

Presiding Supervisor Donalty 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 Donalty led those present in the recitation of the Pledge of Allegiance.

Prior to roll call, Supervisor Donalty asked for a moment of silence in honor of the victims of the recent school shooting in Uvalde, Texas.

Supervisor Donalty also shared that this meeting was Councilman Bryson’s final meeting as he is moving and thanked him for his service and dedication to the Walworth community.

PRESENT:

Michael Donalty	Supervisor
Scott Bryson	Councilman
Jim Harden	Councilman
Rick Johnson	Councilman
Amber Linson	Councilwoman
Kevin Switzer	Highway Superintendent
Aimée Phillips-Lomb	Town Clerk

ABSENT: No members of the Town Board were absent.

OTHERS PRESENT: Christine Stanford, Town Comptroller; Jacqueline VanLare, Recreation Director; Mike Buckley, Parks Superintendent; and four (4) members of the public.

MINUTES

Motion by Councilwoman Linson that the minutes of May 19, 2022 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Harden.

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

Motion carried.

ELECTED OFFICIALS’ REPORTS:

TOWN CLERK

Town Clerk Phillips-Lomb shared that Fireworks Permits had been issued to The Ballroom at Carey Lake for private events, to be held June 11, 2022 and July 17, 2022 for 15 minutes between the hours of 9:00 and 9:30 PM and that public notices had been posted.

RECEIVER OF TAXES – No report.

HIGHWAY SUPERINTENDENT

Highway Superintendent Switzer reported that sprinkler system installation at the Highway Department was progressing well. Also, he stated that road work throughout the town had begun.

JUSTICE COURT – No report.

RECREATION DIRECTOR – No report.

PARKS SUPERINTENDENT

Parks Superintendent Buckley stated that the mowing in the parks had begun.

TOWN COMPTROLLER

Town Comptroller Stanford presented an overview of reserve funds, with handouts distributed to members of the Town Board. Discussion ensued regarding purpose and use of reserve funds, those funds specific to the Town of Walworth and emergency purchases.

COUNCILMAN BRYSON

Councilman Bryson shared that the Walworth Town Court appreciated a recent Active Shooter training that was held for employees. He also stated that he had attended a recent Fire Council meeting at which Knox boxes for commercial structures and the fire department hookup to the new Highway sprinkler system were discussed.

COUNCILWOMAN LINSON

Councilwoman Linson shared that the Library construction was finishing up, with a certificate of occupancy to be issued soon. She also informed the Board that the Walworth Hometown Heroes banners had been displayed around town, and there will be a presentation at the next Town Board meeting regarding the project. Additionally, Councilwoman Linson shared that she had reviewed information regarding the Gananda Lighting and Sidewalk Districts with a concerned resident, and the resident was satisfied with the information provided. The Town Board agreed that no further action will be taken.

COUNCILMAN HARDEN – No report.

COUNCILMAN JOHNSON

Councilman Johnson shared that he has reviewed the upcoming Planning and Zoning Board meeting agendas and he will be attending those meetings. He also stated that he attended the monthly cannabis board meeting, and resolutions had been passed regarding proposed packaging, labeling and advertising, as well as laboratory regulations and an agreement was signed with New York State Division of Criminal Justice Services for vetting of vendors.

SUPERVISOR DONALTY

Supervisor Donalty shared information regarding the following:

- Civilian Response To Active Shooter Events presentation announcement
- Recommendation of Supervisor for Patricia Marini to serve on the Wayne County Planning Board
- Wayne County Partnership holding a food distribution at the Town of Walworth on October 18, 2022 from 10:00 AM-12:00 PM
- Applications are being accepted for open Town Board seat
- Memorial Day service was lightly-attended this year, will be more community-oriented in the future
- A draft of the RFP for the Town of Walworth Comprehensive Plan has been prepared by the Town Attorney and will be forwarded to the members of the Town Board
- The Farmers' Market opens Tuesday, June 14 at 2:30 PM for seniors and 3:00 PM for the general public

RESOLUTIONS:

RESOLUTION 93-22: AUTHORIZATION TO INVESTIGATE CONSTRUCTING BATHROOMS NEAR THE SOUTH PAVILION IN GINEGAW PARK AND ENGAGE THE SERVICES OF LABELLA ASSOCIATES TO DRAFT PLANS FOR THE BATHROOMS

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

The following was submitted:



Jacqueline VanLare, Recreation Director
Recreation Department
Town of Walworth • Wayne County, NY

May 31st, 2022

To: Michael Donalty, Walworth Town Supervisor & Walworth Town Board

RE: New Restroom Facility in Ginegaw Park

I am seeking Town Board approval to engage the services of LaBella Associates in the development and plans of a new rest room facility to be, located in Ginegaw Park. All expenses to be expended out of the ARPA Funds.

Respectfully submitted,

Jacqueline VanLare
Recreation Director

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the investigation of constructing bathrooms near the south pavilion in Ginegaw Park and the engagement of the services of LaBella Associates to draft plans for the bathrooms.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

Roll call vote:	Councilwoman Linson	Aye
	Councilman Bryson	Aye
	Councilman Harden	No
	Councilman Johnson	Aye
	Supervisor Donalty	Aye

Resolution carried.

RESOLUTION 94-22: TO OBLIGATE \$24,055 OF ARPA MONIES TO FUND THE TRAINING AND TRANSITION OF TIM MCMULLEN TO THE POSITION OF BUILDING INSPECTOR

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

WHEREAS, the Town Comptroller has made the recommendation to use \$24,055.00 of the Town of Walworth APRA monies to fund the training and transition of Tim McMullen to the position of Building Inspector through working with current Building Inspector Norm Druschel through the remainder of the year; and

WHEREAS, the amount is based on 24 hours per week, beginning the week of June 6, 2022 through December 31, 2022;

WHEREAS, this transition is essential to the ensure the continuity and quality of those services after the current Building Inspector retires; and

WHEREAS, the Town Comptroller has requested the authorization to make the following budget modifications:

Increase Revenues A4089 – Federal Aid – ARPA \$24,055

Increase Appropriations as follows:

A3620.11T - Pers Svc Bldg. Inspector trainee (new account) \$18,486.

A9030.81 – Employee Benefits – Soc Sec & Medicare \$1,415

A9055.81 – Employee Benefits – NYS Disability Ins \$10.

A9060.81 – Employee Benefits – Health Insurance \$4144.

To cover 60% of wages and related benefits.

NOW, THEREFORE IT BE RESOLVED, that the Town Board authorizes the use of ARPA funds in the amount of \$24,055.00 for the transition of Tim McMullen to the position of Building Inspector and to authorize the requested budget modification.

Supervisor Donalty provided background for this resolution, and Councilpersons Linson and Bryson reiterated the need for the transitional training.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 95-22: AUTHORIZE A CAPITAL PROJECT FOR THE DEWBERRY PUMP STATION UPGRADE PROJECT AND THE USE OF SEWER CAPITAL RESERVE FUNDS, SUBJECT TO PERMISSIVE REFERENDUM

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

WHEREAS, the current Dewberry pump station is not adequate to handle the increased capacity created by the Lehrwood Estates development; and

WHEREAS, the Lehrwood Estates project was approved by the Planning Board with the stipulation that the developer cover part of the costs to upgrade the Dewberry pump station; and

WHEREAS, there are sufficient funds in the Sewer Capital Reserve Fund (SS231R) to cover the balance of the estimated costs of the project;

NOW, THEREFORE IT BE RESOLVED, that the Town Board hereby authorizes the transfer of \$227,590.00 From the Sewer Capital Reserve fund, subject to permissive referendum, and approves the creation of the Dewberry Pump Station Upgrade Project Fund (HB) with the following Capital Project Budget.

Dewberry Sewer Pump Station Upgrade Project Capital Project	Amount
Revenues	
HB5031 - Interfund Transfer from Reserve	\$ 227,590.00
HB2770 - Other Revenue (Lehrwood Estates)	\$ 33,410.00
Total Revenues	\$ 261,000.00
Appropriations	
HB5130.2 Project Costs	\$ 237,000.00
HB5130.21 Contigency	\$ 24,000.00
Total Appropriations	\$ 261,000.00

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 96-22: TO ACCEPT LETTER OF RETIREMENT FROM HIGHWAY DEPARTMENT CLERK MARY BETH BRAMAN

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

The following was submitted:

May 26, 2022

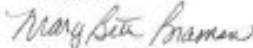
Kevin Switzer
Walworth Highway Department
4384 Canandaigua Road
Walworth, NY 14568

Dear Kevin:

This letter serves as notice to you that I intend to retire on June 30, 2022. My last day on the payroll will be June 29, 2022.

It has been great working here with all of you, and I have enjoyed every moment of it!

Thank you,



Mary Beth Braman

Cc: Mike Donalty, Town Supervisor
Aimee Phillips, Town Clerk

BE IT RESOLVED, that the Town Board accepts the letter of retirement from Highway Department Clerk Mary Beth Braman.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 97-22: TO APPOINT DR. MALCOLM RIGGS OF PALMYRA AS LOCAL HEALTH OFFICER FOR THE PERIOD OF 01/01/2022 THROUGH 12/31/2025

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

WHEREAS, in accordance with Section 320 of New York State Public Health Law, a municipality may appoint a Local Health Officer; and

WHEREAS, the Town Board of the Town of Walworth wishes to appoint Dr. Malcolm Riggs of Palmyra, New York as Local Health Officer;

BE IT RESOLVED, that the Town Board appoints Dr. Malcolm Riggs to serve as Local Health Officer for the Town of Walworth for a period of January 1, 2022 through December 31, 2025.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 98-22: TO AMEND THE MEALS AND REFRESHMENTS POLICY

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

WHEREAS, the Town of Walworth Meals and Refreshment Policy was last reviewed on February 20, 2020; and

WHEREAS, the legal opinion (98-2) of the Office of the State Comptroller states that “meals would be a proper local government charge when the local government is faced with business of an immediate nature and meetings are essential at mealtime”; and

WHEREAS, the proposed amendment would remove “Examples of authorized categories of expenditures include but are not limited to refreshments for recognition events, Tri-Board Meetings, community meetings, employee trainings and other meetings at which Town business may be conducted” and replace the wording with “authorized expenditures shall be limited to those deemed necessary when a meeting at which Town business is discussed is essential to be conducted at mealtime” and shall read as the following:

MEALS AND REFRESHMENTS

PURPOSE

The Walworth Town Board recognizes that from time to time it may be appropriate to provide meals and/or refreshments at meetings and/or events which are being held at the Town Hall.

POLICY

Any expenditure made on such meals and/or refreshments must be reasonable, itemized and should be appropriately documented with a receipt, and submitted to the Town Board for the purposes of audit and possible reimbursement.

Authorized expenditures shall be limited to those deemed necessary when a meeting at which Town business is discussed is essential to be conducted at mealtime.

All expenditures under this policy must be pre-approved by the Town Board and/or the Supervisor.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby amends the Town of Walworth Meals and Refreshments Policy to reflect the changes stated above.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 99-22: TO APPROVE THE TOWN OF WALWORTH ARPA FUNDING REQUEST PROGRAM FOR SMALL BUSINESSES/NON-PROFIT ORGANIZATIONS

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

WHEREAS, the Town of Walworth, having received funding through the American Rescue Plan (ARPA) of 2021, has an interest in supporting small businesses and non-profit organizations who have been impacted by the Coronavirus pandemic; and

WHEREAS, the Town is supportive of making investments that back long-term growth and opportunity, \$100,000.00 has been allocated to this project; and

WHEREAS, the Town would like to approve the ARPA Funding Request Program and application as a tool for the purpose of assisting COVID-19 impacted small businesses and non-profit organizations within the Town of Walworth in their recovery efforts.

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the Town of Walworth ARPA Funding Request Program for Small Businesses/Non-Profit Organizations.

Councilwoman Linson explained the reasoning for the resolution, and discussion ensued on projects, management and funding needs and potential issues.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 100-22: TO APPROVE LICENSE AGREEMENT FOR FENCE AT 589 BEAVER CREEK

Councilman Johnson offered the Resolution and moved its adoption. Seconded by Councilwoman Linson to Wit:

WHEREAS, the owner(s) of the property situated at 589 Beaver Creek have indicated their intent and desire to install a fence on their property; and

WHEREAS, the Town of Walworth holds a utility easement on said property, including in the area of the proposed fence; and

WHEREAS, the owner has advised that it would be willing to remove the fence should the Town be required to exercise its rights under said utility easement; and

WHEREAS, the Town has inspected the area and concluded that, so long as it retains the right to access the utility easement, including the right to remove said fence, it would not object to a license for such fence.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board hereby approves the attached license agreement for the installation of said fence, subject to final approval by the attorney for the Town.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 101-22: TO APPROVE LICENSE AGREEMENT FOR FENCE AT 417 PARKSIDE TRAIL

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

WHEREAS, the owner(s) of the property situated at 417 Parkside Trail have indicated their intent and desire to install a fence on their property; and

WHEREAS, the Town of Walworth holds a utility easement on said property, including in the area of the proposed fence; and

WHEREAS, the owner has advised that it would be willing to remove the fence should the Town be required to exercise its rights under said utility easement; and

WHEREAS, the Town has inspected the area and concluded that, so long as it retains the right to access the utility easement, including the right to remove said fence, it would not object to a license for such fence.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board hereby approves the attached license agreement for the installation of said fence, subject to final approval by the attorney for the Town.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

COMMUNICATION:

- **Retirement Letter from Mary Beth Braman**, dated May 26, 2022
- **Letter from Gananda Rotary regarding Annual Gananda Garage Sale**, dated May 25, 2022
- **Town of Walworth 2021 Annual Financial Report Update Document** – Available for review in Town Clerk’s office and will be posted on the Town’s website

Councilwoman Linson made the motion to accept and file the Town of Walworth 2021 Annual Financial Report Update Document. Councilman Johnson seconded the motion.

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

Motion carried.

- **Assessment Department Monthly Report for May 2022**

Supervisor Donalty reviewed the following Town Board meeting dates:

TOWN BOARD MEETINGS:

DATE	TIME	MEETING TYPE
JUNE 16, 2022	6:30 PM	REGULAR
JULY 7, 2022	6:30 PM	REGULAR
JULY 21, 2022	6:30 PM	REGULAR

NEW AND OTHER BUSINESS:

- **Discussion on next steps for cannabis dispensary regulation** – Councilman Johnson shared information in earlier part of the meeting.
- **Update on revised Town Code and plan for completion** – No update.
- **Discussion on the official Town logo**

Councilwoman Linson shared the history of the old Town logo and the updated logo that had been brought into use in 2018. She asked the Board whether it would like to continue using the old logo, as was decided in 2018, or use the new logo which is currently on the Town’s letterhead and mailing supplies. Discussion ensued and all Town Board members were in favor of using the old logo and to make that the image used on Town communications.

➤ **Update of Planning/Zoning Board Alternate position**

Supervisor Donalty stated that no applications had been received for the Planning/Zoning Board Alternate position, therefore it will remain unfilled for now.

➤ **Authorization for MCC sports management interns to work in Recreation Department**

Recreation Director VanLare shared that she would like authorization for interns in the sports management program at MCC to work, unpaid, in the Recreation Department and to have Supervisor Donalty sign the agreement allowing this. Councilwoman Linson made the motion to authorize the Town Supervisor to sign the agreement. Councilman Johnson seconded the motion.

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

Motion carried.

RESOLUTION 102-22: STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR DEWBERRY PUMP STATION IMPROVEMENTS TYPE II DETERMINATION

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

WHEREAS, the Town of Walworth Town Board (the “Board”) is proposing the following Scope of Work to be completed:

The proposed project includes removal/replacement of the pump station cover, replacement of pumps within the pump station including piping and valves, and replacement of pump controls and associated concrete pad (see attached site plan). Other components of the proposed project include installation/wiring of a portable generator and installation of a bypass connection.

WHEREAS, the Board has reviewed the scope of the project and has further received and considered the advice of its architects, engineers, and environmental specialists with respect to classification of the action in accordance with the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR part 617.5(c), which reads as follows:

- (1) maintenance or repair involving no substantial changes in an existing structure or facility
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part

WHEREAS, Type II actions have been determined not to have a significant impact on the environment and are not subject to review under SEQRA, now therefore;

BE IT RESOLVED, the proposed project is hereby determined to be a Type II action having no significant impact on the environment and not subject to review under SEQRA. As a result, no further action is required by the Town Board of the Town of Walworth with regard to SEQRA for this action.

Adopted this 2nd day of June, 2022 at a meeting of the Town Board.

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

Resolution carried.

PUBLIC PARTICIPATION:

Cody Phillips addressed the Board speaking to the hazard of bathrooms being constructed at the bottom of the hill where children often sled near the Town Hall, his concerns regarding the proper use of ARPA funds and the benefits of updating the Town’s logo.

EXECUTIVE SESSION:

Motion by Councilman Johnson to enter into an executive session to discuss proposed, pending or current litigation.

Seconded by Councilwoman Linson.

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

Motion carried.

Time: 8:10 PM

RECONVENE:

Councilwoman Linson made the motion to reconvene the meeting. Seconded by Councilman Johnson.

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

Motion carried.

Time: 8:25 PM

ADJOURNMENT:

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

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

Motion carried.

Time: 8:26 PM

Respectfully Submitted,
Aimée Phillips-Lomb
Town Clerk