

**WALWORTH TOWN BOARD – REGULAR MEETING  
19 SEPTEMBER 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
Tom Yale	Councilman
Susie Jacobs	Town Clerk
Dan Majchrzak	Town Justice

**ABSENT:**

Michael Frederes	Highway Superintendent
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**OTHERS PRESENT:** Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Jean Johnson, Town Comptroller; Norn Druschel, Building Inspector; Laurie Waltermeyer, Court Clerk; Newspaper Reporter, and four (4) attendees.

**MINUTES:**

Motion by Councilman Ruth to approve the Minutes of September 5, 2013 Regular Meeting; September 11, 2013 Special Joint Meeting; September 11, 2013 Special Meeting – Budget Work Session as presented.  
Seconded by Councilman Pembroke.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
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 August, 2013.  
Seconded by Councilman Ruth.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
Nays 0

Motion carried.

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**COMMITTEE REPORTS:**

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

**CERTIFICATE OF TRAINING – SEQR:**

Motion by Councilwoman Marini to accept and file Certificate of Training for Mr. Gene Bavis attending SEQR EAFs two hour Training and SEQR Basic two hour Training; and Councilman Larry Ruth attending SEQR EAFs two hour Training and SEQR Basic two hour Training.

Seconded by Councilman Ruth.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
Nays 0

Motion carried.

**SEWER – RATE INCREASE:**

The following was submitted.

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3451 Ontario Center Road  
Walworth NY 14568

Rob Burns, Sewer Superintendent  
[sewer@townofwalworthny.gov](mailto:sewer@townofwalworthny.gov)

315-986-3415 PHONE  
315-986-1741 FAX

August 29, 2013

Attention:  
Robert Plant, Walworth Town Supervisor  
Walworth Town Board Members

Re: Sewer Rate Increase

After meeting with the budget officers in preparation of the 2014 Sewer Department budget, the sewer rate increase recommendations are as follows. A rate comparison is attached for your review of neighboring towns within both Wayne and Monroe County. With the continued increasing costs for medical, retirement, fuel and utilities, it is not likely that we will be able to extend the current rate for another year.

Given this recommendation and supporting documentation I would like to request that the Town Board set a new rate for sewer usage beginning January 1, 2014 for the Town of Walworth Sewer District.

**Walworth Sewer District current rate is:**

- ‡ \$65.00 per quarter (includes the first 16,000 gallons of water consumption)
- ‡ \$4.25 per additional thousand gallons of water consumption

The proposed rate would increase the per quarter charge by 10%. The additional per thousand gallons of water consumption over the allotted 16,000 gallons would increase by \$.25 per thousand.

**Walworth Sewer District new proposed rate for 2014:**

- ‡ \$71.50 per quarter (include the first 16,000 gallons of water consumption)
- ‡ \$4.50 per additional thousand gallons of water consumption

We currently have 2,129 sewer accounts (1,617 in Walworth & 512 in Macedon) and this rate increase would equate to an additional \$55,354.00 in annual revenue for the sewer district, plus an estimated \$12,000.00 in additional revenue for overage charges.

If you should have any questions please do not hesitate to contact me for further explanation.

Respectfully submitted,

Rob Burns, Sewer Superintendent

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**RESOLUTION 73-13 PROPOSED LOCAL LAW NO. 5 OF 2013 SEWER RATES INCREASE PUBLIC HEARING – OCTOBER 3, 2013 AT 7:45 PM:**

Councilman Pembroke offered the following Resolution 73-13 and moved its adoption. Seconded by Councilman Yale to wit:

**BE IT RESOLVED**, that proposed Local Law No. 5 of the year 2013, entitled A LOCAL LAW AMENDING THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING CHAPTER 139 entitled “SEWERS”, pertaining to SEWER RENTS SETTING FORTH SEWER RENT CHARGES AND PROVISION FOR MINIMUM SEWER RENT NOT TO BE CHARGED IN CASE OF DISCONNECT FOR MORE THAN 30 CONTINUOUS DAYS, said proposed Local Law No 5 of the year 2013 is hereby introduced before the Town Board, and

**BE IT ENACTED** the Town of Walworth, County of Wayne, New York, as follows:

SECTION 1. Amending Chapter 139-6 of the Town of Walworth Municipal Code is hereby amended as follows:

1. That Subdivision A of 139-6 entitled "Amount; collection; late and additional charges; notification of charges; responsibility of sewer district" is hereby amended to read as follows:

1. Amount. Each unit shall pay a minimum charge of **\$ 71.50** for each three-month period for sewer rent. In the event that the three months' water consumption exceeds 16,000 gallons, then the unit shall also pay **\$4.50** for each additional 1,000 gallons or part thereof of water consumed as determined above during the three months covered by the water bill.

SECTION 2. **Effective 1<sup>st</sup> Day of January, 2014.**

**BE IT FURTHER RESOLVED** that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board, and

**BE IT FURTHER RESOLVED** that the Town Board hold a Public Hearing on said Proposed Local Law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York at **7:45 PM** on **Thursday, October 3, 2013**, and

**BE IT FURTHER RESOLVED** that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of said public hearing at least ten (10) days prior thereto.

Discussion: Supervisor noted that the Sewer Increase has been passed on to the Town of Macedon.

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

Resolution carried.

**BUILDING DEPARTMENT –**  
**RESOLUTION 78-13 – VEHICLE LEASE:**

Councilman Pembroke offered the following Resolution 78-13 and moved its adoption. Seconded by Councilman Yale to wit:

**WHEREAS**, the Town of Walworth desires to lease a truck for the use of Building Department and Town Offices, and

**WHEREAS**, the Town of Walworth authorizes transfer from Building Equipment Reserve – A231BI for an amount not to exceed \$3,903.00 for 2014 truck lease.

**BE IT RESOLVE**, that the Town Board of the Town of Walworth authorizes the transfer and lease of truck.

Adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

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**ASSESSMENT REVIEW BOARD -RESOLUTION 74-13 APPOINTMENT OF -  
KENT MACAFEE:**

Councilman Yale offered the following Resolution 74-13 and moved its adoption. Seconded by Councilman Ruth to wit:

**WHEREAS**, the Town Board of the Town of Walworth desires to appoint Mr. Kent Macafee to the Assessment Review Board with a term expiring September 30, 2018.

**BE IT RESOLVED**, to authorize the appointment of the Assessment Review Board.

Adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**RESOLUTION 75-13 – FINANCIAL TRANSFERS:**

Councilwoman Marini offered the following Resolution 75-13 and moved its adoption.

Seconded by Councilman Ruth to wit:

\$2,966.80 from A1990.41 Contingent Account to A1620.44 Computer Maintenance. To cover of web page design and hosting.

\$1,320.82 from A1990.41 Contingent Account to A3310.41 Traffic Lights. To cover repair costs.

\$747.00 from General Fund Balance to A7310.43 Recreation New/Special Programs. To cover current expenses. Funds to cover this transfer were credited to A2001Recreation Fees.

\$200.00 from General Fund Balance to A3510.41 Animal Control Expenses. To cover Current expenses. Funds to cover this transfer were credited to A1550 Dog Pick Up Fees.

\$1,200.00 from A1355.42 Assessment Office Expense to A1355.41 Assessment Training/Conferences. To cover current expenses.

\$293.33 from A1410.43 Town Clerk Codification to A1410.21 Town Clerk Equipment. To cover current expenses.

\$350.00 from Drainage Fund Balance to SD1-8540.21 Equipment MS4. To cover current expenses.

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

Resolution carried.

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**APPROVAL ABSTRACT NO. 9:**

The following was submitted:

To: Walworth Town Board  
From: Jean Johnson, Town Comptroller  
Date: 19-Sep-13  
Re: Abstract #9

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 #1256-1415

General Fund	\$389,368.87	**
Highway Fund	\$32,031.32	
Sewer Fund	\$26,318.02	
Park Special Revenue Fund	\$768.36	
Walworth Light District	\$517.87	
Harvest Hill Light District	\$438.89	
Gananda Light District	\$999.96	
Brookside Light District	\$8.93	
Orchard View Light District	\$92.74	
Parkview Green Park District	\$200.00	
Self Insurance Fund	\$22.79	
Walworth Drainage	\$4,558.00	
Water Ext. #19	\$7,020.00	
Water Ext. #20	\$1,890.00	
Gananda Sidewalk	\$2,581.20	
Total Abstract #9 Payments	\$466,816.95	

Voucher Numbers #124-143

Trust & Payroll	\$31,356.00
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Checks will be issued on September 20, 2013.

\*\* Salt Barn Payment Included

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Motion by Councilwoman Marini to accept Abstract # 9 as submitted.  
Seconded by Councilman Yale.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
Nays 0

Motion carried.

**EXECUTIVE SESSION:**

Motion by Councilwoman Marini to enter into executive session to discuss medical, financial, credit, or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension..  
Seconded by Councilman Yale.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
Nays 0

Time: 7:40 PM.

Motion carried.

**RECONVENE:**

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 7:52 PM.

**TOWN CLERK DEPARTMENT RESOLUTION 79-13 - AUTHORIZE TRANSFER:**

Councilwoman Marini offered the following Resolution 79-13 and moved its adoption. Seconded by Councilman Ruth to wit:

**WHEREAS**, the Town Board of the Town of Walworth authorizes the transfer of \$1,302.74 to account A1410.12 - Deputy Clerk.

**BE IT RESOLVED**, the transfer is authorized.

Adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**PERSONNEL – HEALTH CARE LETTER:**

Supervisor Plant noted that the Health Care Letter required by Law will be given to employees.

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**BUDGET DISCUSSION:**

Discussion ensued.

**PUBLIC HEARING RESOLUTION 76-13 – LINCOLN FIRE DEPARTMENT:**

Councilman Yale offered the following Resolution 76-13 and moved its adoption. Seconded by Councilwoman Marini to wit:

**WHEREAS**, the Town Board of the Town of Walworth requests to set a Public Hearing for the Lincoln Fire Department for October 3, 2013 at 7:55PM to hear and consider comments on the 2014 Contract amount requested.

**BE IT RESOLVED**, the Town Board of the Town of Walworth authorizes the Public Hearing.

Adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**PUBLIC HEARING RESOLUTION 82-13 – WEST WALWORTH FIRE DEPARTMENT:**

Councilman Yale offered the following Resolution 82-13 and moved its adoption. Seconded by Councilwoman Marini to wit:

**WHEREAS**, the Town Board of the Town of Walworth requests to set a Public Hearing for the West Walworth Fire Department for October 3, 2013 at 8:05PM to hear and consider comments on the 2014 Contract amount requested.

**BE IT RESOLVED**, the Town Board of the Town of Walworth authorizes the Public Hearing.

Adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**MOTION TO ACCEPT THE 2014 ANNUAL TENTATIVE BUDGET:**

Motion by Councilman Yale to accept the 2014 Tentative Budget. Seconded by Councilman Ruth.

Adopted: Ayes 5 Marini, Pembroke, Plant, Ruth, and Yale  
Nays 0

Motion carried.

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**RESOLUTION 77-13 PRELIMINARY 2014 BUDGET AND PUBLIC HEARING  
SCHEDULED AND ELECTED OFFICIALS COMPENSATION:**

Councilman Ruth offered the following Resolution 77-13 and moved its adoption.  
Seconded by Councilman Yale to wit:

**WHEREAS**, The Town Board of the Town of Walworth accepted the 2014 Tentative Budget on September 19, 2013, and

**WHEREAS**, The Town Board wishes to adopt the 2014 Tentative Budget making it the 2014 Preliminary Budget, and

**WHEREAS**, The Town Board wishes to schedule a Public Hearing for Thursday, October 3, 2013 at 8:15 PM, to hear and consider and comments on the 2014 Preliminary Budget, and

**WHEREAS**, The Town Board directs the Town Clerk to publish the notice stating compensation proposed to be paid to each elected official (Town Law §108), and

**WHEREAS**, The Town Board directs the Town Clerk to publish the notice of Public Hearing on the 2014 Preliminary Budget.

**NOW THEREFORE BE IT RESOLVED** that the 2014 Preliminary Budget be available to the public, that a Public Hearing be held on October 3, 2013 at 8:15 PM to hear and consider comments on the 2014 Preliminary Budget; and directs the Town Clerk to publish the notice stating compensation for elected officials and notice of Public Hearing.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Town Board of the Town of Walworth Adopts Resolution 77-13 adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**RESOLUTION 80-13 – ESTABLISH TAX STABILIZATION RESERVE–  
GENERAL:**

Discussion ensued.

Councilman Yale offered the following Resolution 80-13 and moved its adoption.  
Seconded by Councilwoman to wit:

**WHEREAS**, the Town Board of the Town of Walworth ADOPTED RESOLUTION 80-13 establishing a Tax Stabilization Reserve Fund for General – A231.TS, and fund with current Fund Balance in the amount not to exceed 50,000.00, Subject to a Permissive Referendum.

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Walworth Adopts Resolution 80-13 adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**RESOLUTION 81-13 – ESTABLISH TAX STABLIZATION RESERVE –  
HIGHWAY:**

Discussion ensued.

Councilman Yale offered the following Resolution 81-13 and moved its adoption.  
Seconded by Councilwoman Marini to wit:

**WHEREAS, the** Town Board of the Town of Walworth adopted Resolution 81-13 establishing a Tax Stabilization Reserve Fund for Highway – A231.DA, and fund with current Fund Balance in the amount not to exceed 50,000.00, Subject to a Permissive Referendum.

**NOW THEREFORE BE IT RESOLVED that** the Town Board of the Town of Walworth Adopts Resolution 81-13 adopted this 19<sup>th</sup> day of September, 2013.

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

Resolution carried.

**ADJOURNMENT:**

Motion by Councilman Pembroke to adjourn.

Seconded by Councilwoman Marini and unanimously carried.

Time: 8:17 PM.

Respectfully Submitted,

Susie C. Jacobs, MMC, RMC  
Town Clerk