

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

Presiding Supervisor Plant called the regularly scheduled Town Board meeting, County of Wayne, and the 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
	Thomas Yale	Councilman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent

<u>ABSENT:</u>	Frank Maciuska	Councilman
	Patricia Marini	Councilwoman

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline Van Lare, Recreation Director; Denise Munson, Attorney for the Town; Town Newspaper Reporter, Residents and Students/Scouts.

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the Minutes of October 15, 2009 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Motion by Councilwoman Hawkins-Mance to approve the Minutes of Special Meeting of November 17, 2009 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Motion by Councilwoman Hawkins-Mance to approve the Minutes of November 19, 2009 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Motion by Councilwoman Hawkins-Mance to approve the Minutes of December 3, 2009 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Motion by Councilwoman Hawkins-Mance to approve the Minutes of December 17, 2009 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

Motion by Councilwoman Hawkins-Mance to table the Minutes of April 15, 2010 as presented.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

CORRESPONDENCE:

- Supervisor Plant noted that a New York State Office of Real Property Services Certificate of Attendance Board of Assessment Review Training, Wayne County for Barbara Jelus-Tyror was issued.

Motion by Councilwoman Hawkins-Mance to accept and file.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

- Supervisor Plant commented that he received a letter from the DEC regarding the Plank Road property ...releasing the Town from any contamination. Discussion ensued with further discussion to be held later during the meeting.
- Supervisor Plant stated that he is in receipt of a letter from a resident expressing disappointment with the Town Board apologizing for addressing the issue of unsafe and unsightly buildings within the Town.

Motion by Councilwoman Hawkins-Mance to accept and file.
Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

COURT DOCKET BOOK – LOAN AUTHORIZATION:

Honorable Terence Wolfe, Walworth Town Justice, stated that he has a Court Docket Book dated 1860 to 1899, which contains ledger postings from Justice Joseph Peacock, Justice Fred Peacock and Justice J.R. Peacock. It was his recommendation that this Town's history should be on a long-term loan to the Walworth Historical Society.

Motion by Councilman Yale to authorize the long-term loan of the Court Docket Book to the Walworth Historical Society.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into executive session to discuss proposed, pending or current litigation; medical, financial, credit or employment history of a particular person/corporation, or matters leading to said dismissal, removal, promotion, appointment, employment discipline, demotion, or suspension.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0
Time: 7:37 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 7:45 PM.

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

JUSTICE COURT CLERK - APPOINTMENT:

Motion by Councilman Yale to appoint Laurie Waltermyer as Justice Court Clerk based on the recommendation of Justice Terance Wolfe for a term expiring 12/31/2011, Town of Walworth pay level one (1).

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

**PUBLIC HEARING 7:45 PM – PROPOSED LOCAL LAW NO. 4 OF 2010 –
“PROPERTY MAINTENANCE”:**

Supervisor Plant declared the Public Hearing opened.

Time: 7:47 PM.

Susie C. Jacobs, Town Clerk, stated that the notice of Public Hearing for Proposed Local Law No. 4 of the year 2010 “Property Maintenance” was duly published two (2) times in the Town’s official newspaper on April 18 and April 25, 2010, with the same dates being posted at the Town Hall. Copies are available to the public.

Motion by Councilwoman Hawkins-Mance to waive the reading of the Legal Notice.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

No one wished to comment.

Motion by Councilman Yale to close the Public Hearing.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

Time: 7:49 PM.

**RESOLUTION 36-10 ADOPTION OF PROPOSED LOCAL LAW NO. 4 OF THE
YEAR 2010 – “PROPERTY MAINTENANCE”:**

Councilman Yale offered the following Resolution and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on May 6, 2010 to consider the adoption of Local Law No. 4 of the year 2010 Property Maintenance. and

RESOLVED, the Town Board of the Town of Walworth does hereby adopt Local Law No. 4 of the year 2010, Property Maintenance.

ARTICLE II

Brush, Grass and Weeds

§128-3. Regulation by Town Board.

The Town Board may, by resolution, authorize the Code Enforcement Officer and/or Building Inspector to serve notice upon the owner, executor, administrator, agent, or any person having a vested or contingent interest in such property, directing them to cut, trim or remove from the land brush, grass, abandoned equipment, rubbish or weeds

or to spray with herbicides poisonous shrubs or weeds on such land pursuant to §64, Subdivision 5-a, and §130, Subdivision 5, of the Town Law.

§128-4. Shall be deleted.

§128-5. Service of notice, contents shall be amended to read as follows:

- A. Such notice shall be served by mailing to such owner, executor, administrator, agent, or any person having a vested or contingent interest in such property shown by the records of the Assessor of the Town of Walworth, by regular and certified mail, return receipt requested, a copy of such notice directed to his or her last known address as shown on the above records.
- B. Such notice shall specify the place, manner and time (not less than five days or more than 21 days from the sending of such notice) within which such work shall be completed.
- C. A copy of the notice served as provided herein shall be filed in the office of the County Clerk of the County of Wayne.

§128-6. Action by town upon failure to comply; costs to constitute a lien. Shall be amended to read as follows:

- A. In the event of the refusal or neglect of the person or persons so notified to comply with said order of the Code Enforcement Officer and/or Building Inspector, such person or persons shall be notified by regular and certified mail, return receipt requested, of a date, time and place for a hearing before the Town Board, which shall be scheduled not less than ten business days from the date of service of the notice for the hearing.
- B. After the hearing, the Town Board shall provide for the remedy of the violation either by town employees or by contract. Except in an emergency, any contract for remedy of the violation in excess of \$5,000 shall be awarded through competitive bidding.
- C. Where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property due to the violation, the Supervisor may authorize the Code Enforcement Officer or Building Inspector to immediately remedy said violation.
- D. All costs and expenses incurred by the town in connection with the proceedings to remedy the violation shall be assessed against the property where such violation is located, and shall be levied and collected in the same manner as provided in Article 15 of Town Law for the levy and collection of a special ad valorem levy.

ARTICLE III

Abandoned Equipment and Rubbish

§128-8. Shall be amended as follows:

The Town Board may, by Resolution, authorize the Code Enforcement Officer and/or Building Inspector to serve notice upon the owner, executor, administrator, agent or any person having a vested or contingent interest in such property, directing them to remove abandoned equipment and rubbish from its premises.

§128-9. Notice to remove; failure to comply. Shall be amended to read as follows:

- A. Such notice shall be served by mailing such owner, executor, administrator, agent, or any person having a vested or contingent interest in such property as shown by the records of the Assessor of the Town of Walworth, by regular and certified mail, return receipt requested, a copy of such notice directed to his or her last known address as shown on the above records.
- B. Such notice shall specify the place, manner and time (not less than five days or more than 21 days from the sending of such notice) within which such work shall be completed.
- C. A copy of the notice served as provided herein shall be filed in the office of the County Clerk of the County of Wayne.
- D. In the event of refusal or neglect of the person or persons so notified to comply with said order of the Code Enforcement Officer and/or Building

Inspector, such person or persons shall be notified by regular and certified mail, return receipt requested, of a date, time and place for a hearing before the Town Board, which shall be scheduled not less than ten business days from the date of service of the notice for the hearing.

- E. After the hearing, the Town Board shall provide for the remedy of the violation either by town employees or by contract. Except in an emergency, any contract for remedy of the violation in excess of \$5,000 shall be awarded through competitive bidding.
- F. Where it reasonably appears that there is present a clear and imminent danger to the life, safety or health of any person or property due to the violation, the Supervisor may authorize the Code Enforcement Officer or Building Inspector to immediately cause the remedy of said violation.
- G. All costs and expenses incurred by the town in connection with the proceedings to remedy the violation shall be assessed against the property which such violation is located and shall be levied and collected in the same manner as provided in Article 15 of Town Law for the levy and collection of a special ad valorem levy.

§128-10 Penalties for offenses. Shall be deleted in its entirety.

Date: 5/6/10

The Town Board of the Town of Walworth

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

Resolution carried.

PUBLIC HEARING 7:50 PM – PROPOSED LOCAL LAW NO. 1 OF 2010 – “SUBDIVISION OF LAND; SITE PLAN REVIEW”:

Supervisor Plant declared the Public Hearing opened.

Time: 7:50 PM

Susie C. Jacobs, Town Clerk, stated that the notice of Public Hearing for Proposed Local Law No. 1 of the year 2010 “Subdivision of Land; Site Plan Review” was duly published two (2) times in the Town’s official newspaper on April 25 and May 2, 2010, with the same dates being posted at the Town Hall. Copies are available to the public.

Motion by Councilwoman Hawkins-Mance to waive the reading of the Legal Notice.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

No one wished to comment.

Motion by Councilman Yale to close the Public Hearing.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

Time: 7:51 PM.

RESOLUTION 37-10 ADOPTION OF PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2010 – “SUBDIVISION OF LAND; SITE PLAN REVIEW”:

Councilman Yale offered the following Resolution and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on May 6, 2010 to consider the adoption of Local Law No.1 o the year 2010 Subdivision of Land; Site Plan Review, and

RESOLVED, the Town Board of the Town of Walworth does hereby adopt Local Law No. 1 of the year 2010, Subdivision of Land; Site Plan Review,

- §151-6 A (1) shall be amended to read as follows: The proposed subdivision will result in two lots, parcels, plots or sites, including the original lot to be subdivided, and the original lot has not been previously subdivided within a period of 5 years preceding the current subdivision request.
- §151-44 B (3) shall be amended to read as follows: Upon receipt and approval by the Town Board of itemized vouchers from the Town Engineer, consultant, expert and/or Town Attorney rendering services on behalf of the Town pertaining to the development, the Town Supervisor shall cause such vouchers, upon review and audit by the Town Board, to be paid out of the moneys so deposited. A copy of the approved vouchers shall be provided, in a timely manner, to the applicant throughout the approval process as prescribed by current Town policy.

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

Resolution carried.

PUBLIC PARTICIPATION:

Two residents and one employee addressed the Town board with the following:

- I. A resident from Valley Drive spoke before the Town Board regarding the retention pond behind his property that is and keeps cesspooling. He presented pictures. He asked the Town Board for help and guidance to assist him with correcting this issue. Discussion ensued. Supervisor Plant stated that he will be in contact with him.
- II. Mr. James Delano, of Scoops Ice Cream, appeared to request that the Town reinstate his Peddlers Permit to sell ice cream in the Town of Walworth. Mr. Delano admitted to selling ice cream in the Town Park because he thought it was a coach that asked him to. Town employees observed that he was selling in the park, a violation of the Town Code. Discussion ensued. The Town Board explained that unless he had permission from a Town employee to sell in the park, he was in violation. Discussion ensued. The board will discuss the matter and would get back to him.
- III. Mr. George Charnitski, Town of Walworth Dog Control Officer/Rabies Responder, addressed the Town Board regarding Delinquent Dog Report and stated " I take exception to an email the Town Board had received from the Town Clerk, because it implies that I am not doing my job.". He gave an update to the report and asked if this was what the Town Board wanted to receive.

DEPARTMENT REPORTS:

The following Department Reports were given by their respective liaison to the Board:

RECREATION – AUTHORIZATION TO PURCHASE PICK-UP TRUCK

Motion by Councilwoman Hawkins-Mance to authorize Jackie Van Lare, Recreation Director, to purchase a pick-up truck for an amount not to exceed \$10,000.00 from budgeted line CM1.

Seconded by Councilman Yale.

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

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

Motion carried.

HIGHWAY – USED SANDER AUTHORIZATION

Motion by Councilman Yale to authorize Mike Frederes, Highway Superintendent, to purchase from Auction a 13 foot used Smith Stainless Steel Sander for an amount not to exceed \$4,000.00 from line items DA5130.22 and DA5130.41. This is not a budgeted item.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

RECESS:

Councilman Yale requested a five minute recess.
Time: 8:10 PM.

RECONVENE:

Supervisor Plant reconvened the meeting.
Time: 8:15 PM.

ANTIVIRUS PROGRAM WITH INTEGRATED SYSTEMS – AUTHORIZATION:

Motion by Councilwoman Hawkins-Mance authorizing Supervisor Plant to renew the antivirus program with Integrated Services for an amount not to exceed \$825.00.

Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0

GREYSTONE GOLF CLUB – SEASONAL PUBLIC ASSEMBLY PERMIT:

Motion by Councilman Yale to approve the Seasonal Public Assembly Permit for Greystone Golf Club.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

**RESOLUTION 35-10 - WAIVE 30 DAY NOTICE FOR LIQUOR LICENSE
APPLICATION BLUE HERON HILLS GULF CLUB**

Councilman Yale offered the following Resolution and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, Blue Heron Hills Golf Club, doing business at 1 Country Club Drive, Macedon, New York in the Town of Walworth intends to file for a New York State Liquor License; and

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of Walworth hereby waives the thirty (30) days notice period in regard to Blue Heron Hills Golf Club allowing an earlier submission of the liquor license application.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board of the Town of Walworth adopts Resolution 35-10.

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

Resolution carried.

RESOLUTION 41-10 – DECLARE ITSELF LEAD AGENT UNDER SEQRA – MASTER PLAN:

Councilman Yale offered the following Resolution **41-10** and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED that the Town Board declare itself lead agency in the matter of SEQRA review for Master Plan.

Adopted this 6th day of May 2010 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 40-10 – NEGATIVE DECLARATION UNDER SEQRA – MASTER PLAN:

Councilman Yale offered the following Resolution **40-10** and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED that the Town of Walworth will hold a Public Hearing on Thursday, June 3, 2010 at 7:40 PM on SEQR for the Master Plan, and

BE IT RESOLVED that Supervisor Plant and Board members reviewed the presented SEQRA Full Environmental Assessment Form in detail, and

BE IT RESOLVED that the Town Board file Negative Declaration under SEQRA and authorize the Town Supervisor, Bob Plant, to sign the Environmental Assessment Forms (EAF), and

BE IT FURTHER RESOLVED that notification of interested municipalities is not required. However, they are interested because they do border our township. Notification be sent, and

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

BE IT FURTHER RESOLVED that Notice of the Negative Declaration be sent to the State, County and EAF.

Adopted this 6th day of May 2010 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 40-10 – AMENDMENT:

Motion by Councilman Yale to amend Resolution 40-10 with the following:

BE IT FURTHER RESOLVED that Notice of the Negative Declaration and the EAF Form be sent to the state and county
Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

RESOLUTION 38-10 – DECLARE ITSELF LEAD AGENT UNDER SEQRA – RV PARK:

Councilman Yale offered the following Resolution **38-10** and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED that the Town Board declare itself lead agency in the matter of SEQRA review for RV Park.

Adopted this 6th day of May 2010 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 39-10 – NEGATIVE DECLARATION UNDER SEQRA – RV PARKS:

Councilman Yale offered the following Resolution **39-10** and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED that the Town of Walworth will hold a Public Hearing on Thursday, June 3, 2010 at 7:47 PM on SEQR for the RV Parks, and

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

BE IT RESOLVED that Supervisor Plant and Board members reviewed the presented SEQRA Full Environmental Assessment Form in detail, and

BE IT RESOLVED that the Town Board file Negative Declaration under SEQRA and authorize the Town Supervisor, Bob Plant, to sign the Environmental Assessment Forms (EAF), and

BE IT FURTHER RESOLVED that notification of interested municipalities is not required. However, they are interested because they do border our township. Notification be sent, and

BE IT FURTHER RESOLVED that Notice of the Negative Declaration and the EAF be sent to the State, County.

Adopted this 6th day of May 2010 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 39-10 – AMENDMENT:

Motion by Councilman Yale to amend Resolution 39-10 with the following:

BE IT FURTHER RESOLVED that Notice of the Negative Declaration and the EAF Form be sent to the state, county, Health Department and DEC.

Seconded by Councilwoman Hawkins-Mance.

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

Resolution carried.

**MASTER PLAN & RECREATIONAL VEHICLE & CAMPGROUND – SEQR
PUBLIC HEARINGS:**

Motion by Councilman Yale to set the following Public Hearing for SEQR:

Master Plan – Thursday, June 3, 2010 at 7:40 PM.

RV Parks – Thursday, June 3, 2010 at 7:47 PM.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

RESOLUTION 34-10 AMENDING AUDIT OF CLAIMS RESOLUTION 28-10:

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

WHEREAS, the Audit of Claims Resolution 28-10 was adopted on April 15, 2010, and

WHEREAS, voucher number 443 was included in Audit of Claims, Claimant: Gananda IDDP Grant Fund in the amount of \$11,144.68. The amount of the

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

voucher was not included in the totals for the Audit of Claims approval, nor was the voucher Town Board audited, and

WHEREAS, voucher number 550 and 462 was included in Audit of Claims, Claimant: Williamson Law Book Co., in the amount of \$715.00, and \$220.00. Voucher number 550 had the incorrect Claimant. It should have been General Code in the amount of \$715.00, and

WHEREAS, the oversight on voucher 443 was not noticed until after the Town Board Meeting on April 16, 2010. The overpayment to Williamson Law Co. was noticed upon receipt of a letter from them, and

WHEREAS, The Town Board of the Town of Walworth has reviewed and re-audited the voucher number (s) 443, 462 and 550, and

WHEREAS, Resolution 34-10 has been prepared “Amending the Audit of Claims Resolution 28-10”, and

NOW BE IT RESOLVED that the Account Clerk be authorized to “VOID” Check number 1799, payable to Williamson Law Book, Co., in the amount of \$935.00, reissue a check to Williamson Law Book, Co. (voucher number 462, in the amount of \$220.00) and reissue a check to General Code (voucher number 550, in the amount of \$715.00).

NOW BE IT RESOLVED that the Town Board of the Town of Walworth adopt Resolution 34-10.

Adopted this 6th day of May, 2010.

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

Resolution carried.

EMS WEEK PROCLAMATION:

Councilwoman Hawkins-Mance offered the following Proclamation and moved its adoption. Seconded by Councilman Yale to wit:

EMS Week Proclamation

To designate the Week of May 16-22, 2010, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, *We, the Town Board of the Town of Walworth, NY, in recognition of this event do hereby proclaim the week of May 16-22, 2010, as*

EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS: A Proud Partner in Your Community, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Adopted: Vote Ayes 3 Nays 0

**NY STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LETTER – 428 PLANK ROAD:**

Motion by Councilman Yale to accept and file the letter from NY State Department of Environmental Conservation regarding 428 Plank Road, Walworth, NY dated April 19, 2010.

Seconded by Councilwoman Hawkins-Mance

Adopted: Vote Ayes 3 Nays 0

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into executive session to discuss proposed, pending or current litigation; or acquisition of property. Seconded by Councilman Yale.

Adopted: Vote Ayes 3 Nays 0
Time: 8:40 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 9:15 PM.

VIOLATION OF CODE FINE – SCOOPS ICE CREAM:

Motion by Councilman Yale to fine Mr. James Delano, Scoops Ice Cream, the amount of \$25.00 payable to Town of Walworth for a violation of code in the issuance of a Peddler's Permit, #01-10. Further occurrences of violation of the Town Code can result in the loss of the license and a subscribed fee. Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

**WALWORTH TOWN BOARD – REGULAR MEETING
6 MAY 2010**

**SECURITY FENCING FOR COURT AND STATE POLICE PARKING – GRANT
AWARDED:**

Motion by Councilman Yale to authorize Supervisor Plant to expend up to the Awarded Grant amount of \$22,700.00 for security fencing for Court & State Police parking. The Town has received the funds awarded. Procurement Form on file.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

Discussion: Access to the secured parking area is for State Troopers and Town Court at this time.

ADJOURNMENT:

Motion by Councilwoman Hawkins-Mance to adjourn.

Seconded by Councilman Yale and unanimously carried.

Time: 9:23 PM.

Respectfully Submitted,

Susie C. Jacobs, RMC
Town Clerk