

**WALWORTH TOWN BOARD – REGULAR MEETING
2 MAY 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
Larry Ruth	Councilman
Tom Yale	Councilman

ABSENT:

Vaughn Pembroke	Councilman
Michael Frederes	Highway Superintendent
Susie Jacobs	Town Clerk

OTHERS PRESENT: Beth Hart, Deputy Town Clerk; Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Dennine Leeson, Assessor; and Town Newspaper Reporter.

MOMENT OF SILENCE:

A moment of silence was observed in memory of Mr. Gary Borkhuis a former Town Board member.

MINUTES:

Motion by Councilman Ruth to approve the Minutes of April 18, 2013 as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

COMMITTEE REPORTS:

PARKS AND RECREATION – PLAYGROUND AT GINEGAW PARK:

The following were submitted:

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**TOWN OF WALWORTH
Parks & Recreation Department
3600 Lorraine Drive
Walworth, NY 14568**

Jacqueline VanLare, Director of Parks & Recreation
walrec@townofwalworthny.gov

315-986-1400 PHONE
315-986-1440 FAX

I am requesting Town Board action or approval for the following items:

- Transfer \$2,000.00 from fund balance into CM1-7110.26 *P/L H-0*
- Approval for the purchase of Wood Fiber Safety Surfacing for the playground at Ginegaw Park in the amount not to exceed \$1881.60. To be expended from line CM1-7110.26. Attached are the three quotes provided. *P/L H-0*
- Accept The donation of \$900.00 from the Friends of the Walworth Parks. Letter attached. *P/L H-0*

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April 29, 2013

To the Town of Walworth,

We the Friends of the Walworth Parks are presenting a donation in the sum of \$900.00 for the purchase of eight (8) wooden picnic tables and stain for the Sherbourne park pavilion in Walworth.

While this is a relatively small amount, we hope that it will be accepted by the board and continue to help improve our parks for the Walworth community.

Thank you,

Friends of the Walworth Parks, Inc.

Mark Walluk

President

Motion by Councilwoman Marini to transfer \$2,000.00 from fund balance to CM1-7110.26.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

Motion by Councilwoman Marini for the purchase of Wood Fiber Safety Surfacing for the playground at Ginegaw Park in an amount not to exceed \$1,881.60 to be expended from line CM1-7110.26. Three quotes were provided. Procurement Form submitted.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

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Motion by Councilwoman Marini to accept the \$900.00 Donation from the Friends of the Walworth Parks as per the letter attached, for the purchase of eight (8) wooden picnic tables and stain for the Sherburne Park pavilion.
Seconded by Councilman Ruth.

Discussion ensued.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

ASSESSOR – PART TIME CLERK SALARY:

Motion by Councilman Yale to transfer from fund balance \$6,300.00 to line A1355.12.
Seconded by Councilwoman Marini.

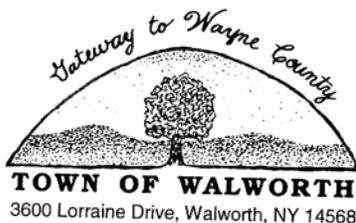
Adopted: Vote Ayes 4 Nays 0
Motion carried.

**ASSESSOR – APPOINTMENT OF PART TIME CLERK TO ASSESSOR AND
TRANSFER FROM FUND BALANCE AUTHORIZATION:**

The following was submitted:

Continued on next page.

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Dennine L. Leeson
Assessor

Phone: (315) 986-1400
Fax: (315) 986-1440

Appointment of Part-time Clerk to the Assessor

I would like to request the town board to appoint **Cindy Davis** to the position of Part-time Clerk to the Assessor. Cindy would work 15 hours a week starting the week of May 6, 2013. Her starting pay is Step 1 / \$11.44 an hour. An amount of \$6,300 will be transferred to the Assessment Personal Services Account A1355.12 to cover her regular work schedule as well as any training that may be needed.

Thank you for your consideration.

Dennine Leeson
Assessor

Motion by Councilman Yale to appoint Cindy Davis to the position of Part-time Clerk to the Assessor. Cindy will be working 15 hours a week starting the week of May 6, 2013. She will be starting on Step 1 of her grade.
Seconded by Councilman Ruth.

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

Motion carried.

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TOWN JUSTICE – RESOLUTION 45-13 AMEND COURT DATES:

The following was submitted:



WALWORTH TOWN COURT
3600 Lorraine Drive
Walworth, New York 14568
Tel: 315-986-8544
Fax: 888-848-0841

Hon. Daniel P. Majchrzak, Jr.
Town Justice

Hon. Charles J. Young
Town Justice

RESOLUTION 46-13

April 25th 2013

To Whom it may concern:

Please make note that Judge Young has changed his Court Dates. He will now be holding arraignment Court once a month that will be the 3rd Wednesday of the month @ 7:00pm. Judge Young will also be changing his ADA Court he will be holding this on the 4th Monday of the month at 9:00am. If you have any questions please let me know.

Thank you
Sincerely
Laurie Waltermeyer

Councilwoman Marini offered the following Resolution 46-13 and moved its adoption.

Seconded by Councilman Yale to wit:

BE IT RESOLVED that the Justice Court will be amended and held at the Walworth Town Offices as follows:

Dated this 2nd day of May, 2013 at the meeting of the Town Board.

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

Resolution carried.

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EMPLOYEE HANDBOOK DISCUSSION

The following was submitted by the Town Comptroller:

Employee Handbook Changes

The second attachment is a copy of the Employee Handbook with the following changes:

- The first section you will see shows as eliminated. This page does not appear in the handbook but is a statement by Paychex.
 - In the Affirmative Action statement on page 4 the word president in Paragraph 4 has been changed to Supervisor. The bottom of the statement President has been changed to Town Board.
 - All references to Account Clerk have been changed to Personnel Office.
- Section 2
- Page 1, Recording Your Time, updated to reflect the use of the new time clock system.
- Section 3
- Holidays – Reflects the change made to the wording by the Town Board in June of 2011.
 - Holidays – Last paragraph changed to eliminate Highway Dept. per Collective Bargaining Agreement
 - Vacation – Reflects the change made to the wording made by the Town Board in June of 2011.
 - Addition of last sentence. As new time clock system records time in tenths of a minute sick/personal time has to be in 15 minute blocks.
 - Addition of the Health Savings Account Section approved by the Town Board in June of 2011.
- Section 4
- Electronic Mail Monitoring – eliminate paragraph 5.
 - Voice Mail Monitoring – eliminate paragraph 4.

There are other sections which appear to be removed and then appear again. This is due to the fact we are enlarging the handbook to an 8 ½ x 11 format causing some sections to move to a previous page. The workup shows these sections deleted from one page but appearing on another.

Discussion ensued.

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RESOLUTION 45-13 ADOPTION

Councilwoman Marini offered the following Resolution 45-13 and moved its adoption.

Seconded by Councilman Yale to wit:

BE IT RESOLVED that the Town Employee Handbook be amended.

Dated this 2nd day of May, 2013 at the meeting of the Town Board.

Adopted: Vote Ayes 4 Nays 0

Resolution carried.

DRAFT

Continued on the next page.

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FILL PERMIT – 115 KNOLLWOOD DRIVE:

The following was submitted:

Engineering
Architecture
Environmental
Planning

LABELLA
Associates, P.C.

300 State Street, Suite 201, Rochester, NY 14614

May 2, 2013

RE: Town of Walworth, Town Board
Fill Permit
Lauren and Jason Chateauf
115 Knollwood Drive
LaBella Project Number 212139.012

Phone 585.454.6110
Fax 585.454.3066
www.labellapc.com

Based on our field inspection and site review with Jason and Lauren Chateauf on Tuesday April 30, 2013 I approve the Fill Permit Application based upon the following:

1. Placement of fill and grading operations are limited to the areas requested in the Fill Permit Application. This includes the area north and east of the existing residence as with taper areas reasonably established with no fill materials placed over the existing absorption lines associated with their septic system. The fill placement adjacent to Atlantic Avenue will not extend past the existing wire fencing, southern limits of the Atlantic Avenue right-of-way.
2. I spoke with Mr Kevin Rooney, Wayne County Highway Superintendent. A County permit will be required if the applicant places fill within the right-of-way (north of the existing fencing) or if the applicant wants to use the existing access from Atlantic Avenue for placement of fill materials. If the applicant stays south of the fencing and access the area from Knollwood Drive, no permits are required from the county highway department.
3. There are no mapped federal or state wetlands in the proposed fill areas. This includes the 100 foot state wetland buffer.
4. The Town's ordinance does not permit burial of the wood products, trees, brush, and stumps in fill areas. I would support leaving stumps cut-off flush to grade. This included the three trees along the Knollwood right-of-way just east of their existing driveway.
5. Based upon our review of the property the applicant / homeowner does not need to complete the Small Lot Stormwater Management Plan based upon:
 - a. The location of fill will not impact any adjoining properties. The installation of sediment /erosion control measures may only be warranted at the grading limits along Atlantic Avenue.
 - b. That the applicant / homeowner agree to keep Knollwood Drive clean and free of all sediment and soil from the trucking and grading operations.
 - c. That the applicant / homeowner will provide irrigation as needed to prevent windborne dust from impacting the adjoining properties.
6. The applicant has provided the insurance as requested by the building department.
7. The applicant noted their intent is placement of all fill materials this year with final restoration completed this fall. Final restoration includes topsoil, seeding and establishing a vegetative cover on the fill areas

Relationships. Resources. Results.

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Chateaufill Permit
May 2, 2013

212139.012
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8. The applicant indicated that the fill material sources included excess shot rock from a development along Atlantic Avenue in the Town of Penfield. A second source of fill materials was from a building expansion project "Reserve Center" in the Town of Webster. During the site walk on Tuesday, the material observed on the property was very clean sandy loam as noted in the fill permit application. There was very little asphalt and concrete rubble in the materials delivered to the site that filled the barn. Request that the applicant keep records on the source of the fill material, refer to note four (4) on the bottom of the Application for Fill Permit form.
9. That the filling and grading operations on the applicant property be limited to hour permit in Town Code including the noise ordinance.

I support the applicant's / homeowner's permit and request the Fill Permit be approved by the Town Board.

Please contact out office with any questions or clarifications related to our site inspection.

Sincerely,
LABELLA ASSOCIATES, P.C.



Brendan Bystrak, PE, CPESC
Civil Engineer

BSB/bsb

cc: LaBella Project File 212139.012
Applicant: Jason and Lauren Chateaufill

LABELLA

Engineer for the Town presented documents for approval/issuance of a Permit. Discussion ensued. Motion by Councilman Yale to issue a Back Fill Permit for property at 115 Knollwood Drive; Engineer for the Town will follow thru on this. Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

TRI-BOARD MEETING SCHEDULED:

The next Tri-Board meeting is scheduled for Thursday, June 6th, 2013 at 7:00PM at the Walworth Town Hall. Wayne Central School Board and Ontario Town Board will be notified.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilman Ruth and unanimously carried.

Time: 7:40 PM.

Minutes transcribed in my absence by Beth Hart, Deputy Town Clerk.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk

Beth Hart
Deputy Town Clerk

DRAFT