

Town of Yates Organizational and Regular Board Meeting
8 S. Main St. Lyndonville, NY 14098
January 11, 2018, 7:00PM

Present: Jim Simon, Supervisor
Wes Bradley, Councilman
John Riggi, Councilman
Jim Whipple, Councilman
Harold Suhr, Councilman
Michele Harling, Town Clerk
Andrew Meier, Town Attorney
Trisha Laszewski, Town Assessor
Dan Wolfe, Code Enforcement Officer

Excused: Roger Wolfe, Highway Superintendent

Others:	Larry Wolfe	Paula Simon	Bob LaPorte
	Agnes LaPorte	Becky Winters	Howard Pierce
	Robert Vereen	Chris Bronson	Cynthia Hellert
	James Hoffman	Richard Hellert	Taylor Quarles
	Chris Crafts	Jessica Walsh	Pam Atwater
	John Defiles	Paul Varicella	Georgette Stockman

Supervisor Simon called the Organizational Meeting to order at 7:00PM.

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

Supervisor Simon welcomed everyone to the January Organizational Meeting.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

Paul Lauricella, Town of Yates, commented on Resolution No. 20-1/18. He felt that the Board should have better controls over highway expenditures especially with regard to the types, brands and pricing of the equipment. He also asked if there was a conflict of interest with Harold Suhr sitting on both the Lyndonville School Board and the Yates Town Board.

Councilman Suhr responded that he has had an attorney look into it and there is not a conflict of interest, he can sit on both Boards. He added that if a resolution came up where he felt that he should abstain, he will.

Supervisor Simon said that the subject was reviewed and that Councilman Suhr may have to recuse himself for some votes but that it is legally correct.

Andrew Meier, Town Attorney said that there is no incompatibility.

Howard Pierce, Town of Yates, commented on Resolution No. 21-1/18 and asked that the Town Clerk check all receipts turned in for personnel training to make sure that no spousal expenses are paid by the Town. He also questioned the content of Resolution No. 29-1/18 since the agenda was not available until Thursday afternoon. He said that from what he could tell, the resolution seemed unnecessary.

Supervisor Simon responded that Resolution No. 29-1/18 has been tabled.

RESOLUTION NO. 02-1/18

RESOLUTION TO ACCEPT THE MINUTES OF THE DECEMBER 28, 2017 YEAR END MEETING

RESOLVED, to accept the minutes of the yearend meeting held December 28, 2017 as presented to each Board Member.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 03-1/18

RESOLUTION TO ACCEPT THE MINUTES OF THE JANUARY 8, 2018 WECS PUBLIC HEARING AND WORKSHOP MEETING

RESOLVED, to accept the minutes of the WECS Public Hearing and Workshop meeting held January 8, 2018 as presented to each Board Member.

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

4 Ayes 0 Nays 1 Abstain (Bradley)

Motion: Carried

RESOLUTION NO. 04-1/18

RESOLUTION TO NAME OFFICIAL DEPOSITORY

RESOLVED, to name M & T Bank and the Bank of Castile as the official depositories of the Town of Yates.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 05-1/18

RESOLUTION TO NAME OFFICIAL NEWSPAPER

RESOLVED, to name The Batavia News as the official newspaper. Other advertising: Lake Plains Pennysaver and the Orleans HUB.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 06-1/18

RESOLUTION TO MAKE APPOINTMENTS BY THE TOWN BOARD

RESOLVED, to make the following appointments:

Legal Service-----	Webster, Schubel & Meier
Fire & Building Code Officer-----	Dan Wolfe
Zoning Enforcement Officer-----	Dan Wolfe
Zoning Board of Appeals Clerk-----	Dawn Metty
Planning Board Chairman-----	Richard Kurz
Planning Board Member-----	Joanne Suhr
Planning Board Clerk-----	Dawn Metty
Zoning Board Member-----	Patrick O'Brien-ending 2021
Zoning Board Member-----	Michael Boring-ending 2021
Water Bookkeeper-----	Lynne Johnson
Water District 4 Superintendent-----	Roger W. Wolfe
Cemetery Superintendent-----	Roger W. Wolfe
Youth Agency Representative-----	Wes Bradley
Registrar of Vital statistics-----	Michele L. Harling
Deputy Registrar-----	Dawn Metty
Dog Control Officer-----	John W. Donald

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

4 Ayes 1 Nay (Bradley)

Motion: Carried

RESOLUTION NO. 07-1/18

RESOLUTION TO ACCEPT APPOINTMENTS BY DEPARTMENT HEADS

RESOLVED, to accept the following Department Head Appointments:

SUPERVISOR

Deputy Supervisor-----John Riggi
Bookkeeper-----Lynne Johnson
Historian-----Dawn Metty

Committees:

- Finance & Budget-----Simon (Chairman), Riggi
- Health & Public Safety-----Bradley (Chairman), Riggi
- Planning & Zoning-----Simon (Chairman), Whipple
- Public Works-----Riggi (Chairman), Suhr
- Sustainability-----Simon (Chairman), Riggi
- Business Advisory & Tourism-----Whipple (Chairman), Suhr

TOWN CLERK

Deputy Clerk-----Dawn Metty

HIGHWAY SUPERINTENDENT

Deputy Superintendent-----David Hydock

JUSTICE

Court Clerk-----Susanne Sanderson
Court Bailiff-----Eric Harling

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 08-1/18

RESOLUTION TO ALLOW SPECIFIC PERSONS TO ACT AS AUTHORIZED OFFICERS TO DO BANKING

RESOLVED, to allow the following to do banking in specific accounts:

Accounts Payable Account: Supervisor, Deputy Supervisor and Town Clerk

Money Market Account: Supervisor, Deputy Supervisor, and Town Clerk

Payroll Account: Supervisor, Deputy Supervisor and Town Clerk

Trust and Agency Fund: Supervisor, Deputy Supervisor and Town Clerk

Town Clerk's Checking and Savings: Town Clerk, Deputy Town Clerk and Supervisor

Offered by Councilman Bradley, who moved its adoption

Seconded by Councilman Riggi

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 09-1/18

RESOLUTION TO ADOPT OFFICE HOURS

RESOLVED, to set the following office hours

Supervisor:

Friday 4:30PM – 6:00PM

Supervisor will not hold office hours the week of a regular Board Meeting.

Town Clerk:

Monday, Tuesday, Thursday and Friday - 9:00AM - 12:30PM, 1:30PM - 4:30PM

Wednesday- 9:00AM - 12:30PM, 6:30PM - 8:30PM

The office will be closed on Wednesday nights from May 1st thru July 31st.

Assessor:

Friday 9:00AM - 12:30PM, 1:30PM - 4:30PM

Code & Zoning Officer:

Monday 8:00AM - 4:30PM

Offered by Councilman Whipple, who moved its adoption

Seconded by Councilman Bradley

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 10-1/18

RESOLUTION TO NAME TIMEKEEPER FOR ALL PERSONNEL

RESOLVED, to name the Town Clerk as the Official Timekeeper for all Town Personnel. Each Department Head shall submit time sheets showing daily hours worked, holidays, vacation, personal, funeral, sick days and days off without pay.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 11-1/18

RESOLUTION TO SET PETTY CASH FUNDS

RESOLVED, to set petty cash funds as follows:

Town Clerk---\$200.00
Petty Cash-----\$200.00

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 12-1/18

RESOLUTION TO SET MILEAGE ALLOWANCE

RESOLVED, to reimburse Town Officers and Employees using personal vehicles for Town Business at a rate of \$0.545 per mile.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 13-1/18

RESOLUTION TO SET MEETING DATES AND TIMES

RESOLVED, to set the following dates and times for meetings:

Town Board Workshop Meetings—Monday before each Town Board Meeting, 5:30PM
Town Board Meeting—Second Thursday of each month 7:00PM
Planning Board—First Thursday of each Month 7:00PM
Zoning Board of Appeals – at least twice a year, once with Town Board Representatives, and when needed to hear an appeal

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 14-1/18

RESOLUTION TO ALLOW SUPERVISOR TO PREPAY VOUCHERS

RESOLVED, to authorize the Supervisor to prepay the following vouchers:

Bi-weekly, Monthly and Vacation Payrolls
Utility Bills
Installments on Contracts approved by the Board
Insurance premiums
Payment to Federal and State and County Agencies

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

4 Ayes 0 Nays 1 Abstain (Simon)

Motion: Carried

RESOLUTION NO. 15-1/18

RESOLUTION TO SET WORK PERIOD AND PAY DAYS

RESOLVED, to set the following:

Bi-Weekly -Monday thru Sunday midnight (14 days)
Pay day on the following Thursday

Monthly- first to last day of month
Pay day last banking day of Month

Others- completion of duties, end of the year, or if voucher after next regular Board meeting

When a payday falls on a Holiday the payday shall be on the preceding workday.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 16-1/18

RESOLUTION TO SET SALARIES, WAGES AND COMPENSATION, EFFECTIVE
JANUARY 1, 2018

MONTHLY

Legislative Board (4) -----	\$ 3,275.00
Justice (1)-----	\$ 8,670.00
Supervisor-----	\$ 8,000.00
Supervisor Bookkeeper-----	\$ 14,700.00
Water Bookkeeper-----	\$ 3,100.00
Budget Officer-----	\$ 1,500.00

BI-WEEKLY

Town Clerk-----	\$ 44,368.00
Vital Registrar-----	\$ 600.00
Highway Superintendent-----	\$ 65,780.00
Cemetery Superintendent-----	\$ 5,460.00
Water Superintendent-----	\$ 13,988.00

HOURLY

Court Clerk-----	\$15.56
Deputy Clerk-----	\$12.45
Code & Zoning-----	\$22.51
Highway MEO-----	\$24.60
Highway Part-Time Employee-----	\$10.76
Court Baliff-----	\$10.00 per summons +mileage
Dog Control-----	\$10.00 per summons +mileage
Assessment Review Board Chairman-----	\$130.00 Annually
Assessment Review Board Member-----	\$60.00 daily

Election Inspectors as follows:

Training-----	\$25.00
Primary 9 hours @ 10.40-----	\$93.60 per day
Election 15.5 hours @ 10.40-----	\$161.20 per day
Registration 7.5 @ 10.40-----	\$78.00 per day
Registration 4 @ 10.40-----	\$41.60 per day
Zoning Board Members-----	\$15.00 per meeting payable yearend
Zoning Board Chairman-----	\$25.00 per meeting
Planning Board Chairman-----	\$25.00 per meeting
Planning Board Members-----	\$15.00 per meeting payable yearend meeting
Historian-----	\$600.00 annually

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 17-1/18

RESOLUTION TO ALLOW SUPERINTENDENT OF HIGHWAYS TO USE TOWN EQUIPMENT AND PERSONNEL IN EMERGENCY

RESOLVED, that the Town Board of the Town of Yates hereby renews an Emergency response procedure (of December 13, 1984) by giving the Superintendent of Highways authority to use Town of Yates Highway Equipment and Personnel when requested by local Police, Public Safety Coordinator, Chief of Volunteer Fire Department, or some other Officer to protect citizens and property within the Town.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 18-1/18

RESOLUTION TO SET TOWN HOLIDAYS

RESOLVED to set Town Holidays as follows:

New Year's Day
 Martin Luther King Day-Town Hall Offices
 Good Friday

Memorial Day
Independence Day
Labor Day
Election day- Town Hall
Columbus Day-Highway
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Day before Christmas
Christmas Day
Day before New Years

BE IT FURTHER RESOLVED, when the Holiday falls on a Saturday, it will be celebrated on the preceding Friday, and when the Holiday falls on a Sunday it will be celebrated on the following Monday.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 19-1/18

RESOLUTION TO ALLOW HIGHWAY SUPERINTENDENT TO EXPEND HIGHWAY MONEYS AS REQUESTED

WHEREAS, the Highway Superintendent has presented information of the Expenditure of Highway moneys as follows:

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT, between the Highway Superintendent of the Town of Yates, Orleans County New York, and the undersigned members of the Town Board

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

The sum of \$309,000.00 shall be set aside to be Expended for the primary work and general repair OR Capital improvement upon 36.80 miles of town Highways, including sluices, culverts and bridges having a span of less than five (5) feet and boardwalks or the renewal thereof.

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

4 Ayes 0 Nays 1 Abstain (Suhr)

Motion: Carried

RESOLUTION NO. 20-1/18

RESOLUTION TO ALLOW HIGHWAY SUPERINTENDENT TO MAKE PURCHASES NOT ONLY FROM STATE BIDS BUT ALSO FROM OTHER COUNTIES AND MUNICIPALITIES

WHEREAS, from time to time other Municipalities have bid purchases and reached low bids on purchases, therefore already going through a bid process, be it

RESOLVED, that the Highway Superintendent be allowed to make purchases, not only from State Bids but also from other Counties and municipalities.

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

4 Ayes 0 Nays 1 Abstain (Suhr)

Motion: Carried

RESOLUTION NO. 21-1/18

RESOLUTION TO ALLOW TOWN OF YATES PERSONNEL TO ATTEND CONFERENCES, TRAINING AND CERTIFICATION SESSIONS

WHEREAS, the need for personnel to attend conferences, training, and certifications sessions is present, be it

RESOLVED, personnel has the approval to attend conferences, training and certification sessions, at Town expense, be it

FURTHER RESOLVED, Personnel shall notify the Board of upcoming conferences or training.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 22-1/18

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENT FOR LEGAL SERVICES WITH WEBSTER, SCHUBEL & MEIER LLP

WHEREAS, the agreement for legal services has been presented to the Town Board and the Town Board has reviewed this agreement, be it

RESOLVED, the Supervisor is authorized by the Town Board to sign this agreement as follows:

THIS AGREEMENT made as of the 1st day of January, 2018, between the TOWN OF YATES, a municipal corporation of the State of New York, hereinafter referred to as "TOWN", ANDREW W. MEIER, ESQ., hereinafter referred to as "MEIER"; and WEBSTER, SCHUBEL & MEIER, LLP, Attorneys at Law, of 113 West Center Street, Suite 2, Medina, New York, hereinafter referred to as "ATTORNEYS",

WHEREAS, the Town requires legal services in connection with the operations and functions of the government of the Town, and

WHEREAS, Meier is experienced in matters involving municipal law and wish to perform necessary legal services for the Town,

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises hereinafter set forth, it is agreed as follows:

Meier will perform the following legal services:

- 1.) General consultation with all board members and Town officers, as required.
- 2.) Attendance at meetings, conference sessions, workshops and public hearings of Town governmental bodies, including the Town Board, Planning Board and Zoning Board of Appeals as required.
- 3.) Preparation of resolutions and local laws.
- 4.) Preparation and review of contracts and like transactional matters but excluding tax assessment proceedings, administrative agency proceedings, civil litigation and proceedings, in-rem tax foreclosure proceedings, capital project matters, bond issues and other borrowings, and the purchase and/or sale of real property.
- 5.) General legal research and correspondence; FOIL responses.

As compensation for the services as enumerated above, the Town will pay Meier an annual retainer in the amount of \$7,500.00 which shall be paid in monthly amounts of \$625.00 upon submission of a voucher therefor by Meier, payable upon approval by the Town. The vouchered

payment shall not be considered compensation for the purposes of the New York State Retirement System.

The Attorneys will perform and provide such legal services as are required by the Town, as follows:

1.) The representation of Town in administrative agency proceedings, civil litigation and proceedings, and in-rem tax foreclosure proceedings.

2.) Legal services in connection with capital projects, bond issues, and other borrowings and other related matters.

As compensation for services set forth in subparagraph 1 and 2, the Town will pay the Attorneys in accordance with the following schedule, rates and fees:

a.) For the services described in subparagraph 1 above at the rate of \$120.00 per hour.

b.) For legal services described in subparagraph 2 at rates and fees to be agreed upon between the parties by separate agreement for each matter.

The Attorneys shall voucher the Town for the services rendered, and such fees shall be payable upon approval of such vouchers by the Town. The vouchered payments shall be not considered compensation for the purposes of the New York State Retirement System.

The terms of this Agreement shall be for the period of one (1) year from January 1, 2018, to December 31, 2018. This agreement may be terminated by either party upon ten (10) days written notice by certified mail return receipt requested or personal delivery.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 23-1/18

RESOLUTION TO COMPENSATE DEPUTY HIGHWAY SUPERINTENDENT FOR TIME WORKED

RESOLVED, David Hydock, as Deputy Highway Superintendent, will receive \$2,615.00 for time worked as Deputy Superintendent, be it further

RESOLVED, duties of Deputy Highway Superintendent will be assigned and will include road checks and manpower call-ins when needed. Deputy Highway Superintendent will receive extra

compensation if roadwork or plowing needs to be done. Deputy Superintendent assumes all the duties of the Highway Superintendent during Superintendent's absence, be it

FURTHER RESOLVED, David Hydock's compensation will be paid quarterly in his paycheck, starting January 2018, April 2018, July 2018 and October 2018.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 24-1/18

RESOLUTION TO SET CODE ENFORCEMENT TIME AND PAY

RESOLVED, the Code Enforcement Officer shall be paid \$22.51 per hour and shall work Mondays from 8:00AM until 4:30PM, he shall be allowed 4 days for use for (Holiday, Personal, or Sick Day) any other time shall be made up.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 25-1/18

RESOLUTION TO ACCEPT FINAL REPORT FOR THE COURT CLERK

WHEREAS, the Court Clerk for Justice Grabowski has presented the final report for the Justice for the year ending December 31, 2017, and

WHEREAS, the Town Board has reviewed these records

BE IT RESOLVED, the Town Board accepts the final report for Justice Grabowski as presented

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 26-1/18

RESOLUTION TO APPOINT TOWN ENGINEER

WHEREAS, Chatfield Engineers PC. Has shown interest in being appointed the Town of Yates Engineer for the coming year, be it

RESOLVED, the Town of Yates hereby appoints Chatfield Engineers PC as the Town of Yates Engineers, be it also

RESOLVED a copy of the hourly rate for such engineering be attached to these minutes.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 27-1/18

RESOLUTION ADOPTING RETIREMENT RESOLUTIONS FOR STANDARD WORK DAY REPORTING RS 2417 A&B and STANDARD WORK DAY RESOLUTION FOR EMPLOYEES RS 2418 FROM THE OFFICE OF THE NEW YORK STATE COMPTROLLER NEW YORK STATE AND LOCAL RETIREMENT SYSTEM

WHEREAS NEW FORMS RS2417 and RS2418 need to be submitted every year, be it

RESOLVED that these resolutions be adopted and be it further

RESOLVED, they shall be attached to these minutes and posted on the bulletin board in the Town Hall for 30 days.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 28-1/18

STANDARD WORK DAY RESOLUTION

WHEREAS, the Retirement system requires the Town to specify the standard work days of all employees, be it

RESOLVED, the following is hereby specified as standard workdays for retirement purposes

Highway Superintendent: 8 hours

Town Clerk: 6 hours

Court Clerk: 6 hours

Town Hall Custodian: 6 hours

Highway MEO & Laborers: 8 hours

Code and Zoning Officer: 8 hours

Bookkeeper, Clerical Staff & Councilman: 6 hours

Deputy Clerk: 6 hours

Offered by Councilman Bradley, who moved its adoption

Seconded by Councilman Riggi

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 29-1/18

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

A-Accounts-	\$ 27,853.71
B-Accounts-	\$ 1,530.25
DA-Accounts Highway-	\$ 24,519.34
DB-Accounts Highway-	\$ 9,884.00
Water 4-	\$103,146.14
Water 2-	\$

TOTAL	\$166,933.44
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Offered by Councilman Suhr, who moved its adoption

Seconded by Councilman Whipple

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

Pam Atwater, Town of Somerset, said that she had recently attended the Public Hearings in the Town of Somerset that addressed tall structures, amending the regulations applicable to all zones and the WECS law revisions. There were 65 people in attendance and 38 comments. She added that there was only one person with objections.

Paul Lauricella, Town of Yates, asked why there was further compensation for the Deputy Highway Superintendent outside of his normal hourly rate. He said that the Highway equipment should be in good shape especially since the State has taken over so much of the plowing and mowing. He asked if there were any big highway purchases for 2018.

Supervisor Simon said that the Highway Superintendent wrote out a 5 year purchasing plan in 2017 and that this year they will consider purchasing a new tractor. He added that there are no other large equipment purchases, like snow plows, being considered at the time being.

James Hoffman, Town of Somerset, addressed the “Regional Problem” know as wind turbines and commended the Board for working against them. He hopes that the proposed changes to the WECS Law will discourage APEX and wishes that the Towns would just outlaw them altogether because that’s what people really want.

Howard Pierce, Town of Yates, was frustrated because he has asked repeatedly for the agenda to be posted on the website in a timely manner so that residents can pose their comments accordingly. He suggested that the workshop meeting be held a week earlier so that residents can do this. Lastly he suggested that the Supervisor start working for all people, not just “Lake People” and that he should work more than 1 ½ hours on Friday afternoons.

Supervisor Simon said that he works at the job a lot more than one and a half hours a week and that it’s difficult to coordinate everyone’s time to formulate a meeting agenda with 5 Board members but that he’ll keep working on it.

Cynthia Hellert, Town of Yates, thanked Supervisor Simon for volunteering his time with no compensation these last 2 years and added that she thinks he does a wonderful job.

Supervisor Simon responded that he did not receive compensation in 2016 and 2017 but has decided to receive a salary for 2018 and that he has always seen himself as an employee of the Town of Yates and tries to act accordingly.

Agnes LaPorte, Town of Somerset, thanked the Board for “Fighting the Dragon” that causes health problems and would destroy the area. She added that the Boards work very hard for little compensation. She commended them and appreciates all of their hard work.

REPORT OF TOWN OFFICERS

Dan Wolfe, Code Enforcement Officer, said that he issued 58 building permits for the year, 27 were closed and 31 still remain open. In addition, he issued 80 lakeshore erosion permits.

Tricia Laszewski, Town Assessor, said that she sent out the Town's exemption renewals. Between the Towns of Shelby, Ridgeway and Yates she sent out over 2,100 renewals. She is in the process up updating both Ridgeway and Shelby and will start the Town of Yates update in 2019.

Councilman Bradley said that he received an award notification from the United Way of Orleans County in the amount of \$2,000.00 to be used toward the 2018 Town of Yates Summer Swim Program. He thanked them for their support.

Councilman Suhr said that if President Trump says that windmills are bad, then they are bad.

Councilman Riggi explained the background behind Resolution No. 29. He said that the resolution was meant to express the current Boards dissatisfaction over the prior Boards MET tower decision. He explained that in July of 2017 the Bane MET tower came down so that there was no precedent for MET towers in the Town. He wants to make sure that for the record, there is a "Place Holder" with the understanding that the current Board is opposed to the project and so, in turn, is opposed to another MET tower.

Supervisor Simon welcomed new Councilman, Harold Suhr to the Board. He said that the grant application for Lakeshore repair has been submitted for the Yates Town Park and the ends of County Line and Marshall Roads. He doesn't know how long the process will take but hopes that there will be enough to do what needs to be done. Lastly he said that there needs to be more sourcing for residential support because the lakefront is a precious resource.

ADJOURNMENT

Moved by Councilman Bradley, whereas there is no new business to be brought before the Board, the meeting is adjourned at 7:30PM.

Seconded by Councilman Suhr

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk

**CHATFIELD ENGINEERS, P.C.
2018 HOURLY BILLING RATES**

ENGINEERING DEPARTMENT

Principals	\$120.00
Project Managers	\$105.00
Project Engineers	
Level 1	\$ 80.00
Level 2	\$ 76.00
Level 3	\$ 70.00
Project Technicians	\$ 60.00
CAD Draftsperson	\$ 60.00

CONSTRUCTION DEPARTMENT

Resident Project Representatives	
Level 1	\$ 70.00
Level 2	\$ 66.00

ENGINEERING SPECIALISTS

Mechanical Engineer	\$120.00
Electrical Engineer	\$120.00
Structural Engineer	\$120.00
Environmental Engineer	\$120.00

Surveying and Architectural Fees quoted on an as needed basis.





Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A
(Rev. 8/15)

BE IT RESOLVED, that the _____ Town of Yates _____ 30101 _____ hereby establishes the following standard work days for these titles and
(Name of Employer) (Location Code)
will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy- mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Town Clerk	6.00	Michelle L. Harling			<input type="checkbox"/>	1/1/16-12/31/19	22.45	<input type="checkbox"/>
Councilman	6.00	James Whipple			<input type="checkbox"/>	1/1/16-12/31/21	.42	<input type="checkbox"/>
Councilman	6.00	John Riggi			<input type="checkbox"/>	1/1/16-12/31/19	.42	<input type="checkbox"/>
Appointed Officials								
Bookkeeper	6.00	Lynne Johnson			<input type="checkbox"/>	1/1/16-12/31/18	11 Days	<input type="checkbox"/>
Code Enforcement Officer	8.00	Daniel Wolfe			<input type="checkbox"/>	1/1/16-12/31/18	4 Days	<input type="checkbox"/>
Deputy Town Clerk	6.00	Dawn Mett			<input type="checkbox"/>	1/1/16-12/31/18	n/a	<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, _____, secretary/clerk of the governing board of the _____, of the State of New York,
(Name of secretary or clerk) (Name of Employer)
do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ day of _____, 20____, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ on this _____ day
of _____, 20____, _____
(Signature of the secretary or clerk) (Name of Employer)

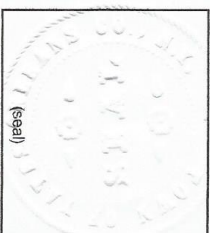
Affidavit of Posting: I, _____, being duly sworn, deposes and says that the posting of the
(Name of secretary or clerk)
Resolution began on _____ and continued for at least 30 days. That the Resolution was available to the public on the

☒ Employer's website at _____
(Date) _____

☒ Official sign board at _____
8 South Main Street, Lyndonville, NY 14098

☒ Main entrance secretary or clerk's office at _____
8 South Main Street, Lyndonville, NY 14098

Page _____ of _____ (for additional rows, attach a RS2417-B form).





Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees* RS 2418

(Rev. 7/11)

BE IT RESOLVED, that the Town of Yates, Location code 30101, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Highway Superintendent	8.00
Town Clerk	6.00
Court Clerk	6.00
Town Hall Custodian	6.00
Highway MEO & Laborers	8.00
Code & Zoning Officer	8.00
Bookkeeper/Clerical & Councilman	6.00
Deputy Clerk	6.00

On this 11 day of January, 20 18

Michele L. Harling
(Signature of clerk)

Date enacted: January 11, 2018

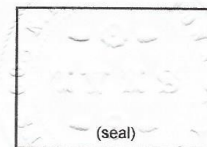
I, Michele L. Harling, clerk of the governing board of the Town of Yates,
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 11 day of January, 20 18 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
Set my hand and the seal of the
Town of Yates

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

See Instructions for Completing Form on Back