

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 to order at 1:01 PM. Supervisor Jacobs waived the recitation of the Pledge of Allegiance.

PRESENT:

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

ABSENT: Timothy Vendel Highway Superintendent

OTHERS PRESENT: Donald Young, Esq., Town Attorney; Cheri LeMay, Town Comptroller; Rob Burns, Sewer Superintendent; and one (1) member of the public.

BUDGET WORK SESSION:

Supervisor Jacobs welcomed those in attendance and stated that the first portion of the meeting would be dedicated to budget discussions in a work session with Board members and the Town Comptroller. A full review of the budget was conducted, and the work session concluded at 4:45 PM. Councilwoman Linson exited the meeting at 2:00 PM and returned at 3:30 PM.

WALWORTH REGIONAL PLANT FEE VS COST SHARE DISCUSSION/WORK SESSION:

After a brief recess, a second work session began at 5:00 PM to discuss fees and cost sharing regarding the Regional Wastewater Treatment Plant project with Town Attorney Young and Sewer Superintendent Burns. Discussion ensued and the work session ended at 6:15 PM.

PUBLIC HEARINGS:

After a brief recess, 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 to order at 6:30 PM. Supervisor Jacobs led those present in the recitation of the Pledge of Allegiance.

PRESENT:

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

ABSENT: Timothy Vendel Highway Superintendent

Supervisor Jacobs welcomed those present and viewing the meeting on Facebook Live. She stated that the Town Board had met for budget and Regional Wastewater Treatment Plant discussions, and the purpose of this section of the meeting was to conduct public hearings for the establishment of the Lighting and Sidewalk Districts for the Lehrwood Estates subdivision.

PUBLIC HEARING RULES AND PROCEDURES:

Supervisor Jacobs asked Town Attorney Young to review the reasoning for the public hearing and the procedures, and asked for a motion to waive the reading of the following legal notice.

Motion by Supervisor Jacobs to waive the reading of the legal notice.
 Seconded by Councilwoman Linson.

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

Motion carried.

ORDER AND PUBLIC HEARING NOTICE FOR ESTABLISHMENT OF SIDEWALK DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION

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.

Dated: August 20, 2021

By Order of the Town Board
 of the Town Walworth
 Aimée Phillips-Lomb
 Town Clerk

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

Time: 6:33 PM.

Town Attorney Young explained the need and reasoning for the resolution.

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

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

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

Motion carried.

Time: 6:34 PM.

RESOLUTION 107-21: TO ESTABLISH SIDEWALK DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION TO BE KNOWN AS THE LEHRWOOD SIDEWALK DISTRICT

Councilwoman Linson offered Resolution 107-21 and moved its adoption. Seconded by Councilman Phillips to wit:

WHEREAS, a petition dated August 12, 2021, has been duly presented to the Walworth Town Board (the “Town”), with the necessary map and plan attached thereto according to law, requesting that a sidewalk district, as hereinafter described, be established in the Town, and

WHEREAS, on August 19, 2021, the Town Board duly adopted an order reciting in general terms the filing of said petition, the boundaries of the proposed district, the improvements proposed, the maximum amount proposed to be expended for the improvement, and specifying that said Town Board shall meet at the Walworth Town Hall on September 9th, 2021 at 6:30 p.m. to consider said petition and hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, said order was duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider the matter of the establishment of said sidewalk district, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made.

NOW, THEREFORE, BE IT RESOLVED, by the Walworth Town Board that it be and hereby is determined as follows:

- (1) The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed sidewalk district are benefited thereby.

(3) That all of the property and property owners benefited are included within the proposed sidewalk district, and

(4) It is in the public interest to establish the proposed sidewalk district as hereinafter described, and be it, further

RESOLVED, that the Town Board does hereby approve the establishment of the sidewalk district as hereinafter described to be known as Lehrwood Sidewalk 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, for Lehrwood Estates Subdivision” (the “Map, Plan and Report”), dated May 18, 2021 and on file with the Walworth Town Clerk where it is available for public review, and, be it further

RESOLVED, that the improvements proposed in said district comprise approximately 4,170 linear feet of 5’ wide sidewalk, all is more particularly described in the Map, Plan and Report; and, be it further

RESOLVED, that the cost to the Town for the proposed improvements, including cost of rights of way, construction costs, legal fees and other expenses, is zero, since the developer of the associated subdivision will be constructing such improvements.

Adopted this 9th day of September, 2021, at a meeting of the Town Board.

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

Resolution carried.

Supervisor Jacobs stated that is it “budget season” in the Town of Walworth and that the Town Board has been meeting regarding its review for 2022. She encouraged members of the public to attend the work sessions and upcoming meetings and to contact her with any questions or comments they may have.

Supervisor Jacobs also informed those present that the Town-wide fall cleanup event will take place on September 24 and 25, 2021, and also that the Town Board will be holding a special meeting on September 13, 2021 as a work session of the Town Code update.

Town Clerk Phillips-Lomb stated that hunting season is currently underway and reminded residents that the Town Clerk’s Office does not sell duck stamps and recommended residents purchase them at the local post office.

PUBLIC HEARING RULES AND PROCEDURES:

Supervisor Jacobs asked for a motion to waive the reading of the following legal notice:

Motion by Councilwoman Linson to waive the reading of the legal notice.
 Seconded by Councilman Bryson.

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

Motion carried.

**ORDER AND PUBLIC HEARING NOTICE FOR ESTABLISHMENT OF LIGHTING
DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION**

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.

Dated: August 20, 2021

By Order of the Town Board
of the Town Walworth
Aimée Phillips-Lomb
Town Clerk

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

Time: 6:41 PM.

Town Attorney Young explained the need and reasoning for the resolution.

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

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

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

Motion carried.

Time: 6:41 PM.

RESOLUTION 108-21: TO ESTABLISH LIGHTING DISTRICT TO SERVICE LEHRWOOD ESTATES SUBDIVISION TO BE KNOWN AS THE LEHRWOOD LIGHTING DISTRICT

Councilman Bryson offered Resolution 108-21 and moved its adoption. Seconded by Councilman Phillips to wit:

WHEREAS, a petition dated August 12, 2021, has been duly presented to the Walworth Town Board (the “Town”), with the necessary map and plan attached thereto according to law, requesting that a lighting district, as hereinafter described, be established in the Town, and

WHEREAS, on August 19, 2021, the Town Board duly adopted an order reciting in general terms the filing of said petition, the boundaries of the proposed district, the improvements proposed, the maximum amount proposed to be expended for the improvement, and specifying that said Town Board shall meet at the Walworth Town Hall on September 9, 2021 at 6:40 p.m. to consider said petition and hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, said order was duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider the matter of the establishment of said lighting district, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made.

NOW, THEREFORE, BE IT RESOLVED, by the Walworth Town Board that it be and hereby is determined as follows:

- (1) The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed lighting district are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed lighting district, and
- (4) It is in the public interest to establish the proposed lighting district as hereinafter described, and be it, further

RESOLVED, that the Town Board does hereby approve the establishment of the lighting district as hereinafter described to be known as Lehrwood Lighting 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, for Lehrwood Estates Subdivision” (the “Map, Plan and Report”), dated May 18, 2021 and on file with the Walworth Town Clerk where it is available for public review, and, be it further

RESOLVED, that 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, be it further

RESOLVED, that the capital cost to the Town for the proposed improvements, including cost of rights of way, construction costs, legal fees and other expenses, is zero, since the developer of the associated subdivision will be constructing such improvement, and the initial overall annual cost to a typical property is expected to be approximately \$19.43, such cost generally comprising operation and maintenance costs, and such cost subject to change.

Adopted this 9th day of September, 2021, at a meeting of the Town Board.

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

Resolution carried.

ADJOURNMENT:

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

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

Motion carried.

Time: 6:43 PM

Respectfully Submitted,

Aimée Phillips-Lomb
Town Clerk