

**WALWORTH TOWN BOARD – REGULAR MEETING
21 JULY 2011**

Presiding Supervisor Plant called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Ginegaw Lodge, 3600 Lorraine Drive, Walworth, NY to order at 7:30 PM with the Pledge to the Flag.

<u>PRESENT:</u>	Robert Plant	Supervisor
	Suzi Hawkins-Mance	Councilwoman
	Patricia Marini	Councilwoman
	Susie Jacobs	Town Clerk
	Mike Frederes	Highway Superintendent

<u>ABSENT:</u>	Thomas Yale	Councilman
	Frank Maciuska	Councilman

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Carl Hewings, Parrone Engineering, Engineer for the Town; Denise Munson, Attorney for the Town; Mary Zingerella, Library Director and six (6) attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of July 7, 2011 as presented.

Seconded by Supervisor Plant.

Discussion: Motion by Councilwoman Hawkins-Mance to amend the motion approving the minutes of July 7th with the following correction: the spelling of Hewings' name in the section "**OTHERS PRESENT**".

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 3 Nays 0

Motion carried.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to accept the Supervisor's Report for the month of June 2011.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

Motion carried.

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CORRESPONDENCE:

Supervisor Plant summarized the following letter:

Robert Plant

From: NYSDCP@nationwide.com
Sent: Wednesday, July 20, 2011 1:44 PM
To: Robert Plant
Cc: Jean Johnson
Subject: Welcome to the New York State Deferred Compensation Plan
Attachments: NRE-0140NY-NY.2 Employee Email.doc



New York State
Deferred Compensation Plan

Dear Mr. Plant:

I am pleased that the Town of Walworth has become a participating employer in the New York State Deferred Compensation Plan and has joined over 1,400 local public employers who offer the State Plan as its retirement savings vehicle. Saving for retirement is an important goal for your employees and the State Plan will help your employees meet their retirement savings goals.

As you are aware, there is no employer cost to offer the New York State Deferred Compensation Plan. The only administrative activity is processing payroll contributions and forwarding instructions each pay period. We will take care of the rest.

You will be receiving a packet of Plan materials including administrative guidelines and your employer identification number, which employees will use when enrolling in the Plan. In addition, we have created a dedicated employer hotline(1-877-334-3474) should any problems arise.

Your employees can obtain Plan information and services the way that is most convenient for them.

Personal on-site service is provided by your local Account Executive. Your Account Executive is Mark Wallace. Feel free to contact your AE with any questions or concerns at: 1-800-422-8463 ext #44397.

The toll-free HELPLINE participant service team is staffed by FINRA licensed representatives and is available 8:00 a.m.-11:00 p.m. Mon.-Fri. and Saturday 9:00 a.m.-6:00 p.m. at 1-800-422-8463.

The Plan Web site (www.nysdcp.com) and interactive voice response system (1-800-422-8463) provide 24 hour access to complete account transactions and Plan information.

For your convenience, I am attaching a brochure to help introduce your employees to the State Plan and the benefits of saving for retirement. Feel free to distribute it either by email or printed copy.

We welcome the opportunity to provide on-site informational workshops, investment education, and personal assistance for your employees. Please let your Account Executive, Mark or I know how we can be of further service at 1-800-422-8463.

It will be a pleasure to partner with you. The State Plan is here to assist you and your employees meet their retirement savings goals.

Sincerely,

Patrick Ray
Program Director
New York State Deferred Compensation Plan

Information provided by Account Executives is for educational purposes only and is not intended as investment advice.

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

Adopted: Vote Ayes 3 Nays 0
Motion carried.

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EXECUTIVE SESSION:

Motion by Councilwoman Marini to enter into Executive Session for potential litigation.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 3 Nays 0

Time: 7:43 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.

Time: 8:42 PM.

COUNCILMAN YALE ENTERED THE MEETING:

Time: 8:42 PM.

PUBLIC PARTICIPATION:

A resident from Boynton Road would like clarification and concerns with the Resolutions to the Agenda for tonight's meeting; specifically the Proposed Local Law Amending §180-10(A) and Resolution 60-11 the Master Plan recommendations. Supervisor Plant responded that a Public Hearing will be set up for discussion before passing. Instructed resident to consult the Minutes from July 1, 2010 to find out what the Master Plan recommendations are. Discussion ensued with the Board members stating they have no data available now and cannot comment at this time. Further discussion ensued.

RESOLUTION 59-11 ABSTRACT OF CLAIMS:

Councilwoman Hawkins-Mance offered the following Resolution 59-11 and moved its adoption.

Seconded by Councilman Yale to wit:

WHEREAS, I certify that the vouchers listed below were audited by the Town Board on July 21, 2011 and allowed in the amounts shown:

You are hereby authorized and directed to pay to the claimant the amount designated below:

Dated: July 21, 2011

Town Clerk: _____
Susie c. Jacobs, RMC

BE IT RESOLVED that the claims be paid on **Abstract #7**, numbered 855 through 1031 in the following amounts:

GENERAL FUND	\$ 76,363.46
HIGHWAY FUND	\$ 47,637.72
WALWORTH SEWER DISTRICT #1	\$ 204,648.52
WALWORTH LIGHT DISTRICT	\$ 457.43
HARVEST HILL LIGHT DISTRICT	\$ 563.86
BROOKSIDE LIGHT DISTRICT	\$ 7.29
ORCHARD VIEW LIGHT DISTRICT	\$ 64.78
GANANDA LIGHT DISTRICT	\$ 935.88
PARK SPECIAL REVENUE	\$ 6,656.66
PARKVIEW GREEN PARK DISTRICT	\$ 92.00
SELF INSURANCE FUND	\$ 1,808.00

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SEASONAL PUBLIC ASSEMBLY PERMITS AUTHORIZATION TO ISSUE – GREYSTONE GOLF CLUB:

Motion by Councilwoman Marini authorizing the Town Clerk to issue the Seasonal Public Assembly Permit to Greystone Golf Club.
Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

RESOLUTION 60-11 AUTHORIZING THE ATTORNEY FOR THE TOWN TO IMPLEMENT NUMBERS AMENDING THE TOWN OF WALWORTH COMPREHENSIVE PLAN:

Councilman Yale offered the following Resolution 60-11 and moved its adoption.
Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town Board of the Town of Walworth has adopted the Town of Walworth Master Plan Recommendation on July 1, 2010 by Resolution 53-10, and

WHEREAS, the Town Board authorizes the Attorney for the Town to implement numbers 2, 3, 4, 5, 6, 7, & 9 of the Master Plan Recommendations from July, 2010.

RESOLVED, that the Attorney for the Town implements the Master Plan Recommendations adopted July, 2010; adopted on this 1st day of July 2010.

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

Resolution carried.

RESOLUTION 62-11 PROPOSED LOCAL LAW NUMBER 3 OF 2011 AMENDING §180-10A TO ADD PARAGRAPH (3): USES IN ACCORDANCE WITH CHAPTER 70 OF THE WALWORTH TOWN CODE.

Councilman Yale offered the following Resolution 62-11 and moved its adoption.
Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth desires to propose Local Law No. 3 of the year 2011; a local Law amending Chapter 180 of the Walworth Town Code entitled “Zoning” §180-10 (A) is hereby amended to add a paragraph (3) uses in accordance with Chapter 70 of the Walworth Town Code.

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

Resolution carried.

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RESOLUTION 63-11 ACTION VIA TYPE 1 UNDER SEQRA:

Councilman Yale offered the following Resolution 63-11 and moved its adoption.
Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth declares Action via Type 1 under SEQRA.

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

Resolution carried.

RESOLUTION 64-11 DECLARING TOWN BOARD LEAD AGENCY UNDER SEQRA FOR UN-COORDINATED REVIEW – DIRECTING ATTORNEY FOR THE TOWN TO PREPARE A FULL EAF PART I AND NOTICES REQUIRED:

Councilman Yale offered the following Resolution 64-11 and moved its adoption.
Seconded by Councilwoman Marini to wit:

WHEREAS, the Town Board of the Town of Walworth is declaring themselves Lead Agency under SEQRA for un-coordinated review and directing the Attorney for the Town to prepare a full EAF Part I and send any notices that are required.

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

Resolution carried.

AUTHORIZE THE ATTORNEY FOR THE TOWN TO FINALIZE/SEND LETTER REGARDING A RESIDENT'S CORRESPONDENCE:

Motion by Councilwoman Marini authorizing the Attorney for the Town to finalize /send a response from the Town Board concerning resident correspondence.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

AUTHORIZATION TO PREPAY YOUNG EXPLOSIVES CORPORATION FOR FIREWORKS AT THE WALWORTH LIONS CLUB - FESTIVAL IN THE PARK:

Motion by Councilman Yale authorizing prepayment of \$2,000.00 to Young Explosives Corporation for fireworks at Walworth Lions Club – Festival in the Park.

Seconded by Councilwoman Hawkins-Mance.

Discussion: The Town has done this consistently in the past years. Supervisor Plant commented that Ginna donates \$2,000.00 to the Town to cover expenses.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

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AUTHORIZATION TO PREPAY WALWORTH LIONS CLUB:

Motion by Councilwoman Marini to authorize the prepayment of \$550.00 for the spraying of the park.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

SEWER FORCE MAIN BIDS:

The following Bids were received / opened July 19, 2011 at 2:30 PM. Bidder's Tabulation was provided by Parrone Engineering as follows:

**BIDDERS
TABULATION**

Project: Town of Walworth
Sewer Improvements

Prepared For: Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

**SUMMARY OF
TOTALS**

CONTRACTOR	BASE BID	ADD. ALT 1	ADD. ALT 2
EMPIRE STATE	\$ 239,430.00	\$11,000.00	\$20,000.00
GP SMITH	\$ 83,725.00	\$18,614.00	\$20,614.00
MORRISON	\$ 85,388.75	\$ 9,988.00	\$ 10,588.00
FINELINE	\$ 97,132.00	\$20,000.00	\$25,000.00
RANDSCO	\$ 104,331.00	\$11,000.00	\$18,000.00
WOODSTONE	\$ 118,500.00	\$20,500.00	\$22,132.00
VILLAGER	\$ 162,720.00	\$20,700.00	\$27,160.00
DECKER	\$ 107,830.00	\$11,050.00	\$16,050.00

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AUTHORIZATION OF THE SEWER FORCE MAIN BIDS:

Motion by Councilwoman Hawkins-Mance to award the Sewer Force Main Bid to Morrison Excavating, Inc. for an amount not exceed \$106,564.75 for the base amount plus Alternate #2 with two (2) pumps

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.

RESOLUTION 61-11 FINANCIAL TRANSACTIONS:

Councilwoman Marini offered the following Resolution 61-11 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

\$28,000.00 from A231CR Town Hall Capital Reserve to A1620.42R Town Office Maint/Repair. To cover remaining cost of cooling tower & retaining wall.

\$1,000.00 transfer from General Fund to MS Fund Self Insurance. To cover

remaining cost of unemployment payments.

\$500.00 from CM1 Fund Balance to CM1-7110.24 Field Capital Expense.

To cover cost of field road block.

\$164.97 from CM6 Cemeteries Fund Balance to CM6-8810-44 Lusk Cemetery.

To cover cost of spraying Lusk Cemetery.

\$1,409.24 from Fund Balance SW19 to SW19-1380.21 Repairs.

To cover cost of work completed Jacobs Rd Water Main.

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

Resolution carried.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn.

Seconded by Councilwoman Hawkins-Mance and unanimously carried.

Time: 8:55 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC/RMC
Town Clerk