

The regular monthly Town Board Meeting, of the Yorkshire Town Board, for the month of May, was held on May 21, 2018, 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 USA.

Roll Call:

Marcia Spencer, Supervisor, Present
Christopher Edmunds, 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; Joe King, Constable; Christopher Lexer, Highway Supt & CEO.

Also present was Laney Hill, reporter from the Arcade Herald.

On a Motion of Coun Edmunds, seconded by Coun Fisher, it was moved to dispense with the reading of the draft minutes of the April 16, 2018 regular town board meeting. Carried unanimously.

RESOLUTION #36-18

On a Motion of Coun George, seconded by Coun Hewitt, the following Resolution was Resolved, to approve the draft minutes of the April 16, 2018 Regular Monthly Town Board Meeting as printed. Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

COMMUNICATIONS:

Supv Spencer advised the Board notice from Assemblyman Joseph Giglio indicates 2018 C.H.I.P.S amount will be \$109,124.50, Pave NY \$24,908.75 and Winter Recovery \$20,090.47.

Supv Spencer advised Board that Zoning Secretary Mary (Peggy) Gilbert has submitted her resignation for December 31, 2018. Supv Spencer and the board acknowledged and praised the support that Peggy has provided for many years.

Clerk Clark reviewed with Board the Pioneer Central School District notice that they will act as “lead agency” for the capital projects 2018, in accordance with NYS Education Dept policy and practice which mandate that a local school district is the SEQRA “lead agency” for capital projects undertaken by the district. The Town of Yorkshire, being identified as an “interested agency” was provided the notification as a courtesy for informational purposes only. Not required to sign or return any information. Note, this was on original agenda under New Business

Clerk Clark reviewed Community Vision Workshop being held with County Economic Development, June 5 in Ellicottville. Interested board members can contact directly to reserve a spot. It is free of charge.

Reports of Committees:

Monthly Financial Reports:

Supv Spencer presented her Supervisor's monthly report for April 2018 & the budget report, as prepared by Diane Finch, CPA, for the months of February & March 2018, to the Town Board for review, and filed the reports with the Town Clerk (*Note R #37-18).

RESOLUTION #37-18

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, that the Board had reviewed the Supervisor's monthly report for April 2018 & approves the report as submitted. Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

Town Clerk Clark presented photocopies of his monthly financial report for April 2018, in the amount of \$1,890.51, to the Town Board for review.

Copies of Town Justices Financials were provided. They are on file with the Town Clerk. Justice Tomes, \$4,946.00 and Justice Guertin \$6,623.00

Tax Collector Clark reported on the Final 2018 tax collection activities, with receipts of \$3,047,336.42 withdrawals of \$3,047,336.42. Final Reconciliation done with County and final payment to Supervisor on May 1 of \$52.80

Coun Edmunds did the required Annual Audit on May 2, 2018. Audit was deemed acceptable with no deficiencies noted. Need resolution per Town Law #123 Note R# 38-18

RESOLUTION #38-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was moved, Whereas, Coun Edmunds had reviewed & audited the 2018 Town Tax Collection Records of Fred Clark, on May 2, 2018 and Whereas, all tax money is collected by Five Star Bank, and Whereas, that therein shown all taxes collected had been turned over to the proper officials as required by Town Law #123, and Whereas, all checks were reconciled each month, and Whereas, a copy of Fred Clark's Annual Settlement with the Cattaugus County Treasurer dated April 6, 2018 was reviewed & audited by the Town Board & is included with the minutes, and Whereas, the Tax Collectors checking account, #630218498, with Five Star Bank showed a \$0.00 balance as of May 2, 2018. Now, Therefore Be It Resolved, that upon the recommendation of Coun Edmunds, the Town Board approves the 2018 Town Tax Collection Records of Fred Clark
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

Residents Time:

“NONE”

Special Orders:

"NONE"

General Orders & Old Business:

CEO Lexer Update on proposed Amendment to zoning for Solar Production. Planning Board met, made couple of changes and has now been sent to County. County meeting May 31 (CEO Lexer requesting earlier date). Goal is to give proposal to Board at next meeting and subsequently define a public hearing date once agreed by Board.

Reports of Department Heads:

Mary Gilbert/ZBA Secretary (Written Report) -

Joe King / Constable:

Supv Spencer indicated she had discussed some resident’s concerns over junk vehicles, which he is going to work on. Supv Spencer asked Joe to review concern over substitute constable. Joe indicated that current substitute constable Rob McNally originally agreed to assist temporarily and he is looking to conclude his support in this role. Constable King indicated he had brought to meeting a potential candidate, Joseph Ventura, whom spoke with the board on his qualifications. He also provided Board with an application / resume / certification. After discussion amongst board members and Constable King, it was agreed that Supv Spencer would follow up with Civil Service on the requirements to hire a substitute Constable and advise her findings. Note R#39-18

RESOLUTION #39-18

On a Motion of Coun George, seconded by Coun Edmunds, the following Resolution was Resolved, that Supv Spencer to contact Civil Service regarding Substitute Constable position and proceed with necessary efforts defined to hire
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

Reports of Department Heads: (cont)

Joe Neamon / Dog Control
No Report

Larry Groves/Water Com -
No Report

Christopher Lexer/Codes Enforcement Officer – (Written Report)
Issued 6 Building Permits & 5 Zoning Permits in April 2018 with fees totaling \$537.50. Looking over other permits. A lot of activity.

Christopher Lexer/Hwy Supt – (Written Report)
1-Spring trash clean up took 2 days this year. Amount looks like around same as last year, totals will be made available for next meeting. Starting road projects for this year paving on Weaver from California Hill to Delevan Elton which will take place May 22 weather permitting.
2-Advised Board of concern on Bolton Road, with bank sliding off nearly 5 feet. Town maintains road in winter, Ashford maintains the road. However, the bank slide in on our side of road where it is known we do ditching. Had D&H and Ashford at site, did a mitigation effort to try and hold. Seems better. Is still small settling crack. Must monitor. Will be working with Ashford on looking at Grant support for future. Cost would likely be \$1 Million + to properly repair.
3—Made note that price of oil is up, which will result in less volume of materials to purchase for road work to stay aligned to budget.

New Business:

Coun George report for Youth Recreation which will be held July 9-August 16, 2018 at the Delevan Village Park; (1) Swim Program will be held at the Pioneer High School; (2) The following are the recommendations of the committee for hire (note see R #47-16). Thomas Kolasny, Rec Specialist at \$10.40/hour, Noah Mumbach Lifeguard / Rec Specialist at \$10.40 / hour, TBD as Rec Specialist at \$10.40/hour (interviews planned for Thursday May 24), Noelle Norton, Rec Specialist at \$10.40 / hour, Grace Reisdorf, Lifeguard / Rec Specialist at \$10.40 / hour. Stacie Bliss as Aquatics Director will salary of \$13.00/hr. and Trista Reisdorf, Recreation Director, with salary of \$17.00/hr. And EMT Alisha Schweickert at \$200 for the season and Rob Hirsh, WSI at \$200.00 for the season. (Note R#40-18 (3) Busing, awaiting final quote from First Student, providing costs are as expected and fall within budget, recommendation is for First Student to be awarded the contract. No other providers locally are available and anyone further distance would increase the cost, thus per procurement policy, in no event shall the inability to obtain the proposals or quotes be a bar to the procurement, approval is requested for First Student, with approval for Supervisor to sign contract and Exhibit A, with Town Attorney review and approval (See R#41-18)

RESOLUTION #40-18

On a Motion of Coun George, seconded by Coun Edmunds, the following Resolution was Resolved, that the Board has approved the hiring for the 2018 Youth Recreation as follows; TBD, Rec Specialist at \$10.40/hour, Noah Mumbach Lifeguard / Rec Specialist at \$10.40 / hour, Thomas Kolasny as Rec Specialist at \$10.40/hour, Noelle Norton, Rec Specialist at \$10.40 / hour, Grace Reisdorf, Lifeguard / Rec Specialist at \$10.40 / hour, Trista Reisdorf, Director at \$17.00/hr. and Stacie Bliss as Aquatics Director at \$13.00/hr.

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

Ayes 5 - Nays 0 – Adopted

RESOLUTION #41-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was Resolved, that the Board authorizes Supv Spencer, pending submission by Recreation Committee and review by Town Attorney, to sign the contract and Exhibit A with First Student

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

Ayes 4 – Abstain – 1 Nays 0 –Adopted

Note: Coun Hewitt Abstain due to relationship to First Student Management Representative

Coun George also advised board of the planned weekly field trips, East Aurora Theatre, Animals coming to Park, Wellness Day at Park, Edelweiss Farm, Humphrey Nature Center at Letchworth, Bounce Houses at Park.

New Business (Cont)

Supervisor Spencer discussed with Board with regards to the planting on flowers, landscape updates to the front of town hall. She and Chris Lexer will coordinate and complete. Estimated cost of \$125.00 Board agreed this is a good project. Note R#42-18

RESOLUTION #42-18

On a Motion of Coun George, seconded by Coun Edmunds, the following Resolution was Resolved, that Supv Spencer can purchase and plant flowers for front of Town Hall in an amount not to exceed \$125.00 Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 –Adopted

Supv Spencer indicated she has received hours for NYS Retirement from Coun Edmunds and Water Comm Groves. Comm Groves resulted in 1.8 days for every 2 weeks and Coun Edmunds .7 days for every 2 weeks. Supv Spencer asked for Board approval to submit to NYS Retirement. Note R#43-18

RESOLUTION #43-18

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was Resolved, that Supv Spencer can submit calculated hours to NYS Retirement for Comm Groves at 1.8 days for every 2 weeks and Coun Edmunds .7 days for every 2 weeks
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 –Adopted

Supv Spencer reviewed with Board a request from Town Prosecutor Ensell. She was seeking board position on paying a witness in trial whom had been issued a subpoena to appear. He was half way to trial when it was cancelled. Requesting payment for mileage of 197 miles. After discussion amongst several board members it was agreed that this would be an unwanted precedent and no further action was taken on the matter.

Supv Spencer advised board that a meeting was held that included Highway Supt Lexer and Coun Edmunds and Engineers regarding the ongoing project for a Map Plan Study for Sewer Project.

Highway Supt Lexer advised board that he was given information that grants were approved for resident(s) on West Yorkshire Road for new wells. This will likely cover the residents that had concerns last year when discussion was had on extending water district. He will review with Comm Groves, but believes that with wells being put in, would eliminate the immediate need for a project to extend the district.

Coun Hewitt asked a question about Sub Division that was on the Town Attorney invoice. CEO Lexer and Supv Spencer indicated that it was related to a split of parcels that do not comply with the zoning requirements for road frontage. The county will approve any splits, without regard to municipality zoning requirements.

Monthly Audit - All Town Board Members present had the opportunity to audit all vouchers (bills, invoices & statements) submitted for payment and to initial the vouchers for payment (*Note R #44-18).

Pay Claims:**RESOLUTION #44-18**

On a Motion of Coun George, seconded by Coun Edmunds, the following Resolution was Resolved, for the approval of the following claims for payment: General Fund Claims #107-137, in the amount of \$12,035.14 as set forth in General Fund Abstract No. 5 Dated May 21, 2018; Highway Fund Claims #64-84, in the amount of \$32,647.85 as set forth in Highway Fund Abstract No. 5 Dated May 21, 2018; Water Dist #1 Fund Claims #22-25, in the amount of \$2,514.40 as set forth in Water Dist #1 Fund Abstract No. 5 Dated May 21, 2018. Water Dist #2 Fund Claims #6, in the amount of \$60.00 as set forth in Water Dist #2 Fund Abstract No. 5 Dated May 21, 2018.

Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, 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 7:39 pm. Carried unanimously.

Fred Clark, Town Clerk