

**WALWORTH TOWN BOARD – REGULAR MEETING  
1 MARCH 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
Patricia Marini	Councilwoman
Vaughn Pembroke	Councilman
Larry Ruth	Councilman
Tom Yale	Councilman
Michael Frederes	Highway Superintendent

**ABSENT:** Susie Jacobs Town Clerk

**OTHERS PRESENT:** Beth Hart, Deputy Town Clerk; Rob Burns, Sewer Superintendent; Karen Ambroz, Sole Assessor; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Town Newspaper Reporter, and four (4) attendees.

**CATCH A KID AWARD PRESENTATION- KATELYN GIBSON:**

Supervisor Plant presented a “Catch-a-Kid Award” to Katelyn Gibson for an unselfish and compassionate act of asking her friends to bring birthday gifts to her party that could be donated to the men and women in the military serving in Afghanistan.

**MINUTES:**

Motion by Councilman Ruth to approve the Minutes of February 16, 2012 as presented.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**PUBLIC PARTICIPATION:**

No one present offered any comments.

**COMMITTEE REPORTS:**

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

Councilman Ruth presented Resolution 25-12 preceding the Motion to appoint the Engineer for the Sewer Department. Discussion ensued and item tabled.

**SEWER - APPOINT LABELLA ASSOCIATES AS ENGINEER FOR THE WALWORTH WASTE WATER SEWAGE TREATMENT PLANT:**

Motion by Councilman Pembroke to appoint Labella Associates as Engineer for the Walworth Waste Water Sewage Treatment Plant.

Seconded by Councilman Yale.

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Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**RESOLUTION 25-12 AUTHORIZE THE ENGINEER FOR THE TOWN (LABELLA ASSOCIATES) TO PREPARE ALL THE NECESSARY DOCUMENTS TO GO OUT TO BID FOR THE SEWER FORCE MAIN REPLACEMENT STALKER ROAD AND PENFIELD RD:**

Councilman Ruth offered the following Resolution 25-12 and moved its adoption. Seconded by Councilwoman Marini to wit:

**WHEREAS**, the Town Board of the Town of Walworth needs to replace the sewer force main on Stalker Road and Penfield Road, and

**WHEREAS**, the Engineer for the Town, Labella Associates, to prepare all necessary documents to go out to bid.

**RESOLVED**, that the Town Board authorizes Labella Associates to prepare all necessary documents to go out to bid on the sewer force main replacement project.

**THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Walworth adopt Resolution 25-12.

Adopted this 1st day of March, 2012 at the meeting of the Town Board.

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

Resolution carried.

**PARKS AND RECREATION – TO SIGN CONTRACT WITH RENEWABLE ROCHESTER TO PURCHASE A SOLAR STAND POWER SYSTEM:**

Motion by Councilwoman Marini to purchase a Solar Stand Power System powering three (3) DC lights and two (2) AC receptacles from Renewable Rochester (ROC Supply) for Sherburne Road Park open air pavilion not to exceed \$3,440.00 and to be expended from CM-1 7110.2. Procurement Form submitted and on file.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**PARKS AND RECREATION – TO AUTHORIZE ADVERTISING FOR A PART-TIME PARKS EMPLOYEE:**

Motion by Councilwoman Marini to authorize the advertising of a part-time Parks employee.

Seconded by Councilman Yale.

Discussion ensued.

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

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**PARKS AND RECREATION – TO AUTHORIZE PURCHASE CLAY FROM LAKESIDE SOD SUPPLY CO:**

Motion by Councilwoman Marini to authorize the purchase of Mar-Co Clay from Lakeside Sod Supply Co. for a price not to exceed \$3,220.00 to be expended from line A7310.46. Budgeted item and sole provider.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

**ANNUAL REPORT UPDATE FOR 2011 - ACCEPT AND FILE:**

Motion by Councilwoman Marini to accept and file the Annual Report Update for the Town of Walworth for the fiscal year ending 12.21.2011 has been filed in the Town Clerk's office.

Seconded by Councilman Yale.

Discussion ensued.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

**AMEND MOTION ANNUAL REPORT UPDATE FOR 2011:**

Motion amending "Annual Report Update for 2011" fiscal year ending 12.31.2011.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

**AUTHORIZATION FOR SUPERVISOR TO SIGN WITH LABELLA ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES AGREEMENT RELATED TO SURVEY AND DESIGN FOR THE STALKER ROAD FORCE MAIN REPLACEMENT:**

Motion by Councilman Pembroke to authorize the Supervisor to sign with Labella Associates for Professional Engineering Services Agreement related to the Survey and Design for the Stalker Road Force Main Replacement.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

**RESIGNATION OF STEVE MACNEAL – PLANNING BOARD:**

The following was read into record.

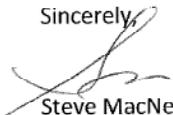
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Steve MacNeal  
3376 Hunter Circle  
Walworth, New York 14568  
February 20, 2012

Supervisor Plant & Walworth Town Board  
3600 Lorraine Drive  
Walworth, New York 14568

Dear Supervisor Plant & Walworth Town Board,

Due to changes in my family life and new career opportunities I find it necessary to resign from my position on the Walworth Planning Board. It has been a pleasure to work with and learn from the members of the Planning Board and Zoning Board. It is my intent to serve the citizens of the Town of Walworth again in the future. Please accept my resignation effective immediately.

Sincerely,  
  
Steve MacNeal

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

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**THANK YOU LETTER AUTHORIZED – STEVE MACNEAL:**

Motion by Councilman Pembroke authorizing a thank you letter be send to Steve MacNeal for his service to the Town of Walworth.  
Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**WESTERN NY STORMWATER CONFERENCE (MS4) PRE-PAY  
AUTHORIZATION:**

Motion by Councilman Ruth to approve the pre-payment of Registration Fee for the Western NY Stormwater Conference (MS4) for Norman Druschel and Councilman Ruth.  
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**AUTHORIZING ADVERTISING FOR PLANNING BOARD MEMBER  
APPOINTMENT:**

Motion by Councilwoman Marini authorizing advertising for a Planning Board Member Appointment for ten days.  
Seconded by Councilman Yale.

Discussion ensued.

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Adopted: Vote Ayes 5 Nays 0  
Motion carried.

**RESOLUTION 27-12 ADOPTS FUND BALANCE POLICY:**

Councilwoman Marini offered the following Resolution 27-12 and moved its adoption.

Seconded by Councilman Yale to wit:

WHEREAS, the purpose of this policy is to establish a fund balance policy to address the needs of the Town of Walworth and to help establish financial planning procedures to ensure consistency in the financial reporting of the Town's Fund Balance.

Governmental fund balances will consist of Restricted Fund Balance and Unrestricted Fund Balance

**Restricted Fund Balance**

- Non-spendable – consist of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.
- Restricted – consist of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or Laws, (general municipal, local finance) and regulations of other governments; or through constitutional provisions or enabling legislation. Generally the Town's reserve funds will be considered restricted as the state regulates the establishment, funding, and use of reserves.

**Unrestricted Fund Balance**

- Committed – consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and that requires the same level of formal action to remove the constraint.
- Assigned – consist of amounts that are subject to a purpose constraint that represents and intended use established by the board or by their designated official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amounts of fund balance. Examples of assigned fund balance
  - Encumbrances made by the departments through the normal year end procedures
  - Appropriated fund balances by the county legislature or through the budgetary process
  - Resolutions by legislature or board
  - Residual amounts of fund balance that do not meet the nonspendable, restricted, committed or assigned definitions in funds other than the general fund.
  - Written minimum fund balance based on policies or resolutions established by the Town.

- Unassigned – consists of the residual classification for the government's general fund, and could report a surplus or deficit. In funds other than the general fund, the unassigned classification should only be used to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

The general fund will be the only fund that will have a positive unassigned fund balance. The special revenue funds and capital project funds will consist of only nonspendable, restricted, committed and assigned fund balance unless a deficit exists. Any deficit should be offset first by assigned then committed funds.

### **Prioritization of fund balance use**

When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the Town to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classification could be used, it shall be the policy of the Town that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts. The Town Comptroller has the authority to deviate from this policy if it is in the best interest of the Town.

BE IT RESOLVED THAT, the Town Board of the Town of Walworth adopts Resolution 27-12.

Discussion: Supervisor Plant stated this was State mandated.

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

Resolution carried.

### **AUTHORIZATION FOR SUPERVISOR TO SIGN CONTRACT WITH SCHINDLER ELEVATOR CORPORATION – INSTALLATION OF ELEVATOR PHONE:**

Motion by Councilman Yale to sign contract with Schlindler Elevator Corp. for installation of elevator phone.

Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

### **AUTHORIZATION FOR THE SUPERVISOR TO PRE-PAY THE TOWN OF MACEDON - LAWSUIT:**

Motion by Councilman Ruth to authorize the pre-payment to the Town of Macedon for the Lawsuit, not to exceed \$30,342.72. Discussion with the Macedon Town Supervisor and Walworth Town Attorney forthcoming.

Seconded by Councilwoman Marini.

Discussion ensued.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

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**AUTHORIZATION FOR SUPERVISOR TO SIGN CONTRACT WITH LEO J. ROTH CORP. FOR SERVICE OF HEATING AND COOLING TOWER:**

Motion by Councilman Yale to sign contract with Leo J. Roth Corp. for extension of the agreement not to exceed \$3,370.00.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

**RED CROSS TO PARK EMERGENCY VEHICLE:**

A Request was received from the American Red Cross for permission to park their Emergency Response Vehicle at the Walworth Town Hall for emergencies on the west side of the County.

**ADJOURNMENT:**

Motion by Councilwoman Marini to adjourn.

Seconded by Councilman Pembroke and unanimously carried.

Time: 8:20 PM.

Respectfully Submitted,

Beth Hart  
Deputy Town Clerk