

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

PRESENT:

Amber Linson	Councilwoman/Deputy Supervisor
Alex Kelly	Councilman
Jim Harden	Councilman
Rick Johnson	Councilman
Aimée Phillips	Town Clerk

ABSENT:

Michael Donalty	Supervisor
Kevin Switzer	Highway Superintendent

OTHERS PRESENT: Christine Stanford, Town Comptroller; Donald Young, Esq., Town Attorney; Adam Jozwiak, Sewer Superintendent; four (4) members of the public.

MINUTES

Motion by Councilman Kelly that the minutes of August 3, 2023 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilman Johnson.

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

Motion carried.

ELECTED OFFICIALS’ REPORTS:

The following reports were submitted to the Town Board:

Monthly Report of the Supervisor, July 2023
Monthly Report of the Town Clerk, July 2023

Motion by Councilman Johnson to accept all submitted Department Reports. Seconded by Councilman Kelly.

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

Motion carried.

TOWN CLERK – No report.

HIGHWAY SUPERINTENDENT – No report.

COUNCILMAN KELLY – No report.

COUNCILWOMAN LINSON

Councilwoman Linson shared that the Walworth-Seely Public Library has obtained the required amount of signatures to place its Chapter 414 referendum on November’s election ballot. The Library will be beginning a community garden project next to its shed on Lorraine Drive. The Walworth portion of the Wayne County Bicentennial Torch Relay took place that previous Monday, and Councilwoman Linson highlighted some upcoming events at the Wayne County Fair. Lastly, she explained that the Regional Wastewater agreement meeting had been postponed, and she hopes to have an update at the next Town Board meeting.

COUNCILMAN HARDEN – No report.

COUNCILMAN JOHNSON

Councilman Johnson shared that all cannabis dispensary licenses were currently suspended due to a lawsuit involving New York State.

SUPERVISOR DONALTY – No report.

RESOLUTIONS:

RESOLUTION 125-23: BUDGET MODIFICATIONS

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

Budget Modifications for AUG 17, 2023

	\$	Acct #	Description		Acct #		Reason
General Fund							
Transfer	\$ 18,000.00	FROM A7620.42	Adult Rec - Prog/Instructor Fees	TO	A7310.42	Youth Rec - Prog/Instructor fees	projected amount needed for remainder of year
Highway Fund							
Transfer	\$ 60,363.92	FROM DA5110.43	General Repairs - Resurfacing	TO	DA5112.22	Perm Improvements - paving/grinding	cover cost of Swaddling Road resurfacing
CM1							
Transfer	\$ 191.00	FROM CM1-7110.23	Parks - Equipment	TO	CM1-7110.44	Parks - Repair/Maint	to cover ORKIN for bee removal from lodge

Adopted this 17th day of August, 2023 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 126-23: ABSTRACT 8, APPROVAL

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

TOWN OF WALWORTH				
Abstract # 008				
Summary by Fund				
Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	16,810.68	69,589.16	86,399.84
CMI-	PARK SPECIAL REVENUE FUND	22.77	2,122.21	2,144.98
DA	HIGHWAY FUND	67,824.40	95,691.66	163,516.06
HC	NEW PAVILION IN GINEGAW PARK		2,814.24	2,814.24
MS	SELF INSURANCE FUND		24.75	24.75
SD1-	WALWORTH CONSOLIDATED DRAINAGE		6,600.00	6,600.00
SL1-	WALWORTH LIGHT DISTRICT	632.58		632.58
SL2-	HARVEST HILL LIGHT DISTRICT	1,177.10		1,177.10
SL3-	GANANDA LIGHT DISTRICT	1,192.21		1,192.21
SL4-	BROOKSIDE LIGHT DISTRICT	25.99		25.99
SL5-	ORCHARD VIEW LIGHT DISTRICT	278.98		278.98
SS	WALWORTH SEWER DISTRICT #1	4,790.42	10,592.33	15,382.75
TA	TRUST & AGENCY	88,943.88		88,943.88
TC	CUSTODIAL TRUST		2,154.00	2,154.00
Total:		181,699.01	189,588.35	371,287.36

Voucher Numbers 944-1087, 98-114, 62-67

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

Adopted this 17th day of August, 2023 at the meeting of the Town Board.

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

Resolution carried.

RESOLUTION 127-23: AUTHORIZING THE TOWN CLERK TO ADVERTISE TO FILL VACANCY ON BOARD OF ASSESSMENT REVIEW FOR TERM BEGINNING OCTOBER 1, 2023

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

WHEREAS, the Board of Assessment Review carries terms of five (5) years; and

WHEREAS, a vacancy exists for the term beginning October 1, 2023;

BE IT RESOLVED, that the Town Clerk is authorized to advertise for the Board of Assessment Review vacancy for the five-year term beginning October 1, 2023.

Adopted this 17th day of August, 2023 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 128-23: TO ADOPT TOWN OF WALWORTH PROPERTY ACCESS POLICY

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

The following was submitted:

Town of Walworth Property Access Policy

The Town of Walworth (the “Town”) is committed to protecting the rights of and serving its citizens while also protecting the health, safety, welfare, and personal privacy of the Town’s employees and the public who do business with or use the services of the Town. This policy (“Policy”) addresses the delineation of those portions of the Town Property (i.e., any real property owned or controlled by the Town) that are accessible to the general public from those portions of Town Property that are not or are otherwise accessible on a limited basis, and issues related to the same.

A “Limited Access Area” means a designated area of Town Property that is not open to general public access and occupancy. However, it may include areas that may be open to or occupied by certain members of the public on a limited, as-needed, by-invitation basis. A “Public Access Area” means an area of Town Property that is generally open to general public access and occupancy that is not otherwise designated as a Limited Access Area. As a general matter, Public Access Areas within buildings that comprise Town Property (such as the lobby at Town Hall) are generally intended for the purpose of conducting business with / obtaining services from the Town during business hours (e.g., obtaining licenses, obtaining permits, paying taxes, etc.).

Access to Town Property shall only be permitted in accordance with applicable laws, rules, regulations and/or policies, including that recording devices shall not be utilized in limited or nonpublic forums (i.e., those areas inside of Town buildings intended for conducting or facilitating of Town business and not intended as public expressive forums, such as a lobby area for a reception desk) in a manner so as to capture highly sensitive personal information (e.g., social security numbers, credit card numbers, etc.) unless otherwise permitted/required by law.

Limited Access Areas may be designated by doors, signage, physical barriers, building design features, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications shall not necessarily prevent the Town from delineating an area as a Limited Access Area, and Town does retain the right to verbally instruct third parties that an area is a Limited Access Area, but the Town will strive to ensure Limited Access Areas are clearly delineated.

Without limiting the generality of the foregoing, Limited Access Areas generally include but are not necessarily limited to the following: Employees’ private offices, employee designated workspaces (including, e.g., copy rooms, mailrooms, break areas, and kitchens), maintenance areas/facilities, storage and warehousing areas/facilities, and other facilities that are intended only for employees such as public works and public safety buildings and utility facilities intended for employee use/access only (except designated waiting or reception areas therein or otherwise used/designated as a Public Access Area).

Limited Access Areas shall not be and are not open and accessible to the general public. Instead, Limited Access Areas shall be generally accessible only to employees or officials of the Town. Those that are neither Town employees nor Town officials may access Limited Access Areas only upon invitation by an authorized Town employee or Town official, only for the purpose of conducting specified business with the Town, and only for the time(s) and purposes associated with such invitation.

Town Attorney Young explained the reasoning and need for this policy.

NOW, THEREFORE BE IT RESOLVED, that the Town of Walworth hereby adopts the Town of Walworth Property Access Policy.

Adopted this 17th day of August, 2023 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 129-23: ACKNOWLEDGING THE APPOINTMENT OF SCHOOL DISTRICT OFFICERS BY THE WAYNE CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE 2023-2024 SCHOOL YEAR

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

WHEREAS, the Town of Walworth acknowledges §37 of Town Law, collection of school taxes in first class towns is the duty of the Town Receiver of Taxes and Assessments unless it is conveyed by Town Board Resolution to the Tax Collector appointed by the Board of Education; and

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Ms. Shelley LaRocca as School Tax Collector the portion of Walworth within the Wayne Central School District for 2023-2024.

Adopted this 17th day of August, 2023 at the meeting of the Town Board.

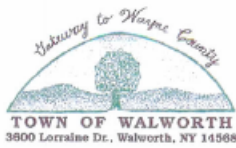
Roll call vote:	Councilwoman Linson	Aye
	Councilman Kelly	Aye
	Councilman Harden	Aye
	Councilman Johnson	Aye
	Supervisor Donalty	Absent

Resolution carried.

RESOLUTION 130-23: AUTHORIZING THE SEWER SUPERINTENDENT TO ORDER REPLACEMENT PLATFORM GRATING AND LADDERS FOR PUMP STATIONS

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

The following was submitted:



Walworth Wastewater Treatment Plant
 Adam Jozwiak, Sewer Superintendent
 3451 Ontario Center Road
 Walworth NY 14568
 315.986.1400 extension 10
sewer@townofwalworthny.gov

August 10, 2023

Attention: Michael Donalty, Town Supervisor
 Walworth Town Board Members

Re: Replacement of platform grating and ladders in 5 pump stations

In an effort to be proactive and ensure that our pump stations are in good condition prior to the Wayne County Water and Sewer Authority completion of the Regional Wastewater Treatment Facility, please find attached quotes and procurement forms for the replacement of platforms and ladders in the pump stations.

We did receive quotes from 3 vendors; Strongwell, Koester, and Grainger.

PLATFORMS :

Strongwell	\$ 8,648.20 (fiberglass grating and structural support items)
Grainger	\$12,620.45 (fiberglass grating and structural support items)
Koester	\$21,614.30 (fiberglass grating and structural support items)

LADDER SYSTEM:

Strongwell	\$17,807.50 (Fiberglass)
Grainger	\$ 2,967.85 (Steel)
Koester	\$16,428.60 (Fiberglass)

Based on the quotes received, I would like Town Board approval to order the fiberglass material for the platforms from **Strongwell** for a cost of \$8,648.20 including shipping, and the fiberglass ladder kits from **Koester** for a cost of \$16,428.60 including shipping, to be expended from budget line SS8110.24 (repair projects).

Due to the highly corrosive environment found in a pumpstation, steel is not the best choice because it will deteriorate rapidly in this environment and need to be replaced again in the near future; while fiberglass will be a one time purchase and will not be subject to corrosion.

These quotes are for materials only and does not include the installation. We will work to get them installed, either by staff at the plant or contracting out for installation over the next year and a half.

Should you have any questions please contact me.

Respectfully submitted,

Adam Jozwiak, Sewer Superintendent

BE IT RESOLVED, that the Sewer Superintendent is hereby authorized to order fiberglass material for platforms and ladder kits for a total cost of \$25,076.80 from budget line SS8110.24 (repair projects).

Adopted this 17th day of August, 2023 at a meeting of the Town Board.

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

Resolution carried.

RESOLUTION 131-23: TO CLARIFY RETIREE HEALTH CARE BENEFITS AND MODIFY INTERNAL ADMINISTRATION OF THIS BENEFIT BEGINNING WITH THE 2024 BENEFIT YEAR

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

WHEREAS, Resolution 180-17 revised the employee handbook to change the qualifying criteria for the retiree healthcare benefit; and

WHEREAS, since the time of this revision, there are many more resources for individuals to obtain affordable medical and dental coverage and Medicare supplemental insurance; and

WHEREAS, The Town wishes to streamline the administration of this benefit to reduce costs; and

WHEREAS, The Town wishes to administer this benefits as follows:

RETIREE HEALTH/DENTAL INSURANCE BENEFIT

Each full-time retired employee and each full-time retired elected official, who are at least 55 years old and have 20 or more years of continuous service with the Town of Walworth will receive a monthly reimbursement, up to \$300 per month, towards their individual Health and/or Dental Insurance until the death of the employee or elected official. The retiree will be responsible for acquiring their own health and/or dental insurance and submitting a request for reimbursement to the Town of Walworth. Each request shall include a reimbursement request form, copy of bill or statement showing the covered month and proof of payment.

NOW, THEREFORE BE IT RESOLVED, that effective January 1, 2024, the retiree healthcare benefit will be administered as described above and the employee handbook will be revised as such. Affected retirees will be notified so they can plan for the change.

Town Comptroller explained the reasoning and need for this resolution.

Adopted this 17th day of August, 2023 at a meeting of the Town Board.

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

Resolution carried.

COMMUNICATION:

- **Assessment Department June and July 2023 Sales Reports**
- **Assessment Department Reports for May, June and July 2023**
- **Town of Walworth Waterwater Treatment Plant Report for the month of July 2023**
- **Letter from the Wayne Central School District regarding appointment of School District Tax Collector for 2023-2024 school year, dated July 7, 2023**
- **Monthly Building and Zoning Report for the month of July 2023**
- **Parks and Facilities Report, dated August 11, 2023**
- **Recreation Department Month End Report for July 2023**
- **Letter from Wayne Youth Lacrosse, dated August 11, 2023**

TOWN BOARD MEETINGS:

DATE	TIME	MEETING TYPE
SEPTEMBER 7, 2023	6:30 PM	REGULAR
SEPTEMBER 21, 2023	6:30 PM	REGULAR
OCTOBER 5, 2023	6:30 PM	REGULAR

NEW AND OTHER BUSINESS:

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

Councilwoman Linson stated that the committee had met again that day and that they are nearly completed.

- **Dolomite Park Update**

Councilwoman Linson invited Wayne Youth Lacrosse President Jason Ghysel to the podium, and she gave an update on the negotiation with Wayne Youth Lacrosse stating that they had come to the following agreement:

RESOLUTION 132-23: TO AUTHORIZE AGREEMENT REGARDING RESTORATION OF DOLOMITE PARK

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

WHEREAS, in response to the Town Board’s concerns relative to the location of a proposed box lacrosse field at Dolomite Park in the Town of Walworth, and in furtherance of resolving those concerns, a representative of Wayne Youth Lacrosse (“WYL”) has recently proposed to remove the stone/base/materials installed by WYL, and to restore the baseball diamond there; and

WHEREAS, the Town Board wishes to have the materials removed and the baseball diamond restored, and thus seeks to formalize the proposal to do the same.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board hereby approves the attached agreement whereby WYL would remove the stone/base/materials installed by WYL and restore the field for use as a baseball diamond, all at no cost to the Town, and all as more specifically set forth therein.

Adopted this 17th day of August, 2023 at a meeting of the Town Board.

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

Resolution carried.

PUBLIC PARTICIPATION:

No members from the public wished to address the Town Board.

ADJOURNMENT:

Motion by Councilman Kelly to adjourn. Seconded by Councilman Johnson.

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

Motion carried.

Time: 6:49 PM

Respectfully Submitted,
Aimée Phillips
Town Clerk