



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

315.986.1400
315.926.9154
Fax 315.986.1440

TOWN BOARD ORGANIZATIONAL MEETING – AGENDA
JANUARY 5, 2023 6:00 PM

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

Supervisor Appointments: Amber Linson, Deputy Town Supervisor
Teresa Flye, Confidential Secretary

Liaison/Committee Appointments

Highway Superintendent Appointment: James LeMay, Deputy Highway Superintendent

Receiver of Taxes Appointment: Trumaine Gibbs, Deputy Receiver of Taxes

Town Clerk Appointment: Jenna Camacho, Deputy Town Clerk

- Resolution -23: Town Board Appointments**
- Resolution -23: Justice Court Hours**
- Resolution -23: Town of Walworth Legal Paper Designation**
- Resolution -23: Authorize the Town Supervisor the Day to Day Administration and Supervision of Town and Special Improvement District Functions Pursuant to Town Law Section 29(16)**
- Resolution -23: Town Board Meetings**
- Resolution -23: Authorize spending limits for budgeted expenditures**
- Resolution -23: Official Depositories**
- Resolution -23: Check Signing and Facsimile Signature Authorization**
- Resolution -23: Official Undertaking of Municipal Officials**
- Resolution -23: NYS Retirement Establishment of Standard Workday**
- Resolution -23: Annual Review of Investment Policy**
- Resolution -23: Annual Review of Procurement Policy**
- Resolution -23: Annual review of New York State Non-Discrimination and Harassment Policy**
- Resolution -23: Annual review of Local Law Chapter 18 Ethics, Code Of**

(Updated 1/4/2023)

- Resolution** -23: Authorizing the Annual Issuance / Renewal of Petty Cash Funds to Departments Authorized with Petty Cash
- Resolution** -23: Authorize Registration and attendance for Town Officials, Employees and Appointed Boards for Meetings, Trainings & Workshops in the performance of their official duties, as recorded/requested with the 2023 Adopted Town Budget
- Resolution** -23: Authorize Mileage Reimbursement for Town Officials, Employees and Appointed Board Members for Meetings, Trainings & Workshops in the performance of their official duties, as recorded/requested with the 2023 Adopted Town Budget
- Resolution** -23: Authorizing the Town Supervisor to Sign the Contract for the Appointment of Labella Associates, D.P.C., for Engineering Services for the Town of Walworth for the Year 2023
- Resolution** -23: Authorizing the Town Supervisor to sign the contract for the engagement of Donald Young, Esq. For legal services to the Town of Walworth for 2023
- Resolution** -23: Authorizing the Town Supervisor to Sign the Contract for the Appointment of Nicholas J. Fiorenza, Esq., for Legal Services for the Town of Walworth for the Year 2023
- Resolution** -23: Town Hall business hours for departments Monday through Friday 8AM – 4PM
- Resolution** -23: Adoption of the meeting rules of order for the Town Board of Walworth
- Resolution** -23: Adoption of Retention and Disposition schedule for New York Local Government Records (LGS-1)
- Resolution** -23: Adopting the New York State Records Retention and Disposition Schedule LGS-1 be maintained as the Town of Walworth subject matter list for Freedom of Information requests through 12/31/2023
- Resolution** -23: Adoption of the proposed 2023 Town of Walworth Fee Schedule

ADJOURNMENT

LIAISONS/COMMITTEES 2023

LIAISONS:

- Councilman Kelly
 - Fire Departments
 - Western Wayne Ambulance
 - Sewer Department
 - Recreation Department
- Councilman Harden
 - Cemeteries
- Councilman Johnson
 - Planning and Zoning Boards
 - Western Wayne Chamber of Commerce
 - Building Department/Code Enforcement
 - Parks and Facilities Department
- Councilwoman Linson
 - Justice Court
 - Library
 - Walworth Historical Society
 - Highway Department

COMMITTEES:

- Regional Sewer Project
 - Supervisor Donalty
 - Councilwoman Linson
 - Councilman Harden (alternate)
- Union Negotiations
 - Supervisor Donalty
 - Councilman Johnson
 - Councilwoman Linson (alternate)
- Personnel
 - Councilman Johnson
 - Councilwoman Linson
 - Councilman Kelly (alternate)
- Auditing
 - Councilwoman Linson
 - Councilman Kelly
 - Councilman Johnson (alternate)
- Building
 - Supervisor Donalty
 - Councilman Kelly
 - Councilman Johnson (alternate)
- Long Range Planning/Comprehensive Plan
 - Councilman Johnson
 - Town Clerk Phillips
 - Supervisor Donalty (alternate)

RESOLUTION -23: TOWN BOARD APPOINTMENTS

Council offered the following Resolution to appoint the following:
Seconded by Council to wit:

Zoning Board Chair	Michael Kunzer	12/31/2027
Zoning Board Council	Donald Young, Esq.	12/31/2023
Planning Board Chair	Dennis Landry	12/31/2027
Planning Board Council	Donald Young, Esq.	12/31/2023
Assessment Review Board	Coleen Thomson	9/30/2027
NYSAOT Delegate	Michael Donalty	12/31/2023
NYSAOT Alternate	Amber Linson	12/31/2023
Dog Control Officer	Lea Dill	12/31/2023
Deputy Dog Control Officer	Andrea Colocillo	12/31/2023
Engineer for the Town	LaBella Assoc. PC	12/31/2023
Ethics Board	Douglas Weeks	12/31/2023
Ethics Board/Employee	Jenna Camacho	12/31/2023
Ethics Board	Morris Owen	12/31/2023
Ethics Board	Robert Seaman	12/31/2023
Ethics Board/Employee	Teresa Flye	12/31/2023
Confidential Secretary	Teresa Flye	12/31/2023
Town Historian	Eugene Bavis	12/31/2023
Parks & Recreation Cmte	William Boyd	12/31/2027
Parks & Recreation Cmte	Kate Baranek	12/31/2027

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: JUSTICE COURT HOURS

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

BE IT RESOLVED that the Justice Court will be held at the Walworth Town Offices as follows:

- 1st & 3rd Wednesday - Regular Court at 7:00 PM
- 1st Wednesday - A.D.A. Court at 6:00 PM
- 4th Monday - A.D.A. Court at 9:00 AM

Date and times are subject to change.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: LEGAL PAPER DESIGNATION

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

BE IT RESOLVED that the *Times of Wayne County* shall be the legal newspaper for the Town of Walworth for 2023.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZE THE TOWN SUPERVISOR THE DAY TO DAY ADMINISTRATION AND SUPERVISION OF TOWN AND SPECIAL IMPROVEMENT DISTRICT FUNCTIONS PURSUANT TO TOWN LAW SECTION 29(16)

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

BE IT RESOLVED, that the Town Board authorizes the Town Supervisor the duties of day-to-day administration and supervision of Town and Special Improvement District functions pursuant to (Town Law, §29(16)).

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: TOWN BOARD MEETINGS

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

The following was submitted:

2023 WALWORTH TOWN BOARD MEETING SCHEDULE

<u>DATE</u>	<u>TIME</u>	<u>MEETING</u>
JANUARY 5, 2023	6:00 PM	ORGANIZATIONAL
JANUARY 5, 2023	6:30 PM	REGULAR
JANUARY 19, 2023	6:30 PM	REGULAR
FEBRUARY 2, 2023	6:30 PM	REGULAR
FEBRUARY 16, 2023	6:30 PM	REGULAR
MARCH 2, 2023	6:30 PM	REGULAR
MARCH 16, 2023	6:30 PM	REGULAR
APRIL 6, 2023	6:30 PM	REGULAR
APRIL 20, 2023	6:30 PM	REGULAR
MAY 4, 2023	6:30 PM	REGULAR
MAY 18, 2023	6:30 PM	REGULAR
JUNE 1, 2023	6:30 PM	REGULAR
JUNE 15, 2023	6:30 PM	REGULAR
JULY 6, 2023	6:30 PM	REGULAR
JULY 20, 2023	6:30 PM	REGULAR
AUGUST 3, 2023	6:30 PM	REGULAR
AUGUST 17, 2023	6:30 PM	REGULAR
SEPTEMBER 7, 2022	6:30 PM	REGULAR
SEPTEMBER 21, 2023	6:30 PM	REGULAR
OCTOBER 5, 2023	6:30 PM	REGULAR
OCTOBER 19, 2023	6:30 PM	REGULAR
NOVEMBER 2, 2023	6:30 PM	REGULAR
NOVEMBER 16, 2023	6:30 PM	REGULAR

DECEMBER 7, 2023	6:30 PM	REGULAR
DECEMBER 21, 2023	6:30 PM	REGULAR

Work Sessions / Budget Work Sessions will be scheduled as needed and are Town Board Meetings; an Agenda will be available.

BE IT RESOLVED that the Town Board meetings will be held at the Walworth Town Offices, 3600 Lorraine Drive, Walworth, according to the submitted schedule.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZE SPENDING LIMITS FOR BUDGETED EXPEDITURES

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

BE IT RESOLVED that the following 2023 Budgeted Expenditures by Department heads is authorized prior to Town Board approval.

Town Supervisor	\$7,500.00
Highway Superintendent	\$7,500.00
Sewer Superintendent	\$7,500.00
Parks	\$5,000.00
Recreation	\$2,000.00

Combination of the Department Head and the Town Supervisor, spending limits for budgeted expenditures, is permitted to increase the total amount authorized.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: OFFICIAL DEPOSITORIES

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

BE IT RESOLVED that the following banks be declared official depositories for Town Officials:

Supervisor	Lyons National Bank, Federal Home Loan Bank
Judge Young	Citizens Bank
Judge Majchrzak	Lyons National Bank
Town Clerk	Lyons National Bank
Receiver of Taxes	Lyons National Bank
Sewer Superintendent	Lyons National Bank

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

**RESOLUTION -23: CHECK-SIGNING AND FACSIMILIE SIGNATURE
AUTHORIZATION**

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

BE IT RESOLVED, that Michael Donalty, Town Supervisor, and Amber Linson, Deputy Town Supervisor, are authorized to sign checks and authorize facsimile signatures for monies deposited in the Official depositories Banks.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

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

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Walworth hereby require the Supervisor, Town Clerk, Receiver of Taxes, Town Justice, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Walworth approve the document entitled “Town of Walworth Official Undertaking of Municipal Officers and Employees” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: NYS RETIREMENT ESTABLISHING STANDARD WORK DAY FOR EMPLOYEES

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

The following was submitted:



Office of the New York State Comptroller
for State and Local Retirement Funds
Employee Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

**Standard Work Day
Resolution for Employees***
RS 2418
(Rev. 7/11)

BE IT RESOLVED, that the Town of Watervliet, Legislative Code WH118, hereby established the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system of the record of activities maintained and submitted by these members to the clerk of this body

Type	Standard Work Day (hrs/week)
Sewer Clerk	8.00
Code Enforcement Officer	8.00
Building Inspector	8.00
Assessment Clerk	8.00
Recreation Director	8.00
Recreation Assistant Director	8.00
Account Clerk	8.00
Court Clerk	8.00

On the 5th day of January, 2023

Signature of clerk: _____ Date enacted: January 5, 2023

I, Aimee Phillips, clerk of the governing board of the Town of Watervliet

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5 day of January, 2023, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto

Set my hand and the seal of the

Town of Watervliet

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officers on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officers.

See Instructions for Completing Form on Back

CONTINUED ON NEXT PAGE



Office of the New York State Comptroller
 Tax, Debt, and Local Government Section
 Employee Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees* RS 2418 (Rev. 7/11)

BE IT RESOLVED, that the Town of Walworth, Location code 30116, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hour/Day)
Planning Board Chairperson	8.00
Town Comptroller	8.00
Sewer Treatment Plant Operator	8.00
	8.00
	8.00
	8.00
	8.00

On the 5th day of January, 2023

Date enacted: January 5, 2023

I, Aimee Phillips, clerk of the governing board of the Town of Walworth

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5 day of January, 2023, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto

Set my hand and the seal of the

Town of Walworth

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.



Office of the New York State Comptroller
 Tax, Debt, and Local Government Section
 Employee Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees* RS 2418 (Rev. 7/11)

BE IT RESOLVED, that the Town of Walworth, Location code 30116, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hour/Day)
Sewer Laborer	8.00
Sewer Technician	8.00
Recreation Assistants	8.00
Motor Equipment Operator	8.00
Zoning Board Chairperson	8.00
Records Access Officer	8.00
Ethics Board Member	8.00
Superintendent of Parks and Facilities	8.00

On the 5th day of January, 2023

Date enacted: January 5, 2023

I, Aimee Phillips, clerk of the governing board of the Town of Walworth

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5 day of January, 2023, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto

Set my hand and the seal of the

Town of Walworth

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

CONTINUED ON NEXT PAGE



Office of the New York State Comptroller
New York State and Local Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees* RS 2418 (Rev. 7/11)

BE IT RESOLVED, that the Town of Watworth, Location code 30118, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement Systems based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hours)
Sewer Superintendent	8.00
Justice Court Clerk	8.00
Laborers	8.00
Technicians	8.00
Groundkeeper	8.00
Head Groundkeeper	8.00
Court Constable	8.00
Clerks	8.00

On this 5th day of January, 2023

Date enacted: January 5, 2023

I, Aimee Phillips, Clerk of the governing board of the Town of Watworth

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5 day of January, 2023, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto

Set my hand and the seal of the

Town of Watworth

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ANNUAL REVIEW OF INVESTMENT POLICY

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

THEREFORE BE IT RESOLVED, the Town Board has reviewed the Investment policy adopted 2/21/19, and finds no changes need to be made. Refer to the Town Board minutes of the adoption date.

Document on file in the Town Clerk's Office.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ANNUAL REVIEW OF PROCUREMENT POLICY

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

THEREFORE BE IT RESOLVED, the Town Board has reviewed the Procurement policy adopted 1/2/2020, and finds no changes need to be made. Refer to the Town Board minutes of the adoption date.

Document on file in the Town Clerk's Office.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ANNUAL REVIEW OF NEW YORK STATE NON-DISCRIMINATION AND HARASSMENT POLICY

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

WHEREAS, the Town Board has reviewed the New York State Non-Discrimination and Harassment Policy adopted 10/3/2019 and finds that no changes need to be made. Refer to the Town Board minutes of the adoption date.

Document on file in the Town Clerk's Office.

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Walworth approve the document entitled "New York State Non-Discrimination and Harassment Policy" adopted on 10/3/2019.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ANNUAL REVIEW OF LOCAL LAW CHAPTER 18 ETHICS, CODE OF

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

THEREFORE BE IT RESOLVED, the Town Board has reviewed the Local Law Chapter 18, Ethics, Code of, adopted 1/22/15, and finds no changes need to be made. Refer to the Town Board minutes of the adoption date.

Document on file in the Town Clerk's Office.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZING THE ANNUAL ISSUANCE / RENEWAL OF PETTY CASH FUNDS TO DEPARTMENTS AUTHORIZED WITH PETTY CASH

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

WHEREAS, the Town of Walworth Policy and Procedures adopted 1/21/2021 outlines the issuance of Petty Cash to Departments authorized with Petty Cash, and

WHEREAS, this Resolution will authorize the issuance and renewal of Departments with Petty Cash.

BE IT RESOLVED that the Town Board authorizes the issuance/renewal of Petty Cash according to the Policy and Procedure Manual.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT FOR THE ENGAGEMENT OF DONALD YOUNG, ESQ. FOR LEGAL SERVICES TO THE TOWN OF WALWORTH FOR 2023

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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign the engagement agreement with Donald Young, Esq. for the provision of general legal services to the Town of Walworth, and Donald Young, Esq. is so engaged, all in accordance with such engagement agreement, such services to be provided in the alternative to the office of the Town Attorney, which office is abolished.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZE REGISTRATION AND ATTENDANCE FOR TOWN OFFICIALS, EMPLOYEES AND APPOINTED BOARDS FOR MEETINGS, TRAININGS & WORKSHOPS AS RECORDED WITH THE 2023 ADOPTED TOWN BUDGET

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

WHEREAS, Town Officials, Employees and appointed Board Members requested attendance to meetings, trainings and workshops during the 2023 budget preparations; and

WHEREAS, the 2023 budget was adopted included the attendance to these meetings, trainings and workshops; and

BE IT RESOLVED that Town Officials, Employees and appointed Board Members are authorized to register and attend meetings, trainings and workshops as requested during the 2023 budget preparations and approved with the adoption of the 2023 Town Budget is permitted without prior Town Board Approval.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZE MILEAGE REIMBURSEMENT, WHEN THE TOWN VEHICLE IS NOT AVAILABLE, FOR TOWN OFFICIALS, EMPLOYEES AND APPOINTED BOARDS FOR TOWN BUSINESS AS RECORDED WITH THE 2023 ADOPTED TOWN BUDGET

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

WHEREAS, Town Officials, Employees and appointed Board Members requested attendance to meetings, trainings and workshops during the 2023 budget preparations; and

WHEREAS, the 2023 budget was adopted included the Mileage Reimbursement to attend meetings, trainings and workshops at the 2023 IRS rate of 65.5 cents per mile; and

BE IT RESOLVED that Town Officials, Employees and appointed Board Members are authorized to request mileage reimbursement (Voucher) when the town vehicle is not available for Town business as requested during the 2023 budget preparations and included in the adoption of the 2022 Town Budget is permitted without prior Town Board Approval.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT FOR THE APPOINTMENT OF LABELLA ASSOCIATES, D.P.C., FOR ENGINEERING SERVICES FOR THE TOWN OF WALWORTH FOR THE YEAR 2023

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

BE IT RESOLVED, the Town Supervisor is hereby authorized to sign the agreement with LaBella Associates, D.P.C., for engineering services for the Town of Walworth for the year 2023.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT FOR THE APPOINTMENT OF NICHOLAS J. FIORENZA, ESQ., FOR LEGAL SERVICES FOR THE TOWN OF WALWORTH FOR THE YEAR 2023

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

BE IT RESOLVED, the Town Supervisor is hereby authorized to sign the agreement with Nicholas J. Fiorenza, Esq., for legal services for the Town of Walworth for the year 2023.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

**RESOLUTION -23: TOWN HALL BUSINESS HOURS FOR DEPARTMENTS
MONDAY THROUGH FRIDAY 8AM – 4PM**

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

WHEREAS, to provide convenient service to the Town Hall customers Departments will be opened business hours of Monday – Friday 8AM – 4 PM.

BE IT RESOLVED, that the Town Hall Business Hours will be Monday - Friday 8AM –4PM, unless otherwise posted.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ADOPTION OF THE MEETING RULES OF ORDER FOR THE TOWN BOARD OF WALWORTH

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

The following was submitted:

Meeting Rules of Order – Town Board of Walworth

RULE 1. Organizational Meeting. The organizational meeting of the Walworth Town Board shall be held once annually on or before the 8th of January. The Supervisor shall preside over all meetings of the Board and shall have the authority to preserve order and decorum in debate.

The Board, under the Supervisor, shall then proceed with:

- a) The adoption of dates and times for the Board’s regularly scheduled meetings.
- b) The appointment of the Attorney for the Town, Engineer for the Town and any other elective or appointive officers required by law.
- c) The adoption or amendment of the Rules of Order for the ensuing year.
- d) Other matters that the Supervisor wishes to bring before this meeting.
- e) Liaisons: The Supervisor shall, at the organizational meeting, appoint Town Board members as liaisons, subcommittees or chairs to subcommittees to the various departments, committees or organizations as deemed necessary. These assignments may be made or changed at a later time.

RULE 2. Regular Meetings: Regular meetings of the Board shall be held on the 1st and 3rd Thursday of each month beginning at 6:30PM, with the exception of June, July and August (where the meetings shall be held only on the 3rd Thursday of the month), unless otherwise specified by the Board during the organizational meeting or otherwise.

RULE 3. Special Meetings: Special meetings shall be held at the call of the Town Clerk upon direction of the Supervisor, or upon written request (paper or electronic mail) to the Supervisor signed by two members of the Board.

A notice in writing stating the time, place and general purpose of the special meeting shall be delivered, by paper or electronic mail, upon each member of the Board by the Town Clerk at least 48 hours before the date and time fixed for holding the meeting.

However, in lieu of the above, the Supervisor, at a regular meeting, may announce the time, place and purpose of a special meeting and if the majority of the Board approves it, the special meeting shall be held at the appointed time and place without further written notification to the Town Board members, but reasonable notice shall be given to members of the Board not in attendance at such meeting.

RULE 10. Resolutions and Motions:

Resolutions may be addressed during the Resolutions portion of the agenda or during New/Other Business.

The Town Board agrees that it is the intent of this Board to address Resolutions under the “Resolutions” portion of the meeting so that draft Resolutions may be distributed, reviewed and considered by the Town Board and the public prior to having to act thereon. However, the Town Board also agrees that some issues may arise on short notice, and there should be an opportunity to address such issues under New/Other Business. However, addressing Resolutions under the New/Other Business should be the exception, not the rule.

If, at a Town Board meeting, the Board directs preparation of a resolution for the future, it shall be prepared and present on the next agenda or as otherwise agreed upon by the Town Board.

If a proposed written Resolution is submitted to the Supervisor sufficiently in advance of distribution of the agenda by a Town Board member and sponsored by one other Town Board member, then it shall be placed on the agenda.

If a proposed written resolution is submitted in advance by any other Town official or employee, the Supervisor shall have the discretion to determine whether it shall be included on the agenda.

All proposed written Resolutions shall be submitted to the Supervisor in advance of the distribution date of the agenda, with sufficient time to permit review by the Supervisor, Town Attorney, etc., where needed, who may suggest modifications to form or otherwise.

Resolutions on the Agenda: Proposed resolutions submitted with the agenda distribution shall be addressed during the Resolution section of the meeting. They may be approved, denied, modified, amended, tabled, etc., by vote of the Board.

Resolutions under New Business: Resolutions not submitted with the agenda distribution may be proposed during the New and Other Business Section of the agenda and, if seconded, may be acted upon. Since these resolutions were not submitted in advance, they may also be tabled by vote of the Board. The Town Board agrees that, as a matter of policy, Resolutions under this section shall be submitted only in situations of emergency or where submission as part of the regular agenda wasn't otherwise reasonably practicable.

RULE 11. Rules of Debate: When a Resolution is proposed and properly seconded, the procedure and rules of debate shall be governed by the following rules:

1. The Supervisor shall ask the Town Board members if they would like to discuss the Resolution and afford each Town Board member the opportunity to discuss amongst the Town Board.
2. Once it appears that discussion is complete, the Supervisor shall call for vote, and each member may then vote.
3. Alternatively, any Town Board member, including the Supervisor, may call to table a Resolution and have it addressed at a future Town Board meeting. If seconded, such motion to table shall be voted upon.

RULE 15. Public Participation: Public participation for members of the public (i.e., other than members of the Board) shall occur at this time and shall be conducted in accordance with any rules the Town Board may adopt in relation thereto.

Rule 16: Public Hearings: It shall be the duty of the Supervisor to preside over all public hearings, general or special. Each person addressing the Board shall state their Name and Address for the record from the podium (exceptions allowed).

RULE 16. Order of Voting: The Clerk shall maintain a record of order of voting by roll call, and the Supervisor shall be called last.

RULE 17. Executive Session: Upon successful motion, the Board shall go into executive session, presided over by the Supervisor, during which time any matters permitted under the New York State Open Meetings Law may be addressed. Only members of the Town Board shall participate in the executive session, except that such other persons may be called into the session as may be necessary.

If the need for an executive session is known in advance of distribution of the agenda, such session shall be listed on the agenda, including the general reason therefor.

If the need for an executive session is not known in advance of distribution of the agenda, an executive session may be called for by motion at this time.

In any event, in accordance with law, a valid reason pursuant to NY Open Meetings Law shall be announced prior to entering into executive session.

RULE 18. If the adopted Rules are or become at any time in conflict with the statutory law (where such law is not otherwise intentionally and legally superseded), the statutory law shall take precedence.

RULE 19. Decorum. No member of the public shall engage in any booing, clapping, obscene language or acts or otherwise disrupt the business of the Board, and meeting shall otherwise be conducted in accordance with any rules of decorum and procedure the Town Board may implement.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby approves the Meeting Rules of Order for the Town Board of the Town of Walworth.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ADOPTION OF RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)

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

The following was submitted:

RESOLVED, by the Town Board of the Town of Walworth that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, us hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- a) Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;
- b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ADOPTING THE NEW YORK STATE RECORDS RETENTION AND DISPOSITION SCHEDULE LGS-1 BE MAINTAINED AS THE TOWN OF WALWORTH SUBJECT MATTER LIST FOR FREEDOM OF INFORMATION REQUESTS THROUGH 12/31/2023

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

BE IT RESOLVED, that the New York State Record Retention and Disposition Schedule LGS-1 be maintained as the Town of Walworth Subject Matter List for Freedom of Information requests through December 31, 2023.

Adopted this 5th day of January, 2023 at a meeting of the Town Board.

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

Resolution carried/failed.

RESOLUTION -23: ADOPTION OF THE PROPOSED 2023 TOWN OF WALWORTH FEE SCHEDULE

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

The following was submitted:

Town of Walworth Fee Schedule 2023

ADVERTISING ON TOWN PROPERTY

No fee at this time

ALARM SYSTEMS (FALSE ALARMS)

TYPE	FEE
RESPONSE TO FIRST THREE (3) FALSE FIRE AND/OR POLICE EMERGENCY ALARMS	No fee at this time
RESPONSE TO EACH OF THE NEXT THREE (3) FALSE FIRE AND/OR POLICE EMERGENCY ALARMS	\$100.00 for each response
RESPONSE TO EACH SUBSEQUENT FALSE FIRE AND/OR POLICE EMERGENCY ALARMS	\$250.00 for each response

ANIMALS

TYPE	LOCAL FEE	STATE FEE
SPAYED/NEUTERED	\$9.00	\$1.00
UN-SPAYED/UN-NEUTERED	\$16.00	\$3.00
SERVICE DOGS - EXEMPT SPAYED/NEUTERED	-	\$1.00
SERVICE DOGS - EXEMPT UN-SPAYED/UN-NEUTERED	-	\$3.00
REPLACEMENT TAG	\$3.00	
LATE FEE AFTER 60 DAYS	\$5.00 per month	
ENUMERATION FEE	To be established by Town Board Resolution	
IMPOUND FEES		COUNTY FEE PER DAY
1ST PICK-UP FEE	\$25.00	\$20.00
2ND PICK-UP FEE	\$50.00	\$40.00
3RD PICK-UP FEE	\$75.00	\$50.00

ASSESSING

No fee at this time

HIGHWAY DEPARTMENT

No fee at this time

CONTINUED ON NEXT PAGE

JUNKYARDS AND JUNK DEALERS

COMMENT	FEE
New and Annual Renewal Fee Per Application Per Calendar Year	\$125.00

PARKS AREAS

AREA	RESIDENT FEE	NON-RESIDENT FEE
LODGE	\$175.00	\$225.00
OPEN AIR PAVILION	\$35.00	\$40.00

RECREATION AREAS

Fees established by Resolution 133-20

AREA	RESIDENT FEE	NON-RESIDENT FEE
SKATING RINK RENTAL	N/A	N/A

PUBLIC ASSEMBLY

COMMENT	FEE
Public Assembly Permit per Application per Calendar Year	\$125.00

RECEIVER OF TAXES

No fee at this time

RECORDS

COMMENT	FEE
RESEARCH FEE	\$20.00

SEWERS

COMMENT	FEE
SEWER RATES	SET BY LOCAL LAW
NEW CONNECTIONS:	
APPLICATION/CONNECTION	\$800.00
INSPECTION	\$50.00

STORM WATER MANAGEMENT

COMMENT	FEE	OTHER
ANNUAL INSPECTION OF STORMWATER CONTROL FACILITY	\$100.00	ALSO SEE CHAPTER 74 ENTITLED
FEES FOR SERVICES PERFORMED BY TOWN OF WALWORTH ARTICLE IV	\$100.00 per inspection	ALSO SEE CHAPTER 74 ENTITLED
INSPECTIONS AT CONSTRUCTION SITE BUILDING INSPECTOR HOURLY RATE INCLUDING BENEFITS FOR 2023	\$50.00 hr. x hours at site supported by the daily time sheet as submitted by the Building Inspector	
SEWER HOOKUP	See chapter 139 - Sewers	
WATER SYSTEM CONNECTION FEE	Amount of fee shall be the same fee charged to the Town	

TOWN CEMETERY

COMMENT	TYPE	FEE
BURIAL COST	EXCAVATING - FULL SIZE BOX WITH VAULT	\$450.00
	EXCAVATING - CREMATIONS	\$200.00
	EXCAVATING - BABIES	\$250.00
SALE OF LOTS (PER GRAVE)	SITE	\$500.00
	HALF LOT (4 GRAVE SITES)	\$2,000.00
	FULL LOT (8 GRAVE SITES)	\$4,000.00
FOUNDATIONS	SINGLE STONE OR MARKER (12x24)	\$275.00
	DOUBLE STONE OR MARKER (14x36)	\$450.00
	SPECIAL SIZE (Exceeds double size)	.75 cu ft
DIS-INTERMENTS	FULL SIZE & CHILDREN	\$800.00
	CREMATIONS	\$200.00

CONTINUED ON NEXT PAGE

TOWN CLERK

TYPE	FEE
MARRIAGE	\$40.00
CERTIFIED COPY BIRTH/DEATH/MARRIAGE	\$10.00
GENEALOGY REQUESTS	\$12.00
FOIL REQUEST	Fees prescribed by law
RETURN CHECK	\$20.00
ZONING MAPS	
11x14	\$2.50
24x36	\$20.00

Building Fees (2023)

STRUCTURE	PERMIT FEE	ESCROW FEE	PARK & RECREATION	OTHER
911 REFLECTIVE HOUSE NUMBERS	\$25.00	\$0.00		
ADDITION/REMODEL - RESIDENTIAL	\$125.00	\$100.00		
ADMINISTRATION FEE	\$100.00			
BRIEZEWAY	\$75.00			
CARPENT	\$75.00	\$100.00		Include Escrow if Electrical Inspection is needed
CENTRAL AIR CONDITIONING REPLACEMENT	\$75.00	\$100.00		
COMMERCIAL, NONRESIDENTIAL/INDUSTRIAL BUILDING, ADDITIONAL, RENOVATION, ALTERATION & RECONSTRUCTION	250 OR .10 per sq foot (whichever is greater)	\$1,500.00 PERMIT BUT NOT LESS THAN		\$75 septic insp if applicable
CONSTRUCTION COMMENCED PRIOR TO PERMIT ISSUED	\$200.00			ADD TO PERMIT FEE FOR STRUCTURE
DECK	\$100.00			
DEMOLITION - BUILDING	\$75.00	\$0.00		
DEMOLITION - LOT DEVELOPMENT(SFH)	\$200.00	(\$500.00 minimum)	\$50	\$ 10 per sq ft over 2500 sq ft plus \$75 septic inspection if not on public sewer
DWELLING - MULTIFAMILY	\$200.00/unit	\$500.00	400 each: 4 or less units/ \$200 for each dwelling for apartment bldg	\$75 septic inspection fee if not on public sewer
ELECTRICAL BY CONTRACTOR	\$75.00	\$100.00		
ELECTRICAL PANEL/SUBPANEL	\$75.00	\$100.00		
ELECTRICAL TRANSFER SWITCH	\$75.00	\$100.00		
FARM BUILDING (POLE BARN)	\$75.00	\$100.00		Include Escrow if Electrical Inspection is needed
FILLING OF LAHD	\$75.00	\$500.00		Plus Consulting/Professional Fees Incurred by Town
FIRE PLACE/WOOD STOVE/CHIMNEY INSTALL	\$75.00	\$0.00		\$50 Reinspection Fee
FURNACE REPLACEMENT	\$75.00	\$0.00		
GARAGE (Not a Pole Barn)	\$75.00	\$100.00		Include Escrow if Electrical Inspection is needed
GENERATOR - COMMERCIAL	\$175.00	\$100.00		
GENERATOR - RESIDENTIAL	\$100.00	\$100.00		Includes switch
HOT TUB	\$75.00	\$100.00		\$30 each addition inspection
PROPERTY HOUSE NUMBERS	\$25.00			

MANUFACT HOME PLACEMENT IN A PARK	\$150.00	\$650.00		
MANUFACT HOME PRIVATE LOT	\$200.00	\$500.00	\$850.00	Plus 10 per sq ft over 2500 sq ft plus 75 Septic Inspection
PERGOLA	\$75.00	\$0.00		
PLUMBING REPAIR	\$75.00	\$0.00		
POLE BARN (RESIDENTIAL)	\$100.00	\$100.00		Include Escrow if Electrical Inspection is needed
PROPERTY MAINTENANCE INSPECT	\$75.00	\$0.00		\$50 Reinspection Fee
PORCH	\$75.00	\$100.00		Include Escrow if Electrical Inspection is needed
RENEWAL (RESIDENTIAL)	Permit Fee	\$0.00		*\$75 minimum-depends on original permit
RENEWAL (COMMERCIAL)	Permit Fee			*\$250 minimum-depends on original permit
RENOVATION (HOME,BASEMENT,ATTIC...)	\$125.00	\$100.00		Include Escrow if Electrical Inspection is needed
REROOF/TEAR OFF	\$75.00	\$0.00		2nd Layer - No Permit Unless Metal
RESEARCH (Invited C of C, C of O, Permit, Electrical Inspections)	\$35 (Except FOIL)	\$0.00		\$50 each field visitation
SEPTIC SYSTEM	\$200.00			Includes \$100 Percolation Fee
SHED/ACCESSORY BUILDING	\$75.00			\$50 each additional inspect in excess of 2 inspect
SIGNS & BILLBOARDS	\$75.00			DOES NOT INCLUDE GARAGE OR FARM BUILDING
SUNROOM	\$125.00	\$100.00		Include Escrow if Electrical Inspection is needed
SWIMMING POOL	\$75.00	\$200.00		PLUS \$30 each additional inspection
TELECOM TOWER INSTALL/REPLACE	\$1,000.00	\$1,500.00		Escrow + Maintenance Bond (Removal Bond) Law 180-41.4 (D)
TELECOM TOWER: ADD ADDITIONAL ANTENNA	\$750.00	\$100.00		Include Escrow if Electrical Inspection is needed
TOP SOIL EXCAVATION/REMOVAL	\$ 10 PER CUBIC YARD	\$500.00		With Town Board Approval, plus consultant/professional fees incurred by Town, per Town Code Chapter 74
TOWER ANTENNA (RESIDENTIAL), WINDMILL, SOLAR PANEL, GREEN POWER	\$100.00	\$100.00		Plus \$75 each additional inspection
TRUSS PLACARD FEE	\$15.00	\$0.00		
WATER HEATER PLACEMENT	\$75.00	\$0.00		
WINDOWS	\$75.00	\$0.00		

CONTINUED ON NEXT PAGE

PLANNING & ZONING BOARD FEES 2023

PLANNING BOARD REVIEW	Application Fee (Per Lot)	*Escrow (Per Lot)
Subdivision	\$150	\$150
Site Plan	\$150	\$150

	Application Fee	*Escrow
Recertification	\$100	
Concepts	\$50	
Administrative Fee	\$100	
Home Occupation Major A or B	\$100	\$250
Home Occupation Minor	\$50	
Special Use Permit	\$150	To be determined at review

ZONING BOARD FEES	Application Fee	Escrow
Application - Commercial and Residential	\$150	To be determined at review
Application - Residential Administration	\$75	
	\$100	

***Town Code Chapter 74: Consultant and Professional Fees, Reimbursement of**

All consultant fees incurred for the consulting, professional, or other related services described herein shall be borne by the applicant. A deposit may be required in advance to cover the estimated costs. Should no escrow be required, the costs will be billed to the applicant on a monthly basis.

OTHER

	Determined by Wayne County Water Authority	
Water System Connection Fee		
Licensing Fee (Encroachment with Easement) with Town Board Approval	\$75	*Escrow \$150 plus Consultant/Professional Fees
Development of Non-residential Zoning District	\$100 per 100 sq ft	
Percolation Test	\$100 per lot or septic repair	

INSPECTIONS

Storm Water Control Facility Annual	\$100	
Construction Site	\$50/hr	Submit Daily Time Sheet
Septic	\$75	Plus \$50 each additional inspection
Sewer	\$50	

BE IT RESOLVED, the 2023 Town of Walworth Fee Schedule is adopted and becomes effective January 1, 2023. Schedule is on file in the Town Clerk's office.

Adopted this 5th day of January, 2023 at the meeting of the Town Board.

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

Resolution carried/failed.