



Michael Donalty, Town Supervisor
3600 Lorraine Drive
Walworth, NY 14568

315.986.1400
315.926.9154
Fax 315.986.1440

TOWN BOARD REGULAR MEETING – AGENDA
FEBRUARY 17, 2022 6:30 PM

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

MINUTES: February 3, 2022 **Special Meeting**
February 3, 2022 **Regular Meeting**

PRESENTATIONS

REPORTS OF COMMITTEES (LIAISON/ELECTED OFFICIAL REPORTS):

Town Clerk's Report, January 2022

Receiver of Taxes Monthly Report, dated February 15, 2022

RESOLUTIONS:

- Resolution -22:** Abstract 2, Approval
- Resolution -22:** To rescind Resolution 132-21 Budget Amendments and adopt corrected budget transfers for October 21, 2021
- Resolution -22:** Authorize the Town Board to sign resolution approving 2021 certified points for the Lincoln Fire Department Length of Service Program
- Resolution -22:** Accepting dedication of right of way relative to the Lehrwood Estates subdivision
- Resolution -22:** Authorization to renew insurance policies with Eastern Shore Associates
- Resolution -22:** To approve the hire of Matthew Scott Prinsen as Court Security Officer
- Resolution -22:** Appoint Christine Stanford as Town Comptroller, 2 year term, starting date on or before March 1, 2022 at a rate of \$54,850.00 annually
- Resolution -22:** To approve lease of a portion of the Walworth Wastewater Treatment Plant site to the Wayne County Water and Sewer Authority in connection with the Regional Wastewater Treatment Plant Project

(Updated 2/17/2022)

COMMUNICATIONS

- **Monthly Building and Zoning Report, January 2022**
- **E-mail from Marsha Smith regarding Senior STAR exemption, dated February 6, 2022**
- **Letter from Ric Carley regarding changing the rural residential code, dated January 5, 2022**
- **Wastewater Treatment Plant Monthly Report, February 2022**
- **Parks and Recreation Department Monthly Report, February 2022**
- **E-mail from Deb Amsler regarding special districts, dated February 14, 2022**

NEW AND OTHER BUSINESS

- Discussion on next steps to take to regulate Cannabis dispensaries
- Update on revised Town Code and plan for completion
- Ethics Board Positions
- Dewberry Project Discussion

PUBLIC PARTICIPATION

EXECUTIVE SESSION

ADJOURNMENT

ANY OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

TOWN CLERK'S MONTHLY REPORT

TOWN OF WALWORTH, NEW YORK

JANUARY, 2022

TO THE SUPERVISOR:

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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			
	<u>1</u>	DECALS	<u>0.28</u>
	<u>1</u>	MARRIAGE LICENSES NO. 22001 TO 22001	<u>17.50</u>
	<u>4</u>	MISCELLANEOUS	<u>853.20</u>
	<u>6</u>	B/D/M RECORDS SEARCH	<u>180.00</u>
		TOTAL TOWN CLERK FEES	1,050.98
A2001			
	<u>3</u>	RECREATION	<u>457.00</u>
		TOTAL A2001	457.00
A2115			
	<u>1</u>	PB REVIEW FEES/OTHER	<u>800.00</u>
		TOTAL A2115	800.00
A2544			
	<u>143</u>	DOG LICENSES	<u>1,386.00</u>
		TOTAL A2544	1,386.00
A2555			
	<u>18</u>	BUILDING PERMITS	<u>1,869.50</u>
		TOTAL A2555	1,869.50
A2590			
	<u>1</u>	VOELCKERS AUTO SALV YARD	<u>62.50</u>
		TOTAL A2590	62.50
A2770B			
	<u>6</u>	OTHER INCOME BUILDING	<u>262.50</u>
		TOTAL A2770B	262.50
A2770F			
	<u>1</u>	FARMER'S MARKET	<u>25.00</u>
		TOTAL A2770F	25.00
CM2089			
	<u>10</u>	PARK EXPENDABLE TRUST	<u>4,350.00</u>
		TOTAL CM2089	4,350.00
CM2770			
	<u>1</u>	CEMETERY FEES	<u>1,200.00</u>
		TOTAL CM2770	1,200.00
SS2122			
	<u>5</u>	SEWER APPLICATION WALWOR	<u>4,250.00</u>
		TOTAL SS2122	4,250.00

TOWN CLERK'S MONTHLY REPORT

JANUARY, 2022

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TA30A

10

ESCROW - BLDG PERMITS

3,000.00

TOTAL TA30A

3,000.00

TOWN CLERK'S MONTHLY REPORT

JANUARY, 2022

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DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	✓ 5,913.20
DECALS SEPARATE MONTHLY REPORT	✓ 0.28
PAID TO SUPERVISOR FOR BUILDING PERMIT ESCROWS	✓ 3,000.00
PAID TO SUPERVISOR FOR CEMETERY/PARK EXPENDABLE	✓ 5,550.00
PAID TO SUPERVISOR FOR SEWER APPLICATION FEES	✓ 4,250.00
DECALS SEPARATE MONTHLY REPORT- EFT	4.72
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	170.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	22.50
TOTAL DISBURSEMENTS	18,910.70

FEBRUARY 1, 2022



Michael Donalty

, 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 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

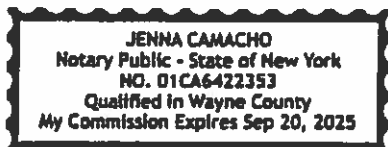


Town Clerk

1st day of February 2022



Jenna Camacho
Notary Public



**Town of Walworth
Board Report**

02/15/2022

Taxes

Collected

Principal	\$	8,077,256.77
Interest	\$	426.36
Mail fee	\$	-

Total

\$ 8,077,683.13

Uncollected

Principal	\$	1,038,202.64
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Receiver of Taxes

Webster 2/15/22

**Town of Walworth
Board Report**

02/15/2022

Total disbursed to the town

\$ 3,798,019.92 Paid in Full

Total disbursed to the county

Ck# 707 \$ 3,000,000.00

Ck# 710 \$ 1,000,000.00

\$ 4,000,000.00

Receiver of Taxes

Webster
2/15/22

RESOLUTION -22: ABSTRACT 2, APPROVAL

Council offered the Resolution and moved its adoption. Seconded by Council to wit:

The following was submitted:

TOWN OF WALWORTH				
Abstract # 002				02/15/2022
Summary by Fund				14:49:18
Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND		130,242.10	130,242.10
CMI-	PARK SPECIAL REVENUE FUND		601.08	601.08
DA	HIGHWAY FUND		107,371.46	107,371.46
SL1-	WALWORTH LIGHT DISTRICT		983.47	983.47
SL3-	GANANDA LIGHT DISTRICT		1,184.87	1,184.87
SL4-	BROOKSIDE LIGHT DISTRICT		16.20	16.20
SLS-	ORCHARD VIEW LIGHT DISTRICT		178.23	178.23
SS	WALWORTH SEWER DISTRICT #1		51,450.01	51,450.01
TA	TRUST & AGENCY	4,571.42	343,140.42	347,711.84
TC	CUSTODIAL TRUST		1,000.00	1,000.00
Total:		4,571.42	636,167.84	640,739.26

Voucher Numbers 125-270, 3-7, 42-47

Abstract of audited vouchers is on file in the Town Clerk's office.

Adopted this 17th day of February, 2022 at the meeting of the Town Board.

Roll call vote:
Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

RESOLUTION -22: TO RESCIND RESOLUTION 132-21 BUDGET AMENDMENTS AND ADOPT CORRECTED BUDGET TRANSFERS FOR OCTOBER 21, 2021

Council offered the Resolution and moved its adoption. Seconded by Council to wit:

WHEREAS, Resolution 132-21: Budget Amendments was approved on October 21, 2021; and

WHEREAS, the following transfers were not able to be performed:

- \$35,000.00 transfer from A599 General Fund to CM1-7110.26 Park Improvement to cover expenses.
- \$4,641.00 transfer from A599 General Fund to SF2-9025.41 Service Award to cover current expenses.

BE IT RESOLVED that Resolution 132-21 is hereby rescinded, and the Town Board hereby adopts the following budget amendments to wit:

October 21, 2021

\$1,000.00 Transfer from A599 General Fund Balance to A7310.43 Youth Recreation – New/Special to cover current expenses.

\$1,000.00 Transfer from A599 General Fund Balance to A7310.21 Youth Recreation – Equipment Program to cover expenses.

\$10,000.00 Transfer from A599 General Fund Balance to A1420.42 Town Counsel – Union Counsel to cover current expenses.

\$100.00 Transfer from A599 General Fund Balance to A1355.42 Assessment – Office Expense to cover current expenses.

\$800.00 transfer from A599 General Fund Balance to A1620.49V Town Office – Vehicle Lease to cover current expenses.

Adopted this 17th day of February, 2022 at the meeting of the Town Board.

Roll call vote: Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

RESOLUTION -22: AUTHORIZE THE TOWN BOARD TO SIGN RESOLUTION APPROVING 2021 CERTIFIED POINTS FOR THE LINCOLN FIRE DEPARTMENT LENGTH OF SERVICE PROGRAM

Council moved the following Resolution and moved its adoption. Seconded by
 Council to wit:

The following was submitted:

Town of Watworth
 Resolution of the Town Board
 Resolution Number: _____

In the matter of approving the 2021 certified points

WHEREAS, the Town is the sponsor of a Length of Service Award Program (LOSAP) on behalf of the Lincoln Fire Department in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, as required by GML § 218-a(2)(c), the Lincoln Fire Department has submitted the attached list, certified under oath, of active members of the Fire Department, indicating those volunteers who earned at least fifty points during 2021 to qualify for service credit; and

WHEREAS, the certification made by the Fire Department includes a statement that the points recorded on the attached list have been tabulated in accordance with the Point System adopted by the Town to be in effect during calendar year 2021, and to the best of the knowledge of the Fire Department, in a true and accurate reflection of the activities performed by the active members; and

WHEREAS, GML § 218-a(2)(d) requires the Town Board (Board) to review and approve the attached list, then return it to the Fire Department to be posted for thirty days; and

WHEREAS, the Board has completed its review of the attached list; NOW, THEREFORE BE IT

RESOLVED, that the Town Board approve the attached list of volunteer firefighters of the Lincoln Fire Department and the points earned by those firefighters during calendar year 2021; and be it further

RESOLVED, that a copy of this adopted resolution and the attached list shall be returned to the Fire Department for posting for a maximum of thirty days.

Councilperson _____ raised the motion to approve. Councilperson _____ seconded the motion, and upon roll call the vote of the Board was as follows:

Town Supervisor	_____	Aye / Nay / Absent
Councilperson	_____	Aye / Nay / Absent
Councilperson	_____	Aye / Nay / Absent
Councilperson	_____	Aye / Nay / Absent
Councilperson	_____	Aye / Nay / Absent

The resolution was thereupon declared duly adopted.

Dated: _____

Certified by Town Clerk (signature or seal): _____

BE IT RESOLVED, that the Town Board is authorized to sign resolution approving 2021 certified points for the Lincoln Fire Department Length of Service Program.

Adopted this 17th day of February, 2022 at the meeting of the Town Board.

Roll call vote: Councilwoman Linson
 Councilman Bryson
 Councilman Harden
 Councilman Johnson
 Supervisor Donalty

Resolution carried.

RESOLUTION -22: ACCEPTING DEDICATION OF RIGHT OF WAY RELATIVE TO THE LEHRWOOD ESTATES SUBDIVISION

Council offered the Resolution and moved its adoption. Seconded by Council to wit:

WHEREAS, Lehrwood Estates, LLC (the “Applicant”), in relation to its development of the Lehrwood Estates Subdivision (sometimes also referred to as the Mildahn Subdivision), a residential subdivision in the Town of Walworth, NY, has requested that the Town accept dedication of certain right-of-way constructed therein; and

WHEREAS, the right-of-way proposed to be dedicated, commonly referred to as a Longleaf Lane and Turtle Run (the “Right of Way”), is more particularly described in the attached Warranty Deed and “Right-of-Way – Legal Description” (the “Deed”) a part thereof, as well as the attached “Right-of-Way Map” (the “Map”), all of which are incorporated herein and made a part hereof; and

WHEREAS, said Right of Way has been inspected by the Town Engineer who has certified, in concert with the Town Highway Superintendent, that it has been properly constructed and is ready for dedication; and

WHEREAS, a two year maintenance bond in the amount specified by the Town Engineer has been posted.

NOW, THEREFORE, BE IT, RESOLVED, that the Town hereby accepts the proposed Right of Way, all as more specifically set forth in the aforementioned Map and Description; and, be it further

RESOLVED, that consent is hereby given to the Town Superintendent of Highways of the Town of Walworth to make an Order Laying out the aforementioned Right of Way as a Town Highway, said Right of Way being more particularly described in the attached Deed and Map; and be it further

RESOLVED, that this Resolution is condition upon the following:

1. That the Applicant provide to the Town a fully executed Deed; and
2. That sidewalks be installed, as indicated on the approved plans, as homes are constructed.

Adopted this 17th day of February, 2022 at the meeting of the Town Board. All supporting documents on file in the Town Clerk’s office.

Roll call vote: Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

RESOLUTION -22: AUTHORIZATION TO RENEW INSURANCE POLICIES WITH EASTERN SHORE ASSOCIATES

Council offered the following Resolution and moved its adoption. Seconded by
Council to wit:

WHEREAS, the Town of Walworth insurance policies with Eastern Shore Associates are up for renewal; and

WHEREAS, the expired program included comparable coverage and deductibles and carried an annual premium of \$82,038.42; and

WHEREAS, the policy coverage period will be January 1, 2022 through January 1, 2023 in the amount of \$84,834.73, with a 3.3% increase from 2021; and

WHEREAS, premiums to be taken from budget lines A1910.41 – Unallocated Insurance in the amount of \$64,122.42, and SS8110.34 – Insurance in the amount of \$20,712.31.

BE IT RESOLVED that the Walworth Town Board authorizes the renewal of insurance policies with Eastern Shore Associates Insurance.

Adopted this 17th day of February, 2022 at the meeting of the Town Board.

Roll call vote: Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

RESOLUTION -22: TO APPROVE THE HIRE OF MATTHEW SCOTT PRINSEN AS COURT SECURITY OFFICER

Council offered the Resolution and moved its adoption. Seconded by Council to wit:

WHEREAS, the Walworth Town Court has advertised and accepted applications for the position of Court Security Officer; and

WHEREAS, the Walworth Town Justices Charles Young and Daniel Majchrzak have requested approval to hire Matthew Scott Prinsen as the Court Security Officer;

NOW, THEREFORE IT BE RESOLVED that the Town Board hereby approves the hire of Matthew Scott Prinsen for the position of Court Security Officer, effective immediately upon Board approval.

Adopted this 17th day of February, 2022 at the meeting of the Town Board.

Roll call vote: Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

**RESOLUTION -22: APPOINT CHRISTINE STANFORD AS TOWN
COMPTROLLER, 2 YEAR TERM, STARTING DATE ON OR BEFORE MARCH 1,
2022 AT A RATE OF \$54,850.00 ANNUALLY**

Council offered the Resolution and moved its adoption. Seconded by Council
to wit:

WHEREAS, the Town Comptroller's position became vacant on January 14, 2022; and

WHEREAS, the Town Board is desirous to fill the necessary vacant position of Town Comptroller immediately; and

WHEREAS, Ms. Stanford is qualified for the position of Town Comptroller; and

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board appoints Christine Stanford to the position of Walworth Town Comptroller, starting date on or before March 1, 2022, for a two-year term at the rate of \$54,850.00 annually, all subject to the applicable probationary period.

Adopted this 17th of February 2022 at a meeting of the Town Board.

Roll call vote: Councilwoman Linson
Councilman Bryson
Councilman Harden
Councilman Johnson
Supervisor Donalty

Resolution carried.

RESOLUTION -22: TO APPROVE LEASE OF A PORTION OF THE WALWORTH WASTEWATER TREATMENT PLANT SITE TO THE WAYNE COUNTY WATER AND SEWER AUTHORITY IN CONNECTION WITH THE REGIONAL WASTEWATER TREATMENT PLANT PROJECT

Council moved the following Resolution for adoption. Seconded by Council
to wit:

WHEREAS, the Town of Walworth and other local municipalities operate aging wastewater treatment plants that are in need of substantial repairs, upgrades and/or improvements, all at substantial cost; and

WHEREAS, as regulations for wastewater treatments continue to change and evolve, even if the currently needed upgrades and improvements are made, it is likely that many more such upgrades and improvements will be required over time, all at substantial cost; and

WHEREAS, in lieu of upgrading and continuing to independently operate each of such existing wastewater treatment plants, the Wayne County Water and Sewer Authority (“WCWSA”) and the Town of Macedon, Town of Marion, Town of Palmyra, Town of Walworth and Village of Palmyra (the “Participating Municipalities”) have agreed to work together cooperatively to develop a single facility and conveyance system that would meet all their collective needs (the “Regional Plant”) by entering into that certain Amended And Restated Western Regional Wastewater Treatment System Improvements And Services Agreement (the “IMA”), effective as of April 1, 2020; and

WHEREAS, the WCWSA has completed its environmental review of the Regional Plant project and has issued a Negative Declaration in association therewith; and

WHEREAS, in association with the Regional Plant, certain of the Towns previously agreed to transfer and/or lease certain “Transferred Property Assets” (as defined in the IMA) to the WCWSA in connection with the Regional Plant, including for purposes of facilitating conveyances from the localities to the Regional Plant; and

WHEREAS, included in such transfers is a portion of the existing Walworth wastewater treatment plant site consisting of a parcel of land owned by the Town of Walworth of approximately 4.375 acres located at 3451 Route 350, Walworth, New York, being a part of Tax Account Number 63114-00-022107 (the “Land”), being the site for the Walworth pump station, including necessary easements, all as more particularly described in the attached “Lease Agreement – Town of Walworth Pump Station Site” (the “Lease”), attached hereto and made a part hereof, and the “Access Easement Agreement” (the “Easement”) for said Land, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT, RESOLVED, that the Walworth Town Board, including on behalf of its sewer districts, hereby approves the Lease and the Easement for said Land and authorizes execution of the same; and, be it further

RESOLVED, that this resolution is subject to permissive referendum, and that within ten days hereof, the Town Clerk is hereby directed to post and publish a notice setting forth the date of the adoption of this resolution and containing an abstract of such resolution concisely stating its purpose and effect, specifying that this resolution was adopted subject to a permissive referendum.

Adopted this 17th of February 2022 at a meeting of the Town Board.

Roll call vote: Councilwoman Linson
 Councilman Bryson
 Councilman Harden
 Councilman Johnson
 Supervisor Donalty

Resolution carried.