

The regular monthly board meeting of the Yorkshire Town Board, for the month of April, was held on April 18, 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, 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; Joseph King, Constable

Also present was Laney Hill, Arcade Herald Reporter & Robert Steinhaus, Town Attorney

On a Motion of Coun Fisher, seconded by Coun Hewitt, it was moved to dispense with the reading of the draft minutes of the March 21, 2016 meeting. Carried unanimously.

RESOLUTION #36-16

On a Motion of Coun George, seconded by Coun Fisher, the following Resolution was resolved, to approve the draft minutes of the March 21, 2016 regular monthly town board meeting as printed.

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

Ayes 5 - Nays 0 - Adopted

Communications:

1. NYS Dept. of Ag & Markets - Municipal Shelter Report & Dog Officer Report on 03/15/16 was Rated Satisfactory.
2. Department of Public Service Announcing public statement hearings on proposal to close three walk in offices from NYS Electric & Gas and Rochester Gas & Electric Corporation
3. Communication from Time Warner with regards to Franchise Fees for 2016, at \$7,273.40. ACH will follow. Budget was for \$6,000.00
4. Association of Towns newly amended Constitution and Bylaws
5. Board of Election, notice of NONE for Town of Yorkshire filed
6. NYS Real Property updated on Tentative Special Franchise Values, Telecommunication Ceiling and Railroad Ceiling
7. Edmunds Enterprises communication letter. Representing Town of Machias in Sewer District. Will be in contact regarding an easement necessary, currently going through Town Hall parking lot

Petitions:

"NONE"

Report of Committees:

Coun Hewitt reported: (1) The Youth Commissioners DID advertising for summer recreation employment resumes (applications). Interviews scheduled for upcoming Saturday. (3) Sign up schedule and support plan defined (4) Will advertise for Sign-ups in May publications, ad developed (4) Approved use of pool has been received from Pioneer School. (5) Youth Recreation program will run July 11 – August 18, 2016.

Requested motion to approve hiring of Trista Reisdorf as Youth Recreation Director for 2016 at a salary of \$17.00/hour; Jessica Franklin as Aquatics Director for Youth Recreation 2016 at a salary of \$11.75 / hour and Robert Hirsch as WSI (Water Safety Instructor) with a total lump sum salary of \$200 for the season (all same pay as 2015 Season)

(Note R #42-16)

Monthly Financial Reports:

Supv Spencer presented her Supervisor's monthly report for March 2016 & the budget report, as prepared by Diane Finch, CPA, for the month of February 2016, to the Town Board for review, and filed the reports with the town clerk (*Note R #37-16).

RESOLUTION #37-16

On a Motion of Coun Hewitt, seconded by Coun Walker, the following Resolution was Resolved, that the Town Board had reviewed the Supervisor's monthly report for March 2016 & 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 2016, in the amount of \$1886.00, to the Town Board for review.

Tax Collector Clark reported YTD 2016 tax collection activities, with receipts of \$2,912,110.92, withdrawals of \$2,911,806.36. 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. Coun Hewitt volunteered to do the Annual Audit of Tax Collection, after the final disbursement in May. Clerk Clark will contact her when ready. Note that Penalty and Interest to date is \$5,400 paid to Supervisor, vs. a budget of \$5,000

Copies of Town Justices Financials were provided. Justice Lynn Guertin, \$9,558.00 and Justice Heather Tomes \$7,018.00

Residents Time For Comments:

"None"

Special Orders:**General Orders and Old Business:**

Clerk Clark provided an update on the previously approved motion to sell excess items. Any items remaining will be disposed of during the May 2 Spring Clean-up, as agreed.

Clerk Clark gave a verbal update on the Capital Assets Program. Software installed on April 12, 2016, all imports done. Clerk and Team are now working on the labeling of assets. A drafted Capital Asset Policy for Town of Yorkshire has been provided to Board for review. Will add to next month's May 16 agenda

Reports of Dept. Heads:

Joe King, Constable:

(1) Training is nearly completed, will finish next month. (2) Supervisor Spencer communicated to Board that she had approved and Joe had taken possession of a plated armor vest to provide additional protection in his duties.

David Cummings/Dog Control Officer – Not Present

(1) Annual inspection completed by NYS Dept of Ag & Markets, rated Satisfactory

Mary Gilbert/ZBA Secretary (Written report) -

(1) Written Report. Not meeting for April 13, 2016, as no new business before the ZBA

Larry Groves/Water Commissioner –

(1) Chlorine Injector pump, as previously communicated, has now been repaired. The material came in about what was estimated. Had one day of out of service. Did expedite parts to minimize the down time. (2) Waiting for updates from County to complete the Annual Water Report. (3) Successfully completed another quarterly meter read with new reader Diane Owens. Only some small assist points. Doing a nice job. (4) Attorney Steinhaus gave update on the easement process with School. He indicated that currently the ball is in the Schools court for next steps to complete the process.

Christopher Lexer/Codes Enforcement & Zoning Officer -

(1) Issued five Building Permits in March 2016 with fees totaling \$281.00, three Zoning Permits with fees totaling \$99.00 and one Planning Board Fee, totaling \$50.00. Overall Total of \$430.00
(2) Still working on the 911 number changes.
(3) Continued work on fire and safety inspections for the commercial properties in the Town
(4) Now that spring is here, working on dilapidated structures with in the town, trying to get them clean-up.

Christopher Lexer/Hwy Supt -

- (1) Spring clean-up is scheduled for May 2, finalizing dumpster locations. (2) Over the past month we have been filling holes, grading our dirt roads, ditching, changing culvert pipes and starting our summer projects
- (2) Request motion to move funds for payment of approved Roller (previous Resolution #111-15). Delivery has occurred. Note see R#39-16
- (3) Provided the completed Agreement to Spend Highway Funds, requested Board to consider a motion to approve and then will be sent to County Superintendent of Highways for approval. Note see R #38-16
- (4) Supervisor Spencer communicated that the C.H.I.P.S. for 2016 is coming in at \$109,095.61 and the Pave NY at \$24,902.16, for a combined apportionment of \$133,997.77

RESOLUTION #38-16

On a Motion of Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, for Agreement to Spend 2016 Town Highway Funds pursuant to the provisions of Section 284 of the Town Highway Laws in the amount of \$50,000.00 on Worden Road, starting at NYS Rt 16 leading to Block Road for a distance of .8 miles (1 ½ inch overlay with chip sea, 20 ft. width. And \$100,000.00 on Worden Road at Block Rd, leading to McKinstry Rd. for a distance of 2.1 miles (overlay, 20 ft. width, 1 ½ inch thickness using subbase chip seal. 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 #39-16

On a Motion of Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, to allow for completed purchase of approved Roller (previous resolution #111-15), to Increase H5710 Serial Bond in the amount of \$39,784.00 and H5130.2 Equipment Purchase Capital Project Fund in the amount of \$39,784.00.

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

Ayes 5 - Nays 0 -- Adopted

New Business:

Request for authorization to attend the 23rd Annual Southern Tier West Local Government Conference in Houghton on May 11, 2016 at a cost of \$40.00 per attendee (member cost).

RESOLUTION #40-16

On a Motion of Coun George, seconded by Coun Walker, the following Resolutions was Resolved, to authorize Town Officials to attend the 23rd Annual Southern Tier West Local Government Conference on May 11th, 2016 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 #41-16

On a Motion of Coun Walker, seconded by Coun Fisher, the following Resolutions was Resolved, to consider, for retirement system purposes all positions (except Highway) will be 6 hours of work to be considered a full day. Highway is 8 hours of work to be considered a full day.

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

Ayes 5 - Nays 0 -- Adopted

RESOLUTION #42-16

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolutions was Resolved, to approve hiring of Trista Reisdorf as Youth Recreation Director for 2016 at a salary of \$17.00/hour; Jessica Franklin as Aquatics Director for Youth Recreation 2016 at a salary of \$11.75 / hour and Robert Hirsch as WSI (Water Safety Instructor) with a total lump sum salary of \$200 for the season.

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

Ayes 5 - Nays 0 -- Adopted

Coun Walker provided an update on the Amherst Fracking Law that was being reviewed. She indicated it was incorporated into amendments for their Zoning Law. Attorney Steinhaus reviewed and encouraged the board to consider this for Yorkshire. Topic will be added to the May 16 Board Meeting Agenda.

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 #42-16).

Pay Claims:

RESOLUTION #43-16

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 (A, B and SL) #90-111 in the amount of \$6,023.91 as set forth in General Abstract No. 4 Dated April 18, 2016; Highway Fund Claims (DA, DB, H) #69-89, in the amount of \$62,264.91 as set forth in Highway Abstract No. 4 Dated April 18, 2016; Water Dist #1 Claims #21-26, in the amount of \$2,128,29 as set forth in Water Dist #1 Abstract No. 4 Dated April 18, 2016; Water Dist #2 Claim #5-6, in the amount of \$32.74 as set forth in Water Dist #2 Abstract No. 4 Dated April 18, 2016.

Spencer, Aye; Fisher, Absent; George, Aye; Hewitt, Aye; Walker, 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 8:05pm. Carried unanimously.

M. Fred Clark, Town Clerk