

REGULAR MONTHLY TOWN BOARD MEETING DECEMBER 17, 2018

The regular monthly Town Board Meeting of the Town of Yorkshire Town Board, for the month of December, was held on December 17, 2018, at the Yorkshire Town Hall, 82 Main Street, Delevan, NY.

Supervisor Marcia 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
Christopher Edmunds, Councilmember, Present
Kenneth Fisher, Councilmember, Present
Tammy George, Deputy Supv & Councilmember, Absent
Teresa Hewitt, Councilmember, Present

Other Town Officials present were: Fred Clark, Town Clerk; Larry Groves, Water Commissioner, Justice Lynn Guertin, Justice Heather Tomes, Highway Supt and CEO Chris Lexer. Court Clerk Dawn Breton had scheduled office hours until 8 p.m. and did participate on a few discussions related to Court matters.

On a Motion of Coun Hewitt, seconded by Coun Edmunds, it was moved to dispense with the reading of the minutes of the November 19, 2018 board meeting. Carried unanimously.

RESOLUTION #102-18

On a Motion of Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, to approve the draft minutes of the November 19, 2018 Regular Town Board Meeting, as printed.

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

Communication:

Clerk Clark indicated he will pass out advanced information for Board Members for the 2019 Organizational Meeting.

Reports of Committees:

"NONE"

Monthly Financial Reports:

Supv Spencer presented her Supervisor's Monthly Report for November 2018 to the Town Board and filed the report with the Town Clerk (*Note R #103-18).

RESOLUTION #103-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that Supv Spencer's Monthly Financial Report for November 2018 is accepted as submitted (& is included in the minutes).

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

Justice Reports:

Monthly Financial Reports (cont.)

Justice Heather Tomes sent a check to the Town Supervisor Spencer in the amount of \$6,134.00 for the month of November 2018.

Justice Lynn Guertin sent a check to the Town Supervisor Spencer in the amount of \$5,528.00 for the month of November 2018.

Town Clerk Clark presented his monthly financial report for the month of November 2018, in the amount of \$957.05, to the Town Board for review.

Privilege of the Floor/Public Comments-Concerns-Questions

"NONE"

Special Orders:

"NONE"

General Orders and Old Business:

Reports of Department Heads:

Town Board and Justices had a lengthy discussion regarding Court Clerk hours required in advance of the 2019 Organizational Meeting. Discussion surrounded around the prior higher hours that had been required vs. the current lower estimates and to insure adequacy of hours to serve the public. Conclusion is Justices agreed that current hours are adequate to support the court but there will be times where more is required due to unplanned events such as a trial. The board will consider the opinion of the court when reviewing during the upcoming Organizational Meeting.

Joe Neamon/Dog Control Officer - (No report)

Mary Gilbert/Zoning Board of Appeals Secretary - (Written report)
Will not hold a meeting in December.

Larry Groves/Water Commissioner – 1-Meter Reads completed, Clerk Clark has bills ready to be mailed. 2—New Meter Reader, Doug McLam did a good job. 3—Clerk Clark and Comm Groves are working on grant application, may need to define grant writer assistance. This is fluoridation upgrades. 4—No further updates on the Colling request for service, waiting for paperwork and attorney review. 5—Aristo Terrace has high water bill, owner may need to investigate.

Christopher Lexer/CEO -

Written Report: Issued one Building Permit and two Zoning Permits in November 2018 with fees totaling \$125.00.

Christopher Lexer/Hwy Supt – Written Report.

Due to heavier snow amounts in November, Supt Lexer requested budget modification to transfer \$1,500.00 from DA915 Unappropriated Fund Balance to increase DA5142.4 Snow Removal Contractual. Note R# 104-18

Coun Hewitt commented that Highway team did a great job with the heavy snowfall events in November.

Supt Lexer updated Board that previously approved new truck will be available soon, and as agreed, cost is \$212,555.05. Reminded board that in budget the payment amounts were increased by \$5,000 and that an equipment reserve was also set up for future purchase down payments. Requested board to agree to have Supv Spencer begin process to acquire 5-year statutory bond, non-callable. Note R#105-18.

Supt Lexer asked board to allow him to place the 2004 Mack Truck for sale with Auctions International (pending receipt of New Truck), with sale to be at Fair Market Value, likely in the \$15,00-\$20,000 range. Note R# 106-18

RESOLUTION #104-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was Resolved, to transfer funds from DA915 Unappropriated Fund Balance to increase DA5142.4 Snow Removal Contractual in the amount of \$1,500.00

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

RESOLUTION #105-18

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, that Supv Spencer may proceed with the effort to acquire 5-year Statutory Bond, Non-Callable, in finalize the approved acquisition of Highway Plow Truck

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

RESOLUTION #106-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that Supt Lexer may place the 2004 Mack Truck for sale with Auctions International with sale to be at Fair Market Value.

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

Supt Lexer gave brief update on Sewer Project. Map Plan report almost complete. Meeting in early January with school again. Will need to acquire a special attorney to support setting up districts, which is required before a grant application can be made. Have a meeting with 3 different attorneys and will make a recommendation in near future. If all goes well, ideally by fall 2019 we might be ready to pursue grants. Coun Hewitt inquired as to whether all would be taxed for a sewer district or only those in that special district. Supt Lexer and Supv Spencer affirmed only those in district. Connection requirements would have to be established when setting up districts initially

New Business:

Clerk Clark advised board that appointment of Tax Collector 2 year term expires December 31, 2018, requires a motion to appoint to another 2 year term. Note R#107-18

Clerk Clark requested approval to use up to 20 hours @ \$10.40/hour labor support to ready tax bills for mailing on January 1. Clerk Clark to utilize Trever Clark Note R#108-18
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RESOLUTION #107-18

On a Motion of Supv Spencer, seconded by Coun Edmunds, the following Resolution was Resolved, M. Fred Clark be appointed Tax Collector with a 2-year term, 01/01/2019 through 12/31/2020.

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

RESOLUTION #108-18

On a Motion of Coun Fisher, seconded by Coun Edmunds, the following Resolution was Resolved, Clerk Clark can utilize support from Trever Clark for up to 20 hours at \$10.40/hour to insure completion of tax bill mailing by January 1, 2019

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

Supv Spencer and Supt Lexer communicated that concerns continue to be brought up over the intersection of Countyline Rd and Route 16. A traffic light has been considered in the past but was not implemented with prior studies. NYS DOT will not entertain another study unless the board passes a resolution for such and suggests that Senator Catherine Young be advised also of resolution. Supt Lexer indicated NYS DOT is considering other options of lane configuration changes but also felt that a study and a clear communication of the detailed results would be an appropriate step. After discussion it was agreed to pass such a resolution Note R# 109-18

RESOLUTION #109-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was Resolved, to request the NYS Department of Transportation to do a traffic study at Countyline Rd and Route 39 Intersection, with increased safety via a traffic signal or alternative lanes be considered for implantation pending the study results, and that Senator Young be notified of such. The Town also requests documented results of the study/findings to include NYS DOT defined requirements vs the actual result.

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

Supv Spencer and Council Members discussed the upcoming January meeting schedule and Annual Financial Audit requirements. It was concluded that the Annual Organizational Meeting will be held on Wednesday January 2, 2019 beginning at 7 p.m. and that the Regular Board Meeting will be moved from Monday January 21, 2019 (Martin Luther King Day) to Wednesday January 16, 2019, beginning at 7 p.m. The Annual Financial Audit of Town Officials will begin following the conclusion of the regular meeting. And that the February 18, 2019 Meeting (Presidents Day) be moved to Wednesday February 20, 2019 beginning at 7 p.m. Legal Notice to be placed in Arcade Herald by Clerk Clark. Note R# 110-18 -112-18

RESOLUTION #110-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that the Annual Organizational Meeting will be held on Wednesday January 2, 2019 beginning at 7 p.m. Legal Notice to be placed in Arcade Herald by Clerk Clark.

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

RESOLUTION #111-18

On a Motion of Coun Edmunds, seconded by Coun Hewitt, the following Resolution was Resolved, and the Regular Board Meeting will be moved from Monday January 21, 2019 (Martin Luther King Day) to Wednesday January 16, 2019, beginning at 7 p.m. The Annual Financial Audit of Town Officials will begin following the conclusion of the regular meeting. Legal Notice to be placed in Arcade Herald by Clerk Clark.

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

Ayes 4 – Absent – 1 Nays 0 – Adopted

RESOLUTION #112-18

On a Motion of Coun Hewitt, seconded by Coun Fisher the following Resolution was Resolved, The February 18, 2019 Meeting (Presidents Day) be moved to Wednesday February 20, 2019 beginning at 7 p.m. Legal Notice to be placed in Arcade Herald by Clerk Clark.

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

Ayes 4 – Absent – 1 Nays 0 – Adopted

Supv Spencer indicated an update to Emergency Plan is in draft review, had been sent to Coun Edmunds for review also, he is reviewing with County Emergency Management.

Monthly Audit - All Town Board Member had the opportunity to audit all vouchers (bills, invoiced & statements) submitted for payment and to initial the vouchers (*Note R #128-16).

RESOLUTION #128-16

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, for the approval of the following claims for payment:

General Fund Claims #304-329 in the amount of \$34,599.49, as set forth in General Abstract No. 12 Dated December 17, 2018; Highway Fund Claims #166-175, in the amount of \$18,617.56, as set forth in Highway Abstract No. 12 Dated December 17, 2018; Water Dist #1 Fund Claims #61-65, in the amount of \$1007.37, as set forth in Water Dist #1 Abstract No. 12 Dated December 17, 2018; Water Dist #2 Fund Claims #21-22, in the amount of \$783.30, as set forth in Water Dist #2 Abstract No. 12 Dated December 17, 2018.

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

Ayes 4 - Nays 0 – Absent – 1 Adopted

With no further business, on a Motion of Coun Hewitt, seconded by Coun Edmunds, the meeting was adjourned at approx. 9:00 pm. Carried unanimously.

Fred Clark, Town Clerk