

**WALWORTH TOWN BOARD – REGULAR MEETING
3 FEBRUARY 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.

<u>PRESENT:</u>	Robert Plant	Supervisor
	Thomas Yale	Councilman
	Patricia Marini	Councilwoman
	Suzi Hawkins-Mance	Councilwoman
	Beth Hart	Deputy Town Clerk

<u>ABSENT:</u>	Frank Maciuska	Councilman
	Mike Frederes	Highway Superintendent
	Susie Jacobs	Town Clerk

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline Van Lare, Recreation Director; Ed Parrone, Engineer for the Town; Denise Munson, Attorney for the Town; Mary Zingerella, Library Director, Town Newspaper Reporter, and four (4) attendees.

PUBLIC PARTICIPATION:

EAGLE SCOUT LEADERSHIP SERVICE PROJECT – COLIN ANTHONY KERR:

Mr. Colin Anthony Kerr, Life Scout from Troop 113, addressed the Town Board and stated he has met with Mrs. Jacqueline VanLare, Walworth Recreation Director to discuss his project. Copies were handed out detailing his proposed Eagle Scout Leadership Service Project. Colin proposed to install two (2) baseball dugouts on one of the Walworth Recreation Little League Fields. Some of the proposed project includes; full fencing exterior (10 feet by 20 feet), wooden frame covered by metal panels as roofing material, concrete flooring (4-6 inches thick) allowing for professionalism of sport as well as protection from weather conditions and safety to the players.

The funding for the project is in part money (\$500.00) set aside by Mrs. Jacqueline VanLare and various fundraisers i.e. road races, trail races, family fun nights, donations. Also a place card with engraved metallic name plates of the persons which donated (\$25.00) personally or in memory. Helping him follow through his project along with his family and friends are Boy Scouts Troop 113 and other troops. The project will begin when winter weather is over and continue through the spring and summer. An Engineer presented the prepared drawings.

Motion by Councilman Yale approving the Eagle Scout Project for the building of two (2) baseball field dugouts on one of the Little League fields in Ginewaw Park as presented by Scout Colin Anthony Kerr.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

A resident from Haley Road, Walworth, stated he read Governor Cuomo has issued his proposed State Budget and it includes a proposed cut in aid to municipalities. He inquired if the Board will be addressing this issue, and how they will address it and cover any shortfalls in State funding?

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COMMITTEE REPORTS:

RECREATION - USE OF SHERBURNE ROAD SOCCER FIELDS

Motion by Councilwoman Marini authorizing the use of Sherburne Road soccer fields to Gananda Youth Lacrosse beginning March 14 weather permitting and then moving practices to Dolomite Park from April 1st thru June 18th, 2011. Practices to be held Monday & Wednesday from 5:30 PM to 8:00 PM. Games will held on Saturdays from 9:00 AM to 3:00 PM. Parks & Recreation Director, Jacqueline VanLare will determine if the fields are in condition to be played on. Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

DEPUTY TOWN CLERK'S APPOINTMENT:

Town Board received a letter stating Town Clerk, Susie Jacobs, appointed Beth Hart, Deputy Clerk I and Joyce Gumina, Deputy Clerk 2, effective January 20, 2011.

DEPUTY RECEIVER OF TAXES APPOINTMENT:

Town Board received a letter stating Receiver of Taxes, Louise Weller, appointed Carla Miller as Deputy Receiver of Taxes working approximately 96 hours as needed during the billing period from January 1, 2011 thru March 31, 2011.

APPROVAL TO SIGN WILLIAMSON LAW BOOK CO. ACCOUNTING SOFTWARE SUPPORT FOR 2011 CONTRACT:

Motion by Councilwoman Marini authorizing the Town Supervisor to sign the contract with Williamson Law Book Co. for the Accounting Software Support - 2011. Payment was approved in Abstract 1. Seconded by Councilwoman Hawkins-Mance.

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

Motion carried.

APPROVAL TO SIGN WILLIAMSON LAW BOOK CO. TOWN CLERK PLUS SUPPORT FOR 2011 CONTRACT:

Motion by Councilwoman Marini authorizing the Town Supervisor to sign the contract with Williamson Law Book Co. for the Town Clerk Plus Support - 2011. Payment was approved in Abstract 1. Seconded by Councilman Yale.

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

Motion carried.

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**RESOLUTION 23-11 AUTHORIZING THE SUPERVISOR TO SIGN A
CONTRACT WITH CATHERINE A. TINGUE dba ADVANCED
OCCUPATIONAL SERVICES FOR EMPLOYEES DRUG & ALCOHOL
TESTING:**

Councilwoman Hawkins-Mance offered the following Resolution 23-11 and moved its adoption.

Seconded by Councilwoman Marini to wit:

WHEREAS, the Town of Walworth performs drug and alcohol testing for employees.

BE IT RESOLVED, that Robert Plant, Town Supervisor of the Town Of Walworth, is hereby authorized and directed to sign the contract with the Catherine A. Tingue dba Advanced Occupational Services for drug and alcohol testing for Town employees for the year 2011.

Now, therefore, **BE IT FURTHER RESOLVED**, that the Town Board of the Town of Walworth adopts Resolution 23-11

Adopted this 3rd day of February, 2011, at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 21-11 TO ESTABLISH BUILDING PERMIT PROGRAM
RESERVE FUND A231BP:**

Councilwoman Marini offered the following Resolution **21-11** and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board of the Town of Walworth desires to establish a Capital Reserve Fund; and

WHEREAS, the Town Board in the 2011 Budget has budgeted \$2,000.00 to establish this fund,

RESOLVED, that pursuant to Section 6-c (or 6-g) of the General Municipal Law, as amended, the Walworth Town Board does hereby established a Capital Reserve Fund to finance the cost of purchasing Building Permit software.

The Chief Fiscal Officer is hereby directed to deposit moneys of this reserve fund to be known as the “Building Permit Program” Reserve Fund.

The amount to establish this fund is not to exceed two thousand dollars and no cents (\$2,000.00).

The Chief Fiscal Officer is authorized to invest, from time to time, the moneys of this fund pursuant to Section 11 of the General Municipal Law.

No expenditure shall be made from this fund, except upon authorization of this Board pursuant to Section 6-c (or6-g) of the General Municipal Law.

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THEREFORE, BE IT RESOLVED, that the Building Permit Program Reserve Fund is subject to a 30 day Permissive Referendum,

THEREFORE, BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth adopt Resolution **21-11**.

Adopted this 3rd day of February, 2011 at the meeting of the Town Board.

Discussion: Is this the only way we can accomplish this through a Permissive Referendum or is the creation of the Fund subject to a Permissive Referendum. It was explained that when we purchase it we don't need to go through another Referendum. A Referendum is necessary to establish the fund.

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

Resolution carried.

DECLARE SURPLUS MPSG MEDALLION THERMOSTATS:

Motion by Councilman Yale to declare seven (7) of the eight (8) replaced MPSG Medallion Thermostats surplus and request disposition of them.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

AUTHORIZATION TO SIGN MOVIE AGREEMENT FOR FESTIVAL IN THE PARK, JULY 22, 2011:

Motion by Councilwoman Marini authorizing the Town Supervisor to sign the Agreement with Adventures in Climbing LLC, for the Festival in the Park movie.

Seconded by Councilman Yale.

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

Motion carried.

DISCUSSION REGARDING CHANGES TO THE AGREEMENT WITH THE WAYNE COUNTY PLANNING BOARD FOR SUBMISSION OF DOCUMENTS:

Motion by Councilman Yale authorizing the Supervisor to sign the "Except Referral and Review of Certain Local Zoning and Subdivision Application" changes made to the original Agreement with Wayne County Planning Board adopted on March 4, 1993.

Seconded by Councilwoman Marini.

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

Motion carried.

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AUTHORIZATION FOR TOWN SUPERVISOR TO SIGN A LETTER TO ELECTED OFFICIALS IN ALBANY REQUESTING IMMEDIATE ACTION ON SUGGESTED REFORMS CONCURRENTLY WITH ANY PROPERTY TAX CAP PROPOSAL:

Motion by Councilman Yale requesting Town Supervisor to sign a letter to elected officials in Albany, NY calling for immediate action on the proposed reforms concurrently with any property tax cap proposal:

1. There must be a temporary freeze on all public employees' salaries for the next two years.
2. The public's liability for health insurance of any public employee must be capped.
3. Reform to the State Pension System is imperative.
4. Counties, towns, villages, and schools must be relieved of burdensome mandates, including onerous Civil Service, Taylor Law, Prevailing Wage Laws and Tri-borough Agreement Provisions.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

AUTHORIZE TOWN SUPERVISOR TO SIGN A LETTER OPPOSING THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD REGULATORY PROPOSED BY THE US ENVIRONMENTAL PROTECTION AGENCY (EPA)

Motion by Councilman Yale authorizing Town Supervisor to sign a letter opposing the unfair and unattainable mandate the Chesapeake Bay TMDL forced upon local governments, local communities and family farms. And to send a letter to the Congressional and State Representatives requesting they intercede with the EPA and enact superseding legislation if required to delay implementation of the Chesapeake Bay TMDL and request that the EPA report to them on their response and adaptations regarding the concerns.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into executive session for collective bargaining negotiations per Article 14 of Civil Service Law and medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Time: 8:05 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 8:44 PM.

ADJOURNMENT:

Motion by Councilman Yale to adjourn.

Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 8:45 PM.

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Minutes compiled by the Town Clerk in the absence of Deputy Town Clerk.

Respectfully Submitted,

Susie C. Jacobs, RMC
Town Clerk