

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 and led those present in the recitation of the Pledge of Allegiance.

**PRESENT:**

Michael Donalty	Supervisor
Amber Linson	Councilwoman
Alex Kelly	Councilman
Jim Harden	Councilman
Rick Johnson	Councilman
Jenna Camacho	Town Clerk

**ABSENT:**

Kevin Switzer	Highway Superintendent
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**OTHERS PRESENT:** Christine Stanford, Town Comptroller; Donald Young, Esq., Town Attorney; Michael Buckley, Parks Superintendent; Nadine Seppeler, Deputy Town Clerk; Seven (7) members of the public.

**6:30PM- PUBLIC HEARING: Local Law NO. 1-2024 To Implement a Temporary Moratorium Relative to Solar Facilities and Battery Storage, except for residential rooftop solar**

**PUBLIC HEARING RULES AND PROCEDURES:**

Supervisor Donalty reviewed and read the Rules and Procedures for Public Hearing

Supervisor Presiding over Public Hearing:

PUBLIC HEARING RULES AND PROCEDURES

The purpose of this Public Hearing is to give everyone the opportunity to express their views on the subject of the public hearing. These views become part of the record, which the Town Board relies on for its findings, conclusions and decisions.

PROCEDURE

The Town Clerk will read the NOTICE OF PUBLIC HEARING.

The Supervisor presiding over the hearing will open the floor to public comments.

Public Participation

All comments before the Board must be given from the podium if possible.  
 Anyone wishing to speak must state their name and address for the record.  
 Individuals will be given a three minute time period to present their comments regarding the matter of the public hearing.  
 The Supervisor has the authority to take any necessary measures to control the hearing – spontaneous comments from the floor are not permitted.  
 If a speaker drifts off of the subject of the public hearing, you will be reminded to limit your comments to the matter of the public hearing.

Town Clerk Jenna Camacho read aloud the Notice of Public hearing.

**NOTICE OF PUBLIC HEARING FOR LOCAL LAW TO IMPLEMENT A  
TEMPORARY MORATORIUM RELATIVE TO SOLAR FACILITIES AND BATTERY  
STORAGE, EXCEPT FOR SINGLE FAMILY ROOFTOP SOLAR**

PLEASE TAKE NOTICE that a proposed Local Law is under consideration by Town Board of the Town of Walworth, New York, designated as Local Law No. 1-2024 to Implement a Temporary Moratorium Relative to Solar Facilities and Battery Storage, Except for Single Family Rooftop Solar.

PLEASE TAKE FURTHER NOTICE that the purpose of said Local Law is to temporarily halt for a period of six months the development of new solar facilities and battery storage in the Town (except for residential rooftop solar) while the Town of Walworth develops and adopts local legislation to regulate such solar facilities.

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

PLEASE TAKE FURTHER NOTICE that a public hearing upon said proposed Local Law has been scheduled for March 7, 2024, at 6:30 PM, to be held at Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY. An opportunity to be heard in regard thereto will then and there be given to members of the public. Written comments may also be directed to the Walworth Town Clerk, Walworth Town Hall, 3600 Lorraine Dr., Walworth, NY.

Date: February 15,2024

BY ORDER OF THE  
WALWORTH TOWN BOARD  
Jenna Camacho  
Town Clerk

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

Time: 6:33 P.M.

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

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

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

Motion carried.

Time: 6:34 P.M.

**MINUTES**

Motion by Councilwoman Linson that the minutes of **February 15, 2024 Regular Meeting** are approved as submitted by the Town Clerk. Seconded by Councilman Kelly.

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

Motion carried.

**PRESENTATIONS:**

**Victor Ciaccia**, representing Norbut Solar Farms, proposed solar farm. Mr. Ciaccia advised he was also accompanied by Jason Zambruski. Norbut is a Solar Development Company based out of Rochester, New York. Norbut has developed a number of projects within New York and 2 projects in Wayne County. Mr. Ciacca disclosed the type of solar project they provide are call Community Distributed Generation Solar Facilities which are different from larger scale systems as they don't hook into transmission side of the utility grid, they hook into the distribution side meaning power generator can be distributed to the local community. Mr. Ciacca also advised the Board that they are unique in the fact that they purchase the land to place the Solar Farm. They do not lease the land. The proposed project for the Town of Walworth would be at Kuttruff. Would be a 5 Mega Watt AC Solar site. Norbut has already been in Contact with the utility company to verify the ability to connect. Mr. Ciacca would like some guidance from the Board how to move forward with the Town for their project for Solar with the new possible Local Law going into place in regards to Solar, would like to be kept up to speed. Supervisor Donalty inquired about the land size of they proposed plan. Mr. Ciacca advised the land they are looking to purchase is multiple parcels in about 106 acres. Councilwoman Lisnon asked how many customers would benefit with this project. Mr. Ciacca said approximately 500-1500 homes any eligible RG&E customers. Councilman Kelly asked Mr. Ciaccia if the 6 month moratorium would hinder the project that Norbut would like to move forward with. Mr. Ciacca advised could have an impact or be a challenge due to the fact of the land contract for the property on Kuttruff.

**Jack Brittner**, proposing Eagle Scout project for Sherburne Road Park with the replacement of Bluebird houses. Mr. Brittner would like to replace all the Bluebird houses within Sherburne Park. He plans to remove and replace all the birdhouses. They also plan to map the trail with the birdhouses as of now the trail is not mapped. He advised the bird houses are not sufficient for the birds. They are either too low, too close together or infested with rodents. The plan is to get project going soon before the birds are back for the Spring. This project would come at zero cost to the Town.

Motion to accept the Eagle Scout project as presented by Councilwoman Linson and seconded by Councilman Johnson.

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

Motion carried.

**ELECTED OFFICIALS' REPORTS:****TOWN CLERK** –

Town Clerk Camacho advised the public of Firework permits issued to the Ballroom at Carey Lake. The dates and times can be found on the website along with the Town's bulletin board. Mrs. Camacho also read an ad that was placed in the Wayne County Times in regard to the Town Clerk's office closure April 1-April 5,2024.

**HIGHWAY SUPERINTENDENT** – No report.

**COUNCILMAN KELLY** – No report.

**COUNCILWOMAN LINSON** –

Historical society has a program on March 18<sup>th</sup> at 7:00 P.M. Photo presented by Bob Mogray Walworth Then and Now. Work continues with the Town Attorney and the Sewer Department for the lease agreement.

**COUNCILMAN HARDEN** – No report.

**COUNCILMAN JOHNSON** – No report.

**SUPERVISOR DONALTY** – No report.

**RESOLUTIONS:****RESOLUTION 59 -24: TO ADOPT LOCAL LAW TO IMPLEMENT A TEMPORARY MORATORIUM RELATIVE TO SOLAR FACILITIES AND BATTERY STORAGE, EXCEPT FOR SINGLE FAMILY ROOFTOP SOLAR**

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

WHEREAS, the Walworth Town Board finds and hereby determines that the State of New York is currently experiencing and has over the recent has experienced significant new development of solar facilities and continues to receive more interest for additional development of solar facilities. In addition, battery storage, particularly for energy generated via solar facilities, has also received significant interest; and

WHEREAS, in noting the popularity of new solar facilities in New York as well as the interest in battery storage, the Town would like to examine the potential impacts thereof in the Town as well as develop and adopt revised local legislation to regulate solar facilities and battery storage; and

WHEREAS, while the Town considers the aforementioned impacts and develops revised local legislation to regulate the same, the Town Board finds that any development of solar facilities and battery storage should be prohibited for a temporary period of time until completion of the same in order to protect the health, safety and welfare of the Town, including to better promote community planning and development values in the context of the rapidly changing technology and industry of large scale solar facilities and battery storage; and

WHEREAS, during the pendency of the moratorium, the Town Board will consider how best to permit such solar facilities and battery storage installations so as to harmoniously integrate such installations with the existing community; and

WHEREAS, the Town Board has before it a local law to implement such a moratorium, on file with the Town Clerk, where it has been available for review by the public, said moratorium local law being attached hereto and made a part hereof; and

WHEREAS, the Walworth Town Board duly advertised and held a public hearing on the proposed moratorium local law in order to solicit and consider public input on the same; and

WHEREAS, the Walworth Town Board referred the moratorium local law to the Wayne County Planning Board; and

WHEREAS, this matter is a Type II action pursuant to SEQR, and not subject to review thereunder.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of such moratorium local law and any comments thereon, the Town Board finds and determines it to be in the Town’s best interest to approve such moratorium local law for the reasons set forth above and therein; and, be it further

RESOLVED, that the Town Board hereby adopts and approves said Local Law to Implement a Temporary Moratorium Relative to Solar Facilities and Battery Storage, Except for Single Family Rooftop Solar, said moratorium local law being attached hereto; and, be it further

RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Discusses ensued in regards to why it is a good idea for the Moratorium between the Town Board members and the Town’s Attorney. Concerns were addressed by Councilman Kelly in regards to new businesses into the Town. Town’s Attorney does have the option to stop the moratorium early if they needed to.

Adopted this 7th day of March, 2024 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 183-23: TO APPROVE LOCAL LAW NO. 8 OF 2023 TO AMEND THE WALWORTH TOWN CODE TO ADDRESS THE REMOVAL OF OBSTRUCTIONS, SNOW AND ICE FROM SIDEWALKS**

Councilwoman Linson offered the following Resolution to be taken off the table. Seconded by Councilman Kelly to wit:

WHEREAS, a public hearing was duly called for, and held on November 16, 2023, relative to a proposed local law to “Amend the Walworth Town Code to Address the Removal of Obstructions, Snow and Ice from Sidewalks,” and all interested parties were permitted an opportunity to speak thereon; and

WHEREAS, the Town Board of the Town of Walworth, after due deliberation, finds it in the

best interest of the Town to adopt said local law for the reasons set forth therein, and finds that the Walworth Town Code should thus be amended as set forth herein; now, therefore be it

**RESOLVED**, that, in accordance with the State Environmental Quality Review Act, the Town Board finds that the action is a Type II action pursuant to 6 NYCRR 617.5(c)(1) and no further review is required; and, be it further

**RESOLVED**, that the Town Board hereby adopts said Local Law to “Amend the Walworth Town Code to Address the Removal of Obstructions, Snow and Ice from Sidewalks,” all as set forth in the attached Local Law, which is incorporated herein and made a part hereof; and be it further

**RESOLVED**, that the Town Clerk be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Discussion in regard to Resolution 183-23 ensued. Town Board members advised at this time they do not feel like this Local Law benefits the Town or residents.

Adopted this 7<sup>th</sup> day of March, 2024 at the meeting of the Town Board.

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

Resolution failed.

**RESOLUTION 60-24: TO AUTHORIZE TOWN CLERK TO CONDUCT DOG ENUMERATION FOR ALL PROPERTIES IN TOWN OF WALWORTH**

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

**WHEREAS**, Article 7, Section 110 (4) License fees, of the Agriculture and Markets Law states in part; In addition to the fee charged pursuant to subdivision one of this section, any municipality issuing dog licenses pursuant to this article is hereby authorized to provide for the assessment of additional surcharges for the purpose of: Recovering costs associated with enumeration conducted pursuant to subdivision six of section one hundred thirteen of this article should a dog be identified as unlicensed during such enumeration...; and

**WHEREAS**, The Code of the Town of Walworth Chapter 56-5 A(1) Licensing Requirements states in part: Enumeration. Upon determination by the Walworth Town Board, the Town Board shall by resolution establish enumeration procedures and fees. Should a dog be identified as unlicensed during enumeration, the enumeration fees collected shall be used to pay the expenses incurred by the municipality; and

**WHEREAS**, the Town of Walworth conducted a dog mail-in enumeration (census) in 2018;

**NOW BE IT RESOLVED**, that the Town Board of the Town of Walworth authorizes the Town Clerk to conduct a Dog Mail-in Enumeration for all properties in the Town of Walworth beginning April 1, 2024 through July 31, 2024. *An additional* charge of \$10.00 to be applied to those dogs identified as unlicensed as per Article 7 and the Town of Walworth Code beginning August 1, 2024.

Councilman Kelly questioned why the dog enumeration why necessary for the Town. Town Clerk Camacho advised Board NYS the Agriculture and Markets Law requires all towns to require the residents to have their dogs license within the municipality they reside in. The enumeration is a time for the public to license their dogs to avoid extra charge.

Adopted this 7<sup>th</sup> day of March, 2024 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 61-24: TO APPOINT TERESA FLYE TO FILL THE VACANCY ON BOARD OF ASSESSMENT REVIEW FOR TERM BEGINNING OCTOBER 1, 2023**

Councilman Johnson offered the Resolution and moved its adoption. Seconded by Councilwoman Linson 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 Board hereby appoints Mrs.Teresa Flye to the Board of Assessment Review to fulfill the remainder of the five-year term beginning October 1, 2023.

Adopted this 7<sup>th</sup> day of March, 2024 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 62-24: AUTHORIZATION FOR THE TOWN SUPERVISOR TO SIGN AND SUBMIT THE SECTION 211 APPLICATION ON BEHALF OF THE TOWN OF WALWORTH FOR EMPLOYEE BRETT MALAFEEW**

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

**WHEREAS**, NYS Retirement and Social Security Law (RSSL Section211) require that retirees of the NYS Employee Retirement System who return to work for any municipality in NYS be paid no more than \$35,000 annually, unless exempted from this ruling, and;

**WHEREAS**, the Town wishes to elevate part-time Code Enforcement Officer Brett Malafeew to full-time status and salary, as there is an immediate need for his services, and;

**WHEREAS**, Mr. Malafeew is a retiree enrolled in the NYS Police and Fire Retirement System and therefore barred from earning more than \$35,000 annually while collecting his pension, and;

WHEREAS, the Town Supervisor has prepared a Section 211 Application requesting that Section 211 be waived for Mr. Malafeew to allow him to collect the salary of a full-time Code Enforcement Officer, currently \$58,500 annually, and;

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign and submit the Section 211 Application for Brett Malafeew on behalf of the Town of Walworth.

Supervisor Donalty advised the Town Board as to why this was necessary, and the steps going forward to fill out application. For Mr. Malafeew to be fulltime application must be filled out and submitted.

Adopted this 7th day of March, 2024 at a meeting of the Town Board.

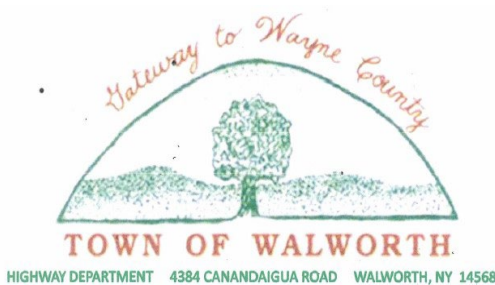
Roll call vote:	Councilwoman Linson	Aye
	Councilman Kelly	Aye
	Councilman Harden	Aye
	Councilman Johnson	Aye
	Supervisor Donalty	Aye

Resolution carried.

**RESOLUTION 63-24: AUTHORIZE THE HIGHWAY SUPERINTENDENT TO IMPLEMENT HIGHWAY DEPARTMENT HOURS OF 4 10-HOUR WORKDAYS BEGINNING APRIL 7, 2024 TO OCTOBER 20, 2024**

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

The following was submitted:



Kevin Switzer  
Highway Superintendent

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

TO: Michael Donalty, Town Supervisor  
 CC: Town Board Members  
 FROM: Kevin Switzer, Highway Superintendent  
 DATE: March 7, 2024  
 SUBJECT: Work Schedule

Be it resolved that the Town Board authorize Kevin Switzer, Highway Superintendent, to implement Highway Department work hours to consist of 4 10 hour workdays (Mon-Thurs) from April 7, 2024, to October 20, 2024. This is to include allowing for the town to reconsider the implemented schedule based on conditions, including weather.

Thank you,  
  
 Kevin Switzer  
 Highway Superintendent  
 Town of Walworth

BE IT RESOLVED that the Highway Superintendent is authorized to implement Highway Department hours of 4 10-hour work days from April 7, 2024 to October 20, 2024; and allowing the Town to reconsider the implemented schedule based on conditions including weather.



Adopted this 7<sup>th</sup> day of March, 2024 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 64-24: AUTHORIZATION FOR THE TOWN SUPERVISOR TO EXECUTE THE AMENDED FARMLAND LEASE AGREEMENT FOR TOWN-OWNED LAND LOCATED AT 1870 WALWORTH-PENFIELD ROAD**

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

**WHEREAS**, the Town entered into a Farmland Lease Agreement with Adam L. Craft on May 6, 2022, for acreage located at 1870 Walworth-Penfield Rd. and;

**WHEREAS**, the Town wishes to sell approximately 2.4 acres of this parcel to the County as a possible location for use as an ambulance base, and;

**WHEREAS**, the Town and Mr. Craft agree to modify and amend the Original Lease, decreasing the size of the leased parcel to approximately 17.4. acres while retaining the rental rate of \$68.50 per acre, and;

**NOW THEREFORE BE IT RESOLVED** that the Town Supervisor is hereby authorized to execute the amended Lease for the Town-owned land located at 1870 Walworth-Penfield Road.

Adopted this 7<sup>th</sup> day of March, 2024 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 65-24 : TO CHANGE THE APPOINTMENT OF MARISSA NEITZ, ACCOUNT CLERK, FROM PROVISIONAL TO PERMANENT, SUBJECT TO CIVIL SERVICE PROBATIONARY PERIOD**

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

**WHEREAS**, the Ms. Neitz; was previously appointed pending completion of the Civil Service testing requirements; and

**WHEREAS**, Ms. Neitz successfully completed those requirements on February 29, 2024;

**NOW THEREFORE BE IT RESOLVED**, that the status of Ms. Neitz be changed from Provisional to Permanent, effective February 29, 2024, and subject to the Civil Service probationary period. The pay rate of \$18.00 per hour will remain unchanged.

Adopted this 7<sup>th</sup> day of March, 2024 at a meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 66-24 AUTHORIZE THE HIRE AND SET SALARY FOR TWO (2) SEASONAL PARK GROUNDSKEEPERS**

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

**WHEREAS**, annually the Town Board will hire and set the salary for seasonal employees; and

**WHEREAS**, the following rates were established by the 2024 budget and consistent increase from year to year as Collective Bargaining Employees’ Wages:

EMPLOYEE	POSITION	HOURS	WAGE
DAVE BARMASTER	SEASONAL PARKS GROUNDSKEEPER	40 HOURS / WEEK MAXIMUM – TOTAL 1280 HOURS	\$18.00
DAVE BARMASTER	SEASONAL PARKS GROUNDSKEEPER	LIGHT THE NIGHT	\$18.00
MARK KRITALL	SEASONAL PARKS GROUNDSKEEPER	40 HOURS / WEEK MAXIMUM – TOTAL 1280	\$18.00
MARK KRITALL	SEASONAL PARKS GROUNDSKEEPER	LIGHT THE NIGHT	\$18.00

**WHEREAS**, the calendar for seasonal employees is set through December 7, 2024, dependent on if budget has funding available

**BE IT RESOLVED**, the hiring and the salaries of the two seasonal park laborers are authorized and set as presented, contingent on pre-hire drug and alcohol testing.

Adopted this 7th day of March, 2024 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 67-24: AUTHORIZATION TO EXECUTE PURCHASE OFFER FROM THE COUNTY OF WAYNE RELATIVE TO THE COUNTY’S PURCHASE 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 is implementing a County-wide transport ambulance service and plans to construct four ambulance bases throughout the County; and

**WHEREAS**, the County has identified a portion of a parcel of land owned by the Town of Walworth as a proposed location for one of these ambulance bases, said land being located at 1870 Walworth-Penfield Road, and comprising approximately 2.44 acres (the “Land”), all as depicted on the attached subdivision map; and

**WHEREAS**, the County has submitted a purchase offer to the Town for said Land, said purchase offer being attached hereto; and

**WHEREAS**, the Town finds that such transfer would be in the public interest, as it would facilitate the County-wide transport ambulance, providing for public safety, the offer represents a fair price, particularly given the proposed use by the County, the Lands are not otherwise needed by the Town for a Town use, particularly given that they are currently leased to a private party, and the proposed use by the County is an appropriate and beneficial use; and

**WHEREAS**, thus, pursuant to General Municipal Law Section 72-h, the Town wishes to accept such purchase offer and transfer said Land to the County; and

**WHEREAS**, the County recently received subdivision and site plan approval relative to the Land, and said private lease of the Land was recently amended such that the Land is no longer being leased to a private party.

**NOW, THEREFORE, BE IT RESOLVED**, that the Walworth Town Board hereby approves the attached EAFs Parts 2 and 3, and a negative declaration based thereon is hereby issued relative said land transfer; and, be it further

**RESOLVED**, that the sale of the Land to the County is hereby approved for the price of \$8,082.00 and all as otherwise as set forth in said purchase offer, all subject to completion of a real estate closing, and such purchase offer is hereby approved; and, be it further

**RESOLVED**, that the Supervisor or designee is hereby authorized, empowered and directed to execute and deliver such documents and take all such action on behalf of the Town as may be deemed necessary, appropriate or advisable to carry out the intent or purposes of this Resolution.

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

Resolution carried.

**RESOLUTION 68-24: AUTHORIZE THE TOWN SUPERVISOR TO SIGN THE 2023 SERVICE AWARD PROGRAM SPONSOR SUBMISSION FORM FOR THE WEST WALWORTH FIRE DEPARTMENT**

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

The following was submitted:

TO: Firefly Admin Inc.  
 FROM: Town of Walworth Town Board  
 DATE: \_\_\_\_\_  
 RE: Submission of Calendar Year 2023 LOSAP Points & Service Credit

The Town Board has overseen and completed the annual process of certifying, approving, and posting the 2023 LOSAP points and service credit as required by Article 11-A of the New York State General Municipal Law.

In addition, the Board has ensured the accuracy of the transcription of points earned from the internal points-tracking system to the Firefly roster.

The Board releases the 2023 LOSAP points and service credit listing to Firefly Admin Inc. for use in assisting the Board to administer the LOSAP in accordance with the terms of the Firefly Admin Inc. Engagement Letter.

We understand that Firefly Admin Inc. will be relying on the accuracy and reliability of the information now submitted by the Board on the Firefly-provided roster, and Firefly Admin Inc. will use this information to determine benefit eligibility and contributions owed by the Town to fund the benefits accrued by the participating volunteers. We acknowledge that Firefly Admin Inc. is not responsible for verifying the transcription of the points from the internal points-tracking system to the Firefly roster, audit the information, or to uncover errors that may exist.

Respectfully submitted by the Town Supervisor:

\_\_\_\_\_  
 Signature

**BE IT RESOLVED**, that the Town Supervisor is authorized to sign the 2024 Service Award Program Sponsor Submission Form for the West Walworth Fire Department.

Adopted this 7th day of March, 2024 at the meeting of the Town Board.

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

Resolution carried.

**RESOLUTION 69-24: RESCIND RESOLUTION 78- 23 ENTITLED “ADOPTION OF COVID SICK PAY POLICY”**

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

The following was submitted:

**WHEREAS**, Resolution 78-23 (adopted April 20, 2023) required the Town to pay, “...COVID sick pay benefit to all employees if they need to isolate per CDC Guidelines;” and

**WHEREAS**, the CDC Guidelines no longer require that individuals with COVID-19 isolate, effective March 1, 2024; and,

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Walworth hereby rescinds the COVID Sick Pay policy, effective immediately.

Adopted this 7<sup>th</sup> day of March, 2024 at a meeting of the Town Board.

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

Resolution carried.

**COMMUNICATIONS:**

- **Animal Control Officer report for February 2024**
- **Uniform Code Administration and Enforcement report for 2023**

**TOWN BOARD MEETINGS:**

DATE	TIME	MEETING TYPE
MARCH 21, 2024	6:30 PM	REGULAR
APRIL 4, 2024	6:30 PM	REGULAR
APRIL 18, 2024	6:30 PM	REGULAR

Supervisor Donalty updated Residents and Town Board in regard to meetings for the Summer months.

No meeting the first Thursday of the months of June, July, and August  
 Third Thursday regular Board Meetings will be:

June 20, 2024: Lincoln Fire Department, 719 Plank Rd.

July 18, 2024: West Walworth Fire Department, 3870 West Walworth Rd.

August 15, 2024: Walworth United Methodist Church, 3679 Main St.

**NEW AND OTHER BUSINESS:**

Councilman Johnson advised he has been in contact with two companies about EV Charging Stations. Panels have been looked at and distance information for where Ev Station should be placed. The financial report will be written up and sent to the Town. This is grant program through RG&E and NYSEG. Mr. Johnson said as soon as he has the information he will get it to the other Board members. Grant funding would be approximately between 90-95% and the Town would be responsible for the difference.

Supervisor Donalty advised the public that Western Wayne Art Group will be holding their Spring Show and Sale at the Walworth Town Hall meeting room from April 24-27.

Also, Supervisor Donalty spoke to the Superintendent and President of the Board of Education for the Gananda Central School District and they are interested in having a informal meet and greet with the Town. No business will be discussed.

**RESOLUTION 56-24: AUTHORIZATION FOR LABELLA ASSOCIATES, P.C., TO SOLICIT BIDS FOR THE PROPOSED RESTROOM CONSTRUCTION AT GINEGAW PARK, PER THE FEBRUARY 12, 2024, PROBABLE COST ESTIMATE, AT A COST NOT TO EXCEED \$619,200.00(TABLED)**

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

The following was submitted for the February 15, 2024 meeting.

Town of Walworth  
Ginegaw Park Restroom  
Opinion of Probable Cost - Summary

LaBella  
2/12/2024

- RESTROOM BUILDING & PAVILION IMPROVEMENTS		790 SF	575 SF		
Item	Description	SF COST	Costs	Comments	Estimate Decrease
1	Civil / Site Work & UTILITIES	\$113.00	\$89,270		\$ 27,120
	Stone Lot & Sidewalks		\$42,144	Bid Alternate for Parking	\$ 69,816
	Utilities- 4" sanitary, 2" water		\$60,745		\$ 147,855
	SWPPP (Stormwater Pollution Prevention Plan)		\$0		\$ 7,500
2	General Construction	\$235.00	\$185,650		\$ 56,400
	Pavilion Improvements: Roof, Siding, Trim, Slab, Soffit		\$19,507		\$ -
	CREDITS: No TILE at Floor and walls	15.35	\$9,010		\$ 9,010
	CREDIT: No insulation	1.82	\$344		\$ 844
	CREDIT: Change wall construction to Block	5.65	\$3,288		\$ 3,288
3	Mech/Plumbing	\$70.00	\$55,300		\$ 16,800
4	Electrical	\$82.00	\$48,980		\$ 14,880
	Pavilion Improvements: Power & lighting		\$7,700		\$ -
	SF COST for Building only	\$457.18			
	<b>Sub Total</b>		<b>\$496,153</b>		\$ 353,314
	Bonds & insurance	3%	\$14,885		
	O&P	15%	\$74,423		
	Mobilization/Phase	2%	\$9,923		
	<b>Total Construction Cost</b>		<b>\$595,384</b>		
	Construction Contingency	4%	\$23,815		
	<b>Total (Rounded) Project Cost</b>		<b>\$619,200</b>		

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes LaBella Associates, P.C., to solicit bids for the proposed restroom construction at Ginegaw Park, per the February 12, 2024, Probable Cost Estimate, at a cost not to exceed \$619,200.00.

Adopted this 15th day of February, 2024, at a meeting of the Town Board.

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

Resolution carried.- to table


**RESOLUTION 56-24: AUTHORIZATION FOR LABELLA ASSOCIATES, P.C., TO SOLICIT BIDS FOR THE PROPOSED RESTROOM CONSTRUCTION AT GINEGAW PARK, PER THE MARCH 1, 2024, PROBABLE COST ESTIMATE, AT A COST NOT TO EXCEED \$456,390.79(AMENDED)**

Motion to amend resolution not to exceed \$456,390.79 by Councilwoman Linson and seconded by Councilman Johnson

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

The following was submitted on March 7, 2024

Town of Walworth  
Ginegaw Park Restroom  
Opinion of Probable Cost - Summary



3/1/2024

RESTROOM BUILDING & PAVILION IMPROVEMENTS				
Item	Description	SF Cost	Costs	Comments
1	Civil / Site Work & UTILITIES	\$ 113.00	\$ 37,968.00	
	Stone Lot & Sidewalks		\$ 42,144.00	Bid Alternate for Parking
	Utilities - 4" Sanitary, 2" Water		\$ 60,745.00	
	SWPPP (Stormwater Pollution Prevention Plan)		\$ -	
2	General Construction	\$ 227.12	\$ 62,004.00	
	Building Canopy	\$ 113.56	\$ 38,156.00	
	Pavilion Improvements: Roof, Siding, Trim, Stab, Soffit		\$ 19,507.00	\$ (19,507.00)
3	Mechanical	\$ 28.91	\$ 7,892.00	
4	Plumbing	\$ 99.64	\$ 33,479.00	
5	Electrical	\$ 88.00	\$ 24,024.00	
	Pavilion Improvements: Power & Lighting		\$ 7,700.00	\$ (7,700.00)
	<b>Sub Total</b>		<b>\$ 333,619.00</b>	<b>\$ 306,412.00</b>
	Bonds & Insurance	3%	\$ 10,008.57	\$ 9,192.36
	O&P	15%	\$ 50,042.85	\$ 45,961.80
	Mobilization / Phase	2%	\$ 6,672.38	\$ 6,128.24
	<b>Total Construction Cost</b>		<b>\$ 400,342.80</b>	<b>\$ 367,694.40</b>
	Construction Contingency	10%	\$ 40,034.28	\$ 36,769.44
	Escalation from 2023	4%	\$ 16,013.71	\$ 14,707.78
	<b>Total Project Cost</b>		<b>\$ 456,390.79</b>	<b>\$ 419,171.62</b>

Original Cost Estimate 5641,700.00  
\*5% Contingency\*

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes LaBella Associates, P.C., to solicit bids for the proposed restroom construction at Ginegaw Park, per the March 1, 2024, Probable Cost Estimate, at a cost not to exceed \$456,390.79.

Adopted this 7th day of March, 2024, at a meeting of the Town Board.

Roll call vote:

Councilwoman Linson	Aye
Councilman Kelly	Aye
Councilman Harden	Aye
Councilman Johnson	Aye
Supervisor Donalty	Aye

Resolution carried.

Discussion ensued about a committee for the Solar. Councilman Kelly and Councilman Johnson will head the committee for Solar discussion. Board agrees reaching out to the Planning and Zoning Board Chairs to get from that to also help from their boards on this committee.

Councilman Kelly discussed having a sidewalk committee due to the Local Law that was not passed. Councilwoman Linson also said she will be on the committee with Mr. Kelly along with a local resident who had concerns with the Local Law.

**PUBLIC PARTICIPATION** –

Nancy Sclamo addressed the Town Board and the solar discussion. Mrs. Sclamo advised the board that we will eventually have to allow Solar Farms. She encourages Victor Ciaccia from Norbut to hang in there with buying land in Walworth to start the solar project. Mrs. Sclamo had questions about the solar panels across from the Town Hall. It was advised to Mrs. Sclamo that the Town owns the land they are on, and it is leased out by the solar company. Christine Stanford advised Mrs. Sclamo that the Town uses the Solar credits for the Town mostly in the sewer department. Councilwoman advised they are working to decide where the credits will be best used after the sewer department is gone. She also advised that it has been a benefit to the Town.

**ADJOURNMENT:**

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

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

Motion carried.

Time: 7:55 P.M.

Respectfully Submitted,  
Jenna Camacho  
Town Clerk