

The regular Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, was called to order at 7:30 P.M. by Supervisor Frank Guelli. Board members present: Daniel Keyes, Patti Marini (arrived at 7:45 P.M.) and Thomas Yale. Absent: Frank Maciuska

Other town employees present: Norman Druschel, Building Inspector  
Michael Frederes, Highway Superintendent  
Debora Germain, Recreation Director  
Susie Jacobs, Receiver of Taxes  
Paul Russell, Town Engineer  
George Schaller, Sewer Superintendent  
Phil Williamson, Code Enforcement Officer  
Marcia Englert, Town Clerk  
Karen Ambroz, Deputy Assessor  
Barbara Kuelling, Receptionist

**MINUTES:**

Motion by Councilman Yale to accept the minutes of November 3, 2005 as presented. Seconded by Councilman Keyes and unanimously carried.

**OCTOBER SUPERVISOR’S REPORT:**

Motion by Councilman Keyes to approve the October Supervisor’s report as presented. Seconded by Councilman Yale and unanimously carried.

**CLAIMS:**

1. **DRAINAGE:**

Motion by Councilman Yale to approve payment of Drainage Claims totaling \$4,081.64. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

2. **GANANDA SIDEWALK DISTRICT:**

Motion by Councilman Yale to approve payment of Gananda Sidewalk District Claims totaling \$320.00. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

3. **GENERAL:**

Motion by Councilman Yale to approve payment of General Claims totaling \$38,497.55. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

4. HIGHWAY:

Motion by Councilman Keyes to approve payment of Highway Claims totaling \$135,240.89.  
 Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

5. HIGHWAY GARAGE PROJECT:

Motion by Councilman Keyes to approve payment of Highway Garage Project Claims totaling \$1,200.00. Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

6. LIGHTING:

Motion by Councilman Yale to approve payment of the following Lighting Claims:

Walworth Light District	\$ 749.90
Harvest Hills Light District	681.07
Gananda Light District	1,316.52
Brookside Light District	11.99

Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

7. PARK SPECIAL REVENUE:

Motion by Councilman Yale to approve payment of Park Expendable Trust Claims totaling \$19.75. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

8. SEWER DISTRICT:

Motion by Councilman Yale to approve payment of Sewer District Claims totaling \$42,407.77.  
 Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

9. TRUST & AGENCY:

Motion by Councilman Keyes to approve payment of Trust & Agency Claims totaling \$13,640.75. Seconded by Councilman Yale.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

**PUBLIC PARTICIPATION:** No one present offered any comments.

**FIREMEN’S SERVICE AWARD PROGRAM RESOLUTION AMENDED:**

Motion by Councilman Yale to amend the October 6, 2005 resolution by adding “The effective date is January 1, 2005.” Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Absent
	Councilman Yale	Aye

Motion carried.

**ZONING VARIANCE REQUEST:**

Joe Englert stated that a portion of each of 2 adjacent properties he owns, located east of Walworth-Ontario Road and south of Walworth-Marion Road, are partially in the Business District and partially in the Hamlet District. He requested that they be rezoned so that the entire parcels are in the Business District. The Board expressed concern about spot zoning. The matter will be referred to the Attorney for the Town.

**NATURAL GAS LEASE:**

Frank Fletcher, from Vintage Petroleum, submitted a contract to lease 214.27 acres of town property for natural gas exploration. The Town will be reimbursed \$7.00 an acre, plus share in the royalties if gas is found. The contract will be reviewed by the Attorney for the Town.

**CANANDAIGUA ROAD BRIDGE REPLACEMENT:**

Mike Frederes stated that the installation of the guardrail is expected to occur on Friday, November 25<sup>th</sup>, weather permitting. The road will then be opened on Monday, November 28, 2005.

**RECREATION SOFTWARE REPLACEMENT NEEDED:**

Deb Germain stated that an advisory letter was received from Active Network, which purchased the software company that the Recreation Dept. has used for the past 10 years, stating that support for RecWare will be discontinued as of December 31, 2006. Currently on-line registrations are through Active Network.

**RECREATION: BACKSTOPS REPLACEMENT:**

Deb Germain stated that Ginegaw Park’s 2 backstops need to be replaced, as they can no longer be repaired. A backstop will also be purchased for the Sherburne Road Park. She noted that the Parks Special Revenue will fund the project, which was originally scheduled to be done in 2004. Although some quotes have been received, additional prices will be sought. George Schaller stated that he will have the backstops removed and use the fencing for the Sewer Department.

**FILL PERMIT APPLICATION DENIED:**

Paul Russell stated that a Fill Permit Application had been received from John Spralatos, 293 Atlantic Avenue. He noted that Mr. Spralatos did not contact DEC, as the fill is not in the DEC designated wetlands.

**MOTION:** Motion by Councilman Yale authorizing the issuance of a Fill Permit to John Spralatos, 293 Atlantic Avenue. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Nay
	Councilman Maciuska	Absent
	Councilwoman Marini	Nay
	Councilman Yale	Aye

Motion defeated. Permit denied.

Paul Russell will issue a Stop Work Order. The Board recommended that Mr. Spralatos contact DEC and then reapply.

**ALL-HAZARD MITIGATION REPORT:**

Paul Russell recommended that the Town endorse the report, which will be available next week, in order to be eligible for FEMA funding should a disaster occur. Public hearings will be held in December and January.

**DRAINAGE EASEMENTS:**

Paul Russell reported that the necessary easements have been obtained and work can proceed.

**FINANCIAL TRANSACTIONS:**

Councilman Keyes offered the following resolution and moved its adoption, seconded by Councilwoman Marini to wit:

- BE IT RESOLVED that the Account Clerk be authorized to transfer the following:
  - \$11,612.50 from General Fund Balance to A1420.42 for payment of legal fees resulting from DeVrieze case
  - \$ 41.99 from A3620.45 to A3620.44
  - \$10,712.23 from Appropriated Reserve DA511 to DA5112.23R for payment of the Canandaigua Road bridge project
  - \$ 2,230.70 from Highway Fund Balance DA599 to DA5112.23R for payment of the Canandaigua Road bridge project
  - \$ 76.80 from SS8130.402 to SS9789.71 for increased interest payment
  - \$ 6,000.00 from SS8130.27 to SS8130.409 Maintenance.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Aye
	Councilman Yale	Aye

Resolution adopted.

**EXECUTIVE SESSION:**

Motion by Councilman Yale to adjourn to executive session to discuss litigation. Seconded by Councilwoman Marini and unanimously carried. Time: 8:10 P.M.

**RECONVENED:**

Supervisor Guelli reconvened the meeting at 8:32 P.M.

**WATER COST INCREASE:**

Councilman Yale stated that the increase will be 15 cents per thousand, which is a 4.3% increase. He commented that he is disappointed that the cost to the residents increases annually.

**MEETING ROOM USE REQUEST DENIED:**

Deborah Childs, a candidate for the House of Representatives, has requested the use of the meeting Room in December or January. The Board agreed that approval could not be given because Ms. Childs would be using the room for her political campaign.

**VACANCIES TO BE ADVERTISED:**

Motion by Councilman Yale authorizing the Town Clerk to advertise that the Walworth Town Board is accepting applications for positions, boards and committees which may have vacancies to fill, effective January 1, 2006. Seconded by Councilwoman Marini and unanimously carried.

**ADJOURNMENT:**

Motion by Councilman Yale to adjourn. Seconded by Councilman Keyes and unanimously carried. Time: 8:35 P.M.

Respectfully submitted,

Marcia Englert, RMC  
Town Clerk