

The regular monthly board meeting of the Yorkshire Town Board, for the month of March, was held on March 21, 2016, 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, Absent
Kenneth Fisher, Council Member, Present
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;
Also present was Casey Dunlap, Arcade Herald Reporter.

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

On a Motion of Coun George, seconded by Coun Fisher, it was moved to dispense with the reading of the draft minutes of the February 17, 2016 regular board meeting. Carried unanimously.

RESOLUTION #23-16

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, to approve the draft minutes of the February 17, 2016 regular monthly town board meeting as printed. Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent
Ayes 4 – Absent 1 - Nays 0 – Adopted

Communications:

STW Local Government Conference will be held at Houghton College on Wednesday May 11, 2016. Need a motion & resolution to agree to send interested town officials to the conference / training. Cost is \$40 per member. Motion to be considered in April Meeting

The Delevan-Yorkshire Public Library has advised the Board that at their March 2016 meeting they made and approved a motion to recommend Judy Hecht of 6 Stranburg Ave, Delevan, NY be appointed for a Five-year term to fill a vacancy on the board. This will bring the board up to 9 members. The Library requests the Town Board to approve the appointment. Note R# XX-16

NYS Department of Public Service has sent listing of public statement hearings regarding proposed increases to delivery rates for NYS Electric & Gas and Rochester Gas & Electric Corporation electric and gas customers. Public Statement hearings begin March 29 in various locations

Inspection Receipt from NYS Dept of Ag & Markets. On March 15, 2016 NYS inspected the kennel located at the Highway Garage on Mill Street, a full report will follow, on noted item was a light that was fixed upon entry, which had blown when trying to turn on initially. No other findings noted per Dog Control Officer Cummings.

Notice provided for Board of Assessment Review Training in Little Valley on either April 26 or May 3, 2016. Required training by appointed members M. Fred Clark, Cheryl Dash and Claire Flannery.

Town of Machias-Lime Lake Sewer District has sent a letter to Property owners indicating Edmunds Enterprises has been hired to evaluate the proposed easements and determine a fair market value such that property owners can be fairly compensated.

Supervisor Spencer has received the 2015 summary of payments from Cattaraugus County for sales tax, Mortgage Tax and Youth Recreation.

Communications (Continued)

Supervisor Spencer received email from Lon Owens of Pioneer High School indicating a desire to move forward on necessary easements for Pioneer Water Line/ Service.

Reports of Committees:

Monthly Financial Reports:

Supv Spencer presented her Supervisor's Monthly Report of Receipts for February 2016 & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of January 2016, to the Town Board for review, and filed the reports with the Town Clerk (*Note R #21-15).

RESOLUTION #24-16

On a Motion by Coun Fisher, seconded by Coun George, the following Resolution was Resolved, that the Board had reviewed the Supervisor's monthly report for February 2016 & is accepted as submitted (& is included in the minutes).

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

Ayes 4 – Absent 1 -Nays 0 – Adopted

Justice Reports:

Justice Heather Tomes sent a check to the town supervisor in the amount of \$7,398.00 for the month of February 2016.

Justice Lynn Guertin sent a check to the town supervisor in the amount of \$6,320.00 for the month of February 2016.

Town Clerk Clark presented photocopies of his monthly financial report for February 2016, in the amount of \$579.01, to the Town Board for review.

Town Tax Collector Clark presented photocopies to the Town Board of his tax collection activities through March 18, 2016, with receipts of \$2,783,887.58 (including penalties and interest) & withdrawals / disbursements of \$2,743,743.98.

Resident's Time:

No one spoke at this time.

Special Orders: None

General Orders & Old Business:

Reports of Department Heads:

Joe King /Constable) – No Report

David Cummings/Dog Control Officer – (no report)

Mary Gilbert/ZBA Secretary (Written Report) -

Larry Groves/Water Commissioner – Written Report

Chris Lexer/Codes Enforcement-Zoning Officer -

Written Report. Have closed out some open building permits, done various inspections on existing permits. No permits issued in February. March is starting to pick up for permits and questions regarding permits for the upcoming summer. Continued to work on the 911 numbers in conjunction with the highway department. Also did all inspections of existing Junk Yards per the board requests

Chris Lexer/Highway Supt (Written report) -

- (1) Still working on installing the 911 numbers throughout the town. A little more than a quarter of the way done. Some comments about the placement of signs, there was a local law created for the signs and the placement is to be consistent throughout. The signs are located on either side of the property's driveway within the road right of way. (2) Dump box of F550 was rusted to the point it became unsafe to use. A new replacement would be around \$8,000. Purchased steel and built one for about \$2,100, saving the town approximately \$6,000. Screen for screening salt / sand and gravel was broken and rusted out so we rebuilt that instead of purchasing a new one at a cost of about \$500.00 (3) Spring Clean-up estimated prices are near the same as last year depending on the amount of trash that is put out. Therefore, would like to schedule it for the last week of April or the first week of May (Note R# 25-16) (4) The pump in our road sweeper needed to be rebuilt at a cost of around \$1,800. We just put it back together today and started sweeping the roads. Over the next few weeks we will be filling pot holes, working on 911 numbers, starting some culvert changes, ditching and grading of our dirt roads. (5) Went to Albany to advocate for funding for Highway. Lobbying with approx. 750 Highway Superintendents at the Capitol. There is a new Pave NY bill that if passed might provide additional help to local municipalities.

Junk Yard Inspections Summary

Codes Enforcement Officer Lexer did the requested inspections of the 4 existing Junk Yards in the Town. 1490 Motors, nothing needed, opinion is in compliance, recommend license; Giroux Auto Wrecking is found to be in compliance. Did request a modification to the open gate to block such that you cannot see through it, recommend license; LARS is found to be in compliance. Few fence issues, LARS has agreed to extend the height of the fence an additional 4 feet to allow for higher car stacking to not be visible, expect to happen during the summer of 2016, recommend license; Tidd's; found to be in compliance, but made recommendations on fence issues, which will take some time to repair after weather is appropriate. Replacing a section of fence and moving back 50 feet. Targeting 1st week of June to get started. Recommend license. Note R# 26-16

RESOLUTION #25-16

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

RESOLUTION #26-16

On a Motion of Coun Fisher, seconded by Coun George, 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 and Junk Dealer License Renewals to the following: Raynald Giroux, 4962 Gunbarrel Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers Licenses effective April 1, 2016 thru March 31, 2017; James Fronchowiak, 12245 Old Olean Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers Licenses effective April 1, 2016 thru March 31, 2017; Larry Havens, 3484 W Yorkshire Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers License effective April 1, 2016 thru March 31, 2017; William Tidd, 3334 W Yorkshire Rd, under Section 136 of the NYS General Municipal Law & Annual Junk Dealers License effective April 1, 2016 thru March 31, 2017

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

New Business:

Clerk Clark reviewed with Board the updated Investment Policy. Updates to Section 4 for Designation of Custodial Bank(s), updated to The Five Star Bank and M&T Bank. Note R# 27-16

RESOLUTION #27-16

On a Motion by Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that the Board had reviewed and approved 2016 updates to Investment Policy - Town of Yorkshire Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.
Ayes 4 – Absent 1 --Nays 0 – Adopted

RESOLUTION #28-16

On a Motion by Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, that the Board approves the appointment of Judy Hecht, 6 Stranburg Ave, Delevan, NY to a Five Year term on the Board of the Delevan-Yorkshire Public Library. Term will expire in March 2021.
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent
Ayes 4 – Absent 1 -- Nays 0 – Adopted

Clerk Clark has reviewed meeting history with regards to Records Management. Meeting minutes show a Record Management Officer being appointed beginning January 2002 and annually thereafter. However, could not locate a Resolution that adopts the MU1 NYS Record Management Guideline. Requests the board to consider a motion to officially adopt the MU1 NYS Records Management as our guideline for such. Note R#29-16

RESOLUTION #29-16

On a Motion by Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that the Board does adopt MU1 NYS Records Management as the official Town guide for Records Management officer to incorporate.
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.
Ayes 4 – Absent 1 -- Nays 0 – Adopted

Clerk Clark is working with Southern Tier West on a Grant proposal, to be applied for and administered by Southern Tier West, in an effort to digitize current paper records to Town of Yorkshire Payroll. Clerk Clark requests Board to approved the signing by Supervisor Spencer and Clerk Clark a Cooperation agreement with Southern Tier West that in general, indicates our desire to participate and willingness to support the process, if Grant is approved. Note R# 30-16

RESOLUTION #30-16

On a Motion by Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, Supervisor Spencer and Clerk Clark are authorized to sign the Cooperation and Support Agreements with Southern Tier West in regards to our desire to participate in said grant with the participation to be a project of digitizing historical payroll records.
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.
Ayes 4 – Absent 1 -- Nays 0 – Adopted

Clerk Clark reviewed a proposal and quotes to purchase Capital Assets Software that will enable the town to self-manage its capital assets in compliance with the NYS Office of State Comptrollers requirements. This will include tagging, inventory, depreciation and eventually infrastructure. Clerk Clark requested the board to consider the solution offered by Williamson Law Book in the amount of \$995.00 for initial purchase and \$375 for annual support. Cost to be shared between Building and Garage Contractual accounts A1620.4 and A5132.4 Note R#31-16

RESOLUTION #31-16

On a Motion by Coun George, seconded by Coun Fisher, the following Resolution was Resolved, to authorize purchase from Williamson Law Book the Capital Assets Management Software in the amount of \$995.00 plus \$375.00 Annual Support. Costs to be shared between A1620.4 and A5132.4.
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Walker, Absent.
Ayes 4 – Absent 1 -- Nays 0 – Adopted

New Business Continued

Clerk Clark reviewed a list of currently excess items located at town hall, old desks, chairs, cabinets, dehumidifiers, shelving, etc. Attorney has indicated it is acceptable to offer for sale. Clerk Clark requests board approve the attempt to sell, with notice place in town hall for interested parties, on a first come first serve basis. Any remaining items can be disposed of during the spring clean-up this year.

RESOLUTION #32-16

On a Motion by Coun Fisher, seconded by Coun George, the following Resolution was Resolved, to authorize the attempted sale of excess items on list provided by Clerk Clark. Any items not sold may be disposed of during the Spring Clean-up.

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

Ayes 4 – Absent 1 -- Nays 0 – Adopted

Supervisor Spencer requests board to consider a motion to increase \$3,897.39 in Insurance Recovery DA2680 and Machinery Contractual DA5130.4. This is for the insurance recovery and repair of Town Highway truck collision damage. Note R# 33-16

RESOLUTION #33-16

On a Motion by Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, to authorize to increase \$3,897.39 in Insurance Recovery DA2680 and Machinery Contractual DA5130.4.

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

Ayes 4 – Absent 1 -- Nays 0 – Adopted

Supervisor Spencer discussed the Youth Recreation Committee for 2016. She has requested Coun Hewitt to participate in support of the Program with Coun George as part of the transition from 2015. Also reminded that both boards have passed the budget for 2016 and that will need to be monitored accordingly. In addition, the committee must come back to boards of Village and Town to seek approval on hiring. Coun Hewitt agreed to support as best she can.

Clerk Clark reviewed with Board that he had received preliminary estimates from Insurance Provider with respect to Workman's Compensation policy. Feedback indicates that we would be required to pay a higher premium if we were to switch from the current policy with Cattaraugus County, thus it is recommended that we stay with Cattaraugus County. Due diligence has been done then to insure we have examined appropriate alternatives to minimize the cost.

RESOLUTION #34-16

On a Motion of Supv Spencer, seconded by Coun George, the following Resolution was Resolved, to move into Executive Session at 7:50 p.m. regarding collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law) with Christopher Lexer & Fred Clark invited to attend the Executive Session.

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

Ayes 4 – Absent 1 --Nays 0 – Adopted

Supv Spencer closed the Executive Session at 7:55 pm & reopened the regular meeting.

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 #35-16**

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, for the approval of the following claims for payment: General Fund Claims #64-89, in the amount of \$18,409.10 as set forth in General Abstract No. 3 Dated March 21, 2016; Highway Fund Claims #45-68, in the amount of \$75,633.73 as set forth in Highway Abstract No. 3 Dated March 21, 2016; Water District #1 Claims #14-20, in the amount of \$4,676.67 as set forth in Water Dist #1 Abstract No. 3 Dated March 21, 2016; Water District #2 Claim #3-4, in the amount of \$822.30 as set forth in Water Dist #2 Abstract No. 3 Dated March 21, 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 George, seconded by Coun Hewitt, the meeting was adjourned at 9:35pm. Carried unanimously.

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-----Fred Clark, Town Clerk