

**WALWORTH TOWN BOARD - REGULAR MEETING
4 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
	Thomas Yale	Councilman
	Patti Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent
	Jacqueline Van Lare	Recreation Director
	Karen Ambroz	Assessor
	Ed Parrone	Engineer
	Norm Druschel	Building Inspector

MINUTES:

Councilman Yale stated, "in that we just received them today, I would like to table the minutes of September 20, 2007, until the next meeting to give time to review."

Addendum to minutes from Susie Jacobs, Town Clerk: The Open Meetings Law requires that the minutes be available within two weeks from the date of the meeting for public inspection. The minutes of September 20, 2007 were made available to Council members via Town Hall mailboxes and available to the public in the Town Clerk's office on October 3, 2007.

Motion by Councilman Yale to approve the Minutes of September 6, 2007, as presented.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

CORRESPONDENCE:

Susie Jacobs, Town Clerk, had nothing to enter into record.

Supervisor Plant stated that he had a note card that read as follows: "Dear Mr. Plant and Recreation Director, The Walworth Senior Citizens would like to thank you so much for the picnic last week. We enjoyed ourselves very much and are very grateful. Thank you."

Supervisor Plant thanked Jackie Van Lare, Recreation Director, for starting the Senior Picnic.

PUBLIC PARTICIPATION:

1. Michael Lane, Life Scout with Troop 167, addressed the Board with his Eagle Project. Michael presented Council members with a proposal for a 28' foot log bridge for the trail that hugs the side of the wetlands in the new part of the Sherburne Road Park. This will give visitors a way to cross the water and continue to follow the trail in the park. He stated that he would like to start his project as soon as possible to avoid any delays due to weather and school/sports conflicts that may occur if the project stretches into the fall. His proposal included two budgets for review. Discussion ensued. Supervisor Plant recommended that the Engineer for the Town review the proposal to discuss a better foundation. Mr. Plant also inquired if the Parks Committee had been informed about this request? Councilwoman Marini stated that this was one of the projects on their request list. Councilwoman Marini inquired whether the Scout was looking for the Town to fund the entire project or would he be seeking donations? He stated that he would need the Town to supply the logs, as he did not have the ability to move the logs. The

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Supervisor recommended that he visit Lowe's for donations, as they are very active in communities. He should also meet with the Parks and Recreation Director for review and then he hoped to see the Scout back at the next Town Board meeting.

2. Stephen Lane, a Boy Scout with Troop 167, is working on his Eagle Rank. For his project he proposes to build a 16-foot bridge over a drainage ditch in Sherburne Road Park, so that people can more easily utilize the trail system in the new park. The proposal he gave Council members included two budgets for their review. Supervisor Plant gave the same recommendations on this project. Council members requested that these bridges be identified on a Town park map. This Scout would like to complete this project by Winter, 2007.

Councilman Yale commented that these are two very ambitious projects.

DEPARTMENT HEAD REPORTS:

HIGHWAY – WAYNE CENTRAL SCHOOL DISTRICT SALT & SANDING CONTRACT

Motion by Councilman Yale authorizing Supervisor Plant to sign the Wayne Central School District Salt & Sanding Agreement for the 2007 – 2008 season.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

HIGHWAY – WALWORTH-PALMYRA ROAD SIDEWALK PROJECT

Mike Frederes, Highway Superintendent, reported that he took the liberty of sending a note of thanks to Wayne County on behalf of the Walworth Town Board.

PARKS & RECREATION –

Nothing reported at this time.

ASSESSOR –

Nothing reported at this time.

ENGINEER – MS4 ROUND 8 AND 9 REIMBURSEMENTS

Ed Parrone, Engineer for the Town, stated that the MS4 funding applications were submitted on Friday, September 28, 2007; copies have been given to the Town Clerk for filing. The Town of Walworth was the only one that submitted the application on time. It looks very favorable for rounds 8 and 9 to be funded. This should help the Town and their burden with the re-mapping that was done for the re-zoning and the MS4.

ENGINEER – REQUEST FOR NEGATIVE DECLARATIONS FOR LOCAL LAWS 2 AND 3 OF THE YEAR 2007.

Ed Parrone, Engineer for the Town, requested that the Town Clerk complete the negative declarations for Local Laws 2 and 3 of the year 2007. He continued to explain that these needed to be submitted to the DEC as it related to the MS4. Mr. Parrone further explained that they are working on the SEQR process for the acceptance for the State funding. This is another component to get this money. He anticipated the Town would get over 50 percent of the \$22,000.00. Carl Hewings and Jean Johnson were thanked for all of their hard work.

BUILDING –

Nothing reported at this time.

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TOWN CLERK – TENTATIVE BUDGET

Susie Jacobs, Town Clerk, advised that according to New York State Law, she must present the Town Board the tentative budget at a regular or special meeting on or before October 5. She did so tonight: October 4, 2007.

TOWN CLERK – GRANT APPLICATION TRAINING

Susie Jacobs, Town Clerk, reported that she had received a confirmation notice from the New York State Education Department that she had been enrolled in two sessions regarding Grant Application information/writing.

EXECUTIVE SESSION:

Motion by Councilwoman Marini to adjourn to Executive Session to discuss the employment history of a particular person/corporation, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

Time: 7:47 PM

RECONVENE:

Motion by Councilwoman Hawkins-Mance to reconvene the regularly scheduled Town Board meeting.

Seconded by Councilman Keyes.

Adopted: Vote Ayes 5 Nays 0

Time: 8:05 PM

COMMITTEE REPORTS:

RECREATION COMMITTEE

Motion by Councilwoman Marini to appoint Karel Ambroz to the Parks Committee with a term expiring December 31, 2009.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

Motion by Councilwoman Marini to appoint Tom O'Connor to the Recreation Committee with a term expiring December 31, 2010.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

Motion by Councilwoman Marini to appoint Erin Thomas of Newark to a probationary appointment as Assistant Recreation Director for 25 hours a week at a rate of \$9.80 per hour, according to the Town of Walworth Wage and Salary Matrix.

Seconded by Councilwoman Hawkins-Mance.

Discussion: Councilman Yale would like it noted that there were Town residents that did apply and were found to be unqualified. Councilwoman Marini agreed and said that this was the person who had the most qualifications that met the needs of the position.

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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ORCHARD VIEW DEDICATION OF LIGHTING:

Motion by Councilman Yale authorizing the Supervisor to instruct NYSEG to energize 4 lights in Orchard View Estates (two at Mykola Road and two on North Park Way).

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

ORCHARD STREET LIGHT REPLACEMENT DISCUSSION:

Supervisor Plant reported that there is one light on Orchard Street that has not been working for a while. NYSEG reported that they have tried to find the break and have been unsuccessful. Their recommendation is to move the light to the other side of the road, right at the intersection of Mykola Road. They would then tie it in to the transformer at Mykola Road, even though the billing would still be attached to Harvest Hill. Supervisor Plant explained that all the old lights are mercury vapor, which are no longer legal in New York State. NYSEG will be installing a sodium light, and the pole will be fiberglass instead of steel.

WALWORTH TOWN COURT RECORDING SYSTEM:

Judge Wolfe reported that as part of the New York State Justice Court Assistance Program (JCAP) this year, the Walworth Town Court has been given a digital recording system that consists of a Dell lap-top computer and recording software with a value short of \$2,000.00. Using this system all future court proceedings, including nighttime arraignments, will be on the records, While this is not a court record, it will now be possible to have actual records of all proceedings in the court thanks to this program. We are one of the first courts to receive this system - eventually every court will have this system - but we are one of the 20 pilot courts for the 7th Judicial District.

Motion by Councilman Yale to declare the DAT Tape Deck System in the Justice Court Department surplus.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

RESOLUTION 55-07 AMENDING THE TOWN-SPONSORED VOLUNTEER FIREFIGHTER SERVICE AWARD PROGRAM FOR ACTIVE VOLUNTEER FIREFIGHTER MEMBERS OF THE WEST WALWORTH FIRE DEPARTMENT.

Councilwoman Hawkins Mance offered Resolution **55-07** and moved it adoption.

Seconded by Councilman Yale to wit:

WHEREAS; eligible voters of the West Walworth Fire Protection District approved a referendum to establish a Service Award Program for active volunteer firefighter members of the West Walworth Fire Department effective January 1, 1998, in accordance with Article 11-A of the New York State General Municipal Law; and,

WHEREAS; Article 11-A authorizes the Town Board of the Town of Walworth to seek voter approval of amendments to the Service Award Program; and,

WHEREAS; many of these amendments are intended to enable the Town to improve the Service Award Program benefits for active volunteer firefighters; and,

WHEREAS; such improvement in Service Award Program benefits is consistent with the intent of the Program to help the West Walworth Fire Department recruit and retain active volunteer firefighters;

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Now, Therefore, **BE IT RESOLVED**, That:

The Town Board of the Town of Walworth, as authorized by Article 11-A of the New York State General Municipal Law, directs that there shall be a public referendum of eligible voters of the West Walworth Fire Protection District in an election to be held on **DECEMBER 11, 2007**, to determine whether the Town of Walworth – West Walworth Fire Protection District Defined Benefit Service Award Program shall be amended effective January 1, 2008, to increase the Service Award from \$10 to \$20 for years of service credit earned after calendar year 2007 under the Service Award Program Point System.

The current annual cost of funding the Town of Walworth – West Walworth Fire Protection District Defined Benefit Service Award Program is about \$8,000 including the cost of administration. Should voters approve this amendment, the annual cost of the amended program will be about \$13,800 (\$493 per current covered participant) including the cost of administration of about \$2,500.

All other provisions of the Town of Walworth – West Walworth Fire Protection District Service Award Program which required voter approval shall not change and the program shall continue to be administered by the Town of Walworth in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time; and,

Now, Therefore, **BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopt Resolution **55-07**.

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

Resolution carried.

RESOLUTION 56-07 AMENDING THE TOWN-SPONSORED VOLUNTEER FIREFIGHTER SERVICE AWARD PROGRAM FOR ACTIVE VOLUNTEER FIREFIGHTER MEMBERS OF THE LINCOLN FIRE DEPARTMENT:

Councilwoman Marini offered Resolution **56-07** and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS; eligible voters of the Lincoln Fire Protection District approved a referendum to establish a Service Award Program for active volunteer firefighter members of the Lincoln Fire Department effective January 1, 1998, in accordance with Article 11-A of the New York State General Municipal Law; and,

WHEREAS; Article 11-A authorizes the Town Board of the Town of Walworth to seek voter approval of amendments to the Service Award Program; and,

WHEREAS; many of these amendments are intended to enable the Town to improve the Service Award Program benefits for active volunteer firefighters; and,

WHEREAS; such improvement in Service Award Program benefits is consistent with the intent of the Program to help the Lincoln Fire Department recruit and retain active volunteer firefighters;

Now, Therefore, **BE IT RESOLVED**, That:

The Town Board of the Town of Walworth, as authorized by Article 11-A of the New York State General Municipal Law, directs that there shall be a public referendum of

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eligible voters of the Lincoln Fire Protection District in an election to be held on **December 11, 2007**, to determine whether the Town of Walworth – Lincoln Fire Protection District Defined Benefit Service Award Program shall be amended effective January 1, 2008, to increase the Service Award from \$10 to \$20 for years of service credit earned after calendar year 2007 under the Service Award Program Point System.

The current annual cost of funding the Town of Walworth – Lincoln Fire Protection District Defined Benefit Service Award Program is about \$7,300 including the cost of administration. Should voters approve this amendment, the annual cost of the amended program will be about \$12,000 (\$600 per current covered participant) including the cost of administration of about \$2,500.

All other provisions of the Town of Walworth – Lincoln Fire Protection District Service Award Program which required voter approval shall not change and the program shall continue to be administered by the Town of Walworth in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

Now, Therefore, **BE IT FURTHER RESOLVED**, that the Town Council of the Town of Walworth adopt Resolution **56-07**.

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

Resolution carried.

WINDOW TINTING TOWN COMPLEX:

Motion by Councilwoman Hawkins-Mance approving the Tint Shop to install window tint on the windows at the Town Complex for an amount not to exceed \$2,244.00.

Seconded by Councilwoman Marini.

Discussion: Supervisor Plant mentioned that the windows to be tinted are the ones on the east side of the building only, to help with energy conservation due to the location of the thermostat. Supervisor Plant stated that the quote given to move the thermostat was higher than the quote for window tinting.

Adopted: Vote Ayes 5 Nays 0

EMPLOYEE HANDBOOKS:

Supervisor Plant asked Council members to review the Employee Handbook for any comments or mistakes and to report their findings by Thursday, October 11, 2007. At that point, a meeting will be set up for all Town employees for Paychex to review the handbook with them; then they will be issued.

WHITNEY ROAD – TIME WARNER CABLE REQUEST:

Supervisor Plant stated that he had received a letter from Time Warner with a request from some residents on Whitney Road regarding cable service. Due to density and distance, Time Warner stated that they were not able to provide service to residents in the Town of Walworth on Whitney Road on an economically feasible basis. The Supervisor stated that Time Warner had advised that service from the Town of Webster would be economically feasible. Discussion ensued regarding access of local channels. Permission would need to be given by the Town for cable to be fed from the Town of Webster. Time Warner assured that any franchise fees

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collected from this customer would be credited to the Town of Walworth per the Franchise Agreement.

SHARP COPIER DISCUSSION:

Supervisor Plant mentioned that the current copier Sharp AR-M350U+ at the Town Complex continues to need repair/service calls. He has received a quote for a Xerox DocuCenter 230DC digital copier at a rental price of 2 cents per copy with a minimum billing of \$100.00 per month. This price includes copier, all parts, labor, service call charges and drum cartridges. There is no time-binding contract, and either party may cancel at a reasonable two-weeks notice. Councilman Yale stated that this is an operational cost and not a capital cost. He does not see the need for Town Board approval. Discussion ensued as to whether the purchase of a machine would be better. Supervisor Plant stated that even the County does not own their copier.

TRAVEL POLICY:

Supervisor Plant stated that Council Members had received their Travel Policy a few months ago and asked if they had looked it over and if they wanted to adopt something like this. Councilwoman Hawkins-Mance commented that she thought there were some adjustments that needed to be made. Councilman Yale asked that this be tabled and placed on the agenda for the next Town Board meeting.

LOCAL GOVERNMENT WORKSHOP:

Motion by Councilman Yale authorizing Phil Williamson, Code Enforcement Officer, to attend a Local Government Workshop at a cost not to exceed \$40.00.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

FINANCIAL TRANSACTIONS RESOLUTION 54-07:

Councilwoman Marini offered the following Resolution **54-07** and moved it adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED that the Account Clerk be authorized to amend the 2007 General Fund Budget to accept and disburse Farm Land Preservation Grant Funds. Establish income account A1940 Purchases of Land/Right of Ways and Expense Lines A1940.21 Purchases of Land and A1940.41 Contractual Expenses Land Purchases. \$446,384.00 to be transferred to A1940.21 and \$44,887 to A1940.41 from General Fund Balance. Proceeds from grant to be deposited into A1940 for \$491,271.00.

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

Resolution carried.

BURN PERMIT – 3937 WEST WALWORTH ROAD:

Discussion: Norm Druschel, Fire Marshall, explained that the applicant has requested to do this burn in conjunction with the West Walworth Fire Department. He further explained that the pictometry does not show a home; after the home burned, everything was bulldozed to the back of the lot. Norm explained that there are brush and trees in the back yard that she is requesting to burn.

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Councilman Yale requested to table the burn permit for 3937 West Walworth Road for input from the West Walworth Fire Department. Councilwoman Hawkins-Mance agreed.

RECESS:

Supervisor Plant stated they would have a short two-minute recess and reconvene with department heads to discuss budget.

Time: 8:25 PM.

RECONVENED:

Supervisor Plant reconvened the meeting at 8:27 PM.

JUSTICE COURT STATE RESOLUTION:

Judge Wolfe gave a resolution in support of the Town Courts to Susie Jacobs, Town Clerk, that he suggested Council members consider adopting at the next Town Board meeting.

2008 PROPOSED BUDGET REVIEWS WITH DEPARTMENT HEADS:

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

Assessment
Building
Court
Highway
Library
Recreation

ADJOURNMENT:

Motion by Councilman Yale to adjourn.

Seconded by Councilman Keyes and unanimously carried.

Time: 9:38 PM

Respectfully Submitted,

Susie C. Jacobs
Town Clerk