

A Worksession of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Court Room at 7:00 PM on April 12, 2005.

The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Charles R. Monsees
Councilman Anthony Verno
Councilman Gary Orbaker

ABSENT: None

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Court Room following the worksession and was called to order at 7:30 PM on April 12, 2005 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Charles R. Monsees
Councilman Anthony Verno
Councilman Gary Orbaker

ABSENT: None

Stephen Haywood; Assessor/Building Inspector, Dustin Dalke, Bill Bishop, Jordan Wood, Kimberly Wood, Chris Pavlick & Craig Thatcher; from Thatcher Co., William & Elizabeth Herbert, and the undersigned Town Clerk were also present.

Public Comment: No one wished to comment.

Craig Thatcher presented the Town Board their Annual Community Awareness Report. The report is filed in the Town Clerk's Office for the public to view.

Supervisor Hoffman made a motion, seconded by Councilman Warren, to accept the Consent Agenda containing the following items:

- a. previous minutes: March 22, 2005
- b. presentation of the Town Clerk's report
- c. accept the Supervisor's report
- d. to give the Apple Blossom Festival Committee permission use of the parking lots adjacent to the Town Hall, next to the Presbyterian Church and behind the businesses on Main Street, for the carnival during the festival scheduled for May 15, 2005 through May 22, 2005.
- e. pay the Library bills as audited by the Library Board of Trustees:
vouchers 66 - 77, total \$5,346.72
- c. to accept the following budgetary transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A-GENERAL FUND		
A1990.900 Conting	\$ 609.16	A8020.400 Planning-Contract
F-WATER FUND		
F8340.416 Trans/Distrib-Repair	\$12,000.00	F8340.414 Trans/Distrib-New Meters
H16-TOWN COMPLEX		
H16-1620.230 Admin	\$ 50.00	H16-1620.220 Fiscal Expenses

The motion was carried.

The Board received two requests to hook into the Town sewer system from residents who are not in the Sewer District. The two requests came from Lisa Calabresi on Salmon Creek Road who is building a new house and from Bill Bishop (previously Spike Ameele's property) on East Townline Road who needs a new system. Bill Bishop addressed The Board concerning his situation and his needs for the request. After a great deal of discussion on the legalities, cost to the Town and resident and responsibilities, it was the consensus of The Board that the process will take four to six months out to get

together all the facts needed for an answer to these requests. Bill Bishop will also obtain figures on the cost for him to hook into the Town's system.

Councilman Warren made a motion, seconded by Councilman Orbaker, to authorize the Apple Blossom Committee to contact the State Police and/or Sheriff's Dept. regarding the closing of roads at the appropriate and necessary times during the Apple Blossom Festival. The motion was carried.

Supervisor Hoffman informed The Board that the Williamson Central School and the Recreation Committee are working on a Summer Program that will be held at the Town Park, five mornings a week for students K-9, for a four to five week period. The plans are in the preliminary stages and he will update The Board as the plans become more final.

Councilman Warren discussed the Legislative Breakfast he attended. He explained that Bob Oaks and Brian Cobb were struggling to get funds for the schools in Western New York. There is only 17 billion dollars for all the schools in New York and New York City wanted 20 billion. Councilman Warren also explained Bob Oaks had helped the Williamson Fire Dept. to receive funds to cover the costs of the required upgrades on all the vehicles concerning the exhaust systems. He mentioned to Bob Oaks that East Williamson and Pultneyville Fire Companies would also be asking for funds to do the same.

Councilman Monsees made a motion, seconded by Councilman Verno, to hire Simplex to reprogram the alarm system at a cost not to exceed \$200.00. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Town Supervisor to attend a Regional Local Government Workshop on Friday, May 13, 2005 at the Burgundy Basin Inn, Pittsford. The registration cost is \$40.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize up to four persons from the Zoning Board to attend a Regional Local Government Workshop on Friday, May 13, 2005 at the Burgundy Basin Inn, Pittsford. The registration cost is \$40.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

The Board agreed to interview the three applicants for the opening on The Planning Board before the next meeting on April 26, 2005 to start at 6:30 PM.

Councilman Verno presented the following Resolution and moved its adoption. It was seconded by Councilman Warren.

WHEREAS: The Town of Williamson is proposing Local Law #2, 2005 – Power Generating Windmills, of the Town Code as it pertains to the building, assembling and installation of power generating windmills, and

WHEREAS: The Town Board has reviewed the Environmental Assessment Form submitted for this Project, and

WHEREAS: The Town Board determines that the Project constitutes a Type I Action pursuant to the State Environmental Quality Review Act (SEQRA), and further determines that a coordinated review of the environmental, social, economic and other related impacts of the Project would be appropriate and would facilitate and encourage participation by the residents of the Town and other interested and involved agencies and parties, and

WHEREAS: The Town Board has initially identified a number of agencies which would appear to have an interest in the Project and in participating in the SEQRA review process, which list is attached hereto and made a part of this Resolution,

NOW, THEREFORE, BE IT RESOLVED: By the Town Board of the Town of Williamson, Wayne County, New York, as follows:

1. The Town Board hereby accepts the Environmental Assessment Form, as prepared by the Town Code Enforcement Office.
2. Based upon the Environmental Assessment Form and the factors recited above, The Town of Williamson hereby declares its intention to act as Lead Agency for the purposes of conducting a review under the State Environmental Quality Review Act (SEQRA) with regard to the Project since

the environmental, social and economic impacts of the Project will primarily be of local significance.

3. The Town Board hereby authorizes and directs its Town Clerk to forward copies of this Resolution to interested or involved agencies with the request that such agencies notify the Town within 30 calendar days if they have any objection to the Town Board acting as Lead Agency in this matter.
4. The Town Clerk is directed to maintain for public inspection a file containing a copy of this Resolution, all submissions to date and all further communications or correspondence which the Town may receive concerning this matter from other interested agencies or parties.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Warren
Councilman Monsees
Councilman Verno

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Monsees, to adopt the proposed Local Law #1, 2005 – Park Rules & Regulations. The motion was carried.

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LOCAL LAW NO. 1 OF 2005
AMEND: "PARK RULES & REGULATIONS"
Part 2, Chapter 32

§ 32-16. SCOPE.

The provisions set forth herein shall apply to and be in effect in all parks under the control, supervision and jurisdiction of the Town of Williamson.

§ 32-17. DEFINITIONS.

The following terms shall have the meanings indicated in this section:

- A. "Town" shall mean the Town of Williamson.
- B. "Town Board" shall mean the Town Board of Williamson, the elective legislative body of the Town of Williamson.
- C. "Committee" shall mean the Williamson Park Committee as appointed by the Town Board.
- D. "Law Enforcement Officer" shall mean a police officer as defined in Section 1.20 of the Criminal Procedure Law, a peace officer as defined in Section 2.10 of the Criminal Procedure Law, or any other law enforcement official of the Town of Williamson, County of Wayne, State of New York, federal government, or any other applicable jurisdiction, having jurisdiction or authority to enforce this law.
- E. "Park" shall mean the grounds, buildings thereon, waters therein, docks, towpaths, trails, and any other property necessary for the operation thereof, and constituting a part thereof, which is now or may hereafter be maintained, operated and controlled by the Town of Williamson for public park purposes.
- F. "Person" shall mean any individual, firm, partnership, corporation or association of persons and the singular number shall include the plural.
- G. "Authorized Personnel" shall mean any person, department or agency given the right to function by the Town Board.
- H. "Vehicle" shall mean every device in, upon or by which a person or property is or may be transported or drawn upon a highway.

§ 32-18. HOURS OF OPERATION.

Except as authorized by a permit granted by the Town Board pursuant to the provisions of Section Thirty-Four of these rules:

- A. No person shall remain, stop or park within the confines of the park between the hours of 9:00 p.m. and 8 a.m., prevailing location time in the Town of Williamson except:
 1. in an emergency or
 2. with a special permit of the Town Board or
 3. campers, where permitted, who may remain overnight subject to park regulations and campers' visitors, who may remain until 11:00 p.m.
- B. In case of an emergency or when in the judgment of the Town Board the public interest demands it, any portion of the park may be closed to the public or to designated persons until permission is given to reopen.

Non-observance of Section Three shall constitute a violation.

§ 32-19. RESERVATIONS.

- A. Reservations for the use of park pavilions for groups of 8 or more shall be issued on a first come, first served basis, at the Williamson Town Hall, 6380 Route 21, Suite II, Williamson, New York, Monday through Friday from 9:00 a.m. to 4:30 p.m., commencing the first of February for that calendar year, except on legal holidays.

- B. Applicants for reservations must be 21 years of age or over. All reservation applications must be signed by the applicant prior to use of the pavilions. The signer of the reservation application shall be responsible for all damage to the park pavilion and shall, as a condition for the granting of the reservation, indemnify the Town of Williamson for all such damages.
- C. As a condition for granting a reservation, the Town Board may require proof of insurance or a security deposit, in accordance with the rules and regulations promulgated pursuant to Section Thirty-Five herein.

Non-observance of the rules in Section Four shall constitute grounds for denial or cancellation of any reservation applied for or issued pursuant to this Section, and denial of applications for future reservations, as set forth in Section Thirty-Four herein.

§ 32-20. CAMPING.

- A. Permits are required for all camping in the park. See the fee schedule for any applicable charges.
- B. When camping locations are made available within the park, rules and regulations particular to each location shall be promulgated pursuant to Section Thirty-Five herein.
- C. Permits for camping shall be issued by the Town of Williamson or its designee.

Non-observance of subdivision A of Section Five shall constitute a violation.

§ 32-21. DISORDERLY CONDUCT.

No person with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, shall:

- A. engage in fighting or violent, tumultuous or threatening behavior while in the park;
- B. make unreasonable noise in the park;
- C. use abusive or obscene language or make an obscene gesture while in the park;
- D. without lawful authority, disturb any lawful assembly or meeting of persons in the park;
- E. obstruct vehicles or pedestrian traffic in the park;
- F. congregate with other persons in a public place and/or refuse to comply with a lawful order of a law enforcement officer to disperse or leave the park;
- G. create a hazardous or physically offensive condition by any act that serves no legitimate purpose.

Non-observance of Section Six shall constitute a violation.

§ 32-22. HARASSMENT.

- A. No person shall strike, shove, kick or otherwise subject another person to physical contact, or attempt to do the same, with the intent to harass, annoy, or alarm such other person.
- B. No person shall follow a person about the park with the intent to harass, annoy, or alarm such other person.
- C. No person shall engage in a course of conduct or repeatedly commit acts which alarm or seriously annoy such other person and which serve no legitimate purpose.
- D. No person shall threaten or menace any other person with any instrument or by using any animal to do the same, with the intent to harass, annoy, or alarm such other person.

Non-observance of Section Seven shall constitute a violation.

§ 32-23. WEAPONS AND EXPLOSIVES.

Except as authorized by a permit granted by the Town Board pursuant to the provisions of Section Thirty-Four of these regulations:

- A. No person, except law enforcement officers, shall use, carry, or possess any firearm within the park.
- B. No person, except law enforcement officers, shall use, carry or possess any noxious materials (noxious materials for the purposes of this Section shall be defined as irritant gas dispensers, commonly called "Tear gas" or "Mace") within the park.
- C. No person shall use, carry, or possess air or gas guns, slingshots, bows and arrows, missiles or missile throwing devices unless such person is a participant in a program for which a permit has been obtained subject to Section Thirty-Four below.
- D. No person, except duly authorized personnel, shall use, carry or possess any fireworks or explosive substances within the park.
- E. No person shall possess any other dangerous weapons within the park.

Non-observance of Section Eight shall constitute a violation.

§ 32-24. LOITERING.

- A. No person shall loiter or remain in the park for the purpose of begging.
- B. No person shall loiter or remain in the park for the purpose of gambling with cards, dice or other gambling devices.
- C. No person shall loiter in or near toilets or rest room facilities within the park.

Non-observance of Section Nine shall constitute a violation.

§ 32-25. COMMERCIAL ACTIVITIES, SIGNS, ADVERTISEMENT, BANNERS.

Except as authorized by a permit granted by the Park Committee pursuant to the provisions of Section Thirty-Four of these regulations:

- A. No person shall solicit or engage in any business, trade or commercial transaction, or other activity within the park involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested, except pursuant to a duly authorized concession agreement or other agreement for park purposes which shall have been subject to the prior approval or authorization of the Town Board.
- B. No person shall post any sign, banner, or advertisement of any kind within the park without prior approval of the Committee.

Non-observance of Section Ten shall constitute a violation.

§ 32-26. GAMES REGULATED.

- A. No person shall engage in games involving thrown or propelled objects, such as footballs, baseballs, horseshoes, golf balls, Frisbees or similar objects, except in areas designated for such usage, and then only subject to such rules as and regulations as may be promulgated pursuant to Section Thirty-Five herein. All games of any description must be conducted in a safe and orderly manner and no rough or boisterous practices will be allowed. No one shall play games for which a permit or fee is required without first obtaining such permit and paying such fee.
- B. Notwithstanding the provisions of subdivision A, the use of lawn darts in the park is absolutely prohibited.

Non-observance of Section Eleven shall constitute a violation.

§ 32-27. SOPHISTICATED TOYS.

- A. Models, such as miniature planes, boats and cars, that produce loud noises shall be operated in a manner not to disturb other visitors to the park, or in an unsafe or hazardous manner within the confines of the park.
- B. Shows and model displays shall require a permit issued by the Town Board pursuant to the provisions of Section Thirty-Four of these regulations.

§ 32-28. NOISE.

- A. No person shall make, continue, cause or permit to be made or continued any unreasonable noise in the park.
- B. No person shall shout, yell, call or whistle in the park so as to cause unreasonable noise.
- C. No person shall operate or use any radio, musical instrument, television, phonograph or other machine or device for the production, reproduction or amplification of sound in such a manner so as to cause unreasonable noise in the park.
- D. No person shall operate or use or cause to be operated or used any sound reproduction device for commercial or business advertising purposes or for the purpose of attracting attention to any event, performance, show or sale or display of merchandise in connection with any commercial operation.
- E. No motor vehicle, other than a police or emergency vehicle, which makes or creates unreasonable noise, shall operate in the park.
- F. No person shall operate a vehicle in such a manner as to cause unreasonable noise by spinning or squealing the tires of such vehicles.
- G. No person shall cause the sounding of any horn or signaling device on any automobile, motorcycle, bicycle or other vehicle except as a danger warning.
- H. "Unreasonable noise" shall be defined as any unusual loud sound which either annoys, disturbs, injures or endangers the health, safety, welfare, peace, quiet, comfort or repose of persons or which causes injury to plant or animal life. Standards to be considered in determining whether unreasonable noise exists in a given situation include but are not limited to the following:
 - 1. The volume of the noise.
 - 2. The intensity of the noise.
 - 3. Whether the nature of the noise is usual or unusual.
 - 4. Whether the origin of the noise is natural or unnatural.
 - 5. The volume and intensity of the background noise, if any.
 - 6. The time of the day or night the noise occurs.
 - 7. The duration of the noise.
 - 8. Whether the noise is recurrent, intermittent or constant
 - 9. Whether the noise is produced by a commercial or noncommercial activity.

Non-observance of Section Thirteen shall constitute a violation.

§ 32-29. HUNTING, FISHING AND MOLESTING WILDLIFE.

- A. No person shall take or attempt to take any fish from or send or throw any animal or thing into a pond or any of the waters of the park, except with the permission of the Committee, and excepting that fishing may be permitted in season, in certain park waters designated by the Committee. No person shall kill, injure or unnecessarily disturb any fish, waterfowl, birds or animals. No person shall hunt, pursue with dogs, trap or in any other way molest any wild bird or animal found within the confines of the park, or rob or molest any bird's nest or take the eggs of any bird.
- B. Notwithstanding the provisions of subdivision A, the Town Board is hereby authorized to grant limited permits for the trapping of wild animals in the town park if the Committee, after consulting the appropriate officials of the State Department of Environmental Conservation, certifies to the Town Board that the health, safety and welfare of residents of the Town of Williamson are or may be adversely affected unless limited trapping of the wild animals is permitted in the park. The number and duration of such permits shall be only such as is necessary, in the opinion of the Town Board, to correct any circumstances that have caused or contributed to a threat to the public health, safety and welfare. The Town Board shall promulgate rules and regulations governing the issuance, supervision and termination of such permits. All permits issued pursuant to this subdivision shall be in accordance with the rules and regulations promulgated by the Town Board, and shall be consistent with all applicable provisions of the New York State Environmental Conservation Law and the regulations pertinent thereof.

Non-observance of subdivision A of Section Fourteen shall constitute a violation.

§ 32-30. PRESERVATION OF PROPERTY AND NATURAL FEATURES.

- A. No person shall injure, damage, destroy, deface, disturb, remove or defoul the park of the park, nor any building, structure, sign, equipment or other property therein.
- B. No person shall write, paint, mark, carve or otherwise deface any part of the park, including but not limited to any tree, bench, building, structure, sign, equipment or other property therein.
- C. No person shall remove, injure or destroy any tree, flower, shrub, rock, mineral or other natural feature within the park.

Non-observance of Section Fifteen shall constitute a violation.

§ 32-31. LITTERING, RUBBISH, GARBAGE, SEWAGE AND NOXIOUS MATERIALS.

- A. No person shall bring into, drop, deposit, dump or leave behind any rubbish, garbage, ashes, paper, cardboard, metal cans or other metallic substances, bottles, glassware, or any other refuse, waste material or other unwanted material of any kind in the park; except that any such materials resulting from picnics, camping, or other permitted activities shall be deposited in receptacles, pits or other containers provided for such purpose.
- B. No person shall abandon any motor vehicle, or other equipment or property of any kind in the park.
- C. No person in the park shall discharge into, throw, cast, lay, drop or leave any substance, matter or thing, either liquid or solid in any body of water, storm sewer or drain in the park.

Non-observance of Section Sixteen shall constitute a violation.

§ 32-32. ALCOHOLIC BEVERAGES.

No person shall consume, or possess with intent to consume, any alcoholic beverage, as defined by Section 3 of the Alcoholic Beverage Control Law of the State of New York, in the park.

Non-observance of Section Seventeen shall constitute a violation.

§ 32-33. ANIMALS.

Except as authorized by a permit granted by the Town Board pursuant to the provisions of Section Thirty-Four of these rules and regulations:

- A. Except as provided in Section Nineteen below, no person shall bring into, permit, have, or keep any animal in the park, except that dogs and cats are permitted if held in control by a leash not more than eight (8) feet long.
- B. Animals required for assistance of the handicapped are exempt from the provisions of subdivision A of this section.
- C. No animal shall be left unattended in the park.
- D. Any individuals bringing dogs or cats into the park shall be required to pick up and deposit in proper receptacles all solid waste from said animals.

Non-observance of Section Eighteen shall constitute a violation.

§ 32-34. HORSEBACK RIDING.

Horseback riding is permitted only on designated roadways and over bridle paths or other paths established for such purpose. Horses shall not be ridden at a gait in excess of a trot while in the park. Horses shall not be ridden in the park so as to endanger any person or property. No person shall permit any horse to stray or stand unattended or to graze within the park. In no event shall horses be permitted in beaches, picnic areas, or playing fields.

Non-observance of Section Nineteen shall constitute a violation.

§ 32-35. SWIMMING, BEACH AREAS.

- A. No person shall bathe, wade or swim in any water body within the park.
- B. No person shall carry onto, possess, scatter or throw on any beach area bottles or containers of any kind, or broken glass, container caps, tabs, or other closure devices.
- C. The use of life rafts, inner tubes, and other objects intended to support persons is prohibited.
- D. No person shall operate a boat, surfboard, water skies, or similar aquatic equipment in any water body of any park.
- E. Except as provided in subdivision C of Section Eighteen, animals are prohibited in all water bodies and beach areas within the park.

Non-observance of Section Twenty shall constitute a violation.

§ 32-36. BOATING.

No person shall operate, row or paddle a boat or canoe in or upon park waters. No person except as authorized by the Committee, shall place or propel upon the waters in the park any float, boat or other watercraft.

Non-observance of Section Twenty-One shall constitute a violation.

§ 32-37. FIRES, PICNIC, COOKING.

- A. No person shall start or use a fire on park property except in designated areas and facilities. No fire shall be left unattended.
 - B. No person shall picnic or cook in any area not designated by the Committee for that purpose.
- Non-observance of Section Twenty-Two shall constitute a violation.

§ 32-38. BICYCLES.

Riders of bicycles shall comply with all laws relating to bicycles in the New York State Vehicle and Traffic Law, and with all rules following:

- A. No person shall ride a bicycle upon the lawns, foot trails, or bridle trails of the park unless such areas are designated for such vehicles.
- B. Bicycles shall be ridden in the extreme right hand lane of park roads.
- C. No rider shall take both hands off the handles or steering mechanism, or ride recklessly in any other manner.
- D. A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold onto any moving vehicle for the purpose of being drawn along.
- E. No bicycle shall be pushed upon the park road where an adjoining footwalk is available.
- F. Infants, children or extra passengers shall not be carried on bicycles in any manner whatsoever, unless such vehicle is equipped with a separate seat for that purpose.
- G. Children under the age of 12 years, riding small bicycles (wheels less than 20 inches in diameter) may use the footwalks.
- H. Wherever possible bicycles shall be parked in places provided for such purpose.
- I. No person shall operate a bicycle, which has affixed thereto a mechanical device capable of propelling the bicycle for the purpose of replacing or assisting human power.

Non-observance of Section Twenty-Three shall constitute a violation.

§ 32-39. SNOWMOBILES, OFF-ROAD VEHICLES, ALL TERRAIN VEHICLES AND LIMITED USE VEHICLES.

- A. No person shall operate a snowmobile within the park. A snowmobile shall be defined as any self-propelled vehicle designated for travel on snow or ice, steered by skis or runners and supported in whole or part by one or more skis, belts or cleats.
- B. No person shall operate any motor powered off-road vehicle, all terrain vehicle, or limited use vehicle in any part of the park. Off-road vehicles, all terrain vehicles or limited use vehicles shall include, but are not limited to: four-wheel drive vehicles; vehicles equipped for operation in or on sand, mud, snow, gravel, or wetland; dune buggies; motorcycles or minibikes equipped for off-road usage; dirt bikes, golf carts, tractors, lawnmowers, or any similar type of vehicle or conveyance, except for vehicles used for park maintenance by authorized personnel.

Non-observance of Section Twenty-Four shall constitute a violation.

§ 32-40. INDECENT CONDUCT AND EXPOSURE.

- A. No person shall intentionally expose the private or intimate parts of his or her body in a lewd manner or commit any other lewd act.
- B. No person shall appear in the park in such manner that the private or intimate parts of his or her body are unclothed or exposed. For purposes of this Section the private or intimate parts of a female person shall include that portion of the breast which is below the top of the areola. This Section shall not apply to the breast feeding of infants.

Non-observance of Section Twenty-Five shall constitute a violation.

§ 32-41. COMPLIANCE WITH ORDERS OF POLICING AGENCIES.

No person shall fail or refuse to comply with any order relating to the regulation of activities hereunder, or the enforcement of the provisions of these rules, lawfully given by any law enforcement officer.

Non-observance of Section Twenty-Six shall constitute a violation.

§ 32-42. USE OF MOTOR VEHICLES.

- A. No person shall drive any automobile, motorcycle or other motorized vehicle upon any part of the park except for the proper drives and parking areas, or permit the same to stand upon the drive or any part thereof so as to congest traffic or obstruct the drive. Paths established as bridle paths, footpaths, or bicycle paths shall not be used for motorized vehicular traffic.
- B. No person shall cause any tax, bus, limousine or other vehicle for hire to attend any part of the park for the purpose of soliciting or taking passengers or persons other than those carried by said vehicle.
- C. No person shall cause any bus with or without passengers, nor any cart, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil or other articles, or solely in use for the carriage of goods, merchandise, manure or other articles to enter or to be driven in any part of the park. This Section shall not apply to vehicles engaged in construction, maintenance, or operation of the park or parkway, to vehicles making deliveries to the park, or to buses under the permit of the Park Committee.
- D. It shall be the duty of every person operating an automobile, motorcycle, or other motorized vehicle within the park to comply with: (1) the New York State Vehicle and Traffic Law; (2) the applicable traffic ordinances of the County of Wayne and the Town of Williamson; and (3) all orders, directions and regulations issued by law enforcement officers or officially displayed on any post, standard, sign or device installed for the regulation of traffic.
- E. No vehicle shall be operated on any road or drive in the park at a speed exceeding 15 miles per hour, unless otherwise posted. The Town shall cause signs to be erected along such roads or drives indicating such speed limits.
- F. Where the Town has caused certain intersections of the park drives or roadways to be marked with stop signs, no person shall operate any vehicle except authorized emergency vehicles over or across such intersection without first bringing such vehicle to a complete stop at or near the stop sign.

- G. Parking of any vehicle is prohibited on any of the park roads or parking areas during the hours that the park is not open to the public. No person shall park, stop or leave standing any vehicle in any area within the park except during the time he or she remains in the park.
- H. The term “parking” as used herein shall be defined as the standing of any vehicle, whether occupied or not, unless standing in obedience to traffic regulations or signals or while actively engaged in loading or unloading.
- I. The Town shall erect suitable signs on roadways and in parking areas, which signs shall indicate where parking is authorized or prohibited.
- J. No person shall operate a vehicle along or over any road, drive or other property within the park in a reckless manner or without due regard for the safety and the rights of pedestrians, drivers and occupants of all other vehicles, so as to endanger the life, limb or property of any person while in the lawful use of park facilities.
- K. No person shall participate in a drag race in the park. “Drag Race” as used herein shall be defined as the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course from the same point to the same point wherein timing is made of the participating vehicles involving competitive accelerations or speeds. The operation of two or more vehicles side by side in excess of permitted speeds on park drives or rapidly accelerating from a common starting point in a speed in excess of such permitted speeds, shall be prima facie evidence of drag racing.
- L. No person who is under the influence of alcohol or a controlled substance, as defined in the New York State Penal Law shall operate any vehicle within the park.
- M. No person shall drive, move, cause, or knowingly permit to be driven or moved within the park, any vehicle or combination of vehicles, which is in unsafe condition so as to endanger any person or property.
- N. No person shall use or shine spotlights or unnecessarily or continuously shine automobile headlights on or into parklands, except under direction of a law enforcement officer or where necessary for the preservation of life or property.

In addition to and not in derogation of the penalties prescribed by applicable statute, rule, regulation or ordinance, non-observance of any subdivision of Section Twenty-Seven shall constitute a violation.

§ 32-43. PARENTAL RESPONSIBILITY.

No parent, guardian or custodian of any minor shall permit or allow him or her to do any act which would constitute a violation of these regulations, and such persons shall be jointly and strictly liable for the actions of said minors in their care.

Non-observance of Section Twenty-Eight shall constitute a violation.

§ 32-44. AIR GLIDING.

Except as authorized by a permit granted by the Town Board pursuant to the provisions of Section Thirty-Four of these regulations:

Park property shall not be utilized for ascending or landing of any aircraft, nor shall park property be used for parachuting, hang gliding, hot air ballooning, or similar activities.

Non-observance of Section Twenty-Nine shall constitute a violation.

§ 32-45. ADDITIONAL ACTIVITIES.

Other activities in the town park not specifically regulated herein shall be subject to rules and regulations promulgated by the Town Board pursuant to Section Thirty-Five below.

Non-observance of such rules and regulations shall be subject to such penalties as may be set forth therein.

§ 32-46. PUBLIC GATHERINGS.

Any group of persons exceeding one hundred (100) in number reserving park facilities for any use including but not limited to, picnics, races, festivals, weddings, parties, sporting events and hobbyists, shall obtain a permit from the Town Clerk at least seven days prior to such utilization of park facilities. The granting of said permit and use of park facilities pursuant thereto shall be in accordance with applicable federal, state, county and local law and regulations, including but not limited to, New York State Department of Health Regulations.

Non-observance of Section Thirty-One shall constitute a violation.

§ 32-47. FEES.

The Town Board, on recommendation of the Park Committee, by resolution, from time to time as it deems appropriate, may establish fees to be charged for utilization of park facilities.

§ 32-48. CLOSURE.

The Town Board may direct the close of the park or any portion thereof if such action is for the purpose of protecting park properties from damage, or in the interest of protecting the health, safety, and welfare of persons utilizing park properties.

§ 32-49. PERMITS.

- A. The Town Board is authorized and empowered to grant and issue permits for the activities described in Sections Three, Five, Eight, Ten, Twelve, Eighteen, Twenty-Nine and Thirty-One of these rules and regulations. Applicable fees as determined by the Park Committee may apply.
- B. Permits for the use or occupancy for park purposes of park property of facilities which may involved an extended term or an indefinite term subject to termination, shall be issued by the Town Board on recommendation of the Park Committee.
- C. As a condition for granting a permit, the Town Board may require proof of insurance or a security deposit, in accordance with the rules and regulations promulgated pursuant to Section Thirty-Five herein.
- D. All permits issued by the Town Board shall be in writing, and shall be signed or authenticated by the Town Supervisor, or his or her authorized agent. All such permits and use of park facilities pursuant thereto shall be subject to the terms and conditions contained therein; all applicable provisions of these regulations and all other applicable laws of the United States of America, the State of New York, the County of Wayne and the Town of Williamson.
- E. Any violation of the terms and conditions of a permit issued hereunder, of these rules and regulations, or any other applicable laws, shall constitute grounds for the immediate revocation of such permit by the Town Board, which revocation shall be immediate, final and without appeal. No permit for the same purpose shall be issued to any person or persons whose permit has been revoked hereunder for a period of one year following the date of such revocation.

§ 32-50. RULES AND REGULATIONS.

- A. The Town Board is authorized and empowered to promulgate rules and regulations concerning the activities described in this document; such further rules and regulations as may be necessary to effectuate or implement the provisions herein, and such rules and regulations as may be recommended by the Park Committee.
- B. All rules and regulations promulgated hereunder by the Town Board shall become effective only upon approval of such Board.
- C. Reasonable efforts shall be made by the Town of Williamson to reproduce, post, make available, distribute, and publicize all rules and regulations hereunder.
- D. Copies of these rules and regulations shall be made available at the Williamson Town Hall, 6380 Route 21, Suite II, Williamson, New York.

§ 32-51. PENALTIES.

Any person convicted of a violation of these rules and regulations shall be subject to a fine not to exceed \$100, or by imprisonment for a term not to exceed fifteen (15) days, or by both such fine and imprisonment.

§ 32-52. POWER OF LAW ENFORCEMENT OFFICERS AND TOWN EMPLOYEES.

- A. Any law enforcement officer may arrest a person without a warrant for:
 - 1. Any offense when he or she has reasonable cause to believe that such person has committed such offense in his or her presence.
 - 2. A crime, when he or she has reasonable cause to believe that such person has committed such crime, whether in his or her presence or otherwise.
- B. Any law enforcement officer shall have the right at all time to enter the premises of any building, structure or enclosure in the park which may be leased or set aside for private or exclusive use of any individual or group, or occupied or used pursuant to a permit hereunder, for the purpose of arresting violators hereof, and may use all necessary legal means to attain that end.
- C. Law enforcement officers are authorized to request production of a driver's license or other identification in enforcing this law.
- D. The Town Board and their duly authorized agents shall have the right to require any person found in violation of any provision of these rules and regulations to leave the park immediately.

§ 32-53. SEPARABILITY.

If any provision of these rules and regulations shall be adjudged by any court of jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the particular provision directly involved in the controversy.

**Fee Schedule for Use Of Facilities in
The Town Of Williamson Park
Effective January 1, 2004**

The following rules shall apply to the rental of Park facilities:

- 1. Permits are required and are available at the Town Clerk's Office. See the following fee schedule for the appropriate charges. Additionally, a deposit of \$25 must be made at the time of reservation and will be returned when park has been inspected for damage. Checks are payable to The Town of Williamson.

2. Reservations may be made Mondays through Fridays, 9:00 a.m. to 4:30 p.m., except on Holidays, beginning the 1st day of February of each year for the current year.
3. Permits shall be issued on a first-come basis.
4. Any cancellations or changes after payment has been received shall result in a \$10.00 handling fee.
5. Applications shall only be accepted from adults 21 years of age or older. The permit holder assumes the responsibility for all damages to Park property and for the conduct of their group in compliance with the Town of Williamson's Park Rules and Regulations.

* * * * *

Councilman Orbaker made a motion, seconded by Councilman Verno, to renew the operating permit to Van's Mobile Home Park. The permit is renewable annually upon inspection and approval by the building inspector, which has been received. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Warren, to renew the operating permit for the manufactured Unit Development known as Whispering Woods. The permit is renewable annually upon inspection and approval by the building inspector, which has been received. The motion was carried.

Councilman Orbaker presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: A petition was presented to and accepted by the Town Board requesting a speed reduction on a concise portion of Main Street/Ridge Road, just East of the Town. At approximately .70 of a mile long, the brief portion runs between #4307 and #4470 Main Street/Ridge Road, CR103. (Willow Drive to Old Ridge Road, just past the Wayne Technical and Career Center). The speed limit is currently 45 miles per hour to be decreased to 30 miles per hour, the Town speed limit,

NOW, THEREFORE, BE IT RESOLVED: That the Town Clerk is authorized to submit paperwork to the County Superintendent of the Highways to request the Department of Transportation to establish a lower maximum speed along that stretch of road.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
 Councilman Orbaker
 Councilman Warren
 Councilman Monsees
 Councilman Verno

NAYES: None

The Resolution was declared adopted.

The Williamson Ambulance Corp. has asked for funds for purchasing a new ambulance. It has been ten years since they have bought one. Discussion ensued. The Board decided to look into how much has been put aside for this expense and an explanation on a Reserve Fund named Ambulance, Town Hall & Landfill.

Councilman Verno made a motion, seconded by Councilman Warren, to advertise in the Sun & Record issue of April 21, 2005 for applications for temporary part-time employees to work with the outside crew in the Water Department. Applications will be accepted until May 5th, 2005. Bill Dobie, Outside Working Foreman, is authorized to hire up to three people after the acceptance date for applications. They can begin working as soon as needed and will work on an as needed basis. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Warren, to authorize the Wastewater Dept. to attend a one-day training class to be held at the Holiday Inn, Batavia on April 26, 2005. The registration cost is \$50.00 per person, with all other necessary and actual expenses to be a Town charge. The motion was carried.

Public Comment: Bill Herbert had questions on the agenda.

Council Warren made a motion, seconded by Councilman Orbaker, to pay the following bills as audited:

Account:	Voucher No.:	Totals:
General Fund	130 through 167	\$ 22,313.34
Youth	11 through 15	
Highway Fund	76 through 93	\$ 12,081.04
Water Fund	80 through 104	\$ 27,664.54
Sewer District No. 1	53 through 69	\$ 9,076.95
Lighting Dist.	3	\$ 3,004.26
<u>Capital H-16</u>	<u>115</u>	<u>\$ 37.50</u>
Total:		\$ 74,177.63

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Monsees, to enter into executive session for discussion regarding Legal matters at 8:45 PM. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to return to Open Session at 9:00 PM. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Monsees, to enter into agreement with SWBR Architects to get a second opinion relative to roof damming on the new Town Complex. The cost is not to exceed \$2,550.00. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to enter back into executive session for discussion regarding Labor Union matters at 9:05 PM. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to return to Open Session at 9:30 PM. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Verno to adjourn the meeting at 9:31 PM. The motion was carried

Marlene A. Gulick
Town Clerk