

The regular monthly board meeting of the Yorkshire Town Board, for the month of March, was held on March 16, 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, (Arrived 7:03 p.m.)  
Kenneth Fisher, Council Member, Absent  
Tammy George, Deputy Supv & Council Member, Present  
Teresa Hewitt, Council Member, Present

Other Town Officials present were: M. Fred Clark, Town Clerk; Christopher Lexer, Superintendent of Highways & Codes Enforcement Officer/Zoning Officer; Larry Groves, Water Commissioner; Kim Baumgart, Constable; Michael Giles and Gwen Bixby (representing Delevan Yorkshire Library)

Also present was Casey Dunlap, Arcade Herald Reporter.

(James Fronchowiak and Raynard Giroux attended the meeting seeking renewals of their Junk Yard Licenses.)

On a Motion of Coun Hewitt, seconded by Coun George, it was moved to dispense with the reading of the draft minutes of the February 18, 2015 regular board meeting. Carried unanimously.

**RESOLUTION #20-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, to approve the draft minutes of the February 18, 2015 regular monthly town board meeting as printed.

Spencer, Aye; Fisher, Absent; George, Aye; Hewitt, Aye; Walker, Aye.  
Ayes 4 - Nays 0 – Absent – 1 Adopted

Communications:

Reports of Committees:

Monthly Financial Reports:

Supv Spencer presented her Supervisor's Monthly Report of Receipts for February 2014 & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of January 2015, to the Town Board for review, and filed the reports with the Town Clerk (\*Note R #21-15).

**RESOLUTION #21-15**

On a Motion by Coun Hewitt, seconded by Coun Geroge, the following Resolution was Resolved, that the Board had reviewed the Supervisor's monthly report for February 2014 & is accepted as submitted (& is included in the minutes).

Spencer, Aye; Fisher, Absent; George, Aye; Hewitt, Aye; Walker, Aye.  
Ayes 4 - Nays 0 – Absent – 1 Adopted

Town Clerk Clark presented photocopies of his monthly financial report for February 2014, in the amount of \$438.51, to the Town Board for review.

Town Tax Collector Clark presented photocopies to the Town Board of his tax collection activities through March 15, 2015, with receipts of \$2,718,858.96 & withdrawals of \$2,680,945.72.

Resident's Time:

No one spoke at this time.

Special Orders:

Michael Giles (Trustees President) and Gwen Bixby (Library Director) presented a review of the 2014 activities of the Delevan-Yorkshire Public Library & answered questions (& the review/report is on file in the town clerk office).

**RESOLUTION #22-15**

On a Motion of Coun Hewitt, seconded by Coun Walker, the following Resolution was Resolved that Supv Spencer be authorized to sign an "Agreement For Services" with the Delevan-Yorkshire Public Library, for the year 2015, with the Town providing operating funds in the amount of \$9,135.00 to help with the cost of providing such services (Complete Agreement on file in the town clerk's office).

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

Ayes 4 - Nays 0 - Absent - 1 Adopted

General Orders & Old Business:Reports of Department Heads:

Kim Baumgart/Constable) -

1) As snow is finally starting to melt, continuing to monitor for any garbage, exterior issues  
David Cummings/Dog Control Officer - (no report)

Mary Gilbert/ZBA Secretary (No report) -

Larry Groves/Water Commissioner -

- (1) Water Billing Software update, going well. Expect April billing to be with new system. Request Board to consider a motion to allow for publication of change in Arcade Herald and Penny Saver
- (2) Several maintenance issues due to the cold freezing conditions. 1 water line still froze at post office, did run a temporary line. Another person's line froze inside the house

Chris Lexer/Codes Enforcement-Zoning Officer -

(1) Reviewed Junk Yard Licenses for Raynald Giroux, James Fronchowiak, Larry Havens and William Tidd (\*Note R #23 - R #26-15).

Chris Lexer/Highway Supt (Written report) -

(1) Now that the snow is melting, getting to some pothole patching, drainage, equipment. (2) Filed Feb 2014 Perpetual Inventory Fuel Records with the town clerk. (3) Expect to pick up repaired truck this week. Plow on truck was covered under warranty, still in negotiations on remaining items.

**RESOLUTION #23-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, that upon the recommendation of C.E.O. Lexer that the Town Clerk be authorized to issue an Annual Junk Yard License Renewal to Raynald Giroux, 4962 Gunbarrel Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers Licenses effective April 1, 2015 thru March 31, 2016.

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

Ayes 3 - Nays 1 - Absent - 1 Adopted

**RESOLUTION #24-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, that upon the recommendation of C.E.O. Lexer that the Town Clerk be authorized to issue an Annual Junk Yard License Renewal to James Fronchowiak, 12245 Old Olean Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers Licenses effective April 1, 2015 thru March 31, 2016

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

Ayes 3 - Nays 1 - Absent - 1 Adopted

**RESOLUTION #25-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, that upon the recommendation of C.E.O. Lexer that the Town Clerk be authorized to issue an Annual Junk Yard Renewal License to Larry Havens, 3484 W Yorkshire Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers License effective April 1, 2015 thru March 31, 2016

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

Ayes 3 - Nays 1 - Absent - 1 Adopted

**RESOLUTION #26-15**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, that upon the recommendation of C.E.O. Lexer that the Town Clerk be authorized to issue an Annual Junk Yard Renewal License to William Tidd, 3334 W Yorkshire Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers License effective April 1, 2015 thru March 31, 2016

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

Ayes 3 - Nays 1 – Absent – 1 Adopted

**RESOLUTION #27-15**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, authorizing the Highway Dept to conduct a Spring Trash Pickup, with Date to be defined by Christopher Lexer, for town residents outside of the Village of Delevan, with specifications provided by Hwy Supt Lexer (same as last year) and with ads in the Arcade Herald, Arcade Penny Saver & Springville Penny Saver.

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

**RESOLUTION #28-15**

On a Motion of Coun Walker, seconded by Coun Hewitt, the following Resolution was Resolved, authorizing the Town Clerk and Water Commissioner to place a article related to the change in Water Bill format that residents will receive in April. With ads in the Arcade Herald, Arcade Penny Saver.

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

**New Business:**

**Monthly Audit** - All Town Board Members had the opportunity to audit all vouchers (bills, invoices & statements) submitted for payment and to initial the vouchers for payment (\*Note R #29-15).

**Pay Claims:****RESOLUTION #29-15**

On a Motion of Coun Walker, seconded by Coun Hewitt, the following Resolution was Resolved, for the approval of the following claims for payment: General Fund Claims #64-89, in the amount of \$16,913.05 as set forth in General Abstract No. 3 Dated March 16, 2015; Highway Fund Claims #31-44, in the amount of \$61,220.73 as set forth in Highway Abstract No. 3 Dated March 16, 2015; Water District #1 Claims #15-18, in the amount of \$1,278.79 as set forth in Water Dist #1 Abstract No. 3 Dated March 16, 2015; Water District #2 Claim #3, in the amount of \$1,733.63 as set forth in Water Dist #2 Abstract No. 3 Dated March 16, 2015;

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

**RESOLUTION #30-14**

On a Motion of Coun Walker, seconded by Coun Hewitt, the following Resolution was Resolved, to move into Executive Session at 8:15 for the purpose of interviewing applicants for the advertised opening of Town and Court Constable

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

Supv Spencer closed the Executive Session at 9:32pm & reopened the regular meeting.

**RESOLUTION #30-14**

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, to Appoint Joseph King as Constable. Town Clerk to notify other applicants by mail.

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

With no further business, on a Motion of Coun George, seconded by Coun Hewitt, the meeting was adjourned at 9:35pm. Carried unanimously.

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Fred Clark, Town Clerk

