

Presiding Supervisor Jacobs called the Regular Town Board Meeting, Town of Walworth, County of Wayne, State of New York, held at 3600 Lorraine Drive, Walworth, New York and streamed on Facebook Live due to the COVID-19 pandemic to order at 6:33 PM. Supervisor Jacobs led those present in the recitation of the Pledge of Allegiance.

PRESENT:

Susie Jacobs	Supervisor
Amber Linson	Councilwoman
Scott Bryson	Councilman
Cody Phillips	Councilman
Karel Ambroz	Councilman
Aimée Phillips-Lomb	Town Clerk

ABSENT: No members of the Town Board were absent.

OTHERS PRESENT: Donald Young, Esq., Town Attorney; Teresa Maioli, Clerk to the Supervisor; Cheri LeMay, Town Comptroller; and Norman Druschel, Building Inspector.

6:30 PUBLIC HEARING

PUBLIC HEARING RULES AND PROCEDURES:

Supervisor Jacobs waived the reading the Public Hearing Rules and Procedures for the Supervisor presiding over the hearing before the one (1) Public Hearing on the Meeting Agenda. Town Clerk Phillips-Lomb read the following legal notice:

**LEGAL NOTICE:
TOWN OF WALWORTH
SPECIAL MEETING/PUBLIC HEARING**

Notice of Special Meeting and Public Hearing for Town of Walworth Sewer District Special Assessment Rolls for 2020

PLEASE TAKE NOTICE THAT the Town of Walworth will be collecting revenues via special assessments against the Town of Walworth sewer districts to pay for costs of the Town of Walworth’s sewer districts.

PLEASE TAKE FURTHER NOTICE THAT rolls specifying such sewer special assessments, as amended, have been filed with the Walworth Town Clerk where they are available for inspection by the public.

PLEASE TAKE FURTHER NOTICE that a special meeting of the Town Board and public hearing will be had on the Town of Walworth Sewer District Special Assessment Rolls for 2020 on **October 29th at 6:30 p.m.** at the Walworth Town Hall for the purpose of hearing the public in relation to such rolls and any additional business that may come before the Town Board.

All interested persons may be heard at the above time and place.

By Order of the Town Board
Town of Walworth
AIMEE PHILLIPS-LOMB
TOWN CLERK
Dated: October 16, 2020

Supervisor Jacobs declared the Public Hearing opened and asked if anyone present would like to speak in **FAVOR** or **AGAINST**.

Time: 6:35 PM.

Supervisor Jacobs inquired a second time if anyone present would like to speak in **FAVOR** or **AGAINST**. No one wished to comment.

Town Attorney Young explained the process and purpose for the hearing and the basis for the assessments. Clarifying discussion ensued between Mr. Young and members of the Town Board.

There were no comments from the public present or in writing submitted to the Town Clerk.

Motion by Councilman Phillips to close the Public Hearing.
 Seconded by Councilwoman Linson.

There was no discussion among the members of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Time: 6:39 PM.

RESOLUTIONS:

RESOLUTION 148-20: TO ADOPT AND APPROVE THE TOWN OF WALWORTH SEWER DISTRICTS SPECIAL ASSESSMENT ROLLS FOR 2020

Councilwoman Linson offered the Resolution and moved its adoption. Seconded by Councilman Phillips to wit:

WHEREAS, the costs in connection with the Town of Walworth’s sewer districts must be paid for in accordance with law, including in relation to its most recent endeavor to transition from the dated Walworth Treatment Plant in the Town of Walworth to the planned regional treatment plant to be run by the Wayne County Water and Sewer Authority; and

WHEREAS, in connection with the payment of such costs, the Town of Walworth will be collecting revenues via special assessments against the Town of Walworth sewer districts; and

WHEREAS, such special assessments will be imposed based upon the number of equivalent dwelling units (“EDUs”) assigned to each tax parcel, as defined and determined in accordance with the Walworth Town Code; and

WHEREAS, rolls specifying such special assessments have been duly filed with the Walworth Town Clerk; and

WHEREAS, after a public hearing was duly held on such rolls on October 15th, the rolls were amended, and a second public hearing was duly advertised and held on the amended rolls.

NOW, THEREFORE, BE IT, RESOLVED, that the Walworth Town Board hereby adopts and approves the 2020 special assessment rolls for the Town of Walworth sewer districts, as amended; and

BE IT FURTHER RESOLVED, that such rolls be filed with the Town Clerk and transmitted to the Wayne County Board of Supervisors.

Councilman Ambroz asked for the total assessed value of the Sewer Districts Special Tax Rolls, and Supervisor Jacobs stated that it was \$336, 626.40.

Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 149-20: APPROVING INTERMUNICIPAL AGREEMENT BETWEEN TOWNS OF WALWORTH AND MACEDON RELATIVE TO SEWER DISTRICTS

Councilman Phillips offered the Resolution and moved its adoption. Seconded by Councilman Ambroz to wit:

WHEREAS, currently, the Towns of Walworth and Macedon coordinate and cooperate in relation to the operation and maintenance of certain portions of their sewer districts, including in paying for the cost thereof; and

WHEREAS, for many years such cooperation and coordination has been pursuant to a certain intermunicipal agreement; and

WHEREAS, such intermunicipal agreement has expired, but the parties would like to continue in such coordination and cooperation as it relates to those certain portions of the their sewer districts; and

WHEREAS, moreover, the Towns recognize that in the relatively near future they will both be participating in the Wayne County Water and Sewer Authority’s Regional Sewer Plant, which will impact any such coordination and cooperation; and

WHEREAS, therefore, the Towns wish to enter into an updated, interim intermunicipal agreement pertaining to their cooperation and coordination as it relates to certain portions of their sewer districts, which additionally includes and anticipates their participation in the Regional Sewer Plant project; and

WHEREAS, the Attorney for the Town has drafted such intermunicipal agreement, entitled “Intermunicipal Agreement Between Towns of Walworth and Macedon Relative to Sewer Districts.”

NOW, THEREFORE, BE IT RESOLVED, that the Town of Walworth hereby approves such Agreement, and authorizes the Supervisor the execute the same.

Town Attorney Young reviewed the Intermunicipal Agreement with the Board, explaining its background and purpose. Discussion ensued.

Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 150-20: AUTHORIZING TOWN SUPERVISOR TO EXECUTE NECESSARY DOCUMENTS AND AGREEMENTS TO RETAIN FIREFLY ADMIN INC AND TO FACILITATE TRANSITION FOR ACTUARIAL AND THIRD-PARTY LOSAP ADMINISTRATIVE SERVICES

Councilman Ambroz offered Resolution 150-20 and moved its adoption. Seconded by Councilwoman Linson to wit:

WHEREAS, the Town is the sponsor of two (2) separate and distinct Length of Service Award Programs (singularly a “LOSAP” or collectively the “LOSAPs”) on behalf of the Lincoln Volunteer Fire Department and the West Walworth Volunteer Fire Department, each adopted and operated in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, the GML requires the Town to engage the services of an actuary for the purpose of determining the annual amount required to be contributed to the LOSAP trust fund; and

WHEREAS, the Town has solicited a competitive fee quote from a new firm providing actuarial and administrative services for LOSAPs; and

WHEREAS, the Town has determined this firm has the necessary qualifications to provide actuarial and administration services for the two Town-sponsored LOSAPs;

NOW, THEREFORE BE IT RESOLVED, that the Town Board retains Firefly Admin Inc. to be the actuary and to provide third-party administrative services for the LOSAPs, pursuant to their Engagement Letters for the period November 1, 2020 to December 31, 2021.

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the necessary documents and agreements to facilitate the transition.

Discussion ensued, and Councilman Phillips made the motion to amend resolution 150-20 to state “subject to Town Attorney approval”. Councilwoman Linson seconded the motion.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

RESOLUTION 151-20: AUTHORIZING TOWN SUPERVISOR TO EXECUTE NECESSARY DOCUMENTS AND AGREEMENTS TO RETAIN FIREFLY ADMIN INC AND TO FACILITATE TRANSITION FOR ACTUARIAL AND THIRD-PARTY LOSAP ADMINISTRATIVE SERVICES, AS AMENDED

Councilwoman Linson offered Resolution 151-20 and moved its adoption. Seconded by Councilman Phillips to wit:

WHEREAS, the Town is the sponsor of two (2) separate and distinct Length of Service Award Programs (singularly a “LOSAP” or collectively the “LOSAPs”) on behalf of the Lincoln Volunteer Fire Department and the West Walworth Volunteer Fire Department, each adopted and operated in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, the GML requires the Town to engage the services of an actuary for the purpose of determining the annual amount required to be contributed to the LOSAP trust fund; and

WHEREAS, the Town has solicited a competitive fee quote from a new firm providing actuarial and administrative services for LOSAPs; and

WHEREAS, the Town has determined this firm has the necessary qualifications to provide actuarial and administration services for the two Town-sponsored LOSAPs;

NOW, THEREFORE BE IT RESOLVED, that the Town Board retains Firefly Admin Inc. to be the actuary and to provide third-party administrative services for the LOSAPs, pursuant to their Engagement Letters for the period November 1, 2020 to December 31, 2021.

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the necessary documents and agreements to facilitate the transition, subject to Town Attorney approval.

Adopted this 29th day of October, 2020, at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 152-20: FINANCIAL TRANSFERS

Councilman Phillips offered the Resolution and moved its adoption. Seconded by Councilwoman Linson to wit:

October 29th, 2020 TOWN BOARD MEETING

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

\$45.49 transfer from A599 Fund Balance to A1910.42 County Tax CableVision to cover expenses

Adopted this 29th day of October, 2020 at the meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 153-20: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE DOLLAR GENERAL STORM WATER CONTROL FACILITY MAINTENANCE AGREEMENT

Councilman Phillips offered the Resolution and moved its adoption. Seconded by Councilman Bryson to wit:

**STORM WATER CONTROL FACILITY
MAINTENANCE AGREEMENT**

Whereas, the Town of Walworth, having an address of 3600 Lorraine Drive, Walworth, New York 14568 ("Municipality") and Walworth RTS Retail, LLC, having an address of 14600 Detroit Avenue, #1300, Lakewood, Ohio 44107 ("Developer") and McAlpin Associates, LLC, having an address of 7647 Hillside Drive, Victor, New York 14554 ("Facility Owner"), want to enter into an agreement (the "Agreement") to provide for the long term maintenance and continuation of storm water control measures approved by the Municipality for the below named project, and

Whereas, the Municipality, Developer and the Facility Owner desire that the storm water control measures, as shown on the approved project plans prepared by ~~McAlpin Associates, LLC~~ and last dated ~~11/21/2017~~ (the "Plans"), be built in accordance with the Plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components for the property more particularly described on Exhibit A (the "Premises").

Whereas, prior to the recording of this Agreement, Developer has conveyed the Premises, including the Control Measures, to Facility Owner.

Therefore, the Municipality, Developer and the Facility Owner agree as follows:

1. This agreement binds the Municipality and the Facility Owner, its successors and assigns, to maintain the storm water control measures depicted in the Plans (as the same may be amended) which are attached as Schedule A of this Agreement.
2. The Facility Owner shall maintain, clean, repair, replace and continue the storm water control measures depicted in the Plans as necessary to ensure optimum performance of the measures to design specifications. The storm water control measures may include, but shall not be limited to, the following: rain garden, drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices, detention ponds and retention ponds (collectively, the "Control Measures").
3. The Facility Owner shall be responsible for all expenses related to the maintenance of the Control Measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.
4. The Facility Owner shall provide for the periodic inspection of the Control Measures, not less than once in every five year period, to determine the condition and integrity of the Control Measures. The Facility Owner's obligations to inspect the Control Measures under this Section 4 shall commence upon the issuance of the first certificate of occupancy for the project depicted on the plans. Such inspection shall be performed by a Professional Engineer licensed by the State of New York (the "Inspecting Engineer"). The Inspecting Engineer shall prepare and submit to the Municipality within 30 days of each inspection, a written report of the findings including recommendations for those actions necessary for the continued maintenance of the Control Measures. In addition, the Building Inspector for the Town of Walworth shall inspect the Control Measures each year. The Facility Owner shall permit access by the Building Inspector and pay any fees associated with such annual inspection.
5. The Facility Owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the Control Measures except in accordance with written approval of the Municipality.
6. The Facility Owner shall undertake necessary repairs, maintenance or replacement of the Control Measures at the direction of the Municipality or in accordance with the recommendations of the Inspecting Engineer. Such repairs, maintenance or replacement in accordance with the Plans shall not require the approval of the Municipality.
7. The Facility Owner shall cause its tenant to provide to the Municipality within 30 days of the date of this agreement, a security for the maintenance and continuation of the Control Measures in the form of a Bond, letter of credit or escrow account (check the applicable box or remove unused options) for a period of five (5) years.
8. This agreement shall be recorded in the Office of the County Clerk, County of Wayne. If the Control Measures are located on property that is part of a homeowner's or condo association, this Agreement shall be included in the offering plan and/or prospectus.

9. If ever the Municipality determines that the Facility Owner has failed to construct, maintain, clean, repair, replace and continue the Control Measures in accordance with the Plans or has failed to undertake corrective action specified by the Municipality or by the Inspecting Engineer, following written notice to the Facility Owner and Facility Owner's failure to cure such default within 30 days from receipt of said notice, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the Control Measures and to affix the expenses thereof as a lien against the property (including reasonable attorney fees and other administrative costs incurred in executing such a lien); provided however that if the nature of the default is such that it cannot reasonably be cured within such thirty (30) day period, then so long as Facility Owner commences to cure such default within such thirty (30) day period, and, thereafter, diligently, in good faith and expeditiously proceeds to cure such default, Facility Owner shall have a reasonable period of time in which to cure such default before the Municipality may take action under this Section 9.

10. The parties agree and acknowledge that this Agreement shall cover not only the Control Measures set forth on the Plans, but it also shall cover any alterations or modifications to the Plans that may be approved by the Municipality after the execution of this Agreement.

11. This Agreement shall be binding upon, and inure to the benefit of, the respective successors and permitted assigns of the parties.

12. All notices required or permitted hereunder shall be in writing and shall be sent to the parties at the following addresses:

If to the Municipality: Town Supervisor
Town of Walworth
3600 Lorraine Drive
Walworth, New York 14568

If to the Facility Owner: McAlpin Associates, LLC
7617 H Ildale Drive
Victor, NY 14564

If to the Developer: Walworth BTS Retail, LLC
14600 Detroit Avenue, #1500
Lakewood, Ohio 44107

Any such notices may be sent by: (a) certified mail, return receipt requested, or (b) a nationally recognized overnight courier. The above addresses may be changed by written notice to the other party.

13. This Agreement sets forth all of the agreements, conditions, and understandings between the Municipality, Developer and the Facility Owner concerning the maintenance of the Control Measures and supersedes any and all prior agreements and understandings between the parties with respect thereto.

14. This Agreement shall be governed exclusively by the laws of the State of New York, without giving effect to choice of laws or choice of laws rules or principles.

15. Issuance of the first certificate of occupancy for the project depicted on the plans shall be deemed an acknowledgement by the Municipality that the Control Measures have been constructed in accordance with the Plans.

16. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

17. This Agreement may not be amended, changed, modified, altered or terminated, except by an instrument in writing signed by the parties hereto.

18. This Agreement is effective upon full execution by both parties.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

The parties have entered into this Agreement on this ___ day of _____, 201__.

TOWN OF WALWORTH, NY

By: _____
Name: _____
Title: Supervisor

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ___ day of _____ in the year 201__ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Printed Name

My Commission Expires: _____

MCALPINE ASSOCIATES, LLC

By: _____
Name: _____
Title: _____

STATE OF NEW YORK)
COUNTY OF _____) SS.:

On the ____ day of _____ in the year 201__ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Printed Name

My Commission Expires: _____

WALWORTH BTS RETAIL, LLC,

By: _____
Name: Edward J. Kiss
Title: Authorized Signatory

STATE OF OHIO)
COUNTY OF CUYAHOGA) ss:

On the ____ day of _____, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward J. Kiss, Authorized Signatory of Walworth BTS Retail, LLC, a New York limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument and that such individual made such appearance before the undersigned in the City of Lakewood, State of Ohio.

Notary Public

Printed Name

My Commission Expires: _____



BE IT RESOLVED, the Town Supervisor is hereby authorized to sign the Dollar General Storm Water Control Facility Maintenance Agreement.

Councilman Bryson asked the Town Attorney to provide background regarding this resolution. Town Attorney Young reviewed the resolution and explained its purpose. Building Inspector Druschel provided background on the technical purpose behind the resolution.

Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 154-20: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE 2021 HEALTHCARE DOCUMENTS FOR EMPLOYEES/RETIREES

Councilman Ambroz offered the Resolution and moved its adoption. Seconded by Councilman Bryson to wit:

BE IT RESOLVED, the Town Supervisor is hereby authorized to sign the 2021 healthcare documents for Town of Walworth employees/retirees.

Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

RESOLUTION 155-20: TO UPDATE FINAL BUDGET TO REFLECT ADOPTED SEWER TAX ROLLS

Councilman Ambroz offered the Resolution and moved its adoption. Seconded by Councilwoman Linson to wit:

WHEREAS, in connection with the payment of costs associated with Walworth’s planned transition to the regional sewer treatment plant to be run by the Wayne County Water and Sewer Authority, the Town of Walworth has duly advertised, held a public hearing on and adopted the Town of Walworth Sewer District Special Assessment Tax Rolls; and

WHEREAS, for purposes of clarity and completeness, the Town of Walworth wishes to update and revise the Final Budget so that it fully reflects the adopted Town of Walworth Sewer District Special Assessment Tax Rolls, including anticipated receipt of tax revenues therefrom; and

WHEREAS, moreover, while the Town’s general taxes will not be increased so as to exceed the tax cap, the State does count the addition of the Town of Walworth Sewer District Special Assessment Tax Rolls towards the tax cap, and, as such, the Town of Walworth, primarily by reason of the transition to the regional treatment plant and the payment of the related costs associated therewith via the Sewer District Special Assessment Taxes, will exceed the tax cap; and

WHEREAS, the Town has recently been advised that it can expect approximately \$3,777.66 in additional revenues as a result of the County’s effort to charge back omitted taxes.

NOW, THEREFORE, BE IT RESOLVED, that in addition to the below, the Final Budget be updated and revised to include the additional \$3,777.66 in revenues a result of the County’s effort to charge back omitted taxes; and, be it further

RESOLVED, that the Walworth Town Board hereby repeals Resolution 138-20 and reconfirms the adoption of Local Law No. 3 of 2020 to override the tax cap, largely, as per the above, in order to permit the payment of the costs associated with the transition to the regional sewer treatment plant; and, be it further

RESOLVED, that the Town Clerk be directed to clarify with the State of New York the information in the preceding paragraph; and, be it further

RESOLVED, that the Final Budget be hereby updated and revised to include and fully reflect the adopted Town of Walworth Sewer District Special Assessment Tax Rolls, including the anticipated receipt of tax revenues therefrom and expenditure thereof, all in accordance with the attached revised Final Budget, which is made a part hereof and incorporated herein, and which is hereby approved by the Walworth Town Board; and, be it further

RESOLVED, that the Town Clerk and Town Supervisor are hereby authorized and directed to work with the County of Wayne to ensure the Final Budget as approved herein is properly filed and processed by the County; and, be it further

RESOLVED, that Resolution 139-20 is hereby amended to the extent needed so as to effectuate the above.

Town Attorney Young reviewed the resolution and its purpose for the Board. Discussion ensued between Mr. Young and members of the Town Board.

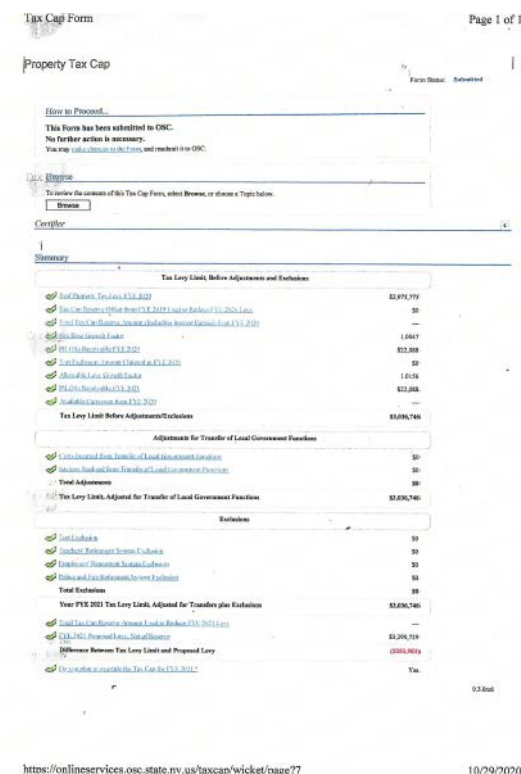
Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

NYSOSC Notification of Filing

Councilman Ambroz made the motion to accept and file the amended NYSOSC Notification of Filing. Councilwoman Linson seconded the motion.



Roll call vote: Councilwoman Linson Aye
 Councilman Bryson Aye
 Councilman Ambroz Aye
 Councilman Phillips Aye
 Supervisor Jacobs Aye

Motion carried.

FAQ FOR TAX COLLECTOR LETTER TO RESIDENTS INSERT

Supervisor Jacobs stated that the Receiver of Taxes and Assessment Office have submitted an insert that they both departments collectively would like to include with the Town of Walworth 2020 tax bills.

RESOLUTION 156-20: TO APPROVE INCLUSION OF INSERT BY RECEIVER OF TAXES AND ASSESSMENT OFFICE WITH TOWN OF WALWORTH 2020 TAX BILL

Councilman Bryson offered the Resolution and moved its adoption. Seconded by Councilman Phillips to wit:

WHEREAS, the Town of Walworth Town Board passed Local Law No. 5 of 2016 – To Permit Insert With Tax Bills Detailing Instructions On Remitting Tax Payment As Well As Online Access To Tax Bills (Resolution 199-16) on October 20, 2016; and

WHEREAS, Section 150-15 (Preauthorization of the Board) of Chapter 154 of the Walworth Town Code states “Any letter insert authorized by this Article must first be approved by Resolution by the Town Board prior to inclusion with the Town tax bill”; and

WHEREAS, the Receiver of Taxes and Assessment Office have produced an insert for approval to be included with the 2020 Town of Walworth tax bill as follows:

FAQs: Senior Tax Exemptions

What are the tax exemptions available for senior citizens (65 and older)?

There are two exemptions available:

- Enhanced STAR (School Tax Relief)
- Senior Partial Tax Exemption (also known as AGED)

What are the differences in these exemptions?

Enhanced STAR	Senior Partial Tax Exemption (AGED)
<ul style="list-style-type: none"> - Off school taxes only - Income limit: \$90,500 - Based on 2019 income tax returns - Two forms: Credit (check back) or Exemption (taken off tax bill) 	<ul style="list-style-type: none"> - Off school, county, and town taxes (depending on income) - Income limit: \$32,400 - Based on 2020 income information - One form: Exemption (taken off tax bill)

<ul style="list-style-type: none"> - Application: One-time application, renewed annually/automatically by NYS 	<ul style="list-style-type: none"> - Application: Yearly renewal application must be filled out to continue receiving
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How do I apply for these?

- Enhanced STAR:

- o If you are currently receiving a STAR check (which means you pay your tax bill in full, and receive a credit in the form of a check later):

You do not need to do anything to receive the Enhanced STAR credit. New York State will automatically move you to this when they verify your age and income.

- o If you are currently receiving the STAR exemption (which means you have an amount deducted from your tax bill):

You need to fill out two forms, the RP-425-E and RP-425-IVP forms. These are available through the Town of Walworth website (under the Assessment Dept), or you can pick these up from our office.

- o These must be filled out and returned to the Assessment Department **by March 1, 2021, along with a copy of your 2019 income tax return (Form 1040 or IT-201) and a copy of your driver’s license.**

- Senior Partial Tax Exemption:

- o You need to fill out the RP-467 form, available online through the Town of Walworth website, or you can pick this up from our office.

- o This must be filled out and returned to the Assessment Department **by March 1, 2021, along with copies of all 2020 year-end income statements.**

Can I mail in or email my application and statements?

Yes! All applications can be mailed to the Assessment Dept. at 3600 Lorraine Drive, Walworth 14568.

You can also email the applications to assessor@townofwalworthny.gov or assessorasst@townofwalworthny.gov.

BE IT RESOLVED, the Town Board hereby approves the inclusion of the insert by the Receiver of Taxes and Assessment Office with the 2020 Town of Walworth tax bill.

Adopted this 29th day of October, 2020 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Resolution carried.

CORRESPONDENCE:

- **Town of Walworth Wastewater Treatment Plant Monthly Report, October 2020**
- **Irrevocable Standby Letter of Credit from Lehrwood Estates, LLC dated October 23, 2020, in the amount of \$1,300,000.00**

Motion by Councilwoman Linson to accept and file. Seconded by Councilman Phillips.

_____ Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

- **2021 Proposed Water Rates, Wayne County Water & Sewer Authority, dated October 28, 2020**

Motion by Councilman Ambroz to accept and file. Seconded by Councilman Bryson.

_____ Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Councilman Phillips requested an update from Norm Druschel on the Lehrwood Estates Subdivision project. Mr. Druschel provided an update on the project’s progress as well as a tentative schedule on progress for the next year.

Town Attorney Young also shared with the Town Board that Orchard View Estates is in the process of being sold.

Supervisor Jacobs encouraged the public to attend the next meeting of the Town Board on November 5, 2020 at 6:30 PM in person or via Facebook Live, as there will be a presentation by Martin Aman, Executive Director of the Wayne County Water & Sewer Authority pertaining to the Regional Wastewater Treatment Plant project.

EXECUTIVE SESSION:

Motion by Councilman Bryson to enter into executive session to discuss the proposed acquisition/sale/lease of real property when publicity might affect value.

Seconded by Councilman Phillips.

Town Clerk Phillips-Lomb, Town Attorney Young and Norm Druschel were asked to remain in the executive session.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Time: 7:35 PM

At 7:55 PM, Councilwoman Linson made the motion to move into attorney client privilege. Supervisor Jacobs seconded the motion.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

RECONVENE:

Councilman Ambroz made the motion to reconvene the meeting. Councilwoman Linson seconded the motion.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Time: 8:59 PM

ADJOURNMENT:

Motion by Councilman Bryson to adjourn. Seconded by Councilwoman Linson.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Ambroz	Aye
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Time: 8:59 PM

Respectfully Submitted,

Aimée Phillips-Lomb
Town Clerk