



Michael Havens
Superintendent of Schools

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Wayne Central School District

LETTER to the BOARD

December 3, 2004

"How can a society that exists on instant mashed potatoes, packaged cake mixes, frozen dinners, and instant cameras teach patience to its young?" - - Paul Sweeney

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

Board Meeting:

1. **Building Tour** – We will tour Ontario Elementary school from 7:00 – 7:30. Mr. Siracuse will be able to show us the changes that have been made through the construction project. As you enter the building I encourage you to take a moment to look at the new steps and railings. While they are not yet painted I believe they are quite interesting.
2. **Sales Tax Update** - I have attended several meetings recently to continue to fight to keep the county sales tax. I have learned this afternoon that some county supervisors will bring it for a vote at their December 21st meeting which takes place at 9:00 AM in Lyons. That vote will be this year's critical moment for protecting the \$835,000 that our district gets from the sales tax. We will need as many parents, business owners and Board members at the meeting as possible. While we have our supervisor's support, we need to show the other supervisors that Wayne County does not support taking back the sales tax. I ask that you talk to as many people as possible to get them there on the 21st. I also ask that you make a call to your supervisor to thank him for his support (Frank Guille, Joe Molino). They are under tremendous pressure to solve the county problem through the sales tax. We will be discussing more strategy at our meeting.
3. **Academic Report**- Continuing our quest for academic excellence, Mr. Spring will review our students' performance for the first quarter marking period. Enclosed is his report which I ask you to review.
4. **Transition Program** – The transition program was a model schools component we added this year. It is designed to provide greater academic success for those students transitioning from 8th to 9th grade. You will recall from earlier presentations that our 9th graders globally have the greatest struggle with academic success.

5. **9-12 School Improvement Goals** – Last month you heard about the plan for improving our going to college rate. This month we will talk about this year’s 9-12 school improvement goals. You may want to review your school improvement booklet pages 6-7 prior to the meeting.
6. **GINNA Resolution** - We had hoped to adopt the Ginna PILOT resolution at this meeting however the Town, County and school need to have a joint public hearing on it. The Town is coordinating this and it may need to occur the week after our Board meeting. As soon as I hear when it is to occur I will let you know. This has been an involved process to get us to this agreement. I am pleased with the level of collaboration between town, school, and county representatives in coming to consensus. I believe this agreement is one all parties can support and that Mr. Al White did a first-rate job representing our interests
7. **Personnel & CSE Action Items** – A brief personnel action is included for approval. CSE and CPSE approvals are also brief and submitted for approval. This is a good thing, which means we are remaining steady with our staff and students.
8. **Consensus Agenda** – The October Treasurer’s Report, a budget transfer, capital project change order request, gift to the district, appointment of fire inspector, and a health contract are all included for your review and action. I recommend approval of these items.
9. **Policy** – There will be a first reading of a new policy on student security hand carried to the meeting. I will be reviewing it with Administrative Council on December 7. If there are any concerns or modifications that arise from that meeting, I will let the policy committee members know prior to the board meeting.

Newsletter:

1. **Waasdorp Letter** - Attached is the letter to Mrs. Waasdorp in response to her question about seat time in high school courses. We may continue to hear from her.
2. **Bray Decision** – Attached is my letter to Mr. & Mrs. Bray stating the findings of Mrs. Woodard, and my decision, regarding the discrimination allegations. They have said they are not happy with the decision and may appeal it to the Board. If they do so, Both the Brays and the District would commit the positions to writing. You would then have to decide if you wanted to overturn the district’s decision. As you saw from the investigative report, I do not believe there was any discrimination against Bradley in not having him be part of the poster.
1. **Storefront Question** - Mr. Triou received a question from a resident about our rental of the storefront on Main Street. The other rental unit has a rental sign and Mr. Robusto’s name

on it. The resident asked if it was a conflict of interest since Mr. Robusto serves on the Board. The resident thought the property was owned by Mr. Robusto and thus the conflict of interest. Mr. Robusto provided the lease agreement for the property we rented but he has not received any compensation. We do have a policy that deals with this situation; section 2160-R. Item 4 of that section states,

“An officer [*Board member*] or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district, whereby the compensation is to be dependent or contingent upon any action by the school district with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.”

Since no compensation was received. There really is no issue, but we thought you should be aware of this in case you receive a question. A few years ago one of our top umpires had to stop accepting assignments at Wayne when he became a Board member (Mark, I'm sure you recall this).

2. **Auditing Workshop** – In November, Mr. Atseff, Mr. Russ Harris and I attended a workshop on auditing procedures and policies. I believe we are in pretty good shape but there are some new policies that we are asking the Policy Committee to consider. We may also recommend some further isolation of business operations as part of the next budget. You will recall that Mr. Wager made some suggestions about the Internal Auditor at his meeting with us.
3. **Athletics** – Eric Molino, Varsity Cross Country Team member made it to the state competitions at Binghamton on November 12. He finished 30th. He has been a top performer throughout his career at Wayne and will be missed next year.
4. **Eagle Ventures Storefront** – We have begun moving in to the building, but are not quite ready to open the doors. We have learned that we need full SED approval to use the building and have begun submitting the necessary documentation to make that happen. As part of that review we also reviewed the present manor house site. The local code inspector toured the building. He will be issuing a written report shortly but he expressed a number of concerns about using the structure for students. This has the potential to deal a serious blow to the program. We are meeting next week to look at possible solutions.
5. **Don Davis Retirement** - This week we received a letter of intent to retire from Don Davis, our Director of Facilities for 25 years. His resignation will go into effect on April 29, 2005. We wish him many years of retirement enjoyment. His dedication and hard work will be missed.

6. **Ski Team Overnight Trip** - I have reviewed a proposal for the Ski Team to go overnight to the sectionals competition in February. The costs of the overnight accommodations will be paid by the Booster Club. They will be staying at the Condominiums at Bristol Mountain.
7. **Docushare** - Dave Colburn, our tech person who interfaces with BOCES over docushare has informed us that BOCES now has us back up and running properly. Lori will post the back documents and you should be able to have full access again. If you encounter problems please let Lori know so she can pass them on and get them taken care of.
8. **First Marking Period** – Each quarter I send out letters to high school students and their parents who earn a merit roll, honor roll, or high honor roll status. For the first quarter, 39% of Freshmen students have an overall average of 85 or better; 41% of Sophomores; 39% of Juniors; and 49% of our Seniors.
9. **Bus Accident**- We had an unusual bus accident this morning. One of our teachers apparently hit our bus in the high school parking lot. He then went into school instead of waiting and filing a report. The police were called which always occurs when there is an accident and were understandably angry about him leaving the scene of an accident. I am still working through all of the particulars and will give you an update if I get additional information.

10. **Events** -

- 12/4 – Ontario Chamber of Commerce Craft Show –Wayne Middle School - 9:00 – 4:00 p.m.
- 12/6 – OE Band & Chorus Concert –PAC – 7:00 p.m.
- 12/7 – OP/OE Holiday Story Night – OP - 6:15 – 7:45 p.m.
- 12/7 – FE Band & Chorus Concert – PAC – 7:00 p.m.
- 12/8 – MS Chorus Concert – PAC – 7:00 p.m.
- 12/9 – Board of Education Meeting – Ontario Elementary – 7:00 p.m.
- 12/11 – Holiday Christmas Dance Show - PAC
- 12/15 – MS Band Concert – PAC – 7:00 p.m.
- 12/19 – HS Band & Chorus Concert – PAC – 2:30 p.m.
- 12/24-31 – Schools Closed – Holiday Recess

Athletics - (Home Games)

- 12/1 – Girls’ JV & V Basketball vs. Webster Thomas – 6:00 & 7:30 p.m.
- 12/2-4 – Wayne Boys’ JV & V Basketball Tip Off Tournament – (see web page for times)
- 12/7 – Boys’ Freshman Basketball vs. Newark – 4:15 p.m.
- 12/8 – Girls’ JV & V Basketball vs. Newark – 6:00 & 7:30 p.m.
- 12/8 – V Co-Ed Bowling vs. Geneva @ Empire Lanes – 4:15 p.m.
- 12/9 – JV & V Wrestling vs. Mexico – 6:00 & 7:00 p.m.

12/9 – Girls’ Freshman Basketball vs. Canandaigua – 4:15 p.m.

12/10 – Boys’ JV & V Basketball vs. Victor – 6:00 & 7:30

11. Attachments –

- a. Waasdorp Letter
- b. Bray Letter
- c. DiSalvatore Letter
- d. Policy Committee Meeting Minutes -
- e. Ontario Town Board Meeting Minutes -
- f. Walworth Town Board Meeting Minutes – 11/18
- g. High School Student Newspaper “Written on our Walls” – 1st Edition
- h. SED Letter – Child Nutrition Program
- i. American Education Week Letter
- j. Patricia Morton Letter
- k. Four County Legislative Position Paper
- l. Newscope – November
- m. High School Honor Roll

November 24, 2004

Mrs. Linda Waasdorp
2128 Evergreen Circle
Ontario, NY 14519

Dear Mrs. Waasdorp,

I met with high school administrators Lory Morrin, Jeff Pirozzolo and Holly Armitage to review the seat time requirements for high school courses. I have concluded that our high school has no procedures or requirements that are different than the Commissioner's Part 100 Regulation. Students are required to have a minimum of 180 minutes of instruction per week, per year, or its equivalent. Through block scheduling, we use an equivalent of slightly more one week and less the next. It does however average to meet the 180 minute requirement.

If you believe you were given different information or if you have additional questions regarding this issue, please feel free to contact me at 524-1001. Alternatively I can be reached through my email mhavens@wayne.k12.ny.us.

Thank you for your time and interest.

Sincerely,

Michael Havens
Superintendent of Schools

MH/les
Xc: L. Morrin
Board of Education

November 23, 2004

Mr. & Mrs. Glen Bray
87 Bills Road
Macedon, NY 14502

Dear Mr. and Mrs. Bray,

On October 26, 2004 my office received a request to do an investigation of an alleged discrimination of your son Bradley. That investigation has been completed and is attached. You will note that complaint investigator Sandra Woodard draws sixteen conclusions, including three about your specific complaint. Those three conclusions are:

1. Coach Freischlag did not discriminate against Bradley Bray in regards to participation in the booster club picture.
2. Coach Freischlag did not discriminate against Bradley Bray by singling him out to inform him that he would not be in the booster club poster picture.
3. The NY State Athletic rule of no Mandatory practices prior to the opening of the season was not violated.

This concludes the investigation and I now consider the matter closed.

Sincerely,

Michael Havens
Superintendent of Schools

MH/les

Xc: Board of Education
Sandra Woodard
Scott Freischlag

November 22, 2004

Ms. Michelle DiSalvatore
808 Lake Road
Ontario, NY 14519

Dear Ms. Di Salvatore,

Thank you for your letter of November 17th outlining the concerns about your position in our transportation department. Your letter was reviewed and the issue was discussed with the administrative staff by the Board of Education in an executive session at the November 18th meeting.

We agree that the administration said you would be able to complete bus trip runs when you took your new position. The school district did allow you to continue in both jobs until it was pointed out that the Fair Labor Standards Act was not being properly followed.

When that occurred, the rules for trip runs had to be modified. Now employees with less than 40 hours in a week are given first opportunity to take the trip runs. After all employees have had an opportunity to increase their hours to a full forty hour week, then the district considers trips which would involve overtime pay.

In this way, both the provisions of the Fair Labor Standards Act and the interests of school employees are met.

I have conferred with Mr. Havens and Mr. Callahan and they have assured me that you would keep all seniority you accrued while you were a driver if you decided to return to that position. You certainly would not have to worry about being the least senior driver as we just appointed three new ones at our Board of Education meeting on November 18th.

We do concur with the administration's decision in this matter. We hope you decide to stay in your current position but certainly understand if you decide to return to a bus driver position.

Everyone has stated that you are an excellent employee and do a fine job in both positions. They expressed regret that the rules had to be changed but felt they had no choice given the clarity of the Fair Labor Standards Act.

I am sorry I could not be of more help in this matter. We appreciate your efforts on behalf of our students and our residents.

Respectfully,

John Triou, President
Wayne Central Board of Education

Cc: Mr. Havens
Mr. Atseff
Mr. Callahan
Fred Prince

PROPOSED POLICY COMMITTEE AGENDA

DATE: Monday, November 29, 2004 **TIME:** 4:00 p.m. **PLACE:** District Office

I.

II. PRESENT: Trustees Johnson & Diller; Mr. Atseff; Mr. Switzer

PRIOR MEETING MINUTES: Minutes of the meeting of November 10, 2004 were reviewed and filed

OLD BUSINESS:

Committee Charge for 2004-2005: Mr. Johnson noted that the proposed charge for the policy committee for 2004-2005 was approved by the Board of Education at the November 18th meeting,

Proposed Revisions - Policy 8220 – Fire Drills, Bomb Threats, Bus Drills: Mr. Johnson noted that this topic was a referral from a discussion by the Board of Education and that a draft of revisions was reviewed at the November 10th policy committee meeting. Mr. Johnson shared information from his training and experience in emergency medical procedures. Mr. Switzer relayed information he had obtained on existing practices by emergency dispatch services. He shared copies of current and proposed updates to administrative procedures and the district's emergency plan which were provided by the director of facilities. Following discussion, the committee approved proposed revisions and additions to Policy 8220 for first reading and review by the Board of Education at the business meeting of December 9th.

Proposed New Policy 7500 – Student Safety & Security: Discussion continued from the prior committee meeting on this proposed new policy that incorporates varied student and staff safety and security issues. Emerging issues at school districts in the region and state and additional resources for related information were noted. Committee members offered suggested additions and revisions to the proposed policy and forwarded to Mr. Havens for review by the administrative council. The committee will continue discussion at the December 13th policy committee meeting.

Annual Review – Existing Policy Handbook: Committee members are continuing their individual review of designated sections for discussion at a future policy committee meeting. (5000 - non-instructional/business operations, 6000 – personnel, 7000 – students & 8000 - instruction)

Required Annual Review of Existing Policies: Committee members are continuing their individual review of these items sections for discussion at a future committee meeting per list included in November 10th committee meeting minutes.

NEW BUSINESS:

New State Comptroller Policies – Internal Controls: Mr. Atseff noted the new proposals that the State Comptroller's office has issued for local district policies on internal controls and conduct of business affairs. He will share copies with committee members for review. Discussion was set for the December 13th policy committee meeting

Parent/Guardian Rights - Reporting Student Progress: Mrs. Diller asked that the committee include discussion at a future committee meeting on existing policies and regulations and potential revisions or additions to them as they relate to the participation by natural/custodial parents and non-related adults in parent-teacher conferences and reports of student progress and achievement. The committee asked Mr. Switzer to review existing policies and regulations for review at the December 13th policy committee meeting

NEXT MEETINGS: District Office @ 4:00 p.m. on Monday, December 13th, Wednesday, January 5th and Wednesday, January 19th.

ADJOURNMENT: 5:00 p.m.

NEXT & FUTURE MEETING AGENDA ITEMS:

- *Follow-Up On:* Proposed Revisions - Policy 8220 – Fire Drills, Bomb Threats, Bus Drills - First Reading
- *Follow-Up On:* Proposed New Policy 7500 – Student Safety & Security
- *Discussion On:* Parent/Guardian Rights - Reporting Student Progress:
- *Discussion On:* New State Comptroller Policies – Internal Controls
- *Follow-Up On:* Schedule of Required Annual Review of Existing Policies
- *Follow-Up On:* Transfer & Creation of Regulations & Exhibits
- *Follow-Up On:* Table of Annual Review, Notification and Publication of Policies & Regulations

Recorded by Jim Switzer

JES/jes:wp

ONTARIO TOWN BOARD MEETING
November 22, 2004

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

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

Mr. Brewer led the Pledge of Allegiance.

Comments From the Public – None

Approval of Minutes – A motion was made by Mr. Brewer, seconded by Mr. Camp, to approve the November 15, 2004 minutes as presented. 5 Ayes 0 Nays MOTION CARRIED

Correspondence – A resident asked the Town Clerk to ask the Town Board if they could do anything about the price gouging on gas along the Route 104 corridor.

Mr. Molino stated that is private enterprise and he felt the town could not get involved. There was a brief discussion on gas prices.

Old Business – None

New Business - A motion was made by Mr. Camp, seconded by Mr. Shears, to accept and file the Supervisor's fiscal report for the month of October. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Shears, seconded by Mr. Camp, to authorize the Supervisor to execute the agreement between the Town of Ontario and Wayne County for snow and ice control on county roads for the 2004-2005-winter season. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Camp, seconded by Mr. Shears, to authorize the Town Clerk to attend the 2005 Training School and Annual Meeting of the Association of Towns in New York City on February 20-23, 2005, with all actual and necessary expenses to be a town charge. 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Brewer, seconded by Mr. Camp, to accept the Offer of Dedication for water and drainage facilities for New Boston Estates, Phase I, and to authorize the Supervisor to execute the document. 5 Ayes 0 Nays MOTION CARRIED

Budget Transfers/Adjustments – A motion was made by Mr. Brewer, seconded by Mr. Camp, to approve the following budget transfers:

Highway Fund transfer \$535.00 from DA 5140.4 to DA 1910.4

General Fund transfer \$4,300.00 from A 6989.4 to A 6989.1

5 Ayes 0 Nays MOTION CARRIED

Appointments/Resignations – A motion was made by Mr. Brewer, seconded by Mr. Camp, to accept the resignation of Joseph Catalano from the Watershed Management Council effective 11/30/04 and to direct the Town Clerk to send him a letter thanking him for his service to the town and congratulating him on his appointment to the Planning Board (appointed 11/8/04). 5 Ayes 0 Nays MOTION CARRIED

A motion was made by Mr. Camp, seconded by Mr. Shears, to approve the lateral transfer of Katie Kelsch from the Supervisor's office to the Building Department effective November 29, 2004. 5 Ayes 0 Nays MOTION CARRIED

Reports by Town Board Members – Mr. Shears gave a progress report on the addition to the town hall/library.

Mr. Brewer asked for an executive session for a personnel matter pertaining to a specific person at the end of the meeting and he invited Mr. Riddell to stay.

Mr. Brewer asked Mr. Molino to put the Landfill Closure Project legal, financial and administrative timeline information from Bernard Donegan, Inc. on an agenda for discussion and he invited Mrs. Herzog to attend.

Mr. Brewer presented a Centrex Pricing Review for discussion. The review sheet compared full price Centrex, reduced price Centrex and no Centrex/business rate. The yearly costs were substantially less at the business rate. Mr. Brewer stated he is in favor of dropping the Centrex contract and just going with the business rate.

Mr. Shears asked Mrs. Herzog to send letters to the current advisory board members whose terms will expire 12/31/04. If they are interested in staying on the board and being considered for another term they need to respond in writing to Mrs. Herzog by December 10th. He also suggested a posting and notice in the newspaper for the positions with the same 12/10/04 deadline.

Approval of Claims – A motion was made by Mr. Shears, seconded by Mr. Camp, to approve the abstract of claims for the month of November 2004, including vouchers # 2720 through # 2809 with a grand total of \$142,668.41 and to authorize the Supervisor to issue payments for same. 5 Ayes 0 Nays MOTION CARRIED

Comments from the Public – Mr. Jason Ruffell, Kenyon Road, asked Mr. Molino for an update on the County budget.

Mr. Molino stated a tentative budget of approximately \$134 million is in place. All of the departments have been asked to cut their budgets by 10%. There was a discussion on the proposed budget. He announced the public hearing would be held 12/7/04 at 7:00 PM in Lyons at the Court House.

Mr. Ruffell suggested not filling vacant positions and possibility selling vacant land owned by the County.

Mr. Molino stated some of the positions would not be filled. On the real estate issue some of the land is contaminated, many parcels were turned over to the County because of unpaid taxes and some land the county has plans for its use. He added there are no easy answers.

Ms. Beth Emley, Editor of the Wayne County Mail, asked about the lateral transfer of Katie Kelsch from the Supervisor's office to the Building Department. She asked if it was a civil service position and would Mrs. Kelsch have to take a test and who would be helping the Supervisor, would that position be available?

Mr. Molino stated it is a lateral move, full-time to full-time. Mrs. Kelsch would continue assisting him until he could find someone and helping the building department in Mrs. Burolla's absence. The position is a civil service position, so Mrs. Kelsch will be taking a civil service test.

Mrs. Debra Ferguson-Leaty thanked Mr. Riddell for allowing her and her sister to attend a NYS Comptroller teleconference titled "Turn Your Downtown Around: Tips, Tools & Money". She stated it was very informative and as a result she has networked with some very valuable resources and gained useful information.

A Wayne Central School District Government student, Jordan Cole asked what the town was doing with the building on Ridge Road. Mr. Molino stated that has been sold and is being renovated by the new owner. Mr. Cole asked what the town's plans were to develop businesses along Ridge Road.

There was a discussion on the establishment of a Business Improvement District and the recommendations that will be forthcoming from the Comprehensive Plan Committee.

Mr. Joe Gauger, Lincoln Road, stated he was involved in a motor vehicle accident at the corner of Lincoln and Whitney Road and he asked whose jurisdiction was that in? He added Union Hill, Ontario and Walworth responded.

There was a brief discussion on 911 and mutual aid.

Mr. Cole asked how the County budget and tax increase was affecting businesses and he asked what was the County doing for the towns in terms of economic development?

Mr. Molino explained how tax incentives work and about the Empire Zone. There was a discussion on the county sales tax distribution to schools. He stated the County is trying not to increase the tax burden on businesses who don't receive STAR (school tax relief).

There was a discussion on economic development, the difficulty in getting businesses to locate in New York State, mandated expenses and the services that people want and how they could be funded.

Mr. Brewer noted the Town of Ontario tax rate is the lowest of the fifteen towns in Wayne County. There was more discussion on private businesses, the assessed value of the town and the large Ginna parcel, the Comprehensive Plan Committee's proposal, school taxes and the cost to educate students at Wayne Central School.

Executive Session – A motion was made by Mr. Brewer, seconded by Mr. Camp, to adjourn at 8:17 PM for a personnel matter pertaining to a specific person at 8:17 PM. 5 Ayes 0 Nays MOTION CARRIED

Reconvene – 8:45 PM

Adjourn – A motion was made by Mr. Camp, seconded by Mr. Shears, to adjourn at 8:45 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.

WALWORTH TOWN BOARD MEETING

NOVEMBER18, 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, Frank Maciuska, Patti Marini and Thomas Yale.

Other town employees present: Norman Druschel, Building Inspector
Michael Frederes, Highway Superintendent
Debora Germain, Recreation Director
Richard Morris, Attorney for the Town
George Schaller, Sewer Superintendent
Phil Williamson, Code Enforcement Officer
Marcia Englert, Town Clerk

CAREY LAKE LIQUOR LICENSE RENEWAL APPLICATION:

Motion by Councilman Maciuska to accept and file the notification by Bruce Carey that Carey Lake, LLC is requesting renewal of their license to sell alcoholic beverages. Seconded by Councilwoman Marini.

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

Motion carried.

MINUTES:

Motion by Councilwoman Marini to approve the minutes of November 4, 2004 as presented. Seconded by Councilman Keyes and unanimously carried.

OCTOBER SUPERVISOR’S REPORT:

Motion by Councilwoman Marini to approve the October 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 \$227.70. Seconded by Councilwoman Marini.

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

Motion carried.

2. GENERAL:

Motion by Councilman Yale to approve payment of General Claims totaling \$29,221.28.
Seconded by Councilwoman Marini.

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

Motion carried.

3. HIGHWAY:

Motion by Councilman Keyes to approve payment of Highway Claims totaling \$169,781.16.

Seconded by Councilwoman Marini.

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

Motion carried.

4. HIGHWAY GARAGE PROJECT:

Motion by Councilman Yale to approve payment of Highway Garage Project Claims totaling \$62,225.31. Seconded by Councilwoman Marini.

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

Motion carried.

5. LIGHTING:

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

| | |
|------------------------------|----------|
| Walworth Light District | \$666.14 |
| Harvest Hills Light District | 641.96 |
| Gananda Light District | 964.57 |
| Brookside Light District | 9.82 |

Seconded by Councilman Yale.

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|-----------------------------------|-----|
| Roll call vote: Supervisor Guelli | Aye |
| Councilman Keyes | Aye |

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|---------------------|-----|
| Councilman Maciuska | Aye |
| Councilwoman Marini | Aye |
| Councilman Yale | Aye |

Motion carried.

6. PARK SPECIAL REVENUE:

Motion by Councilman Maciuska to approve payment of Park Expendable Trust Claims totaling \$273.15. Seconded by Councilman Yale.

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

Motion carried.

7. SEWER DISTRICT:

Motion by Councilman Maciuska to approve payment of Sewer District Claims totaling \$56,715.30. Seconded by Councilman Yale.

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

Motion carried.

8. TRUST & AGENCY:

Motion by Councilwoman Marini to approve payment of Trust & Agency Claims totaling \$17,194.69. Seconded by Councilman Keyes.

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

Motion carried.

CATCH-A-KID AWARD:

Supervisor Guelli presented a certificate to Peter Vallone in recognition of his request to his friends for donations of books to the Library instead of birthday gifts for himself.

PUBLIC PARTICIPATION:

1. SHERBURNE ROAD DEVELOPMENT COMPLAINT:

Tom Clark, 1960 Sherburne Road, presented excerpts from the NYSDOT driveway standards and the Town Code Book relative to the Sherburne Road property being

developed by Carl Priest. Copies are attached. Mr. Clark requested that the information be reviewed by the Engineer for the Town, the Building Inspector and the Code Enforcement Officer.

2. SHERBURNE ROAD PARK: BUILDING PROPOSED BY GANANDA FOOTBALL CLUB:

John Gunio, 1571 Wake Robin Court, presented a drawing of a 24'x 44' block building that the Gananda Football Club would like to construct in Sherburne Road Park. The facility would house restrooms, a kitchen and storage area. There would be an Agreement whereby the building would be dedicated to the Town and the Gananda Football Club would have priority usage. Councilman Maciuska requested a cost projection and timeline. Debora Germain stated that money is not an issue as the Club has received a state grant through Senator Nozzolio. Councilman Yale requested a sketch locating the building and the septic system, which needs the approval of Paul Russell, the Engineer for the Town. He also stated that as a courtesy, the Planning Board should be informed of the project. Norm Druschel stated that the Building Department needs to review the plans to ensure that they comply with Town Codes.

COUNTY SNOW AND ICE CONTRACT:

Motion by Councilman Yale authorizing the Supervisor to sign the Wayne County Snow & Ice Contract for the winter of 2004-2005. Seconded by Councilwoman Marini.

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

Motion carried.

RETIREMENT PAYMENT TO NYS:

Motion by Councilman Maciuska authorizing payment of \$113,761 to the NYS Retirement System. Seconded by Councilman Yale.

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

Motion carried.

It was noted that there is a savings of \$1,098 by paying it now.

HIGHWAY GARAGE ADDITION:

Mike Frederes stated that the concrete work is 90% complete and the construction is on schedule.

COMPREHENSIVE PLAN AMENDMENT:

Councilman Yale stated that the Planning Board will review the documents and present their comments prior to the December 16th hearing.

MEETING WITH THE ATTORNEY FOR THE TOWN:

Motion by Councilman Maciuska to adjourn to a meeting with the Attorney for the Town to discuss several legal issues. Seconded by Councilman Yale and unanimously carried. Time: 8:03 P.M.

RECONVENED:

Supervisor Guelli reconvened the meeting at 8:40 P.M.

FINANCIAL TRANSACTIONS:

Councilman Maciuska 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:

45.67 from General Fund Balance to A1220.42 for payment to Paychex Inc.

62.99 from A1355.43 to A1355.44 for payment of mileage invoice

4,054.10 from General Fund Balance to A1440.41 for payment to J. R. Engineering

97.48 from General Fund Balance to A1440.43 for payment to T. Martz

61.50 from A1450.11 to A1450.41 for payment of mileage invoices

2,059.42 from General Fund Balance to A1620.41

2,090.05 from A1990.41 to A1620.46 for payment to Clark Patterson & Assoc.

365.00 from General Fund Balance to A8989.41 for payment to Tri-County Inc.

224.86 from Appropriated Reserve to SS8130.24R for payment to J.R. Engineering

1,500.00 from SS8110.12 to SS8130.404 for payment to J. R. Engineering

10,000.00 from Sewer Fund Balance to SS8130.409

118.01 from SS8130.413 to SS8110.42

23.07 from SS8110.12 to SS9789.71 for interest payment adjustment.

273.15 from Park Special Revenue Fund Balance to CM1-7110.42 for payment to J.R. Engineering

227.90 from Consolidated Drainage Fund Balance to SD1-8540.41 for payment to J.R. Engineering.

Roll call vote:Supervisor Guelli Aye

 Councilman Keyes Aye

 Councilman Maciuska Aye

 Councilwoman Marini Aye

 Councilman Yale Aye

Resolution adopted.

LOCAL LAW # 2 HEARING AUTHORIZED:

Councilman Yale offered the following resolution and move its adoption, seconded by Councilman Maciuska to wit:

BE IT RESOLVED that Local Law No. 2 of the year 2004, entitled "A LOCAL LAW ADDING CHAPTER 45 ENTITLED 'APPOINTMENT OF TOWN ENGINEER/NON-ELECTOR OF THE TOWN' TO THE TOWN OF WALWORTH MUNICIPAL CODE" be and is hereby introduced before the Town Board of the Town of Walworth in the County of Wayne and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Town Board, and

BE IT FURTHER RESOLVED that the Town Board hold a public hearing on said proposed local law at the Town Hall, 3600 Lorraine Drive, in the Town of Walworth, New York at 8:15 o'clock P.M. on Thursday, December 16, 2004, and

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of said public hearing at least ten (10) days prior thereto.

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

Resolution adopted.

ADJOURNMENT:

Motion by Councilwoman Marini to adjourn. Seconded by Councilman Keyes and unanimously carried. Time: 8:47 P.M.

Respectfully submitted,

Marcia Englert, RMC
Town Clerk