

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

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
Thomas Yale	Councilman
Frank Maciuska	Councilman
Suzi Hawkins-Mance	Councilwoman
Patricia Marini	Councilwoman
Susie Jacobs	Town Clerk

ABSENT: Mike Frederes Highway Superintendent

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Denise Munson, Attorney for the Town; Mary Zingerella, Library Director; Town Newspaper Reporter, eight (8) attendees.

MINUTES:

Motion by Councilwoman Marini to table the Minutes of March 17, 2011 as presented.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

CORRESPONDENCE:

Susie C. Jacobs, Town Clerk, read the following:

Email

From: Jeremy Hoffman

Dated: April 6, 2011

For all the complaining that I have done over the last couple of years I just wanted to send out a note and say thank you for moving or having the trail moved around Whitney Road. We still had the bad apples that raced down the road at 1:00 in the morning but it wasn't every single night like it has been in the past.

Thanks – Made for a much better sleep.

Motion by Councilman Maciuska to accept and file.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**



Wayne County Planning Department

To: Town Supervisor, Town of Walworth
From: Amy D'Angelo, Senior Planner
Re: Training Attendance
Date: March 22, 2011

The Wayne County Planning Board training entitled "Planning and Zoning Board Basics" was held on March 22, 2010 at 7pm at the Wayne County Fire Training Facility on Nye Road in Lyons. The training was taught by Amy D'Angelo, Senior Planner for the Wayne County Planning Department. This two hour training session covered general topics such as the role of Planning Board members, role of Zoning Board members, procedural issues, Variances, Special Use Permits, Site Plan Review and Subdivisions. The following is a list of your board members that attended this session.

Jim Hinz
Susie Jacobs

If you have any questions, please feel free to contact me at 315-946-5919.

County Office Building • 9 Pearl Street • Lyons, NY 14489
Tel. (315) -946-5919 • Fax (315) 946-7657
www.co.wayne.ny.us

Motion by Councilman Maciuska to accept and file.
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

**WOLWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

GIRL SCOUT SILVER AWARD ACHIEVEMENT – KRISTY ALLEN:

Motion by Councilman Maciuska authorizing the Certificate of Achievement be mailed to Kristy Allen for her outstanding accomplishments in attaining the Girl Scout Silver Award, the highest achievement in Cadet Girl Scouting.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

PUBLIC PARTICIPATION:

A resident from Smith Hill Road addressed the Board with her concern of a blue print for a proposed water map highlighting Boynton Road, which was laying out on one of the tables in the meeting for public view. She inquired as to why the map was just sitting out and if the Town Board was aware of new discussions for proposed water lines for Boynton Road. Discussion ensued.

UNITED WAY PRESENTATION:

Mr. Ryan Mulhern, Wayne County United Way Campaign Assistant presented a video on the 2011 United Way Spring Campaign. He also explained the Wayne County United Way Campaign's Goal for 2011 is \$840,000.00. All the money collected stays in Wayne County. Pledge forms were available and every donation is welcomed. Ryan thanked everyone on behalf of United Way.

"Dear Supervisor Plant and Council members,

We, the employees of the Walworth Town Hall, would like to request authorization to participate in the campaign for the United Way. This year's campaign is slated to kick off on April 18, 2011. Susie Jacobs, Town Clerk, has volunteered to lead the 2011 campaign. We have set a goal of \$500.00, which exceeds last year's total. But remember, this is more than a goal; it translates to real programs and services every day for people in our community.

We had a lot of fun with the two activities we did the last several years and we would like to do the same this year with dress-down weeks; April 18th – 29th where town employees are encourage to "dress down" and pay \$1.00 per day donation to participate and a bake sale on April 29, 2011 open to the public.

Thank you.

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into Eexecutive Ssession to discuss medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment and to discuss proposed, pending or current litigation.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

Time: 7:52 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 8:30 PM.

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

COMMITTEE REPORTS:

Council members reported on their respective committees with the following Town Board actions. Discussion ensued.

SEWER – WAIVER OF CITATION – ESTATE OF ALLEN FRANK VOAK

Motion BY Councilman Maciuska authorizing the Town Supervisor to sign the Waiver of Citation in the matter of the Estate of Allen Frank Voak, a/k/a Allen F. Voak - Judicial Settlement of Account File number 2009-10028/A. Research indicates Mr. Voak did not have outstanding balance with Walworth Sewer District.

Seconded by Councilwoman Hawkins-Mance.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Motion carried.

RECREATION – SENIOR CITIZEN’S WELCOME BACK DINNER ENTERTAINMENT AUTHORIZATION

Motion by Councilwoman Marini authorizing the prepayment for entertainment at the Senior Citizen’s Welcome Back Dinner in the amount of \$75.00 to be expended from line A7620.41. This is a budgeted item.

Seconded by Councilman Maciuska.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Resolution carried.

HIGHWAY DEPARTMENT – 2012 INTERNATIONAL 10 WHEEL TRUCK AUTHORIZATION

Motion by Councilman Yale authorizing the Highway Superintendent to purchase a new unused 2012 international 7600 – 10 wheel truck, dump body, hydraulics and controls (no plow and wings) on O.G.S. contract number PC62178 from Navistar Inc. for an amount not to exceed \$167,480.36 to be expended from DA5130.22R and DA5130.22. This is a budgeted item.

Seconded by Councilwoman Hawkins-Mance.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Motion carried.

PLANNING BOARD APPOINTMENT – STEPHEN MACNEAL

Motion by Councilman Yale recommending the appointment of Mr. Stephen MacNeal to the Planning Board effective immediately, term expiring 12/31/2011.

Seconded by Councilwoman Hawkins-Mance.

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Motion carried.

ADVERTISE FOR ZONING BOARD MEMBER APPOINTMENT:

Motion by Councilwoman Marini authorizing to advertise for the position of Zoning Board Member. Applications must be received by Friday, April 21, 2011. Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

JUSTICE COURT GRANT AWARDED:

Walworth Town Court has been awarded a grant under the 2010 cycle of the Justice Court Assistance Program (JCAP) in the amount of \$5,041.07.

BUILDING CODE ENFORCEMENT EVALUATION REPORT:

Supervisor Plant reported ISO Properties, Inc. evaluated the Town of Walworth Building Code Enforcement Evaluation Report based on the BCEGS survey conducted on 12/28/2010. Discussion ensued. With the results indicating Town of Walworth Building Department is doing a “very good job”.

Motion by Councilman Maciuska to accept and file.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 5 Nays 0

TOWN COMPLEX COOLING TOWER (HVAC) INDEPENDENT SYSTEM INSPECTION REPORT:

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

Discussion: It was noted the Inspection Report was very informative and was greatly appreciated.

Adopted: Vote Ayes 5 Nays 0

TOWN COMPLEX COOLING TOWER (HVAC) PURCHASE AUTHORIZATION:

Motion by Councilman Yale authorizing the Town Supervisor to enter into Contract with Leo J. Roth Corporation for the purchase of the Town Complex Cooling Tower (HVAC) for an amount not to exceed \$33,600.00 which is under the required threshold.

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

Seconded by Councilwoman Marini.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Motion carried.

RESOLUTION 35-11 – ARTICLE 11 BRUSH, GRASS AND WEEDS:

Councilwoman Hawkins-Mance offered the following Resolution 35-11, and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED per Article 11 Brush, Grass and Weeds §128-3, regulation by Town Board: The Town Board may, by Resolution, require a notice to be served upon owners ordering them to cut, trim or remove from the land owned by them brush, grass, rubbish or weeds, or to spray poisonous shrubs or weeds on such land pursuant to §64, Subdivision 5-a and §130, Subdivision 5, of Town Law.

BE IT FURTHER RESOLVED the Code Enforcement Officer be authorized to serve notice, when required, on property owners in violation of Article 11 Brush, Grass and Weeds per §128 – 3. However, prior authorization of mowing (which must be paid by the Town until collected with tax payment by the property owner of purchaser in the case of sale) by the Code Enforcement Officer with approval by the Town Supervisor would be required.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Resolution carried.

**SONIC-WALL SUPPORT & NETWORK ANTIVIRUS RENEWAL –
INTEGRATED SYSTEMS, INC. CONTRACT AUTHORIZATION:**

Motion by Councilman Maciuska authorizing the expenditure for Sonic-wall Antivirus 8x5 support for an amount not to exceed \$150.00 and Network Antivirus for 25 users/server for an amount not to exceed \$980.00.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

**GENERATOR MAINTENANCE CONTRACT – NYSSITE POWER
CORPORATION:**

Motion by Councilman Maciuska authorizing the Town Supervisor to sign the Contract with NYS Site Power for one (1) year for an amount not to exceed \$799.00.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

FIREWORKS PERMIT – WALWORTH LIONS CLUB – FESTIVAL IN THE PARK:

Susie Jacobs, Town Clerk will issue a Fireworks Permit to Walworth Lions Club for fireworks at the Festival in the Park on July 23, 2011. Insurance Policy has been provided.

JUNK YARD LICENSE – VOELCKERS :

Motion by Councilman Maciuska authorizing the issuance of a Junk Yard License to Mr. Mark W. Volcker’s.
Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

RESOLUTION 37-11 TOWN BOARD RATIFIES ACTION GIVEN TO ATTORNEY FOR THE TOWN:

Councilman Maciuska offered the following Resolution 37-11, and moved its adoption.

Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS the Town Board of the Town of Walworth, in Executive Session held on February 17, 2011, directed the Town Attorney to send a letter to the Chairman of the Planning Board, demanding that he recuse himself from the vote on the pending SEQR matter before the Planning Board, on the issue of the Twilight Development, due to various issues related to the appearance of a conflict, and indicating that if he failed to do so, they would take action to remove him from the Board; and

WHEREAS the Town Attorney did send the letter as directed by the Board;

NOW THEREFORE, the Town Board ratifies the direction it gave to the Town Attorney to send the letter.

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Resolution carried.

RESOLUTION 36-11 FINANCIAL TRANSACTION:

Councilwoman Hawkins-Mance offered the following Resolution 36-11, and moved its adoption.

Seconded by Councilman Maciuska to wit:

BE IT RESOLVED that the Senior Account Clerk be authorized to modify budget as follows:

\$7,551.50 Transfer from Sewer Fund Balance to SS8130.22
Manholes/Repairs
Money to cover transfer was credited to Income Line SS2680 Insurance Recoveries

**WALWORTH TOWN BOARD – REGULAR MEETING
7 APRIL 2011**

Roll call vote:	Councilman Maciuska	Aye
	Councilwoman Marini	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilman Yale	Aye
	Supervisor Plant	Aye

Resolution carried

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilman Maciuska and unanimously carried.

Time: 8:57 PM.

Respectfully Submitted,

Susie C. Jacobs, RMC
Town Clerk