

**WALWORTH TOWN BOARD - REGULAR MEETING
15 NOVEMBER 2007**

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:	Daniel Keyes	Councilman
	Patti Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	George Schaller	Sewer Superintendent
	Karen Ambroz	Assessor
Absent:	Thomas Yale	Councilman

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the Minutes of October 18, 2007, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

CORRESPONDENCE:

Susie C. Jacobs had nothing to enter into record.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to approve and file the Supervisor's Monthly Report for October, 2007, as presented.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 4 Nays 0

PUBLIC PARTICIPATION:

Michael Lane addressed the Town Board again with his Eagle Scout project, the sign for Sherburne Road Park. The Town Board had asked Michael to speak with the Building Inspector. He reported that he had done this and presented a drawing of the proposed sign. Michael mentioned that he would try to solicit some donations for this project.

Motion by Councilwoman Marini to approve the Eagle Scout project as presented for an amount not to exceed \$180.00.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Michael Lane thanked everyone.

WEST WALWORTH VOLUNTEER FIRE DEPARTMENT CONTRACT HEARING & APPROVAL:

HEARING:

The legal notice was read. As there were no comments from the public, Councilman Keyes moved that the hearing be closed.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

Time: 7:38 pm

APPROVED:

Motion by Councilwoman Marini authorizing the Supervisor to sign a contract with the West Walworth Volunteer Fire Department for fire

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protection in the West Walworth Fire Protection District, for the contract amount of \$158,300.00, for the year 2008.
Seconded by Councilman Keyes.

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

Motion carried.

AUDIT OF CLAIMS RESOLUTION 67-07:

Councilwoman Marini offered the following Resolution **67-07** and moved its adoption.

Seconded by Councilman Keyes to wit:

WHEREAS, the following claims submitted at the scheduled Town Board Meeting of November 15, 2007, have been audited and approved by the appropriate Council members.

BE IT RESOLVED that the claims be paid on **Abstract #11**, numbered 1,490 through 1,619, in the following amounts:

GENERAL FUND	\$ 23,330.23
HIGHWAY FUND	\$ 44,929.70
WALWORTH SEWER DISTRICT #1	\$ 48,368.93
BROOKSIDE LIGHT DISTRICT	\$ 11.78
GANANDA LIGHT DISTRICT	\$ 884.13
HARVEST HILL LIGHT DISTRICT	\$ 635.26
ORCHARD VIEW LIGHT DISTRICT	\$ 74.88
WALWORTH LIGHT DISTRICT	\$ 689.47
WALWORTH CONSOLIDATED DRAINAGE	\$ 2,559.30
WEST WALWORTH FIRE PROTECTION	\$ 18,560.00
MEMORIAL TREE SPECIAL REVENUE	\$ 44.90

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #11**, numbered 180 through 193, in the following amounts:

TRUST & AGENCY	\$ 21,626.56
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NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopt Resolution **67-07**.

Adopted this 15th day of November, 2007, at the meeting of the Town Council.

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

Resolution carried.

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LINCOLN VOLUNTEER FIRE DEPARTMENT CONTRACT HEARING & APPROVAL:

HEARING:

The legal notice was read. As there were no comments from the public, Councilwoman Marini moved that the hearing be closed.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Time: 7:42 PM

APPROVED:

Motion by Councilman Keyes authorizing the Supervisor to sign a contract with the Lincoln Volunteer Fire Department for fire protection in the Lincoln Fire Protection District, for the contract amount of \$122,866.00 for the year 2008.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

DEPARTMENT HEAD REPORTS:

SEWER –

Nothing to report at this time.

Councilman Yale entered the meeting at 7:43 PM.

ASSESSOR –

Motion by Councilwoman Hawkins-Mance authorizing Karen Ambroz, Assessor, to attend a seminar of evaluations regarding wind turbines and wind farms for an amount not to exceed \$95.00, from budgeted line A1355.43.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

TOWN CLERK –

Nothing to report at this time.

COMMITTEE REPORTS:

TOWN CLERK'S OFFICE CLOSING

Councilman Keyes stated that the Town Clerk's office would be closed on Wednesday, December 12, 2007, from 11:30 AM to 3:30 PM to attend a Wayne County Town Clerk's Association meeting.

LIBRARY TRUSTEE APPOINTMENT

Motion by Councilwoman Hawkins-Mance to approve the appointment of Ronald Wrightstone as Library Trustee, to fill the unexpired term of Allison Lee, term expiring December 31, 2010.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 5 Nays 0

HUMANE SOCIETY OF ROCHESTER AND MONROE COUNTY CONTRACT

Motion by Councilwoman Hawkins-Mance to authorize the Supervisor to sign the contract with the Humane Society of Rochester of Monroe County, for which there is no charge if not used and balance is billed monthly for services provided.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

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2008 BUDGET:

HEARING:

The legal notice was read. As there were no comments from the public, Councilman Yale moved that the hearing be closed.
Seconded by Councilwoman Marini.
Adopted: Vote Ayes 5 Nays 0
Time: 7:52 PM

ADOPTED:

Councilman Yale offered the following Resolution **68-07** and moved its adoption, seconded by Councilwoman Marini to wit:
BE IT RESOLVED that the Budget for the year 2008 be adopted subject to the use of fund balances as follows:

General Fund -	\$225,000.00
Highway Fund -	\$162,000.00
Library Fund -	\$ 6,000.00

Now, Therefore, **BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopts Resolution **68-07**.

Comment: Councilman Yale commended Department Heads for their excellent job in working on the budget.

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

Resolution carried.

ORCHARD VIEW DEVELOPMENT LETTER OF CREDIT RELEASE :

Supervisor Plant stated that this request was tabled from the meeting of November 1, 2007, at which time Mike Frederes, Highway Superintendent, had been asked to review and make his recommendations. Supervisor Plant stated that Mike had reviewed the request and approved the release.

Motion by Councilman Yale to authorize the release to Orchard View Development.
Seconded by Councilwoman Marini.

Discussion: Councilman Yale commented that all requests for letter of credit releases should be reviewed by the Sewer Superintendent, Highway Superintendent and Building Inspector for their recommendations prior to coming before the Town Board.

Adopted: Vote Ayes 5 Nays 0

PROPOSED LOCAL LAW NO. 6 PUBLIC HEARING AUTHORIZED:

Councilman Keyes offered the following Resolution **66-07** and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED, that Local Law No. 6 of the year 2007, entitled "A Local Law amending the Town of Walworth Municipal Code relating to SUBDIVISION OF LAND; SITE PLAN REVIEW; THAT AMENDING PARAGRAPH 16 OF SUBDIVISION B OF CHAPTER 151-18 ENTITLED "ONE-LOT RESIDENTIAL DEVELOPMENTS"; THAT AMENDING SUBDIVISION B OF CHAPTER 180-21 ENTITLED "ACCESSORY BUILDING"; THAT AMENDING SUBPARAGRAPHS (a),

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(1), [a], [b], [c], [d], [e], (2), [a], [b] of PARAGRAPH 1 OF SUBDIVISION C OF CHAPTER 180-10 ENTITLED "RR-1 DISTRICTS: SINGLE-FAMILY RESIDENTIAL"; THAT AMENDING PARAGRAPH 1 OF SUBDIVISION C OF CHAPTER 180-10 ENTITLED "RR-1 DISTRICTS: SINGLE-FAMILY RESIDENTIAL"; THAT AMENDING SUBSECTION D OF CHAPTER 180-10 ENTITLED "RR-1 DISTRICTS: SINGLE-FAMILY RESIDENTIAL"; THAT AMENDING PARAGRAPHS (a) and (b) OF PARAGRAPH (4) OF SUBSECTION F OF CHAPTER 180-10 ENTITLED "RR-1 DISTRICTS: SINGLE-FAMILY RESIDENTIAL"; THAT AMENDING SUBDIVISION B OF CHAPTER 180-15 ENTITLED "B-2 DISTRICTS: GENERAL BUSINESS / PROFESSIONAL OFFICE / OFFICE RESEARCH / PARK HIGH – DENSITY RESIDENTIAL"; THAT AMENDED BY DELETING AND REPEALING CHAPTER 180-11 ENTITLED "RR-2 DISTRICTS: SINGLE-FAMILY RESIDENTIAL" OF ARTICLE IV ENTITLED "DISTRICT REGULATIONS" AND ALL AREAS PREVIOUSLY ZONED AS "RR-2 DISTRICTS: SINGLE-FAMILY RESIDENTIAL" SHALL NOW BE ZONED AS IN CHAPTER 180-10 "RR-1 DISTRICTS: SINGLE-FAMILY RESIDENTIAL"; OF THE TOWN OF WALWORTH MUNICIPAL CODE be and is hereby introduced before the Town Board of the Town of Walworth in the County of Wayne in the State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board, and

BE IT FURTHER RESOLVED that the Town Board hold a Public Hearing on said Proposed Local Law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York, at 7:50 o'clock PM on December 6, 2007, and

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of said public hearing at least ten (10) days prior thereto.

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

Resolution carried.

CROWN CASTLE AGREEMENT:

Motion by Councilman Yale authorizing the Supervisor to sign the agreement for Crown Castle.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

**SHARED HIGHWAY SERVICES INCENTIVE 2007-2008 SMSI GRANT PROGRAM
RESOLUTION 70-07:**

Councilman Keyes offered the following Resolution 70-07 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

BE IT RESOLVED,

1. The Town Board of the Town of Walworth authorizes the Town Supervisor, Robert Plant, to submit an application to the Shared Municipal Services Incentive (SMSI) Grant Program for the 2007-2008 Program Year.
2. The Town of Palmyra shall act as the "Lead Applicant" for the SMSI grant application, The Town of Walworth will as a "Co-Applicant".
3. The Town Board authorizes the Town Supervisor to execute all financial and/or administrative processes relating to the grant program.
4. The grant application shall be submitted for a "Shared Highway Services Incentive" award that would enable the Town and Village of Palmyra and the

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neighboring Towns of Macedon and Walworth to jointly purchase and share the use of specialized highway equipment. The Towns and Village have identified the need to purchase a combination vacuum truck/street sweeper, a bucket truck and a rubber-tired excavator. The project has been proposed to reduce the cost of government services by the cooperative purchase of expensive equipment that will be used to maintain storm water drainage systems, sweep roads and streets, trim municipally-owned trees, replace traffic signal lights and street lights, for excavating soil for various highway and street projects and maintenance activities.

5. The Town of Palmyra will apply for the SMSI grant program with the Village of Palmyra and the Towns of Macedon and Walworth as co-applicants.
6. Based on the estimated cost of \$517,360 for the equipment to be purchased and shared, the Town will apply for a maximum grant amount of \$465,624. The local share of the project cost will be \$51,736.
7. The Town of Palmyra is committed to providing 36.00 percent of the local share of the project cost, or \$18,624.50.
8. The Village of Palmyra is committed to providing 29.70 percent of the local share of the project cost, or \$15,362.50.
9. The Town of Macedon is committed to providing 17.15 percent of the local share of the project cost, or \$8,874.50.
10. The Town of Walworth is committed to providing 17.15 percent of the local share of the project cost, or \$8,874.50.
11. The source of the funds to pay the Towns' local shares will come from the respective Highway Equipment Reserve Accounts of the Lead Applicant and the two Town Co-applicants. The source of the funds to pay the Village's will come from the Village's General Fund Budget Line Item A1640.2 entitled "Equipment Capital Outlay for Central Garage."
12. The Town of Palmyra will issue a Bond Anticipation Note (BAN) in the amount of \$517,360 to have the funds on hand to pay for the equipment on delivery. Palmyra will request reimbursement from the State for \$465,624 and \$33,111.50 from the three co-applicants to be used with its local share of \$18,624.50 to retire the BAN.
13. The Town of Palmyra will work with the Village of Palmyra and the Towns of Macedon and Walworth to prepare and execute an inter-municipal agreement setting forth individual responsibilities for the implementation of the project including, but not limited to, the required financial commitments, use and maintenance of the equipment, storage of the equipment, insuring the equipment, and scheduling use of the equipment.

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

Resolution carried.

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PERMIT TO BURN - 4522 ONTARIO CENTER ROAD:

Motion by Councilman Yale approving the burn permit for 4522 Ontario Center Road; based on the size of the burn pile as shown and relative to its location, it is thought to be safe and non-detrimental to the environment.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 5 Nays 0

AUTHORIZATION TO GO OUT FOR BID – TOWN COMPLEX NEW ROOF:

Supervisor Plant discussed possible options available. Discussion ensued.

Motion by Councilwoman Hawkins-Mance approving the Supervisor to go out for bids for the Town Complex new roof as soon as the specifications are prepared.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

FINANCIAL TRANSACTIONS RESOLUTION 69-07:

Councilwoman Marini offered the following Resolution **69-07** and moved its adoption.

Seconded by Councilman Keyes.

BE IT RESOLVED that the Account Clerk be authorized to transfer from the following:

\$660.64 from A1620.41 Utilities to A1670.41 Central Printing & Mailing.

Coverage of postage costs to year-end.

\$35.15 from A8020.41 Training to A8020.42 Planning Board Signs/Copies

Coverage of bill for Farmen & Son Signs

\$2,984.67 from Highway Fund Balance to DA5110.42 General Repairs – Road Stripping. To cover stripping cost increases.

\$44.90 from Memorial Tree Fund to CM4-7110.42 Plaques. To cover cost of Memorial Plaques for Vallone & Ginegaw. Funds to offset transfer were credited to CM4-2705 Gifts & Donations

\$22.16 from A1410.41 Town Clerk Office Conferences & Training to A1410.42 Town Clerk Office Expense. To cover bill of Fulkerson Services Inc.

\$797.01 from A7110.11 Groundskeeper to A7110.12 Summer Help.

To cover expanded mowing season.

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

Resolution carried.

DESIGN CRITERIA BOOK DISCUSSION:

Motion by Councilman Yale authorizing the Supervisor to move forward with Parrone Engineering for the Design Criteria Book and related zoning ordinance, including legal fees, for an amount not to exceed \$14,000.00.

Seconded by Councilwoman Marini.

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

Motion carried.

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OVERWEIGHT/OVER-WIDTH VEHICLE POLICY DISCUSSION:

Supervisor Plant read the first draft of this policy. Discussion ensued with the final wording as follows, pending review by the Town Attorney:

“If any Town of Walworth employee is ticketed for having an overweight or over-width vehicle due to direction of the Town while performing their Town duties, the Town will pay any fines.”

ADJOURNMENT:

Motion by Councilman Keyes to adjourn.

Seconded by Councilwoman Marini and unanimously carried.

Time: 8:15 PM.

Respectfully Submitted,

Susie C. Jacobs
Town Clerk