that he would like to attend a Town Board meeting to meet the Board members and discuss any Public Safety concerns the Town may have. He could also possibly give a presentation on the services that the Office of Sheriff provides. It was determined that this would be worked around his schedule.

2. Letter from the Wayne County Planning Board indicating that they received the Town's request for proposed Local Laws 9, 10 and 11 on December 15th, 14th and 14th respectively. They do not meet again until January 27, 2010. Therefore, The Wayne County Planning Board will not be able to provide a report for the three proposed Local Laws within the required 30 day time period. However, the Town can still take action without the report.
Motion by Councilwoman Marini to accept and file the letter.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

SUPERVISORS REPORT:

Motion by Councilwoman Marini to accept as presented the Supervisor's Report for December 2009.
Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

PUBLIC PARTICIPATION:

Lea Dill, Animal Control Officer, reported that the AKC (American Kennel Club) has donated a Companion Animal Recovery scanner to the Town. If an animal has a microchip implanted, this will aid in the recovery and a faster return to the owner. Lea Dill asked that the Town send a thank you letter to the AKC.
Motion by Councilman Yale to accept the donation.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

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RESOLUTION 10-10 - AUDIT OF CLAIMS

Councilwoman Hawkins-Mance offered the following Resolution **10-10** and moved its adoption.

Seconded by Councilman Yale to wit:

WHEREAS, the following claims submitted at the scheduled Town Board Meeting of January 21, 2010 have been audited and approved by the appropriate Board Members.

BE IT RESOLVED that the claims be paid on **Abstract #1**, numbered 1 through 122 in the following amounts:

GENERAL FUND	\$ 110,864.54
HIGHWAY FUND	\$ 110,689.06
WALWORTH SEWER DISTRICT #1	\$ 74,841.61
WALWORTH LIGHT DISTRICT	\$ 612.51
HARVEST HILL LIGHT DISTRICT	\$ 700.75
BROOKSIDE LIGHT DISTRICT	\$ 12.54
ORCHARD VIEW LIGHT DISTRICT	\$ 120.08
PARK SPECIAL REVENUE	\$ 1,312.26
WALWORTH CONSOLIDATED DRAINAGE	\$ 1,171.00
PARKVIEW GREEN PARK DISTRICT	\$ 359.50
SELF INSURANCE FUND	\$ 911.25

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #1** numbered 1 through 4 in the following amounts:

TRUST & AGENCY	\$ 2,755.33
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NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Walworth adopts Resolution 10-10.

Adopted this 21ST day of January 2010 at the meeting of the Town Board.

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

Resolution carried.

COMMITTEE REPORTS:

TOWN CLERK – TOWN CLERK SOFTWARE CONTRACT AUTHORIZATION
Motion by Councilwoman Marini to authorize the Supervisor to sign the contract with Williamson Law for the annual Town Clerk Plus support software. This is a budgeted item.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

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PARKS & RECREATION – DEPARTMENT GOALS FOR 2010

The Department Goals for 2010 for the Parks and Recreation Department have been provided. A copy will be filed with the Town Clerk's office.

PARKS & RECREATION – USE OF SHERBURNE PARK WALWORTH THUNDER SOCCER CLUB

Motion by Councilwoman Marini to approve the use of the Sherburne Park soccer field for the Walworth Thunder Soccer Club from March 20 to August 14, 2010, Saturdays from 10:00 am until 12:00 PM and Wednesdays from 6:00 PM until 8:00 PM.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

PARKS & RECREATION - ANNUAL CONFERENCE AUTHORIZATION

Motion by Councilwoman Marini to authorize the Recreation Director to attend the 70th annual New York State Recreation and Parks Society 70th Annual Conference and Business Expo from March 21 through March 23, 2010 in Saratoga Springs, New York, at a cost not to exceed \$775.00 for registration, lodging, mileage and meals, a budgeted expense from line A7310.44. Registration and lodging is to be prepaid.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

PARKS & RECREATION – APPRECIATION AND THANKS FROM THE WALWORTH THUNDER SOCCER CLUB

Motion by Councilwoman Marini to accept and file a note from the Walworth Thunder Soccer Club extending their appreciation and thanks to the Town of Walworth for allowing them to use the Town soccer field.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

BUILDING – YEAR END REPORT

Councilman Yale indicated that he has the year-end report from the Walworth Building Department showing Building Permits, Certificates of Occupancy and Certificates of Compliance issued in 2009. Building Permits totaled 253 of which 13 were for new single-family homes. A total of 102 Certificates of Occupancy were issued. Over half of those were in regards to The Gardens. There were over 700 other inspections completed. The fees totaled collected were just over \$12,000.

SEWER – PURCHASE OF F250 TRUCK AUTHORIZATION

The following quotes were presented: 1) Brian Hoskins Ford 2002 Ford F250 XLT - \$13,895.00, 2) Faulkner Ciocca Chevrolet 2002 Ford 250 - \$13,995.00, 3) North Coast Auto Brokers 2002 Ford F250 Lariat Crew Cab Super Duty - \$16,900.00, 4) Tuf Trucks 2002 Ford F250 Super Duty - \$10,995.00, 5) Nice Car Auto Sales 2002 Ford F250 Super Duty - \$9,985.00. Procurement form is on file.

Motion by Councilman Yale to approve the purchase of a used F250 Super Duty Truck with an extended cab and towing package from Nice Car Auto Sales at a price not to exceed \$9,985.00 from line SS8130.23.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

Motion by Councilman Yale authorizing the issuance of a check for the amount of \$9,985.00 payable to Nice Car Auto Sales.
Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

**HIGHWAY – NEW YORK STATE SNOW AND ICE 2011-2012
AUTHORIZATION**

Motion by Councilman Yale to authorize the Supervisor to sign the New York State Snow and Ice 2011-2012 contract.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

MASTER PLAN COMMITTEE - UPDATE

The Master Plan Committee met last Thursday. They established an agenda for the next few meetings. They will meet again next Thursday.

PROCLAMATION OF APPRECIATION - JACK HAWKINS:

Councilwoman Hawkins-Mance offered the following Proclamation.
Seconded by Councilman Yale to wit.

TOWN OF WALWORTH

**Proclamation of Appreciation
To John (Jack) Hawkins**

WHEREAS, Jack Hawkins has been a lifelong resident of Walworth; and

WHEREAS, Jack has provided valuable support to the Town of Walworth through his services to the West Walworth Fire Department; and

WHEREAS, Jack has been a member of the West Walworth Fire Department since 1960 giving 50 years of dedicated service; and

WHEREAS, Jack served as the 3rd Assistant Chief, 2nd Assistant Chief, 1st Assistant Chief, Chief, Captain – E-38, Captain – TA-9, Sergeant of Arms, and member of the Board of Directors and has held a position during 39 years and continues to serve on the Board of Directors of the West Walworth Fire Department; and

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WHEREAS, it is the sense of the Walworth Town Board that we should give special recognition to those who work so diligently for the betterment of the communities;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Walworth extends its deepest appreciation to John (Jack) Hawkins for the outstanding work he has performed over the past fifty years for the West Walworth Fire Department and the Town of Walworth.

Dated January 21, 2010

Adopted: Vote Ayes 4 Nays 0

CALDER WATER LINE DEDICATION:

Motion by Councilman Yale to accept the water line dedication with the provision that the developer pays the recording fee.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

ORCHARD VIEW DEDICATION:

Motion by Councilman Yale to accept the dedication and easements on a contingency basis that the mortgage be released on Mykola Road.

Seconded by Councilwoman Marini.

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

Motion carried.

AUTHORIZE SENDING PROPOSAL LOCAL LAW 3 “ZONING” TO COUNTY AND SET PUBLIC HEARING:

Motion by Councilman Yale for the Town Clerk’s office to send to the County Planning Board the Zoning Law and the accompaniments as appropriate so that the County Planning Board receives it by January 27, 2010 with a Public Hearing set for Thursday, March 4, 2010 at 7:45 PM.

Seconded by Councilwoman Marini.

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

Motion carried.

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SEQRA PUBLIC HEARING FOR PROPOSED LOCAL LAW 3 OF 2010:

Motion by Councilman Yale to set the Public Hearing for the SEQRA on Thursday, March 4, 2010 at 7:40 PM.

Seconded by Councilwoman Marini.

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

Motion carried.

PROPOSED LOCAL LAW 2 “DOGS” SET PUBLIC HEARING:

Motion by Councilwoman Hawkins-Mance to set the Public Hearing for Proposed Local Law 2 amending Chapter 56 “Dogs” for Thursday, March 4, 2010 at 8:00 PM.

Seconded by Councilwoman Marini.

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

Motion carried.

RESOLUTION 11-10 – FINANCIAL TRANSACTION:

Councilman Yale offered the following Resolution 11-10 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:

Establish Budget in MS (Self Insurance Fund) to cover NYS Unemployment Insurance Payments. \$3,343.63 from Fund Balance to MS9050.81 Unemployment Payments.

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

Resolution carried.

THE DAVEY TREE EXPERT COMPANY CONTRACT AUTHORIZATION:

Motion by Councilwoman Marini to authorize the Supervisor to sign the contract with The Davey Tree Expert Company.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

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PAYCHEX SEMINAR:

Motion by Councilwoman Marini to authorize the Supervisor, the Parks and Recreation Director, the Highway Superintendent and the Sewer Superintendent to attend the seminar offered by Paychex entitled Effectively Managing Employees and Communications for a half day, 9:00 AM to 12:00 PM, on February 10, 2010 in Henrietta, New York.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

PROCEDURES AND POLICIES FOR RESOLUTIONS AND LOCAL LAWS:

Supervisor Plant indicated that he has prepared some procedures and policies for Resolutions and Local Laws. Some major changes have already been made by the Attorney for the Town. The Supervisor asked that the Board give any changes or recommendations so that this can be completed as soon as possible.

LOCAL LAW REQUIRING TITLE INSURANCE FOR ROADWAY & PARKLAND DEDICATIONS:

Denise Munson, Attorney for the Town, will work on title insurance for roadway and parkland dedications.

NYMIR'S ONLINE UNIVERSITY:

Supervisor Plant indicated that NYMIR has begun an Online University. This is free of charge and can be used by the Town Board.

EXECUTIVE SESSION:

Motion by Councilwoman Marini to enter into executive session to discuss pending or possible litigation.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Time: 8:10 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 8:36 PM.

PROPOSED LOCAL LAW 3 – ZONING – MOTION CANCELED:

Motion by Councilman Yale to pullback the two Motions previously made. The first being that the Town Clerk send to the County the related law paperwork changes and the second being that the Public Hearings set for March 4, 2010 at 7:45 PM and the Public Hearing for SEQRA on March 4, 2010 at 7:40 PM be canceled.

Seconded by Councilwoman Marini.

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

Motion carried.

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Supervisor Plant stated that the current zoning law needs to be scrutinized and possibly amended. He asked that the Board Members review the zoning laws and bring recommendations to the next meeting. Board Members concurred.

RECESS:

Supervisor Plant indicated the Board would take a recess to complete the Audit of Town Books.

Time: 8:40 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 11:05 PM.

RESULTS OF AUDIT OF TOWN BOOKS:

Motion by Councilwoman Marini to file the Findings and Order Upon Audit for the records of Town Justice Young reviewed by the Town of Walworth Town Board on January 21, 2010. The records appear satisfactory with the recommendation that bank reconciliations shall be initialed and dated when completed and be available for future audits. The Town Board directs that the following action be taken: No further action upon compliance with the above recommendation. Dated 1/21/10.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

Motion by Councilwoman Marini to file the Findings and Order Upon Audit for the records of Town Justice Wolf reviewed by the Town of Walworth Town Board on January 21, 2010. The records appear unsatisfactory and incomplete. The reason for this is that Justice Wolf was unavailable and we were not able to complete the review of the checkbooks and monthly statements. The remaining items that were audited were found to be satisfactory. We request that Justice Wolf schedule a time with the Town Board to re-review his records as are direct action to be taken. Dated 1/21/10.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

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Councilwoman Marini submitted to the Town Clerk a summary report of cases closed for the Walworth Town Court for the period of 1/1/2009 through 12/31/2009.

Motion by Councilwoman Marini to file the Findings and Order Upon Audit for the records of Town Receiver of Taxes reviewed by the Town of Walworth Town Board on January 21, 2010. The records appear satisfactory with the recommendation that reconciliations shall be initialed and dated when completed and the Town Board and the Receiver of Taxes research clearing account transactions. The Town Board directs that the following action be taken: No further action upon recommendations being complied with. Dated 1/21/10.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

Motion by Councilwoman Marini to file the Findings and Order Upon Audit for the records of Town Clerk reviewed by the Town of Walworth Town Board on January 21, 2010. The records appear satisfactory with the recommendation that the indebtedness records be completed up-to-date and check numbers that are missing in the check register and a voided check missing be corrected. The May reconciliation does not list an outstanding check so the reconciliation needs to be re-verified. The Town Board directs that the following action be taken: No further action upon completion of the above requested recommendations. Dated 1/21/10.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

Motion by Councilwoman Marini to file the Findings and Order Upon Audit for the records of Bookkeeper and Chief Financial Officer reviewed by the Town of Walworth Town Board on January 21, 2010. The records appear satisfactory. The Board directs the following action: no further action. Dated 1/21/10.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

ADJOURNMENT:

Motion by Councilman Yale to adjourn.

Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 11:12 PM.

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Respectfully Submitted,

Laurie A. Wiecek
Deputy Town Clerk