

The regular monthly meeting of the Town Board, for the Town of Yorkshire, was held on June 18, 2018, at the Town Hall, 82 South Main Street, Delevan, NY.

Supervisor Spencer called the meeting to order at 7:00pm with the Pledge 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, Absent
Teresa Hewitt, Council Member, Present

Other Town Officials present were: Larry Groves Water Comm, Chris Lexer, Hwy Supt and CEO, Dawn Breton, Court Clerk; Planning Board Member, Gary Watson

Also in attendance, Tyler Van Ocker, reporter Arcade Herald

On a Motion of Coun Edmunds, seconded by Coun Fisher, it was moved to dispense with the reading of the minutes of May 21, 2018
Carried unanimously.

RESOLUTION #45-18

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, to approve the draft minutes of the May 21, 2018 Regular Monthly Town Board Meeting
Spencer, Aye; Fisher, Aye; George, Absent; Hewitt, Aye; Edmunds, Aye.
Ayes 4 – Absent 1 - Nays 0 – Adopted

Communications:

Supv Spencer reviewed notification from Clark Patterson Lee regarding the Village of Arcade proposed North Street water and Sanitary Sewer Extension. The Village of Arcade will act as designated Lead Agency. Notification provided to Town as an interested agency.

Supv Spencer received the Notice of Tentative Telecommunications Ceiling from NYS Taxation and Finance

Supv Spencer received Notice of State Equalization Rate from NYS Taxation and Finance for Town of Yorkshire. Tentative rate of 15.00

Financial Reports:

Supv Spencer presented her Supervisor's monthly report for May 2018 & the budget reports for the month of April 2018, as prepared by Diane Finch, CPA, to the Town Board for review, and filed the reports with the Town Clerk (*Note R #46-18).

RESOLUTION #46-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that the Supervisor's monthly report for May 2018 is accepted as submitted and is attached to the minutes.
Spencer, Aye; Fisher, Aye; George, Absent; Hewitt, Aye; Edmunds, Aye.
Ayes 4 – Absent 1 - Nays 0 – Adopted

Copies of Town Justices Financials were provided. They are on file with the Town Clerk. Justice Lynn Guertin in the amount of \$8,480.00 and Justice Heather Tomes in the amount of \$6,700.00

Town Clerk Clark presented his Monthly Financial Report for May 2018, in the amount of \$6,466.11, to the Town Board for review.

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

"NONE"

Special Orders:

"NONE"

General Orders & Old Business:

Solar Law / Zoning update. Local Law draft proposal was reviewed by County. Remains largely the same as the previously supplied draft. Would ask Town Attorney for decommissioning verbiage and to incorporate. Coun Edmunds indicated that NYS is afraid the decommissioning responsibility would scare off business, but, is only way defined to protect the town if the project goes wrong / belly-up. Supt Lexer indicated that we do need something that protects the town due to the sheer magnitude of risk on a larger scale project. Planning Board Member Watson also indicated he had reviewed and does not feel any company would be afraid to engage and agreed that from a risk management standpoint, it is appropriate to insure decommissioning guidelines / requirements. Supv Spencer and CEO Lexer communicated they had met with representatives of a proposed project for Martin Road Solar that could involve Machias and Yorkshire (at their request). Supv Spencer communicated that Yorkshire does not currently allow Solar Farms, but Town Board was in process of considering amendments.

The board did approve to send the Proposed amendments to Zoning for Solar Farms / Solar Producing Facilities to Town Attorney Note R#47-18

The Board did approve to schedule a Public Hearing on Proposed Zoning Amendments for Solar Farms / Solar Producing Facilities at next board meeting July 16, 2018 at 7 p.m. Note R# 48-18

RESOLUTION #47-18

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, that the Proposed Draft of Zoning Law Amendments for Solar Farms / Solar Producing Facilities be sent to Town Attorney for review.

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

RESOLUTION #48-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, the following Resolution was Resolved, that a Public Hearing be scheduled for Monday July 16, 2018 at 7 p.m. regarding Zoning Law Amendments for Solar Farms / Solar Producing Facilities. Legal Notice to be published in Arcade Herald

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

Hiring of Second Constable, : Supv Spencer indicated any hiring should be done through Civil Service and that protection applies. There was discussion over the cost of training along with several points regarding the concerns over safety within the court. The matter will be discussed at future points. Supv Spencer will investigate the responsibilities of the court baliff.

Reports of Department Heads:

Joe King, Constable – Making Progress on open concerns

Joe Neamon/Dog Control Officer - No Report

Mary Gilbert/ZBA Secretary (Written Report)

- (1) The Zoning Board of Appeals did not hold a monthly meeting on June 13, 2018 as there was no new business before them

Larry Groves/Water Commissioner –

- (1) Current Meter reads for upcoming quarter have been finished (2) current meter reader plans to resign. Comm Groves will review and determine to seek another candidate, or He will do it himself for a period of time. Meter Pits have been a problem with current Meter Reader. (3) Received letter from Karen Daley account 22030, where in previous quarter of 2018, the estimated amount billed was 230,500 gallons short of the actual meter read. It was determined there was a leak in the house. Account owner is asking board for a consideration of forgiveness in some amount. . After discussion amongst board members, it was agreed to bill owner for the number of gallons used at a reduced rate of \$1.00 per thousand, which results in a charge of \$230.50. This is in addition to any amount being billed for current quarter usage. Note R#49-18. (4) Reviewed that Catt County Health Dept and Dan Heineman, along with resident Kirby Collings regarding extension. Supv Spencer asked whom would pay for that, to which Comm Groves indicated the Town would if extension along Rt 16. Would upgrade from 4 to 6-inch lines. County putting pressure on resident to either treat the water. investigation will continue. (5) Comm Groves registered Recap seminar, no cost. Next Tuesday. (6) Thank you to Highway team for mowing and trimming around the water tower

RESOLUTION #49-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was Resolved, that the water account for Karen Daly, Account 22030, be charged for prior quarter water consumption not billed yet of 230,500 gallons at a reduced rate of \$1.00 per Thousand gallons, resulting in a charge of \$230.50
Spencer, Aye; Fisher, Aye; George, Absent; Hewitt, Aye; Edmunds, Aye.

Ayes 4 – Absent 1 - Nays 0 – Adopted

Christopher Lexer/Codes Enforcement & Zoning Officer – Written Report

Issued 8 building permits for a total of \$3,420.92 and 8 zoning permits for a total of \$1,482.18. Combined total of \$4,903.10.

Christopher Lexer/Hwy Supt -Working on projects. Bolton Road has not moved much since temporary work done earlier this spring.

New Business:

Court Clerk Breton reviewed her request to attend the annual conference. Total estimated costs will be approx. \$1,152.50, estimated. The rooms cost is \$759.00. Supv Spencer confirmed with Clerk Breton her plans to continue in her current position with the Town in the coming year, which was confirmed by Clerk Breton. Board approved attendance note R# 50-18

RESOLUTION #50-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was Resolved, that Court Clerk Breton is approved to attend annual Court training in Lake Placid, NY
Spencer, Aye; Fisher, Aye; George, Absent; Hewitt, Aye; Edmunds, Aye.

Ayes 4 – Absent 1 - Nays 0 – Adopted

Monthly Audit: All Town Board Members had the opportunity to audit all vouchers (Bills, invoices or statements) submitted for payment and to initial the vouchers for payment (*Note R #51-18).

Pay Claims:**RESOLUTION #51-18****WILL UPDATE NUMBERS OF VOUCHERS AND AMOUNTS AFTER MEETING, FOR DRAFT**

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was Resolved, that the following claims for payment be approved: General Fund Claims #138-162, in the amount of \$5,351.51 as set forth in General Fund Abstract No. 6 Dated June 18, 2018; Highway Fund Claims #85-98, in the amount of \$19,531.60, as set forth in Highway Fund Abstract No. 6 Dated June 18, 2018; Water Dist #1 Fund Claims #26-30, in the amount of \$4,295.78 as set forth in Water Dist #1 Fund Abstract No. 6 Dated June 18, 2018; Water Dist #2 Fund Claims 7-8 in the amount of \$674.25, as set forth in Water Dist #2 Fund Abstract No. 6 Dated June 18, 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 Fisher, seconded by Coun Edmunds, the meeting was adjourned at 8:07 p.m. Carried unanimously.

M. Fred Clark, Town Clerk

Draft prepared by Clerk Clark, with notes provided by Supv Spencer