

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 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 7:33 PM with the Pledge to the Flag.

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

<u>ABSENT:</u>	Frank Maciuska	Councilman
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OTHERS PRESENT: Vaughn Pembroke, Councilman Elect; Larry Ruth, Councilman Elect; Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Karen Ambroz, Sole Assessor; Carl Hewings, Engineer for the Town; Denise Munson, Attorney for the Town; Mary Zingerella, Library Director; Town Newspaper Reporter, five (5) attendees.

MINUTES:

Motion by Councilwoman Marini to approve the Minutes of November 3, 2011 presented.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

SUPERVISOR'S REPORT:

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

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

PUBLIC PARTICIPATION:

Resident from Boynton Road stated she noticed that the water line extension for Boynton Road was on the agenda for tonight and has now been removed. Supervisor Plant stated "yes it was requested to be removed at this time." The Resident asked if this was because the Planning Board did not approve the project, yet? Supervisor Plant replied "I believe that's probably the reason." The resident replied: "will it definitely be listed as an Agenda Item when it comes to the Town Board for discussion or will it be included under Other Business?" He replied "it will be listed under "Other Business" because it will be a specific item that we are dealing with." Discussion ensued. The final consensus was, it will be listed as "Other Business" as a separate item.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

COMMITTEE REPORTS:

TOWN CLERK - AUTHORIZATION TO PURCHASE FILE CABINET FOR TOWN CLERK'S OFFICE:

Motion by Councilwoman Marini to approve the purchase of one lateral fire and impact resistant file cabinet for the Town Clerk's office from Village Office Supply. Expended from budget line A1410.21R, Town Clerk's Records Management Reserve Line in an amount not to exceed \$3,190.00.

Seconded by Councilman Yale.

Discussion: Town Clerk's office is running out of room for the Active Files from the departments and Town Records. Reorganization in the basement still does not allow for room in the office to maintain the current active records.

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

Motion carried.

PARKS AND RECREATION MASTER PLAN PUBLIC HEARING:

Motion by Councilwoman Marini to ask the Town Clerk to advertise a Public Hearing on Wednesday, December 14, 2011 at 7:00 PM for the Master Plan committee.

Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0

Motion carried.

RESOLUTION 100-11 VACATING THE POSITION OF BOOKKEEPER TO SUPERVISOR AND CREATE THE POSITION OF TOWN COMPTROLLER:

Councilwoman Marini offered the following Resolution 100-11 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit:

WHEREAS, the Town of Walworth presently employs a Bookkeeper to Supervisor; and

WHEREAS, the Town Board of the Town of Walworth desires to create the position of Comptroller in order for such person to undertake certain financial duties of the Town Board, including, but not limited to, auditing, allowing or rejecting all accounts, charges, claims or demands against the Town, and the examining, auditing and certification of accounts and receipts of Town officers, as set forth in New York State Town Law Section 34; and

WHEREAS, the Town Board desires that the Comptroller shall be the accounting officer of the Town pursuant to New York State Town Law Section 124; and

WHEREAS, the Town does not require, and does not have the financial resources for, the services of both a Bookkeeper to Supervisor and Comptroller and, thus, the Town Board wishes to vacate the position of Bookkeeper to Supervisor.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

NOW, THEREFORE, BE IT RESOLVED, that the position of Bookkeeper to Supervisor is vacated effective November 18, 2011; and

BE IT FURTHER RESOLVED, that the position of Town Comptroller is created effective November 18, 2011 and shall be in the exempt jurisdictional class as provided for in the rules for the Classified Civil Service of Wayne County; and

BE IT FURTHER RESOLVED, that the Comptroller shall be the accounting officer of the Town pursuant to New York State Town Law Section 124; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to advertise for candidates for the position of Comptroller, if necessary.

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

Resolution carried.

RESOLUTION 101-11 AUTHORIZE SUPERVISOR TO GAIN QUOTES FOR DISABLED ACCESSABLE DOOR OPENERS AND RAMP IN THE TOWN HALL MEETING ROOM:

Councilman Yale offered the following Resolution 101-11 and moved its adoption. Seconded by Councilwoman Marini to wit:

Authorize the Town Supervisor to gain quotes and install electric door openers and complete a ramp in the main meeting room; for amount not to exceed \$12,500.00.

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

Resolution carried.

BUILDING DEPARTMENT – AUTHORIZATION TO PURCHASE TWO COMPUTERS FOR THE BUILDING DEPARTMENT:

Motion by Councilman Yale authorizing the purchase of two (2) computers and supporting software in an amount not to exceed \$2,125.00; from the 2011 budget for the Building Department.

Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

AUTHORIZATION FOR SUPERVISOR TO SIGN PURCHASE CONTRACT FOR REPLACEMENT WINDOWS IN TOWN HALL:

Motion by Councilman Yale to authorize the Supervisor to enter into a purchase contract with “Do It Best Services” in the amount of \$19,000.00 to replace windows and sills on the east side of the Town Hall; three (3) quotes were received.

Seconded by Councilwoman Hawkins-Mance.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

Discussion: Windows on the west side of the building were completed a few years ago; completion on the east side will avoid future damage to the concrete.

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

Motion carried.

RESIGNATION OF BARBARA JELUS-TYROR:

Motion by Councilwoman Hawkins-Mance to accept and file the resignation from Barbara Jelus-Tyror, Board of Assessment Review due to relocating out of Walworth. Also, requested a thank you letter be sent to her.
Seconded by Councilman Yale.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

ADVERTISE FOR YEARLY OPENINGS ON THE BOARDS:

Motion by Councilman Yale to advertise for openings on the boards and accept applications by December 14, 2011.
Seconded by Councilwoman Marini.

Adopted: Vote Ayes 4 Nays 0
Motion carried.

RESOLUTION #98-11 FINANCIAL TRANSFERS:

Councilman Yale offered the following Resolution 98-11 and moved its adoption.
Seconded by Councilwoman Hawkins-Mance.

BE IT RESOLVED that the Senior Account Clerk be authorized to modify budget as follows:

\$182.42 from A4020.21 Registrar Equipment to A1410.42 Town Clerk Office Expense. To cover current expenses.

\$865.00 from A7110.42 Program/Instructor Fees to A7110.43 Vehicle/Mower Maint/Fuel To cover current expenses.

\$1,177.00 from General Fund Balance to A7310.43 New/Special Programs. To cover current expenses. Funds to cover transfer credited to Income Line A2089 Advertising/Other Revenues.

\$100.00 from A8020.42 Planning Board Engineering Fees to A8020.43 Planning Board Signs. To cover current expenses.

\$2,500.00 from SS8110.13 Sewer - Seasonal Laborer to SS8130.406 Sewer - Chemicals. To cover current expenses.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

\$500.00 from SS8110.43 Sewer - Insurance to SS8130.405 Sewer - Fuel. To cover current expenses.

\$2,813.76 from Park Special Revenue Fund Balance to CM1-7110.21 Capital Expenses. To cover bill for cement Sherburne Road Pavilion.

\$680.11 from Gananda Light District Fund Balance to SL3-5182.42 Street Lights Repair. To cover repair street light Fairway 7.

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

Resolution carried.

EXECUTIVE SESSION:

Motion by Councilwoman Marini to enter into Executive Session to discuss collective bargaining negotiations per Article 14 of Civil Service Law; 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; and potential litigation.
Seconded by Councilwoman Hawkins-Mance.

Adopted: Vote Ayes 4 Nays 0
Time: 7:40 PM.
Motion carried.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:17 PM.

RECESS:

Council members recessed to audit vouchers in the meeting room.
Time: 8:17 PM.

RECONVENE:

Supervisor Plant reconvened the regularly scheduled meeting.
Time: 8:22 PM.

RESOLUTION 97-11 ABSTRACT OF CLAIMS:

Councilman Yale offered the following Resolution 97-11 and moved its adoption.
Seconded by Councilwoman Marini to wit:

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

You are hereby authorized and directed to pay to the claimant the amount opposite his name.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

Dated: November 17, 2011

Town Clerk: _____
Susie c. Jacobs, CMC/ RMC

BE IT RESOLVED that the claims be paid on **Abstract #11**, numbered 1,526 through 1,690 for the total:

GENERAL FUND	\$	42,800.84
HIGHWAY FUND	\$	35,621.56
WALWORTH SEWER DISTRICT #1	\$	68,561.43
WALWORTH LIGHT DISTRICT	\$	571.46
HARVEST HILL LIGHT DISTRICT	\$	666.58
BROOKSIDE LIGHT DISTRICT	\$	10.88
ORCHARD VIEW LIGHT DISTRICT	\$	104.13
GANANDA LIGHT DISTRICT	\$	2,059.19
PARK SPECIAL REVENUE	\$	4,551.90
WALWORTH CONSOLIDATED DRAINAGE	\$	2,205.00

BE IT FURTHER RESOLVED that the claims be paid on **Abstract #11** numbered 186 through 200 in the following amounts:

TRUST & AGENCY	\$	21,724.53
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Adopted this 17th day November, 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.

RELEASE LETTER OF CREDIT REQUEST – RED FOX CIRCLE:

Motion by Councilman Yale authorizing the release of Letter of Credit in the amount \$5,174.00 for Red Fox Circle. Recommendation from the Engineer for the Town and the Building Department were referenced (see below).
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.



ROCKSOLID

THE PIANO WORKS
349 W. COMMERCIAL STREET
SUITE 3200
EAST ROCHESTER, NY 14445
T 585.506.0200
F 585.586.6752
WWW.PARRONEENG.COM

November 9, 2011

Town of Walworth
Town Board Members
3600 Lorraine Drive
Walworth, NY 14568

RE: Red Fox Circle
Letter of Credit Release

Dear Board Members:

We have reviewed the Red Fox Circle request for a letter of credit release. It is our understanding that the Town has released \$51,066 as of this request. We recommend the Town Board release \$5,174 of the money requested by the applicant and their engineer. This request is for the road and utility improvements.

With this release the balance of the letter of credit is \$500 to be held as security until such time as the punch-list items are completed as recommended by the Town Inspector and Highway Superintendent.

If you have any questions please contact our office.

Sincerely,

Carl Hewings
Parrone Engineering

RESOLUTION 102-11 APPOINTING THE TOWN COMPTROLLER - JEAN JOHNSON:

Councilwoman Marini offered the following Resolution 102-11 and moved its adoption. Seconded by Councilman Yale to wit:

WHEREAS, the Town Board of the Town of Walworth created the position of Comptroller to undertake certain financial duties of the Town Board, including, but not limited to, auditing, allowing or rejecting all accounts, charges, claims or demands against the Town, and the examining, auditing and certification of accounts and receipts of Town officers, as set forth in New York State Town Law Section 34; and

WHEREAS, the Town Board desires that the Comptroller shall be the accounting officer of the Town pursuant to New York State Town Law Section 124; and

NOW, THEREFORE, BE IT RESOLVED, that the position of Town Comptroller was created effective November 18, 2011 and shall be in the exempt jurisdictional class as provided for in the rules for the Classified Civil Service of Wayne County and the Town Board hereby appoints Jean Johnson to the position of Town Comptroller at Position Grade #5 of the Town of Walworth Wage Salary Matrix at Step 6; and

BE IT FURTHER RESOLVED, that is appointment is a permanent appointment; and

BE IT FURTHER RESOLVED, that the Comptroller shall be the accounting officer of the Town pursuant to New York State Town Law Section 124.

**WALWORTH TOWN BOARD – REGULAR MEETING
17 NOVEMBER 2011**

BE IT FURTHER RESOLVED, that a new Position Duty Statement be prepared and submitted to Wayne County Personnel Department.

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

Resolution carried.

RESOLUTION 103-11 DECLARE SURPLUS ITEMS:

Councilwoman Marini offered the following Resolution 103-11 and moved its adoption. Seconded by Councilman Yale to wit:

Declare the TV in the Board room surplus for disposal and declare the VHS Video tape recorder in the Board room also be declare surplus for disposal.

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: 8:32 PM.

Respectfully Submitted,

Susie C. Jacobs, CMC, RMC
Town Clerk