

**WALWORTH TOWN BOARD - REGULAR MEETING
7 JUNE 2007**

Presiding Supervisor Plant called the regularly scheduled Town Board meeting, held at the Ginegaw Park Pavilion, Lorraine Drive, to order at 7:30 PM.

Present:	Daniel Keyes	Councilman
	Thomas Yale	Councilman
	Patti Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent
	George Schaller	Sewer Superintendent
	Karen Ambroz	Sole Assessor
	Ed Parrone	Engineer

“CATCH-A-KID” AWARD:

Supervisor Plant indicated he would like to award Brittany LaForty a “Catch-A-Kid” Award. Brittany was awarded for knowing how to handle an emergency when her father was in need of medical assistance.

DEDICATION OF PLAYGROUND:

Supervisor Plant asked Councilwoman Marini to read the following:

“As Town Board Liaison to the Recreation Department, I would like to take this opportunity to thank some of the individuals who, without their ideas and hard work, we wouldn’t have been able to complete the Playground Build on June 2, 2007. Walworth is very fortunate to have so many residents, from the children in the Girl Scouts and Boy Scouts to the adults, who wanted to make a difference in their community.

Our thanks to Deb Germain, who started the process.

Our deep appreciation to those individuals who stepped in to complete the process including the Parks and Rec Committee: Lorraine Rieck, Aimee Phillips, Joe Leone, Jeff Emerling, Bill Boyd, Mike Dermady, Karel Ambroz, and Mike Browne; the Parks Department: Jim Moll, Dave Payne and Kevin Weiss; Jackie VanLare, Acting Rec Director; the Highway Department: Mike Frederes, Dottie DeMay, Tony Fiaretti, Jim LeMay, Steve Haak, Dan Pidek, Kevin Switzer, John Wesselman, Mike Ryndock, James Johnson, Jr., and Tim Vendel; the Sewer Department: George Schaller, John Pagliuso, and Tim McMullen; the Building Department: Norm Druschel, Gail Rutkowski; the Assessment staff: Karen Ambroz and Patty Anselm; Supervisor Bob Plant and the Town Board: Dan Keyes, Tom Yale, and Suzi Hawkins-Mance; the Town Clerk: Susie Jacobs; the Parkitects staff; and most appreciated thanks to the 100 plus volunteers from the community and the many local and area businesses who donated their labor, equipment and food to make certain we were successful.

This has been a long process and we have a wonderful playground for the children of Walworth. Our thanks to all”!

Supervisor Plant stated that the Town Board has decided that the Playground will be dedicated to the volunteers in town who have put 30 plus years of service in to any volunteer organization in town.

Motion by Councilman Yale asking Town organizations to submit lists of members who have volunteered for 30 plus years in order for their names to be added to a plaque for the playground.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

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MINUTES:

Motion by Councilwoman Hawkins-Mance to approve the Minutes of May 17, 2007 as presented.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

CORRESPONDENCE:

REVIEW INTERSECTION OF PLANK AND LINCOLN ROADS REQUEST

Supervisor Plant stated that he received a copy of a letter from the Lincoln Fire Department that went to the Wayne County Highway Department requesting that they review the dangerous intersection of Plank and Lincoln Roads.

ROTARY CLUB – COMMUNITY GARAGE SALE

Supervisor Plant indicated that the Gananda Rotary Club's Annual Community Garage Sale would be held Saturday, June 9 and Sunday, June 10. The Gananda Rotary Club will post parking restrictions (one side parking only) on certain roads for Saturday. These roads are Waterford Road, Wildflower Drive, Pineview Drive and Evergreen Circle. They have informed the Town Highway Superintendent, Walworth Fire Department, State Troopers and Wayne County Sheriffs of these restrictions. Gananda Rotary hopes that these will keep traffic flowing and allow for any emergency vehicles to pass if necessary. Porta-potties, food and water sales, and garbage totes will be available throughout the event. A Rotarian will be available at the food booth on Waterford Road, near the Pineview Drive intersection.

PUBLIC PARTICIPATION:

FAIRWAY CAR WASH SEWER CREDIT

Gary Borkhuis, business owner of Fairway Car Wash, addressed the Town Board regarding the amount of water going through the sewer meter. He reviewed all of the background information since becoming the owner of the Car Wash in 1995. For the past eight years, Gary has received a 20% discount on his sewer bill, based on documentation that the amount of water going through the Car Wash is not the same amount that goes through the sewer. It has now been determined that the holding tank has deteriorated and that ground water is infiltrating his holding tank, and readings are showing more water going out than coming in. He presented three propositions to fix this problem, as follows:

1. Take the tank out and reconnect the pipe as original, not directing it into the holding tank. This would solve the problem with the infiltration, but then he would end up paying gallon for gallon and getting the credit that he is due. The end result would be \$400.00 more each year for sewer charges that he shouldn't have to pay.
2. Replace the tank. Prices for a 300-gallon plastic tank similar to the one in the ground now cost about \$350.00; with installation, pipe and doing the labor himself, the total would be about \$500.00. An alternative to that would be to install a 500-gallon concrete (septic) type tank, about \$600.00. To install this the total cost would be around \$800.00.
3. The Town to issue a credit without pumping. Take the old tank out and not replace with a new tank is a win situation for him. A benefit for the Town would be that this would avoid a situation of infiltration in the future and be a more reliable connection. He proposed that the Town issue him a credit without pumping, based on 18% loss for the previous eight years of history. He asked the Town to consider a permanent 15% credit.

George Schaller, Sewer Superintendent, commented that it would be an advantage to the Town to grant proposal number three (3) as it would also eliminate a lot of paperwork.

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Councilman Yale verified the tank to be eliminated. Gary explained that he would eliminate the pump and the tank, and there would be a solid direct line to the manhole, guaranteeing the elimination the influx of ground water. Councilman Yale was on the Board when Mr. Borkhuis came before the Board in 1997. At that time it was a precedent issue and not enough information was available. He thought that it was a solid decision at the time and he still stands with that decision. However, now Mr. Borkhuis has significant documentation; and if someone else in the future came to the Board with a similar situation and had such documentation, he would feel favorable.

Motion by Councilman Yale approving a permanent 15% credit on the sewer bill for the Fairway Car Wash. Credit applies to the property and not the individual owner. Seconded by Councilwoman Hawkins-Mance.

Discussion: Councilwoman Marini commented that with the MS4 requirements, this is a good decision. Councilman Keyes agreed as long as it doesn't set a precedent for the future.

Adopted: Vote Ayes 5 Nays 0

DISPLEASURE OF EMPLOYEE TREATMENT AND EMERGENCY TOWN BOARD MEETING

Frank Guelli, resident and former Town Supervisor, read a letter he wrote:

"I'm here to express my displeasure over the way the Town Board has treated two long-term Town employees who served the Town with distinction for a combined 42 plus years. The Town employees gave the Town Board two or more weeks notice of their pending departure; but instead of being allowed to complete their notice of resignation, they were escorted from the Town offices with their belongings as though they were common criminals. These actions may be practiced in corporations like Kodak and Xerox where they eliminate thousands of employees, but these employees were our neighbors and friends, who gave their all for the betterment of Walworth. This Board showed its complete disregard for Town residents by holding an emergency special meeting to accept the resignation of Recreation Director, Deb Germain, when it could have accepted the resignation at the next night at the regular Board meeting.

I believe the special meeting was used to avoid discussing a controversial subject in front of a group of Town residents. Special Town Board meetings can be called by the Supervisor or two Town Board members with 48 hours notice and with notices posted at the Town Hall and notification of the legal newspaper. This "emergency meeting" was held with the Town Clerk given 15 minutes notice and some of the Board members finding out that evening. While this meeting was not illegal, it was not used for the intended purpose of a special board meeting. I hope that the next time the Town Board calls an emergency special meeting, it is not to discuss the resignation of a Town employee, which is strictly an administrative function, but to discuss a true emergency."

DEPARTMENT HEAD REPORTS:

HIGHWAY – CORNELL LOCAL ROADS PROGRAM

Mike Frederes, Highway Superintendent, thanked Council members for giving him the opportunity to attend this conference for a thirteenth year.

PARKS & RECREATION – GINEGAW PARK PAVILION USE, GRACE BAPTIST CHURCH

Patti Marini discussed with Council members use of the pavilion by Grace Baptist Church of Marion, for a Southern Gospel Concert on Friday, August 3, from 6:00 PM until one half hour before dusk. As there will more than likely be over 100 people in

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attendance, Town Board approval is required. A second date has also been requested: August 18. Councilwoman Marini referenced the Pavilion Reservation Permit form that states, "if this is a second request for a pavilion in this calendar year, you may not reserve the pavilion until one week before needed date." However, she pointed out that if you read the Town's Ordinance, it states if there is the potential for 100 people, they have to make the request three weeks in advance. Discussion ensued verifying that no Walworth Recreation activities will be taking place on this date as well as with regards to the imposition of a larger group coming in and impeding on other residents who would be utilizing the park.

Motion by Councilwoman Marini authorizing the use of Ginegaw Park Pavilion on Friday, August 3, 2007, and Friday, August 18, 2007, by the Grace Baptist Church. Councilwoman Marini also requested that a copy of their certificate of liability insurance be submitted to the Town prior to these events.

Seconded by Councilwoman Hawkins-Mance.

Roll call vote:	Councilman Keyes	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins- Mance	Aye
	Councilman Yale	No
	Supervisor Plant	Aye

Motion carried.

SEWER – AMEND PRE-PAY NEWARK ELECTRIC BILL

Motion by Councilman Yale amending the pre-pay amount from the May 17, 2007, meeting for the Newark Electric bill, for an amount not to exceed \$7,183.33.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 5 Nays 0

SEWER – AMEND PRE-PAY HOME DEPOT BILL

Motion by Councilman Yale amending the prepay amount from the May 17, 2007, meeting for the Home Depot bill, for an amount not to exceed \$895.75.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

ASSESSOR –

Karen Ambroz had nothing to report at this time.

Councilman Yale stated that he received notice from State Board of Real Property Services that the Town of Walworth has established a tentative 2007 State Equalization Rate of 100.00 for our municipality. He extended his congratulations on this challenge.

ENGINEER –

Nothing reported at this time.

TOWN CLERK –

Susie Jacobs reported that the NYS Regional DEC will be offering "Free Fishing Days" June 23 – 24. During the last weekend in June anyone can fish New York State waters and no license is required.

Susie Jacobs updated Council members that two streets have been completed with regards to the dog enumeration.

COMMITTEE REPORTS:

PARKS & RECREATION COMMITTEE – PRELIMINARY PARKS PROJECT LIST

Councilwoman Marini reported that the Parks & Recreation Committee has prepared a preliminary list of projects for potential Eagle Scouts or other community organizations that may want to complete a service project in Town parks. The list is as follows:

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1. Current trail system needs to be connected and expanded to include Sherburne Park to Town Hall to Ginegaw Park to Fireman's Field "loop."
2. The entire trail system could be bordered and mulched sections at a time, starting with areas abundant with poison ivy, as an ivy control.
3. Sherburne Park main trail needs "offshoots" that take hikers to water's edge for future boardwalk sections and current additional observation points into the wetlands.
4. Investigate, secure, and implement the trail entering private property along SW edge of Sherburne Park. This would provide outstanding woods and wildflower section of trail, something currently lacking there.
5. Build non-pressure treated bridges over trail crossing drainage channels at Sherburne Park.
6. Build benches at appropriate locations for wildlife observation.
7. Install tree ID signs along the entire trail, sections at a time.
8. Expand avian nest boxes, more bluebird, wood duck, screech owl, kestrel, bat, etc.
9. Build a lean-to style shed to house porta-johns.
10. Replace Sherburne Park sign with something appropriate.
11. Build trail-head signs with map of parks trail systems.
12. Utilize sand from Ginegaw to create a "camping area" for Scouts.

SNOWMOBILE / ALL-TERRAIN VEHICLES COMMITTEE - NOTICE OF MEETING
Councilwoman Marini reported that the Snowmobile / All-Terrain Vehicle Committee will hold a meeting on Tuesday, June 12, 2007, at the Walworth Town Hall at 7:00 PM, in the Recreation area. Notification will be posted in the Town's official newspaper.

MS4 DRAINAGE COMMITTEE - NOTICE OF MEETING
Councilwoman Marini advised that the MS4 Drainage Committee will hold a meeting on Tuesday, June 19, 2007, at the Walworth Town Hall in the main meeting room, at 7:00 PM. Notification will be posted in the Town's official newspaper. She also stated that there will be an information booth at the Walworth Festival in the Park to educate residents.

MASTER PLAN COMMITTEE – PROPOSED ZONING CHANGES
Councilman Yale stated that the Master Plan Committee's proposed Zoning changes have gone through the process of Public Notifications, Public Hearings and SEQR. He recommended that a motion be made approving the changes and moving them forward with the Town Engineer.

Motion by Councilman Yale authorizing the Town Engineer to prepare the necessary documentation and descriptions for the Town Ordinances.

Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

RESOLUTION 33-07 AMEND SERVICE AWARD POINTS LINCOLN FIRE DEPARTMENT 2005 & 2006:

Councilman Keyes offered the following Resolution **33-07** and moved its adoption.
Seconded by Councilwoman Marini to wit:

This is a request to place the name of John Heckle on the Awards List for the Lincoln Fire Department.

WHEREAS, John earned 50 points in the year 2005; and

WHEREAS, John earned 85 points for the year 2006;

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NOW BE IT RESOLVED, that the Town of Walworth does hereby place John Heckle on the Awards List for the Lincoln Fire Department.

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

Resolution carried.

EMPLOYEE HANDBOOK REVIEW DISCUSSION:

Motion by Councilwoman Marini to approve the Employee Handbook as presented.
Seconded by Councilman Yale.

Discussion: Council Members agreed that future amendments would be added as addendums to the handbook as needed. Councilman Yale thanked everyone for the time and effort given in gathering information, resulting in a very good product.

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

Motion carried.

THANK YOU TO THE MOMS CLUB OF MACEDON / WALWORTH:

Supervisor Plant announced that the Moms Club of Macedon / Walworth, which he mentioned that he had not heard of until this year, held a Trike-a-Thon on May 19, 2007, and raised \$339.00 to use towards the new playground at Ginegaw Park. He wished to recognize them for their efforts.

ALCOHOL USE PERMIT - LINCOLN FIRE DEPARTMENT:

Motion by Councilwoman Marini authorizing the issuance of an Alcohol Use Permit for beer to the Lincoln Fire Department on Wednesday's from 9 to 7, at the Fireman's Field.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

ALCOHOL USE PERMIT – MARTY AMAN FAMILY PICNIC – GINEGAW PARK:

Motion by Councilman Yale authorizing the issuance of an Alcohol Use Permit for Marty Aman on August 11, 2007, at Ginegaw Park pavilion, from noon until dusk, for beer and wine at a family picnic.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

GINEGAW PARK USE:

Motion by Councilwoman Marini authorizing the use of Ginegaw Park Pavilion to Marilynn Garland on August 4, 2007, from 11:00 AM to dusk, for a graduation party for 100 plus people.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

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FIREWORKS PERMIT - CAREY LAKE:

A Fireworks Permit request, including a \$4 million certificate of liability, was received on May 23, 2007, from Carey Lake, for a display on June 2, 2007. Because the request was submitted in between scheduled Town Board meetings, Deputy Supervisor Yale granted authorization.

FIREWORKS PERMIT - CAREY LAKE:

Motion by Councilman Keyes authorizing the issuance of Firework Permits, including \$4 million certificate of liability insurance, for June 23, June 30 and August 18, 2007, for Carey Lake.

Seconded by Councilwoman Marini.

Discussion: Bruce Carey, business owner of Carey Lake and resident, addressed Council Members with regards to notifying a specific resident. He indicated that he felt that he was being harassed and asked that a member of the Town Board or a Town employee visit the area in question during one of the fireworks displays and report their findings back to the Town Board. Mr. Carey also stated that he would have someone call this specific resident and advise the dates that fireworks will be displayed. Mr. Carey thanked the Council members for their support.

Councilman Yale and Councilman Keyes both agreed that Mr. Carey's property has proven to be a nice addition to the community and to Wayne County.

Adopted: Vote Ayes 5 Nays 0

EXCEL TRAINING APPROVAL:

Motion by Councilwoman Marini authorizing Phil Williamson, Barbara Kuelling and Jean Johnson to attend the 1-Day Excel Training session on August 24, 2007, in Rochester, NY, for an amount not to exceed \$297.00, from Association of Towns budgeted line A1220.41.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

WCWSA:

Marty Aman, WCWSA Executive Director, introduced Mike Simons, Director of Operations for Wayne County Water and Sewer Authority. Both Marty and Mike felt it important to update Council Members and residents of the community on the direction the Wayne County Water and Sewer Authority is taking. This included services provided, ongoing projects, number of customers and water distribution. Mike Simon made sure that everyone was aware of the web site address, (www.WCWSA.org.) and advised residents to utilize this to obtain conservation tips pertinent to how to conserve water.

Mike Simon advised that the water in Sherburne Road Park was never charged into the system, and he is planning on working with Norm Druschel in taking water samples to the Health Department for testing to have them formally approved.

GINEGAW STORAGE SHED ADDITION:

Supervisor Plant advised that Norm Druschel, Building Inspector, has reviewed the punch list items with the Recreation Department and found all items to be completed to satisfaction. The balance of the monies that were being held can now be released to Salatino Construction.

Motion by Councilman Yale to accept the above statement and authorize the release of any monies being held to Salatino Construction.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

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NYS TROOPERS' OFFICE:

Motion by Councilwoman Hawkins-Mance authorizing Pro Carpets to install new vinyl flooring in the NYS Troopers' office for an amount not to exceed \$1,118.10.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

WEBMASTER THANKS:

Supervisor Plant extended thanks to Blair Germain, Webmaster, for linking the Town Hall to Map Quest for directions.

DISCUSSION COUNTY RESOLUTIONS:

Supervisor Plant reported that the County has two proposed resolutions pending to send to the State with regards to the Farmland Protection Bills. The Supervisor has asked for Council Members to review these resolutions and give their support in passing similar resolutions at our local level.

SINCERE GRATITUDE:

Councilman Keyes commented that being one of the first to work on the playground project, he was extremely impressed with the number of volunteers that turned out and worked in the heat to complete this project. He expressed his sincere gratitude and appreciation by stating, "it was one of the nicest things he had ever seen."

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilman Yale and unanimously carried.

Time: 8:38 PM.

Respectfully Submitted,

Susie C. Jacobs,
Town Clerk