

**WALWORTH TOWN BOARD – REGULAR MEETING
19 APRIL 2012**

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
Vaughn Pembroke	Councilman
Larry Ruth	Councilman
Tom Yale	Councilman
Michael Frederes	Highway Superintendent
Susie Jacobs	Town Clerk

ABSENT: Patricia Marini Councilwoman

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Town Newspaper Reporter, and one (1) attendee.

MINUTES:

Motion by Councilman Ruth to approve the Minutes of April 5, 2012 as presented.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

SUPERVISOR'S REPORT:

Motion by Councilman Yale to accept as presented the Supervisor's Report for March 2012.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

GENERAL CODE – LASERFICHE VERSION 8 UPGRADE:

Liz Mistretta, Solutions Account Executive with General Code presented a general overview of the way the Town is currently using Laserfiche, and can be used. Discussion ensued. Scheduling a date for all department heads to attend an introduction to Laserfiche and its capabilities to us was recommended.

Ms. Mistretta was thanked for her presentation.

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COMMITTEE REPORTS:

CEMETERY – LUSK CEMETERY INSTALLATION OF STAIRS:

Motion by Councilman Ruth authorizing the Highway Department to install stairs into the hill facing Finley Road at the Lusk Cemetery; the project will include stairs, railing, a stone base for the stairs and if necessary, drainage under the stairs. Quote from the Highway Department was received and indicated estimates will not exceed \$1,000.00. To be expended from CM6 Cemeteries Fund Line item CM6-8810.44. The only access to the cemetery currently is by the use of private property or by climbing the hill.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

MS4 - RECONSTRUCTION OF ZONING MAP, UTILIZING GSI SOFTWARE AND TRAINING:

Motion by Councilman Ruth authorizing the expenditure of \$825.00 from MS4 Fund for the reconstruction of zoning map, utilizing GSI software and training.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

RESOLUTION 43-12 PROPOSED LOCAL LAW NO. 5 OF 2012 - CHAPTER 154 TAXATION, ARTICLE III SENIOR CITIZENS TAX EXEMPTION; § 154-5 EXEMPTION GRANTED; MAXIMUM INCOME LEVEL; EXTENT OF EXEMPTION:

Councilman Yale offered the following Resolution 43-12 and moved its adoption. Seconded by Councilman Pembroke to wit:

WHEREAS, Section 467(1)(b) Chapter 588 of the Real Property Law provides that certain real property owned by one or more persons each of whom is sixty-five years of age or over, except that, where the owners are husband and wife, or are siblings, only one spouse or sibling need be 65 years or over shall be exempt from taxation by any municipal corporation in which located to the extent of fifty (50%) of the assessed valuation thereof; and

WHEREAS, the income of the owner or the combined incomes of the owners of the property for the income tax year preceding the date of making application for exemption shall not exceed \$32,400 unless otherwise provided by resolution thereof; and

WHEREAS, the Town Board of the Town of Walworth adopted on February 18, 1999 provisions of RPTL Section 467 allowing medical and prescription drug expenses actually paid, which were not reimbursed or paid for by insurance, to be deducted from income received by senior citizens

NOW, THEREFORE, BE IT RESOLVED, that real property owned by persons sixty-five years of age or over, except that, where the owners are husband and wife, or are siblings, only one spouse or sibling need be 65 years or over on or before March 1st of such year and whose income or combined incomes do not

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exceed \$32,400 shall be exempt from taxation based on a graduated scale with the maximum of fifty percent (50%) of the assessed valuation for persons whose combined incomes total less than \$24,000 to five percent (5%) of the assessed valuation of the property for persons whose combined incomes total less than \$32,400 and pursuant to the provisions of Section 467 of the Real Property Tax Law, the Town Board of the Town of Walworth will no longer allow medical and prescription drug expenses actually paid, which were not reimbursed or paid for by insurance, to be deducted from income received by senior citizens as previously approved on February 18, 1999 effective upon Town Board adoption of Local Law.

BE IT FURTHER RESOLVED, that Proposed Local Law No. 5 of the year 2012, A LOCAL LAW AMENDING CHAPTER 154 “TAXATION” OF THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING Article III Senior Citizens Tax Exemption; § 154-5 Exemption granted; maximum income level; extent of exception.

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 **8:05 PM** on **Thursday, May 3, 2012**; 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 five (5) days prior thereto.

Adopted this 19th day of April, 2012.

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

Resolution carried.

PARKS – MODIFICATION TO THE MOTION AUTHORIZING THE PURCHASE OF CALIBER 18’ TRAILER ON APRIL 5, 2012:

Discussion ensued.

Motion by Councilman Yale authorizing the modification to the Motion of April 5, 2012, “Authorizing the purchase of Caliber 18’ trailer” from Factory Direct Trailers; for an additional total not to exceed \$480.00 and for total purchase not to exceed \$2,875.00 from A7110.21R.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

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RESOLUTION 44-12 AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE AGREEMENT BETWEEN THE TOWN AND WAYNE COUNTY FOR THE PROVISION OF SERVICES REGARDING THE RABIES CONTROL PROGRAM:

Councilman Ruth offered the following Resolution 44-12 and moved its adoption. Seconded by Councilman Yale to wit:

RABIES CONTROL PROGRAM

AGREEMENT

BETWEEN

COUNTY AND TOWN

(

THIS AGREEMENT made as of April 19, 2012 between the COUNTY OF WAYNE ("County"), a municipal corporation having an office and place of business at the County Court House, 26 Church Street, Lyons, New York 14489, and the TOWN OF Walworth a municipal corporation having an office and place of business at 3600 Lorraine Dr. , Walworth, NY 14568.

WITNESSETH:

WHEREAS, the parties recognize that a mutual interest to protect the public and the animal population of the County from rabies exists; and

WHEREAS, the parties desire that the Wayne County Public Health Services shall (a) train all rabies responders within the county (b) screen all rabies complaint calls to determine whether human or animal exposure to rabies has occurred and coordinate follow up procedures as provided for herein, (c) provide a centralized telephone in-take of all rabies related reports, and (d) assume responsibility for certain program costs as provided herein; and

WHEREAS, the parties desire that the Town shall be responsible for providing field response for rabies related reports pertaining to dogs including the monitoring of the ten day and six month confinements; and

WHEREAS, the parties desire that the COUNTY shall be responsible for providing field response for rabies related reports pertaining to other animals; and

WHEREAS, the Town is willing to delegate responsibility from the local health officer to the Wayne County Public Health Service nurse screener for authorizing the expense of preparing, packaging and shipping suspect specimens to the Albany rabies laboratory for rabies testing;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the parties agree as follows:

1. The County, through the Wayne County Public Health Service, shall screen all rabies complaint calls to determine whether human or domestic animal exposure to rabies has occurred and shall coordinate follow up procedures as provided herein.
2. The County, through the Wayne County Public Health Service, shall provide a centralized telephone number, staffed twenty-four hours per day, seven days per week, with a trained nurse screener for the intake of all rabies related reports.
3. The County, through the Wayne County Public Health Service, shall provide training to those individuals who will respond to rabies calls.
4. The Town shall provide a twenty-four hour, seven day per week, field response for dog-related cases and the Town will designate in writing the names of a properly trained, equipped and inoculated primary field responder and one or more properly trained, equipped and inoculated back up field responders.
5. The County will contract with a sufficient number of trained and equipped individuals to provide twenty-four hour, seven day per week, field response for cases involving rabid animals other than dogs.

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- 6. The Wayne County Public Health Service nurse screener shall contact and dispatch a field responder to the scene of any human or animal exposure to rabies.
- 7. The Town hereby designates responsibility from the local health officer to the Wayne County Public Health Service nurse screener for authorizing the expense of preparing, packaging and shipping suspect specimens to the Albany rabies laboratory for rabies testing.
- 8. The County shall designate the veterinarian or other agency that will prepare, package, and ship the suspect specimens to the Albany rabies laboratory for rabies testing unless the Town designates a specific veterinarian or agency for this purpose.
- 9. The County shall assume responsibility for all costs of preparing, packaging, and shipping suspect specimens to the Albany rabies laboratory.
- 10. The County shall assume final responsibility for all costs not covered by insurance for post-exposure rabies treatment of individuals at risk as a result of exposure to the infected or suspected domestic animals or wildlife.
- 11. The Town shall defend, indemnify, and hold harmless the County of Wayne and its officers, employees, and agents from and against any and all liability for loss, cost, damage, or expense held liable by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including loss of use thereof, arising out of or in any manner connected with the performance of this agreement, excepting the County, its officers, agents or employees. The Town's duties and obligations pursuant to this paragraph shall survive the termination or expiration of this agreement.
- 12. It is understood and agreed that the entire agreement of the parties is contained herein and that this agreement supersedes all written and oral agreements and negotiations between the parties relating to the subject matter thereof. Any alterations, amendments, deletions or waivers of the provisions of this agreement shall be valid only when expressed in writing and duly signed by the parties.
- 13. The effective date of this agreement is 4/19/2012. The agreement shall continue in effect until terminated by either party, with or without cause, upon thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on their behalf by their duly authorized officers.

COUNTY OF WAYNE

By: _____
James D. Hoffman, Chairman
Board of Supervisors

By: _____
Robert Plant
Town Supervisor

State of New York)

ss. :

County of Wayne)

On this _____ day of _____, 20___, before me personally came James D. Hoffman, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of Williamson, Wayne

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

Resolution carried.

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RESOLUTION 34-12 AUTHORIZING PARTICIPATION IN THE WAYNE COUNTY MULTI-JURISDICTIONAL MUNICIPAL MUTUAL AID AGREEMENT:

Councilman Yale offered the following Resolution 34-12 and moved its adoption. Seconded by Councilman Pembroke to wit:

WHEREAS, the Town of Walworth may during a time of crisis, emergency, or disaster, desire to receive assistance in the form of services, equipment, facilities, or supplies from other villages and towns within the County of Wayne, as well as with the County of Wayne itself; and

WHEREAS, the Wayne County Emergency Management Office has created a Multi-Jurisdictional Municipal Mutual Aid Agreement for the benefit of all the municipalities with Wayne County, whose form and content have been approved by the Wayne County Attorney; and

WHEREAS, §25 of Article 2-B of the New York State Executive Law provides that upon the receipt of a request for assistance made pursuant to Executive Law §25 (2) or (3), the chief executive of any political subdivision may give, lend or lease on such terms and conditions as he may deem necessary to promote the public welfare and protect the interests of such political subdivision, any services, equipment, facilities, supplies or other resources of his political subdivision for the purpose of assisting a political subdivision in emergency relief, reconstruction, or rehabilitation made necessary by a disaster; and

WHEREAS, the Town of Walworth recognizes the potential need for mutual aid during a time of crisis, emergency, or disaster; and

WHEREAS, the signing of this agreement will allow all parties to quickly provide mutual aid assistance when requested;

WHEREAS, Town of Walworth desires to participate in the Wayne County Multi-Jurisdictional Municipal Mutual Aid Agreement; now therefore, be it

RESOLVED, that the (Chief elected official) is authorized to sign the Wayne County Multi-Jurisdictional Municipal Mutual Aid Agreement; and be it further

RESOLVED, that this agreement supersedes any previous agreements currently in place.

Adopted this 19th day of April, 2012.

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

Resolution carried.

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RESOLUTION 35-12 AUTHORIZING PARTICIPATION IN THE WAYNE COUNTY MULTI-JURISDICTIONAL MUNICIPAL SHARED SERVICES AGREEMENT:

Councilman Yale offered the following Resolution 35-12 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town of Walworth may from time to time desire to share services, equipment, facilities, or supplies with other villages and towns within the County of Wayne, as well as with the County of Wayne itself; and

WHEREAS, the Wayne County Emergency Management Office has created a Multi-Jurisdictional Municipal Shared Services Agreement for the benefit of all the municipalities with Wayne County, whose form and content have been approved by the Wayne County Attorney; and

WHEREAS, Article 2-B of the State of New York Executive Law authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, the Town of Walworth recognizes the potential for cost savings by maximizing the effective utilization of all parties' resources through shared services; and

WHEREAS, the signing of this agreement will allow all parties to share services with one another as needed or requested;

WHEREAS, Town of Walworth desires to participate in the Wayne County Multi-Jurisdictional Municipal Shared Services Agreement; now therefore, be it

RESOLVED, that the (Chief elected official) is authorized to sign the Wayne County Multi-Jurisdictional Municipal Shared Services Agreement; and be it further

RESOLVED, that this agreement supersedes any previous agreements currently in place.

Adopted this 19th day of April, 2012.

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

Resolution carried.

RESOLUTION 47-12 AUTHORIZATION TO MODIFY BUDGET FOR THE LOSAP CONTRIBUTION FOR LINCOLN FIRE DEPARTMENT AND WEST WALWORTH FIRE DEPARTMENT FOR 2012:

Councilman Ruth offered the following Resolution 47-12 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED, that the 2012 Budget be modified as follows for the LOSAP contributions:

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LINCOLN FIRE DEPARTMENT:

Budget Amount \$22,440.00
Fund Balance \$31,997.02
2012 Contribution \$24,301.46

Transfer from Fund Balance \$1,862.00 to SF3-3410.42 Service Award Program to cover increase cost of Annual Service Award Program.

WEST WALWORTH:

Budget Amount \$27,540.00
Fund Balance \$32,484.85
2012 Contribution \$27,920.00

Transfer from Fund Balance \$380.00 to SF2-3410.42 Service Award Program to cover increase cost of Annual Service Award Payment.

Adopted this 19th day of April, 2012.

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

Resolution carried.

SERVICE AWARD ANNUAL PAYMENTS AUTHORIZATION:

Motion by Councilman Ruth authorizing the full payment to Penflex, Inc. for Lincoln Fire Department and West Walworth Fire Depart LOSAP.
Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

RESOLUTION 48-12 AUTHORIZING “GOVERNMENT AUDITING STANDARDS BOARD (GASB)” TO AUDIT TOWN:

Councilman Ruth offered the following Resolution 48-12 and moved its adoption.
Seconded by Councilman Pembroke to wit:

BE IT RESOLVED, that Raymond R. Wagner, P.C. preform a depreciation records for GASB reporting for the Town’s Financial Statements (i.e. Highway Infrastructure, Sewer Lines, and Water Lines) for an amount not to exceed \$895.00.

Adopted this 19th day of April 2012.

Discussion: Request was made that this report be in electronic form usable by the Town and the State audit.

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

Resolution carried.

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RESOLUTION 38-12 - LEASING OF TOWN PROPERTY:

Discussion ensued.

Councilman Yale offered the following Resolution 38-12 and moved its adoption.
Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that the Town of Walworth accept sealed bids for the Town Farm Land 3 year Lease Agreement for 12.6 acres.

Adopted this 19th day of April, 2012.

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

Resolution carried.

TOWN COMPLEX PARKING LOT:

Motion by Councilman Yale authorizing the Highway Department to fill and seal the Town Complex south and east parking lots for an amount not to exceed \$3,500.00 from line A1620.42.

Seconded by Councilman Pembroke.

Discussion: It was noted that this is an effort to preserve the conditions of the lots.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

STREET DANCE REQUEST:

The following was submitted:

Discussion ensued.

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Robert Plant – Supervisor
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

March 1, 2012

Town Board of Walworth
3600 Lorraine Drive
Walworth, NY 14568

RE: Block Party: Road Closing Consent “Walworth Street Dance”

To Whom It May Concern:

I am looking for the boards’ permission to hold the Walworth Street Dance on Saturday August 11, 2012 and to close Main Street from Academy Street to Route 441 between the hours of 12:00 pm and 11:59 pm for the purposes of the annual Walworth Street Dance event.

I understand that I must provide written proof that the fire department and police agencies have been notified of this road closure as well as written permission from each homeowner and business owner that will be affected by the closing.

As in the past I will request that the county highway department provide the committee with the appropriate barricades for the closure.

Stated below are the primary contacts for the event that can be contacted at any time with questions or concerns.

Sincerely,

Kelli Craig
Primary Contact
3706 Main Street
Walworth, NY 14568
585.797.4350

Dan Hall
Secondary Contact
3700 Main Street
Walworth, NY 14568
585.733.7579

Motion by Councilman Yale authorizing the Street Dance Request as requested/submitted.

Seconded by Councilman Pembroke.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

**TOWN COMPLEX, LIBRARY, SEWER AND HIGHWAY DEPARTMENT -
PHONE AND INTERNET SYSTEM WITH TIME WARNER CABLE SERVICE
AGREEMENT:**

Discussion ensued.

Motion by Councilman Yale authorizing the extension of the Service Agreement with Time Warner Cable for three (3) years with an upgrade (10Mx1.0M) for Phone and Internet Systems for the Town Complex, Library, Sewer Department and Highway Department.

Seconded by Councilman Ruth.

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Adopted: Vote Ayes 4 Nays 0
Motion carried.

DISCUSSION CHAPTER 67:

Time was allotted for Council members to review proposed Local Law.

RESOLUTION 39-12 PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2012:

Councilman Ruth offered the following Resolution 39-12 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED, that proposed Local Law No. 1 of the year 2012, A LOCAL LAW AMENDING CHAPTER 67 “BUILDINGS UNSAFE” OF THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING §67-2 Definitions; §67-3 Investigation and report and § 67-11 Compensation of Surveyor, said proposed Local Law No. 1 of the year 2012 is hereby introduced before the Town Board, and

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 **7:45PM** on **Thursday, May 3, 2012**; 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 five (5) days prior thereto.

Adopted this 19th day of April, 2012.

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

Resolution carried.

DISCUSSION CHAPTER 108:

Time was allotted for Council members to review proposed Local Law.

RESOLUTION 40-12 PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2012

Councilman Ruth offered the following Resolution 40-12 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED, that proposed Local Law No. 2 of the year 2012, A LOCAL LAW AMENDING CHAPTER 108 “NOISE” OF THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING §108-2 Horns and signal devices; §108-3 Radios, televisions, and phonographs; musical instruments and §108-5 Motor Vehicles, said proposed Local Law No. 2 of the year 2012 is hereby introduced before the Town Board, and

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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 **7:50 PM** on **Thursday, May 3, 2012**; 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 five (5) days prior thereto.

Adopted this 19th day of April, 2012.

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

Resolution carried.

RESOLUTION 49-12 LOCAL LAWS ADOPTED BY THE TOWN BOARD:

Discussion ensued.

Councilman Yale offered the following Resolution 49-12 and moved its adoption. Seconded by Councilman Pembroke to wit:

BE IT RESOLVED that any Local Town Law voted and adopted by the Town Board of the Town of Walworth will be in effect the next day unless the Town Board directs different or the State Laws prohibit and states otherwise.

Adopted this 19th day of April, 2012.

Discussion ensued.

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

Resolution carried.

DISCUSSION CHAPTER 128:

Time was allotted for Council members to review proposed Local Law.

RESOLUTION 41-12 PROPOSED LOCAL LAW NO. 3 OF THE YEAR 2012:

Councilman Ruth offered the following Resolution 41-12 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED, that proposed Local Law No. 3 of the year 2012, A LOCAL LAW AMENDING CHAPTER 128 “PROPERTY MAINTENANCE” OF THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING § 128-3 Notice to cut, trim or remove; § 128-5 Service of notice; contents and DELETE § 128-3 C., said proposed Local Law No. 3 of the year 2012 is hereby introduced before the Town Board, and

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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 **8:00 PM** on **Thursday, May 3, 2012**; 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 five (5) days prior thereto.

Adopted this 19th day of April, 2012.

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

Resolution carried.

DISCUSSION CHAPTER 180:

Time was allotted for Council members to review proposed Local Law.

RESOLUTION 42-12 PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2012:

Councilman Yale offered the following Resolution 42-12 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that proposed Local Law No. 4 of the year 2012, A LOCAL LAW AMENDING CHAPTER 180 "ZONING" OF THE TOWN OF WALWORTH MUNICIPAL CODE MORE PARTICULARLY AMENDING § 180-14 B Districts: General Business/Professional Office/Office Research/Research Park/High Density Residential., said proposed Local Law No. 4 of the year 2012 is hereby introduced before the Town Board, and

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, June 21, 2012**; 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.

Adopted this 19th day of April, 2012.

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

Resolution carried.

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**TOWN OF ONTARIO – NOTICE OF PUBLIC HEARING REGARDING
PROPOSED CHANGES TO AMEND CHAPTER A154 OF THE CODE OF THE
TOWN OF ONTARIO, ENTITLED “LAND DEVELOPMENT REGULATIONS
AND PUBLIC WORKS REQUIREMENTS”:**

The following was submitted.



April 9, 2012

Town of Walworth
Susie Jacobs, Town Clerk
3600 Lorraine Drive
Walworth, New York 14568

Dear Susie,

Enclosed is a copy of the proposed changes to amend Chapter A154 of the Code of the Town of Ontario, entitled "Land Development Regulations and Public Works Requirements". A copy of the document is posted on our website ontariotown.org. A public hearing will be held by the Ontario Town Board at 1850 Ridge Road, on Monday, April 23, 2012 at 7:00 p.m. All interested persons shall have an opportunity to be heard.

If you have any questions, please feel free to contact me at 315-524-3441 ext. 200.

Thank you


Debra DeMinck
Ontario Town Clerk



www.mrbgroup.com

Engineering, Architecture, Surveying, P.C.

February 23, 2012

Mr. Ed Collins, CEO
Town of Ontario
1850 Ridge Road
Ontario, New York 14519

**RE: 2012 UPDATE TO TOWN DEVELOPMENT REGULATIONS
MRB GROUP PROJECT NO. 1500.11001.000**

Dear Ed:

Please find attached for your review two (2) draft copies of the updated Town of Ontario Land Development Regulations and Public Works Requirements. Updates to the Regulations include:

- Added Section A154-19 A, Modification of Approved Site Plan
- Added Section A154-65, Front Setback Modification
- Added Section A154-66, Sidewalk Reservation
- Updated Section A154-70, General Provisions to include electronic submittal
- Added Section A154-100 C 7, Flow and Test Manhole
- Updated Sections A154-104 C and D to require compliance with NYS Fire Code
- Updated Section A154-125 D, Hydrants and Appendix DD to require a Harrington Permanent Hydrant Adapter Storz connection be provided
- Revised standard gutter inlet from 18"x24" to 24"x24" inside dimensions
- Added Field Inlet (Appendix NA) and Drop Inlet (Appendix NB) construction details
- Updated all references of ASTM, AWWA, ANSI, AASHTO, and NYS DOT standards and specifications
- Updated all references of manufacturer's products

If you have any questions or additional updates, please do not hesitate to contact me.

Sincerely,

Kurt M. Rappazzo, P.E.
Project Engineer

Enclosures as noted.

c: Eduard Kerkhoven, Planning Board Chairman
Rodney Peets, Water Utilities Superintendent
Jerry Santangelo, Highway Superintendent

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SOLUTIONS YOU CAN TRUST

The Culver Road Armory - 145 Culver Road, Suite 160, Rochester, NY 14620 - 585-381-9250; FAX 585-381-1008

BOARD OF ASSESSMENT REVIEW TRAINING CERTIFICATES:

Wayne County Real Property Tax Services has sent a copy of the training certificates (2) for Michael Kunzer and Kenneth Cigna Sr., members of the Board of Assessment Review who recently completed their required training. Notification to departments has been provided.

RESOLUTION 45-12 – FINANCIAL TRANSFERS:

Councilman Yale offered the following Resolution 45-12 and moved its adoption. Seconded by Councilman Pembroke to wit:
The following was submitted.

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

**WALWORTH TOWN BOARD – REGULAR MEETING
19 APRIL 2012**

\$200.00 from A231TC Town Clerk Equipment Reserve
\$384.67 from A1410.46 Town Clerk Mileage
\$123.55 from A1410.42 Town Clerk Office Expense
Transfer Total of \$708.22 to A1410.21 Town Clerk Equipment. To cover cost of Laptop Computer.

\$200.00 from A1330.41 from Receiver of Taxes Conference/Training to A1330.44 Receiver of Taxes Mileage. To cover current expenses.

\$200.00 from Park Special Revenue Fund Balance to CM1-7110.22 Parks Eagle Scout Projects. To cover current expenses.

\$1,012.10 from Self Insurance Fund Balance to MS9050.81 Unemployment Payments NYS. To cover current expenses.

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

Resolution carried.

ABSTRACT:

The following was submitted by Town Comptroller:

To: Walworth Town Board

From: Jean Johnson, Town Comptroller

Date: 19-Apr-12

Re: Abstract #4

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 #434 To #603

General Fund	\$49,522.70
Highway Fund	\$12,323.66
Sewer Fund	\$34,573.76
Parks Special Revenue Fund	\$1,317.41
Self Insurance Fund	\$390.00
Walworth Consolidated Drainage	\$218.10
Walworth Light District	\$740.18
Harvest Hill Light District	\$636.80
Gananda Light District	\$983.52
Brookside Light District	\$9.77
Orchard View Light District	\$91.61
Gananda Sidewalk District	\$468.97
Waler Extension #19	\$22,830.00

Water Extension #20	\$7,160.00
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Total Abstract #3 Payments	\$131,266.48
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Voucher Numbers #40 to #59

Trust & Payroll	\$23,192.08
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Checks will be issued on April 20, 2012.

TOWN COMPTROLLER'S REPORT:

Motion by Councilman Ruth to accept as presented the Town Comptroller's report.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

AUTHORIZATION TO PRE-PAY FOR DIGITAL ELECTRONIC STAMP:

Discussion ensued.

Motion by Councilman Ruth to pre-pay for a Digital Electronic Signature stamp to come out of line A1620.21 for an amount not to exceed \$795.00.

Seconded by Councilman Yale.

Discussion ensued.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

RESOLUTION 50-12 AUTHORIZING TOWN SUPERVISOR AND DEPUTY SUPERVISOR TO UTILIZE DIGITAL ELECTRONIC SIGNATURE STAMP:

Councilman Ruth offered the following Resolution 50-12 and moved its adoption.

Seconded by Councilman Pembroke to wit:

BE IT RESOLVED, that the Town Supervisor and Deputy Supervisor be authorized to use of the Digital Electronic Signature stamp for Town use.

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

Resolution carried.

ADJOURNMENT:

Motion by Councilman Yale to adjourn.

Seconded by Councilman Pembroke and unanimously carried.

Time: 9:21PM.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk