

**WALWORTH TOWN BOARD – REGULAR MEETING
5 JULY 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: Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Norm Druschel, Building Inspector; Town Newspaper Reporter, and two (2) attendees.

MINUTES:

Motion by Councilman Ruth to approve the Minutes of June 21, 2012 as presented.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

AUDIT PRESENTATION – RAYMOND F. WAGER, CPA, P.C.:

A representative from Raymond F. Wager, CPA, P.C. presented the Town of Walworth with the Communicating Internal Control Related Matters Identified in an Audit and Basic Financial Statements for year ending December 31, 2011. The presentation gave an overall brief review of the reports, indicating the audit went smoothly and very well. Recommendations and questions were offered. It was noted this report is satisfactory for the LOSAP audit requirement.

PUBLIC HEARING 7:45 PM – PROPOSED LOCAL LAW NO. 7 OF 2012 :

Supervisor Plant declared the Public Hearing opened.

Time: 7:45 PM.

Susie C. Jacobs, Town Clerk, stated the notice of Public Hearing for Proposed Local Law No. 7 of 2012 was duly published two (2) times in the Town's official newspaper on June 24th and, July 1, 2012, with the same dates being posted at the Town Hall and the Town website. Copies are available to the public.

Motion by Councilman Yale to waive the reading of the Legal Notice.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

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No one wished to comment.

With no one desiring to be heard, Supervisor Plant asked for the following.

Motion by Councilman Yale to close the Public Hearing.
Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0
Time: 7:47 PM.
Motion carried.

**RESOLUTION 72-12 ADOPTION OF PROPOSED LOCAL LAW NO. 7 OF THE
YEAR 2012- PROPOSED LOCAL OVERRIDE LAW FOR 2013:**

Councilman Yale offered the following Resolution 72-12 and moved its adoption.
Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on July 5, 2012, to consider the adoption of proposed Local Law No. 7 of the Year 2012 Proposed Local Override Law more particularly A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c FOR 2013.

Be it enacted by the TOWN BOARD of the TOWN OF WALWORTH as follows:

Proposed Local Override Law

Proposed Local Law No 7 of the year 2012
Town of Walworth, County of Wayne

A local law to override the tax levy limit established in General Municipal Law 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Walworth, County of Wayne pursuant to General Municipal Law § 3-c, and to allow the Town of Walworth, County of Wayne to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Walworth, County of Wayne is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local Law shall take effect immediately upon filing with the Secretary of State.

BE IT RESOLVED, the Town Board of the Town of Walworth does hereby adopt proposed Local Law No. 7 of the year 2012 to the Town of Walworth Municipal Code.

BE IT RESOLVED, the Town Clerk submits the necessary documents pertaining to the adoption of said proposed Local Law No. 7 of 2012, for filing with the Secretary of State.

NOW, BE IT FURTHER RESOLVED, that the Town Council of the Town of Walworth adopt Resolution 72-12.

Adopted this 5th Day of July, 2012.

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

Resolution carried.

COMMITTEE REPORTS:

Council members reported on their respective committees. Following were the Town Board actions. Discussion ensued.

ASSESSOR APPOINTMENT – DENNINE L. LEESON:

Motion by Councilman Yale appointing Ms. Dennine L. Leeson as Assessor for the Town of Walworth at Step one of the 2012 Wage Salary Matrix for a term expiring September 30, 2013.

Seconded by Councilman Pembroke.

Discussion ensued.

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

Motion carried.

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BUILDING DEPARTMENT APPROVED THIRD PARTY ELECTRICAL INSPECTION AGENCY:

Motion by Councilman Yale approving Mr. Fritz Gunther, New York Electrical Inspection Agency, to preform third party Electrical Inspections for the Town of Walworth.

Seconded by Councilman Pembroke.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

SEWER – AUTHORIZATION TO ATTEND FINGER LAKES WATER WORKS CONFERENCE:

The following was submitted:

TOWN OF WALWORTH
WASTE WATER TREATMENT FACILITY
3451 Ontario Center Road
Walworth NY 14568

Rob Burns, Sewer Superintendent
PHONE
sewer@townofwalworthny.gov.

315-986-3415

315-986-1741 FAX

July 3, 2012

Attention:

Robert Plant, Walworth Town Supervisor
Walworth Town Board Members

The 2012 summer Finger Lakes Water Works Conference will be held Thursday, August 9, 2012 at the Penn Yan Fireman's Field.

I am requesting permission for myself, Tim McMullen and John Pagliuso to attend. The cost is \$25.00 per person for a total of \$75.00 to be expended from budgeted line SS8110.41.

Payment check shall be made payable to FLWWC which must be received no later than 12:00 noon on Friday, July 27, 2012. Credit hours will be given as part of our continuing education towards renewal of our licenses.

If you should have any questions please give me a call.

Respectfully submitted,

Robert Burns
Waste Water Superintendent

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Motion by Councilman Pembroke authorizing the Sewer employees to attend the Finger Lakes Water Works Conference as recommended in this above submitted Memo, for an amount not to exceed \$75.00 from SS8110.41. Continuing education goes towards renewal of their licenses.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

PARKS & RECREATION PROCLAMATION:

The following was read and submitted.

Town of Walworth

Office of the Supervisor

PROCLAMATION OF APPRECIATION WALWORTH PARKS AND RECREATION

WHEREAS, parks and recreation programs are an integral part of our community;
and

WHEREAS, the Walworth Parks and Recreation Department is dedicated to enhancing the quality of life for residents in the community through recreation programming, leisure activities and conservation efforts; and

WHEREAS, parks and recreation activities and experiences provide opportunities for young people to live, grow and develop into contributing members of their communities; and

WHEREAS, parks and recreation creates lifelines and enriches life experiences for older members of our community; and

WHEREAS, parks, playgrounds, nature trails, open spaces make our town an attractive and desirable place to live, work, play and visit which contributes to our economic vitality; and

WHEREAS, our parks and natural recreation area ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, parks and recreation services play a vital role in creating active and healthy opportunities in the lives of individuals, families and groups to come together and experience a sense of community; now

THEREFORE BE IT RESOLVED that the Town Board of the Town of Walworth extends its deepest appreciation to the Parks and Recreation Department.

Now, therefore, I, Robert J. Plant
Supervisor of the Town of Walworth
do hereby proclaim the month of July, 2012 as

“National Parks and Recreation Month”

TOWN BOARD MEMBERS

**WALWORTH TOWN BOARD – REGULAR MEETING
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Robert J. Plant, Supervisor

TOWN OF WALWORTH

**Patti Marini
Vaughn Pembroke**

**Larry Ruth
Tom Yale**

Dated July 5, 2012

Motion by Councilman Yale to accept and file the Parks & Recreation Proclamation.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

**RESOLUTION 73-12 ADOPT NYS RETIREMENT SYSTEMS STANDARD
WORK DAY & REPORTING FOR ELECTED AND APPOINTED OFFICIALS:**

Councilman Yale offered the following Resolution 73-12 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the following NYS Standard Work Day and Reporting Resolution for Elected and Appointed Officials has been completed as required; and

WHEREAS, the Town Board of the Town of Walworth directs the Town Clerk to post the following:

Continued on the next page.

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Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

RESOLUTION 73-12

**Standard Work Day and
Reporting Resolution
RS 2417-A**

(12/10)

BE IT RESOLVED, that the TOWN OF WALWORTH, Location code 30116 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials									
Appointed Officials									
PLANNING BOARD	KAREL AMBROZ			6	01/01/2008 - 12/31/2012	N	00.33	<input type="checkbox"/>	<input type="checkbox"/>
ZONING BOARD	SUZI HAWKINS-MANCE			6	01/01/2012 - 12/31/2014	N	00.83	<input type="checkbox"/>	<input type="checkbox"/>
ZONING BOARD	MICHAEL KUNZER			6	01/01/2012 - 12/31/2015	N	00.38	<input type="checkbox"/>	<input type="checkbox"/>

If additional rows are needed, please use form RS2417-B and attach.

On this 3RD day of JULY, 2012, *Susie C. Jacobs* Date enacted: 07/05/2012

I, SUSIE C. JACOBS, Signature of Clerk, Date enacted: 07/05/2012, of the State of New York, do hereby certify that I have

compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5TH day of JULY, 2012 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 4 of such members were present at such meeting and that 4 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the TOWN OF WALWORTH

(Name of Employer)

This document consists of 1 page(s) (see additional RS2417-B forms attached).



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

Resolution carried.

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MEMORIAL TREE DISCUSSION:

Council members reviewed data regarding the Town of Walworth Memorial Tree Program. Discussion ensued.

MEMORIAL TREE PROGRAM DISCONTINUED:

Motion by Councilman Yale stating the Town of Walworth will no longer continue the Memorial Tree Program.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 3 Nays 1 (Pembroke)

Motion carried.

**TOWN CLERK ISSUANCE OF PEDDLERS / SOLICITORS LICENSE –
CITIZENS CAMPAIGN:**

Discussion ensued.

Motion by Councilman Yale supporting the decision of the Town Clerk not to issue a Peddlers / Solicitors License to Citizens Campaign for the Environment (CCE). The Town Board decision is not based on validity or cause.

Seconded by Councilman Pembroke.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

FILL PERMIT – 3531 VIEW POINT DRIVE:

Engineer for the Town presented documents for approval/issuance of a Permit. Discussion ensued.

Motion by Councilman Pembroke to issue a Back Fill Permit for property at 3531 View Point Drive; Engineer for the Town will follow thru on this.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

ADJOURNMENT:

Motion by Councilman Yale to adjourn.

Seconded by Councilman Pembroke and unanimously carried.

Time: 8:50 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk