Town of Yates December Yearend Meeting
8 S. Main St., Lyndonville, NY 14098
December 27, 2022, 6:00PM

Present: Jim Simon, Supervisor
Susan Hrovat, Councilman
Harold Suhr, Councilman
Michele Harling, Town Clerk

Excused: John Riggi, Councilman
Terry Chaffee, Jr., Councilman
Roger Wolfe, Highway Superintendent
Trisha Laszewski, Town Assessor
Jason Raduns, Code Enforcement Officer

Others :

Supervisor Simon called the December Yearend Meeting to order at 6:04PM.

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

No remarks.

CORRESPONDENCE

No correspondence.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

No comments.

RESOLUTION NO. 127-12/22

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the December 8, 2022 Regular Board Meeting as presented to each Board Member.

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 128-12/22

RESOLUTION AUTHORIZING BOOKKEEPER TO MAKE YEAREND ADJUSTMENTS FOR FISCAL YEAR ENDING DECEMBER 31, 2022

WHEREAS, the independent auditors have recommended that the Bookkeeper request a "Blanket Resolution" to allow for any budget adjustments that may be required at yearend; be it

RESOLVED, that the 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 Hrovat, who moved its adoption
Seconded by Councilman Suhr

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 129-12/22

RESOLUTION TO ACCEPT 2022 YEAREND WATER 2 AND WATER 4 REPORT

WHEREAS, Water 2 and Water 4 have been closed and balanced for the fiscal year 2022, and

WHEREAS, a copy of the balance sheets outlining all income and payments have been prepared by the Town Clerk and reviewed by the Town Board, be it

RESOLVED, that the Town Board accepts the yearend report for Water 2 and Water 4 as presented, and be it

FURTHER RESOLVED, that signed copies of the reports shall be attached to these minutes.

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 130-12/22

RESOLUTION TO ACCEPT 2022 TOWN CLERK'S YEAREND REPORT

WHEREAS, the Town Clerk has prepared a yearend report that has been reviewed by the Town Board, be it

RESOLVED, the Town Board accepts the report as presented, and be it

FURTHER RESOLVED, that a signed copy of the report shall be attached to these minutes.

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 131-12/22

RESOLUTION TO ADOPT LOCAL LAW 3 OF 2022

WHEREAS, Local Law 3 of 2022, entitled "A Local Law providing for partial exemption from taxation on improvements to real property occupied by a physically disabled resident" was introduced on November 10, 2022; and

WHEREAS, a public hearing on Local Law 3 of 2022 was duly held on December 8, 2022; and

WHEREAS, after such public hearing, the Town Board desired to make changes to the law to harmonize the title and intent sections of such law with the intent and effect of Real Property Tax Law 459-c to be implemented by such law, to provide an exemption upon real property and improvements; and

WHEREAS, the Town Board determines such changes after hearing to be non-substantial since the effect of the local law remains unchanged; and

WHEREAS, the Town Board wishes to adopt the local law as so modified, be it

RESOLVED, that Local Law 3 of 2022, originally entitled "A Local Law providing for partial exemption from taxation on improvements to real property occupied by a physically disabled resident," is hereby adopted in its entirety subject to the following changes:

1. That the title of the local law be changed to "A Local Law Providing for Partial Tax Exemption for Real Property of Persons with Disabilities and Limited Incomes;" and

2. That the "Legislative Intent" section be modified to reflect that such exemption is to apply to real property, and not just "improvements," as more fully set forth on the modified law, attached hereto.

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 132-12/22

RESOLUTION ESTABLISHING A REFUND POLICY FOR OVERPAYMENT OF TAXES

WHEREAS, the Town Clerk of the Town of Yates collects and receipts for real property taxes paid by town residents, and

WHEREAS, from time to time, the payments received are in an amount that exceeds the actual amount due, and

WHEREAS, the Yates Town Board has determined that it is not economically feasible to process a refund for overpayments of less than $5.00, be it

RESOLVED, the Yates Town Board does hereby resolve that any overpayments received in an amount less than $5.00 shall not be refunded and that said amounts not refunded be held in the General Fund of the Town.

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

RESOLUTION NO. 133-12/22

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

A-Accounts-(General – Townwide)	$ 10,054.92
B-Accounts-(General – Outside Village)	$ 142.55
DA-Accounts- (Highway – Town wide)	$ 3,016.15
DB-Accounts- (Highway – Outside Village)	$ 5,721.30
Water 4-	$ 1,361.31
Water 2-	$
Youth-	$
Fire-	$ 52,000.00
TOTAL	$72,296.23

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

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

PRIVILEGE OF THE FLOOR

No comments.

TOWN OFFICERS REMARKS

Supervisor Simon mentioned that he had received feedback from the Village of Lyndonville with regard to the Intermunicipal Agreement for a shared Code Enforcement Officer but that the salary language was left out. He will be forwarding the contract to Town Attorney, Andrew Meier, for review. He said that he was really looking for the contract details so that we can present something to David Reese, who will be starting as the new Code Enforcement officer at the first of the year.

ADJOURNMENT

Moved by Councilman Suhr, Whereas there is no new business to be brought before the Board, the meeting is adjourned at 6:10PM.
Seconded by Councilman Hrovat

3 Ayes 0 Nays 2 Absent (Riggi, Chaffee)

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk