

## REGULAR MONTHLY TOWN BOARD MEETING MINUTES - APRIL 20, 2015

The regular monthly board meeting of the Yorkshire Town Board, for the month of April, was held on April 20, 2015, at the Town Hall, 82 South Main Street, Delevan, NY.

Supervisor Spencer called the meeting to order at 7:00pm with the Pledge of Allegiance to the Flag of the U.S.A.

### Roll Call:

Marcia Spencer, Supervisor, Present  
Constance Walker, Council Member, Present  
Kenneth Fisher, Council Member, Present  
Tammy George, Deputy Supv & Council Member, Present  
Teresa Hewitt, Council Member, Present

Other Town Officials present were: Fred Clark, Town Clerk; Christopher Lexer, Superintendent of Highways & Codes Enforcement Officer/Zoning Officer; Larry Groves, Water Commissioner; David Cummings, Dog Control Officer, Jackie Cornwall, Historian

Also present was Casey Dunlap, Arcade Herald Reporter.

On a Motion of Coun Walker, seconded by Coun George, it was moved to dispense with the reading of the draft minutes of the March 16, 2015 meeting. Carried unanimously.

### RESOLUTION #31-15

On a Motion of Coun Hewitt, seconded by Coun Walker, the following Resolution was resolved, to approve the draft minutes of the March 16, 2015 regular monthly town board meeting as printed.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye, Walker, Aye.

Ayes 5 - Nays 0 - Adopted

### Communications:

NYS Dept. of Ag & Markets - Dog Control Officer Report on 3/11/15 was Rated Satisfactory.

NYS Dept. of Ag & Markets - Municipal Shelter Report on 03/11/15 was Rated Satisfactory.

Supervisor Spencer has sent a letter of support to Cattaraugus County Dept. of Economic Development with regards to the Cattaraugus County Land Bank Application, dated March 25, 2015

### Petitions:

"NONE"

### Report of Committees:

Coun Hewitt reported: (1) That the Youth Commissioners will have an upcoming meeting April 29. (2) The Youth Commissioners will be advertising for summer recreation employment resumes (applications). Will develop Ad and get with Town Clerk for publication (3) Pools are not available and looking at other schools / alternatives. (4) Youth Recreation program will run July 6 – August 13, 2015

### Monthly Financial Reports:

Supv Spencer presented her Supervisor's monthly report for March 2015 & the budget report, as prepared by Diane Finch, CPA, for the month of February 2015, to the Town Board for review, and filed the reports with the town clerk (\*Note R #32-15).

### RESOLUTION #32-15

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, that the Town Board had reviewed the Supervisor's monthly report for March 2015 & is accepted as submitted (& is included in the minutes).

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.

Ayes 5 - Nays 0 - - Adopted

Town Clerk Clark presented copies of his monthly financial report for March 2015, in the amount of \$657.25, to the Town Board for review.

Tax Collector Clark reported YTD 2015 tax collection activities, with receipts of \$2,900,840.30, withdrawals of \$2,900,700.87. Final Reconciliation done with County and only remaining payment will be final to Supervisor in early May after all interest and bank fees are finalized for April.

Tammy George volunteered to do the Annual Audit of Tax Collection, after the final disbursement in May.

Copies of Town Justices Financials were provided. They are on file with the Town Clerk

**Residents Time For Comments:**

"None"

**Special Orders:****General Orders and Old Business:****Reports of Dept. Heads:****David Cummings/Dog Control Officer -**

(1) Several calls on dogs, 2 dogs returned, 2 could not locate, did find another on next call. (2) Still working on completing enumeration. Remaining is Delevan Ave, First Ave, South Street and Route 16. (3) Attending Dog control Seminar in East Aurora April 30 and May 1. Will consult with Joe Neamon for coverage during those days

**Mary Gilbert/ZBA Secretary (Written report) -**

(1) The Zoning Board of Appeals is working on a use variance appeal from Larry Dominessey for a Storage unit 2) Some board members may attend the May training session in Houghton.

**Larry Groves/Water Commissioner -**

(1) Water conversion going well with new system. Some minor mail damage to postcards, but overall no real complaints (2) couple new leaks at Church Street and at County Line Court, believes both have been addressed with repairs by Heineman (3) the water is now running at the Post Office, will need to do a leak check on it. (4) Due to no water for extended period of time, Larry is seeking Board approval to forgive the April billing (for Q1 2015) for the Post Office and the Goetzman location (whom was assisting in providing water line to Post Office) (5) Got notice that Yorkshire is a 30 Year member of Rural Water Association

**RESOLUTION #33-15**

On a Motion of Coun Walker, seconded by Coun Fisher, the following Resolution was Resolved, for agreement to forgive the Water billing for April 2015 (for Q1 2015) as recommended by Larry Groves for Post Office and Goetzman location Accounts 51160 & 51150.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.  
Ayes 5 - Nays 0 -- Adopted

Jackie Cornwall, Town Historian presented her Annual Report for 2015 (on file in Clerk office)

**Christopher Lexer/Codes Enforcement & Zoning Officer -**

Issued one Zoning Permits in March 2015 with fees totaling \$50.00.

**Christopher Lexer/Hwy Supt -**

(1) Spring clean-up is scheduled for April 27, finalizing dumpster locations. (2) Been patching pot holes around town as the frost comes out of the ground. (3) Emergency culvert changes, one on Worden Road and one on Forks Road. (4) Filed March 2015 Perpetual Inventory Fuel Records with the town clerk. (5) Presented 284 Highway Agreement for 2015 to the town board (\*Note R #34-15). (6) Now that Griffith Oil is providing the State contract, which Town follows, Chris is requesting Griffith be approved for Pre-Payment to avoid any late fees (\*Note R # 35-15) (7) Chris and Town Supervisor Spencer combined in requesting the board consider a motion to forward the "Proposed Revisions to Town of Yorkshire Zoning Laws" as written to the Town Attorney for review and if approved, then set up a Public Hearing for the May 18 Board Meeting (\*Note R #36-15)

**RESOLUTION #34-15**

On a Motion of Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, for Agreement To Spend 2015 Town Highway Funds pursuant to the provisions of Section 284 of the Town Highway Laws in the amount of \$75,000.00 on Vanguilder Road, starting at Card Road for a distance of 3 miles ( 1 ½ in blacktop type 6, sub base gravel and chip. 1 ½ inch overlay with chip seal. ; and \$45,000.00 on Block Rd, starting at McKinstry Rd and leading to Bolton Rd. Oil and Stone, surface treating, sub base gravel & chip. Complete agreement on file in the town clerk's office).

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.  
Ayes 5 - Nays 0 -- Adopted

**RESOLUTION #35-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, for agreement to add Griffith to the Town Pre Pay List for 2015.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.  
Ayes 5 - Nays 0 -- Adopted

**RESOLUTION #36-15**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, for agreement to send the "Proposed Revisions to Town of Yorkshire Zoning Laws" as written to the Town Attorney for review and if approved, then set up a Public Hearing for the May 18 Board Meeting.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Naye.

Ayes 4 - Nays 1 -- Adopted

**New Business:**

**RESOLUTION #37-15**

On a Motion of Coun Walker, seconded by Coun George, the following Resolutions was Resolved, to authorize Town Officials to attend the 22st Annual Southern Tier West Local Government Conference on May 6th, 2015 at Houghton College, NY, at a cost of \$40 per person and authorizing Supv Spencer to write a pre-registration check to Southern Tier West.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.

Ayes 5 - Nays 0 -- Adopted

Supervisor Spencer is required to identify for retirement system purposes, what is considered full time Town Official positions of Town Justice and Town Dog Control Officer based upon hours worked. The current standard for Town Clerk position is minimum of 6 hours per day

**RESOLUTION #38-15**

On a Motion of Coun Walker, seconded by Coun Fisher, the following Resolutions was Resolved, to consider, for retirement system purposes, Town Officials of Town Justice and Town Dog Control Officer full time only if a minimum of 6 hours per day is required

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Aye.

Ayes 5 - Nays 0 -- Adopted

**Monthly Audit** - All Town Board Members had the opportunity to audit all vouchers (bill, invoices & statements) submitted for payment and to initial the vouchers for payment (\*Note R #41-14).

**Pay Claims:**

**RESOLUTION #39-15**

On a Motion of Coun Hewitt, seconded by Coun Walker, the following Resolution was Resolved, for the approval of the following claims for payment: General Fund Claims #89-116 in the amount of \$6,089.43 as set forth in General Abstract No. 4 Dated April 20, 2015; Highway Fund Claims #45-63, in the amount of \$17,701.14 as set forth in Highway Abstract No. 4 Dated April 20, 2015; Water Dist #1 Claims #19-27, in the amount of \$8,327.79 as set forth in Water Dist #1 Abstract No. 4 Dated April 20, 2015; Water Dist #2 Claim #4, in the amount of \$60.00 as set forth in Water Dist #2 Abstract No. 3 Dated April 20, 2015.

Spencer, Aye; Fisher, Absent; George, Aye; Hewitt, Aye; Walker, Aye.

Ayes 5 - Nays 0 -- Adopted

With no further business, on a Motion of Coun George, seconded by Coun Fisher, the meeting was adjourned at 8:05pm. Carried unanimously.

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M. Fred Clark, Town Clerk

