

**WALWORTH TOWN BOARD - REGULAR MEETING
18 OCTOBER 2007**

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:	Daniel Keyes	Councilman
	Patti Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent
	George Schaller	Sewer Superintendent
	Karen Ambroz	Assessor
	Ed Parrone	Engineer
	Jacqueline Van Lare	Recreation Director
	Norm Druschel	Building Inspector

Absent:	Thomas Yale	Councilman
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“CATCH A KID” AWARD:

Councilwoman Marini presented a “Catch a Kid” certificate to Hannah Welker for her quick thinking and actions in saving her little sister during an emergency.

MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the Minutes of September 20, 2007, as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

CORRESPONDENCE:

Susie Jacobs, Town Clerk, read a letter from the Wayne Central School District that read as follows:

“Dear Supervisor Plant, The Wayne Central School District would like to petition the Town of Walworth to add a school speed limit sign on Canandaigua Road in front of Freewill Elementary School. It is my understanding that Canandaigua Road is a town road, and that the Town Board would be the appropriate decision making body to grant such a request. As the safety of our students and staff are very important to the district, we feel adding a school speed limit sign for Freewill Elementary School is a prudent decision for both the district and the town. Freewill Elementary School is the district’s only building that does not have such a sign. The speed limit on Canandaigua Road is forty-five (45) miles per hour. The district would request that a school speed limit sign of thirty (30) miles per hour on school days between the hours of 7:00 AM to 4:30 PM, be added in front of Freewill Elementary School. I would like to thank the Town of Walworth for their consideration in this very important matter. Sincerely, Gregory Atseff, Assistant Superintendent for Business”

Mike Frederes, Highway Superintendent, stated that the procedure for this would be to send it to the County and to the State for a request for reduction of speed limit on Canandaigua Road.

Motion by Councilwoman Marini that a letter and recommendation be sent to Wayne County and to New York State for request for reduction of speed limit on Canandaigua Road.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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SUPERVISOR'S REPORT:

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

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

PUBLIC PARTICIPATION:

No one present offered any comments.

AUDIT OF CLAIMS RESOLUTION 57-07:

Councilwoman Marini offered the following Resolution **57-07** and moved its adoption.

Seconded by Councilman Keyes to wit:

WHEREAS, the following claims submitted at the scheduled Town Board meeting of October 18, 2007, have been audited and approved by the appropriate Council members;

BE IT RESOLVED that the claims be paid on **Abstract #10**, numbered 1,355 through 1,489 in the following amounts:

GENERAL FUND	\$ 548,241.03
HIGHWAY FUND	\$ 38,716.64
WALWORTH SEWER DISTRICT #1	\$ 17,689.25
BROOKSIDE LIGHT DISTRICT	\$ 10.15
GANANDA LIGHT DISTRICT	\$ 912.92
HARVEST HILL LIGHT DISTRICT	\$ 632.01
ORCHARD VIEW LIGHT DISTRICT	\$ 62.70
WALWORTH LIGHT DISTRICT	\$ 540.72
WALWORTH CONSOLIDATED DRAINAGE	\$ 1,921.00
WEST WALWORTH FIRE PROTECTION	\$ 150.00
LINCOLN FIRE PROTECTION	\$ 100.00
SELF INSURANCE FUND	\$ 5,194.00

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #10** numbered 155 through 179 in the following amounts:

TRUST & AGENCY	\$ 24,238.02
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NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Walworth adopt Resolution **57-07**.

Adopted this 18th day of October, 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.

DEPARTMENT HEAD REPORTS:

HIGHWAY--

Nothing reported at this time.

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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SEWER –

Nothing reported at this time.

RECREATION –

Nothing reported at this time.

ASSESSOR –

Nothing reported at this time.

ENGINEER –

Ed Parrone, Engineer for the Town, stated that he is still working on MS4.

BUILDING -

APPLICATION FOR FILL – 4613 COUNTY LINE ROAD

Norm Druschel, Building Inspector, stated that he had an application for fill for property at 4613 County Line Road (vacant land). Councilwoman Marini inquired whether there might be a pond tributary that ran through this property and was that a classified stream that we had to worry about? Norm Druschel stated that he did not think so, he is aware of there being a stream. Councilwoman Marini's concern is that if we are within 100 feet of a tributary or classified stream, we may have other restrictions to look at. The decision was tabled until further research has been completed.

BUILDING CODE SEMINAR

Motion by Councilman Keyes authorizing Norm Druschel, Building Inspector, and Phil Williamson, Code Enforcement Officer, to attend a Seminar on Building Codes Wednesday, October 24, 2007, for an amount not to exceed \$20.00.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

TOWN CLERK –

Nothing reported at this time.

COMMITTEE REPORTS:

LIGHTING FOR TOWN CLERK'S VAULT

Councilman Keyes reported that Susie Jacobs received a letter from the Town's insurance company verifying that, "If the light is installed by a qualified electrician, there should not be a problem. Additionally, the light should have a shield or cover over it; in case it is accidentally broken, the broken pieces can be contained." Councilman Keyes stated that Susie had obtained two quotes as requested.

Motion by Councilman Keyes authorizing HD Brown Electric Corporation to wire and install a light in the Town Clerk's vault at a cost not to exceed \$685.00 from budgeted line A1410.41.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

E-CODE AUTHORIZATION

Motion by Councilwoman Marini authorizing the payment to General Code for the E-Code Annual Maintenance at a cost not to exceed \$330.00 from budgeted line A1410.43.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

STORM WATER MANAGEMENT OFFICER APPOINTMENT

Motion by Councilwoman Marini appointing Norm Druschel as Storm Water Management Officer per the Local Law.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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SNOWMOBILE COMMITTEE

Councilwoman Marini reported that the Snowmobile Committee met. The Committee would like to include law enforcement agencies in future meetings, in hopes we may be able to address some of the concerns people have - not necessarily by creating a new local law - but just through enforcement of current State regulations regarding vehicle and traffic law for snowmobiles. The committee will meet again Tuesday, October 23, 2007 at 8:00 PM.

LIBRARY COMMITTEE

Councilwoman Hawkins-Mance offered the following proclamation and moved its adoption.

Seconded by Councilman Keyes.

Whereas, Friends of the Walworth-Seely Public Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of our community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that the Town Board of the Town of Walworth, Wayne County, New York, proclaims October 22-28, 2006, as Friends of the Library Week in Walworth and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

Adopted: Vote Ayes 4 Nays 0

RESCIND RESOLUTION 55-07:

Motion by Councilwoman Marini to rescind Resolution **55-07** regarding the West Walworth Fire Protection Permissive Referendum vote that was set for December 11, 2007.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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RED RIBBON PROCLAMATION:

Councilwoman Hawkins-Mance offered the following proclamation and moved its adoption.

Seconded by Councilman Keyes.

WHEREAS, alcohol and other drug abuse in this nation has reached epidemic stages, and the 15-24 year old age group is dying from these causes at a faster rate than any other age group; and

WHEREAS underage drinkers consume 12% of all alcohol purchased in the United States; and the vast majority of this alcohol is consumed in a risky fashion (51% of 12-14 year-old drinkers binge drink; 65% of 15-17 year olds binge drink.); and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to reduce the demand for drugs & alcohol; and

WHEREAS, the greater community and its representatives, both public and private, groups and individuals, will demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during a week-long campaign;

NOW, THEREFORE BE IT RESOLVED that the Walworth Town Board hereby proclaims October 23 - October 31, 2007, Red Ribbon Week, and encourages our citizens to participate in drug & alcohol prevention education activities, making a visible statement that we are strongly committed to a drug-free community.

Adopted: Vote Ayes 4 Nays 0

RESCIND RESOLUTION 56-07:

Motion by Councilwoman Marini to rescind Resolution **56-07** regarding the Lincoln Fire Protection Permissive Referendum vote that was set for December 11, 2007.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 4 Nays 0

Comment: Supervisor Plant stated, "We still anticipate setting it for that date, but we need to get some wording changes."

TRAVEL POLICY:

Motion by Councilwoman Marini to approve the Travel Policy.

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.

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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JUSTICE COURT RESOLUTION 58-07:

Councilwoman Hawkins-Mance offered the following Resolution **58-07** and moved its adoption.

Seconded by Councilwoman Marini to wit:

At this regular meeting of the Town of Walworth, held on October 18, 2007, the following Resolution **58-07** was adopted by the Town Board of the Town of Walworth.

WHEREAS, there has recently been negative press coverage by the *New York Times* and local papers within Wayne County suggesting that the Town court system is flawed and more specifically, alleging that the three hundred year tradition of non-lawyer judges presiding over and within the local municipalities should be eliminated; and

WHEREAS, there has always been a Town Court within the Town of Walworth, conveniently located and accessible to our citizens; and

WHEREAS, there are no Town Judgeships established within the Town of Walworth; and

WHEREAS, there are presently 2 non-attorney Town Justices and no attorney Town Justices within the Town of Walworth; and

WHEREAS, with their civil and criminal jurisdiction, the Town Justices in the Town of Walworth handled many hundreds of cases in the past year; and

WHEREAS, the Town Court of Walworth in the past year collected \$115,808.61 in statutory fines, fees and surcharges on behalf of the State of New York, the County of Wayne and the Town of Walworth, to help fund essential public services; and

WHEREAS, the Town Board of the Town of Walworth recognizes and appreciates the professionalism, diligence, intelligence and integrity of the non-attorney or lay justices within our town who bring a specialized experience to the bench particularly with issues unique to our community who elected them; and

Now, Therefore, be it:

RESOLVED, that the members of the Town Board of the Town of Walworth support the continuation of the three hundred year tradition of non-lawyer or lay justices presiding in Town Courts, and it is further;

RESOLVED, that the members of the Town Board of the Town of Walworth hereby oppose any requirement that Town Justices be attorneys, and it is further;

RESOLVED, that the members of the Town Board of the Town of Walworth oppose any efforts to eliminate local and convenient access to justice by our citizens; and find that the local presence of the Town Court of Walworth provides a meaningful and necessary presence within our community for judicial resolution of conflicts, continued public safety of our citizens and the protection of constitutional guarantees for all of our citizens.

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

Resolution carried.

CEMETERY COMMITTEE ESTABLISHED:

Supervisor Plant reported that a Cemetery Committee has been established. The Committee liaison is Councilwoman Hawkins-Mance. Those serving on the Committee are as follows:

Jean Johnson

Susie C. Jacobs

Joyce Gumina

Phil Williamson

Patty Anselm

If anyone is interested in joining this committee, please contact Jean Johnson at the Town Hall.

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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CROWN CASTLE AGREEMENT:

Motion by Councilwoman Marini to continue the lease with Crown Castle.
Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

FINANCIAL TRANSACTIONS RESOLUTION 59-07:

Councilwoman Marini offered the following Resolution **59-07** and moved its adoption.

Seconded by Councilwoman Hawkins-Mance.

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

\$72.00 from A1355.43 Continuing Education to A1355.44 Mileage Conferences
To cover cost of mileage to year-end.

\$1,279.58 from General Fund Balance to A6989.41 to cover attorney costs for
Farm Land Grant Closing. Funds to cover transfer credited to A2770 Other
Revenue.

\$52.00 from A5010.42 Office Expense to A5132.45 Drug Testing. To cover
bill of Newport Alliance.

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

Resolution carried.

FINANCIAL TRANSACTIONS RESOLUTION 60-07:

Councilwoman Hawkins-Mance offered the following Resolution **60-07** and moved its adoption.

Seconded by Councilwoman Marini.

BE IT RESOLVED that the Account Clerk be authorized to set up a budget in Fund MS – Self Insurance Fund in the amount of \$5,194.00. To transfer from Fund Balance and set up expense line item MS9050.81 Unemployment Payments NYS.

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

Resolution carried.

**WALWORTH TOWN BOARD - REGULAR MEETING CONTINUED
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PRE-PAY ATTORNEY BILL:

Supervisor Plant stated he has received an attorney bill for some litigation we're involved in and if paid within 10 days, we could save some money. Supervisor Plant has requested a pre-pay approval.

Motion by Councilwoman Hawkins-Mance to pre-pay the attorney bill in order to be eligible for a savings.

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.

TRI-BOARD MEETING:

Supervisor Plant stated that the Tri-Board would meet at Wayne Central School District on Thursday, October 25, 2007.

EMPLOYEE HANDBOOK MEETINGS WITH PAYCHEX:

Supervisor Plant reported that meetings have been scheduled for Wednesday, October 31, 2007 at 9:30 and 11:00 AM, for review of the new Employee Handbook. Karen Johnson from Paychex will be present to review the Handbook and answer any questions.

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: 8:00 PM

RECONVENE:

Supervisor Plant reconvened the regularly scheduled Town Board meeting.

Time: 8:40 PM

2008 PROPOSED BUDGET REVIEW WITH DEPARTMENT HEADS:

Discussion ensued with the following departments presenting their 2008 proposed budgets:

Receiver of Taxes

Sewer

Town Clerk

Review of Budget

Supervisor's Suggested Amendments

ADJOURNMENT:

Motion by Councilwoman Hawkins-Mance to adjourn.

Seconded by Councilman Keyes and unanimously carried.

Time: 9:30 PM

Respectfully Submitted,

Susie C. Jacobs
Town Clerk