

The regular monthly board meeting of the Yorkshire Town Board, for the month of January, was held on Wednesday, January 17, 2018, at the Town Hall, 82 South Main Street, Delevan, NY. At 6:00 p.m.

Supervisor Spencer called the meeting to order at 6:00pm with the Pledge of Allegiance to the Flag.

Roll Call:

Marcia Spencer, Supervisor, Present,
Christopher Edmunds, Council Member, Present
Kenneth Fisher, Council Member, Absent, arrived ~6:58 p.m.
Tammy George, Deputy Supv & Council Member, Absent, arrived ~6:15 p.m.
Teresa Hewitt, Council Member, Present

Other Town Officials present were M. Fred Clark, Town Clerk; Larry Groves, Water Commissioner; Christopher Lexer, Highway Supt and Code Enforcement Officer, Joe Neamon, Dog Control Officer (arrived ~7:15 p.m.)

Supv Spencer instructed Board to begin their Annual Financial Audit of Town Offices / Officers.

On a Motion of Coun George, seconded by Coun Edmunds, to dispense with the reading from the last board meetings of Dec. 18, 2017 and January 3, 2018. Carried unanimously (*Note R#4-18).

RESOLUTION #4-18

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was, resolved to approve the draft minutes of the December 18, 2017 & January 3, 2018 Regular and Special Town Board (Organizational Meeting).

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

Communications:

Association of Towns sent Information of request of any named Town Official to attend the Annual Meeting in New York City and New Officer Training. No conclusion to send. Information in Clerk's Office

Unified Court System sent reminder for annual audit requirements.

Supv Spencer and Clerk Clark received Preliminary Scoping Statement (PSS) from Invenergy. For Alle-Catt Wind Farms. Fax sent to Attorney. Invenergy will be on the February 21, 2018 Agenda. This is for a proposed transmission line and interconnection switchyard in Town of Yorkshire, not for Wind Turbines in Yorkshire. Supv. Spencer indicated other non- Town communication that there might be a potential concern regarding accuracy of the PSS.

Supv Spencer indicated there had been one cat scratch and one Dog bite reported by Health Dept, with Rabies quarantine required

Southern Tier West, training for Powers and Duties of Officers. Coun Edmunds provided registration. Others have until early February to confirm with Clerk Clark.

Clerk Clark reported on and provided copies of Catt County Real Property communication regarding Cold War Veterans Exemption. County Legislature is in process of passing / amending their local law to remove the 10-year limit, which NYS passed a law that allows for taxing jurisdictions to do so. Town of Yorkshire Local Law 1-2009 has allowed Cold War Veterans Partial Exemption of 15% of the assessed values of qualified residential properties. If board would like it to continue, need a resolution to amend local law 1-2009 and set up Public Hearing for such.

RESOLUTION #5-18

On a Motion of Supv Spencer, seconded by Coun Edmunds, the following Resolution was, resolved to schedule a Public Hearing for Local Law 1-2018 amending local law 1-2009 Granting a Partial Tax exemption from Town Real Property Taxes to Cold War Veterans, to remove 10-year limit and maintain Cold War Veteran Tax Exemption of 15% of Town Tax on Assessed Valuation on qualified residential properties. Public Hearing to be scheduled for 7:30 p.m. Wednesday February 21, 2018 (next board meeting)

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

Reports of Committees: "NONE"

Monthly Financial Reports:

Supv Spencer presented her Supervisor's Monthly Report for December 2017, Supervisors Cash Receipts Report & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of November 2017, to the Town Board, and filed the reports with the town clerk (*Note R#6-18).

RESOLUTION #6-18

On a Motion of Coun Edmunds, seconded by Coun George, the following resolution was, resolved that Supv Spencer's Monthly Financial Report & Cash Receipts Report for December 2017 is accepted as submitted (& is included in the minutes).

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

Town Clerk Clark Monthly Financial Report for the month of December 2017, in the amount of \$1,125.61, was reviewed by the Town Board.

Town Clerk Clark also presented the status of Tax Collection for 2018. Collections through January 16 were \$534,133.83 with \$203,375.31 being disbursed to Supv to date.

Justice Reports:

Justice Heather Tomes sent a check to the Town Supervisor Spencer in the amount of \$5,704.00 for the month of December 2017.

Justice Lynn Guertin sent a check to the Town Supervisor Spencer in the amount of \$5,419.00 for the month of December 2017.

Privilege of the Floor/Public Comments-Concerns-Questions:

Town and Village resident Steve Dominessy spoke to board to advise them he was interested in the position of Substitute / Back up Dog Control Officer. Supv Spencer thanked Mr. Dominessy for his interest. Supv. Spencer then communicated that she had at least one other resident express interest in the position. After discussion with board, it was agreed that the board would conduct interviews for Substitute Dog Control Officer at next Board Meeting, Wednesday February 21, 2018 and begin them at 8:00 p.m. Mr. Dominessy was advised of this prior to leaving the meeting. Clerk Clark will schedule the other interested resident.

RESOLUTION #7-18

On a Motion of Coun Hewitt, seconded by Coun George, the following resolution was, resolved that the Town Board will schedule interviews for Substitute Dog Control Officer beginning at 8:00 p.m. on Wednesday February 21, 2018 at their regular scheduled Board Meeting.

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

Special Orders:

"NONE"

General Orders and Old Business:

"NONE"

Reports of Department Heads:

Joseph Neamon /Dog Control Officer -

- (1) All things going well. Needs to follow up to get date of last Rabies booster, info required by County through Clerk Clark. Supv Spencer and Clerk Clark suggested he contact Machias Health Dept building to get and to schedule any required updates, which the Town would provide payment for.

Mary Gilbert/ZBA Secretary - (Written report)

- (1) ZBA canceled January meeting as there was no new business before them.

Larry Groves/Water Commissioner -

- (1) Comm Groves discussed the agreed follow up with regards to the West Yorkshire Road water line extension. Prior informational session and post cards to assess interest had not resulted in clear interest. Board had agreed to revisit early this year. After several discussions with board members with regards to project interest, costs, scope, it was agreed that Comm Groves will develop a letter to be sent to the same 42 residents as done prior, this time with a more specific list of questions they can respond to that will more clearly gauge interest, along with a return envelope. Ideally, this can get done and responses requested prior to the next board meeting February 21, 2018, so that board and Comm Groves can agree on next steps based upon a more clearly defined level of firm interest from the residents in the project area. The board does not want to proceed with a project that the majority of directly effected residents do not express an interest in.

Christopher Lexer/Codes Enforcement Officer & Zoning Officer -

Written Report Issued 1 (one) Building and 1 (one) Zoning Permits during December 2017 for total fees of \$182.40. Been closing out some open permits along with fire and safety.

CEO Lexer advised Board that he has had inquiry in past regarding Solar Farms, which typically desire to be located near substations and high-power lines, typically in Agricultural residential district of zoning. The concern is that this type of business is not allowed / listed in zoning law and would require an appeal to the Zoning Board for a special use permit. After several discussions with all board members regarding concerns, direction and points of clarity, it was decided that the Board will hold a Work Session to discuss the matter. Work Session to be scheduled for Monday February 26, 2018 beginning at 7 p.m. at the Town Hall. Clerk Clark to publish Legal Notice. Note R# 8-18

RESOLUTION #8-18

On a Motion of Coun George, seconded by Coun Fisher, the following resolution was, resolved that the Town Board will schedule a Work Session to discuss Solar Farm businesses. Work Session to be held on Monday February 26, 2018 beginning at 7:00 p.m. at the Yorkshire Town Hall, 82 S. Main St., Delevan, NY.

Clerk Clark to publish Legal Notice

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

Ayes 5 - Nays 0 – Adopted

Christopher Lexer/Supt of Highways -

Written Report: Winter seems to be long and cold already this year. Equipment is holding up o.k., a few breakdowns along the way but we have been able to repair quickly. Salt consumption is up from this time last year but not bad yet. Recent warm up and rain, created some minor flooding and some washed out shoulders. After a long day, everything was repaired in time for the foot of snow Saturday morning.

(Report of Dept Heads, Cont.)

Coun Hewitt and Coun Edmunds communicated to Supt Lexer that they felt the town stepped up very well on Christmas day with all the snow and did a great job. Supt Lexer advised that he was personally out driving a plow at least 3 times on Christmas day. Board members again expressed their appreciation.

New Business:

Coun Edmunds and Supv Spencer indicated that Amy Ploetz, 49 Sunset Ln, Aristo Terrace, Yorkshire NY is interested in being a member of the planning board. Board agreed to appoint Amy Ploetz to a 5-year term beginning 1/17/2018 through 12/31/2022. See R# 9-18

RESOLUTION #9-18

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was, resolved to appoint Amy Ploetz, 49 Sunset Ln, Yorkshire NY to a 5-year term on the Town of Yorkshire Planning Board. Term will run 1/17/2018 through 12/31/2022

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

Supv Spencer and Supt Lexer advised board of ongoing concern with the roof at town hall leaking through the ceiling. Caused an electrical concern in hallway just this week. After discussion Supt. Lexer suggested that he could seek support from a local engineer to get a opinion on what would need to be done to fix the roof properly, then from there look to get some estimates, etc. The Board agreed for Supt Lexer to proceed as outlined with getting an opinion, then estimates as necessary. He will keep the board advised of the status. He added he also plans in short term to remove the ice bar on back roof and modify in for only a section. In hopes this helps in short term.

Annual Town Audit - The Town Board conducted their Annual Audit of the following Town Officials 2017 Financial Records as required by Town Law #123.; That the Town Board reviewed and audited the financial records of M. Fred Clark, Town Clerk (M. Fred Clark's Tax Collection Records were audited & approved by Resolution #47-17), and that he filed a statement in writing showing his town clerk receipts and disbursements for the fiscal year 2017, and the Water Districts financial records of M. Fred Clark for the fiscal year 2017 were reviewed and audited (& the water records are reconciled for billing & payments by Diane R Finch, CPA, each month); That the Town Board reviewed and audited the financial records of Christopher Lexer, Codes Enforcement & Zoning Officer, for the fiscal year 2016; and that Supv Marcia Spencer presented the first eleven months of the 2016 Supervisors financial records for review & audit, and that she will submit the Supervisors Annual Report, when completed by Diane R Finch, CPA, to the Town Board, in lieu of a financial statement

The Town Board reviewed the financial records and examined the criminal & civil dockets of Town Justice Lynn Guertin and Town Justice Heather Tomes, and that the fines and fees therein shown to have been collected had been turned over to the proper officials as required by town law for the fiscal year 2017; (*Note R #10-18).

RESOLUTION #10-18

On a Motion of Coun Edmunds, seconded by Coun George, the following Resolution was, resolved to approve the 2017 financial records as presented by the above Town Officials.

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

Monthly Audit - All Town Board Member had the opportunity to audit all vouchers (bills, invoices & statements) submitted for payment and to initial the vouchers (*Note R#11-18).

RESOLUTION #11-18

On a Motion by Coun George, seconded by Coun Fisher, the following Resolution was resolved for the approval of the following claims for payment: General Fund Claims #342-346 in the amount of \$2,117.43, as set forth in General Abstract No. 13 Dated January 17, 2018 and General Fund Claims #1-29 in the amount of \$38,207.30 set forth in General Abstract No. 1 Dated January 17, 2018; Highway Fund Claims 174-177 in the amount of \$1,818.37 as set forth in Highway Abstract No. 13 Dated January 17, 2018; Highway Fund Claims #1-15, in the amount of \$73,283.90, as set forth in Highway Abstract No. 1 Dated January 17, 2018; Water Dist #1 Fund Claims #74-75, in the amount of \$1,252.59, as set forth in Water Dist #1 Abstract No. 13 Dated January 17, 2018 and Water Dist #1 Fund Claims #1-4, in the amount of \$3,639.86, as set forth in Water Dist #1 Abstract No. 1 Dated January 17, 2018; Water Dist #2 Fund Claims 1, in the amount of \$30.00, as set forth in Water Dist. #2 Abstract No 1 Dated January 17, 2018
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Edmunds, Aye, George, Aye
Ayes 5 - Nays 0 – Adopted

With no further business, on a Motion of Coun Edmunds, seconded by Coun Hewitt, the meeting was adjourned at 8:10 p.m. Carried unanimously.

M. Fred Clark, Town Clerk