

**WALWORTH TOWN BOARD – REGULAR MEETING
15 AUGUST 2013**

Presiding Supervisor Plant called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 7:30 PM with the Pledge to the Flag.

PRESENT:

Robert Plant	Supervisor
Patricia Marini	Councilwoman
Vaughn Pembroke	Councilman
Larry Ruth	Councilman
Susie Jacobs	Town Clerk

ABSENT:

Tom Yale	Councilman
Michael Frederes	Highway Superintendent

OTHERS PRESENT: Town Newspaper Reporter and four (4) attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of July 18, 2013, Meeting as presented.

Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to accept as presented the Supervisor's Report for July, 2013.

Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

TOWN AUDIT REVIEW – TOM ZUBER, RAYMOND F. WAGER, CPA, PC:

Mr. Tom Zuber, Raymond F. Wager, CPA, P.C., reviewed the Town of Walworth Audit for Year Ending December 31, 2012. The following was presented to Council members, Town Comptroller and the Town Clerk prior to tonight: Basic Financial Statements, Communicating Internal Control Related Matters Identified in an Audit, Review of Town Clerk, and Review of the Receiver of Taxes and Review of Justice Accounts. Mr. Zuber reviewed the procedures performed, audit findings/issues, corrective action and internal controls. Council members were also presented with the Town of Walworth, NY, Financial Executive Summary for Years ended December 31, 2012 and 2011.

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Motion by Councilman Ruth to accept and file the above reviewed reports.
Seconded by Councilwoman Marini.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

CERTIFICATE OF RECOGNITION OF KWIK FILL BY COUNCIL OF ALCOHOLISM:

The following was submitted.

*Council on Alcoholism and Addictions
of the Finger Lakes*

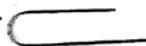
620 W. Washington Street
Geneva, New York 14456
Phone: (315) 789-0310
Fax: (315) 789-0084
council@rochester.rr.com

NELSON C. ACQUILANO
M.P.A., L.M.S.W., C.A.S.A.C., C.P.P.
Executive Director

June 18, 2013

*Council on Alcoholism and Addictions
of the Finger Lakes*

Billie Lohr, M.S.
Director of Programs
Certified TIPS Trainer



Central Office
620 W. Washington Street
Geneva, NY 14456

(315) 789-0310
Fax (315) 789-0084

council@rochester.rr.com

Dear Town Supervisor,

The Wayne Wellness Coalition, along with the help of the Council on Alcoholism of the Finger Lakes recently completed a round of alcohol compliance checks in Wayne County. The program is entirely voluntary, and done with the intention of educating vendors on the dangers of selling alcohol to minors.

We are pleased to announce that we had an 80% passing rate county-wide. Sixty-four local businesses chose to take part and of those 51 were successful and did not sell alcohol to the minor. These businesses will be presented with a certificate of recognition for their continued refusal to sell alcohol to minors. The few locations that did sell to a minor were notified and provided with information on the TIPS server training program, to help protect our community and its members, as well as their business.

We thank you for helping us to recognize the good service of those local businesses that succeeded in their commitment to remain steadfast in their refusal to provide for minors.

Sincerely,



Mike Ballard

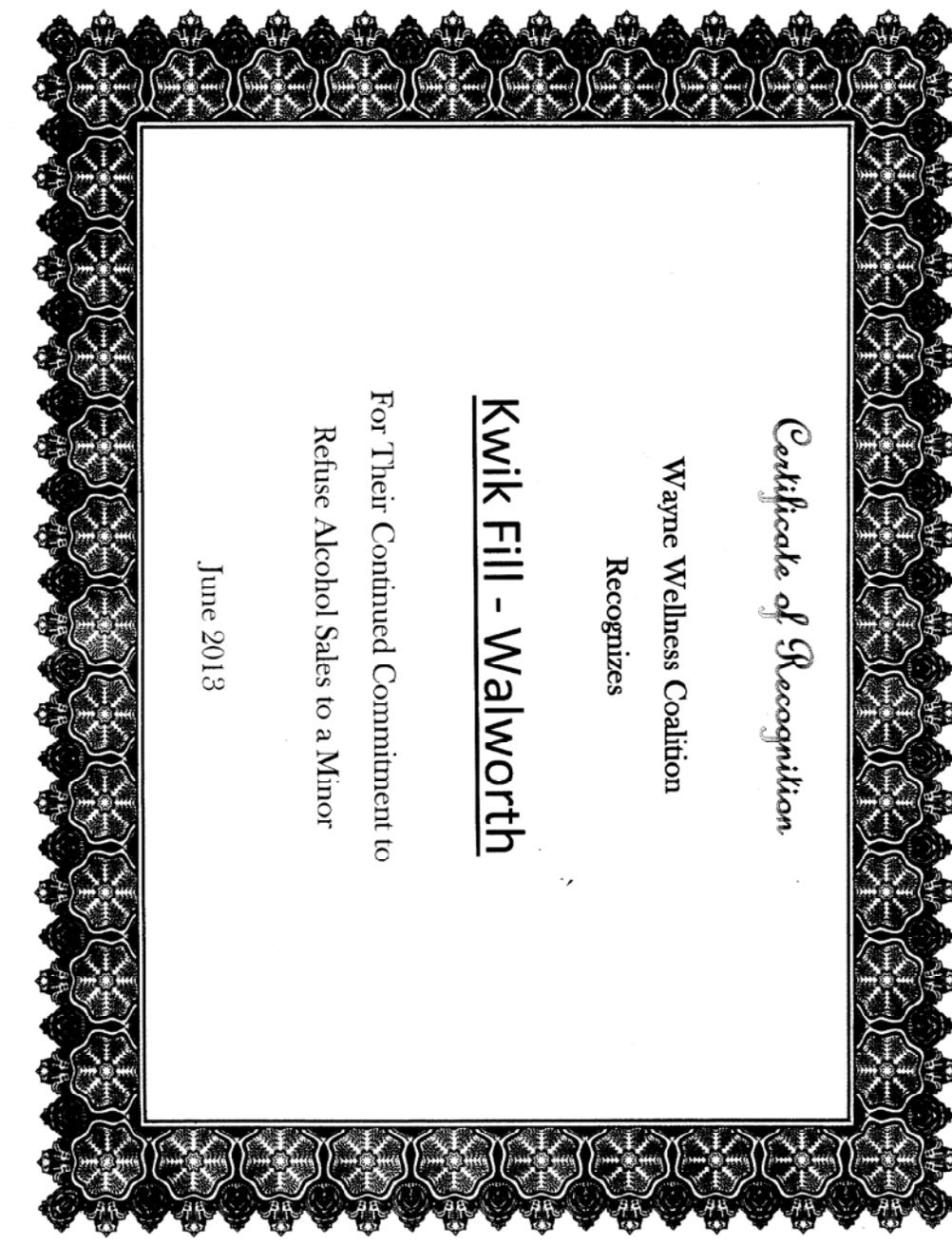
Environmental Prevention Specialist

Council on Alcoholism and Addictions of the Finger Lakes

(315) 789-0310

eps@ Rochester.rr.com

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The Certificate of Recognition will be presented to KwikFill – Walworth.

CORRESPONDENCE:

ANNUAL NATIONAL NIGHT OUT – GINEGAW PARK:

An invitation to attend the 4th Annual National Night Out held on Thursday, August 22, 2013 from 6 pm – 8 pm at Ginegaw Park was extended.

EMPLOYEE – THANK YOU LETTER – NORM DRUSCHEL, BUILDING INSPECTOR:

Supervisor Plant shared with Council members a thank you note received recognizing Norm Druschel for going above and beyond to assist.

EMPLOYEE – APPLICATION OF THE THREE APPROACHES TO VALUE – DENNINE L. LEESON:

Supervisor Plant also shared a letter from the Institute of Assessing Officers / New York State Assessors' Association informing that Dennine Leeson, Assessor, has completed and tested 100% on "Application of the Three Approaches to Value".

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NOTIFICATION ZONING ORDINANCE - TOWN OF MACEDON PUBLIC HEARING:

The following was submitted.

**TOWN OF MACEDON
BUILDING & ZONING OFFICE**
32 Main Street
Macedon, NY 14502
(315) 986-5932

August 7, 2013

Town Clerk
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

RE: Gascon – 3272 Hance Road

Attached is a Notice of Public Hearing for the above project which may be within 500 ft. of your municipality.

Should you have any questions or require further information, please contact this department.



Susan Bush
Building & Zoning Clerk

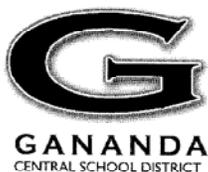
SB:s
Attach.

Motion by Councilwoman Marini to accept and file.
Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

CORRESPONDENCE - GANANDA CENTRAL SCHOOL DISTRICT:
The following was submitted.

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1500 Dayspring Ridge
Walworth, NY 14568
(Phone) 315-986-3521
(Fax) 315-986-2003
Website: www.gananda.org

SHAWN VAN SCOY, ED. D.
Superintendent of Schools

LISA FINNEGAN
Board of Education President

SCHOOL ADMINISTRATORS

Kelly VanLaeken, Principal
Gananda High School

Matthew C. Mahoney, Principal
Gananda Middle School

Kim Ernstberger, Principal
Tim Page, Assistant Principal
Richard Mann Elementary

DISTRICT-WIDE ADMINISTRATORS

Jeremy Bricks
Supervisor of Transportation

Warren Bushart
Food Service Director

Tracie Douglas
Coordinator of Curriculum,
Instruction, and Staff Development

Brenda Lehman
Director of Technology

Natalie Melnik
Business Administrator

Tony Morabito
Director of Buildings and Grounds

Tim Page
Supervisor of Special Education

John Tichacek
Director of Athletics
Supervisor of Health, PE
and Community Partnership

Ms. Susie Jacobs
Walworth Town Clerk
3600 Lorraine Drive
Walworth, NY 14568

July 19, 2013

Dear Ms. Jacobs:

As provided by §2121 (11) of the State Education Law, I am writing to formally advise you as Town Clerk of the following appointments of school district officers by the Gananda Central School District Board of Education. Both were appointed for terms beginning July 1, 2012 through June 30, 2013.

School District Treasurer: Mr. Mark Socola
WFL BOCES - CBO
131 Drumlin Court
Newark, NY 14513

Deputy Treasurer: Ms. Phyllis Moore
WFL BOCES - CBO
131 Drumlin Court
Newark, NY 14513

School Tax Collector: TBD – Will notify you upon appointment.

Please consider this letter as formal and official notification as required by state law.

Should you have further questions, please do not hesitate to call me at 315-986-3521, x4313.

Regards,

Leslie Ferrante
School District Clerk

.cc Natalie Melnik, Business Administrator

PUBLIC HEARING 7:45 PM – LOCAL LAW NO. 4 OF 2013:

Susie C. Jacobs, Town Clerk, stated the notice of Public Hearing for Proposed Local Law No. 4 of 2013 Override Tax Levy Limit was duly published two (2) times in the Town’s official newspaper on August 4 and August 11, 2013, with the same dates being posted at the Town Hall & Town Website. Copies are available to the public.

Motion by Councilwoman Marini to waive the reading of the Public Notice.
Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

Supervisor Plant declared the Public Hearing open and asked if anyone present would like to speak in **FAVOR** or **AGAINST** Proposed Local Law No. 4 of 2013.
Time: 7:45 PM.

No one wished to comment.

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Motion by Councilwoman Marini to close the Public Hearing.
Seconded by Councilman Pembroke.
Time: 7:48 PM.

Adopted: Vote Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

**RESOLUTION 63-13 ADOPTION OF PROPOSED LOCAL LAW NO. 4 OF THE
YEAR 2013- PROPOSED LOCAL OVERRIDE LAW FOR 2014:**

Councilman Ruth offered the following Resolution 63-13 and moved its adoption.
Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on August 15, 2013, to consider the adoption of proposed Local Law No.4 of the Year 2013, Proposed Local Override Law, more particularly A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c FOR 2014.

Be it enacted by the TOWN BOARD of the TOWN OF WALWORTH as follows:

Proposed Local Override Law
Proposed Local Law No 4 of the year 2013
Town of Walworth, County of Wayne

A local law to override the tax levy limit established in General Municipal Law 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Walworth, County of Wayne pursuant to General Municipal Law § 3-c, and to allow the Town of Walworth, County of Wayne to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement districts governed by the town board for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Walworth, County of Wayne is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder

thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This Local Law shall take effect immediately after adoption by the Town Board of the Town of Walworth.

BE IT RESOLVED, the Town Board of the Town of Walworth does hereby adopt proposed Local Law No. 4 of the year 2013 to the Town of Walworth Municipal Code.

BE IT RESOLVED, the Town Clerk submits the necessary documents pertaining to the adoption of said proposed Local Law No. 4 of 2013, for filing with the Secretary of State.

NOW, BE IT FURTHER RESOLVED, that the Town Council of the Town of Walworth adopt Resolution 63-13.

Adopted this 15th Day of August, 2013.

Discussion ensued.

Roll call vote:	Supervisor Plant	Aye
	Councilwoman Marini	Aye
	Councilman Pembroke	Aye
	Councilman Ruth	Aye
	Councilman Yale	Absent

Resolution carried.

RESOLUTION 58-13 WAYNE CENTRAL SCHOOL DISTRICT TAX COLLECTOR APPOINTMENT FOR 2013-2014 SCHOOL YEAR:

Councilwoman Marini offered the following Resolution and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, an organizational meeting of Wayne Central Board of Education appointed Mrs. Cathy Herzog as School Tax Collector for the 2013-2014 school year; and

WHEREAS, the Town of Walworth acknowledges §37 of Town Law, collection of school taxes in first class towns is the duty of the Town Receiver of Taxes and Assessments unless it's conveyed by Town Board resolution to the Tax Collector appointed by the Board of Education; and

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Ms. Cathy Herzog as School Tax Collector the portion of Walworth within the Wayne Central School District;

BE IT FURTHER RESOLVED, that the Town Board of the Town of Walworth adopt Resolution.

Adopted this 15th day of August, 2013 at the meeting of the Town Board.

Roll call vote:	Supervisor Plant	Aye
	Councilwoman Marini	Aye
	Councilman Pembroke	Aye
	Councilman Ruth	Aye
	Councilman Yale	Absent

Resolution carried.

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**RESOLUTION 65-13 GANANDA CENTRAL SCHOOL DISTRICT
APPOINTMENT OF SCHOOL TAX COLLECTOR FOR 2013-2014 SCHOOL
YEAR:**

Councilman Ruth offered the following Resolution 65-13 and moved its adoption. Seconded by Councilwoman Marini to wit:

WHEREAS, an organizational meeting of Gananda Central School District Board of Education appointed the following:

School Tax Collector:	Ms. Cynthia Wetherby Gananda CSD 1500 Dayspring Ridge Walworth, NY 14568
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WHEREAS, the Town of Walworth acknowledges §37 of Town Law, collection of school taxes in first class towns is the duty of the Town Receiver of Taxes and Assessments unless it's conveyed by Town Board resolution to the Tax Collector appointed by the Board of Education; and

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Ms. Cynthia Wetherby as School Tax Collector the portion of Walworth within the Gananda Central School District;

BE IT FURTHER RESOLVED, that the Town Board of the Town of Walworth adopt Resolution 65-13.

Adopted this 15th day of August, 2013 at the meeting of the Town Board.

Roll call vote:	Supervisor Plant	Aye
	Councilwoman Marini	Aye
	Councilman Pembroke	Aye
	Councilman Ruth	Aye
	Councilman Yale	Absent

Resolution carried.

RESOLUTION 66-13 FINANCIAL TRANSFERS:

Councilwoman Marini offered the following Resolution 66-13 and moved its adoption.

Seconded by Councilman Ruth to wit.

\$5,696.25 from Highway Fund DA687 Benefits \$967.35 and DA5148.12 Winter O/T \$4,728.90 to MS – Self Insurance Fund Line MS9050.81 Unemployment Payments NYS. To cover unemployment payments to July, 2013.

\$60.00 from A3510.42 Control of Animals Training to A3510.41 Control of Animals General Expenses. To cover current expenditures.

\$2,128.40 from A1990.41 Contingent Account to A1620.44 Town Office Computer Maintenance. To cover current expenditures.

\$418.62 from Park Special Revenue Fund Balance to CM1-7110.21 Parks Repair/Improvements. To cover current expenditures.

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Roll call vote:	Supervisor Plant	Aye
	Councilwoman Marini	Aye
	Councilman Pembroke	Aye
	Councilman Ruth	Aye
	Councilman Yale	Absent

Resolution carried.

APPROVAL ABSTRACT NO. 8:

The following was submitted.

To: Walworth Town Board

From: Jean Johnson, Town Comptroller

Date: 15-Aug-13

Re: Abstract #8

Attached please find a copy of the Abstracts by Fund. I have audited all claims and will be transferring funds to cover payments by Fund as follows:

Voucher Numbers #1079 to #1255

General Fund	\$91,382.68
Highway Fund	\$185,147.58
Sewer Fund	\$38,514.20
Park Special Revenue Fund	\$1,258.31
Walworth Light District	\$491.82
Harvest Hill Light District	\$425.55
Gananda Light District	\$984.58
Brookside Light District	\$8.01
Orchard View Light District	\$81.95
Parkview Green Park District	\$250.00
Self Insurance Fund	\$4,557.00
Walworth Drainage	\$2,415.00

Total Abstract #8 Payments	\$325,516.68
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Voucher Numbers #108 to #123

Trust & Payroll	\$28,489.21
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Checks will be issued on August 16, 2013.

Motion by Councilman Ruth to accept Abstract #8 as submitted.
Seconded by Councilwoman Marini.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

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COMMITTEE REPORTS:

Council members reported on their respective committees with the following Town Board actions:

**DOG CONTROL – NYS DEPARTMENT OF AGRICULTURE & MARKETS -
DOG CONTROL INSPECTION REPORT – JULY 26, 2013:**

Councilman Ruth stated the NYS Department of Agriculture and Markets has completed a Dog Control Officer Inspection on July 26, 2013. Discussion ensued. Motion by Councilman Ruth to accept and file.
Seconded by Councilwoman Marini.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

**PERSONNEL COMMITTEE – AMENDING WAGE & SALARY MATRIX -
ASSISTANT RECREATION DIRECTOR:**

Motion by Councilwoman Marini amending the Town of Walworth Wage & Salary Matrix to include the position of Recreational Director Assistant: Step 1 \$16.91 - Step 10 \$19.61 (with ~ 2% increase for each step).
Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

**PERSONNEL COMMITTEE – ANIMAL CONTROL OFFICER IS ELIGIBLE AS
AN EMPLOYEE FOR HEALTH INSURANCE COVERAGE:**

Discussion ensued.

Motion by Councilwoman Marini authorizing the Animal Control Officer is eligible as an Employee for Health Insurance Coverage.
Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

**PERSONNEL COMMITTEE – AMENDING EMPLOYEE HANDBOOK -
HOLIDAYS:**

Discussion ensued.

Motion by Councilman Ruth to "table" the discussion on Amending Employee Handbook "Holidays" until the next meeting. Discussion ensued.
Seconded by Councilman Pembroke.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0

Motion carried.

TOWN CLERK'S OFFICE – AUTHORIZE CREDIT CARD USE DISCUSSION:

Discussion ensued. Additional research will be provided.

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Motion by Councilwoman Marini to" table" the discussion on the use of Credit Card Use until the next meeting. Discussion ensued.
Seconded by Councilman Ruth.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

HIGHWAY – AUTHORIZE ATTENDANCE AND PREPAY – NYSAOTSOH:

Motion by Councilman Pembroke authorizing Mike Frederes to attend the NYSAOTSOH Conference & Expo, held in Lake Placid, NY on September 17-20, 2013. Preregistration is \$99.00 from Budgeted line A5010.41.
Seconded by Councilman Pembroke.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

HIGHWAY – AMENDING MOTION – NYSAOTSOH:

Motion by Councilman Pembroke amending motion to reflect prepay registration of \$99.00 & \$566.00 for share room cost. Budgeted line A5010.41. Shared transportation / Town Vehicle will be used.
Seconded by Councilman Pembroke.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

LIGHTING DISTRICT DISCUSSION:

Discussion ensued.

Motion authorizing Denise Munson, Attorney for the Town and Susie Jacobs, Town Clerk, to prepare documents dissolving all lighting districts in the Town and create one (1) light district.
Seconded by Councilman Pembroke.

Adopted: Ayes 4 Marini, Pembroke, Plant, Ruth
Nays 0
Motion carried.

PERSONNEL - SALARY INCREASE GUIDELINES:

Discussion ensued.

RECESS:

Supervisor Plant call for a five (5) minute recess:
Time: 8:16 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:20 PM.

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PERSONNEL - SALARY INCREASE GUIDELINES CONTINUED:

Discussion ensued.

**PERSONNEL - RESOLUTION 68-13 SALARY INCREASE GUIDELINES – THE
TOWN OF WALWORTH POLICY/PROCEDURES MANUAL 2010:**

Councilwoman Marini offered the following Resolution 68-13 and moved its adoption.

Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board of the Town of Walworth finds a need to adopt the Salary Increase Guidelines – Policy/Procedures Manual 2010 as submitted:

SALARY INCREASE GUIDELINES

The Town Board is committed to providing equitable compensation to all employees.

Town Law Section 27 gives the authority to the Town Board of each town to set the salaries of all officers and employees.

A Wage and Salary Schedule is adopted yearly by the Town Board. This schedule is a step based plan which covers all town positions. The step based plan has ten steps with step one being entry level. Once the employee reaches step ten in the schedule the employee is considered to have reached the earning potential for that position and would only receive an annual wage adjustment if one was given and the employee's annual evaluation was satisfactory or above. The annual wage adjustment percentage of increase is decided by the board as part of the annual budget process.

Once each year a performance evaluation is completed for each employee. These evaluations are used as recommendations to the Board, along with other factors, in making a decision regarding eligibility for an annual wage adjustment. An employee must receive a satisfactory evaluation to receive the annual wage adjustment if an adjustment is given.

In addition to the annual wage adjustment an employee may be eligible for an additional merit increase based on the performance evaluation with no uncorrected disciplinary action for the review period and that the new evaluation with the disciplinary action corrected be provided to the Town Board by the Department Head. The employee would have to receive an above satisfactory rating to be considered for the additional merit increase providing there are available funds in the budget. Upon receiving a merit increase the employee would be moved to the next step level in the Wage and Salary Schedule.

If an employee receives an unsatisfactory rating they will be reviewed again in 30 to 60 days. If their performance improves to satisfactory the salary adjustment can be given upon recommendation to the Town Board by the Department Head.

The final decision in all salary matters is that of the Town Board.

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Be it resolved, that Resolution 68-13 be adopted this 15th day of August, 2013.

Roll call vote:	Supervisor Plant	Aye
	Councilwoman Marini	Aye
	Councilman Pembroke	Aye
	Councilman Ruth	Aye
	Councilman Yale	Absent

Resolution carried.

**TOWN BOARD JOINT MEETING WITH GANANDA SCHOOL DISTRICT AND
WORK SESSION - SEPTEMBER 11, 2013:**

Supervisor stated that the Town Board will be meeting with Gananda School District on Wednesday, September 11, 2013, at 6:30 PM, location TBD. At the conclusion of the joint meeting Council members will return to the Walworth Town Hall, Meeting Room for a Special Meeting - Budget Work Session. Required notices will be posted.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilman Pembroke and unanimously carried.

Time: 8:45 PM.

Respectfully Submitted,

Susie C. Jacobs, RMC, MMC
Town Clerk