Town of Yates November Board Meeting
8 S. Main St., Lyndonville, NY 14098
November 12, 2020, 7:00PM

Present: Jim Simon, Supervisor
Susan Hrovat, Councilman
Jim Whipple, Councilman
Harold Suhr, Councilman
John Riggi, Councilman
Michele Harling, Town Clerk
Dan Wolfe, Code Enforcement Officer

Excused: Roger Wolfe, Highway Superintendent
Trisha Laszewski, Assessor

Others : Larry Wolfe

Supervisor Simon called the November Board Meeting to order at 7:05PM.

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

No remarks.

CORRESPONDENCE

No correspondence.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

No comments.

RESOLUTION NO. 94-11/20

RESOLUTION TO APPROVE OCTOBER REGULAR BOARD MEETING MINUTES

RESOLVED, to approve the minutes of the October 8, 2020 regular Board Meeting as presented to each Board Member.

Offered by Councilman Riggi, who moved its adoption
Seconded by Councilman Hrovat

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 95-11/20

RESOLUTION TO APPROVE MINUTES OF PRELIMINARY BUDGET PUBLIC HEARING

RESOLVED, to approve the minutes of the November 5, 2020 Preliminary Budget Public Hearing as presented to each Board Member.

Offered by Councilman Hrovat, who moved its adoption
Seconded by Councilman Riggi

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 96-11/20

RESOLUTION TO SCHEDULE A SPECIAL TOWN WORKSHOP AND TO SCHEDULE A SPECIAL TOWN BOARD MEETING TO REVIEW THE PRELIMINARY BUDGET BEFORE THE TOWN OF YATES FINAL BUDGET FOR FISCAL YEAR 2021 IS ADOPTED

WHEREAS, a Public Hearing was held on November 5, 2020, at 7:00PM at the Yates Town Hall to present the Preliminary Budget and all persons wishing to be heard had a chance to speak, and

WHEREAS, further discussions are needed to try to find further savings in the budget as well as to decide how much of an increase in taxes will be needed to balance the 2021 budget, be it

RESOLVED, that there will be a Special Town Workshop scheduled for Monday, November 16, 2020 at 6:00PM, and be it further

RESOLVED, that a Special Town Board Meeting will be scheduled for Thursday, November 19, 2020 at 8:00PM in order to adopt the Final Budget for 2021.

Offered by Councilman Riggi, who moved its adoption
Seconded by Councilman Hrovat

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 97-11/20

RESOLUTION TO ADOPT EXCESSIVE FORCE BY LAW ENFORCEMENT AGENCIES POLICY

WHEREAS, the Town of Yates, State of New York, has made application for Community Development Block Grant (CDBG) Funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires certain statement of assurances and certifications;

BE IT RESOLVED, that pursuant to the Town of Yates being granted CDBG funds by the State; the Town of Yates, by administrative act, does adopt a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.

Offered by Councilman _____, who moved its adoption
Seconded by Councilman _____

_____ Ayes _____ Nays

Motion: _____

The resolution was tabled as no motion was brought before the floor.

RESOLUTION NO. 98-11/20

RESOLUTION TO ADD DELINQUENT WATER TO TAXES

WHEREAS, there are water customers with delinquent water bills that have been notified by mail that such bills not paid by November 13, 2020 will be relevied on their Town/County tax bill, be it

RESOLVED, that the clerk shall send a list of said delinquent water bills to the Orleans County Real Property Director and levy unpaid water bills on the 2021 Town/County bills.

Supervisor Simon explained that all penalties and late fees have been removed.

Offered by Councilman Whipple, who moved its adoption
Seconded by Councilman Hrovat

5Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 99-11/20

RESOLUTION ESTABLISHING UNIT CHARGES FOR LEVELS 1, 2 AND 3 OF WATER DISTRICT 4

WHEREAS, the Town from time to time reviews Water District Unit Charges and makes adjustments as needed, and

WHEREAS, upon review as part of the 2021 budget process, the Town Board determined that a change in the unit charges is desirable, be it

RESOLVED, that the following Unit Charges are hereby established for Water District 4, effective January 1, 2021:

Level 1: $193.55
Level 2: $160.22
Level 3: $ 4.95

Supervisor Simon asked if after the budget review on Monday these level values could be tweaked.

Michele Harling, Town Clerk, explained that these charges pay the water debt and principal for Water District #4 bonds and that all of the money that comes in, is paid out as per our debt schedules and have nothing to do with Water District #2.

Offered by Councilman Riggi, who moved its adoption
Seconded by Councilman Hrovat

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 100-11/20

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

Fund A (General – Townwide)-	$ 26,252.84
Fund B (General – Outside Village)-	$ 1,023.95
Fund DA (Highway – Townwide)-	$ 13,644.04
Fund DB (Highway – Outside Village)-	$ 10,402.49
H-	$ 4,660.50

Water 4-	$ 15,543.22
Water 2-	$ 54,561.13
Youth-	$
Fire-	$
TOTAL	$126,088.17

Offered by Councilman Suhr, who moved its adoption
Seconded by Councilman Whipple

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

No comments.

TOWN OFFICERS REMARKS

Dan Wolfe, Code Enforcement Officer, let the Board know that the complaint he received with regard to a garage sale on South Lyndonville Road has been resolved. He added that he is back from vacation and did quarantine upon his return.

Supervisor Simon said that he appreciated everyone's patience with the budget and all of their hard work but there is still more hard work to do. He said when you look at the summary budget and just lines A, B, DA, and DB, we are pushing over $1,400,000 in expenses and even after our projected revenue, we are not raising enough taxes and dipping heavily into reserves. A-fund is still negative based on the comptroller's report so this will be difficult. He has asked Roger to start looking at his line items and projects to see if there is something that we can do. That will be Monday night's discussion to go line by line. Joanna will be available to explain what account lines certain expenses come out of. Roger will be able to tell us what affect cutting certain lines will have on his work and then we'll be able to see how much taxes need to be raised to cover our expenses.

Councilman Riggi said that a balance sheet/accounting sheet would be helpful that would explain where the revenues are coming from since we know what the expenses are.

Supervisor Simon said that some of the revenues are down like court fees and some expenses are up like legal fees. He said we'll have to consider adjusting these lines. He will be relabeling the summary sheet because some of the lines can be misleading. He said that this trend has been there for a while and we really need to turn the corner on this.

Councilman Suhr asked if the Supervisor was contacted by Jason Smith, Lyndonville School Superintendent, with regard to plowing the school parking lot. Councilman Suhr called Roger Wolfe, Highway Superintendent, but has not talked to him about this possibility yet. He

explained that the person that held the plowing contract was retiring and that the school received a couple of bids which were higher than what the last contractor was charging. He said that this could be a win/win because the Town could be compensated and the school would be saving money. He added that there may be some State resolution that says that this cannot be done; we'll have to look into it.

Supervisor Simon said that he had been contacted by Jason Smith with regard to poor internet service and the challenge with cell phone coverage and whether or not the Town can help the school with snow plowing. He told Superintendent Smith that he didn't know and would have to talk to Roger about it. He said that it sounded like the school would be willing to pay for the service. He believes that Roger's concerns will be equipment and his employee's time because he has a small staff. We'll have to see what he says.

Councilman Hrovat said that the only problem is that the Lyndonville School has done some work to the drive-thru areas and sidewalks so it's a little trickier than it used to be and this will need to be taken into consideration.

ADJOURNMENT

Moved by Councilman Riggi, whereas there is no new business to be brought before the Board, the meeting is adjourned at 7:18PM.
Seconded by Councilman Suhr

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk