

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.

**PRESENT:** Michael Donalty Supervisor  
 Amber Linson Councilwoman  
 Rick Johnson Councilman  
 Aimée Phillips Town Clerk

**ABSENT:** Alex Kelly Councilman  
 Jim Harden Councilman  
 Kevin Switzer Highway Superintendent

**OTHERS PRESENT:** President Steven Matteson, Western Wayne Ambulance, Inc.; five (5) members of the public.

**MINUTES**

Motion by Councilwoman Linson that the minutes of May 11, 2023 Special Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Johnson.

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

Motion carried.

Motion by Councilman Johnson that the minutes of May 18, 2023 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

**ELECTED OFFICIALS’ REPORTS:**

**TOWN CLERK**

Town Clerk Phillips shared that summer hours were in effect for the Town Clerk’s office. Additionally, she informed those present that the Comprehensive Plan Committee had met and that the timeframe for community survey completion will be extended through the month of July to take advantage of upcoming local events at which surveys could be distributed.

**HIGHWAY SUPERINTENDENT** – No report.

**COUNCILMAN KELLY** – No report.

**COUNCILWOMAN LINSON** – No report.

**COUNCILMAN JOHNSON**

Councilman Johnson shared that the Cannabis Control Board had settled its lawsuit and that license applications were expected to begin being presented to the Town in the near future. He also stated that he will be attending the Planning Board meeting on June 12, 2023 as K2 Brewing will be presenting its plan for review.

**COUNCILMAN HARDEN** – No report.

**SUPERVISOR DONALTY**

Supervisor Donalty congratulated K2 Brewing on its official closing on its purchase of Freewill Elementary School. He also informed those present that the advertisement for bids had been published for the Ginegaw Restroom project, and that the Highway Department had submitted a bid for the resurfacing and restriping of the parking lots, budgeted item. Supervisor Donalty stated that the basketball courts had been resealed and restriped.

**RESOLUTIONS:**

**RESOLUTION 90-23: TO WAIVE APPLICATION FEES FOR WESTERN WAYNE AMBULANCE, INC. FOR SITE PLAN APPLICATION AND BUILDING PERMIT (TABLED)**

Councilwoman Linson made the motion to take Resolution 90-23 from the table and to re-open discussion. Councilman Johnson seconded the motion.

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

Motion carried.

At the previous meeting:

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

The following was submitted:



**WESTERN WAYNE AMBULANCE, INC.**  
 2180 Church Street P.O. Box 36  
 Walworth, New York 14568  
 315-986-5555

5/5/23

To: The Walworth Town Board  
 From: Western Wayne Ambulance, Inc.  
 Subject: Waiver of Fees

The Walworth Fire Department has given our agency permission to build on their property, a garage to house emergency 4 medical response vehicles adjacent to our current building on their property. The precise details will be forthcoming with the approval of the fire department and the Town of Walworth. We have building blue prints and a site plan and are working closely with the Fire Commissioners.

This letter is seeking a waiver of financial cost for the Site Plan Application and the Building Permit from the Town of Walworth. As you may know Western Wayne Ambulance is a 501C-3 not for profit agency and responds to over 900 calls annually.

Thank you for your consideration.

Steven G. Matteson  
 President, Western Wayne Ambulance  
[medicwwa@gmail.com](mailto:medicwwa@gmail.com)  
 315.576.1202

**THEREFORE, BE IT RESOLVED** that the Town Board hereby approves the request made by the Western Wayne Ambulance, Inc. to waive the fees for a site plan application and building permit to build a garage to house emergency response vehicles.

Discussion ensued regarding specific fees to waive and past resolutions for other organizations, as well as the need for a session of attorney client privilege at the next Town Board meeting on June 15, 2023.

Mr. Steven Matteson addressed the Town Board providing an update on the project and requesting the waiving of the fees.

Councilwoman Linson made the motion to table the resolution until the next Town Board meeting on June 15, 2023. Councilman Johnson seconded the motion.

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

Motion carried.

**RESOLUTION 94-23: ADOPTION OF ALCOHOL AND DRUG FREE WORKPLACE POLICY**

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

The following was submitted:

**ALCOHOL AND DRUG FREE WORKPLACE POLICY****Purpose**

The purpose of this policy is to secure for all Town of Walworth employees a safe, alcohol-, drug-free working environment, and to ensure compliance with the Federal Drug-Free Workplace Act of 1988, PL 100-690.

The Town of Walworth is committed to protecting the safety, health and well-being of all employees and other individuals in its workplace. This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale.

**Policy**

The Town of Walworth prohibits the unlawful use, possession, sale, manufacture, distribution, dispensing, or misuses of controlled substances, use and/or possession of cannabis, alcohol, and all illegal drugs in all Town workplaces and on all Town properties, except when the use is pursuant to a doctor's orders and such order is on file with the Town.

All employees are directed not to report to work or be on duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

**Covered Individuals**

Any individual who is employed by the Town of Walworth, including elected and appointed Town officials, is covered by this Alcohol and Drug Free Workplace Policy. Therefore, this policy applies during all working hours, on-call, standby, and/or while operating or riding in vehicles belonging to the Town or while operating their own personal vehicle conducting Town business. To the extent that the terms of this policy are subject to federal, state, or local laws, or terms of any collective bargaining agreement, regarding drug or alcohol testing, those respective laws or terms shall supersede any inconsistent terms of this policy.

All Town of Walworth new employees will be subject to a pre-employment drug and alcohol testing. For the purpose of this requirement, employees will be considered those individuals who receive Town benefits and are permanent part-time or full-time employees.

Employees with commercial driver's licenses shall be subject to random, post-accident and "reasonable cause" drug/alcohol testing procedures in compliance with US DOT Regulation 49 CFR Part 40 and the collective bargaining agreement.

**Consequences**

One of the goals of this Alcohol and Drug Free Workplace Policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates this policy, the consequences will be serious.

In the case of an applicant for employment who violates the Alcohol and Drug Free Workplace Policy, any conditional offer of employment can be withdrawn, where permitted by law.

Employees violating these policies shall be subject to criminal, civil, and disciplinary penalties as provided by existing statues, Civil Service rules, and relevant collective bargaining agreement provisions.

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Walworth hereby adopts the proposed Alcohol and Drug Free Workplace policy, to be added to the current Employee Handbook and to be distributed to the Town of Walworth employees.

Adopted this 1<sup>st</sup> day of June, 2023 at a meeting of the Town Board.

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

Resolution carried.

**COMMUNICATION:**

- **Cover letter from Harris Beach, PLLC regarding K2 Brewing PILOT Agreement**, dated May 18, 2023
- **Assessment Department Monthly Report for May 2023**
- **Letter from Gananda Rotary Club regarding the 41<sup>st</sup> Annual Gananda Garage Sale**, dated May 25, 2023
- **Animal Control Officer Report for the month of May 2023**
- **Letter from Eugene Cook, Councilman, Town of Huntington**, dated May 10, 2023

Discussion ensued regarding parking and traffic concerns on Route 350 during the Gananda Garage Sale event.

**TOWN BOARD MEETINGS:**

DATE	TIME	MEETING TYPE
JUNE 15, 2023	6:30 PM	REGULAR
JULY 6, 2023	6:30 PM	REGULAR
JULY 20, 2023	6:30 PM	REGULAR

**NEW AND OTHER BUSINESS:**

- **Employee Handbook/Policies and Procedures Manual Updates**

Councilwoman Linson informed the Town Board that the committee had an upcoming meeting and discussed next steps with anticipation completion in approximately 8 weeks.

- **Knox Box Installations**

Supervisor Donalty stated that this is still in process, with action to be taken in the near future.

Supervisor Donalty and Councilwoman Linson commended Councilman Kelly for his planning and preparation for the Memorial Day parade and ceremony. It was well-attended and the recommendation was made to make the parade and ceremony annual events.

**PUBLIC PARTICIPATION:**

Two members of the public addressed the Town Board:

- 1) Mr. Joe Geiger spoke regarding a speed limit reduction on Swadling Road. Discussion ensued regarding the process by which residents and the Town must follow to pursue a speed reduction and or additional signage. Mr. Geiger was instructed to obtain a signed petition to present to the Town Board.
- 2) Mrs. Marsha Smith inquired as to the purpose of the letter from the Town of Huntington and if the Town was planning on taking action. Councilwoman Linson stated that the letter was shared as a note of correspondence and no action would be taken at this time.

**ADJOURNMENT:**

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

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

Motion carried.

Time: 7:05 PM

Respectfully Submitted,  
 Aimée Phillips  
 Town Clerk