

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.

<b><u>PRESENT:</u></b>	Michael Donalty	Supervisor
	Amber Linson	Councilwoman
	Jim Harden	Councilman
	Rick Johnson	Councilman
	Aimée Phillips	Town Clerk
<b><u>ABSENT:</u></b>	Alex Kelly	Councilman
	Kevin Switzer	Highway Superintendent

**OTHERS PRESENT:** Christine Stanford, Town Comptroller; Gene Bavis, Town Historian; and 18 (eighteen) members of the public were present.

**MINUTES**

Motion by Councilwoman Linson that the minutes of September 1, 2022 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Johnson.

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

Motion carried.

Motion by Councilman Johnson that the minutes of September 8, 2022 Special Meeting/Budget Work Session are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

**ELECTED OFFICIALS’ REPORTS:**

**SUPERVISOR’S REPORT**

The Supervisor’s Report for the **month of August 2022** was submitted to the Town Board.

09/07/2022 16:59:51

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 August, 2022:

DATED: September 7, 2022

*[Signature]*  
SUPERVISOR

	Balance 07/31/2022	Increases	Decreases	Balance 08/31/2022
<b>A GENERAL FUND</b>				
CASH - CLEARING ACCOUNT	120,000.00	372,766.26	372,766.26	120,000.00
CASH IN SAVINGS	69,423.67	467,610.46	203,850.83	332,183.30
MONEY MARKET ACCT	672,239.18	59.00	0.00	672,298.18
AREA FUNDS	539,079.35	303.96	337,892.11	201,491.20
CERTIFICATE OF DEPOSITS	400,408.89	337,892.11	0.00	738,301.00
PETTY CASH	820.00	0.00	0.00	820.00
HIGHWAY BUILDING REPAIR/ALTERA	99,535.39	0.01	99,490.17	45.23
BLDG EQUIPMENT/SOFTWARE	2,048.50	0.18	0.00	2,048.68
TOWN CLERK EQUIPMENT RESERVE	3,133.13	0.27	0.00	3,133.40
COMPUTER EQ RESERVE SAVINGS	66,573.47	5.84	0.00	66,579.31
TOWN HALL CAPITAL RESERVE	245,566.57	21.55	0.00	245,588.12
DOG ENHANCEMENT RESERVE FUND	3,419.86	0.30	0.00	3,420.16
EMPLOYEE BENEFIT RESERVE	1,980.43	0.17	0.00	1,980.60
PARK EQ RESERVE SAVINGS	95,636.65	0.39	0.00	95,645.04
RETIREMENT CONTRIBUTION RESERV	10,119.08	0.89	0.00	10,119.97
HANLEY SIDEWALK RESERVE FUND	27,814.42	2.44	0.00	27,816.86
RESERVE FOR RECORDS MANAGEMENT	60,869.09	5.34	0.00	60,874.43
<b>TOTAL</b>	<b>2,418,667.68</b>	<b>1,178,677.17</b>	<b>1,013,999.37</b>	<b>2,583,345.48</b>
<b>CM1- PARK SPECIAL REVENUE FUND</b>				
CASH - CLEARING ACCOUNT	0.00	6,673.58	6,673.58	0.00
CASH - SAVINGS	123,961.01	1,050.00	6,673.58	118,337.43
<b>TOTAL</b>	<b>123,961.01</b>	<b>7,723.58</b>	<b>13,347.16</b>	<b>118,337.43</b>
<b>CM2- PARK GROWTH</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>CM6- CEMETERIES</b>				
CASH - SAVINGS	0.00	0.00	0.00	0.00
	18,115.20	0.00	0.00	18,115.20
<b>TOTAL</b>	<b>18,115.20</b>	<b>0.00</b>	<b>0.00</b>	<b>18,115.20</b>
<b>DA HIGHWAY FUND</b>				
CASH - CLEARING ACCOUNT	120,000.00	253,121.18	253,121.18	120,000.00
CASH IN SAVINGS	1,191,813.23	779.51	307,701.38	884,891.36
MONEY MARKET ACCT	543,121.78	47.66	0.00	543,169.44
EMPLOYEES BENEFITS RESERVE	6,583.23	0.58	0.00	6,583.81
MACHINERY RESERVE SAVINGS	181,032.74	15.89	0.00	181,048.63

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MONTHLY REPORT OF SUPERVISOR

	Balance 07/31/2022	Increases	Decreases	Balance 08/31/2022
RETIREMENT CONTRIBUTION RESERV	10,119.08	0.89	0.00	10,119.97
<b>TOTAL</b>	<b>2,052,670.06</b>	<b>253,965.71</b>	<b>560,822.56</b>	<b>1,745,813.21</b>
<b>HA HIGHWAY EQUIPMENT</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>HB DEWBERRY PUMP STATION UPGRADE</b>				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
CERTIFICATES OF DEPOSIT	227,609.58	19.97	0.00	227,629.55
	0.00	19.97	19.97	0.00
<b>TOTAL</b>	<b>227,609.58</b>	<b>39.94</b>	<b>19.97</b>	<b>227,629.55</b>
<b>L LIBRARY FUND</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>MS SELF INSURANCE FUND</b>				
	0.00	0.00	0.00	0.00
CASH IN SAVINGS	2,639.67	0.23	0.00	2,639.90
<b>TOTAL</b>	<b>2,639.67</b>	<b>0.23</b>	<b>0.00</b>	<b>2,639.90</b>
<b>SD1- WALWORTH CONSOLIDATED</b>				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	173,493.32	3,000.00	998.40	175,494.92
<b>TOTAL</b>	<b>173,493.32</b>	<b>3,000.00</b>	<b>998.40</b>	<b>175,494.92</b>
<b>SD2- CRYSTAL CREEK DRAINAGE</b>				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
CRYSTAL CREEK DRAINAGE RES SAV	2,319.73	0.00	0.00	2,319.73
	6,721.71	0.59	0.00	6,722.30
<b>TOTAL</b>	<b>9,041.44</b>	<b>0.59</b>	<b>0.00</b>	<b>9,042.03</b>
<b>SF1- WALWORTH FIRE DISTRICT</b>				
	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>SF2- WEST WALWORTH FIRE PROTECTION</b>				
	0.00	0.00	0.00	0.00
CASH IN SAVINGS	181,122.85	15.89	0.00	181,138.74
<b>TOTAL</b>	<b>181,122.85</b>	<b>15.89</b>	<b>0.00</b>	<b>181,138.74</b>
<b>SF3- LINCOLN FIRE PROTECTION</b>				
CASH IN SAVINGS	0.00	0.00	0.00	0.00
	174,546.83	15.32	0.00	174,562.15

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MONTHLY REPORT OF SUPERVISOR

	Balance 07/31/2022	Increases	Decreases	Balance 08/31/2022
TOTAL	174,546.83	15.32	0.00	174,562.15
<b>SL1- WALWORTH LIGHT DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	258.91	258.91	0.00
CASH IN SAVINGS	27,142.00	0.00	258.91	26,883.97
TOTAL	27,142.88	258.91	517.82	26,883.97
<b>SL2- HARVEST HILL LIGHT DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	532.97	532.97	0.00
CASH IN SAVINGS	8,836.71	0.00	142.47	8,303.74
TOTAL	8,836.71	532.97	1,065.94	8,303.74
<b>SL3- GANANDA LIGHT DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	1,166.80	1,166.80	0.00
CASH IN SAVINGS	22,832.61	0.00	1,166.80	21,665.81
TOTAL	22,832.61	1,166.80	2,333.60	21,665.81
<b>SL4- BROOKSIDE LIGHT DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	5.11	5.11	0.00
CASH IN SAVINGS	455.61	0.00	9.11	446.50
BROOKSIDE REPAIR RESERVE	4,718.31	0.41	0.00	4,718.72
TOTAL	5,173.92	9.52	14.22	5,165.22
<b>SL5- ORCHARD VIEW LIGHT DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	90.77	90.77	0.00
CASH - SAVINGS	6,339.61	0.00	90.77	6,248.84
TOTAL	6,339.61	90.77	181.54	6,248.84
<b>SL6- LEHWOOD LIGHTING DISTRICT</b>				
CASH - SAVINGS	500.00	0.00	0.00	500.00
TOTAL	500.00	0.00	0.00	500.00
<b>SM CAMANDA SIDEWALK DISTRICT</b>				
CASH - CLEARING ACCOUNT	0.00	639.49	639.49	0.00
CASH IN SAVINGS	44,279.21	0.00	639.49	43,639.72
TOTAL	44,279.21	639.49	1,278.98	43,639.72
<b>SM1- LEHWOOD SIDEWALK DISTRICT</b>				
CASH - SAVINGS	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
<b>SP JOHN'S PARK DISTRICT</b>				
CASH - SAVINGS	3,184.29	0.00	0.00	3,184.29

MONTHLY REPORT OF SUPERVISOR

	Balance 07/31/2022	Increases	Decreases	Balance 08/31/2022
TOTAL	3,184.29	0.00	0.00	3,184.29
<b>SS WALWORTH SEMER DISTRICT #1</b>				
CASH - CLEARING ACCOUNT	0.00	13,375.40	13,375.40	0.00
CASH IN SAVINGS	344,938.32	87,310.71	34,830.98	397,418.05
MONEY MARKET	117,095.95	21,659.91	0.00	138,755.86
PETTY CASH	100.00	0.00	0.00	100.00
SEMER DIST BUILDING RESERVE	202,942.38	17.81	0.00	202,960.19
SEMER EQ RESERVE SAVINGS	128,638.39	11.29	0.00	128,649.68
SEMER CAPITAL RESERVE	301,566.73	26.46	0.00	301,593.19
TOTAL	1,095,281.77	122,401.58	48,206.38	1,169,476.97
<b>SW1- WALWORTH WATER DISTRICT #1</b>				
CASH IN SAVINGS	38,460.53	0.00	0.00	38,460.53
SPECIAL RESERVE, WATER STORAGE	2,321.28	0.20	0.00	2,321.48
TOTAL	40,781.81	0.20	0.00	40,782.01
<b>SW19- WATER EXT #19 LIN/SMA/CO</b>				
CASH IN SAVINGS	4,792.43	0.00	0.00	4,792.43
TOTAL	4,792.43	0.00	0.00	4,792.43
<b>SW20- WATER EXT #20 ARBOR/TUMMONDS</b>				
CASH IN SAVINGS	1,475.16	0.00	0.00	1,475.16
TOTAL	1,475.16	0.00	0.00	1,475.16
<b>TA TRUST &amp; AGENCY</b>				
CASH	75,286.03	234,347.46	226,845.07	82,788.42
TOTAL	75,286.03	234,347.46	226,845.07	82,788.42
<b>TC CUSTODIAL TRUST</b>				
CASH - CHECKINGS	130,864.15	1,200.00	900.00	131,164.15
TOTAL	130,864.15	1,200.00	900.00	131,164.15
<b>V DEBT SERVICE</b>				
ARBOR/TUMMONDS RESERVE SAVINGS	7,562.42	0.66	0.00	7,563.08
LIN/SWAD RESERVE SAVINGS	11,811.80	1.04	0.00	11,812.92
TOTAL	19,374.30	1.70	0.00	19,376.00
TOTAL ALL FUNDS	6,868,012.52	1,804,087.83	1,870,535.01	6,801,565.34

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Motion by Councilwoman Linson to accept the **Supervisor’s Report for the month of August 2022**. Seconded by Councilman Johnson.

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

Motion carried.

**TOWN CLERK’S REPORT**

The Town Clerk’s Report for the **month of August 2022** was submitted to the Town Board.

TOWN CLERK’S MONTHLY REPORT			
TOWN OF WALWORTH, NEW YORK		AUGUST, 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	202.15
	6	MARRIAGE LICENSES NO. 22022 TO 22027	105.00
	3	B/D/M RECORDS SEARCH	100.00
		TOTAL TOWN CLERK FEES	407.15
A2001	6	RECREATION	1,550.00
		TOTAL A2001	1,550.00
A2089	1	OTHER REC REVENUES	832.50
		TOTAL A2089	832.50
A2110	2	ZONING BOARD REVIEW	100.00
		TOTAL A2110	100.00
A2115	3	PB REVIEW FEES/OTHER	1,600.00
		TOTAL A2115	1,600.00
A2540	2	BINGO PROCEEDS	13.46
		TOTAL A2540	13.46
A2544	71	DOG LICENSES	705.00
		TOTAL A2544	705.00
A2555	26	BUILDING PERMITS	1,635.00
		TOTAL A2555	1,635.00
A2770B	2	OTHER INCOME BUILDING	41.00
		TOTAL A2770B	41.00
CM2089	6	PARK EXPENDABLE TRUST	575.00
		TOTAL CM2089	575.00
TA301	9	ESCROW - BLDG PERMITS	1,400.00
		TOTAL TA301	1,400.00

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**TOWN CLERK'S MONTHLY REPORT**

AUGUST, 2022

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**DISBURSEMENTS**

PAID TO SUPERVISOR FOR GENERAL FUND	6,681.96	✓
DECALS SEPARATE MONTHLY REPORT	202.15	✓
PAID TO SUPERVISOR FOR BUILDING PERMIT ESCROWS	1,400.00	✓
PAID TO SUPERVISOR FOR CEMETERY/PARK EXPENDABLE	575.00	✓
DECALS SEPARATE MONTHLY REPORT- EFT	4,878.85	
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	99.00	
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	135.00	
<b>TOTAL DISBURSEMENTS</b>	<b>13,971.96</b>	

SEPTEMBER 2, 2022

  
Michael Donalty, SUPERVISOR

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

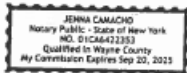
I, Aimee Phillips, being duly sworn, says that I am the Clerk of the TOWN OF WALWORTH that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and sworn to before me this

2 day of September 2022

  
Notary Public

  
Town Clerk



Motion by Councilman Johnson to accept the **Town Clerk's Report for the month of August 2022**. Seconded by Councilwoman Linson.

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

Motion carried.

**TOWN CLERK**

Town Clerk Phillips stated that a Fireworks Permit had been issued to the Ballroom at Carey Lake for a private event, to be held September 18, 2022 for 15 minutes between the hours of 8:30 and 8:45 PM and that public notices have been posted.

**HIGHWAY SUPERINTENDENT** - No report.

**PUBLIC HEARING – 6:35 PM - LOCAL LAW NO. 4 OF 2022 – TO UPDATE, REVISE AND RECODIFY THE WALWORTH TOWN CODE**

**PUBLIC HEARING RULES AND PROCEDURES:**

Supervisor Donalty reviewed the procedures for the public hearing and Town Clerk Phillips read the following legal notice.

**NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW TO UPDATE, REVISE AND RECODIFY THE WALWORTH TOWN CODE**

**PLEASE TAKE NOTICE** that a proposed Local Law is under consideration by the Walworth Town Board, designated as Local Law No. 4-2022 – “To Update, Revise and Recodify the Walworth Town Code.”

**PLEASE TAKE FURTHER NOTICE** that the purpose of said Local Law is modernize and update the Town Code, resulting in a recodification of the Walworth Town Code.

**PLEASE TAKE FURTHER NOTICE** that certain provisions of the Town Code will thus be updated, modified, revised and/or repealed, including, but not limited to, for example: revising and updating definitions, updating junkyard provisions, updating subdivision regulations, and updating zoning regulations.

**PLEASE TAKE FURTHER NOTICE** that in addition to the above, the changes resulting from the Local Law are fully set forth therein, including that all listed changes are set forth at Schedule A (enumerating the revisions) and Schedule B thereto (reflecting the resultant revised Code).

**PLEASE TAKE FURTHER NOTICE** that said proposed Local Law and its Schedules is on file in the Walworth Town Clerk’s Office located at 3600 Lorraine Drive, Walworth, NY, where it is available for public inspection during regular business hours.

**PLEASE TAKE FURTHER NOTICE THAT** that said proposed Local Law and its Schedules is also online at [www.townofwalworthny.gov](http://www.townofwalworthny.gov) where it is available for review by the public.

**PLEASE TAKE FURTHER NOTICE**, that a Public Hearing upon said proposed Local Law has been scheduled for the 15<sup>th</sup> day of September 2022, at 6:35 PM, to be held by the Walworth Town Board at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Walworth Town Clerk.

Dated: August 19, 2022

Town Clerk of the Town of Walworth

Councilwoman Linson made the motion to open the public hearing. Seconded by Councilman Johnson.

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

Motion carried.

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

Time: 6:38 PM.

The following members of the public addressed the Town Board:

- 1) Mr. Ron Dafoe, of 3812 Springwater Lane, distributed handouts to Town Board members. He spoke against changes to Town Code 180-12 B (6) Backyard Chickens in Residential Districts and 180-25 Parking, Storage and Use of Major Recreational Vehicles.
- 2) Mr. Michael Kunzer, of 2168 Church Street, spoke regarding to and in favor of an Alternate being appointed to the Town of Walworth Planning and Zoning Boards.

It was noted that no written correspondence had been received by the Town Clerk’s Office.

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

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

Motion carried.

Time: 6:48 PM.

**PUBLIC HEARING – 6:45 PM - LOCAL LAW NO. 5 OF 2022 – TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF WALWORTH TO REZONE APPROXIMATELY 42+/- ACRES OF LAND AT 4320 CANANDAIGUA ROAD (TAX MAP PARCEL # 62115-00-376223), COMMONLY KNOWN AS THE FREEWILL ELEMENTARY SCHOOL PARCEL, FROM “RR-1” DISTRICT TO “B” DISTRICT**

**PUBLIC HEARING RULES AND PROCEDURES:**

Supervisor Donalty reviewed the procedures for the public hearing and Town Clerk Phillips read the following legal notice.

**NOTICE OF PUBLIC ON PROPOSED LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF WALWORTH TO REZONE APPROXIMATELY 42+/- ACRES OF LAND AT 4320 CANANDAIGUA ROAD (TAX MAP PARCEL # 62115-00-376223), COMMONLY KNOWN AS THE FREEWILL ELEMENTARY SCHOOL PARCEL, FROM “RR-1” DISTRICT TO “B” DISTRICT.**

**PLEASE TAKE NOTICE** that a proposed Local Law is under consideration by the Walworth Town Board, designated as Local Law No. 5-2022 “to Amend the Official Zoning Map of the Town of Walworth to Rezone Approximately 42 +/- Acres of Land at 4320 Canandaigua Road (Tax Map Parcel # 62115-00-376223), Commonly Known as the Freewill Elementary School Parcel, from RR-1 District to B District.”

**PLEASE TAKE FURTHER NOTICE** that the purpose of said Local Law rezone the referenced Freewill Elementary School parcel from RR-1 District to B District, all in furtherance of the intention of the applicant, K2 Brewing, Inc., to re-use the existing school building there and develop the same into a craft brewery/restaurant/event center.

**PLEASE TAKE FURTHER NOTICE** that said proposed Local Law is on file in the Walworth Town Clerk’s Office located at 3600 Lorraine Drive, Walworth, NY, where it is available for public inspection during regular business hours.

**PLEASE TAKE FURTHER NOTICE**, that a Public Hearing upon said proposed Local Law has been scheduled for the 15<sup>th</sup> day of September 2022, at 6:45 PM, to be held by the Walworth Town Board at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Walworth Town Clerk.

Dated: August 19, 2022

The Town Clerk of the Town of Walworth

Councilman Johnson made the motion to open the public hearing. Seconded by Councilwoman Linson.

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

Motion carried.

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

Time: 6:52 PM.

The following members of the public addressed the Town Board:

- 1) Mrs. Mary Lee Ferry, of 1339 Plank Road, read the following letter:

1339 Plank Road  
 Walworth, New York 14568  
 September 13, 2022

To whom it may concern:

We are writing with regard to the current proposal to change Freewill Elementary school from a residentially zoned property to a commercially zoned one in order to facilitate sale of that property to a brewery.

In our opinion, the closing of Freewill did a grave disservice to both the children and the property owners of the town of Walworth. We no longer have an attractive, small, and successful school close by to send our children or any future children living in this community to. For a number of years this property has been closed to the residents of Walworth, although it had been previously enjoyed as a playground for children and as a place to walk our dogs or just enjoy nature. Now, to add insult to injury, the town wishes to make this a commercial property located in the heart of a residential area.

We believe that a business located here would be unsightly, and would also exacerbate traffic in residential neighborhoods. We live on Plank Road close to Freewill, and think the truck and car traffic would definitely increase on a road that already has heavy traffic. In building a business in a residential neighborhood, the town shows that it doesn't value property owner's rights, or existing zoning standards. We've lived in this community for thirty four years, and have witnessed the town casting home owner's rights aside for those who want to run businesses in residential areas. At times we have wondered why this is so. It doesn't make sense from a planning point of view. Who profits from a town that has unsightly businesses mixed in with residential housing? Certainly not the homeowner, especially when it comes time to sell his or her home.

As far as we know, Walworth has many areas already zoned for businesses. Perhaps the brewery should consider one of the appropriately zoned areas in which to establish their business.

The town of Walworth has the moral obligation to protect the rights of the citizens of this community. We pay the taxes, and our voices need to be heard.

While it might be financially agreeable to the town to dispense with Freewill School, a commercial use of any kind in a residential neighborhood is unacceptable. What will be the fate of Freewill? We don't know. We didn't make the decision to close it.

Sincerely,

Mary Lee Ferry

Lawrence Jon Ferry



- 2) Mrs. Carolyn Ferguson, of 4225 Canandaigua Road, spoke against the rezoning citing traffic and speed concerns.
- 3) Ms. Christine Kubida, of 4074 Boynton Road, addressed the Board inquiring as to the specific zoning of the Freewill School and the areas of land surrounding the school.
- 4) Mr. Michael Kunzer, of 2168 Church Street, spoke regarding a concern with PILOT applications and programs for businesses within the Town of Walworth.

It was noted that no written correspondence had been received by the Town Clerk’s Office.

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

Councilwoman Linson stated to those present that the business, K2 Brewing, will need to go through a process involving the Planning Board to obtain Special Use Permits, etc, and all are encouraged to bring comments and concerns to that Board at that time.

Councilman Johnson informed those present that the sale of Freewill School is being conducted by the Wayne Central School District and not the Town of Walworth

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

Motion carried.

Time: 7:10 PM.

**COUNCILMAN KELLY** – No report.

**COUNCILWOMAN LINSON**

Councilwoman Linson shared that the Town Board had met with representatives from the Walworth-Seely Library and had received its proposed 2023 budget. Additionally, she stated that the Wayne County Bicentennial Committee has set a book release date for its publication Voices of Wayne County to be held on October 11, 2022. All are welcome to attend, however, an RSVP is encouraged.

**COUNCILMAN HARDEN** – No report.

**COUNCILMAN JOHNSON**

Councilman Johnson shared that he had attended the recent meeting of the Town of Walworth Zoning Board and commended the Board for good decision-making and a well-run meeting.

**SUPERVISOR DONALTY**

Supervisor Donalty shared that he had planned on appointing members to the Town of Walworth Comprehensive Plan Committee that evening but did not have a full committee to date. The committee should be appointed at the next regular Town Board meeting on October 6, 2022.

**RESOLUTIONS:**

**RESOLUTION 143-22: BUDGET MODIFICATIONS**

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

**Budget Modifications for September 15, 2022 Board Meeting**

**GENERAL FUND**

**Transfer \$678.93 FROM A1220.41** (Supervisor – Conf /Training) as follows: **\$630.68 TO A1220.13** (Supervisor – Town Comptroller) and **\$48.25 TO A9030.81** (Employee Benefits – Soc Sec & Medicare) to cover the remaining salary expense for the fiscal year.

**Transfer \$100. FROM A1110.48** (Justices – Contractual Dues) **TO A1110.42** (Justices – Contractual – Training) to cover Abstract #9 claims.

**Transfer \$920.00 FROM A1990.41** (Contingent Account) **TO A1355.46** (Assessment – Consultation) to cover Abstract #9 claims.

**Transfer \$1.40 from A1410.42** (Town Clerk – Office supplies) **TO A1410.48** (Town Clerk- Postage) to cover Abstract #9 claims.

**Transfer \$3,275.00 FROM A1990.41** (Contingent Account) **TO A1620.45** (Town office – AUDIT) to cover Abstract #9 claims (2020 Audit, and 2021 AUD preparation)

**Transfer \$199 FROM A3620.41** (Safety Inspection – Training) **TO A3620.42** (Safety Inspection – Maint / Fuel) to cover Abstract #9 claims.

**HIGHWAY FUND**

**Transfer \$184.37 FROM DA5110.41** (General Repairs – Roads) **TO DA5112.21** (Permanent Improvements – Wedge) to cover Abstract #9 claims.

**Transfer \$5,460.10 FROM DA5142.43** (Snow Removal – Fuel usage) **TO DA5112.44** (General Repairs – Fuel Usage)

Adopted this 15<sup>th</sup> day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 144-22: ABSTRACT 9, APPROVAL**

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

TOWN OF WALWORTH				
Abstract # 009				
Summary by Fund				
Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	1,887.46	87,255.76	89,143.22
CM1-	PARK SPECIAL REVENUE FUND		1,621.39	1,621.39
DA	HIGHWAY FUND		97,193.44	97,193.44
SD1-	WALWORTH CONSOLIDATED DRAINAGE		3,028.49	3,028.49
SL1-	WALWORTH LIGHT DISTRICT		317.56	317.56
SL2-	HARVEST HILL LIGHT DISTRICT		591.99	591.99
SL4-	BROOKSIDE LIGHT DISTRICT		13.13	13.13
SL5-	ORCHARD VIEW LIGHT DISTRICT		141.26	141.26
SS	WALWORTH SEWER DISTRICT #1		71,710.97	71,710.97
TA	TRUST & AGENCY	45,281.30		45,281.30
TC	CUSTODIAL TRUST	1,100.00		1,100.00
<b>Total:</b>		<b>48,268.76</b>	<b>261,873.99</b>	<b>310,142.75</b>

Voucher Numbers 1258-1405, 71-79, 97-104

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

Adopted this 15<sup>th</sup> day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 145-22: TO SET PUBLIC HEARING FOR TOWN OF WALWORTH SEWER DISTRICT SPECIAL ASSESSMENT ROLLS FOR 2022**

Councilman Johnson offered Resolution 145-22 and moved its adoption. Seconded by Councilwoman Linson to wit:

**WHEREAS**, the costs in connection with the Town of Walworth’s sewer districts must be paid for in accordance with law, including in relation to the transition from the dated Walworth Treatment Plant in the Town of Walworth to the planned regional treatment plant to be run by the Wayne County Water and Sewer Authority; and

**WHEREAS**, in connection with the payment of such costs, the Town of Walworth will be collecting revenues via special assessments against the Town of Walworth sewer districts; and

**WHEREAS**, such special assessments will be imposed based upon the number of equivalent dwelling units (“EDUs”) assigned to each tax parcel, as defined and determined in accordance with the Walworth Town Code; and

**WHEREAS**, rolls specifying such special assessments have been filed with and are available for review by the public at the Office of the Walworth Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing shall be had on the Town of Walworth Sewer District Special Assessment Rolls for 2022 on **October 6th at 6:40 p.m.** for the purpose of hearing the public in relation to such rolls; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk shall advertise said public hearing as required under New York State Law.

Adopted this 15<sup>th</sup> day of September, 2022, at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 146-22: TO SET PUBLIC HEARING FOR LEHRWOOD LIGHTING DISTRICT SPECIAL ASSESSMENT ROLL FOR 2022**

Councilwoman Linson offered Resolution 146-22 and moved its adoption. Seconded by Councilman Johnson to wit:

**WHEREAS**, the costs in connection with the Lehrwood Lighting District must be paid for in accordance with law, including in relation to the costs to operate and maintain the same; and

**WHEREAS**, in connection with the payment of such costs, the Town of Walworth will be collecting revenues via special assessments against the lands within the Lehrwood Lighting District; and

**WHEREAS**, such special assessments will be imposed as set forth in the Lehrwood Lighting District Map, Plan and Report, which has been filed with and is available for review by the public at the Office of the Walworth Town Clerk; and

**WHEREAS**, a roll specifying such special assessments has been filed with and is available for review by the public at the Office of the Walworth Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing shall be had on the Lehrwood Lighting District Special Assessment Roll for 2022 on **October 6<sup>th</sup> at 6:42 p.m.** for the purpose of hearing the public in relation to such roll; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk shall advertise said public hearing as required under New York State Law.

Adopted this 15<sup>th</sup> day of September, 2022, at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 147-22: TO SET PUBLIC HEARING FOR LEHRWOOD SIDEWALK DISTRICT SPECIAL ASSESSMENT ROLL FOR 2022**

Councilwoman Linson offered Resolution 147-22 and moved its adoption. Seconded by Councilman Johnson to wit:

**WHEREAS**, the costs in connection with the Lehrwood Sidewalk District must be paid for in accordance with law, including in relation to the costs to maintain the same; and

**WHEREAS**, in connection with the payment of such costs, the Town of Walworth will be collecting revenues via special assessments against the lands within the Lehrwood Sidewalk District; and

**WHEREAS**, such special assessments will be imposed as set forth in the Lehrwood Sidewalk District Map, Plan and Report, which has been filed with and is available for review by the public at the Office of the Walworth Town Clerk; and

**WHEREAS**, the roll specifying such special assessments has been filed with and is available for review by the public at the Office of the Walworth Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing shall be had on the Lehrwood Sidewalk District Special Assessment Roll for 2022 on **October 6<sup>th</sup> at 6:44 p.m.** for the purpose of hearing the public in relation to such roll; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk shall advertise said public hearing as required under New York State Law.

Adopted this 15<sup>th</sup> day of September, 2022, at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 148-22: AUTHORIZE THE TOWN CLERK TO ISSUE A 2022 PUBLIC ASSEMBLY PERMIT TO GREYSTONE GOLF LLC**

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

**WHEREAS**, an application has been made to the Town Board of the Town of Walworth for a 2022 Public Assembly Permit - Seasonal to Greystone Golf LLC, 1400 Atlantic Avenue, Walworth, NY 14568; pursuant to the Town of Walworth Municipal Code, Chapter 131 Public Assembly.

**WHEREAS**, the Fire Marshall has completed the Inspection on September 9, 2022; where no violations were cited.

**BE IT RESOLVED**, that the Town Clerk issue the Permit and collect the fees according to the Town Fee Schedule.

Adopted this 15<sup>th</sup> day of September, 2022 at a meeting of the Town Board.

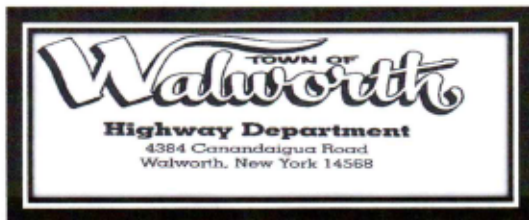
Roll call vote:	Councilwoman Linson	Aye
	Councilman Kelly	Absent
	Councilman Harden	Aye
	Councilman Johnson	Aye
	Supervisor Donalty	Aye

Resolution carried.

**RESOLUTION 149-22: AUTHORIZE THE HIGHWAY SUPERINTENDENT TO SELL 2002 STERLING 10 WHEEL TRUCK BY SEEKING BIDS THROUGH AUCTIONS INTERNATIONAL**

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

The following was submitted:



Kevin Switzer  
Highway Superintendent

Phone: (315) 524-3150  
Fax: (315) 524-9247

TO: MIKE DONALTY, TOWN SUPERVISOR  
TOWN BOARD MEMBERS

FROM: KEVIN SWITZER, HIGHWAY SUPERINTENDENT

DATE: SEPTEMBER 6, 2022

SUBJECT: SALE OF 2002 STERLING 10 WHEELER

Be it resolved that the Town Board authorize Kevin Switzer, Highway Superintendent, to sell a 2002 Sterling 10 Wheel Truck by seeking bids through Auctions International. The truck is currently used as a spare but will soon be a surplus item as our 2022 International 6 Wheel truck is now in Rochester for the finishing touches before we take ownership. We should be getting the truck within the next few weeks.

Respectfully submitted,

Kevin Switzer, Highway Superintendent

**BE IT RESOLVED**, that the Highway Superintendent is hereby authorized to sell a 2002 Sterling 10 Wheel Truck by seeking bids through Auctions International.

Adopted this 15<sup>th</sup> day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 150-22: TO OBLIGATE \$4,057.59 OF RECORDS MANAGEMENT RESERVE FUNDS TO FUND CONTINUED TEMPORARY FULL- TIME HELP TO ADDRESS THE CASE BACKLOAD DUE TO THE COVID PANDEMIC**

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

**WHEREAS**, the COVID pandemic resulted in the operations of the Building Department workflow being disrupted; and

**WHEREAS**, this disruption resulted in a backlog of files needing to be scanned and filed in Laserfiche that still need to be addressed; and

**WHEREAS**, the Town established a temporary position to address this backlog (Resolution 111-22); and

**WHEREAS**, the Town Comptroller has proposed the following Amendment to the Budget:

Appropriate Records Management Reserve funds - \$4057.59

Increase Appropriations as follows:

A3620.15 – Safety Inspection – Pers Svc – Temp \$3762.00

A9030.81 – Employee Benefits – Soc Sec & Medicare \$287.79

A9055.81 – Employee Benefits – NYS Disability Ins \$7.80

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board authorizes the use of Records Management Reserve funds not to exceed \$4,057.59 fund continued temporary position of Chad Goulette from October 1<sup>st</sup> through December 31<sup>st</sup>, 2022 and to authorize the proposed budget modification.

Adopted this 15<sup>th</sup> day of September, 2022 at a special meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 151-22: AUTHORIZATION TO ADOPT WAYNE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (TABLED)**

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

**WHEREAS**, The Town of Walworth, with the assistance from Bold Planning, has gathered information and prepared the Wayne County Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, the Wayne County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, The Town of Walworth is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, The Town of Walworth has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

**NOW THEREFORE, BE IT RESOLVED** by the Town Board that the Town of Walworth adopts the Wayne County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Discussion ensued, and Councilwoman Linson made the motion to table the resolution to be discussed at the Town Meeting held on October 6, 2022. Seconded by Councilman Harden.

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

Motion carried.

**RESOLUTION 152-22: TO AWARD THE TOWN OF WALWORTH ARPA FUNDING REQUESTS FOR 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.

**WHEREAS**, four (4) applications were received during the application period, each eligible under at least one of the requirements required by the program;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board approves the Town of Walworth ARPA Funding Program Requests in the amount of \$51, 257.05 for the following small businesses/non-profit organizations:

- West Walworth Volunteer Fire Department, Inc in the amount of \$16, 456.10
- Western Wayne Ambulance, Inc in the amount of \$15,000.00
- Walworth Historical Society in the amount of \$6,000.00
- Lincoln Volunteer Fire Department in the amount of \$13,800.95

All applications are available for review in the Town Clerk’s office.

Councilwoman Linson made the motion to amend the resolution to state “**WHEREAS**, four (4) applications were received during the application period, each eligible under all of the requirements required by the program”, changed from “**WHEREAS**, four (4) applications were received during the application period, each eligible under at least one of the requirements required by the program”. Councilman Johnson seconded the motion.



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

Motion carried.

**RESOLUTION 152-22: TO AWARD THE TOWN OF WALWORTH ARPA FUNDING REQUESTS FOR PROGRAM FOR SMALL BUSINESSES/NON-PROFIT ORGANIZATIONS, AS AMENDED**

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

**WHEREAS**, four (4) applications were received during the application period, each eligible under all of the requirements required by the program;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board approves the Town of Walworth ARPA Funding Program Requests in the amount of \$51, 257.05 for the following small businesses/non-profit organizations:

- West Walworth Volunteer Fire Department, Inc in the amount of \$16, 456.10
- Western Wayne Ambulance, Inc in the amount of \$15,000.00
- Walworth Historical Society in the amount of \$6,000.00
- Lincoln Volunteer Fire Department in the amount of \$13,800.95

All applications are available for review in the Town Clerk’s office.

Adopted this 15<sup>th</sup> day of September 15, 2022 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 153-22: AUTHORIZATION FOR A STUDENT FROM ST. JOHN FISHER UNIVERSITY TO PERFORM AN INTERNSHIP WITH THE RECREATION DEPARTMENT**

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

**WHEREAS**, the Town of Walworth Recreation Department periodically agrees to have students from local educational institutions participate in unpaid internships;

**WHEREAS**, an Affiliation Agreement between the Town of Walworth and St. John Fisher University for a Student Intern for the Recreation Department was previously executed by Board authorization;

**WHEREAS**, the Recreation Department has agreed to have Ryan Strahley, a Junior in St. John Fisher University’s Sports Management program, participate in an internship program for the Fall, 2023, semester;

**NOW, THEREFORE IT BE RESOLVED** that the Recreation Department is hereby authorized to enter into a student internship with Ryan Strahley for 10 hours per week for the term of September 2022 through December 2022, effective September 19, 2022.

Adopted this 15th day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 154-22: TO OBLIGATE \$76,170.00 OF ARPA MONIES TO FUND THE CONSTRUCTION OF A NEW PAVILION IN GINEGAW PARK**

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

**WHEREAS**, the Town, as a result of the COVID-19 Pandemic, wishes to provide additional protected outdoor spaces for small groups to gather; and

**WHEREAS**, the Town considers this in line with providing general government services to the town residents; and

**WHEREAS**, the project will span over two fiscal years; and

**WHEREAS**, Town Comptroller has proposed the creation of a Capital Project Fund (HC) To build a Pavilion with the following budget:

<b>Revenues</b>	
HC5031 - Interfund Transfer from A (ARPA funds)	\$ 76,170.00
	\$
<b>Total Revenues</b>	<b>76,170.00</b>

**Appropriations**

	\$
HC5130.2 Project Costs	69,245.00
	\$
HC5130.21 Contingency	6,925.00
	\$
<b>Total Appropriations</b>	<b>76,170.00</b>

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board authorizes the use of ARPA funds not to exceed \$76,170.00 to pay for the construction of the Pavilion, the creation and funding of the Capital Project Fund.

Adopted this 15<sup>th</sup> day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**COMMUNICATION:**

- **Town of Walworth Wastewater Treatment Plant Monthly Report for September 2022**
- **Letter of resignation from Timothy Hohman, dated September 14, 2022**

Supervisor Donalty reviewed the following Town Board meeting dates:

**TOWN BOARD MEETINGS:**

DATE	TIME	MEETING TYPE
OCTOBER 6, 2022	6:30 PM	REGULAR
OCTOBER 20, 2022	6:30 PM	REGULAR
NOVEMBER 3, 2022	6:30 PM	REGULAR
NOVEMBER 17, 2022	6:30 PM	REGULAR

**NEW AND OTHER BUSINESS:**

- **Discussion on next steps for cannabis dispensary regulation**

Councilman Johnson stated that the NYS Cannabis Control Board’s meeting had been rescheduled until the following week and reiterated that any person wishing to open a dispensary in the Town of Walworth will have to provide the Town of Walworth 30 days’ notice before doing so.

- **Update on revised Town Code and plan for completion**

Supervisor Donalty stated that the Town Board should be able to vote on the resolution to approve the Town Code updates at the next regular Town Board meeting on October 6, 2022.

- **Update on G&S Orchards Agricultural Conservation Easement**

Town Attorney Young explained the history, reasoning and process for the conservation easement. Discussion ensued regarding the Town’s Comprehensive Plan, the process for the farmers and the Town’s involvement.

**RESOLUTION 155-22: APPROVING “PURCHASE AGREEMENT” BY GARY CRAFT AND STEPHANIE LUDWIG FOR LANDS COMPRISING APPROXIMATELY 200 ACRES AT OR ABOUT ATLANTIC AVENUE AND WEST WALWORTH RD. AND ATLANTIC AVENUE AND LINCOLN ROAD (SOME OF WHICH IS COMMONLY KNOWN AS G&S ORCHARDS)**

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

**WHEREAS**, Gary Craft and Stephanie Ludwig (“Grantor”) have offered to grant Conservation Easements (the “Conservation Easements”) to the Town of Walworth (the “Town”) and the Genesee Land Trust, Inc. (the “Land Trust”) on their lands (the “Land”), consisting of approximately 200 total acres, lying and being on Atlantic Ave. and West Walworth Rd. and Atlantic Ave. and Lincoln Rd. in the Town of Walworth, in return for payment of \$733,556.00 (the “Purchase Price”) to be paid fully out of NYS grant proceeds as described herein, in order to preserve the use of the Lands for agricultural purposes; and

**WHEREAS**, a proposed Purchase and Sale Agreement (the “Agreement”), by which the Town and the Land Trust would acquire Conservation Easements in return for the Purchase Price, and the Land Trust would monitor the Conservation Easements, has been presented to the Town Board; and

**WHEREAS**, in order to pay the Purchase Price and other expenses associated with this transaction, the Town and the Land Trust have obtained a commitment in the form of the New York State Department of Agriculture and Market Farm Protection Implementation Grant, being State Contract Number C00346GG (hereafter the “Grant”), and the Purchase Price will be paid in full via the proceeds of said Grant; and

**WHEREAS**, the project is a Type II pursuant to the State Environmental Quality Review Act and is thus not subject to review thereunder.

**NOW THEREFORE IT IS RESOLVED** that the Agreement, and the associated proposed Conservation Easements, are hereby approved, and the Supervisor is authorized to execute the same, so long as they are in a form acceptable to the Attorney for the Town, and the Town Board accepts the Grant on behalf of the Town, and authorizes execution of such other documentation as may be necessary to acquire the Conservation Easements in the Land.

Adopted this 15<sup>th</sup> day of September 15, 2022 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 156-22: TO AMEND TOWN BOARD 2023 BUDGET MEETING SCHEDULE**

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

**WHEREAS**, the following Town Board Meeting Budget Meeting Schedule was adopted (Resolution 5-22) on January 2, 2022; and

**2022 WALWORTH TOWN BOARD MEETING SCHEDULE**

DATE	TIME	MEETING
September 1	6:30p	Regular
September 8	8:00a - 4:00p	Budget work session with Departments
September 15	1:00p - 6:00p	Budget work session
September 15	6:30p	Regular
September 22	4:00p – 9:00p	Budget work session
September 29	6:30p	Special – Tentative budget to Town Clerk
October 6	6:30p	Regular – Budget Public Hearing
October 20	6:30p	Regular – Budget Adoption
November 3	6:30p	Regular
November 17	6:30p	Regular
December 1	6:30p	Regular
December 15	6:30p	Regular
December 29	6:30p	Special – Year End Close-out (if needed)

**WHEREAS**, the Town Board wishes to amend the schedule to reflect that the Special Meeting to be held on September 29, 2022 at 6:30 PM is hereby cancelled; and

**WHEREAS**, the Town Board will postpone public hearings regarding and adoption of the 2023 Town of Walworth Budget until the month of November;

**BE IT RESOLVED** that the Town Board 2023 meeting schedule is hereby amended as reflected in this resolution.

Adopted this 15<sup>th</sup> day of September, 2022 at the meeting of the Town Board.

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

Resolution carried.

**PUBLIC PARTICIPATION:**

Town Historian Gene Bavis addressed the Town Board thanking its members for the ARPA funds award. Additionally, Mr. Bavis invited those present to the Lincoln Fire Department's 75<sup>th</sup> Anniversary celebration on October 2, 2022 at which the Walworth Historical Society will be holding a presentation at 2:00 PM.

**ADJOURNMENT:**

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

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

Motion carried.

Time: 8:03 PM

Respectfully Submitted,  
Aimée Phillips  
Town Clerk