

TOWN OF YATES, ORLEANS COUNTY, STATE OF NEW YORK

TOWN OF YATES  
REGULAR BOARD MEETING

DECEMBER 11, 2014

The meeting was called to Order by the Supervisor at 7 pm at the Town Hall 8 South Main Street, Lyndonville, NY

THOSE OFFICERS PRESENT: John Belson-Supervisor  
Wes Bradley-Councilman  
Steve Freeman-Councilman  
Bradley Bentley-Councilman  
Jim Whipple, Councilman  
Brenda Donald-Town Clerk  
Dan Wolfe-Code and Zoning  
Michele Harling-Assessor

OTHERS: Larry Wolfe-Resident  
Lynne Johnson, Legislature

**RESOLUTION NO.86-12/14**

**RESOLUTION TO ACCEPT THE MINUTES November 13<sup>th</sup> 2014**

RESOLVED, to accept the minutes of the November 13<sup>th</sup> 2014 meeting as presented to each Board Member.

Offered by Councilman Bradley who moved its adoption  
Seconded by Councilman Bentley  
Adopted. 5 ayes; 0 nays;

**RESOLUTION NO. 87-12/14**

**RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT THE ORLEANS COUNTY OFFICE OF THE AGING FOR USE OF THE YATES TOWN HALL BUILDING SPACE**

WHEREAS, the Orleans County Office of the Aging has sent an agreement between themselves and the Town of Yates for Building space to be used for the Nutrifare program, be it

RESOLVED, the Supervisor is authorized to sign an agreement with Orleans County Office of the Aging for use of the Yates Town Hall, be it further

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RESOLVED a copy of the agreement will be attached to these minutes.

Offered by Councilman Freeman who moved its adoption.

Seconded by Councilman Whipple

Adopted. 5 ayes; 0 nays

RESOLUTION NO.88-12/14

RESOLUTION TO ALLOW SUPERVISOR TO SIGN AGREEMENT WITH HODGIN & RUSS (Dan Spitzer)

WHEREAS Dan Spitzer Hodgin & Russ will be sending an agreement for legal representation on wind energy, be it

RESOLVED, the Supervisor is hereby authorized to sign such agreement

Offered by Councilman Bradley who moved its adoption

Seconded by Councilman Whipple.

Adopted 5 ayes; 0 nays

RESOLUTION NO.89-12/14

RESOLUTION TO RENEW DOG CONTRACT WITH THE COUNTY

RESOLVED, to renew dog contract with Orleans County as follows:

### **TOWN ANIMAL CONTRACT**

Made as of the 11 day of November, 2014 pursuant to the provisions of the Agriculture & Markets Law of the State of New York, by and between the Town of Yates by, a municipal corporation in the State of New York, hereinafter referred to as the "Town", party of the first part; and ORLEANS COUNTY, a municipal corporation in the State of New York, hereinafter referred to as the "County", party of the second part,

### **WITNESSETH:**

Whereas, the County in consideration of the payment to it by the Town, of the Sum of Money to be paid in the manner and at the times hereinafter particularly described, hereby covenants and agrees as follows:

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1. The County through its duly appointed agents and employees within the corporate limits of the Town and County will carry out the duties and responsibilities of Animal Control Officer in the enforcement of the provisions of Article 7 of the Agriculture & Markets Law and any rules and regulations promulgated pursuant thereto.
2. The County will provide and maintain a shelter or pound for seized dogs, will properly care for all dogs in such shelter and will humanely euthanize or make available for adoption, seized dogs not redeemed as provided in Article 7 of the Agriculture & Markets Law. Such shelter shall, at all times during the term hereof, be under the care and charge of a competent employee and shall be open to the public at reasonable hours.
3. The County will follow the provisions of Article 7 of the Agriculture & Markets Law and any rules and regulations promulgate pursuant thereto in relation to the seizure, holding care, redemption and disposition of seized dogs.
4. The County will file and maintain a complete record of any seizure and subsequent disposition of any dogs in the manner prescribed by the Commissioner of Agriculture & Markets as well as any other records required by Article 7.
5. The County will retain any impoundment fees and other monies collected in carrying out the provisions of this agreement.
6. In consideration of the performance by the County of terms of this agreement, the Town hereby agrees to pay the Orleans County Treasurer the sum of \$1,940.46.
7. The Town shall pay the County the money set forth in paragraph 6 in two (2) equal payments, the first payment being due on or before July 1, 2015 and the second payment being due on or before December 21, 2015.
8. This agreement shall obligate the County to provide the services herein through December 31, 2015.
9. Both parties agree that the fees to be paid to the County from dog licenses fees for the years after expiration of this agreement, shall be agreed upon by October 1<sup>st</sup> of this agreement's expiring year.
10. This agreement shall commence on January 1, 2015 and terminate on December 31, 2015.

Offered by Councilman Whipple who moved its adoption.  
Seconded by Councilman Bentley  
Adopted 5 ayes;0 nays

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RESOLUTION NO.90-12/14  
RESOLUTION TO SET YEAREND MEETING

Resolved, to set the yearend meeting for December 29,2014 at 10:00 A.M.

Offered by Councilman Bradley who moved its adoption.  
Seconded by Councilman Bentley

Adopted 4 ayes; 0 nays

RESOLUTION NO 91-12/14

RESOLUTION AUTHORIZING BOOKKEEPER TO MAKE YEAR END ADJUSTMENTS  
FOR YEAR ENDING DECEMBER 31,2014

WHEREAS, the independent auditors have recommended that the Bookkeeper request a “blanket resolution” to allow for any budget adjustments that may be required at year end; be it

RESOLVED, that this Town Board authorizes the Bookkeeper to make the necessary budget adjustments and inter-fund transfers, and furnish a copy of said adjustments to the Town Supervisor when completed.

Offered by Councilman Whipple who moved its adoption  
Seconded by Councilman Freeman

Adopted. 5 ayes; 0 nays

RESOLUTION NO.92-12/14  
RESOLUTION ON COASTAL EROSION

WHEREAS : Parts of the Lake Ontario shore line have eroded at the rate of 1 foot per year due mostly to the installation of the St. Lawrence River Power and Lock system installed in the 1950's and that the IJC has presented to the Federal Government PLAN 2014 which will most likely increase the erosion due to the higher levels projected. The Land that is being eroded into Lake Ontario can never be reclaimed and is lost forever.

THEREFORE BE IT RESOLVED:

Effective immediately the Property Owners along the Yates Lake Ontario shore line should be allowed and encouraged to install shore line protection systems as defined in the Town of Yates

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Costal Erosion Hazard Area Law (sec 2.9) as soon as possible. Once a completed application and actual site inspection by the CEO the Permit may be issued.

Offered by Councilman Whipple who moved its adoption.  
Seconded by Councilman Bentley

RESOLUTION NO. 94-12/14

RESOLUTION ON RIDE FOR ROSWELL

WHEREAS, Thomas Johnston has contacted the Supervisor about Ride for Roswell which would be held on June 27,2015 and have approximately 3,000 bicycle riders riding thru the Town of Yates and would need to set up arrest stop at the Town Hall and set up route sign, be it

RESOLVED, The Supervisor shall contact Thomas Johnston and agree to his request.

Offered by Councilman Bentley who moved its adoption  
Seconded by Councilman Bradley

Adopted. 5 ayes;0 naves

Report of Officers:

Code Enforcement—finishing open building permits

Assessor working on exemption renewals

Received report from ORPTS on continuing educations that will be placed in my file

Supervisor Belson- Chatfield engineers will be in the Town of Yates on December 17,2014 to check East Yates Center Road

RESOLUTION NO 95-12/14

**RESOLUTION TO PAY BILLS**

WHEREAS, bills have been reviewed by the Town Board, be it

RESOLVED to pay bills as per abstract

<b>A-Account</b>	<b>43722.23</b>
<b>B-Accounts</b>	<b>3,409.22</b>
<b>DA-Accounts Highway</b>	<b>40,187.86</b>

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<b>DB-Accounts Highway</b>	<b>19,888.42</b>
<b>Water 4</b>	<b>31,905.50</b>
<b>Water 2</b>	
<b><u>Youth -</u></b>	

**TOTAL 139,113.23**

Offered by Councilman Bentley who moved its adoption  
Seconded by Councilman Bradley  
Adopted 5 ayes; 0 nays

Adjournment

Moved by Councilman Whipple, Whereas there is no new business to be brought before the Board that the meeting be adjourned at 7:20P.M.  
Seconded by Councilman Bradley  
Adopted 5 ayes; 0 nays

Town of Yates

Brenda Donald  
Town Clerk