

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

**OTHERS PRESENT:** Jacqueline VanLare, Recreation Director; Michael Buckley, Parks Superintendent; Christine Stanford, Town Comptroller; Brett Malafeew, Code Enforcement Officer; Donald Young, Esq., Town Attorney; Gene Bavis, Town Historian; sixteen (16) members of the public.

**PUBLIC HEARING – 6:30 PM: INCLUSION OF WATER FACILITIES OF THE LEHRWOOD SUBDIVISION WITHIN THE WATER 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 HEARING FOR INCLUSION OF WATER FACILITIES OF THE LEHRWOOD SUBDIVISION WITHIN WATER DISTRICT**

**PLEASE TAKE NOTICE**, that additional water facilities have been proposed and constructed in association with the development commonly known and referred to as the “Lehrwood Estates Subdivision,” which development is present within the Town of Walworth Water District 16; and

**PLEASE TAKE NOTICE**, that the purpose of the additional water facilities is to provide water to those lands within the “Lehrwood Estates” subdivision, comprising 98 residential home lots on approximately 76 acres, the bounds of service of such water facilities generally including those lands comprising the “Lehrwood Estates” subdivision, said subdivision being bisected by Mildahn Rd., bordered on the north side by Gananda Parkway (Country Road 205A) and the south side by Macedon Town line, all as more particularly described in the Map, Plan and Report, entitled “Infrastructure Improvements to Walworth Water District #16 Plan and Report, for Lehrwood Estates Subdivision” (the “Map, Plan and Report”) on file with the Walworth Town Clerk where it is available for public review; and

**PLEASE TAKE NOTICE**, that the improvements proposed in said district include primarily water mains, as well as other infrastructure all more particularly described in the Map, Plan and Report; and

**PLEASE TAKE NOTICE**, that the Map, Plan and Report call for the inclusion of such facilities in the Town of Walworth Water District 16; and

**PLEASE TAKE NOTICE**, that the maximum amount proposed to be expended for the capital cost of the improvements as stated in the said Map, Plan and Report is \$0, as the improvements have been and will be constructed by the developer and not the Town, plus meter installation charge of approximately \$600.00; and

**PLEASE TAKE NOTICE**, that a typical property will be charged for operation and maintenance in the amount of \$30.00 plus approximately \$5.00 per thousand gallons of water used, rates subject to change, and with a typical home usage the total said cost may approximate \$165.00 per quarter, all based upon and subject to actual water usage.

**PLEASE TAKE FURTHER NOTICE**, that the Walworth Town Board shall meet at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY on July 20 at 6:30 p.m., to consider such water facilities and their and their addition to and inclusion in the Town of Walworth Water District 16, increasing the facilities of such District, and to hear all persons interested in the subject thereof.

Dated: July 6, 2023

BY ORDER OF THE  
 WALWORTH TOWN BOARD  
 Aimée Phillips  
 Town Clerk

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

Time: 6:35 PM

No members of the public offered comment.

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 Kelly.

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

Motion carried.

Time: 6:36 PM.

**PUBLIC HEARING – 6:30 PM: INCLUSION OF DRAINAGE FACILITIES OF THE LEHRWOOD SUBDIVISION WITHIN THE DRAINAGE DISTRICT**

**PUBLIC HEARING RULES AND PROCEDURES:**

Supervisor Donalty reviewed the procedures for the public hearing and asked for a motion to waive the reading of the legal notice. Councilwoman Linson made the motion to waive the reading of the legal notice. Councilman Johnson seconded the motion.

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

Motion carried.

**NOTICE OF PUBLIC HEARING FOR INCLUSION OF DRAINAGE FACILITIES OF THE  
LEHRWOOD SUBDIVISION WITHIN DRAINAGE DISTRICT**

**PLEASE TAKE NOTICE**, that additional drainage facilities have been proposed and constructed in association with the development commonly known and referred to as the “Lehrwood Estates Subdivision,” which development is present within the Town of Walworth Drainage District SD-1; and

**PLEASE TAKE NOTICE**, that the purpose of the additional drainage facilities is to address stormwater management for those lands comprising the “Lehrwood Estates” subdivision, comprising 98 residential home lots on approximately 76 acres, the bounds of service of such drainage facilities generally including those lands comprising the “Lehrwood Estates” subdivision, said subdivision being bisected by Mildahn Rd., bordered on the north side by Gananda Parkway (Country Road 205A) and the south side by Macedon Town line, all as more particularly described in the Map, Plan and Report, entitled “Increase of Facilities to the Walworth Drainage District SD-1 Plan and Report, for Lehrwood Estates Subdivision” (the “Map, Plan and Report”) on file with the Walworth Town Clerk where it is available for public review; and

**PLEASE TAKE NOTICE**, that the improvements proposed in said district include storm sewer piping with manholes and inlets, etc., and other infrastructure all more particularly described in the Map, Plan and Report; and

**PLEASE TAKE NOTICE**, that the Map, Plan and Report calls for the inclusion of such facilities in the Walworth Drainage District SD-1; and

**PLEASE TAKE NOTICE**, that the maximum amount proposed to be expended for the capital cost of the improvements as stated in the said Map, Plan and Report is \$0, as the improvements have been and will be constructed by the developer and not the Town; and

**PLEASE TAKE NOTICE**, that a typical property will be charged for operation and maintenance in the amount of approximately \$28.13 per year based upon the rate for the drainage district, which is subject to change.

**PLEASE TAKE FURTHER NOTICE**, that the Walworth Town Board shall meet at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY on July 20th at 6:30 p.m., to consider such drainage facilities and their addition to and inclusion in the Walworth Drainage District SD-1, increasing the facilities of such District, and to hear all persons interested in the subject thereof.

Dated: July 6, 2023

BY ORDER OF THE  
WALWORTH TOWN BOARD  
Aimée Phillips  
Town Clerk

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

Time: 6:37 PM

No members of the public offered comment.

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 Kelly.

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

Motion carried.

Time: 6:37 PM.

**MINUTES**

Motion by Councilman Johnson that the minutes of July 6, 2023 Regular Meeting are approved as submitted by the Town Clerk. Seconded by Councilwoman Linson.

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

Motion carried.

**ELECTED OFFICIALS’ REPORTS:**

The following reports were submitted to the Town Board:

- Monthly Report of the Supervisor, June 2023**
- Monthly Report of the Town Clerk, June 2023**

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

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

Motion carried.

**TOWN CLERK**

Town Clerk Phillips reminded those present that there would be a fireworks display that weekend as part of the Festival in the Park.

**HIGHWAY SUPERINTENDENT**

On behalf of Highway Superintendent Switzer, Supervisor Donalty shared that the culvert project on Bills Road had been completed and the road had been reopened.

**COUNCILMAN KELLY** – No report.

**COUNCILWOMAN LINSON**

Councilwoman Linson shared the Walworth Historical Society float would be displaying the new Bicentennial marker on its parade float at the upcoming Festival in the Park, later to be dedicated immediately prior to the Town Board meeting on August 3, 2023. She also stated that the Bicentennial committee is still looking for runners for the upcoming torch relay and encouraged residents to visit the booth at the Festival. Councilwoman informed those present that she had attended the recent Board of Trustees meeting with the Walworth Seely Library and participated in budget discussions. She shared that the Regional Sewer Project is progressing as mapping has been finalized and funding and intermunicipal agreements with the Town of Macedon will be moved forward as well. Lastly, she announced that tickets for the September Wayne County Sheriff’s Office K-9 Fundraiser dinner are on sale and can be purchased by contacting her, Town Clerk Phillips and Gary Germano.

**COUNCILMAN HARDEN** – No report.

**COUNCILMAN JOHNSON**

Councilman Johnson shared that 9 cannabis dispensary licenses have been issued in the Finger Lakes Region, and he will provide an update with additional details at the next Town Board meeting. He also shared a summary of discussion from the recent Comprehensive Plan Committee meeting and business roundtable.

**SUPERVISOR DONALTY** – No report.

**RESOLUTIONS:**

**RESOLUTION 113-23: BUDGET MODIFICATIONS**

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

Budget Modifications for JULY 20, 2023

	\$	Acct #	Description	Acct #	Reason
<b>General Fund</b>					
Transfer	\$ 124.62	FROM A1410.41	Town Clerk - Conference & Training	TO A1410.43	Town Clerk - Codefication cover uniform code bill
Transfer	\$ 63.38	FROM A1410.44	Town Clerk - Records Mgmt	TO A1410.43	Town Clerk - Codefication cover uniform code bill
<b>Park Special Revenue Fund</b>					
Appropriate add'l Fund Bal of	\$1,057	FROM CM1-913	Committed Fund Balance	TO CM1-7110.2	Parks - Capital Exp to cover 2 dog waste station bundles and 2 silhouette decorations for the dog park.

Councilman Johnson made the motion to amend the resolution to reflect the change from \$1,057.00 to \$1092.00 in the Park Special Revenue Fund, explaining the need for this change.

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

Motion carried.

**RESOLUTION 113-23: BUDGET MODIFICATIONS, AS AMENDED**

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

*Amended*

Budget Modifications for JULY 20, 2023

	\$	Acct #	Description	Acct #	Reason
<b>General Fund</b>					
Transfer	\$ 124.62	FROM A1410.41	Town Clerk - Conference & Training	TO A1410.43	Town Clerk - Codefication cover uniform code bill
Transfer	\$ 63.38	FROM A1410.44	Town Clerk - Records Mgmt	TO A1410.43	Town Clerk - Codefication cover uniform code bill
<b>Park Special Revenue Fund</b>					
Appropriate add'l Fund Bal of					to cover 2 dog waste station bundles and 2 silhouette decorations for the dog park. Rules Signs
	\$1,092	FROM CM1-913	Committed Fund Balance	TO CM1-7110.21	Parks - Capital Exp

Adopted this 20<sup>th</sup> day of July, 2023 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 114-23: ABSTRACT 7, APPROVAL**

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

TOWN OF WALWORTH				
Abstract # 007				
Summary by Fund				
Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	119,354.16		119,354.16
CM1-	PARK SPECIAL REVENUE FUND	40,273.26		40,273.26
CM6-	CEMETERIES	2,051.33		2,051.33
DA	HIGHWAY FUND	170,698.58		170,698.58
HB	DEWBERRY PUMP STATION UPGRADE	10,692.95		10,692.95
HC	NEW PAVILION IN GINEGAW PARK	375.84		375.84
HD	COMPREHENSIVE MASTER PLAN	2,498.20		2,498.20
MS	SELF INSURANCE FUND	14.85		14.85
SL3-	GANANDA LIGHT DISTRICT	1,195.59		1,195.59
SS	WALWORTH SEWER DISTRICT #1	49,743.70		49,743.70
TA	TRUST & AGENCY	79,211.13		79,211.13
TC	CUSTODIAL TRUST	4,028.50		4,028.50
<b>Total:</b>		<b>480,138.09</b>		<b>480,138.09</b>

07/20/2023  
08:12:32

Voucher Numbers 761-943, 82-97, 56-61

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

Adopted this 20<sup>th</sup> day of July, 2023 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 115-23: INCLUSION OF DRAINAGE FACILITIES OF THE LEHRWOOD SUBDIVISION WITHIN DRAINAGE DISTRICT**

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

**WHEREAS**, additional drainage facilities have been proposed and constructed in association with the development commonly known and referred to as the “Lehrwood Estates Subdivision,” which development is present within the Town of Walworth Drainage District SD-1; and

**WHEREAS**, on July 6, 2023, the Town Board duly adopted an Order (which Order is attached hereto and made a part hereof) reciting in general terms the bounds of said facilities, the improvements proposed, the maximum amount proposed to be expended for the improvement, referring to the Map, Plan and Report entitled “Increase of Facilities to the Walworth Drainage District SD-1 Plan and Report for Lehrwood Estates Subdivision” (the “Map, Plan and Report”), on file with the Walworth Town Clerk, and specifying that the Town Board shall meet at the Walworth Town Hall on July 20, 2023 at 6:30PM to consider said Order and Map, Plan and Report and hear all persons interested in the subject thereof, concerning the same, and

**WHEREAS**, said Order was duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of inclusion of said additional facilities within the Town of Walworth Drainage District SD-1, thus increasing the facilities thereof, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

**WHEREAS**, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made.

**NOW, THEREFORE, BE IT RESOLVED**, by the Walworth Town Board, that, pursuant to Town Law Section 202-b, it is in the public interest to include said additional facilities within the Town of Walworth Drainage District SD-1 so as to increase the facilities thereof, all in accord with the Order and Map, Plan and Report, and the same is hereby ordered, such that the Walworth Drainage District SD-1 be so improved and increased in accord herewith.

Adopted this 20<sup>th</sup> day of July, 2023 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 116-23: INCLUSION OF WATER FACILITIES OF THE LEHRWOOD SUBDIVISION WITHIN WATER DISTRICT**

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

**WHEREAS**, additional water facilities have been proposed and constructed in association with the development commonly known and referred to as the “Lehrwood Estates Subdivision,” which development is present within the Town of Walworth Water District 16; and

**WHEREAS**, on July 6, 2023, the Town Board duly adopted an Order (which Order is attached hereto and made a part hereof) reciting in general terms the bounds of said facilities, the improvements proposed, the maximum amount proposed to be expended for the improvements, referring to the Map, Plan and Report entitled “Infrastructure Improvements to Walworth Water District #16 Plan and Report, for Lehrwood Estates Subdivision” (the “Map, Plan and Report”), on file with the Walworth Town Clerk, and specifying that the Town Board shall meet at the Walworth Town Hall on July 20th, 2023 at 6:30PM to consider said Order and Map, Plan and Report and hear all persons interested in the subject thereof, concerning the same, and

**WHEREAS**, said Order was duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of inclusion of said additional facilities within the Town of Walworth Water District 16, thus increasing the facilities thereof, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

**WHEREAS**, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made.

**NOW, THEREFORE, BE IT RESOLVED**, by the Walworth Town Board that, pursuant to Town Law Section 202-b, it is in the public interest to include said additional facilities within the Town of Walworth Water District 16, so as to increase the facilities thereof, all in accord with the Order and Map, Plan and Report, such that the Walworth Water District 16 be so improved and increased in accord herewith.

Adopted this 20th day of July, 2023 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 117-23: AUTHORIZATION FOR THE TOWN SUPERVISOR TO ENGAGE IN PRELIMINARY NEGOTIATIONS WITH THE COUNTY OF WAYNE RELATIVE TO THE COUNTY’S POTENTIAL ACQUISITION OF A PORTION OF TOWN-OWNED LAND LOCATED AT 1870 WALWORTH-PENFIELD ROAD**

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

**WHEREAS**, the County of Wayne has recently activated a Countywide transport ambulance service and plans to construct four ambulance bases throughout the County, and;



**WHEREAS**, the County has identified a parcel of Town-owned land as a possible location for one of these ambulance bases, and;

**WHEREAS**, the County wishes to commence negotiations relative to their potential acquisition of this land from the Town for the County’s use as an ambulance base.

**NOW THEREFORE BE IT RESOLVED** that the Town Supervisor is hereby authorized to commence negotiations with the County of Wayne relative to the County’s potential acquisition of a portion of the Town-owned land located at 1870 Walworth-Penfield Road, with any sale or transfer to the County subject to approval of the Town Board.

Discussion ensued regarding the sale/purchase and/or lease of the property and the reasoning behind the resolution.

Adopted this 20th day of July, 2023 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 118-23: AUTHORIZATION FOR THE TOWN BOARD TO REJECT ALL BIDS RECEIVED FOR THE PROPOSED GINEGAW PARK RESTROOM PROJECT**

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

**WHEREAS**, the Town Board approved the soliciting of bids for the Ginegaw Park restroom project at the April 6, 2023, Regular Town Board meeting (**Resolution 71-23**), and;

**WHEREAS**, the bids were publicly opened on June 28, 2023, as advertised, and;

**WHEREAS**, the bids for mechanical, plumbing, and electrical portions all exceeded the original cost estimate, and no bids were received for the General Construction Contract portion of the project;

**NOW THEREFORE BE IT RESOLVED** that the Town Board hereby rejects all bids received for the proposed Ginegaw Park restroom project.

Discussion ensued regarding next steps for the project.

Adopted this 20th day of July, 2023 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 119-23: TO SUBMIT REVISED LANGUAGE FOR USE ON 2023 BALLOT TO BOARD OF ELECTIONS REGARDING ABOLISHMENT OF OFFICE OF RECEIVER OF TAXES AND ASSESSMENTS**

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

**WHEREAS**, on July 6, 2023, the Walworth Town Board approved by Resolution Local Law No. 6 of 2023, which would abolish Office of Receiver of Taxes and Assessments of the Town of Walworth, New York effective as of January 1, 2024, and transfer the powers and duties of said Office to the Office of the Town Clerk of the Town of Walworth, New York; and

**WHEREAS**, the Town Board wishes to provide to the Board of Elections revised language to be included on the ballot.

**NOW, THEREFORE, BE IT, RESOLVED**, that along with a certified copy of this Resolution and the Resolution approving the subject Local Law, the following language be submitted for consideration and certification by the Town Clerk to provide to the Wayne County Board of Elections for use on the ballot at the November 2023 election:

Shall there be approved the local law entitled “to Abolish the Office of the Receiver of Taxes and Assessments of the Town of Walworth and Transfer the Powers and Duties Thereof to the Office of the Town Clerk of the Town of Walworth,” which would abolish the Office of Receiver of Taxes and Assessments of the Town of Walworth, New York, as of January 1, 2024, and, contemporaneous with such abolishment, transfer the powers and duties of said Office of Receiver of Taxes to the Office of the Town Clerk of the Town of Walworth, New York?

Town Attorney Young explained the need for this resolution.

Adopted this 20th day of July, 2023 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 120-23: TO REVISE BARBARA GRIFFITH’S EMPLOYMENT STATUS TO REGULAR PART TIME CLERK TO JUSTICE, EFFECTIVE JULY 30, 2023**

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

**WHEREAS**, Barbara Griffith was retained on a per diem basis to assist the full-time Clerk to Justice to ensure the continued efficient operation of the Justice Court; and

**WHEREAS**, the Court has identified the need to increase the number of hours per week Ms. Griffith works, thus revising her employment status to regular part-time Clerk to Justice and increasing her working hours to no less than 20 nor more than 32 hours per week; and

**WHEREAS**, the Court has sufficient funds in the 2023 budget to accommodate the increase in salary and benefits for this position;

**NOW, THEREFORE BE IT RESOLVED** that the Town Board hereby authorizes the change of Barbara Griffith’s employment status to regular part time Clerk to Justice at the rate of \$17.00 per hour (2023 rate), effective July 30, 2023.

Adopted this 20th day of July, 2023 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 121-23: AUTHORIZE TOWN SUPERVISOR TO SIGN AND SUBMIT JUSTICE COURT ASSISTANCE PROGRAM 2023-2024 GRANT APPLICATION DOCUMENTS**

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

**WHEREAS**, the Walworth Town Court has requested authorization from the Walworth Town Board to apply for funding from the Justice Court Assistance Program (JCAP) during the upcoming grant cycle; and

**WHEREAS**, the Walworth Town Court has requested the Town Board authorize the application for the Justice Court Assistance Program in the 2023-2024 cycle be up to \$30,000.00;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of the Town of Walworth authorizes the Walworth Town Court to apply for a JCAP grant in the 2023-2024 grant cycle up to \$30,000.00 and authorizes the Town Supervisor to sign and submit the grant application documents.

Adopted this 20th day of July, 2023, at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 122-23: ACKNOWLEDGING THE APPOINTMENT OF SCHOOL DISTRICT OFFICERS BY THE GANANDA CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE TERM BEGINNING JULY 1, 2023 THROUGH JUNE 30, 2024**

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

WHEREAS, a School District Treasurer may also be appointed by a Board of Education;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Walworth designates Ms. Staci Harrison as School Tax Collector and Mrs. Kathryn Johnson as School District Treasurer for the portion of Walworth within the Gananda Central School District for 2023-2024.

Adopted this 20<sup>th</sup> day of July, 2023 at the meeting of the Town Board.

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

Resolution carried.

**COMMUNICATION:**

- **Walworth Town Court Monthly Report for June 2023**
- **Recreation Department Month End Report for June 2023**
- **Parks & Facilities Department Monthly Report, dated July 17, 2023**
- **Town of Walworth Wastewater Treatment Plant Report for June 2023**
- **Letter from County of Wayne Department of Highways regarding the Festival in the Park road closures, dated July 17, 2023**
- **Letter from Gananda Central School District regarding appointment of school district officers, dated July 13, 2023**

Supervisor Donalty commented on the Festival in the Park parade and 5k road closures.

**TOWN BOARD MEETINGS:**

DATE	TIME	MEETING TYPE
AUGUST 3, 2023	6:30 PM	REGULAR
AUGUST 17, 2023	6:30 PM	REGULAR
SEPTEMBER 7, 2023	6:30 PM	REGULAR

**NEW AND OTHER BUSINESS:**

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

Councilman Johnson stated that the committee had met again that day and that they are progressing well aiming for it to be completed in the next few weeks.

- **Dewberry Pump Station Improvement Costs**

Councilwoman Linson referred to a proposal from the Town’s engineering firm pertaining to the Dewberry Pump Station Improvement project and discussion ensued. The Town Board did not object to the proposal and agreed that Councilwoman Linson may continue to move forward.

- **Dolomite Park Update**

Councilwoman Linson read the following update:

Dolomite Park- First I would like to recap the situation we find ourselves in with Dolomite Park and then I'll review where we stand today.

As you are all aware, the Wayne Youth Lacrosse Club has used Dolomite Park for games and practices for Walworth and Ontario children over the last few years. Having plans of expanding the program, the club has initiated the building of a lacrosse box. This box is made up of a gravel base topped with turf which is surrounded by walls. It's my understanding that this creates a more contained area for the players to play in. The issue that we face today is not with the idea of adding this item to our parks, or with expanding the opportunity for our local youth sports programs, but instead that the construction of this box has been initiated on top of one of the towns tax-payer funded baseball diamonds. This baseball diamond is easily worth \$100,000 and is the only 90' baseball diamond the town has. No previous permits, approvals, or permissions to construct a \$30,000 lacrosse box on top of a \$100,000 baseball diamond were given by anyone authorized to do so from the town. As we all know, any changes to tax-payer funded properties within the Town of Walworth require Town Board approval. This is to ensure that the assets that the people of Walworth have paid for are protected and useable by them when they so choose. An unauthorized lacrosse box built on top of a baseball diamond makes that diamond unusable by those who paid for it to be built.

As you all recall, when the town realized the box was being built on top of the diamond we asked Wayne Youth Lacrosse to stop what they were doing while we review the matter and see how we want to proceed. From there we conducted our review and determined that no permits, approvals, or permissions had been granted. Therefore, at the July 6 meeting the Board passed a resolution addressing this situation in a manner in which we hoped would effectively solve the problem. That resolutions details are as follows:

- 1) Both entities create a plan cooperatively within 45 days, (as you know I was appointed as liaison to help the lacrosse club work through this situation)
- 2) Present the plan to the Walworth Town Board for approval,
- 3) Execute the plan and move the gravel (which was intended to reduce the strain on the club)
- 4) Repair/restore the 90' baseball field

So that's how we got here.

On Saturday July 8, I met with two of the Wayne Youth Lacrosse representatives. During that meeting we agreed to explore three options that we thought would be potential solutions to present to the board. Those options were:

- Leave the box where it is and move the diamond
- Move the box to a different location at Dolomite park and repair the baseball diamond
- Move the box to Ginegaw Park and repair the baseball diamond

We agreed at that meeting that I would get in contact with our parks superintendent and he and I would review these options and the Lacrosse Club would get us a list of their field and box sizes. Mike Buckley and I researched the needs of a 90' baseball diamond and discussed the potential for box placement in different locations. We did not at that time receive any field or box sizes from the club.

After our research it is clear to us that the necessary 4.5 acres and over \$100,000 needed to move the baseball diamond makes that option impossible, but there are possibilities for the box to move to other locations as it does not require nearly as much space or cost.

Mike Buckley and I then met with two other lacrosse representatives on July 18 and at that time informed them that moving the baseball diamond would not be a feasible option. We again requested that the club send us field box sizes and how many they need so that we can review possible location options. We also requested that the club, understanding that they are a not-for-profit, compile a list of people equipment and resources they could use to remove the stone from the diamond. Since that meeting we have received a link to the USA Lacrosse website.

Since there are only 30 days left to come up with a plan, it is my hope that we can begin working on a solution at a more efficient pace. However, I am still hopeful that we can come up with a proposal which will allow the box lacrosse to be built, our diamond to be restored, and the kids to be playing in a new box as soon as possible. Any questions?

Councilman Johnson stated that this can be used as a learning tool for future agreements and shared that he did not believe that this was unreasonable.

### **PUBLIC PARTICIPATION:**

The following members of the public addressed the Town Board:

- 1) Deborah Williams spoke indicating her disappointment with the Town Board's actions at the July 6, 2023 meeting.
- 2) John Hanss spoke in support of the Wayne Youth Lacrosse organization and in working in cooperation with the Town.

- 3) Rob Contestabile addressed the Town Board in favor of keeping the lacrosse box field at Dolomite Park.
- 4) Audra Palermo also spoke in favor of keeping the box lacrosse field at Dolomite Park.
- 5) A youth member of Wayne Youth Lacrosse addressed the Board in favor of keeping the box lacrosse field.
- 6) Paul Raleigh spoke to the Board indicating the box lacrosse field should be kept.
- 7) Sara Contestabile also spoke in favor of keeping the box lacrosse field.

**ADJOURNMENT:**

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

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

Motion carried.

Time: 7:32 PM

Respectfully Submitted,  
Aimée Phillips  
Town Clerk