

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 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.

<u>PRESENT:</u>	Robert Plant	Supervisor
	Patricia Marini	Councilwoman
	Vaughn Pembroke	Councilman
	Larry Ruth	Councilman
	Tom Yale	Councilman
	Michael Frederes	Highway Superintendent
	Susie Jacobs	Town Clerk

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Denise Munson, Attorney for the Town; Jean Johnson, Town Comptroller; Jeff Davignon, Interim Library Director; Town Newspaper Reporter, and five (5) attendees.

EXECUTIVE SESSION:

Motion by Councilman Ruth to enter into executive session to discuss litigation.
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0
Time: 7:32 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 7:50 PM.

**AUTHORIZE ATTORNEY FOR THE TOWN TO PURSUE TOWN'S INTEREST
– EXCELLUS AND PAYCHEX:**

Motion by Councilman Yale authorizing the Town Supervisor to contact Denise Munson, Attorney for The Town, to pursue the Town's interest in relation to Excellus and Paychex that we are in.
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of November 1, 2012 as presented with the following corrections:

Page 267 RESOLUTION 97-12 correct spelling on Board not Boar.
Page 265 PUBLIC HEARING 7:50 PM correct spelling on Councilwoman Marini not Marin.

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

SUPERVISOR'S REPORT:

Motion by Councilwoman Marini to accept as presented the Supervisor's Report for October 2012.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

BUDGET DISCUSSION:

Discussion ensued.

Supervisor Plant stated under the State Property Tax Cap we do remain under the Tax Cap. Discussion ensued. He went on to say even with these proposed changes the Town will be \$2.00 under the limit.

Council members read and submitted the following:

BUDGET 2013

SUGGESTED CHANGES

	Line Number	Description	Amount Decrease	Amount Increase	New Budget Amount
General					
Revenue Lines	A1001EB	Employee Benefits Reserve	7840		4000
	A1001PE	Park Equipment Reserve		1000	8000
	A1001CR	Town Hall Capital Reserve		1500	16500
	A2001	Recreation Fees		3000	80000
	A2660	Sales of Real Property	5000		0
	A3001	General Purpose State Aid	4000		26000
	A3005	Mortgage Tax		5000	180000
Expense Lines	A1220.43	Admin Pyrl/Benefits	15000		10000
	A1355.44	Assessment - Postage		1700	2100
	A1410.14	Town Clerk - Clerk P/T		2904	9290
	A1620.42	Bldg Maintenance/Repair		4000	51200
	A1920.42	Copy Rights		1200	1200
	A5010.41	Highway - Dues/tuition/Training		150	1350
	A5010.42	Highway - Office Expense		440	1740
	A5132.44	Highway - Maintenance		1000	9401
	A8810.42	Cemeteries - Mowing/Repairs		2000	3400
	A9060.81	Employee Benefits - HealthCare		9189	112121
Highway					
Expense	DA1001EB	Employee Benefit Reserve	5867		4000
	DA9060.81	Employee Benefits - Healthcare		4465	61366

Library				
Revenue	L1001	Real Property Taxes	25000	249175
Sewer				
Expense	SS8130.409	Sewer Maintenance	2051	47949
	SS9060.81	Employee Benefits - Healthcare	2051	34326

Jean Johnson, Town Comptroller, exited the meeting (8:04 PM) to file the required form with the NYS Comptroller. Supervisor Plant stated confirmation of filing has been received (8:09 PM). Supervisor Plant made several attempts to answer any questions / concerns. No one present offered any questions / concerns.

RESOLUTION 100-12 AUTHORIZE CHANGES TO THE PRELIMINARY 2013 BUDGET:

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

WHEREAS, the Town Board of the Town of Walworth adopted Resolution 89-12 Adoption of 2013 Preliminary Budget on October 4, 2012; and

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on November 1, 2012, and

WHEREAS, the following changes were proposed and discussed; the Town Board desires to implement the following changes to the 2013 Preliminary Budget.

BE IT RESOLVED the Town Comptroller is hereby directed to make the changes.

Now, therefore, **BE IT FURTHER RESOLVED**, that the Town Board of the Town of Walworth adopts Resolution 100-12.

Adopted this 15th day of November 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.

RESOLUTION 101-12 AUTHORIZING THE SUPERVISOR TO SIGN THE AGREEMENT WITH COMPLETE PAYROLL PROCESSING, INC.:

Councilwoman Marini offered the following Resolution 101-12 and moved its adoption. Seconded by Councilman Yale to wit:

WHEREAS, the Town Board of the Town of Walworth has reviewed the proposal from Complete Payroll Processing, Inc. for payroll processing dated October 18, 2012, and

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

WHEREAS, the Town Board of the Town of Walworth desires to contract with Complete Payroll Processing, Inc. according to this proposal.

BE IT RESOLVED, that Robert Plant, Town Supervisor of the Town Of Walworth, is hereby authorized and directed to sign the contract with Complete Payroll Processing, Inc.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town Of Walworth adopts Resolution 101-12.

Adopted this 15th day of November 2012 at the meeting of the Town Board.

Discussion: Councilman Pembroke inquired if the Town would continue to receive the required OSHA training with CPP, Inc. Supervisor plant explained the training / certification has been done before and will continue to be done with Wayne County Highway Department, therefore, providing what is required to the Towns. The NY State Troopers will be facilitating “Violence in the Workplace” workshop / training on November 30, 2012 for Town employees.

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

Resolution carried.

RESOLUTION 102-12 ADOPTION 2013 BUDGET

Councilwoman Marini offered the following Resolution 102-12 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board of the Town of Walworth held a Public Hearing on November 1, 2012.

BE IT RESOLVED, that the Budget for the year 2013 be adopted subject to the use of Fund Balances as follows:

General Fund	-	\$140,570.00
Park Special Revenue Fund	-	\$ -0-
Highway Fund	-	\$ 45,637.00
Debt Service	-	\$ 13,816.00
Public Library	-	\$ 27,333.00
TOTAL:		\$227,356.00

Now, therefore, **BE IT FURTHER RESOLVED**, that the Town Board of the Town of Walworth adopts Resolution102-12.

Adopted this 15th day of November 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.

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

PUBLIC PARTICIPATION:

LIBRARY – REQUESTING PERMISSION TO ADD ELECTRICAL OUTLETS:

Jeff Davignon, Interim Library Director, discussed the following and provided Council members with copies of the following:

The library would like permission to add electrical outlets to the east wall of the library to help in reconfiguring the public computing to meet ADA requirements for accessibility.

Currently, the east wall of the reception area does not have any electrical outlets. The library would also reroute and organize computer network cabling to an outlet box in that same wall.

The library would pay for all of the work from its budget and would use a licensed and insured contractor. With the board's authorization, our goal is to complete the work by the end of this month.

The library has begun working with an Eagle Scout candidate on making the library a more accessible public space. Reconfiguring the public computing configuration is part of that endeavor. We would like to move the computers in the library so that all computers are fully accessible to the public.

Discussion ensued. Jeff stated he has the necessary money for the inspections.

Motion by Councilman Ruth allowing the Walworth Seely-Public Library to do the electrical outlet work according to the submitted request. All the necessary inspections needed for this project will be at a cost to the Library.

Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0

Motion carried.

COMMITTEE REPORTS:

Council members reported on their respective committees. The following were Town Board actions. Discussion ensued.

TOWN CLERK – AUTHORIZE A PREPAY TO ATTEND NYS SEMINAR & MILEAGE REIMBURSEMENT:

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

Motion by Councilwoman Marini authorizing prepay for Town Clerk to attend the NYS Town Clerk's Association Regional Educational Seminar held on December 3, 2012, Rochester, NY, for an amount not to exceed \$35.00 from budgeted line A1410.41 and mileage reimbursement for an amount not to exceed \$29.40 from A1410.46. A Town of Walworth Education & Training Request Form has been submitted.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

TOWN CLERK – AUTHORIZE 2012 BUDGET TRANSFER FOR DEPUTY CLERK OFFICE HOURS:

Discussion ensued.

Motion by Councilwoman Marini authorizing 2012 budget transfer allowing more coverage for the Town Clerk's vacation and meeting schedule out of the office for the remainder of the year; for an amount not to exceed \$404.36 from A1410.14 to A1410.12.

Seconded by Councilman Ruth.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

RESOLUTION 103-12 AUTHORIZES SUPERVISOR TO PAY THE NEW YORK STATE RETIREMENT PAYMENT:

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

WHEREAS, the Town Board of the Town of Walworth has received the option to make the payment of the New York State Retirement in 2012 for the 2013 year, and

WHEREAS, the Town of Walworth would have a savings.

BE IT RESOLVED that the Town Board of the Town of Walworth authorizes Town Supervisor to approve the required transfers and pay the New York State Retirement in 2012 for 2013 payment.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Town Board of The Town of Walworth adopts Resolution 103-12.

Adopted this 15th day of November 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.

RESOLUTION 104-12 AUTHORIZE EXPENDITURES FROM BROOKSIDE REPAIR RESERVE SL4-231 FOR REPAIRS SUBJECT TO PERMISSIVE REFERENDUM:

Councilman Yale offered the following Resolution 104-12 and moved its adoption. Seconded by Councilman Ruth to wit:

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

WHEREAS, the Town Board of the Town of Walworth established Brookside Repair Reserve SL4-231; and

WHEREAS, the light district is in need of repairs totaling two hundred twenty-eight dollars and 08 cents; \$228.08,

RESOLVED, that the Chief Fiscal Officer be permitted to expend funds from Brookside Repair Reserve for repairs subject to a permissive referendum.

THEREFORE, BE IT FURTHER RESOLVED that the Town Board of the Town of Walworth adopt Resolution 104-12.

Adopted this 15th day of November, 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.

RESOLUTION 105-12 FINANCIAL TRANSFERS:

Councilwoman Marini offered the following Resolution 105-12 and moved its adoption. Seconded by Councilman Yale to wit:

BE IT RESOLVED that the Town Comptroller be authorized to modify budget as follows:

\$287.74 from A1110.43 Justices – Interpreter to A1110.42 Justices – Schooling/Dues
To cover current expenses.

\$40.00 from A1410.41 Town Clerk Conferences/Training to A1410.42 Town Clerk Office
Expense. To cover current expenses.

\$200.00 from A1410.46 Town Clerk Mileage to A3510.44 Animal Control Dog Licenses.
To cover current expenses.

\$3,000.00 from A1990.41 Contingent Account to A1620.42 Town Office Bldg. & Maintenance. To cover current expenses.

\$161.47 from A5132.21 Highway Garage Equipment to A5010.42 Highway Office Expense. To cover current expenses.

\$2,563.20 from General Fund Balance to A7310.42 Recreation Instructor Fees 2,500.00
and to A7310.43 Recreation New/Special Programs \$63.20. The funds to cover
these transfers were credited to A2001 Recreation Fees. To cover current expenses.

\$30.00 from A8989.41 Lawn Maintenance to A8810.42 Cemeteries – Mowing.
To cover current expenses.

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

\$241.12 from SL4 Fund Balance to \$85.00 SL4-5182.41 Street Lights Contractual and \$156.12 to SL4-5182.42 Street Lights Repair. To cover current repair expenses.

\$3,000.00 from SS8130.409 Sewer Maintenance to SS8130.406 Sewer Chemicals. To current expenses.

Adopted this 15th day of November 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.

APPROVAL OF ABSTRACT #11:

The following was submitted by the Town Comptroller

To: Walworth Town Board

From: Jean Johnson, Town Comptroller

Date: 15-Nov-12

Re: Abstract #11

Attached please find a copy of the Abstracts by Fund. I have audited all claims and will be transferring funds to cover payments by Fund as follows:

Voucher Numbers #1584 to #1732

General Fund	\$34,241.99
Highway Fund	\$28,535.35
Sewer Fund	\$65,174.30
Parks Special Revenue Fund	\$7,368.12
Parkview Green Park District	\$200.00
Walworth Consolidated Drainage	\$2,989.43
Walworth Light District	\$741.27
Harvest Hill Light District	\$679.74
Gananda Light District	\$1,014.74
Brookside Light District	\$233.94
Orchard View Light District	\$119.11

Total Abstract #11 Payments	\$141,297.99
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Voucher Numbers #176 to #186

Trust & Payroll	\$20,446.49
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Checks will be issued on November 16, 2012.

Motion by Councilwoman Marini to approve Abstract #11 as submitted.
Seconded by Councilman Yale.

Adopted: Vote Ayes 5 Nays 0
Motion carried.

ADVERTISE FOR YEARLY OPENINGS ON THE BOARDS:

Instruct Town Clerk to advertise for openings on the boards and accept applications by Friday, November 30, 2012.

WAYNE COUNTY WATER AUTHORITY – PROPOSED WATER RATES AND CHARGES FOR 2013:

Supervisor Plant read the following:



Wayne County Water & Sewer Authority

3377 Daansen Road
Walworth, N.Y. 14568
TDD 1-800-662-1220
315-986-1929
Fax 315-986-1687
www.wcwsa.org

TO: Robert Plant, Town of Walworth Supervisor

From: Martin J. Aman, Executive Director, W.C.W. & S.A.

RE: Proposed Water Rates and Charges for 2013

Date: October 30, 2012

Dear Bob,

This letter shall serve as notification of the proposed water rates and charges for next year. As of January 1st, 2013 the cost of water within the Western Wayne Service Area of the W.C.W. & S.A. will **remain \$4.15** per thousand gallons purchased. The basic service charge will increase from \$15.00 per quarter to **\$17.00** per quarter.

Customers will be notified of the basic service charge increase on their January bills, with the new charge being reflected in the March/April Billing.

We look forward to a continuation of the strong relationship that we have enjoyed with the towns within the Western Wayne Service Area. Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin J. Aman".

Martin J. Aman
Executive Director, W.C.W. & S.A.

**WALWORTH TOWN BOARD – REGULAR MEETING
15 NOVEMBER 2012**

TOWN OF MARION NOTICE OF PUBLIC HEARING – REZONING:

The following was read and copies provided to Council members.

TOWN OF MARION
3823 North Main Street
PO Box 260
Marion, NY 14505
E-mail: tclrkmar@rochester.rr.com

Deborah D. Smith, RMC
Town Clerk/Tax Collector,
Registrar/Notary Public

Office: 315-926-4271
Fax: 315-926-3502
TDD: 800-662-1220

RESOLUTION 11112
AUTHORIZE PUBLIC HEARING FOR THE PURPOSE OF REZONING

On a motion by Councilman Blick and seconded by Councilman Lee, the following resolution was duly put to a vote which resulted in the following:

Councilman Blick	Yes
Councilman Fonte	Yes
Councilman Kauffman	Yes
Councilman Lee	Yes
Supervisor Bender	Yes

The resolution was declared duly adopted.

WHEREAS, the Marion Town Board is reviewing rezoning of 3830 Walworth Road (a portion of) tax parcel #65114-11-622625 (as attached) from Medium Residential (M-R) to B1; now

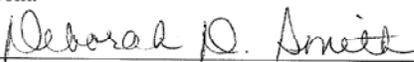
BE IT RESOLVED, that the Marion Town Board authorizes a Public Hearing to be held on December 10, 2012 @ 7:00 P.M., in the Marion Municipal Room for the purpose of hearing comments regarding the proposal; and

BE IT RESOLVED, that the Marion Town Board directs the Clerk of the Board to advertise such in the legal newspaper for the Town of Marion; and

BE IT RESOLVED, that the Marion Town Board directs the Clerk of the Board to give a copy of this resolution to: Code Enforcement Officer for the Town of Marion, Marion Zoning Board of Appeals, Marion Planning Board, Wayne County Planning Board, Clerk of Neighboring Towns, and Richard Boerman; and

BE IT RESOLVED, that the Marion Town Board requests input from all parties receiving copies of this resolution prior to December 17, 2012 for Town Board review.

I, Deborah D. Smith, Town Clerk/Clerk of the Board, do hereby certify that this is a true and exact copy of the resolution presented and adopted at a regular meeting of the Marion Town Board held on Monday, November 12, 2012, at 7:00pm in the Marion Municipal Room.


Deborah D. Smith, Town Clerk/Clerk of the Board

Continued on the next page.

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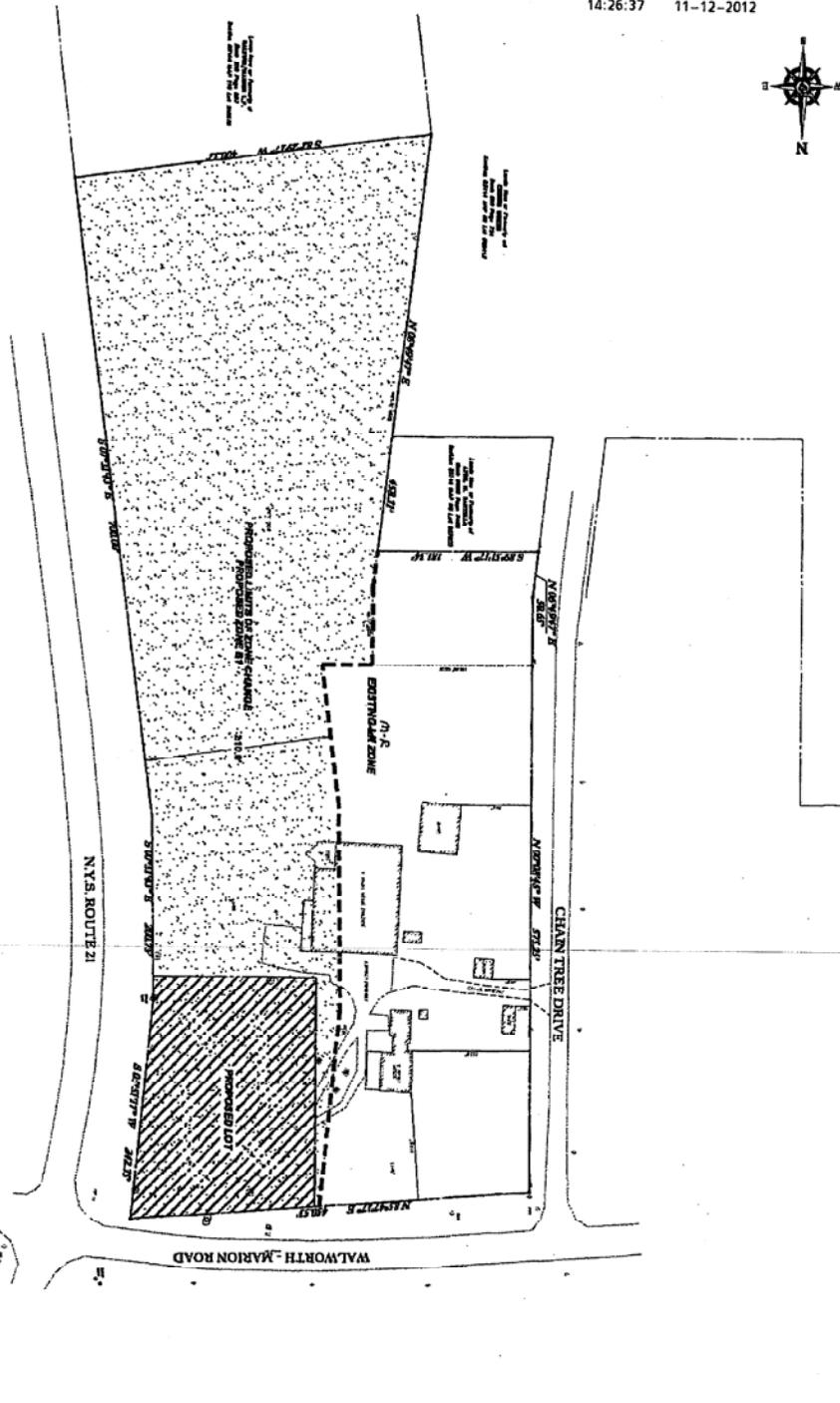
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PREPARED BY
BOHLER
ENGINEERING

TOWN OF MARION, NY
PROPOSED ZONE CHANGE / LOT SPLIT EXHIBIT
NOVEMBER 12, 2012



Continued on the next page.

