

**WALWORTH TOWN BOARD – REGULAR MEETING
20 JUNE 2013**

Presiding Deputy Supervisor Marini 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:

Patricia Marini	Deputy Supervisor/ Councilwoman
Vaughn Pembroke	Councilman
Larry Ruth	Councilman
Tom Yale	Councilman
Michael Frederes	Highway Superintendent
Susie Jacobs	Town Clerk

ABSENT: Robert Plant Supervisor

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Town Newspaper Reporter, and two (2) attendees.

MINUTES:

Motion by Councilman Ruth to approve the Minutes of June 6, 2013 Tri-Board Meeting and June 6, 2013 Meeting as presented.
Seconded by Councilman Pembroke.

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

PUBLIC PARTICIPATION:

No one present offered any comments.

SUPERVISOR'S REPORT:

Motion by Councilman Ruth to accept as presented the Supervisor's Report for May, 2013.

Seconded by Councilman Pembroke.

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

COMMITTEE REPORTS:

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

HIGHWAY SALT STORAGE BUILDING:

The following was submitted:

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RESOLUTION 49-13 AWARD BID FOR TOWN OF WALWORTH SALT STORAGE BUILDING:

Councilman Yale offered the following Resolution 49-13 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Clerk opened the sealed bid on Wednesday, June 19, 2013; attended with Mike Frederes, Highway Superintendent and Brendan Bystrak, P.E. Engineer for the Town who reviewed the bid; and

WHEREAS, Bidders tabulations were emailed to the Town Board, Highway Superintendent and Engineer for the Town; and

NAME OF BIDDER	ADDRESS	AMOUNT
Park Lane Construction	Clyde, NY	\$314,382.00
	Alt #1	\$ 18,500.00
	Alt #2	\$ 15,875.00

WHEREAS, Park Lane Construction & Dev. Corp. of Clyde, NY, be awarded the contract for the Salt Storage Building for the bid of \$314,382.00, Alternate #1 \$18,500.00 and Alternate #2 \$15,875.00.

THEREFORE, BE IT RESOLVED that the Engineer for the Town prepare the necessary documents for contract.

Adopted this 20th day of June, 2013 at the meeting of the Town Board.

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

Resolution carried.

The following was submitted:

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Engineering
Architecture
Environmental
Planning

LABELLA
Associates, P.C.

300 State Street, Suite 201, Rochester, NY 14614

June 20, 2013

Robert J. Plant, Supervisor
and Town Board Members

Town of Walworth
3600 Lorraine Drive
Walworth, New York 14568

Phone 585.454.6110
Fax 585.454.3066
www.labellapc.com

Re: 4384 Canandaigua Road Proposed Salt Barn
Town of Walworth Highway Department
LaBella Number 212140.004

Dear Supervisor Plant and Town Board Members:

On June 19, 2013, a bid was received for the above referenced project. The project was advertized and calls made to potential contractors. At the time outlined in the advertisement and Notice Bidders, the bid was opened and reviewed. The Highway Superintendent, Mr Mike Freders, and I reviewed the bid including the alternates and Town budget line items DA511223 and A5132.22.

Bid Summary: Park Lane Construction and Development Corp

The base bid is \$314,382.00 for a 80' x 120' Salt Barn outlined in the Construction Documents.

Alternate #1 was \$18,500 for enclosing the western elevation, front, of the salt barn.

Alternate #2 was \$15,875 for additional 8' section of the salt barn.

The Construction Documents represent two separate foot-prints including the base bid 80' x 120' and alternate size of 80' x 136'. Alternate #2 was created for the ability to adjust the size the salt barn, in 8' increments matching the structural framing. The intent was being able to adjust the size of the barn to meet the budget. The minimum acceptable size being the 80' x 120' structure described as the base bid and desired salt barn being extended the additional sixteen feet making the barn 80' x 136'. The barn extension allows the loading area to be relocated inside the barn structure as depicted in the Contract Documents. With the smaller 80' x 120' footprint, the loading ramp and bar screen would be moved outside of the salt barn to the northwest exterior corner of the building.

After reviewing budget and bid with the Highway Superintendent, we recommend award to Park Lane Construction and Development Corp. totaling \$346,182. This recommended award includes the Base Bid and two segments described in Alternate #2 for a final salt barn size of 80' x 136' as represented on the Construction Documents.

Budget Analysis:

\$482,000 Budget Line Items DA511523 and A5132.22

\$342,182 Award (Base Bid + 2 x Add Alternate #2)

\$ 55,000 materials allowance from County Bid (Subbase, asphalt materials, marifi, drainage structures)

\$ 45,000 engineering allowance (invoiced \$34,214.86 to date)

\$ 39,818 remaining for the recessed loading dock and bar screen structure

Relationships. Resources. Results.

Continued on the next page.

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Mr. Plant and Town Board Members
June 20, 2013

212140.004
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Upon concurrence with our recommendation, we will prepare the Contract Documents for execution and request that the Successful Bidder provide the Town the necessary bonds and insurance certificates.

We have also completed part 1 and 2 of the SEQR Short Form and determined the Salt Barn is an Unlisted Action with no significant adverse impacts.

Should you have any questions, please contact me directly at (585) 295-6278.

Sincerely,
LABELLA ASSOCIATES, P. C.


Brendan Bystrak, P.E.
Project Manager

c: Susie C. Jacobs, Town Clerk, Town of Walworth
Mr Mike Freders, Highway Superintendent, Town of Walworth
LaBella File 212140.004
BSB/bsb

LABELLA

HIGHWAY AMENDMENT TO RESOLUTION 49-13 – AWARD BID FOR TOWN OF WALWORTH SALT STORAGE BUILDING:

Motion by Councilman Yale amending Resolution 49-13 as follows; Seconded by Councilman Ruth:

WHEREAS, Park Lane Construction & Dev. Corp. of Clyde, NY, be awarded the contract for the Salt Storage Building for the bid of \$314,382.00, with Alternate #2 \$15,875.00 times two (2) for amount not to exceed \$346,182.00.

Adopted this 20th day of June, 2013 at the meeting of the Town Board.

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

**WALWORTH TOWN BOARD – REGULAR MEETING
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RESOLUTION 50-13 SEQR NEGATIVE DECLARATION SALT STORAGE BUILDING:

**TOWN OF WALWORTH
SEQR RESOLUTION 50-13 NEGATIVE DECLARATION
SALT STORAGE BUILDING**

At a meeting of the Town Board of the Town of Walworth held on the 20th day of June, 2013, at the Town Hall in said Town, Councilmember Yale moved adoption of the following resolution; Councilmember Ruth seconded the motion:

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Walworth announces that it will serve as Lead Agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCRR) of the proposed action for the installation of a salt storage building near the town of Walworth DPW garage on Canandaigua Road, Walworth, NY.

FURTHER RESOLVED, that the Town Board has determined that the proposed action is an “Unlisted Action” as defined under SEQR.

FURTHER RESOLVED, that the Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of potential environmental impacts associated with the above-listed action. The Town Board declares that, based on the environmental assessment which has been prepared, the action will result in no major impacts, nor cause significant damage to the environment, and the preparation of an Environmental Impact Statement is not warranted. A Negative Declaration under SEQR is therefore issued for this project.

Upon being put to a vote, the resolution was adopted.

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

STATE OF NEW YORK:
COUNTY OF WAYNE: ss
TOWN OF WALWORTH:

I, Susie C. Jacobs, Town Clerk of the Town of Walworth, Wayne County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution 50-13 duly adopted by the Town Board of the Town of Walworth on the 20th day of June, 2013 with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

DATED: June 20, 2013

(SEAL)

Susie C. Jacobs, Town Clerk

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HIGHWAY RESOLUTION 54-13 AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT 2014/15 YEAR:

Councilman Yale offered the following Resolution 54-13 and moved its adoption. Seconded by Councilman Pembroke to wit:

WHEREAS the “AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT” for 2014/15 has been presented and reviewed,

BE IT RESOLVED that the Supervisor / Deputy Supervisor be authorized to sign The New York State Department of Transportation “AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT” FOR 2014/15 year.

BE IT FURTHER RESOLVED that the Town Clerk expedite the documents per the instructions.

BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth Adopt Resolution 54-13.

Dated this 20th day of June, 2013.

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

This is to certify that I, Susie C. Jacobs, Town Clerk of the Town of Walworth in the said County of Wayne have compared the foregoing copy of Resolution 54-13 with the original now on file in this office, and that the same is a correct and true transcript of such original and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 20th day of June, 2013.

SUSIE C. JACOBS, CMC, RMC
TOWN CLERK

SEWER – RESOLUTION 55-13 AUTHORIZE PUMP REPLACEMENT FOR THE MAIN LIFT STATION AT THE WASTEWATER PLANT:

The following was submitted.

Continued on next page.

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TOWN OF



3451 Ontario Center Road
Walworth NY 14568

Rob Burns, Sewer Superintendent
sewer@townofwalworthny.gov

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

June 20, 2013

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

Re: Pump Replacement for the Main Lift Station at the Wastewater Plant

Regarding the email sent to all of you yesterday for the purchase of a new pump for the main lift station at the Wastewater Plant, I would like to submit a revision to this request.

In working with Xylem and trying to understand the drastic price difference as shown on the quotes yesterday, Xylem has now submitted a revision to their quote based on the different types of impellers and offering better pricing on the N type pumps. Although the Flygt pump quote is higher, an adapter will need to be purchased for the Ebara in order for it to work properly, as these pump stations were designed for a Flygt pump. The cost for the adapter is approximately \$600.00 (copy attached for last adapter purchased). The new quotes are as follows:

Siewert Equipment	\$ 6,938.00 + \$603.74 = \$7541.74
Xylem	\$ 7239.44 (no additional adapters needed)

I am requesting Town Board approval to proceed with the quote from Xylem to be expended from budget line SS8130.24.

The 2013 budget allows for a generator purchase not to exceed \$16,941.00 to be expended from this line but due to the ability to purchase 2 generators from the Army Surplus Auction in the fall of 2012, (of which both are in operational and in service) this money is still available. I am requesting the pump purchase be approved from this budgeted line.

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

Respectfully submitted,

Rob Burns, Sewer Superintendent

Councilman Pembroke offered the following Resolution 55-13 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED, authorizing the purchase of a pump replacement from Xylem for the Main Lift Station in the amount not to exceed \$7239.44 from budgeted line SS8130.24. Procurement submitted.

Adopted this 20th day of June 2013.

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

Resolution carried.

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RESOLUTION 56-13 ADOPT FUND BALANCE POLICY:

Councilman Yale offered the following Resolution 55-13 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that the Fund Balance Policy be adopted as presented.

The following was submitted:

TOWN OF WALWORTH

FUND BALANCE POLICY

The Fund Balance Policy is intended to provide guidelines during the preparation and execution of the annual budget to ensure that adequate financial resources are maintained for unforeseen circumstances and events such as revenue shortfalls or unanticipated expenditures. It is also intended to preserve flexibility throughout the fiscal year to make adjustments in funding for expenditures approved in connection with the annual budget. The Fund Balance Policy should be established based upon a long-term perspective recognizing that stated thresholds are considered minimum balances. The main objective in establishing and maintaining a Fund Balance Policy is for the town to be in a strong fiscal position that will allow it to weather negative economic trends.

The Fund Balance consists of five categories:

Nonspendable – consists of funds that cannot be spent due to their form (e.g. inventories and prepaids) or funds that legally or contractually must be maintained intact.

Restricted – consists of funds that are mandated for a specific purpose by external parties, constitutional provisions or enabling legislation.

Committed – consists of funds that are set aside for a specific purpose by the town's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.

Assigned – consists of funds that are set aside with the intent to be used for a specific purpose by the governing board. Assigned funds cannot cause a deficit in unassigned fund balance.

Unassigned – consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

The Town shall strive to attain and maintain in each of the Funds at fiscal year-end the Minimum Fund Balance of 25% to 33% of the adopted budgeted appropriations.

The Town considers restricted fund balances to have been spent first when an expenditure is incurred for purposes for which both restricted and unrestricted

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fund balance is available. Similarly, when expenditure is incurred for purposes for which amounts in any of the unrestricted classifications of fund balance could be used, the Town considers committed amounts to be reduced first, followed by assigned amounts and then unassigned amounts.

Any budget revision that will result in the Unassigned Fund Balance dropping below the minimum level of 25% will require the approval of 2/3 vote of the town's governing board and will require the town's governing board to develop a plan to replenish the fund balance to the established minimum level within two years.

This policy is in place to provide a measure of protection for the Town against unforeseen circumstances and to comply with Governmental Accounting Standards Board (GASB) Statement No. 54. No other policy or procedure supersedes the authority and provisions of this policy.

Adopted this 20th day of June 2013.

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

Resolution carried.

RESOLUTION 51-13 AUTHORIZING THE DEPUTY SUPERVISOR TO SIGN A CONTRACT WITH COVERALL FOR CLEANING OF THE TOWN HALL:

Councilman Ruth offered the following Resolution 51-13 and moved its adoption. Seconded by Councilman Yale to wit:

WHEREAS, three quotes and a procurement form have been submitted, and

WHEREAS, the Town would like to authorize the Deputy Supervisor to sign a contract with Coverall for the cleaning of the Town Hall.

BE IT RESOLVED, that Patricia Marini, Deputy Town Supervisor of the Town of Walworth, is hereby authorized and directed to sign the contract with Coverall.

Adopted this 20th day of June, 2013, at the meeting of the Town Board.

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

Resolution carried.

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**RESOLUTION 52-13 AUTHORIZING THE DEPUTY SUPERVISOR TO SIGN A
CONTRACT WITH COVERALL FOR CLEANING OF GINEGAW PARK
LODGE:**

Councilman Ruth offered the following Resolution 52-13 and moved its adoption.
Seconded by Councilman Yale to wit:

WHEREAS, three quotes and a procurement form have been submitted, and

WHEREAS, the Town would like to authorize the Deputy Supervisor to sign a contract with Coverall for the cleaning of the Ginegaw Park Lodge.

BE IT RESOLVED, that Patricia Marini, Deputy Town Supervisor of the Town of Walworth, is hereby authorized and directed to sign the contract with Coverall.

Adopted this 20th day of June, 2013, at the meeting of the Town Board.

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

Resolution carried.

CORRESPONDENCE:

NYS SPEED LIMIT ORDER – PLANK ROAD:

Motion by Councilman Ruth to accept and file.
Seconded by Councilman Yale.

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

The following was submitted:

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STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FOUR
1530 JEFFERSON ROAD
ROCHESTER, NEW YORK 14623-3161
www.dot.ny.gov

ROBERT A. TRAVER, P.E.
ACTING REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

June 11, 2013

File: 54.21-C.R.
Study: 04120347

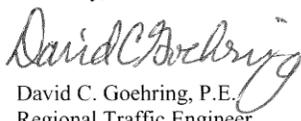
Ms. Susie C. Jacobs, Clerk
Town of Walworth
3600 Loraine Drive
Walworth, NY 14568

Dear Ms. Jacobs,

Attached is a Department of Transportation Notice of Order authorizing a 45 mph speed limit is on Plank Road, the boundaries of which are described in the order. Also, attached is a Notice of Action Taken form.

When the zone is signed in accordance with Manual of Uniform Traffic Control Devices, please return the Notice of Action Taken form with completion date indicated.

Sincerely,


David C. Goehring, P.E.
Regional Traffic Engineer

DCG/EJD/bap

Attach.

- c: T. Sgt. V. Corona, State Police Troop "E" (w/attach.)
- K. Rooney, Wayne County Highway Superintendent (w/attach.)
- R. Piscioti, Sheriff, Wayne County (w/attach.)
- G. Kerrick, Resident Engineer, Ontario/Wayne Counties (w/attach.)

UNITED WAY:

Motion by Councilman Ruth to accept and file.
Seconded by Councilman Yale.

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

The following was submitted:

Continued on next page.

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**United Way
of Wayne County**

165 East Union
Newark, NY 14513
(315) 331-2773
Fax: (315) 331-4483
www.uwaynecounty.org



May 13, 2013

Town of Walworth
Susie Jacobs
3600 Lorraine Drive
Walworth, NY 14568

Dear Susie:

I want to thank you on behalf of the United Way of Wayne County and the agencies we serve for the donations we received from the Town of Walworth. Also, I wanted to thank you for going above and beyond to present to the town board and arrange the bake sale and denim day. Your enthusiasm and good natured demeanor was a pleasure to work with and I hope you continue to facilitate the Town's relationship with the United Way.

The contributions will enable our partnering agencies to continue to benefit the residents of Wayne County. Building a stronger and more vibrant Wayne County will take time and effort but the foundation continues to be laid with the generous help from you and the other employees at the Town of Walworth.

Sincerely,

Joe McGrath
Campaign Assistant
United Way of Wayne County
165 E. Union St.
Newark, NY 14513

RESOLUTION 53-13 FINANCIAL TRANSFERS:

Councilman Yale offered the following Resolution 53-13 and moved its adoption. Seconded by Councilman Pembroke to wit:

BE IT RESOLVED that the Town Comptroller be authorized to modify budget as follows:

\$714.60 from CM1 Park Special Revenue Fund Balance to CM1-7110.26 Playground Project. To cover current expenses.

\$395.11 from General Fund Balance to A7310.46 Recreation Field Maintenance. To cover current expenses. Additional cost to be billed to Sports Assn.

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

Resolution carried.

APPROVAL ABSTRACT NO. 6:

The following was submitted.

To: Walworth Town Board

From: Jean Johnson, Town Comptroller

Date: 20-Jun-13

Re: Abstract #6

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 #756 to #921

General Fund	\$56,873.27
Highway Fund	\$19,881.58
Sewer Fund	\$30,257.92
Park Special Revenue Fund	\$9,728.00
Walworth Light District	\$485.40
Harvest Hill Light District	\$445.94
Gananda Light District	\$1,016.54
Brookside Light District	\$7.84
Orchard View Light District	\$79.30
Parkview Green Park District	\$250.00
Lincoln Fire Protection	\$1,750.00
West Walworth Fire Protection	\$1,750.00
Mildahn Road Ext. #16	\$136.00
County Line Road Ext. #17	\$374.00
Plank Road Ext. #18	\$170.00
Total Abstract #6 Payments	\$123,205.79

Voucher Numbers #66 to #86

Trust & Payroll	\$26,344.86
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Checks will be issued on June 21, 2013.

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Motion by Councilman Ruth to accept Abstract #6 as submitted.
Seconded by Councilman Yale.

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

ADJOURNMENT:

Motion by Councilman Yale to adjourn.
Seconded by Councilman Pembroke and unanimously carried.
Time: 7:58 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk

DRAFT