

The regular monthly board meeting of the Yorkshire Town Board, for the month of February, was held on February 21, 2018, at the Town Hall, 82 S. Main Street, 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
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; Christopher Lexer, Highway Supt & Codes Enforcement Officer; Larry Groves, Water Commissioner; Gwen Bixby, Delevan Library, Joe King, Constable, Joe Neamon, Dog Control Officer

Also in attendance was Laney Hill, reporter for Arcade Herald

On a Motion of Coun Hewitt, seconded by Coun Fisher, it was moved to dispense with the reading of the draft minutes of the January 17, 2018 board meetings. Carried unanimously.

RESOLUTION #12-18

On a Motion of Coun Edmunds, seconded by Coun Fisher, the following Resolution was, resolved to approve the draft minutes of the January 17, 2018 town board meetings as printed.

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

Ayes 5 - Nays 0 – Adopted

Petitions:

"NONE"

Communications:

Annual Association of Town Clerk Meeting in Albany NY. Clerk will not attend

Supv Spencer received notification from Catt County Health Dept, Cat bite / scratch with rabies quarantine required

Supv. Spencer received another communication from County Land Bank, similar as before, with regards to identification of properties to participate in the land bank purchase for rehabilitation / demolition.

Gwen Bixby (Library Director) presented a review of the 2017 activities of the Delevan-Yorkshire Public Library & answered questions (& the review/report is on file in the town clerk office). Will participate in this years Summer Rec Program for Yorkshire/Delevan again, working on several guest presentations. Held a Narcan training, can provide assistance in case of need at Library. Overdrive option circulation is picking up, so more eBooks are being purchased / used. Coun George asked about the plants in lobby for sale and where they come from. Gwen indicated the library does all the work on these and sells them to support operating funds. Gwen indicated that alarms at the Library are all now hooked up to central system for automatic notification. Supv. Spencer indicated it is nice to have Library tied into the Summer Rec Program. The board thanked Gwen for her annual report and the work being done.

Supv Spencer indicated the board needs to consider a motion to approve the signing of the "Agreement for Services for the Library and the subsequent payment of budgeted funds of \$9,135 to support the Library. Note R#13-18

RESOLUTION #13-18

On a Motion of Coun Hewitt, seconded by Coun Fisher, 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 2018, 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 is included with February 21, 2018 General Abstract
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

Privilege of the Floor/Residents Time:

Marguerite Wells, from Invenergy, whom have filed a Preliminary Scoping Statement (PSS) for a titled Alle-Catt Wind Farm, wind energy project located in Allegany, Cattaraugus and Wyoming Counties came in for a scheduled discussion. It proposes a transmission line and interconnection switchyard in the Town of Yorkshire. There would be no Wind turbines in the Town of Yorkshire. The turbines would be located in Centerville, Rushford, Freedom, Farmersville and to a lesser extent, Arcade. An office on Main St. in Arcade is now open a few days per week for people to stop and seek information. The project would include approx. 100 wind turbines generating 380 Mega Watts of electricity. Invenergy is working with the County Industrial Development Agency and suggested multiple times that the Town might want to consult with them directly on understanding how the PILOT program will work and what financial benefit the Town might see, should the project proceed. Initial estimates are approx. \$1.9M annually in total would be available.

Coun Edmunds pointed out some errors in the document and there was voiced concerns over how accurate of information there was. Ms. Wells indicated that this is part of the process to have a continued dialogue and updates as the project moves forward. Differences between Article 10 and Article 7 (just for transmission lines) for program management and requirements were discussed. Next phases of the project would include more details, maps, studies, public reviews, etc. Under current timeline, the project would complete at the end of 2020. Coun Hewitt questioned where the lines would go, and Supt Lexer asked if they would be overhead lines. Ms. Wells indicated prelim is on Route 16, where there are existing set ups and they would be overhead lines. It was discussed when the Town Zoning comes into play, which was indicated would be part of Article 7 and in addition Invenergy has put aside funds that support the Town costs to hire experts to look out for town interest with regards to the project. Supv Spencer indicated that previous PILOT program offerings to the Town were not significant and that the County and Schools took the bulk of the PILOT funds. This is something Town would need to discuss with the County IDA. Several questions posed about if any easements were granted already and what happens if they cannot get them. Response indicated that some were completed, could contact county for that and if necessary easements are not obtained, then the project must come up with alternate plans, there is no eminent domain involved with the proposed project. Supv Spencer asked where the power goes. Ms. Wells indicated the amount produced would far exceed the usage in the area, so it would go to other towns and cities on the grid. The savings are not direct, they are seen as the available power increases, then rates typically get reduced, general supply and demand theory. Supv. Spencer indicated that residents would not be likely satisfied with a landscape that is marred with lines and where the benefit is primarily seen in other areas. Coun Hewitt asked if other Towns had approved, to which Ms. Wells indicated that they are excited about the project, lowering taxes, etc. She also suggested that Town might want to visit Orangeville area where they could get a better view of a project in place by Invenergy. It was noted that there is a Public Service Meeting at Town Hall on Monday March 20 at 11 a.m., that was requested and will include state agency reps. While it is a public meeting, it will largely be a part of ongoing discussion with departments such as DEC, Ag & Market, etc. It was not requested that a Town official(s) attend, but certainly can if they desire. The discussion concluded with Invenergy thanking the board for their time and the Board acknowledging they need to stay aligned and in tune with the project milestones. No commitment to support was implied nor given.

Note: Supv Spencer opened Public Hearing at 7:35 p.m. for Local Law 1-2018, replacing Local Law 1-2009, granting a partial exemption for Town Real Property Taxes for Cold War Veterans. Local Law 1-2018 would eliminate the 10-year limitation. Clerk Clark provided proof of legal ad notification. No one spoke during the Public Hearing. Hearing closed at 7:45 p.m. See R# 15-18

Reports of Committees:

"NONE"

Monthly Financial Reports:

Supv Spencer presented her Monthly Report of Receipts for January 2018 & the Town Budget Report, as prepared by Diane Finch, CPA, for the month of December 2017, to the town board for review, and filed the reports with the town clerk (*Note R#14-18).

RESOLUTION #14-18

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

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

Ayes 5 - Nays 0 - Adopted

Town Justice Lynn Guertin submitted financial summary of finances reported at \$3,350.00 for January 2018

Town Justice Heather Tomes submitted financial summary of finances reported at \$4,147.00 for January 2018

Town Clerk Clark presented photocopies of his monthly financial report for January 2018, in the amount of \$1,181.06, to the town board for review.

Tax Collector Clark presented photocopies of Tax Collection activities through February 19, 2018, with receipts of \$2,587,138.89 + Interest & Penalties of \$585.62 & withdrawals of \$2,685,233.07, (including payments recvd directly by county in the amount of \$144,635.36) to the town board for review. All payments from Tax Warrant have been completed to Supervisor.

Special Orders: NONE**RESOLUTION #15-18**

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was, resolved to adopt Local Law 1-2018 replacing 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.

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

Ayes 5 – Nays 0 – Adopted

On a Motion of Supv Spencer, seconded by Coun Edmunds, the following Resolution was, resolved to enter into Executive Session at 8 p.m. for the purposes of conducting interviews for the position of Substitute Dog Control Officer for Town of Yorkshire. Board scheduled to interview 3 candidates, Steven Dominessy, Jeremy Lavery and Kelly Smith.

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

Ayes 5 – Nays 0 – Adopted

Supv Spencer closed the Executive Session at 8:44 p.m.

General Orders & Old Business:

NONE

Report of Department Heads:

Joe King, Constable; now that snow has melted, began working Rt 39, Creek Rd, Forks Rd and Block for visual violations. Left letters for those not at home. Follow up continues.

Joe Neamon - Dog Control Officer – everything going well, follow up continues on late dog license list provided by Clerk Clark. Ag & Market inspect expected next week

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

Still working on letters for West Yorkshire Road, have not completed the information gathering yet to properly communicate to residents. Coun Hewitt and Coun George asked point of clarity on previous responses from 2017. Comm Groves indicated approx. 25 returned out of 40+ inquires sent. Approx. half had some interest of the 25 returned. Comm Groves will keep the board updated on next steps.

Christopher Lexer - Codes Enforcement Officer (& Zoning Officer)

- (1) Report provided, 1 Building Permit and 1 Zoning Permit issued, totaling \$280.00. Receiving inquiries about upcoming projects.
- (2) Discussed Junk Yard License Renewals and will meet with the junk yard owners prior to the March 19, 2018 board meeting for review of their operations and facilities. Requested that Board agrees to have Town Clerk prepare and send annual renewal letters and that CEO Lexer will inspect each, to the extent of compliance with local requirements note R#16-18

RESOLUTION #16-18

On a Motion by Coun Hewitt 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; Edmunds, Aye.

Ayes 5 - Nays 0 - Adopted

Christopher Lexer - Highway Superintendent

Report provided

- (1) Filed the monthly Perpetual Fuel Inventory with Town Clerk for January 2018
- (2) Out filling pot holes, fixing shoulders and normal maintenance for this time of year
- (3) Got prices on trading the Town Pick up / plow this year, which is ordinary cycle of every 2-3 years. Current truck has approx. 40K miles. Price would be based upon state bid and with trade would be \$12,320.00. Funds would come from \$5000 DA 5130.4 Machinery Contractual and \$7,320 from DA5142.4 Snow Removal Contractual. No increase in budget required. Coun Hewitt asked if plow would be as large as current one, to which Spt Lexer indicated that yes, he would keep the current extensions and put them on the new plow, which allows for plowing on road if necessary. Supt Lexer indicated would expect delivery in May / June. Supt Lexer requests motion to proceed with purchase. Note R#17-18
- (4) Asked Board if they would plan to support again the annual Spring Clean up. Coun Hewitt asked about electronics pick up, to which Supt Lexer indicated that they cannot do this legally, but he and Clerk Clark communicated that Transfer Station in Machias accepts electronics for recycling at no fee. There is a daily limit. The board agreed to have Supt Lexer develop the plan and providers to support the annual clean up. He will follow up at next meeting on the result / plan for approval.

RESOLUTION #17-18

On a Motion by Coun Hewitt seconded by Coun Edmunds the following Resolution was resolved that Supt Lexer proceed with the purchase of a 2018 F350 Town Truck and Plow, with current vehicle trade cost would be \$12,320.00. Funds would come from \$5000 DA 5130.4 Machinery Contractual and \$7,320 from DA5142.4 Snow Removal Contractual
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 - Adopted

New Business:

RESOLUTION #18-18

On a Motion of Coun George, seconded by Coun Edmunds, the following Resolution was, resolved to appoint Steven Dominessy, as Substitute Dog Control Officer. Term ending December 31, 2018
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Edmunds, Aye, George, Aye
Ayes 5 – Nays 0 – Adopted

Budget Amendments / Transfer of Funds

Supervisor Spencer requested motion to correct error in prior expenditure from January 17 Abstract. Transfer from DA5130.2 Machinery Equipment \$1,891.56 to DA5130.4 Machinery Contractual. This is to correct account expenditure for voucher 12, January 17, 2018 Abstract, Note R#19-18

RESOLUTION #19-18

On a Motion of Coun Hewitt, seconded by Coun George, the following Resolution was, resolved to Transfer from DA5130.2 Machinery Equipment \$1,891.56 to DA5130.4 Machinery Contractual. This is to correct account expenditure for voucher 12, January 17, 2018 Abstract
Spencer, Aye; Fisher, Aye; Hewitt, Aye; Edmunds, Aye, George, 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#20-18).

Pay Claims:

RESOLUTION #20-18

On a Motion of Coun George, seconded by Coun Fisher, the following Resolution was Resolved for the approval of the following claims for payment: General Fund Claims #30-58, in the amount of \$16,153.14, as set forth in General Abstract No. 2 Dated Feb 21, 2018; Highway Fund Claims #16-30, in the amount of \$35,989.08, as set forth in Highway Abstract No. 2 Dated Feb 21, 2018; Water Dist #1 Claims #5-7, in the amount of \$459.07, as set forth in Water Dist #1 Abstract No. 2 Dated Feb 21, 2018; Water Dist #2 Abstract No 2 Dated Feb. 21, 2018, Claim # 2, in the amount of \$30.00
Spencer, Aye; Fisher, Aye; George, Aye; Hewitt, Aye; Edmunds, Aye.
Ayes 5 - Nays 0 – Adopted

With no further business, on a Motion of Coun George, seconded by Coun Edmunds, the meeting was adjourned at 8:50 pm.
Carried unanimously.

Fred Clark, Town Clerk