

**REGULAR MONTHLY TOWN BOARD MEETING AUGUST 15, 2016**

The regular monthly Town Board Meeting of the Town of Yorkshire, for the month of August, was held on August 15, 2016, at the Town Hall, 82 South Main Street, Delevan, NY.

Supervisor Spencer called the meeting to order at 7:00pm with the Pledge to the Flag of the USA.

**Roll Call:**

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

Other Town Officials attending the meeting were Fred Clark, Town Clerk; Larry Groves, Water Commissioner; Joe King; Constable

Also present: Laney Hill, Arcade Herald Reporter/Editor.

On a Motion of Coun George, seconded by Coun Fisher, it was moved to dispense with the reading of the minutes of the last meeting. Carried unanimously.

**RESOLUTION #78-16**

On a Motion of Coun Fisher, seconded by Coun George, the following Resolution was Resolved, that the draft minutes of the July 18, 2016 Regular Town Board Meeting be approved as printed. Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.  
Ayes 4 – Absent – 1 Nays 0 - Adopted

**Petitions:**

"NONE"

**Communications:**

Delevan Yorkshire Public Library has sent a recommendation to appoint Grant Appell, of 11155 Weaver Road, Delevan, NY to a Five Year term as a Member of the Board of Trustees, beginning July 31, 2016 and ending July 31, 2021. It was also noted that resignations have been accepted for two Board of Trustee members, Michael Giles and Frances (Franny) Richter. They are seeking a resolution of board approval. Note R#80-16

Supv Spencer communicated that she had received from State Comptroller office the applied for unclaimed funds in the amount of \$3,615.69. Nice job of getting recovery.

Received final equalization rate of 16.5%

July 25, Health Department notice of dog bite quarantine

Supv Spencer has spoken August 15 with Nick from the High School (Asst Superintendent). He disputed that the plan was for school attorney to complete necessary effort to conclude on agreed easement. Supv Spencer indicated that was her understanding from Town Attorney. Continued follow up will occur.

Clerk Clark reviewed that State has set .68% as the Property Tax Freeze limits for municipalities

**Reports of Committees:**

Coun George, Town Youth Commissioner, reported that the summer recreation program will finish on August 18th, that the recreation program was very satisfactory this summer under the direction of Trista Reisdorf. One new practice implemented has been raffle tickets for daily prizes for the best behaved participants. This has gone well. At the end of the program, there will be drawings for larger prizes. Coun George indicated she had received donated support from several businesses and that she will draft a letter of appreciation and work with Clerk Clark to send out.

**Financial Reports:**

Supv Spencer presented her Supervisor's Monthly Report for July 2016 & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of June 2016, to the Town Board for review, and filed the report's with the Town Clerk (\*Note R #79-16).

**RESOLUTION #79-16**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, that Supervisor Spencer's Monthly Report for July 2016 is accepted as submitted (and is included in the minutes).

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

Town Clerk Clark presented his monthly financial report for July 2016, in the amount of \$1,279.02, to the Town Board for review.

Monthly Financials from Town Justices were received on file with Town Clerk. Justice Guertin in the amount of \$7,558.00 and Justice Tomes in the amount of \$4,817.00

**RESOLUTION #80-16**

On a Motion of Supv Spencer, seconded by Coun Fisher, the following Resolution was Resolved, to approve recommendation by the Delevan Yorkshire Public Library to appoint Grant Appell, 11155 Weaver Road, Delevan NY to a Five Year Term as a Member of the Board of Trustees, beginning July 31, 2016 through July 31, 2021

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

Privilege of the Floor/Residents Comments-Concerns-Questions:

Special Orders:

"NONE"

General Orders & Old Business:

Supv Spencer has received the Inter-Municipal Agreement for Zoning Board Consolidation from the Village of Delevan. The content as has been discussed and includes a \$500/yr. payment from Village of Delevan and outlines opt out clauses for each year end, provided notice is given by September 1. All Village zoning decisions must meet the Village Zoning Law requirements.

Supv Spencer has requested a motion to enter into this agreement and authorization to sign said agreement. Note R# 81-16

**RESOLUTION #81-16**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved approve the Inter-Municipal Agreement for Zoning Board Consolidation from the Village of Delevan and to authorize Supv Spencer to sign the agreement.

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

Clerk Clark reported that there is still a vacant Alternate Member seat on the Town Zoning Board. Supv Spencer indicated that Eric McAfee, 74 Grove Street, Delevan has expressed interest and has had training.

**RESOLUTION #82-16**

On a Motion of Supv Spencer, seconded by Coun Hewitt, the following Resolution was Resolved to appoint Eric McAfee, 74 Grove Street, Delevan NY as an Alternate Member on the Town of Yorkshire Zoning Board of Appeals. 5-year term, beginning September 1, 2016 and ending September 30, 2021  
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.

Ayes 4 – Absent – 1 Nays 0 – Adopted

Reports of Department Heads:

Joseph King/Constable -  
No Report

David Cummings/Dog Control Officer -  
No Report

Mary Gilbert/ZBA Secretary - Written Report

- (1) The Zoning Board of Appeals will not be holding an August meeting as there is no business or appeals before them.

Larry Groves/Water Commissioner -

- (1) Dan Heinemann has some repairs to do in pump house, making a stainless steel piece to use to avoid future corrosion (2) Went to Water tank today, to try and do a sample touch up paint. Not successful due to weather conditions. Will likely need to investigate a quote / bid for both some interim touch up and then for 2016 perhaps a complete job of painting. Has been 17 years since last job. (3) Will work with Highway Superintendent Lexer on plans to keep grounds inside fence around tank in better condition. Might require contracting out some mowing / lawn maintenance support. Will advise. (4) Larry and Dan Heineman attended a clinic in Machias with regards to new Federal requirements for lead and copper requirements. Plan has to be submitted, which was done by Dan, now waiting for feedback on plan acceptance from County.

Christopher Lexer/Codes Enforcement & Zoning Officer - Written Report

- (1) Issued one Building Permits & zero Zoning Permits in July 2015 with permit fees totaling \$25.00.

Christopher Lexer/Hwy Supt - Written Report

- (1) Perpetual Fuel Inventory Report has been filed with the Town Clerk (2) Over the past month have been finishing our paving and patching. Also ditching and shoulder work. We will continue that through the next couple months along with brush trimming

New Business:

Supv Spencer has received from the Town of Machias, the offer of \$641.00 to property interest they would like to acquire as part of the Lime Lake Sewer District. According to the map, this involves approx. 20 feet of property in the north side of parking lot running diagonally. Supv Spencer commented that maps show septic lines / systems in the parking lot area for both the Town and others. Was also noted that it would have been likely a good consideration for Machias to hold some community informational meetings to insure a broader understanding of the project. Mutual discussions with the board members lead to a request to send a letter to Town of Machias Supervisor and seek further information on how they arrived at the value of the offer, why they must go through that particular area and ask for a knowledgeable Town of Machias official to attend next Board Meeting on Monday September 19. Note R #83-16  
 Supv Spencer re-iterated that the Town wishes to be good neighbors with the Town of Machias, but clearly must always insure that the Town is also working in the best interests of its residents.

**RESOLUTION #83-16**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved to have Clerk Clark prepare a letter to the Town of Machias to seek further information on how they arrived at the value of the offer to acquire property interests in the parking lot of the Yorkshire Town Hall, why they must go through that particular area and ask for a knowledgeable Town of Machias official to attend next Board Meeting on Monday September 19.  
 Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.  
 Ayes 4 – Absent – 1 Nays 0 – Adopted

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 #84-16).

**Resolution #84-16**

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, for the approval of the following claims for payment: General Fund Claims #202-232 in the amount of \$5,248.97, as set forth in General Abstract No. 8, Dated August 15, 2016; Highway Fund Claims #127-136, in the amount of \$14,047.82, as set forth in Highway Abstract No. 8, Dated August 15, 2016; Water Dist #1 Claims #53-56 in the amount of \$357.44, as set forth in Water Dist #1 Abstract No. 8, Dated August 15, 2016; Water Dist #2 Claims #9, in the amount of \$30.00, as set forth in Water Dist #2 Abstract No. 8, Dated August 15, 2016.  
 Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.  
 Ayes 4 – Absent – 1 Nays 0 – Adopted

With no further business, on a Motion of Coun Hewitt, seconded by Coun Fisher, the meeting was adjourned at 8:15pm. Carried unanimously.

