

**WALWORTH TOWN BOARD – REGULAR MEETING
19 DECEMBER 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
Michael Frederes	Highway Superintendent
Susie Jacobs	Town Clerk

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Denise Munson, Attorney for the Town; Judy Markowski, Councilwoman Elect; Suzi Hawkins-Mance, Councilwoman Elect and 13 attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of December 5, 2013 Meeting as presented.
Seconded by Councilman Ruth.

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

Motion carried.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to accept as presented the Supervisor's Report for November 2013.
Seconded by Councilman Ruth.

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

Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

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PUBLIC HEARING 7:35 PM – PROPOSED LOCAL LAW NO. 6 OF THE YEAR 2013 ADJUSTING THE SALARIES OF ELECTED OFFICIALS OF THE TOWN OF WALWORTH FOR THE YEAR 2014 – SUBJECT TO A PERMISSIVE REFERENDUM:

Susie C. Jacobs, Town Clerk, certify that the notice of Public Hearing for Proposed Local Law No. 6 of the Year 2013 was duly published two (2) times in the Town's official newspaper on December 8th and 15th, 2013, with the same dates being posted at the Town Hall & Town Website. Copies are available to the public.

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

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

Motion carried.

Supervisor Plant declared the Public Hearing opened and asked if anyone present would like to speak in **FAVOR** or **AGAINST** Proposed Local Law No. 6 of the year 2013.

Time: 7:35 PM.

1. A resident from Whitney Road spoke **AGAINST** Proposed Local Law No. 6 of the Year 2013.
2. A resident from Arbor Road spoke **AGAINST** Proposed Local Law No. 6 of the Year 2013.
3. A resident from Main Street spoke **AGAINST** Proposed Local Law No. 6 of the Year 2013.
4. A resident from Atlantic Avenue spoke **AGAINST** proposed Local Law No. 6 of the Year 2013.
5. A resident from Jacobs Road spoke **AGAINST** proposed Local Law No. 6 of the Year 2013.
6. A resident from Woodlands Circle spoke **AGAINST** proposed Local Law No. 6 of the Year 2013.
7. A resident from Cream Ridge Road spoke **AGAINST** proposed Local Law No. 6 of the Year 2013.

Motion by Councilwoman Marini to close the Public Hearing.
Seconded by Councilman Yale.

Time: 7:46 PM.

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

Motion carried.

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**PUBLIC HEARING 7:45 PM – SEQR – SANITARY SEWER DISTRICT #1
EXTENSION – WALWORTH PLAZA LLC (TOPS FRIENDLY MARKETS):**

Susie C. Jacobs, Town Clerk, certify that the notice of Public Hearing SEQR – Sanitary Sewer District #1 Extension – Walworth Plaza LLC (TOPS Friendly Markets) was duly published two (2) times in the Town’s official newspaper on December 8 and 15, 2013, with the same dates being posted at the Town Hall & Town Website. Copies are available to the public.

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

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

Motion carried.

Supervisor Plant declared the Public Hearing opened and asked if anyone present would like to speak in **FAVOR** or **AGAINST** SEQR – Sanitary Sewer District #1 Extension.

Time: 7:49 PM.

No one wished to comment.

Motion by Councilwoman Marini to close the Public Hearing.
Seconded by Councilman Yale.

Time: 7:50 PM.

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

Motion carried.

**PUBLIC HEARING 7:50 PM – PROPOSED SEWER DISTRICT #1
EXTENSION – WALWORTH PLAZA LLC (TOPS FRIENDLY MARKETS):**

Susie C. Jacobs, Town Clerk, certify that notice of Public Hearing Proposed Sewer District #1 Extension – Walworth Plaza LLC (TOPS Friendly Markets) was duly published one (1) time in the Town’s official newspaper on December 15, 2013, with postings at three locations within the Town and at the Town Hall / website. Copies are available to the public.

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

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

Motion carried.

Supervisor Plant declared the Public Hearing opened and indicated if anyone present would like to speak in **FAVOR** or **AGAINST** SEQR – Sanitary Sewer District #1 Extension.

Time: 7:50 PM.

A resident from Arbor Road asked the Board with a concern as to where are funds coming from for the Tops sewer project?

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Motion by Councilman Yale to close the Public Hearing.
Seconded by Councilwoman Marini.
Time: 7:57 PM.

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

Motion carried.

Supervisor Plant stated “No Town Funds will be used for the sewer extension”.

EXECUTIVE SESSION:

Motion by Councilwoman Marini to enter into executive session to discuss potential litigation.
Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0
Time: 7:59 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:22 PM.

COMMITTEE REPORTS:

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

LIBRARY – LIBRARY BOARD OF TRUSTEE APPOINTED THE FOLLOWING MEMBERS:

Councilman Ruth stated the Library Board of Trustees has appointed the following members:

Mr. Charles Farnham

Ms. Lisa Duffy

Patrick Schmitt, Treasurer

DOG CONTROL – NYS AG & MARKETS MUNICIPAL SHELTER INSPECTION REPORT – WAYNE COUNTY HUMANE SOCIETY:

The following was submitted:

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STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE & MARKETS
10B AIRLINE DRIVE
ALBANY, NEW YORK 12235
<http://www.agmkt.state.ny.us>

November 15, 2013

Susie Jacobs
Town Clerk - Town of Walworth
3600 Lorraine Dr
Walworth, NY 14568

Enclosed is the **Municipal Shelter Inspection Report** completed on **11/08/2013**. This inspection relates to Agriculture and Markets Laws and Regulations which may be viewed on the website above.

As the report indicates, dog shelter services were rated "Satisfactory". Please make note of any comments listed on the report.

Municipal dog shelters are subject to inspection by this agency on a regular basis.

Please notify this office within 30 days of any changes in municipal shelter services.

If you have any questions regarding this inspection, please call me.

Patricia Famiglietti
Animal Health Inspector
(585) 261-5844

Division of Animal Industry
Phone: (518) 457-3502-----Fax: (518) 485-7773

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NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS
DIVISION OF ANIMAL INDUSTRY
108 AIRLINE DRIVE, ALBANY, NY 12235

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MUNICIPAL SHELTER INSPECTION REPORT - DL-90

Rating: **Satisfactory365**Purpose: **Inspection**DATE/TOA: **11/8/13 11:15 am**

**WAYNE COUNTY HUMANE SOCIETY
1475 COUNTY HOUSE ROAD
LYONS NY 14485**

Inspector: **Patricia Famiglietti**Inspector #: **56**

These are the findings of an inspection of your facility on the date(s) indicated above:

- | | |
|---|-----|
| 1. Shelter is structurally sound | Yes |
| 2. Housing area and equipment is sanitized regularly | Yes |
| 3. Repairs are done when necessary | Yes |
| 4. Dogs are handled safely | Yes |
| 5. Adequate space is available for all dogs | Yes |
| 6. Light is sufficient for observation | Yes |
| 7. Ventilation is adequate | Yes |
| 8. Drainage is adequate | Yes |
| 9. Temperature extremes are avoided | Yes |
| 10. Clean food and water is available and in ample amount | Yes |
| 11. Veterinary care is provided when necessary | Yes |
| <i>Lyons Veterinary Clinic or Dr. Schneider provides services.</i> | |
| 12. Dogs are euthanized humanely, by authorized personnel | Yes |
| <i>Two certified euthanasia technicians are on staff.</i> | |
| 13. Complete intake and disposition records are maintained for all seized dogs | Yes |
| 14. Dogs transferred for purposes of adoption in compliance with Article 7 | Yes |
| 15. Redemption period is observed before adoption, euthanasia or transfer | Yes |
| <i>Fees are collected by the municipality. A receipt of the payment is kept on file at the shelter. The shelter will collect the fee if the municipal clerk's office is closed. Monies collected are tracked on a computer data base and credited back to the municipality.</i> | |
| 16. Owners of identified dogs are properly notified | Yes |
| 17. Redeemed dogs are licensed before release | Yes |
| 18. Proper impoundment fees paid before dogs are released | Yes |
| 19. Written contract or lease with municipality | Yes |

To be continued on next page.

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Town - City - Village Information for Inspection:

TCV CODE	TCV NAME
5401	Town of Arcadia
5402	Town of Butler
5403	Town of Galen
5404	Town of Huron
5405	Town of Lyons
5406	Town of Macedon
5407	Town of Marion
5408	Town of Ontario
5409	Town of Palmyra
5410	Town of Rose
5411	Town of Savannah
5412	Town of Sodus
5413	Town of Walworth
5414	Town of Williamson
5415	Town of Wolcott

REMARKS:

REPRESENTATIVE PRESENT FOR INSPECTION: **Mark Plyter**
TITLE: **Director**

REVIEWED BY: **David Phillips**
REVIEWED DATE: **11/12/2013**

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

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

Motion carried.

**SEWER – RESOLUTION 127-13 AUTHORIZING SUPERVISOR / SEWER
SUPERINTENDENT TO SIGN CONTRACT WITH RICHARDSON FOODS:**

The following was submitted:

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TOWN OF



3451 Ontario Center Road
Walworth NY 14568

Rob Burns, Sewer Superintendent
PHONE
sewer@townofwalworthny.gov

315-986-3415

315-986-1741 FAX

December 12, 2013

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

With this letter I would like to request the following:

- Town Board approval to sign Industrial Wastewater Discharge Permit for Baldwin Richardson Foods for the period beginning January 1 through December 31, 2014.

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

Respectfully submitted,

Rob Burns,

Councilman Pembroke offered the following Resolution 127-13 and moved its adoption. Documents are on file.

Seconded by Councilman Yale to wit:

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

Resolution carried.

**RECEIVER OF TAXES - RESOLUTION 120-13 AUTHORIZATION TO ISSUE
PETTY CASH FUNDS TO THE RECEIVER OF TAXES FOR THE 2014 TAX
COLLECTION:**

Councilman Yale offered the following Resolution 120-13 and moved its adoption.

Seconded by Councilwoman Marini to wit:

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WHEREAS, the Town of Walworth will provide the Receiver of Taxes with a Petty Cash Fund for 2014 Tax Collection in the amount of \$200.00.

BE IT RESOLVED, the fund for Petty Cash is given to the Receiver of Taxes and Assessments for the 2014 Tax Collection in the amount of \$200.00.

Adopted this 19th day of December 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	Aye

Resolution carried.

TOWN CLERK - RESOLUTION 119-13 AUTHORIZATION TO TRANSFER FROM GENERAL FUND TO DOG ENUMERATION RESERVE FUND A231DE:

Councilman Ruth offered the following Resolution 119-13 and moved its adoption. Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth established Control of Animals – Dog Enumeration Reserve Fund in 2013; and

WHEREAS, the funds from Dog Licensing Revenues which were credited to General Fund Balance for 2013 as of 12/13/2013 are \$12,067.00, and

WHEREAS, total 2013 expenses for Control of Animals is \$10,129.00,

RESOLVED, that Two thousand dollars and 00 cents (\$2,000.00) is transferred to Dog Enumeration Reserve Fund A231DE.

THEREFORE, BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth adopt Resolution 119-13.

Adopted this 19th day of December, 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	Aye

Resolution carried.

RESOLUTION 124-13 AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT WITH WILLIAMSON LAW BOOK COMPANY FOR THE 2014 TOWN CLERK PLUS PROGRAM SUPPORT:

Councilwoman Marini offered the following Resolution 124-13 and moved its adoption, seconded by Councilman Ruth to wit:

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WHEREAS, The Town Clerk’s Office utilizes the Williamson Law Book Company – Town Clerk Plus program for daily revenues, and

BE IT RESOLVED, that the Town Supervisor sign the Contract with Williamson Law Book Company.

Adopted this 19th day of December 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	Aye

Resolution carried.

HIGHWAY – RESOLUTION 123-13 RELEASE OF RETAINAGE SALT BARN BUILDING:

The following was submitted along with other documents filed in the Town Clerk’s office:

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Engineering
Architecture
Environmental
Planning



300 State Street, Suite 201, Rochester, NY 14614

December 12, 2013

Phone 585.454.6110
Fax 585.454.3066
www.labellapc.com

Mr. Robert Plant, Town Supervisor
Town Board
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

RE: Town of Walworth, Salt Storage Building
Release of Retainage
LaBella Project Number 212140.004

Dear Mr. Plant:

LaBella Associates has reviewed the Final Payment applications from Park Lane Construction & Development Corporation for the Salt Barn at the Highway Garage. The projects contractual obligations have been completed.

We recommend final payment totaling \$17,300.60, release of the five percent retainage.

Thank you for the opportunity to serve the Walworth Community. Please contact us at your convenience with any questions or concerns.

Sincerely,
LABELLA ASSOCIATES, P.C.

Brendan Bystrak, PE
Civil Engineer

Attachments: Final Payment Request
Release of Liens
Two Year Warranty Letter from Park Lane, dated September 3, 2013

BSB/bsb

cc: LaBella Project File 212140.004

Relationships. Resources. Results.

Councilman Ruth offered the following Resolution 123-13 and moved its adoption, seconded by Councilwoman Marini to wit:

RESOLVED that the final payment as presented be made.

Adopted this 19th day of December 2013 at a meeting of the Town Board.

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

Resolution carried.

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RESOLUTION 125-13 SEQR RESOLUTION NEGATIVE DECLARATION:

The following was submitted:

**TOWN OF WALWORTH
SEQR RESOLUTION - NEGATIVE DECLARATION**

**Extension of Sewer District #1
To Include:**

**2080 Walworth Penfield Road
2100 Walworth Penfield Road
2140 Walworth Penfield Road
A portion of the Walworth Fire Dept property
between the existing Sewer District No. 1 and Tax
Parcel # 63114-00-480415.1**

At a meeting of the Town Board of the Town of Walworth held on the 19th day of December 2013, at the Town Hall in said Town, Councilman _____ moved adoption of the following resolution; Councilman _____ 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 its intent to serve as Lead Agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCR) of the proposed action to extend existing Sanitary Sewer District #1.

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 December 19, 2013.

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

To be continued on next page.

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I, _____, Town Clerk of the Town of Walworth, Wayne County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Walworth on the 19th day of December, 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: 2013

(SEAL)

Town Clerk

Councilman Yale offered the following Resolution 125-13 and moved its adoption, seconded by Councilwoman Marini to wit.

Adopted this 19th day of December 2013 at a meeting of the Town Board.

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

Resolution carried.

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**RESOLUTION 126-13 AUTHORIZING THE SANITARY SEWER DISTRICT #1
EXTENSION – WALWORTH PLAZA LLC (TOPS FRIENDLY MARKETS):**

The following was submitted:

RESOLUTION REGARDING SANITARY SEWER DISTRICT #1 EXTENSION
RESOLUTION # 126-13

This matter having come before the Town Board of the Town of Walworth on the 19th day of December 2013 for extension of Sewer District #1 to include the following parcels:

- a. 2080 Walworth-Penfield Rd.
- b. 2100 Walworth-Penfield Rd.
- c. 2140 Walworth-Penfield Rd.
- d. A. portion of the Walworth Fire Department property between the existing Sewer District No. 1 and Tax Parcel #63114-00-480415.1

and a motion having duly been made to modify the Sewer District #1 to provide for an extension as hereinabove set forth; and said motion having been duly seconded;

and the matter having come before the Town Board of the Town of Walworth for a vote thereon;

NOW THEREFORE, it is hereby RESOLVED that Sewer District #1 shall be extended to include the following parcels:

- a. 2080 Walworth-Penfield Rd.
- b. 2100 Walworth-Penfield Rd.
- c. 2140 Walworth-Penfield Rd.
- d. A. portion of the Walworth Fire Department property between the existing Sewer District No. 1 and Tax Parcel #63114-00-480415.1

Date: December 19, 2013

Councilman Yale offered the following Resolution 126-13 and moved its adoption, seconded by Councilwoman Ruth to wit.

Adopted this 19th day of December 2013 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 116-13 ADOPTION OF PROPOSED LOCAL LAW NO. 6 OF
THE YEAR 2013 ADJUSTING THE SALARIES OF ELECTED OFFICIALS OF
THE TOWN OF WALWORTH FOR THE YEAR 2014 SUBJECT TO A
PERMISSIVE REFERENDUM:**

Motion by Councilman Ruth to postpone indefinitely Resolution 116-13.
Seconded by Councilman Pembroke to wit.

Discussion ensued.

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

Motion carried.

VOELCKERS – REQUEST OF TRANSFER OF NAME ON THE AUTO SALVAGE YARD LICENSE DISCUSSION:

Discussion ensued.

Motion by Councilman Yale allowing the transfer of name of the Auto Salvage Yard License.

Seconded by Councilman Ruth.

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

Motion carried.

ADOPTION OF THE TOWN OF WALWORTH FEE SCHEDULE – 2014:

Discussion ensued.

Motion by Councilman Yale to table until the “Organizational Meeting” scheduled for January 2, 2014.

Seconded by Councilman Pembroke.

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

Motion carried.

RESOLUTION 117-13 FINANCIAL TRANSFERS:

Councilman Yale offered the following Resolution 117-13 and moved its adoption, seconded by Councilwoman Marini to wit:

The following was submitted:

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

\$666.99 from A1220.43 Admin. Payroll to A1220.21 Equipment. To cover current expenses.

\$56.44 from A1410.45 Town Clerk Software to A1410.42 Town Clerk Office Expense
\$24.24 and to A1410.46 Town Clerk Mileage \$32.20. To cover current

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expenses.

\$21.45 from General Fund Balance to A3510.43 Control of Animals – Dog Licenses

To cover current expenses. Funds to cover this transfer were credited A2544 Dog Licenses.

\$657.64 from A5132.44 Highway Garage – Maintenance to A5132.42 Highway Garage

Uniforms. To cover current expenses.

\$4,500.34 from General Fund Balance to A7310.42 Youth Recreation Instructors Fees

To cover current expenses. Funds to cover this transfer were credited to A2001 Recreation Fees.

\$5,745.05 from General Fund Balance to A8020.43 Planning Board – Engineering Fees

To cover current expenses. Funds to cover this transfer were credited to A2115 Planning Board Review Fees.

\$4,183.48 from Park Special Revenue Fund Balance to CM1-7110.24 Parks Field Main.

Expense \$2,860.31, to CM1-7110.25 Parks Equipment \$1,250.75 and CM1-7110.27 Park Improvements \$70.42. To cover current expenses.

\$488.13 from SD1-8540.41 Drainage Maintenance to SD1-8540.21 Drainage Equipment MS4. To cover current expenses.

\$25.00 from Brookside Light District Fund Balance to SL4-5182.41 Street Lighting

Contractual. To cover current expenses.

\$2,400.00 from SS8130.408 Sewer Sludge Disposal to SS8130.406 Sewer Chemicals.

To cover current expenses.

\$1,100.00 from SS8130.402 Sewer Office Expense to SS8110.22 Sewer Software &

Computer Equip. To cover current expenses.

\$191.42 from SS9060.81 Sewer Benefits Healthcare to SS9010.81 Sewer Benefits

NYS Retirement. To cover current expenses.

Adopted this 19th day of December 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	Aye

Resolution carried.

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APPROVAL ABSTRACT NO. 12:

The following was submitted:

To: Walworth Town Board
From: Jean Johnson, Town Comptroller
Date: 19-Dec-13
Re: Abstract #12

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 #1772-1927

General Fund	\$202,458.09
Highway Fund	\$137,086.58
Sewer Fund	\$64,075.35
Park Special Revenue Fund	\$5,956.00
Walworth Light District	\$538.54
Harvest Hill Light District	\$449.50
Gananda Light District	\$0.00
Brookside Light District	\$9.57
Orchard View Light District	\$101.27
Walworth Drainage	\$2,240.63
Water Ext#16, 17, 18	\$15,680.00
Total Abstract #12 Payments	\$428,595.53

Voucher Numbers #174-189

Trust & Payroll	\$26,008.93
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Checks will be issued on December 20, 2013.

Discussion ensued.

Motion by Councilman Yale to accept Abstract #12 as submitted with the subtraction of Voucher #1812 in the amount of \$32.20.
Seconded by Councilman Ruth.

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

Motion carried.

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RESOLUTION 118-13 AUTHORIZE TOWN COMPTROLLER TO PERFORM TRANSFERS, ENCUMBERANCES AND THE ESTABLISHMENT OF ACCOUNTS NECESSARY TO CLOSE THE TOWN OF WALWORTH BOOKS FOR THE CALENDAR YEAR 2013:

Councilwoman Marini offered the following Resolution 118-13 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED that the Town Comptroller be authorized to perform transfers, encumbrances and the establishment of accounts necessary to close the Town of Walworth Books for the calendar year 2013.

Adopted this 19th day of December 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	Aye

Resolution carried.

RESOLUTION 130-13 – AUTHORIZE TRANSFER OF FUNDS FOR FUNDING OF RESOLUTIONS 80-13 AND 81-13:

Councilman Yale offered the following Resolution 130-13 and moved its adoption. Seconded by Councilwoman Marini to wit:

BE IT RESOLVED, that Town Comptroller transfer from 2013 Fund Balance to Fund Tax Stabilization Reserve for \$10,000 and Tax Stabilization Reserve for \$10,000.

Adopted this 19th day of December 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	Aye

Resolution carried.

RESOLUTION 122-13 – AUTHORIZE THE SUPERVISOR TO SIGN THE WAYNE COUNTY HUMANE SOCIETY AGREEMENT FOR SHELTER SERVICES FOR 2014:

Councilman Ruth offered the following Resolution 122-13 and moved its adoption.

Seconded by Councilman Pembroke to wit:

WHEREAS, the “Agreement” has been presented and reviewed by the Town Board of the Town Walworth,

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BE IT RESOLVED that the Supervisor be authorized to sign the “AGREEMENT FOR THE WAYNE COUNTY HUMANE SOCIETY – SHELTER SERVICES FOR 2014”.

BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth Adopt Resolution 122-13.

Dated this 19th Day of December 2013 at a meeting of the Town Board.

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

Resolution carried.

**CERTIFICATE OF INSPECTORS FOR THE WALWORTH FIRE DISTRICT
ELECTION – CHRIS PHALEN, COMMISSIONER, 5 YEAR TERM:**

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

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

Motion carried.

RESOLUTION 128-13 - HEIDEN SUPERCEDE RESOLUTION 111-13:

The following was submitted:

RESOLUTION 128-13

Councilman Yale offered the following Resolution 128-13 and moved its adoption.
Seconded by Councilman Ruth to wit:

This matter having come before the Town Board of the Town of Walworth upon referral by the County Director of Real Property Tax Services of 1) the Application for Correction to a tax bill owed by Christopher & Megan Heiden for property located at 5528 Lincoln Road, Ontario, New York 14519 and 2) the Denial of the Application by the County Director of Real Property Tax Services for correction of the Heiden tax bill;

and the Town Board having considered the County Director of Real Property Tax Service’s denial of the application for correction;

and the Town Board having previously expressed its desire to correct the tax bill for the subject property;

NOW, therefore upon a review of the documentation submitted to the County Director of Real Property Tax Services, and the denial issued by the Director, the Town Board of the Town of Walworth hereby makes the following directive:

**WALWORTH TOWN BOARD – REGULAR MEETING
19 DECEMBER 2013**

1. That the Town Tax Collector is to reduce the tax bill for the subject property by an amount equivalent to a tax value of \$260,000.00 and the Tax Collector shall only collect said amount of tax with regard to the subject property for the 2014 Town Tax.

Dated: December 19, 2013

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

Resolution carried.

JUSTICE COURT - TRAINING FOR JUSTICE COURT CLERK:

Discussion ensued.

Motion by Councilman Ruth to table until the “Organizational Meeting” scheduled for January 2, 2014.

Seconded by Councilwoman Marini.

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

Motion carried.

THE GARDENS – PHASE II:

Discussion ensued.

Motion by Councilman Yale to authorize the Supervisor to supply a letter of support from the Town of Walworth to The Gananda - The Gardens Phase II. to table until the “Organizational Meeting” scheduled for January 2, 2014.

Seconded by Councilman Ruth.

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

Motion carried.

STOP WORK ORDER- 721 RED FOX CIRCLE:

The following was submitted.

**WALWORTH TOWN BOARD – REGULAR MEETING
19 DECEMBER 2013**

**TOWN OF WALWORTH
BUILDING DEPARTMENT**
3600 Lorraine Drive
Walworth, New York 14568
Phone: (315) 986-1400
Fax: (315) 986-1440

Norm Druschel
Building Inspector

Phil Williamson
Code Enforcement Officer

November 22, 2013

Bob Plant
3600 Lorraine Drive
Walworth, New York
14568

Re: 721 Red Fox Circle

Dear Bob:

A stop work order was placed on property at 721 Red Fox Circle on November 22, 2013 for failure to pay for Building Permit 13-153. The builder has since paid the 1400.00 building permit fee and the 100.00 administrative fee. I am asking the Town Board to remove the stop work order so the contractor can continue construction.

Norman Druschel

Building Inspector
Town of Walworth

Motion by Councilman Yale authorizing the removal of the Stop Work Order for property at 721 Red Fox Circle, documents on file.
Seconded by Councilwoman Marini.

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

Motion carried.

SPECIAL MEETING – JANUARY 2, 2014:

Councilwoman / Supervisor Elect Marini stated that a Special Meeting will be held on Thursday, January 2, 2014 at 5:30 with the intent to enter into Executive Session for the purpose of interviewing for various Town Appointments.

**WALWORTH TOWN BOARD – REGULAR MEETING
19 DECEMBER 2013**

2014 ORGANIZATIONAL MEETING – JANUARY 2, 2014:

The Town of Walworth Organizational Meeting will be held on Thursday, January 2, 2014 at 7:30 PM at the Town Hall – Meeting Room.

**APPRECIATION FOR YEARS OF SERVICE TO THE TOWN – SUPERVISOR
PLANT AND COUNCILMAN YALE:**

Councilman Pembroke acknowledged and thanked Robert Plant and Thomas Yale for their years of service to the town.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.
Seconded by Councilman Yale and unanimously carried.
Time: 9:08 PM.

Respectfully Submitted,

Susie C. Jacobs, MMC, RMC
Town Clerk