

The regular monthly board meeting of the Yorkshire Town Board, for the month of February, was held on February 22, 2017, at the Town Hall located in the Village of 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; Larry Groves, Water Commissioner; Gwen Bixby and Elaine Stumpf, Delevan Library, Dave Cummings, Dog Control Officer

On a Motion of Coun Fisher, seconded by Coun Hewitt, it was moved to dispense with the reading of the draft minutes of the January 23, 2017 board meetings. Carried unanimously.

RESOLUTION #12-17

On a Motion of Coun George, seconded by Coun Fisher, the following Resolution was, resolved to approve the draft minutes of the January 23, 2017 town board meetings as printed.

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

Petitions:

"NONE"

Communications:

Annual Town Clerk Meeting in Rochester NY. Clerk will not attend

Southern Tier West is setting up a schedule of general information about the process to apply for grant funding through Appalachian Regional Commissions Area Development Program. 3 Sessions, one in Belmont, Dunkirk and Salamanca. March 1, 2 and 3 respectively. No registration or fee required.

Supv Spencer indicated that conversations with Senator Catharine Young has shown support of our concern with prior inquires of DEC to purchase Kingbrook properties and the potential impact on the tax base. No further updates from DEC have been made.

Reports of Committees:

"NONE"

Monthly Financial Reports:

Supv Spencer presented her Monthly Report of Receipts for January 2017 & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of December 2016, to the town board for review, and filed the reports with the town clerk (*Note R#13-17).

RESOLUTION #13-17

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was, resolved that Supv Spencer's Monthly Financial Report for January 2017 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 Justice Lynn Guertin submitted financial summary of finances reported at \$6,080.00 for January 2017. Noted that December 2016 overpaid by \$27.00, adjusted to \$6,053.00

Town Justice Heather Tomes submitted financial summary of finances reported at \$6,697.00 for January 2017

Town Clerk Clark presented photocopies of his monthly financial report for January 2017, in the amount of \$686.01, to the town board for review.

Tax Collector Clark presented photocopies of Tax Collection activities through February 20, 2017, with receipts of \$2,599,435.57 + Interest & Penalties of \$466.69 & withdrawals of \$2,591,345.09, (including payments recvd directly by county in the amount of \$142,270.60) to the town board for review. All payments from Tax Warrant have been completed to Supervisor.

Privilege of the Floor/Residents Time:

“None”

Special Orders:

General Orders & Old Business:

Clerk Clark reviewed the updates for the mailing of Dog enumeration flyers. After discussion with board it was agreed to proceed with the project, using 2x notice flyers at a cost of \$1,216.96 and to update fees of Local Law 1-2010(Dog Control, Dog Licensing Program Town of Yorkshire, increasing the Dog Enumeration Penalty from \$5.00 to 25.00. This fee would be charged if unlicensed dogs are found to be harbored after the Dog Enumeration period of March 1 – April 28, 2017 See R#14-17 & 15-17

RESOLUTION #14-17

On a Motion of Coun Walker, seconded by Coun Fisher, the following Resolution was, resolved that the Enumeration Fee associated to Local Law 1-2010, Dog Control, be increased from \$5.00 to 25.00 effective immediately

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

Ayes 5 - Nays 0 – Adopted

RESOLUTION #15-17

On a Motion of Coun George, seconded by Coun Walker, the following Resolution was, resolved that Clerk Clark proceed with project to mail Dog Enumeration plan using Canine License Registry 2 notice mailings. Enumeration mailing will indicate start of March 1 and end of April 28, 2017 and that the Enumeration Fee associated to Local Law 1-2010, Dog Control, now being \$25.00. Clerk Clark to place notices in Arcade Herald and Pennysaver

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

Ayes 5 - Nays 0 – Adopted

Supv Spencer indicated that Town is still waiting for final updates for easement drawing and MOU from Machias.

Report of Department Heads:

David Cummings - Dog Control Officer – (1) A lot of calls for missing or escaped dogs, most of which call back saying they found. (2) 2 Dogs sent to SPCA, 1 Adopted and 1 pending Adoption. (3) Some discussion about SPCA calling Dave to review complaints such as dogs outside, mistreatment. It was discussed that he should review the Article 7, but that it seemed to be appropriate to at least investigate and report back findings to SPCA Investigator. (4) Dave mentioned he had heard reports of Dog fighting in the area. He was advised that this would be a police matter if it were to be discovered. (5) Dave mentioned a property that supposedly people moved into recently with 25 dogs, he was advised to investigate thoroughly and take appropriate action.

Joe King, Town Constable: advised nothing new to report

Mary Gilbert - Zoning Board of Appeals Secretary (Written report)

(1) The ZBA will not hold a regular February monthly meeting as there is no new business before them.

Larry Groves - Water Commissioner

Received back the annual application for DOT Work Permit. Going to investigate a process where we might be able to pass a resolution to avoid the permit process in the future, follow up as necessary will come from Commissioner Groves

Christopher Lexer - Codes Enforcement Officer (& Zoning Officer)

(1) Report provided, 3 building permits, 2 Zoning Permits and 1 Zoning Compliance with total fees collected of \$300.00

Supv Spencer asked the board to consider a motion to send the annual renewal letters to Junk Yard and Dealers. See R#16-17

RESOLUTION #16-17

On a Motion by Coun George seconded by Coun Fisher the following Resolution was resolved that Town Clerk may prepare and send the annual renewal letters, including the Inspection required by Christopher Lexer, for compliance to Local Zoning Laws.

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

Ayes 5 - Nays 0 - Adopted

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

Ayes 5 - Nays 0 – Adopted

Christopher Lexer - Highway Superintendent

Report provided

(1) Filed the monthly Perpetual Fuel Inventory with Town Clerk for January 2017

New Business:

Elaine Stumpf (Trustees President) and Gwen Bixby (Library Director) presented a review of the 2016 activities of the Delevan-Yorkshire Public Library & answered questions (& the review/report is on file in the town clerk office).

RESOLUTION #17-17

On a Motion of Coun Hewitt, seconded by Coun George, 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 2017, 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). Payment to be made no later than February 29, 2017

7, per agreement.

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

Ayes 5 - Nays 0 – Adopted

New Business:(Cont)

Board discussion on wind turbines and potential consideration of a 12-month Moratorium. After discussion, it was decided to wait until March 20 board meeting to review concern with Town Attorney, given current Zoning Laws and prior resolutions that relate to same topic of prohibiting wind turbines.

There was a question from Coun Hewitt about a charge from Town Attorney regarding Glacial mining site. Supv Spencer responded that it was a call from Codes Officer Lexer and would be Attorney Client privilege. Follow up can be made directly to attorney if so desired. Subsequent brief discussion amongst board members over the appropriate forum for such a discussion given the history of topic.

Supv Spencer made a motion to appoint Chris Edmunds to the planning board, replacing William Sprague, to complete current appointed term which expires December 31, 2018 Note R#18-17

RESOLUTION #18-17

On a Motion by Supv Spencer seconded by Coun Fisher the following Resolution was resolved that Christopher Edmunds be appointed to the Town of Yorkshire Planning Board, with a term ending December 31, 2018

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

Ayes 5 - 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#19-17).

Pay Claims:

RESOLUTION #19-17

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 #30-60, in the amount of \$25,844.00, as set forth in General Abstract No. 2 Dated Feb 22, 2017; Highway Fund Claims #22-33, in the amount of \$31,806.25, as set forth in Highway Abstract No. 2 Dated Feb 22, 2017; Water Dist #1 Claims #6-10, in the amount of \$1,105.84, as set forth in Water Dist #1 Abstract No. 2 Dated Feb 22, 2017; Water Dist #2 Claim # 2, in the amount of \$60.00, as set forth in Water Dist #2 Abstract No.2 Dated Feb 22, 2017.

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

Ayes 5 - Nays 0 - Adopted

With no further business, on a Motion of Coun Hewitt, seconded by Coun George, the meeting was adjourned at 8:12 pm.

Carried unanimously.

Fred Clark, Town Clerk