

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 at 6:34 PM, and led those present in the recitation of the Pledge of Allegiance.

<u>PRESENT:</u>	Susie Jacobs	Supervisor
	Scott Bryson	Councilman
	Amber Linson	Councilwoman
	Aimée Phillips-Lomb	Town Clerk
	Timothy Vendel	Highway Superintendent

<u>ABSENT:</u>	Cody Phillips	Councilman
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OTHERS PRESENT: Donald Young, Esq., Town Attorney (via telephone); Teresa Flye, Clerk to the Supervisor; Jenna Camacho, Deputy Town Clerk; Gene Bavis, Walworth Town Historian; and seven (7) members of the public.

Prior to the business portion of the meeting, Supervisor Jacobs read the following statement:

Let me begin by saying that its difficult to discuss troubling issues that affect our small community. Recently, two of our Town Board Members were arrested within 10 days of each other in two separate cases. These cases are still working through the justice system.

One individual resigned his Town Council seat immediately on July 15th. On July 18th and several times more recently, I spoke with Councilman Cody Phillips and asked him to resign his seat on our town board. Councilman Phillips declined to tender his resignation.

I have heard from many residents in our town that feel they should have the right to vote to fill the currently vacant seat in the November election.

Your town board continues to accomplish the work that is in front of them in a timely manner. Your hardworking town-hall staff are providing excellent service to our community and operations and programs are continuing to run smoothly.

MINUTES

Motion by Councilman Bryson that the minutes of July 15, 2021 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

Motion by Councilwoman Linson that the minutes of July 29, 2021 Special Meeting – 4:00 PM are approved as submitted by the Town Clerk. Seconded by Councilman Bryson.

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

Motion carried.

Motion by Councilwoman Linson that the minutes of July 29, 2021 Special Meeting – 6:00 PM are approved as submitted by the Town Clerk. Seconded by Councilman Bryson.

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

Motion carried.

Motion by Councilwoman Linson that the minutes of August 3, 2021 Special Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Bryson.

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

Motion carried.

Motion by Councilman Bryson that the minutes of August 10, 2021 Special Meeting are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

Motion by Councilman Bryson that the minutes of August 12, 2021 Special Meeting are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

ELECTED OFFICIALS’ REPORTS (Highway, Town Clerk, Justice, Receiver of Taxes):


The Supervisor’s Report for the month of July 2021 was submitted to the Town Board.

Motion by Councilwoman Linson to accept the Supervisor’s Report for the month of July 2021. Seconded by Councilman Bryson.

MONTHLY REPORT OF SUPERVISOR

TO THE TOWN BOARD OF THE TOWN OF WALWORTH:

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of July, 2021.

DATED: August 2, 2021  SUPERVISOR

	Balance 06/30/21	Increases	Decreases	Balance 07/31/21
A GENERAL FUND				
CASH IN CHECKING	320,000.00	140,531.20	140,531.20	320,000.00
CASH IN SAVINGS	577,036.94	504,779.85	140,897.20	940,915.59
MONEY MARKET ACCT	666,142.07	113.82	0.00	666,255.89
PETTY CASH	820.00	0.00	0.00	820.00
HIGHWAY BUILDING REPAIR/ALTERA	79,163.04	13.45	0.00	79,176.49
BLDG EQUIPMENT/SOFTWARE	2,047.25	0.01	0.00	2,047.26
TOWN CLERK EQUIPMENT RESERVE	3,129.16	0.53	0.00	3,129.69
COMPUTER EQ RESERVE SAVINGS	71,140.40	12.00	0.00	71,152.56
TOWN HALL CAPITAL RESERVE	245,256.39	41.66	0.00	245,298.05
DOG ENHANCEMENT RESERVE FUND	4,011.04	0.68	0.00	4,011.72
EMPLOYEE BENEFIT RESERVE	1,977.93	0.34	0.00	1,978.27
PARK EQ RESERVE SAVINGS	95,515.84	16.22	0.00	95,532.06
RETIREMENT CONTRIBUTION RESERV	10,106.29	1.72	0.00	10,108.01
HAMLET SIDEWALK RESERVE FUND	27,779.30	4.72	0.00	27,784.02
RESERVE FOR RECORDS MANAGEMENT	60,792.21	10.33	0.00	60,802.54
TOTAL	1,964,915.94	645,522.61	281,428.40	2,329,010.15
CM1- PARK SPECIAL REVENUE FUND				
CASH - CHECKING	0.00	1,880.11	1,880.11	0.00
CASH - SAVINGS	85,729.77	925.00	1,880.11	84,764.66
TOTAL	85,729.77	2,795.11	3,760.22	84,764.66
CM6- CEMETERIES				
CHECKING	0.00	2,000.00	2,000.00	0.00
CASH - SAVINGS	22,050.20	0.00	2,000.00	20,050.20
TOTAL	22,050.20	2,000.00	4,000.00	20,050.20
DA HIGHWAY FUND				
CASH IN CHECKING	120,000.00	53,855.95	53,855.95	120,000.00
CASH IN SAVINGS	826,149.49	8,145.50	53,855.95	780,459.04
MONEY MARKET ACCT	542,435.76	92.14	0.00	542,527.90
EMPLOYEES BENEFITS RESERVE	6,574.91	1.12	0.00	6,576.03
MACHINERY RESERVE SAVINGS	237,235.65	40.30	0.00	237,275.95
RETIREMENT CONTRIBUTION RESERV	10,106.29	1.72	0.00	10,108.01
TOTAL	1,742,502.10	62,156.73	107,711.90	1,696,946.93
L LIBRARY FUND				
	0.00	0.00	0.00	0.00

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MONTHLY REPORT OF SUPERVISOR

	Balance 06/30/21	Increases	Decreases	Balance 07/31/21
TOTAL	0.00	0.00	0.00	0.00
MS SKLF INSURANCE FUND				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	2,636.33	0.45	0.00	2,636.78
TOTAL	2,636.33	0.45	0.00	2,636.78
SD1- WALWORTH CONSOLIDATED				
CASH IN CHECKING	0.00	652.70	652.70	0.00
CASH IN SAVINGS	140,015.42	0.00	652.70	139,362.72
TOTAL	140,015.42	652.70	1,305.40	139,362.72
SD2- CRYSTAL CREEK DRAINAGE				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	2,319.73	0.00	0.00	2,319.73
CRYSTAL CREEK DRAINAGE RES SAV	6,713.23	5.14	0.00	6,714.37
TOTAL	9,032.96	5.14	0.00	9,034.10
SP1- WALWORTH FIRE DISTRICT				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SP2- WEST WALWORTH FIRE PROTECTION				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	19,356.77	3.29	0.00	19,360.06
TOTAL	19,356.77	3.29	0.00	19,360.06
SP3- LINCOLN FIRE PROTECTION				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	48,067.65	8.16	0.00	48,075.81
TOTAL	48,067.65	8.16	0.00	48,075.81
SL1- WALWORTH LIGHT DISTRICT				
CASH IN CHECKING	0.00	278.61	278.61	0.00
CASH IN SAVINGS	17,104.17	0.00	278.61	16,825.56
TOTAL	17,104.17	278.61	557.22	16,825.56
SL2- HARVEST HILL LIGHT DISTRICT				
CASH IN CHECKING	0.00	547.22	547.22	0.00
CASH IN SAVINGS	10,507.16	0.00	547.22	9,959.94
TOTAL	10,507.16	547.22	1,094.44	9,959.94
SL3- GANANDA LIGHT DISTRICT				
CASH IN CHECKING	0.00	1,160.41	1,160.41	0.00
CASH IN SAVINGS	20,577.92	0.00	1,160.41	19,417.51

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MONTHLY REPORT OF SUPERVISOR

	Balance 06/30/21	Increases	Decreases	Balance 07/31/21
TOTAL	20,577.92	1,160.41	2,320.82	19,417.51
SL4- BROOKSIDE LIGHT DISTRICT				
CASH IN CHECKING	0.00	10.79	10.79	0.00
SEMI ANNUAL RESERVE	831.81	0.00	10.79	821.02
BROOKSIDE REPAIR RESERVE	4,712.34	0.00	0.00	4,712.34
TOTAL	5,305.81	10.79	21.58	5,195.82
SL5- ORCHARD VIEW LIGHT DISTRICT				
CASH - CHECKING	0.00	111.11	111.11	0.00
CASH - SAVINGS	6,631.86	0.00	111.11	6,520.75
TOTAL	6,631.86	111.11	222.22	6,520.75
SM GANANDA SIDEWALK DISTRICT				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	38,956.41	0.00	0.00	38,956.41
TOTAL	38,956.41	0.00	0.00	38,956.41
SP JOHN'S PARK DISTRICT				
CASH - SAVINGS	0.00	0.00	0.00	0.00
	3,784.29	0.00	0.00	3,784.29
TOTAL	3,784.29	0.00	0.00	3,784.29
SS WALWORTH SEWER DISTRICT #1				
CASH IN CHECKING	0.00	35,217.93	45,217.93	0.00
CASH IN SAVINGS	110,248.98	140,479.87	78,354.95	172,373.90
MONEY MARKET	113,801.49	34,017.85	0.00	147,819.34
PETTY CASH	100.00	0.00	0.00	100.00
SEWER DIST BUILDING RESERVE	202,686.04	34.43	0.00	202,720.47
SEWER EQ RESERVE SAVINGS	128,475.90	21.82	0.00	128,497.72
SEWER CAPITAL RESERVE	528,507.94	89.77	0.00	528,597.71
TOTAL	1,083,820.35	228,814.67	124,432.18	1,188,202.84
SW1- WALWORTH WATER DISTRICT #1				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	38,460.53	0.00	0.00	38,460.53
SPECIAL RESERVE, WATER STORAGE	2,319.97	0.06	0.00	2,319.63
TOTAL	40,780.10	0.06	0.00	40,780.16
SW19- WATER EXT #19 LIN/SWA/CO				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	2,990.43	0.00	0.00	2,990.43
TOTAL	2,990.43	0.00	0.00	2,990.43
SW20- WATER EXT #20 ARBOR/TUMACACI				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	56.16	0.00	0.00	56.16

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MONTHLY REPORT OF SUPERVISOR				
	Balance 06/30/21	Increase	Decrease	Balance 07/31/21
VA TRUST FUND	TOTAL 56.16	0.00	0.00	56.16
CASH	85,061.30	166,982.57	169,375.13	82,668.74
TOTAL	85,061.30	166,982.57	169,375.13	82,668.74
9 DEBT SERVICE	0.00	0.00	0.00	0.00
ARROW/TOWNHDS RESERVE SAVINGS	10,903.17	1.85	0.00	10,905.02
LIN/SWAD RESERVE SAVINGS	14,433.85	2.79	0.00	14,436.64
TOTAL	25,337.06	4.64	0.00	27,341.70
TOTAL ALL FUNDS	5,377,120.16	1,111,051.07	696,229.51	5,791,941.72

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

Motion carried.

TOWN CLERK

The Town Clerk’s Report for the month of July 2021 was submitted to the Town Board.

Motion by Councilman Bryson to accept the Town Clerk’s Report for the month of July 2021.
 Seconded by Councilwoman Linson.

TOWN CLERK'S MONTHLY REPORT			
TOWN OF WALWORTH, NEW YORK		JULY, 2021	
TO THE SUPERVISOR:		PAGE 1	
Pursuant to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the month stated above, excepting only such fees and moneys the application and payment of which are otherwise provided for by Law:			
A1255	1	DECALS	24.30
	9	MARRIAGE LICENSES NO. 21016 TO 21025	157.50
	3	MISCELLANEOUS	125.00
	5	B/D/M RECORDS SEARCH	170.00
TOTAL TOWN CLERK FEES			476.80
A2001	4	RECREATION	486.00
TOTAL A2001			486.00
A2089	1	OTHER REC REVENUES	512.04
TOTAL A2089			512.04
A2115	3	PB REVIEW FEES/OTHER	1,325.00
TOTAL A2115			1,325.00
A2544	106	DOG LICENSES	1,038.00
TOTAL A2544			1,038.00
A2555	33	BUILDING PERMITS	2,210.00
TOTAL A2555			2,210.00
CM2089	4	PARK EXPENDABLE TRUST	610.00
TOTAL CM2089			610.00
TA30A	7	ESCROW - BLDG PERMITS	1,200.00
TOTAL TA30A			1,200.00

TOWN CLERK'S MONTHLY REPORT

JULY, 2021

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DISBURSEMENTS	
PAID TO SUPERVISOR FOR GENERAL FUND	✓ 6,023.54
DECALS SEPARATE MONTHLY REPORT	✓ 24.30
PAID TO SUPERVISOR FOR BUILDING PERMIT ESCROWS	✓ 1,200.00
PAID TO SUPERVISOR FOR CEMETERY/PARK EXPENDABLE	✓ 610.00
DECALS SEPARATE MONTHLY REPORT- EFT	415.70
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	130.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	202.50
TOTAL DISBURSEMENTS	8,666.04

AUGUST 3, 2021

Stacie C. Jacobs
Stacie C. Jacobs, SUPERVISOR

STATE OF NEW YORK, COUNTY OF WAYNE, TOWN OF WALWORTH

I, Aimee Phillips, being duly sworn, says that I am the Clerk of the TOWN OF WALWORTH and that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and sworn to before me this

3rd day of August 2021

Teresa M. Flye
Teresa M. Flye
Notary Public

[Signature]
Town Clerk



COPY

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

Motion carried.

RECEIVER OF TAXES – No report.

HIGHWAY SUPERINTENDENT

Highway Superintendent Vendel reported that there had been culvert work completed on Swadling Road and milling will take place on Heatherbrook, Dewberry and other roads in that area soon, followed by paving the week of August 30, 2021. Supervisor Jacobs thanked Highway Superintendent Vendel and the Highway Department for the recent milling work done on the driveway to Sherburne Park.

JUSTICE COURT - No report.

COMMITTEE / LIAISONS' REPORTS

COUNCILMAN BRYSON

Councilman Bryson reported that, as of August 16, the Library is requiring visitors to wear a mask, regardless of vaccination status and stated that the summer reading program is going well and will end on August 21, 2021. He shared that bids had been accepted for the expansion project, but all bids came in too high, so the Library Board is now in the process of reviewing its options. Councilman Bryson informed those present that the Recreation Department's Town Topics publication will be coming out the next week, and that there will be a vaccine clinic at the Farmer's Market the following week as well. Finally, he shared that August 27, 2021 will be the final concert in the summer concert series.

COUNCILWOMAN LINSON

Councilwoman Linson shared that the Walworth Historical Society now, with the aid of the Town of Walworth, has a dedicated phone line and stated that the next meeting will be held at the Lodge on September 20, 2021. Councilwoman Linson also read the following statement:

For the record, I would like to formally request the resignation of Councilman Phillips from this Board. As Mr. Phillips attends to the personal matter of his arrest, it is my opinion, as concluded by the apparent absence of Mr. Phillips from every meeting, including this evenings, since said arrest, that he is no longer able to effectively fulfill the duties of being an elected representative for this town.

Furthermore, as we move into the budget season, continue discussions regarding the regional sewer plant, continue working on code updates, and focus on the overall stability of this town, I urge my fellow Board members to consider filling the empty seat. I will further remind you that a majority vote is three, not two, and if under the current conditions of the board, one of us disagrees with the other two we will not have forward movement on important matters that come before us. I have put forward former Highway Superintendent Mike Frederes for this temporary role, and welcome consideration for candidates that either of you choose to put forward as well. We could, as suggested, wait for the November election, however under the current circumstances it appears that action sooner than later will better benefit the town. The public expects stability within our town's government and it is our duty to ensure that stability.

Thank you.

COUNCILMAN PHILLIPS – No report.

SUPERVISOR JACOBS

Supervisor Jacobs shared the following with those present:

- The Board has been working diligently on the Town Code update and is making great progress. As soon as a draft becomes available, it will be posted on the Town's website, if possible.
- A Town-wide clean up will take place for Walworth residents on September 24 and 25, 2021 at the park on Lewis Road. Proof of residency will be required.
- The 2022 Budget planning process is beginning, and budget meeting dates are on the Town's website. Supervisor Jacobs encouraged community members to participate in the process by volunteering to be on the Budget Committee. Those interested may contact her directly.

RESOLUTIONS:

RESOLUTION 96-21: BUDGET AMENDMENTS

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

August 19, 2021 TOWN BOARD MEETING

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

\$1,140.00 from A599 Fund Balance to A7510.42 Historical Markers to cover expenses.

\$100,000.00 from DA231 Combined Capital to DA201 Combined Savings to cover expenses.

\$100,000.00 from DA599 Fund Balance to DA5130.21 Highway Sweeper to cover expenses.

\$112,895.00 from DA599 Fund Balance to DA5130.21 Highway Sweeper to cover expenses.

\$512.04 from A599 Fund Balance to A7310.46 Field Maintenance to cover expenses. Originally deposited in A2089 Other Recreation Revenues

Adopted this 19th day of August, 2021 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 97-21: ABSTRACT 8, APPROVAL

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

To: Walworth Town Board

From: Cheri LeMay-Town Comptroller

Date: 19-Aug-21

Re:

Abstract #8

Attached please find a copy of the Abstracts by Fund. I have audited

all claims and will be transferring funds to cover payments by Fund as follows:

Voucher Numbers 1108-1273

A	General Fund	\$86,397.80
DA	Highway Fund	\$283,800.07
	Sewer	
SS	Fund	\$49,109.57
CM1	Park Special Revenue Fund	\$467.30
SD1	Walworth Consolidated Drainage	\$0.00
SL1	Walworth Light District	\$249.08
	Harvest Hill Light	
SL2	District	\$517.00
SL3	Gananda Light District	\$1,137.75
SL4	Brookside Light District	\$8.68
SL5	Orchard View Light District	\$85.76
SM	Gananda Sidewalk District	\$0.00
CM6	Cemeteries	\$0.00
SP	John's Park District	\$0.00
MS	Unemployment Self Insured Fund	\$0.00
SW19	Water Ext #19	\$0.00
SW20	Water Ext #20	\$0.00
L	Library	\$0.00
SF3	Lincoln Fire Dept	\$0.00
SF2	West Walworth Fire Dept	\$0.00
SD2-	Crystal Creek	\$0.00
	Total Payments	\$421,773.01

Voucher Number 117-120 then 125-131

Trust & Payroll	\$46,160.80
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Checks will be issued August 19, 2021

Checks Reviewed Prior To Mailing 08/19/2021 _____

Adopted this 19th day of August, 2021 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 98-21: ACKNOWLEDGING THE APPOINTMENT OF SCHOOL DISTRICT OFFICERS BY THE GANANDA CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE TERM BEGINNING JULY 1, 2021 THROUGH JUNE 30, 2022

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

WHEREAS, the Town of Walworth acknowledges §37 of Town Law, collection of school taxes in first class towns is the duty of the Town Receiver of Taxes and Assessments unless it is conveyed by Town Board Resolution to the Tax Collector appointed by the Board of Education; and

WHEREAS, a School District Treasurer may also be appointed by a Board of Education;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Mrs. Kathryn Johnson as School Tax Collector and Ms. Staci Harrison as School District Treasurer for the portion of Walworth within the Gananda Central School District for 2021-2022.

Councilman Bryson inquired as to the impact of the revaluation on the school taxes for this year. Discussion ensued regarding process, timetable and potential impact.

Adopted this 19th day of August, 2021 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 99-21: ACKNOWLEDGING THE APPOINTMENT OF SCHOOL DISTRICT OFFICERS BY THE WAYNE CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE 2021-2022 SCHOOL YEAR

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

WHEREAS, the Town of Walworth acknowledges §37 of Town Law, collection of school taxes in first class towns is the duty of the Town Receiver of Taxes and Assessments unless it is conveyed by Town Board Resolution to the Tax Collector appointed by the Board of Education; and

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Mrs. Debra DeMinck as School Tax Collector the portion of Walworth within the Wayne Central School District for 2021-2022.

Adopted this 19th day of August, 2021 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 100-21: CORRECTING SEWER DISTRICT EXTENSION NUMBER FOR LEHRWOOD ESTATES SUBDIVISION TO SEWER DISTRICT EXTENSION #12

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

WHEREAS, on June 17, 2021, the Town Board passed Resolution 89-21 establishing a sewer district extension to service the Lehrwood Estates Subdivision; and

WHEREAS, said sewer district extension was designated as sewer district extension #9; and

WHEREAS, subsequently, it was discovered that, in fact, the correct number for the extension is #12; and

WHEREAS, the Town Board would like to correct this error.

NOW, THEREFORE, BE IT RESOLVED, that the sewer district extension servicing Lehrwood Estates Subdivision is hereby designated as Sewer District Extension #12, and that Resolution 89-21 be and is hereby revised to refer to said Sewer District Extension as Sewer District Extension #12 (instead of #9).

Adopted this 19th day of August, 2021 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 101-21: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE NEW YORK STATE SNOWMOBILE GRANT-IN-AID PROGRAM LANDOWNERS PERMISSIONS FORM

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

The following was submitted:

Other Landowner or Administrator Permissions:
(Ex. NYS OPRHP, US Forest Service, etc.)

SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION 2020 – 2021

Where land owned or administered by any agency other than DEC, DOT, or a private landowner is impacted, the following statement must be signed by the respective landowner/administrator and by the TME or local sponsor*. OPRHP reserves the right to request a copy of any applicable permit, agreement, or other relevant documentation required by the landowner. Submit one copy of this form for each landowner/agency. If a TME and/or local sponsor signs this form and OPRHP later discovers that permission was not granted or necessary permits or agreements were not current and valid, funding for the trail(s) in question may be affected and this may be grounds for denial of future trail requests.

If the "Other Public Agency" line on the Landowner Permissions form (Page 37) has a number greater than zero, a copy of this form must be completed and submitted for each impacted landowner/agency. If the line reads zero, do not complete or submit this form.

I, Susie C. Jacobs of Town of Walworth have received and approved this
(name) (please print or type agency name)

application for the use and maintenance of snowmobile trails by Webster Ridge Runners
TME/Local Sponsor

on property under the ownership/management of this agency. This permission is valid for the period of time covering April 1, 2020 through March 31, 2021.

This is approved provided the following stipulations and conditions are met:

1. The trails may be maintained/groomed and used for snowmobiling only - no development or construction allowed.
2. The Town be named as an additional insured satisfactory to Town's insurer, and proof provided, prior to trail use.
3. That this permission may be unilaterally changed or revoked at any time for any reason by the Town.
4. That the trails may only be used when sufficient snow is present, and
5. Any damaged caused by snowmobiling must be promptly repaired by the Webster Ridge Runners.

Signature _____ (Date) _____
(Authorized Agency Representative Signature and Title) (Date)

Signature _____ (Date) _____
(TME or Local Sponsor Signature and Title) (Date)

* It is incumbent upon the TME to obtain permission and permits or agreements. However, if the sponsor chooses to represent the TME(s) within his/her county and obtain all necessary permissions, permits, and agreements, they may do so.

REV. 4/18

THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to sign the Landowners Permissions form for the New York State Snowmobile Grant-In-Aid Program.

Adopted this 19th day of August, 2021 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 102-21: ORDER AND PUBLIC HEARING NOTICE FOR ESTABLISHMENT OF SIDEWALK DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION

Councilman Bryson offered Resolution 102-21 and moved its adoption. Seconded by Councilwoman Linson to wit:

WHEREAS, a petition dated August 12, 2021, (the “Petition”), has been duly presented to the Walworth Town Board requesting that a sidewalk district, as hereinafter described, be established in the Town, and

WHEREAS, the purpose of the proposed sidewalk district is to serve those lands comprising the “Lehrwood Estates” subdivision, comprising 98 residential home lots on approximately 76 acres, the boundaries of such district generally including those lands comprising the “Lehrwood Estates” subdivision, said subdivision being bisected by Mildahn Rd., bordered on the north side by Gananda Parkway (Country Road 205A) and the south side by Macedon Town line, all as more particularly described in the Map, Plan and Report, entitled “Lehrwood Sidewalk District Map, Plan and Report” (the “Map, Plan and Report”), dated May 18, 2021 and on file with the Walworth Town Clerk where it is available for public review, by providing sidewalks; and

WHEREAS, the improvements proposed in said district comprise approximately 4,170 linear feet of 5’ wide sidewalk, all as more particularly described in the Map, Plan and Report; and

WHEREAS, the maximum amount proposed to be expended for the capital cost of the District improvements as stated in the said Petition is \$0, as the improvements will be constructed by the developer and not the Town; and

WHEREAS, while the capital cost incurred as a result of construction of these improvements to this District Extension is \$0, since they will be paid for and constructed by the developer, the overall annual cost to a typical property is expected to be approximately \$20.00, such cost generally comprising maintenance/repair/upkeep costs.

NOW, THEREFORE, BE IT, ORDERED, that the Walworth Town Board shall meet at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY on September 9th at 6:30 p.m., to consider said petition and hear all persons interested in the subject thereof, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a certified copy of this order in the newspaper, and to post a copy of same in manner required by law.

Discussion ensued regarding the plowing of the sidewalks, and it was determined that the responsibility would not fall on the Town to plow the sidewalks in this sidewalk district.

Adopted this 19th day of August, 2021, at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 103-21: ORDER AND PUBLIC HEARING NOTICE FOR ESTABLISHMENT OF LIGHTING DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION

Councilwoman Linson offered Resolution 103-21 and moved its adoption. Seconded by Councilman Bryson to wit:

WHEREAS, a petition dated August 12, 2021, (the “Petition”), has been duly presented to the Walworth Town Board requesting that a lighting district, as hereinafter described, be established in the Town, and

WHEREAS, the purpose of the proposed lighting district is to serve those lands comprising the “Lehrwood Estates” subdivision, comprising 98 residential home lots on approximately 76 acres, the boundaries of such district generally including those lands comprising the “Lehrwood Estates” subdivision, said subdivision being bisected by Mildahn Rd., bordered on the north side by Gananda Parkway (Country Road 205A) and the south side by Macedon Town line, all as more particularly described in the Map, Plan and Report, entitled “Lehrwood Lighting District Map, Plan and Report” (the “Map, Plan and Report”), dated May 18, 2021 and on file with the Walworth Town Clerk where it is available for public review, by providing street lights; and

WHEREAS, the improvements proposed for said district will generally comprise street lighting at roadway intersections, including in total six light poles with LED lighting and associated appurtenances, all as more particularly described in the Map, Plan and Report; and

WHEREAS, the maximum amount proposed to be expended for the capital cost of the District improvements as stated in the said Petition is \$0, as the improvements will be constructed by the developer and not the Town; and

WHEREAS, while the capital cost incurred as a result of construction of these improvements to this District Extension is \$0, since they will be paid for and constructed by the developer, and the overall annual cost to a typical property is expected to be approximately \$19.43, such cost generally comprising operation and maintenance costs.

NOW, THEREFORE, BE IT, ORDERED, that the Walworth Town Board shall meet at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY on September 9, 2021 at 6:40 p.m., to consider said petition and hear all persons interested in the subject thereof, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a certified copy of this order in the newspaper, and to post a copy of same in manner required by law.

Discussion ensued regarding the lighting district fee, and Town Attorney Young recommended that the Town Board contact the Town Engineer for more information.

Adopted this 19th day of August, 2021, at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 104-21: ACKNOWLEDGING TOWN-WIDE CLEAN UP, BUDGETED ITEM

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

WHEREAS, the 2021 Town of Walworth budget has allocated funds for a Town-wide clean up;

BE IT RESOLVED, that the Town of Walworth Highway Department in connection with ALPCO Recycling will be holding a Town-side clean up for tax payers in the Town of Walworth on September 24 and September 25, 2021, location and time to be determined. Budgeted item.

Adopted this 19th day of August, 2021, at a meeting of the Town Board.

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

Resolution carried.

Supervisor Jacobs stated that the information for the Town-wide clean up will be posted on the Town’s website once available.

Highway Superintendent Vendel shared that there will be an electronics recycling event held in Webster on August 28, 2021.

RESOLUTION 105-21: AUTHORIZE THE HIRE OF STEPHANIE LINDAHL AS FULL TIME ASSESSMENT CLERK, EFFECTIVE AUGUST 15, 2021

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

WHEREAS, The Assessor’s Department needs a full time Assessment Clerk; and

WHEREAS, the position was advertised as required and interviews of qualified applicants were conducted; and

WHEREAS, the Assessment Clerk shall be a bargaining unit position and salary consistent with the Collective Bargaining Agreement; and

WHEREAS, the Assessment Clerk is a competitive Civil Service position and shall remain provisional until the Civil Service testing requirements are met; and

WHEREAS, the Assessor recommended the hiring of Stephanie Lindahl;

BE IT RESOLVED, that Stephanie Lindahl is hired as Full Time Assessment Clerk on condition that the employee passes Alcohol and Drug screening as required by Town Policy and Civil Service testing requirements are met, with a rate of \$16.16 per hour, effective August 15, 2021.

Discussion ensued regarding the duties of the Assessment Clerk.

Adopted this 19th day of August, 2021, at a meeting of the Town Board.

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

Resolution carried.

COMMUNICATION:

- Letter from Charter Communications, dated July 19, 2021
- Letter from Town of Williamson Supervisor Anthony Verno, dated July 28, 2021

Motion by Councilwoman Linson to accept and file the letter from Town of Williamson Supervisor Anthony Verno. Seconded by Councilman Bryson.

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

Motion carried.

- E-mail from Scott DeRue, Wayne County Soil & Water Conservation District, dated August 16, 2021
- Monthly report from Lea Dill, Town of Walworth Dog Control Officer, dated August 28, 2021

Supervisor Jacobs reviewed the following Town Board meeting dates:

TOWN BOARD MEETINGS:

DATE	TIME	MEETING TYPE
SEPTEMBER 2, 2021	8AM-7PM	BUDGET WORK SESSION
SEPTEMBER 9, 2021	1PM-7PM	BUDGET WORK SESSION/PUBLIC HEARINGS
SEPTEMBER 13, 2021	9AM	SPECIAL MEETING

NEXT PRESENTATION: Christine Bilynski, Emergency Preparedness Coordinator, Wayne County Public Health (Sept. 16, regular meeting at 6:30PM)

NEW AND OTHER BUSINESS:

RESOLUTION 106-21: AUTHORIZE THE HIGHWAY SUPERINTENDENT TO SEEK BIDS FOR SALE OF USED 2008 ELGIN PELICAN STREET SWEEPER

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

WHEREAS, the Town of Walworth has purchased a new Pelican street sweeper; and

WHEREAS, the Highway Superintendent has requested to seek bids for sale of the 2008 Elgin Pelican street sweeper;

BE IT RESOLVED, that the Highway Superintendent is hereby authorized to seek bids for sale of the used 2008 Elgin Pelican street sweeper.

Adopted this 19th day of August, 2021, at a meeting of the Town Board.

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

Resolution carried.

Highway Superintendent Vendel shared that the recent roadwork in Sherburne Park was done with recycled millings with no cost to the Town.

PUBLIC PARTICIPATION:

Three members of the public addressed the Town Board:

- 1) Deborah Amsler, read the following statement and distributed copies to Town Board members:

08/19/2021

Town of Walworth
Supervisor Jacobs
Councilwoman Linson
Councilman Bryson
Councilman Phillips
Ontario, NY

Re: On the matter of Farmland Protection Implementation Grant Application and the Amsler Farmland

Dear Walworth Board Members,

This letter serves for Deborah Amsler, taxpayer, to file a formal complaint against Town board member Councilman Scott Bryson. Please allow me to put some perspective on the Why.

Preserving our lands as farmlands for future generations is very important to me. For the past few years I have been working diligently to apply for the grant that would make this happen. A process that is complicated, time consuming, and with many strict rules and regulations that only happens when funding becomes available. One of the requirements is for the town of Walworth's board to ratify a resolution supporting the Farm Land Conservation Easement. I greatly appreciate our Supervisor's willingness to present my special request to the Board in hopes that it could be acted on. I also appreciate all the questions raised because in my view it validates the members' dedication and commitment to the welfare of our town.

As probably many of you are aware, and at least 80% of the town, there is a family legal dispute going on. Lawyers from both sides are in charge and taking care of it. I can assure you that I have not withheld any information from this matter that would have been deemed pertinent or had an impact to the grant application and the action needed from the town's board members.

I need and hope that Councilman Bryson, and all of you, understand that my pending litigation has nothing to do with my request and you signing the resolution. What the resolution asks is the town's support of preserving undeveloped land, the preservation and continuation of farming activities. That is the only thing the board votes on. The town does not file the application. The town does not fund the application. The town does not vote or have a say on who gets the funding.

So to keep things clear, a few weeks ago I stopped Councilman Bryson outside the supervisor's office and asked for a minute of his time. I wanted to explain the reason for my drive and determination to be able to submit the grant application with such urgency in order to be considered in this round. Different from previous times, it was on a "first come first serve" basis. I asked that the 2018 Resolution the town had approved be updated and I needed to act as soon as possible to improve the odds of being successful with my application hence my request to the supervisor if the resolution could be signed before the board's scheduled meeting. I wanted him to understand that time was of the essence and

Immediate action was necessary, especially when this year during the month of May, the board would only meet once. I had done my due diligence as I was aware that Councilman Bryson was not comfortable signing outside a scheduled board meeting which by the way prompted me to on May 8th email him and ask for a phone conversation to clarify any of his concerns.

So on that day we "met" and I showed him the land grant funding sheet I had printed from the state website with the following details:

- 5 million was allocated to the Finger Lakes region;
- the dates and order applications were submitted: first applicant on 05.19.2021, second, third and fourth applicants on 05.20.2021 and mine, number 5 on 05.24.2021;
- the 5 million funded applicants 1-4 and then ran out of money. So, my application fell below the Finger Lakes region funding line.

After that, he raised his voice at me, to an intimidating level, and said "I do not appreciate being blindsided by a resident about your pending litigation". He said that I was not transparent, that I was not forth coming. He then indicated that if he had known everything upfront it would be a different outcome and he felt very mistleed when asked to sign the resolution.

I was surprised by the accusations and yes, very upset because he insinuated I was a liar and a cheater. I responded "no...no...no" and rocked my finger side to side to reinforce the negative answer. Councilman Bryson then yelled at me "don't point your finger at me" to which I answered, without yelling, "I was not pointing my finger at you". The smirk you had when you told me that since I did not make the cut I would have to come back to the board again was in my view out of line and unnecessary. As upset and offended as I was I did not lose my cool. I decided then to "agree to disagree" knowing it made no sense to further this conversation and then apologized to those who had to witness his outburst.

As a taxpayer, I approached you with my need and request. As a taxpayer, I submit to you this complaint against Councilman Bryson. As a taxpayer, I did not receive from Councilman Bryson what he signed off for when he became a Councilman. I was certainly not treated as someone whom Councilman Bryson sworn to serve. Much as he is an elected official I am also elected by the taxpayers. I am the town's REPRESENTATIVE of taxes. It is their tax dollars that pay my salary. It is my job to be there for the taxpayer, yes, at times complicated since no one likes taxes. There is a Golden Rule [feel free to Google it] that reads "Do unto others as you would have them do unto you" so I serve the taxpayers with respect and dignity. Councilman Bryson, I expected the same from you.

In closing, I ask that the board take this complaint seriously and take some corrective action. Having a title does not give anyone the right to treat others in a demeaning way. I get it, we all have not so good days but they should be the exception and not the rule and certainly should not be accepted, by anyone, as OK behavior. Please do not let this kind of situation overshadow all the good work the board has already done and be sure will keep doing on behalf of your constituents.

Respectfully submitted,
Deborah Amsler
Deborah Amsler
5280 Ontario Center Road, Ontario NY 14519

- 2) Gene Bavis spoke providing an update on the Wayne County Bicentennial Committee progress. He stated that there will be a ceremony on October 3, 2021 to dedicate the Town’s newest historic marker with an open house and refreshments at the Walworth Historical Society following the ceremony. Also, Mr. Bavis thanked the Highway Department for painting all of the Town’s historic markers.

Supervisor Jacobs stated that all historic markers are property of the Town of Walworth and the Town is responsible for the maintenance and upkeep of these markers.

- 3) Charlie Caradonna addressed the Board and spoke regarding the recent issues with Town Board members’ arrests and stated that community members need to support each other.

EXECUTIVE SESSION:

Motion by Councilman Bryson to enter into an executive session to discuss medical, financial, credit, or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension.

Seconded by Councilwoman Linson.

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

Motion carried.

Time: 7:30 PM

RECONVENE:

Supervisor Jacobs reconvened the regularly scheduled meeting at 8:15 PM.

ADJOURNMENT:

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

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

Motion carried.

Time: 8:15 PM

Respectfully Submitted,

Aimée Phillips-Lomb
Town Clerk