



Michael Donalty, Town Supervisor
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Walworth, NY 14568

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

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

MINUTES: **March 3, 2022** **Regular Meeting**

PRESENTATIONS

REPORTS OF COMMITTEES (LIAISON/ELECTED OFFICIAL REPORTS):

Town Clerk Monthly Report, February 2022

RESOLUTIONS:

- Resolution -22:** Abstract 2, correction and approval
- Resolution -22:** Budget Amendments
- Resolution -22:** Abstract 3, Approval
- Resolution -22:** Authorize the Town Supervisor to sign the 2021 Service Award Program Sponsor submission form for the West Walworth Fire Department
- Resolution -22:** Authorization to present proclamation for Lincoln Fire Department's 75th Anniversary
- Resolution -22:** Authorization to present proclamation in honor of Sewer Superintendent Robert Burns upon his retirement
- Resolution -22:** To appoint Peter Marini to serve as Ethics Board member, term ending 12/31/2022
- Resolution -22:** To appoint Joseph Baranek III to serve as Planning/Zoning Board Alterate
- Resolution -22:** Authorize transfer in the amount of \$4,235.00 from A1990.51 Contingent Account to A3310.41 Traffic Lights to replace deficient flashing traffic signal light at Lincoln and Plank Roads

(Updated 3/16/2022)

- Resolution -22:** Authorize the Highway Superintendent to implement Highway Department hours of 4 10-hour workdays beginning April 10, 2022 to October 29, 2022
- Resolution -22:** Authorize the Town Supervisor to sign the Williamson Law Book Company annual software support contract for Records Management software, budgeted item
- Resolution -22:** To set public hearing for Local Law to amend the Walworth Town Code to increase income limits relative to the senior citizens tax exemption

COMMUNICATIONS

- **Letter of resignation from Rob Burns, Sewer Superintendent**, dated March 8, 2022
- **Monthly Recreation Report**, dated March 11, 2022
- **Receiver of Taxes Monthly Report**, dated March 15, 2022
- **Town of Walworth Wastewater Treatment Plant Monthly Report**, dated March 10, 2022
- **Monthly Building and Zoning Report for February 2022**

NEW AND OTHER BUSINESS

- Discussion on next steps to take to regulate Cannabis dispensaries
- Update on revised Town Code and plan for completion
- MS4 Audit Update – Motion to appoint Councilman Johnson to represent Town Board in upcoming MS4 audit

PUBLIC PARTICIPATION

EXECUTIVE SESSION

ADJOURNMENT

ANY OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

TOWN CLERK'S MONTHLY REPORT

TOWN OF WALWORTH, NEW YORK

FEBRUARY, 2022

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	4.18	
		2	MARRIAGE LICENSES NO. 22002 TO 22003	35.00	
		1	MISCELLANEOUS	4.40	
		2	B/D/M RECORDS SEARCH	110.00	
TOTAL TOWN CLERK FEES					153.58
A2001		2	RECREATION	198.00	
TOTAL A2001					198.00
A2115		2	PB REVIEW FEES/OTHER	60.00	
TOTAL A2115					60.00
A2544		78	DOG LICENSES	712.00	
TOTAL A2544					712.00
A2555		24	BUILDING PERMITS	6,525.00	
TOTAL A2555					6,525.00
A2770B		3	OTHER INCOME BUILDING	120.00	
TOTAL A2770B					120.00
A2770F		8	FARMER'S MARKET	450.00	
TOTAL A2770F					450.00
CM2089		9	PARK EXPENDABLE TRUST	4,870.00	
TOTAL CM2089					4,870.00
SS2122		3	SEWER APPLICATION WALWOR	2,550.00	
TOTAL SS2122					2,550.00
TA30A		14	ESCROW - BLDG PERMITS	2,800.00	
TOTAL TA30A					2,800.00

TOWN CLERK'S MONTHLY REPORT

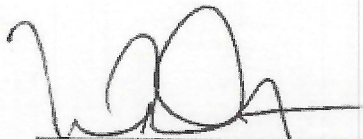
FEBRUARY, 2022

page 2

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	8,214.40 ✓
DECALS SEPARATE MONTHLY REPORT	4.18 ✓
PAID TO SUPERVISOR FOR BUILDING PERMIT ESCROWS	2,800.00 ✓
PAID TO SUPERVISOR FOR CEMETERY/PARK EXPENDABLE	4,870.00 ✓
PAID TO SUPERVISOR FOR SEWER APPLICATION FEES	2,550.00 ✓
DECALS SEPARATE MONTHLY REPORT- EFT	375.82
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	80.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	45.00
TOTAL DISBURSEMENTS	18,939.40

MARCH 2, 2022


Michael Donalty

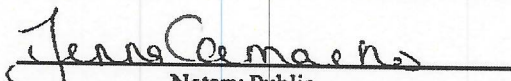
, SUPERVISOR


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

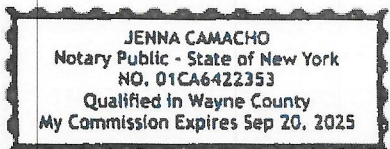
I, Aimee Phillips, being duly sworn, says that I am the Clerk of the TOWN OF WALWORTH that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and sworn to before me this

2nd day of March 2022


Notary Public


Town Clerk



Tax dollars collected

Principal	\$8,319,844.84
Interest	\$2,907.03
Mail fee	\$22.00

Total \$8,322,773.87

Tax dollars disbursed to the town

Total \$ 3,798,019.92 Paid in Full

Total disbursed to the county

beginning balance \$ 4,000,000.00

Ck# 711 \$500,000.00 Wayne County Treasurer

Total \$ 4,500,000.00

Receiver of Taxes



RESOLUTION -22: ABSTRACT 2, CORRECTION AND APPROVAL

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

WHEREAS, the amount listed on the Town’s TA fund line was listed incorrectly in the amount of \$347,711.84 on Abstract 2, approved on February 17, 2022 (Resolution 49-22); and

WHEREAS, the following corrected abstract was submitted:

TOWN OF WALWORTH				
Abstract # 002				
Summary by Fund				
Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	130,242.10		130,242.10
CM1-	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
SL5-	ORCHARD VIEW LIGHT DISTRICT	178.23		178.23
SS	WALWORTH SEWER DISTRICT #1	51,450.01		51,450.01
TA	TRUST & AGENCY	384,171.00		384,171.00
TC	CUSTODIAL TRUST	1,000.00		1,000.00
Total:		677,198.42		677,198.42

Voucher Numbers 125-270, 3-8, 42-47

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

NOW, THEREFORE IT BE RESOLVED, that Abstract 2 is hereby corrected and approved by the Walworth Town Board.

Adopted this 17th day of March, 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: BUDGET AMENDMENTS

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

Budget Modifications for March 17, 2022 Board Meeting

Transfer \$4,235.00 from A1990.41 Contingent Account to A3310.41 Traffic Lights to cover expenses necessary to correct malfunctioning traffic control light at the intersection of Lincoln & Plank Roads.

Transfer \$1440.50 from A1990.41 Contingent Account to A1420.41 Town Counsel Contractual to cover legal expenses related to the Lehrwood Estates Road Dedication.

Transfer \$8,644.00 from A7310.43 New/Special Programs contractual to the following accounts
\$8,000.00 to A7310.15 Personal Services - Seasonal/Summer Programs (new account line)

\$612.00 to A9030.81 Employee Benefits – Soc Sec & Med

\$32.00 to A9055.81 Employee Benefits - NYS Disability Ins

to reclassify summer camp staff, formerly paid as contractors, to employees

Transfer \$190.00 from A1990.41 Contingent Account to the following accounts:

A1220.42 \$95.00

A1110.41 \$95.00

to cover Pre-employment testing for Comptroller and Court Constable.

Adopted this 17th day of March 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 SUPERVISOR TO SIGN THE 2021 SERVICE AWARD PROGRAM SPONSOR SUBMISSION FORM FOR THE WEST WALWORTH FIRE DEPARTMENT

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

The following was submitted:

TO: Firefly Admin Inc.
FROM: Town of Walworth Town Board
DATE: _____
RE: Submission of Calendar Year 2021 LOSAP Points & Service Credit

The Town Board has overseen and completed the annual process of certifying, approving and posting the 2021 LOSAP points and service credit as required by Article 11-A of the New York State General Municipal Law.

In addition, the Board has ensured the accuracy of the transcription of points earned from the internal points-tracking system to the Firefly roster.

The Board releases the 2021 LOSAP points and service credit listing to Firefly Admin Inc. for use in assisting the Board to administer the LOSAP in accordance with the terms of the Firefly Admin Inc. Engagement Letter.

We understand that Firefly Admin Inc. will be relying on the accuracy and reliability of the information now submitted by the Board on the Firefly-provided roster, and Firefly Admin Inc. will use this information to determine benefit eligibility and contributions owed by the Town to fund the benefits accrued by the participating volunteers. We acknowledge that Firefly Admin Inc. is not responsible to verify the transcription of the points from the internal points-tracking system to the Firefly roster, audit the information, or to uncover errors that may exist.

Respectfully submitted by the Town Supervisor:

Signature

BE IT RESOLVED, that the Town Supervisor is authorized to sign the 2021 Service Award Program Sponsor Submission Form for the West Walworth Fire Department.

Adopted this 17th day of March, 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: AUTHORIZATION TO PRESENT PROCLAMATION FOR LINCOLN FIRE DEPARTMENT'S 75TH ANNIVERSARY

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

PROCLAMATION

LINCOLN VOLUNTEER FIRE DEPARTMENT 75TH ANNIVERSARY

WHEREAS, the Lincoln Volunteer Fire Department was chartered on August 18, 1947, and incorporated on September 19, 1947;

AND

WHEREAS, the Lincoln Volunteer Fire Department provides fire protection and emergency rescue services to the northwestern portion of the Town of Walworth, Wayne County, New York;

AND

WHEREAS, for seventy-five years, the members of the Lincoln Volunteer Fire Department have protected the people, families and their homes, together with the businesses and visitors of the Town of Walworth and beyond;

AND

WHEREAS, the Lincoln Volunteer Fire Department is comprised wholly of local and loyal volunteers, including some multi-generational members, who have made enormous contributions to the Town of Walworth at great cost to themselves and their families, risking their own personal safety to ensure the safety of our community, using countless hours, days and sometimes weeks of their personal and family time for training and duty;

AND

WHEREAS, the Lincoln Volunteer Fire Department protects our community twenty-four hours a day, seven days a week, on nights, weekends and holidays, in bitter cold and extreme heat, during floods, storms and fires;

AND

WHEREAS, the Walworth Town Board, together with the citizens of this community, desires to congratulate and celebrate with the Lincoln Volunteer Fire Department on this milestone event as they remember their past and look forward to their future successes;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Walworth in the County of Wayne, State of New York, does hereby proclaim Saturday, April 2, 2022, as:

LINCOLN VOLUNTEER FIRE DEPARTMENT 75TH ANNIVERSARY DAY

Proclaimed this 17th day of March, 2022.

Adopted this 17th day of March, 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: AUTHORIZATION TO PRESENT PROCLAMATION IN HONOR OF SEWER SUPERINTENDENT ROBERT BURNS UPON HIS RETIREMENT

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

PROCLAMATION

Honoring Sewer Superintendent Robert Burns upon his retirement

WHEREAS, Robert Burns began his lengthy career as a Wastewater Treatment Plant Operator with the Town of Walworth in April, of 1991;

AND

WHEREAS, Rob continued his career with the Wayne County Water and Sewer Authority from May, 1995 until March of 2008;

AND

WHEREAS, in March of 2008, Rob returned to Walworth as the Sewer Superintendent at the Wastewater Treatment Plant, the position he currently occupies;

AND

WHEREAS, Rob has signified his intent to retire effective April 1, 2022, to pursue another adventure with his family;

AND

WHEREAS, for over thirty years, Rob has distinguished himself as a hard-working and dedicated public servant, at all times committed to helping his community and has provided invaluable leadership and guidance on many significant projects;

AND

WHEREAS, his colleagues know him as a steady, dependable co-worker and friend, who takes pride in his work and in this community, and who is always ready to lend moral support or a helping hand when needed.

NOW, THEREFORE, BE IT RESOLVED THAT, the Walworth Town Board, together with the citizens of this community, do hereby express their sincere appreciation and gratitude for Mr. Burns' dedication and commitment to the Town, and congratulate him on his retirement, and wish him the best, and continued success in his retirement and future endeavors.

Proclaimed this 17th day of March, 2022.

Adopted this 17th day of March, 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 APPOINT PETER MARINI AS ETHICS BOARD MEMBER, TERM ENDING DECEMBER 31, 2022

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

WHEREAS, the Town's Ethics Board has vacancies for 2022; and

WHEREAS, the Town Board is desirous to fill the vacant positions on the Ethics Board immediately and has advertised as such; and

WHEREAS, Mr. Marini has submitted an application to serve in this position;

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board appoints Peter Marini to the position of Ethics Board member, term ending December 31, 2022.

Adopted this 17th of March 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 APPOINT JOSEPH BARANEK III TO SERVE AS PLANNING/ZONING BOARD ALTERNATE MEMBER

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

WHEREAS, the Town has previously appointed an alternate to the Planning and Zoning Boards;
and

WHEREAS, the Town Board is desirous to fill the vacant position of Alternate immediately and
has advertised as such; and

WHEREAS, Mr. Baranek has submitted an application to serve in this position;

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board appoints Joseph
Baranek III to serve as Planning/Zoning Board Alternate member.

Adopted this 17th of March 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: AUTHORIZE TRANSFER IN THE AMOUNT OF \$4,235.00 FROM A1990.51 CONTINGENT ACCOUNT TO A3310.41 TRAFFIC LIGHTS TO REPLACE DEFICIENT FLASHING TRAFFIC SIGNAL LIGHT AT LINCOLN AND PLANK ROADS

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

The following was submitted:

To: Mike Donalty, Supervisor
From: Phil Williamson
Date: March 4, 2022
Re: Intersection of Lincoln & Plank Roads, malfunctioning traffic control light.

All of the contractors were asked to quote;

1. Correcting the problem by replacing components, if necessary, make certain wiring to and from control box and light is safe and secured.
2. Upgrade and replace control box, wiring and light with (LED). Don not replace pole unless unsafe.

Quotes from:

M. L. Caocamise Electric Corporation, (Signal Upgrade only),	\$8,248.00
Power & Construction Group, Inc. Replace components,	\$3,275.00
Add Replace Flasher w/ Cabinet,	\$ 745.00
Add Replace Signal and Hanger w/ LED Unit,	\$4,020.00
Total Price for all of the above.	\$1,215.00
Colacino Industries, Replace everything except pole with cavers re: RG&E.	\$15,900.00

Any questions let me know.

Phil
3-4-2022

NOW, THEREFORE, BE IT RESOLVED, that the transfer in the amount of \$4,235.00 from A1990.51 Contingent Account to A3310.41 Traffic Lights to replace the deficient flashing traffic signal light at Lincoln and Plank Roads is hereby authorized.

Adopted this 17th of March 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: AUTHORIZE THE HIGHWAY SUPERINTENDENT TO IMPLEMENT HIGHWAY DEPARTMENT HOURS OF 4 10-HOUR WORKDAYS BEGINNING APRIL 10, 2022 TO OCTOBER 29, 2022

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

WHEREAS, the collective bargaining agreement between the Town of Walworth and International Brotherhood of Teamsters, Local 118 states in section §15.3 “The Town with Board approval, may institute alternate regular work hours...”; and

WHEREAS, the Highway Superintendent is requesting an alternate work week of 4 10-hour work days from April 10, 2022 to October 29, 2022 for all Highway Department employees;

BE IT RESOLVED that the Highway Superintendent is authorized to implement Highway Department hours of 4 10-hour work days from April 10, 2022 to October 29, 2022; and allowing the Town to reconsider the implemented schedule based on conditions including weather.

Adopted this 17th day of March, 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: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE WILLIAMSON LAW BOOK COMPANY ANNUAL SOFTWARE SUPPORT CONTRACT FOR RECORDS MANAGEMENT SOFTWARE, BUDGETED ITEM

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

The following was submitted:

Williamson Law Book Company
790 Canning Parkway Victor, New York 14564

March 15, 2022

Town of Walworth
Accounts Payable
3600 Lorraine Drive
Walworth, NY 14568

ANNUAL SOFTWARE SUPPORT CONTRACT

Enclosed is an invoice renewing your Software Support coverage for the following program(s):

Records Management Software
(4/1/22 through 3/31/23)

This agreement is between Williamson Law Book Company (WLB) and the Town of Walworth (customer) and will provide annual software support and maintenance as described herein.

Williamson Law Book Company agrees to provide the customer with:

- Support to assist with the above-named software program(s). Support will be provided by internet, phone or fax during normal business hours.
- Notice of all program enhancements and their benefits.
- All state mandated changes at no extra charge.

The customer agrees to:

- Maintain hardware in proper working condition.
- Make continued efforts to work with and properly use WLB software.
- Train new personnel in the event of employee turnover. (Additional training may be purchased from WLB)

Charges for this Software Support shall be \$288.00 as specified on the enclosed invoice.

*****Please sign and return one copy of this contract with your payment*****

Thank you.



Williamson Law Book Company

Accepted for the Town of Walworth

By _____ Title _____ Date _____

Adopted this 17th day of March, 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 SET PUBLIC HEARING FOR LOCAL LAW TO AMEND THE WALWORTH TOWN CODE TO INCREASE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION

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

WHEREAS, the Town of Walworth previously enacted Town Code §154-4, permitting the senior citizen tax exemption in Town; and

WHEREAS, the State has since increased the maximum income limits relative to such exemption, but an amendment to the Town's Code is required to apply said limits to Town of Walworth residents; and

WHEREAS, the Town values its senior citizens, and, in accordance with NY State Law, wishes to increase the income limits of the senior citizen tax exemption to the maximum amount permitted by Law; and

WHEREAS, thus, the Town Board is considering the approval of a local law which would increase the income limits relative to the senior citizen tax exemption.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be duly advertised for and held on April 7, 2022, at 6:30 p.m. for the purposes of permitting the public to speak relative to said proposed local law to increase the income limits relative to the senior citizen tax exemption; and

BE IT FURTHER, RESOLVED, that the proposed Local Law is available at the Town Clerk's Office for review by the public.

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

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

Resolution carried.