

REGULAR MONTHLY TOWN BOARD MEETING - JANUARY 11, 2016

The regular monthly board meeting of the Yorkshire Town Board, for the month of January, was held on Monday, January 11, 2016, at the Town Hall, 82 South Main Street, Delevan, NY. At 6:00 p.m.

Supervisor Spencer called the meeting to order at 6:05pm with the Pledge of Allegiance to the Flag.

Roll Call:

Marcia Spencer, Supervisor, Present,
Constance Walker, Council Member, Absent, arrived 6:10 p.m.
Kenneth Fisher, Council Member, Absent, arrived 6:55 p.m.
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 and Codes Enforcement Officer (& Zoning Officer); arriving at 7:00 p.m.-Larry Groves, Water Commissioner;

Also present was Casey Dunlap, Arcade Herald Reporter. Arriving at 7 p.m.

Annual Town Audit - The Town Board conducted their Annual Audit of the following Town Officials 2015 Financial Records as required by Town Law #123.; That the Town Board reviewed and audited the financial records of M. Fred Clark, Town Clerk (M. Fred Clark's Tax Collection Records were audited & approved by Resolution #43-2015), and that he filed a statement in writing showing his town clerk receipts and disbursements for the fiscal year 2015, and the Water Districts financial records of M. Fred Clark for the fiscal year 2015 were reviewed and audited (& the water records are reconciled for billing & payments by Diane R Finch, CPA, each month); That the Town Board reviewed and audited the financial records of Christopher Lexer, Codes Enforcement & Zoning Officer, for the fiscal year 2015; and that Supv Marcia Spencer presented the first eleven months of the 2015 Supervisors financial records for review & audit, and that she will submit the Supervisors Annual Report, when completed by Diane R Finch, CPA, to the Town Board, in lieu of a financial statement
Since the Justices nor Court Clerk were available, The Town Board will request an agreeable date and time to review financial records of the criminal & civil dockets of Town Justice Lynn Guertin and Town Justice Danny Laird, and Town Justice Heather Tomes and that the fines and fees therein shown to have been collected had been turned over to the proper officials as required by town law for the fiscal year 2015
(*Note R #4-16).

RESOLUTION #4-16

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was, resolved to approve the 2015 financial records as presented by the above Town Officials.
Spencer, Aye; Fisher, Absent; Hewitt, Aye; Walker, Aye, George, Aye
Ayes 4 - Nays 0 – Absent 1-- Adopted

On a Motion of Coun George, seconded by Coun Walker, to dispense with the reading from the last board meetings of Dec. 14, 2015 and January 4, 2016. Carried unanimously (*Note R#5-16).

RESOLUTION #5-16

On a Motion of Coun George, seconded by Coun Walker, the following Resolution was, resolved to approve the draft minutes of the December 14, 2015 & January 4, 2016 Regular and Special Town Board(Organizational Meeting).
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Walker, Aye, George, Aye
Ayes 5 - Nays 0 – Adopted

Communications:

Association of Towns sent Information of request of any named Town Official to attend the Annual Meeting in New York City. No conclusion to send. Information in Clerks Office

Coun Hewitt brought to attention the Southern Tier West Training for Newly Elected official, at a cost of \$10.00. It was agreed by Board that any elected official desiring to attend could and to notify Clerk Clark. Coun Hewitt and Coun Walker present their registrations. Supv Spencer will issue check prior to required timing

Reports of Committees: "NONE"

Monthly Financial Reports:

Supv Spencer presented her Supervisor's Monthly Report for December 2015, Supervisors Cash Receipts Report & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of November 2015, to the Town Board, and filed the reports with the town clerk (*Note R#5-15).

RESOLUTION #6-16

On a Motion of Coun Hewitt, seconded by Coun George, the following resolution was, resolved that Supv Spencer's Monthly Financial Report & Cash Receipts Report for December 2015 is accepted as submitted (& is included in the minutes).

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

Town Clerk Clark Monthly Financial Report for the month of December 2015, in the amount of \$841.71, was reviewed by the Town Board.

Town Clerk Clark also presented the current status of Tax Collection for 2016. Collections through January 11 were \$223,764.80

Supervisor Spencer communicated to Board that with the now installed Accounting Software from Williamson Law Book, which will also now be used to process check writing, that the requirement to purchase the appropriately formatted checks for use will result in the check numbering beginning for part of the January 2016 payments, to begin with check # 201 for General, Highway, Water District 1 and Water District 2. And requested a note made in meeting minutes for future reference for financial audit purposes.

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

"NONE"

Special Orders:

"NONE"

General Orders and Old Business:

Reports of Department Heads:

David Cummings/Dog Control Officer -
(1) No Report

Mary Gilbert/ZBA Secretary - (Written report)
(1) ZBA canceled January meeting as there was no new business before them.

Larry Groves/Water Commissioner -

- (1) Quarterly water billing mailed. (2) New Water Meter Reader Diane Owens did a good job at first readings, only a few issues on locating meters, which were resolved (3) Application to renew Work Permit received, is working on it.

Supervisor Spencer commented on the water easement with School, indicating that Town Attorney is still in process of reaching out to School Attorney to resolve. Commissioner Groves then also indicated that he had seen email traffic from Eric Wohlers prodding school for closure also at end of December.

Christopher Lexer/Codes Enforcement Officer & Zoning Officer -

- (1) Issued 2 (two) Building and 2 (two) Zoning Permits during December 2015 for total fees of \$549.20
- (2) Working on Safety Inspections for CO Detectors, new compliance laws with all local businesses. He and Clerk Clark have established a full listing / report template, which Officer Lexer will update as we move forward. Coun Walker asked Officer Lexer if a routine update on completions / results could be established
- (3) Coun Walker had an inquiry from a citizen regarding the status of a trailer being moved onto property, after review, Officer Lexer defined that the necessary permits were issued to the property owner and he has 6 months to complete it, with ability to apply for a 3-month extension. Will continue to monitor as required

Christopher Lexer/Supt of Highways -

- (1) received the new mini excavator and the new pick-up truck (excavator has a back order part which will be installed shortly) (2) 911 number and sign district project is underway. Has had to travel around to create a list and now comparing it to the old list, where several updates will need to be made to house numbers to insure compliance to standards, since several are out of order. Superintendent Lexer will work to get them changed. Approx. 250 sign on hand and around 500 more ordered. As weather permits, we will start installing them. Board commented on the appreciation of the extra effort this required. To which Superintendent Lexer praised his Highway Team for their support.

- (2) Many new street signs / road signs put up, more have been ordered for replacement

Supervisor Spencer then review the need to allow for the previously approved issuance of Statutory Bonds for mini excavator be allowed to be placed in DA5130.2 (Machinery Capital) in the amount of \$101,500, once issued Note R#7-16

RESOLUTION #7-16

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following resolution was, resolved that Supv Spencer to transfer the \$101,500 in previously approved Statutory Bonds, once received, into account DA 5130.2, for payment of approved Mini Excavator from Anderson Equipment
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Walker, Aye, George, Aye
Ayes 5 - Nays 0 – Adopted

New Business:

Supv Spencer requested review of the supplied draft law 1-2016, The Highway Bonding / Financial Securities Law of the Town of Yorkshire, where section 4A was updated to include 4 tons or more and utilization of more than 3 times in any 30-day period. Superintendent Lexer indicated he and Clerk Clark will work together on developing the application / permit process and after some general discussion, Supv Spencer requested Board consider a motion to schedule a public hearing for next board meeting to advance the law. Note R#8-16

RESOLUTION #8-16

On a Motion of Coun Walker, seconded by Coun George, the following resolution was, resolved that a Public Hearing be set for February 17, 2016 beginning at 7:15 p.m. for adoption of Local Law 1-2016 The Highway Bonding / Financial Securities Law of the Town of Yorkshire. Clerk Clark to place legal notice in Arcade Herald as such
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Walker, Aye, George, Aye
Ayes 5 - Nays 0 – Adopted

Coun Walker updated board on continued requests to Amherst for a copy of their Fracking Law, after several attempts, still awaiting response from the correct contact.

RESOLUTION #9-16

On a Motion of Coun Walker, seconded by Coun Hewitt, the following resolution was resolved to enter into Executive Session at 7:45 p.m. to discuss an employee history. Clerk Clark was invited to attend
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Walker, Aye, George, Aye
Ayes 5 - Nays 0 – Adopted

Supervisor Spencer ended the Executive Session at 8 p.m. and resumed regular meeting.

Monthly Audit - All Town Board Member had the opportunity to audit all vouchers (bills, invoices & statements) submitted for payment and to initial the vouchers (*Note R#9-16).

RESOLUTION #9-16

On a Motion by Coun Hewitt, seconded by Coun George, the following Resolution was resolved for the approval of the following claims for payment: General Fund Claims #1-26, in the amount of \$35,828.55, as set forth in General Abstract No. 1 Dated January 11, 2016; Highway Fund Claims #1-23, in the amount of \$138,201.03, as set forth in Highway Abstract No. 1 Dated January 11, 2016; Water Dist #1 Fund Claims #1-5, in the amount of \$4,302.13, as set forth in Water Dist #1 Abstract No. 1 Dated January 11, 2016 Water Dist #2 Fund Claims 1, in the amount of \$113.90, as set forth in Water Dist. #2 Abstract No 1 Dated January 11, 2016.

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

With no further business, on a Motion of Coun Walker, seconded by Coun Fisher, the meeting was adjourned at 8:32 p.m. Carried unanimously.

M. Fred Clark, Town Clerk