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Meeting was called to order by Supervisor Marcia Lexer at 7:00pm followed by the pledge to the flag.

Roll Call:

Marcia Lexer, Supervisor, Present

Christopher Edmunds, Deputy Supv, Council Member, Present

Kenneth Fisher, Council Member, Absent – arrived late at 7:06pm

Bradley Regan, Council Member, Absent

Teresa Hewitt, Council Member, Present

Also in attendance Peter Sorgi, Town Attorney; Chris Lexer, Highway Superintendent; Donna Lavery, Town Clerk; Brandi Behling, Court Clerk, Lynn Guertin, Justice

RESOLUTION #6-22

On a motion of Coun Edmunds, Seconded by Coun Hewitt the following resolution was resolved to dispense with the reading of the minutes from the December 20, 2021, meeting and the January 3rd Reorganizational meeting.

Lexer, Aye; Fisher, Absent; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 3, Nay – 0, Absent-2

RESOLUTION #7-22

On a motion of Coun Hewitt, Seconded by Coun Edmunds the following resolution was resolved to approve the minutes from the regular meeting on December 20, 2021, and the January 3rd, 2022, reorganization meeting.

Lexer, Aye; Fisher, Absent; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 3, Nay – 0, Absent-2

Supervisor Marica Lexer opened the public hearing for Local Law 1 of 2022 Constables not peace officers at 7:05pm

Peter Sorgi spoke regarding Constables and Peace Officers and the training required to be a Peace Officer.

Justice Lynn Guertin spoke regarding the peace officer training also

Coun Chris Edmunds spoke on some of the physical requirements of a Peace Officer. There are running and physical requirements for a Peace Officer.

Supervisor Marcia Lexer stated that finding DCJS approved peace officer training is very hard to find. As Chris Edmunds said there are many physical requirements for a Peace Officer Training.

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A lengthy discussion continued regarding the options for constables and peace officers and the requirements for each. The discussion for the best solution for Constable and Peace Officers.

RESOLUTION #8-22

On a motion of Coun Hewitt, Seconded by Coun Edmunds the following resolution was resolved to enter executive session at 7:45pm and for all town personnel to stay.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1

Closed executive session at 8:08pm

Supervisor Marcia Lexer says the public hearing for Local Law 1 of 2022 will remain open until the next town board meeting.

RESOLUTION #9-22

On a motion of Coun Hewitt, Seconded by Coun Fisher the following resolution was resolved the town board directs town attorney Peter Sorgi to put the town constables on notice that without proper documentation for peace officer status, that from this point forward Constables will not be able to carry a weapon of any kind in town hall, on town property or while doing your job as a constable.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion Carried

Sewer use law public hearing is still open

The sewer use law states that if the property changes ownership there will be a process for inspecting the property sewer system

RESOLUTION #10-22

On a motion of Coun Edmunds, Seconded by Supervisor Lexer the following resolution was resolved to accept Local Law 1 of 2022 Yorkshire Corners Sewer District sewer use law.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

Supervisor Marcia Lexer presented the monthly supervisors report for December 2021 and the cash the cash receipts to the town board for review and filed with reports with the Town Clerk.

RESOLUTION #11-22

On a motion of Coun Hewitt, Seconded by Coun Fisher the following resolution was resolved to approve the Supervisors report for December 2021 as submitted.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

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Justice Report

Justice Lynn Guertin sent a check in the amount of $7,650.00 for the amount due in the December 2021 monthly report (Fines $5,506.00, Civil Fees $160.00, Surcharges $1,984.00)

Town Clerk report for the month of December has been submitted to all board members and is filed in the town clerk’s office

Chris Lexer to speak regarding the Water Department in the absence of Larry Groves.

Several members of the board, Chris Lexer and Larry Groves met with Danny Heineman regarding him stepping back with some of the parts of the water department. Recommend hiring someone for certain parts and keep some parts. We think that the town should be looking for someone to do this in house.

Chris Lexer and Coun Edmunds to meet with others regarding how to transition doing this in house and to get the training.

Chris Lexer is signed up to start getting water License and start apprenticeship for water license.

A long-term goal would be to have 1 person to handle the water and sewer, and also possibly help the highway department when needed. The highway department would also help the water and sewer if needed. The highway, water department, and sewer department would all work together. We will report back next month in February 2022.

Larry looking for grant for fluoride treatment equipment, we can use the COVID funds for this also.

RESOLUTION #12-22

On a motion of Coun Edmunds, Seconded by Coun Fisher the following resolution was resolved to purchase and replace fluoride treatment equipment for approx. $6,197.00.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

The town currently does not own any underground water location equipment to help look for leaks and problems in the water system.

RESOLUTION #13-22

On a motion of Coun Hewitt, Seconded by Coun Fisher the following resolution was resolved to purchase underground water locating equipment for up to $7,000.00.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

Cameras have been installed for the water department. Waiting for spectrum to push their line.

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Chris Lexer will be closing out the building permits for 2021

Chris Lexer, Highway Superintendent – The town highway has neem plowing and sanding as needed. Also been doing regular maintenance and upkeep for equipment.

Going to looking toward purchase of a new ten-wheeler. The cab would be a Western Star Cab. The cab would cost approx. $160,000 and the chaise would cost approx. $125,000 for a total of $285,000. The time it takes to see delivery is approximately 18 months. Would not take delivery until beginning of 2024. The truck will be purchased using Cattaraugus County bid for trucks.

RESOLUTION #14-22

On a motion of Coun Hewitt, Seconded by Coun Edmunds the following resolution was resolved to purchase a new 10-wheeler for the town highway using unallocated funds.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

A discussion was had regarding extending 2 more bays on the highway barns. This would allow room to make a parts room. The approximate cost for this would be between $20,000 and $25,000

RESOLUTION #15-22

On a motion of Coun Edmunds, Seconded by Coun Fisher the following resolution was resolved to approve the addition on the Town Highway Barns at an approx. cost of $20,000 - $25,000.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

The town board needs to respond to the auditor by the next meeting.

A quote was received for removing the door in the court room and fixing the inside and outside to a match as close as possible.

A brief discussion was had regarding setting up reserves for capital improvements to Town Hall.

RESOLUTION #16-22

On a motion of Coun Edmunds, Seconded by Coun Hewitt the following resolution was resolved to set up a reserve for capital improvements to Town Hall for $25,000.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

Monthly audit of bills and vouchers

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Pay the Claims

RESOLUTION #17-22

On a motion of Coun Hewitt, seconded by Coun Edmunds the following resolution was resolved, the following claims for payment be approved: General Fund Claims #1 - #23 in the amount of $34,377.95 as set forth in the General Abstract No 1 Dated January 19, 2022; The Lighting District Claim #22 in the amount of $607.57 as set forth in the Lighting District Abstract No 1 Dated January 19, 2022; The Yorkshire Corner Sewer District Claims #1 in the amount of $1,968.40 as set forth in the Yorkshire Corner Sewer District Abstract No 1 dated January 19, 2022; The Highway Fund Claims #1- #19 in the amount of $61,641.98 as set forth in the Highway Abstract No 1 Dated January 19, 2022; Water District #1 Fund Claims #1 - #5 in the amount of $5,876.31 as set forth in the Water District #1 Abstract 1 Dated January 19, 2022.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

Annual Town Audit - The Town Board conducted their Annual Audit of the following Town Officials 2021 Financial Records as required by Town Law #123.; That the Town Board reviewed and audited the financial records of Donna Lavery, Town Clerk (Donna Lavery’s Tax Collection Records were audited & approved), and that she filed a statement in writing showing her town clerk receipts and disbursements for the fiscal year 2021, and the Water Districts financial records of Donna Lavery for the fiscal year 2021 were reviewed and audited (& the water records are reconciled for billing & payments by Diane R Finch, CPA, each month); That the Town Board reviewed and audited the financial records of Christopher Lexer, Codes Enforcement & Zoning Officer, for the fiscal year 2021; and that Supv Marcia Lexer presented the first eleven months of the 2021 Supervisors financial records for review & audit, and that she will submit the Supervisors Annual Report, when completed by Diane R Finch, CPA, to the Town Board, in lieu of a financial statement

The Town Board reviewed the financial records and examined the criminal & civil dockets of Town Justice Lynn Guertin, and that the fines and fees therein shown to have been collected had been turned over to the proper officials as required by town law for the fiscal year 2021.

RESOLUTION #18-22

On a Motion of Coun Hewitt, seconded by Coun Edmunds, the following Resolution was, resolved to approve the 2021 financial records as presented by the above Town Officials.

Lexer, Aye; Fisher, Aye; Hewitt, Aye; Regan, Absent; Edmunds, Aye.

Aye- 4, Nay – 0, Absent-1 – Motion carried

With no further business to discuss

On a motion of Coun Hewitt, Seconded by Coun Fisher the meeting was adjourned at 9:33pm

Respectfully Submitted,

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Donna Lavery, Town Clerk