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Wayne Central School District

## LETTER to the BOARD

September 24, 2004

*"You must be the change you wish to see in the world."*

- Mahatma Gandhi

Greetings from Wayne Central School District. Below are some items of interest.

### Newsletter:

- Board Member Resignation:** Mr. Triou let me know that he has received a resignation letter from Tim. This is of course very disappointing to all of us who have benefited from his time on the Board. We understand and accept Mr. Vanderbyl's opinion that this was necessary but I for one will miss the help he has extended to me these years. Our Board president will lead a discussion on how the position should be filled and what the qualities of that person should be.
- Soccer:** Last week I wrote about the soccer players who were suspended from the team. They had been under investigation since last April and were just recently arrested by the State Police. The discipline policy was followed and they were suspended from a portion of the season. I have asked Mr. Blankenberg to review our current discipline code to see if more serious violations need to be treated differently. As protest to the discipline five other players did not come to the next game. The coach dealt with the players although he did not remove them from the team. There has been quite a bit of discuss in the community about these players, particularly because many of them are "stars". Some parents feel the players were dealt with too harshly, particularly since most of the incidents happened last year. Other parents feel they weren't dealt with harshly enough and they should have been kicked off the team permanently. Yesterday one parent said she was pleased with the punishment because the community never thought one of these "stars" would be disciplined. I met with one of the students and his parent earlier this week. I was disappointed in the attitude of both the parent and the student though I thought I was clear in the school's desire to turn our students into responsible adults not just good soccer players. They left with all of us dissatisfied. The father came back yesterday to say that he did not like the way the meeting turned out. He apologized and said his son was bringing me an apology letter. I was very pleased that the two had reflected on the meeting and come to that conclusion.

3. **Tax Letter:** We received the enclosed letter from one of our tax payers. I was surprised by the impression he got because Helen is one of our kindest employees. Greg talked with her about it today. She was obviously upset. She does not recall the person but she said there were a couple of people who came in while she was on the phone and so as to not make them wait she processed the bill while she was still answering the phone question. I have asked Greg to meet with this person next week. On the other side I had a tax payer and former Board member who paid her taxes today who told me how wonderful Helen was and how kind she always treats her.

4. **Construction:** Light poles should arrive tomorrow and should be erected next week. There will then be a few day's worth of hook ups. The contractors believe they will be ready for homecoming. This weekend the trees on the north side of the highschool should begin to come down.

5. **Events –**

10/5 – High School Open House – 7:00 p.m.

10/5 – Wayne High School “Artist’s Birthdays” Art Show – HS – 7:00 p.m.

10/6 – Four County School Boards Mtg – Club 86, Geneva –

*“New York State Council of School Superintendents Executive Director – Tom Rogers ‘*

*Prime Rib, Chicken Florentine, or Stuffed Haddock Please let Lori know if you plan to attend*

10/8 – Staff Training Day – no students

10/11 – Columbus Day – Schools Closed

10/14 – Board of Education Meeting

10/15-16 – Wayne Homecoming Weekend

10/21-24 – NYSSBA Annual Convention - Buffalo

Athletics: (Home Games)

10/1 – Boys’ JV & V Soccer vs. Victor – 4:30

10/2 – JV Football vs. Geneva – noon

10/4 – Girls’ JV & V Soccer vs. Aquinas – 4:30

10/5 – Girls’ JV & V Volleyball vs. Midlakes – 5:00 & 6:30

10/5 – Girls’ JV Tennis vs. Marcus Whitman – 4:15

10/6 - Girls’ JV & V Soccer vs. Newark – 4:30

10/7 – V Golf vs. Geneva @ Ontario CC – 4:15

10/7 – JV Football vs. Waterloo – 4:00

10/7 – Girls’ JV Tennis vs. Pal-Mac – 4:15

10/8 – Boys’ JV & V Volleyball vs. NRW – 5:30 & 6:30

10/9 – Boys’ JV & V Volleyball vs. Oswego – 2:00 & 3:00

10/9 – Boys’ JV & V Soccer vs. Newark – 3:00 p.m.

1. **Attachments –**

- a) [Walworth](#) Town Board Mtg Minutes – 9/16
- b) [Ontario](#) Town Board Mtg Minutes – 9/20
- c) Tax letter
- d) Legislative Resolution Proposal
- e) Red Ribbon Task Force Meeting Minutes – 9/22

## **WALWORTH TOWN BOARD MEETING MINUTES    SEPTEMBER 16, 2004**

The regular Town Board meeting, held at the Walworth Town Hall, 3600 Lorraine Drive, was called to order at 7:30 P.M. by Supervisor Frank Guelli. Board members present: Daniel Keyes, Patti Marini and Thomas Yale. Absent: Frank Maciuska.

Other town employees present: Norman Druschel, Building Inspector  
Michael Frederes, Highway Superintendent  
Debora Germain, Recreation Director  
Richard Morris, Attorney for the Town  
Paul Russell, Engineer for the Town  
Phil Williamson, Code Enforcement Officer  
Louise Weller, Deputy Town Clerk

### **MINUTES:**

Motion by Councilwoman Marini to approve the minutes of September 2, 2004 with one change: Councilman Keyes, listed under Board members present, should have been listed as absent. Seconded by Councilman Yale and unanimously carried.

### **AUGUST SUPERVISOR'S REPORT:**

Motion by Councilwoman Marini to approve the August 2004 Supervisor's report as presented. Seconded by Councilman Keyes and unanimously carried.

### **CLAIMS:**

1. **DRAINAGE:**

motion by Councilman Keyes to approve payment of Drainage Claims totaling \$116.55. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

2. **FIRE PROTECTION:**

Motion by Councilman Yale to approve payment of the following Fire Protection Claims:

West Walworth Fire District	\$12,500.00
Lincoln Fire District	12,500.00

Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent

Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

3. GENERAL:

Motion by Councilman Yale to approve payment of General Claims totaling \$43,486.38.

Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

4. HIGHWAY:

Motion by Councilman Keyes to approve payment of Highway Claims totaling \$15,428.15. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

5. HIGHWAY GARAGE PROJECT:

Motion by Councilman Keyes to approve payment of Highway Garage Project totaling \$9,584.00. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

6. LIGHTING:

Motion by Councilman Yale to approve payment of the following Lighting Claims:

Walworth Light District	\$665.90
Harvest Hills Light District	623.78
Gananda Light District	956.99
Brookside Light District	9.87

Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
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Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

6. PARK SPECIAL REVENUE:

Motion by Councilwoman Marini to approve payment of Park Expendable Trust Claims totaling \$16.65. Seconded by Councilman Keyes.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

7. SEWER DISTRICT:

Motion by Councilman Yale to approve payment of Sewer District Claims totaling \$23,942.68. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

8. TRUST & AGENCY:

Motion by Councilwoman Marini to approve payment of Trust & Agency Claims totaling \$27,441.05. Seconded by Councilman Keyes.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

9. WATER EXTENSIONS:

Motion by Councilman Keyes to approve payment of the following Water Extension Claims:

Water Extension 19	\$10,822.94
Water Extension 20	2,942.06

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Aye
	Councilman Yale	Aye

Motion carried.

**CATCH A KID AWARD:**

Supervisor Guelli presented awards to Jordan Hackett and Giulia Mahoney for raising \$400.00 for Deaconess Hospital in Buffalo, NY, which serves as a foster care placement for medically challenged foster care children. The 6-year-old girls raised the money by asking for donations of gift cards to Target or K-Mart in exchange for their birthday gifts. The gift cards will be used by staff to purchase birthday gifts for the foster children in the hospital.

**NYS LAND PRESERVATION GRANT PROGRAM:**

Councilman Yale offered the following resolution and moved its adoption, seconded by Councilwoman Marini to wit:

WHEREAS, the Walworth Comprehensive Plan states “One of the most important goals of the Walworth Comprehensive Plan is to preserve the rural atmosphere of the town, making farmland and open space preservation one of the most critical aspects of implementation,” and

WHEREAS, Dan Keyes, Emil Weber, Dave Wilbert and Gary Craft are active, long-standing farmers in Walworth who collectively own approximately 545 acres; and are willing to consider selling the development rights for their properties, and

WHEREAS this project will provide a significant step toward accomplishing the Comprehensive Plan goal, and WHEREAS, the Genesee Land Trust, Inc. administers a farmland protection program, and has pending offers for acquiring agricultural conservation easements from landowners within their local jurisdiction and the Town of Walworth and the Genesee Land Trust, Inc. have agreed to work together to assure that such areas are protected from conversion to nonagricultural use,

NOW, THEREFORE BE IT RESOLVED, that the Town of Walworth hereby authorizes and directs the Wayne County Planning Department to prepare, and the Town Supervisor to submit with the Genesee Land Trust, Inc., an application for funds from the New York State Department of Agriculture and Markets, on its behalf, in accordance with the provisions of the Clean Water/Clean Air Bond Act and the State Environmental Protection Fund, to purchase the development rights from these landowners.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Recuse
	Councilman Maciuska	Absent
	Councilwoman Marini	Aye
	Councilman Yale	Aye

Resolution adopted.

### **GENESEE TRANSPORTATION COUNCIL:**

Ora Rothfuss asked that the Town include in the 2005 budget, \$1000.00 that they committed to last year. At that time, he requested support for a joint grant application with the Town of Macedon, Town of Ontario and the County of Wayne to study the feasibility of cluster development, whereby a Town and the County would “work with a residential developer to help install infrastructure for a small development.” Supervisor Guelli stated that he would make sure it was in the budget. Mr. Rothfuss also asked for representatives from Walworth to serve on an advisory committee.

### **PUBLIC PARTICIPATION:**

1. Ron Eygabroad, 5153 Albright Rd., stated that the abandoned house at 5148 Albright Rd. has been broken into several times. Mr. Eygabroad wanted to know what, if anything, the Town could do about it. Norm Druschel, Fire Marshall, stated that he received a call from 911 to respond to a break-in and secure the building. Richard Morris, Attorney for the Town, stated that the owner should be notified. Mr. Morris will meet with Phil Williamson, Code Enforcement Officer, to discuss the issue.
2. Mr. Eygabroad asked about reducing the speed limit on his road. Supervisor Guelli told him to bring a petition signed by his neighbors to the Board. It will be sent to the County and then forwarded to the State.
3. Mr. Eygabroad also asked about drainage on Albright Rd. Councilman Yale stated that a “Request for Proposals For An Engineer’s Study” of the Town has been authorized. A response to the study, which will prioritize the locations, should be completed by next spring.

### **STATE LEGISLATION: TRAFFIC VIOLATION FINES:**

Supervisor Guelli stated that the State recently passed legislation that eliminates the Town portion of fines received from traffic violations that have been reduced by a Town Judge. A proposed Local Law, sent by the Association of Towns, would allow Towns to add a ten dollar (\$10.00) surcharge to any violation. Legislation will be discussed at the next meeting.

### **TOWN OFFICE SECURITY:**

Supervisor Guelli stated that after a meeting with Town Department Heads and staff, he will be meeting with Casco Security for their suggestions and to determine costs. Councilman Yale gave suggestions to Supervisor Guelli that he received from a security advisor for banks.

### **LONG DISTANCE PHONE SERVICE:**



Supervisor Guelli stated that he requested a proposal from MCI for long distance service. Councilman Yale requested proposals from three carriers for comparisons before making a decision.

**ORCHARD VIEW DEVELOPMENT LETTER OF CREDIT RELEASE APPROVED:**

Motion by Councilman Yale authorizing the release of \$76,837.62 to the developer from the Orchard View Letter of Credit, as recommended by the Engineer for the Town. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

**COMPUTER PURCHASE: BUILDING INSPECTOR:**

Motion by Councilman Yale to replace Norm Druschel's computer at a cost not to exceed \$1,150.00. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

**911 CALLS TO CODE ENFORCEMENT:**

Norm Druschel asked for clarification on deciding what constitutes an emergency.

**MOTION:**

Motion by Councilman Yale authorizing the Supervisor to make the determination as to when an incident or situation should be considered an emergency. Seconded by Councilwoman Marini.

Roll call vote: Supervisor Guelli	Aye
Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

**CHIPS PROJECT:**

Mike Frederes stated that the CHIPS project is almost completed.

**HIGHWAY GARAGE PROJECT:**

Steel delivery will be in mid-November. The structure will be erected within a week.

**HIGHWAY GARAGE PROJECT CHANGE ORDER #1:**

Motion by Councilwoman Marini authorizing the purchase and installation of two 5' x 7' inlet louvers for a cost of \$3,716.00 and \$1,248 for the framing and trim work to Building Innovation Group, Inc., the general contractor. Seconded by Councilman Keyes.

Roll call vote:	Supervisor Guelli	Aye
	Councilman Keyes	Aye
	Councilman Maciuska	Absent
	Councilwoman Marini	Aye
	Councilman Yale	Aye

Motion carried.

**DRAINAGE: WAYNE COUNTY SOIL AND CONSERVATION:**

Councilman Keyes stated that the work done from Burrow Rd. to the Craft farm pond to Lincoln Rd. was a job well done without restrictions. The water is running freely.

**MEETING WITH THE ATTORNEY FOR THE TOWN:**

Motion by Councilwoman Marini to adjourn to a meeting with the Attorney for the Town to discuss litigation. Seconded by Councilman Keyes. Time: 8:15 P.M.

**RECONVENED:**

Supervisor Guelli reconvened the meeting at 8:55 P.M.

**FINANCIAL TRANSACTIONS:**

Councilman Yale offered the following resolution and moved its adoption, seconded by Councilwoman Marini to wit:

BE IT RESOLVED that the Account Clerk be authorized to transfer the following:

- \$1,746.75 from General Fund Balance to A1420.42 Consulting & Litigation
- 3,057.27 from General Fund Balance to A1440.41 Town Engineer Contractual
- 2,593.31 from General Fund Balance to A1440.43 Out Source Construction Inspector
- 6.38 from A1450.11 Elections Personal Services to A1450.41 Elections Mileage

3,840.00 from General Fund Balance to A1620.46 Academy Apts.

1,000.00 from SS8110.21 Safety Equipment to SS8110.22 Software – Computer Equipment

16.65 from CM1 Fund Balance to CM1-7110.42 Sherburne Rd. Park

515.00 from General Fund Balance to A8989.41 Lawn Maintenance

Roll call vote:	Supervisor Guelli	Aye
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Councilman Keyes	Aye
Councilman Maciuska	Absent
Councilwoman Marini	Aye
Councilman Yale	Aye

Motion carried.

**ADJOURNMENT:**

Motion by Councilwoman Marini to adjourn. Seconded by Councilman Yale and unanimously carried. Time: 8:57 P.M.

Respectfully submitted,

Louise Weller,  
Deputy Town Clerk

Ora Rothfuss, Agricultural Specialist for the Wayne County Planning Department, stated that the Town is pursuing a Farmland Protection Grant with four farmers who have expressed interest in selling conservation easements on their farms.

**RESOLUTION:** (not attached)

**Att. b**

**ONTARIO TOWN BOARD MEETING  
SEPTEMBER 20, 2004**

A regular meeting of the Ontario Town Board was called to order by Supervisor Molino at 7:30 PM in the Ontario Town Hall. Present were Supervisor Joseph Molino, Councilmembers: Mark Brewer, Donald Camp, Ronald Fillmore, Donald Shears and Town Clerk Cathy Herzog.

Five residents and visitors were present at portions of the meeting.

Mr. Brewer led the Pledge of Allegiance.

**Comments From the Public** – None

**Old Business** – None

**New Business** – The Town Clerk presented the 2005 Tentative Budget to the Town Board.

The legal notice to bidders for the 2004 Fall Cleanup was posted on the Town Clerk's bulletin board and published in the Wayne County Mail on 9/9/04. Bids were properly presented and opened on 9/16/04 from Waste Management of NY – Rochester and Alpco Recycling, Inc.

A motion was made by Mr. Shears, seconded by Mr. Camp, to **award the lowest responsible bid for the 2004 Fall Cleanup to Waste Management of NY – Rochester at a cost not to exceed \$55.00/ton for material, \$130.00/ton for tires, \$25.00/freon unit**, as recommended by the Superintendent of Highways in memo #04-15.

There was a brief discussion on the 5-ton minimum for solid materials, the comparison of the bids, the size of the containers and new specifications in the bid specifications.

After discussion, the vote was 5 Ayes 0 Nays MOTION CARRIED

The legal notice to bidders for the shingle roof replacement for the Water Treatment Plant was posted on the Town Clerk's bulletin board and published in the Wayne County Mail on 9/9/04. One bid was properly presented and opened on 9/16/04 from Ontario Exteriors.

A motion was made by Mr. Brewer, seconded by Mr. Shears, to **award the sole responsible bidder for the shingle roof replacement at the Water Treatment Plant to Ontario Exteriors, Inc., for an amount not to exceed \$27,570.00**, as recommended by the Superintendent of Water Utilities in memo # 25-2004. 5 Ayes 0 Nays MOTION CARRIED

There was a discussion on advertising bids. Mr. Brewer stated he was disappointed to see no local bidders for the roof replacement and wondered if a section could be added to the town's web site for bid information and public hearing information.

Mr. Molino presented a resolution drafted by the Association of Towns relative to fine monies obtained from traffic violations that are reduced under plea-bargaining to go to the state rather than the town courts. There was a discussion on this shift of revenue and the impact on the town budget.

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adopt a**

*RESOLUTION SUPPORTING RESTORATION OF TRAFFIC REVENUE*

**WHEREAS**, Vehicle and Traffic Law Section 1803 governs the disposition of fines and penalties collected in connection with convictions pursuant to the Vehicle and Traffic Law; and

**WHEREAS**, Chapter 56 of the Laws of 2004, effective August 20, 2004, changed the distribution of the fines taking them away from municipalities and placing them in the State Treasury; and

**WHEREAS**, this change in the fine and penalties distribution formula will result in a loss to local taxpayers of more than \$20 million in fine monies -- monies which have historically been used to fund justice court operations; and

**WHEREAS**, the TOWN OF ONTARIO will likely lose \$5,000.00 in anticipated fine revenues; and

**WHEREAS**, this State Budget provision with its immediate effective date will result in significant 2004 deficits and will negatively impact town property tax rates for 2005; **NOW, THEREFORE BE IT**

**RESOLVED**, that the TOWN OF ONTARIO call for the restoration of the original fine distribution formula in order to provide towns with necessary revenues to fund justice court operations; **AND BE IT FURTHER**

**RESOLVED**, that the TOWN OF ONTARIO urges the passage of legislation introduced by Senator Bonacic (S.7757) and Assemblyman Cahill which amends the Vehicle and Traffic Law to restore this source of revenue to local governments; **AND BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be sent to the Governor George E. Pataki; Joseph L. Bruno, Majority Leader of the Senate; Sheldon Silver, Speaker of the Assembly; Senator Elizabeth Little, Chair of the Local Government Committee; Assemblyman Robert Sweeney, Chair of the Local Government Committee, Senator Owen Johnson, Chair of the Finance Committee; Assemblyman Herman D. Farrell Jr., Chair of the Ways and Means Committee; Senator John A. DeFrancisco, Chair of Judiciary Committee; Assemblywoman Helene E. Weinstein, Chair Judiciary Committee; and Senator Nozzolio and Assemblyman Robert Oaks.

5 Ayes 0 Nays RESOLUTION ADOPTED

A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adopt a GENERAL FUND budget adjustment to increase 960/expense A 5132.2 \$69,351.85 from 599/appropriated-fund balance, for the salt storage facility.** 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Brewer, seconded by Mr. Camp to **authorize the accounting department to pay voucher # 2154 Park Lane Construction for \$52,476.80 that was held at the last meeting.** 5 Ayes 0 Nays MOTION CARRIED

**Reports by Town Board Members** – Mr. Brewer asked for an executive session for a specific person.

Mr. Shears reported on meetings he has attended and stated he would be meeting with the Library Board of Trustees on the expansion to the Library next week.

**Comments From the Public** – None

**Executive Session** - A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adjourn for an executive session at 7:50 PM for a personnel matter pertaining to a specific person.**

5 Ayes 0 Nays MOTION CARRIED

**Reconvene - 8:30 PM**

**Adjourn** - A motion was made by Mr. Brewer, seconded by Mr. Camp, to **adjourn at 8:30 PM.**

5 Ayes 0 Nays MOTION CARRIED

Respectfully submitted,

Cathy Herzog  
Ontario Town Clerk

The above minutes will become official upon approval of the town board.