

Presiding Supervisor Jacobs called the Town Board Regular Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 7:00 PM and led the reciting of the Pledge of Allegiance.

PRESENT:

Susie Jacobs	Supervisor
Larry Ruth	Councilman
Vaughn Pembroke	Councilman
Cody Phillips	Councilman
Timothy Vendel	Highway Superintendent
Aimée Phillips	Town Clerk

ABSENT:

Karel Ambroz	Councilman
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OTHERS PRESENT: Jacqueline VanLare, Parks and Recreation Director; Teresa Maioli, Clerk To The Supervisor; Amber Linson, Councilwoman-Elect; two (2) Town Newspaper Reporters and eight (8) attendees.

At 7:01 PM, prior to commencing the business portion of the meeting, Supervisor Jacobs invited those in attendance into the foyer for the annual Town Hall Celebration of Holiday Lights. Light refreshments were provided. The meeting reconvened at 7:21 PM.

Supervisor Jacobs stated that an amendment was needed to be made to the agenda as a resolution had been listed that was not necessary concerning the appointment of Mr. Eugene Bavis as Town Historian. She cited that Arts and Cultural Affairs Law 57-07 states that a supervisor is required to appoint a local historian who serves at the pleasure of the Supervisor annually, therefore Town Board approval by resolution is not required.

Councilman Phillips made the motion to amend the agenda to reflect this change. Seconded by Councilman Ruth.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilman Ambroz	Absent
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

MINUTES

November 21, 2019 Special Meeting

Motion by Councilman Ruth that the minutes of November 21, 2019 Special Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Phillips.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Abstain (due to absence at previous meeting)
	Councilman Ambroz	Absent
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

November 21, 2019 Regular Meeting

Motion by Councilman Ruth that the minutes of November 21, 2019 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Phillips.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Abstain (due to absence at previous meeting)
	Councilman Ambroz	Absent
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

PRIVILEGE OF THE FLOOR

Highway Superintendent Tim Vendel thanked the Town Board members for the opportunity to work with them and wished all a safe and happy holiday. He thanked Councilmen Ruth and Pembroke for their years of service and welcomed the newly elected Board members to their positions.

ELECTED OFFICIAL REPORTS:

TOWN CLERK – No report.

HIGHWAY SUPERINTENDENT

Highway Superintendent Vendel stated that the Highway Department had completed 9 snowplow runs, and he commended his department for its dedication and hard work.

COMMITTEE / LIAISON REPORTS:

COUNCILMAN PEMBROKE – No report.

COUNCILMAN RUTH – No report.

COUNCILMAN PHILLIPS

Councilman Phillips reminded those present that this weekend is the Light The Night event in Ginegaw Park. Parks and Recreation Director Jackie VanLare shared that there will be refreshments and many activities for families to enjoy and invited all to attend.

COUNCILMAN AMBROZ – No report.

SUPERVISOR JACOBS

Supervisor Jacobs stated that the grout and tiles in the Town Hall foyers had been repaired. She also stated that she is gathering the last pieces of information for the completion of the 2020 insurance policy. Additionally, she informed the Board that the contract with the Wayne County Humane Society is currently in review and will be discussed at the next meeting of the Town Board.

COMMUNICATION:

Planning and Zoning Board Continuing Education Certificate, 2019.

Planning & Zoning Board Training for 2019

Planning Board

Elaine Leasure

1/10/2019	Planning Board Overview	NY Dept of State-Webinar	2.0
5/17/2019	Spring Government Workshop	Genessee/Fingler Lakes, Pittsford	6.0
6/6/2019	Sexual Harassment Training	Walworth Town Hall	

Richard Johnson

5/17/2019	Spring Government Workshop	Genessee/Fingler Lakes, Pittsford	5.75
6/6/2019	Sexual Harassment Training	Walworth Town Hall	

Lou Villanova

5/17/2019	Spring Government Workshop	Genessee/Fingler Lakes, Pittsford	5.75
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Dennis Landry

5/17/2019	Spring Government Workshop	Genessee/Fingler Lakes, Pittsford	5.75
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Zoning Board

Michael Kunzer

10/1/2019	Flood Plain Regulation	Wayne & Seneca Co Planning Dept	2.0
10/1/2019	Regulating Telecommunication Fac.	Wayne & Seneca Co Planning Dept	2.0
10/1/2019	Spot Zone or Grant the Illegal Use Variance	Wayne & Seneca Co Planning Dept	1.0

Charles Buss

11/29/2019	Zoning Board Overview	NY Dept of State-Webinar	1.5
11/29/2019	Planning Board Overview	NY Dept of State-Webinar	1.5

Becky Appleman

5/17/2019	Spring Government Workshop	Genessee/Fingler Lakes, Pittsford	6.0
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Tiffany Paine-Cirincione

11/15/2019	Fall Government Workshop	Genessee/Fingler Lakes, Batavia	7.5
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Marlene Hall

1/10/2019	Planning Board Overview	NY State Dept of State Webinar	2.0
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Susie,

Good afternoon. As a resident of Walworth I wanted to be assured that you have been given correct information. This is after reading the article in the paper.

Here is some information and I also included a sheet from the State Comptrollers website. There is a webinar on October 9th from 11 to 12 regarding the tax cap. I will be watching this to see if the law has changed. Unfortunately I am unable to attend the Public Hearing.

My local government adopted legislation to override the tax levy limit, but the adopted budget contains a tax levy within the allowable tax levy limit. How can we repeal the override legislation so that taxpayers are eligible for tax freeze credits?

Where the governing board of a local government has enacted a local law or resolution to override the tax levy limit for the coming fiscal year, and the adopted budget for the coming fiscal year contains a tax levy within the allowable tax levy limit, the local government must repeal the override local law or resolution in order qualify its residents for tax freeze credits.

The override legislation can only be repealed by legislation of "equal dignity". In other words, if the local government (counties, cities, towns and villages) had to adopt a local law to override the tax levy limit, then it must adopt a local law in order to repeal the override.


The repeal local law is subject to the same requirements as all other local laws (e.g., public hearing, filing with the Secretary of State). Five districts and others override the tax levy limit by adopting a resolution and, therefore, may adopt a resolution to repeal the override.

What are the time constraints, if any, for adopting the repeal local law?

Consistent with guidance issued by the Department of Taxation and Finance relating to the adoption of a local law to override the tax levy limit, the local law to repeal the override of the tax levy limit must be adopted before the local government certifies as tax freeze compliant.

The certification must be made no later than the 21st day of the fiscal year to which it applies.

Thank you and have a wonderful day.


Valarie J. Fowler
1473 Walworth Penfield Road
Walworth, New York 14568

Town Supervisor's Office
Supervisor Susie Jacobs
3600 Lorraine Drive
Walworth, New York 14568

Mrs. Jacobs,

I had written you a letter after reading the article in the paper. I felt that I should write again to let you know that I talked to the State Comptroller's office. I am happy to say that the information I got from them showed that your office was correct regarding the Tax Cap. Going over the Tax cap does not affect the money coming back to residents. It was informative calling them and finding out what the guidelines are for the tax cap and the fact that the tax freeze credit no longer affects the Towns.

Have a wonderful day.

Sincerely,


Valarie J. Fowler

Councilman Ruth made the motion to receive and file. Seconded by Councilman Pembroke.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilman Ambroz	Absent
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Prior to the adjournment of the meeting, Councilman Phillips inquired as to the reasoning behind providing an explanation for a Town Board member's abstention on a vote. Supervisor Jacobs stated that she had directed Town Clerk Phillips to research this, and a reason needs to be given as a Board member cannot simply abstain without a reason. Town Clerk Phillips stated that an abstention is appropriate in the event of an absence or with a lack of knowledge on an item being discussed or on which a vote was being cast. Supervisor Jacobs also stated that a Board member must recuse oneself from a discussion and a vote should it be a conflict of interest.

ADJOURNMENT:

Motion by Councilman Phillips to adjourn. Seconded by Councilman Pembroke.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilman Ambroz	Absent
	Councilman Phillips	Aye
	Supervisor Jacobs	Aye

Motion carried.

Time: 7:37 PM

Respectfully Submitted,

Aimee Phillips
Town Clerk