

**Town of Starkey
Regular Meeting
May 13, 2021**

| | | |
|----------------------|---|--|
| Members Present: | George Lawson, Supervisor Caryl Sutterby, Councilperson | Alan Giles, Councilperson Bill Holgate, Councilperson |
| Absent | Jeremy Hall, Councilperson | |
| Also, Present: | Ralph Warren, Highway Superintendent Alice Shoemaker Jerri McDaniel | Mary Rose William Lawson John Socha |
| Recording Secretary: | Candace Iszard, Town Clerk | |

The regular Town of Starkey Board meeting was called to order at 7:00 PM by George Lawson, Supervisor.

Approval of Minutes

Minutes of the April 8th, 2021, regular meeting of the Town Board, were approved as amended.

A motion was made by Alan Giles, councilperson, seconded by Caryl Sutterby, councilperson.

*All in favor; none opposed- Motion carried.

Public Hearing on Sub-Division Regulation Changes

George Lawson, Supervisor opened the public hearing regarding the changes to the Sub-Division Regulations at 7:04 PM.

- George Lawson, Supervisor explains that the Planning Board has amended the existing Sub-Division regulation, he attended the County Planning board meeting on April 22, 2021. The Yates County Planning Board suggested that the wording on page 4, item number 4 be changed to read as follows:
"4. Agricultural Data Statements shall accompany all applications within 500 feet of a farm within the Agricultural Zone per New York State Agriculture and Markets Law, article 25-AA section 305-B."

George Lawson, Supervisor closed the public hearing regarding the changes to the Sub-Division Regulations at 7:32 PM

Zoning Book Proposed Revisions

- George Lawson stated that in the comparison document that was forwarded via email from Steven Fulkerson, Planning Board Chair, the changes are colored, the meaning behind the notations are: red with line through represents a deletion; red with underline represents an addition; green represents a replacement/move of text from another part the document, which should also correspond with a red strikethrough text elsewhere within document. He notes that there were a lot of spaces removed.
- This discussion was tabled to allow for ample time to review the noted changes.

Phone and Internet Upgrade—William Lawson

- William Lawson presented options for phone and internet upgrades with pricing. All number would transfer and allow for auto voice recording and a call directory, as well as voicemail and call transferring. The downside is that if there is no internet service, there will also be no phone service.

| monthly total | town hall internet | town hall phone service | highway dept internet | highway dept phone | | |
|---|--------------------|-------------------------|-----------------------|--------------------|--|--|
| (Current)hybrid spectrum 10 mb internet frontier phone and 1mb internet at hwy barn | | | | | | |
| \$ 415.39 | \$ 49.99 | \$ 232.43 | \$ 40.00 | \$ 92.97 | | |
| hybrid spectrum 200mb internet and Ooma phone service | | | | | | |
| \$ 380.63 | \$ 119.99 | \$ 120.65 | \$ 119.99 | \$ 20.00 | | |
| all spectrum solution | | | | | | |
| \$ 524.98 | \$ 119.99 | \$ 260.00 | \$ 119.99 | \$ 25.00 | | |
| As you can see it's possible to improve performance and save a few dollars every month. In case you wonder it's \$420 / year. | | | | | | |

Following a brief discuss the board agreed an upgrade is needed.

Panic Button—Jerri McDaniel

- Jerri presented information on panic button installation and monthly cost for the court. She also discussed the potential need for the whole office. She supplied quotes from Covert and ADT.
- Bill Holgate suggested that she investigate similar services offered by Link to Life.

Youth Agreement

- George Lawson asked for authorization to sign the Youth Service Agreement with the Village of Dundee.

Court Account Signers

- Carrie A. Wood needs to be added to the signers for the court account at Five Star bank. George Lawson will also remain on the account as a signer.

E-Waste Recycling and Town Clean-Up Day

- George and Ralph discussed the need for a change to the way that the E-Waste is being handled, stating that the process is time consuming and expensive, they suggested that maybe a town wide cleanup day is needed where 2 times a year this service could be offered at a small fee to the residents of the Town.
- Upon further discussion, the Board decided that it would like to phase out the E-waste collection, and with the availability of Cardinal Disposal within the township, hosting a “cleanup day” is not needed.

Retirement Resolution

- The Standard Workday and Reporting Resolution was presented to the Board for review and approval.

Marijuana Legalization now what?

- George Lawson briefly discussed if there was a need to consider regulations within the Town of Starkey, regarding the legalization of Marijuana. Bill Holgate and the board agreed there is no need for further discussion.

Resolution regarding -Southern Finger Lakes Chapter of Citizens' Climate Education- Presentation at March meeting

- Alice Shoemaker was present to answer questions regarding the Climate Education presentation from last month, reviewing that she is here for support in starting the process to encourage conservation of fossil fuels. Alice explains that the European Union, and Canada have already taken steps to off set the cost of carbon omissions, to lessen global warming. Bill Holgate questions if this is not governmental control, which will ultimately lead to increased cost for the American consumer. Caryl expressed concerns that the people will endure the economic hit while the energy providers would benefit.
- George table the discussion, and Caryl thanked Alice for her hard work and education.

Health Insurance

- George reviewed the 2 different plans, The Blue Cross and Blue Shield Gold 6 with a Health Savings Plan and Bronze 4 and the key differences. The board is committed to offering health insurance to the employees. The town will host a meeting to gage the interest of the employees, prior to budget time in August to get a better feel for the financial impact on the 2022 budget.

Wastewater Law

- George states that this is the third item that we are working on preparing for the County Planning Board, and with the seasonal residents anticipated back, June would be a great time to finish up revisions and present to the County Planning Board.

Vacation/Sick time and Holiday for Non-Elected, Salaried Employee and Job Descriptions and Employee Handbook Review

- Remains on hold until we can finish up a few of the open items that are pending.

Other Business and Guests**Supervisor's Report — George Lawson**

- George opened a discussion about the Fiber Project that the county is working on. He states that there is a need for space for the equipment, and George would like to offer unused space that is available in the cellar of the Town Hall.
- Water Infrastructure interest survey for the effected area that was discussed last month, will be developed and managed by the Engineering firm.

Highway Report — Ralph Warren

- Ralph submitted 284 forms for 2021 road work.
- Ralph discussed a concern from a resident on Red Cedar Lane regarding traffic speed. Ralph will follow up with the resident, but suggests that a speed study be conducted, following the construction of the new Red Cedar Falls Resort that has been approved.
- A letter the Finger Lakes Railway has been sent concerning the railroad crossing conditions for all four of the crossing in the Town of Starkey.
- Ralph reports that paving on Pre-Emption Road is complete between Crawford Road and Bossard Road. The John Deere tractor is back from the shop after 2 ½ months, the highway crew continues to work on cross over pipes and grading in preparation for dust oil and road sweeping.

Town Clerk — Candace Iszard

- The monthly town clerk report was given to the Board.
- Tax Collector and Clerk Audits were scheduled for May 18th, 2021 at 7:00 am with George Lawson and Caryl Sutterby.
- Candace stated that she has worked on the webpage to automate the registration process for the zoom meetings.

Resolutions**RESOLUTION 18-2021****Sub-Division Regulation Amendment**

On a motion by Caryl Sutterby, councilperson, seconded by Alan Giles, councilmen, the following resolution was.

ADOPTED Ayes 4 George Lawson, Alan Giles, Caryl Sutterby, Bill Holgate
 Nays 0

RESOLVED that the Town Board, Town of Starkey approved the amendments to the Sub-Division Regulation, as follows:

SUBDIVISION REGULATIONS**INTRODUCTION**

Land subdivision affects the welfare of a community in many respects. As each approved subdivision represents that much more land which will be consumed by development, its regulation and control has become widely accepted as a municipal government function.

Such regulation and control is necessary to:

1. Ensure that land subdivision will fit into the land use pattern and general plan for physical development of the community.
2. Ensure that adequate provision will be made for necessary community and neighborhood facilities so that a harmonious and desirable environment will result.
3. Provide for uniformly high standards in the development of land subdivisions with particular attention to such factors as utilities, drainage, street widths, street layout, lot size and improvement.
4. Provide a basis for clear and accurate official property boundary lines and records.
5. Promote the public health, safety, and welfare of all citizens.
6. Protect sensitive environmental areas within the town.

ARTICLE 1 GENERAL REGULATIONS

1.100 Legislative Authority

By the authority of the resolution of the Starkey Town Board, adopted on July 10th, 1969, pursuant to the provisions of Town Law of the State of New York, the Planning Board of the Town of Starkey is authorized and empowered to approve Plats showing lots, blocks or sites, with or without streets or highways, to approve the development of entirely or partially undeveloped plats already filed in the Office of the Clerk of the County of Yates, and to conditionally approve preliminary plats, within the Town of Starkey.

These regulations which shall be known as, and which may be cited as the TOWN OF STARKEY LAND SUBDIVISION REGULATIONS have been adopted by the Planning Board on May 6th, 1969, and approved by the Town Board on July

10th, 1969. Revised by the Planning Board on May 1997, and March 2020, and approved by the Town Board on

These regulations are subject to Sections 276, 277, 278, and 279 of the NYS Town Law.

1.200 Purpose and Intent

It is declared to be the purpose of these subdivision regulations that the Planning Board consider land subdivision plats as part of a plan for the orderly, efficient and economical development of the Town of Starkey. It is also the intent of these regulations to maintain the agrarian nature of the Town of Starkey and maintain its rural appearance in accordance with the Comprehensive Plan, and to protect the general health, safety, and welfare of the public. Objectives of this subdivision regulation include, but are not limited to:

1. That land to be subdivided shall be of such character that it can be used safely for building purposes.
2. That proper provisions shall be made for drainage, water supply, sewerage and other needed improvements.
3. That all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties.
4. That the proposed streets shall compose a convenient system and shall be of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of fire-fighting equipment to buildings.
5. That proper provision be made for open spaces, parks, playgrounds and land conservation areas.
6. That green infrastructure as defined by Section 502 of the Clean Water Act be encouraged within subdivision plats.
7. That cluster and conservation subdivisions are encouraged as major subdivision techniques and are required within an agricultural zone in order to preserve active farmland.
8. That negative impacts on agricultural operations be minimized.

1.300 Application

1. No subdivision of any lot, tract or parcel of land shall be effected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use and travel, or the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of these regulations.
2. All subdivision plans shall be submitted to the Code Enforcement Officer for the determination of whether they are major or minor.

3. All plans for subdivisions shall be submitted to the Starkey Planning Board and approved by it before they shall be recorded.
4. Agricultural Data Statements shall accompany all applications within 500 feet of a farm within the Agricultural Zone per New York State Agriculture and Markets Law, article 25-AA section 305-B.
5. Notice of public hearing shall be given in writing to all adjacent property owners at the address of record, and to the Newspaper of Record for the Town of Starkey.
6. The provisions contained herein shall apply to all land within the limits of the Town of Starkey but excluding the Village of Dundee.

ARTICLE 2 DEFINITIONS

2.100 Definition of Terms

1. **Board** – The Planning Board of the Town of Starkey.
2. **CEO** – The Code Enforcement Officer of the Town of Starkey.
3. **Cluster Development**- a subdivision in which the same number of parcels that would be allowed in a given area for a conventional subdivision are clustered at a higher density in the most appropriate portion of the property, leaving the rest of the parent parcel to remain permanently open and undeveloped.
4. **Comprehensive Plan** – A comprehensive plan prepared by the Planning Board and adopted by the Town Board which indicates the general locations recommended for various functional classes of public works, places and structures and for general physical development of the Town of Starkey and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein that may be approved by the Town Board.
5. **Conventional Subdivision** - The division of land into lots in strict accordance with the minimum requirements laid out in Schedule II for the zone in which the subdivision is located.
6. **Driveway** – An access to an individual lot.
7. **Easement** – A right of way granted for limited use of private land for a public or quasi-public purpose.
8. **Engineer or Architect** – A person licensed and registered as a professional engineer or architect by the State of New York.
9. **Engineer, Town** – The engineer employed by the Town of Starkey.
10. **Lot** – A tract or parcel of land.
11. **Lot line adjustment** – An adjustment of the boundaries of any number of parcels, that does not result in the net creation of any parcel(s), in which all parcels meet the minimum requirements set forth in the Zoning Regulations. A lot line adjustment shall not be considered a subdivision, however any lot line adjustment shall be reviewed by the Planning Board to ascertain that it meets these requirements.
12. **Monumentation** – The establishment of concrete or steel marker indicating certain property line junctions of a subdivision.
13. **Parent Parcel** – The entire area being considered for subdivision.
14. **Plat** – A drawing showing proposed subdivision containing all information or detail required by law and by these regulations to be presented to the Planning Board for review.
15. **Road or Street** – A public or private way which affords a principal means of access or egress to an abutting property.
16. **Subdivider** – The owner, or authorized agent of the owner, of a subdivision.
17. **Subdivision** – The division of any parcel of land into two (2) or more lots, with the exception of divisions in which no lot is created which is less than twenty five (25) acres, or if the new property boundary consists solely of a public highway and is a lot of legal minimum size as stated in Zoning Regulations.
 - a. **Major Subdivision** – Any subdivision which does not qualify under the definition of minor subdivision.
 - b. **Minor Subdivision** – Any subdivision which:
 1. Is any division of land into fewer than five (5) parcels conforming to Zoning which fronts on either an existing public road, or an existing private road which has a three rod right of way (49 ½ feet) which has been previously approved by the Planning Board as having met the Town standards of radius of curves and slope,

2. Has not been subdivided or re-subdivided into more than four (4) parcels within a two year period.
3. Complies with the Town Zoning Ordinance.
4. Does not prevent building access roads to internal acreage.
5. Provides property and building drainage so as not to adversely affect any adjoining property.

18. Surveyor – A person licensed and currently registered as a land surveyor by the State of New York.

ARTICLE 3

PROCEDURE AND PLAT REQUIREMENTS

3.1. REQUIREMENTS FOR MINOR SUBDIVISIONS

3.100 Submission of Plans

3.101 General Procedure. Whenever any subdivision of land is proposed, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures:

3.102 Submission of Final Plat. Any owner of land shall, prior to subdividing or re- subdividing land, submit to the Code Enforcement Officer at least ten (10) days prior to the regular meeting of the Board, five (5) copies of a Plat of the proposed subdivision. The regular date of the Planning Board meeting shall be deemed the date of submission. A plat submission shall not be considered complete until all documentation required by the Planning Board is received and a negative declaration of SEQRA or a notice of completion of the draft environmental impact statement is established.

3.103 Plat requirements. The plat submitted to the Planning Board shall be based on tax map information or some other similarly accurate base map at a scale (preferably not less than 200 feet to the inch) to enable the entire tract to be shown on one sheet. The plat map shall be submitted, showing the following:

1. The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
2. All existing structures, wooded areas, streams and other significant physical features, within the portion to be subdivided and within two hundred (200) feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than ten (10) feet.
3. The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
4. The tax map sheet, block and lot numbers, if available.
5. All the utilities available, and all streets which are either proposed, mapped, or built.
6. The proposed pattern of lots (including lot width and depth), street layout, recreation areas, buffer areas and landscaping, systems of drainage, sewerage and water supply within the subdivided area.
7. All existing restrictions on the use of land including easements, covenants, or lotlines.
8. The location of any existing environmental contaminants/hazards, including any brownfield areas.
9. Agricultural Data Statements shall accompany all applications within 500 feet of a farm within the Agricultural Zone.
10. The stamp or seal with signature of the currently registered engineer, surveyor, or architect responsible for the plat.

3.104 Approval of Plat.

1. All applications or plat approval shall be accompanied with a fee as determined from the schedule of fees established by the Town Board.

2. The subdivider or duly authorized representative shall attend all meetings of the Planning Board pertaining to the discussion of the plat.
3. A public hearing shall be held by the Planning Board within 62 days of the acceptance of a completed final plat. Notice of said hearing shall be given in writing to all adjacent property owners and any additional property owners identified by an Agricultural Data Statement at the address of record and shall be advertised in the Town's newspaper of public record at least ten (10) days before such hearing. The public hearing shall be closed within 120 days of opening.
4. The Planning Board shall, within sixty two (62) days from the date of the close of the public hearing, approve, modify and approve, or disapprove the plat.

3.2. REQUIREMENTS FOR MAJOR SUBDIVISIONS

3.210 Submission of Plans

3.211 General Procedure. Whenever any subdivision of land is proposed, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures:

3.212 Preliminary Discussion. Prior to the formal submission of a sketch plan, the developer (subdivider) may attend the regular meeting of the Planning Board to informally discuss development plans. Such discussion may include zoning and subdivision requirements, street improvements, drainage, sewerage, water supply, fire protection and similar aspects, as well as the availability of existing services and other pertinent information.

3.220 - Submission of Preliminary Plat

3.221 – Fee: All applications or plat approval shall be accompanied with a fee as determined from the schedule of fees established by the Town Board.

3.222 - Plat requirements. The preliminary plat submitted to the Planning Board shall be a sketch map based on tax map information or some other similarly accurate base map at a scale (preferably not less than 200 feet to the inch) to enable the entire tract to be shown on one sheet. Design standards listed in section 3.3 should be used as a guideline. The plat map shall be submitted, showing the following:

1. The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
2. All existing structures, wooded areas, streams and other significant physical features, within the portion to be subdivided and within two hundred (200) feet thereof. If topographic conditions are significant, contours shall also be indicated at intervals of not more than ten (10) feet.
3. The name of the owner and of all adjoining property owners as disclosed by the most recent municipal tax records.
4. The tax map sheet, block and lot numbers, if available.
5. All the utilities available, and all streets which are either proposed, mapped, or built.
6. The proposed pattern of lots (including lot width and depth), street layout, recreation areas, buffer areas and landscaping, systems of drainage, sewerage and water supply within the subdivided area. If applicable, when submitting a cluster or conservation type subdivision, a conventional subdivision plat layout shall be provided to compute lot count.

7. All existing restrictions on the use of land including easements, covenants, or lotlines.
8. The location of any existing environmental contaminants/hazards, including any brownfield areas.
9. Agricultural Data Statements shall accompany all applications within 500 feet of a farm within the Agricultural Zone.

3.223 - Approval of Preliminary Plat

1. The subdivider or a duly authorized representative shall attend all meetings of the Planning Board pertaining to the discussion of the plat.
2. A plat submission shall not be considered complete until all documentation required by the Planning Board is received and a negative declaration of SEQRA or a notice of completion of the draft environmental impact statement is established.
3. A public hearing shall be held by the Planning Board within 62 days of the acceptance of a completed preliminary plat. Notice of said hearing shall be given in writing to all adjacent property owners and any additional property owners identified by an Agricultural Data Statement at the address of record and shall be advertised in the Town's newspaper of public record at least ten (10) days before such hearing. The public hearing shall be closed within one hundred twenty (120) days of opening.
4. The Planning Board shall, within sixty two (62) days from the date of the close of the public hearing, approve, modify and approve, or disapprove the plat.

3.224 Submission of Final Plat. Any owner of land shall, within 6 months of the approval of a Preliminary Plat, submit to the Code Enforcement Officer at least ten (10) days prior to the regular meeting of the Board, five (5) copies of a Final Plat of the proposed subdivision. The regular date of the Planning Board meeting shall be deemed the date of submission.

3.225 Approval of Final Plat.

1. The subdivider or duly authorized representative shall attend all meetings of the Planning Board pertaining to the discussion of the plat.
2. If the Final Plat is in "substantial agreement" with the Preliminary Plat, the Planning Board shall by resolution, make a decision within sixty two (62) days upon acceptance of the Final Plat.
3. If the Final Plat is not in "substantial agreement" with the Preliminary Plat, a secondary application fee shall be collected, and a public hearing shall be held by the Planning Board within 62 days of the acceptance of a completed Final Plat. Notice of said hearing shall be given in writing to all adjacent property owners at the address of record and shall be advertised in the Town's newspaper of public record at least ten (10) days before such hearing. The public hearing shall be closed within one hundred twenty (120) days of opening.
4. The Planning Board shall, within sixty two (62) days from the date of the close of the public hearing, approve, modify and approve, or disapprove the plat.

3.300 Design Standards

1. Land Requirements. Land shall be suited to the purposes for which it is to be subdivided.
2. Street System Layout.
 - a. The location of all major streets in the proposed subdivision shall conform in general alignment to the Comprehensive Plan.
 - b. The proposed street layout shall provide for the continuation or projection of existing streets in the surrounding areas unless the Board deems such extension undesirable for specific reasons of topography or design.
 - c. Streets shall be logically related to the topography to produce usable lots and reasonable grades.

- d. All lots shall be accessible to fire equipment.
 - e. Provision for pedestrian and bicycle access shall be made as appropriate.
3. Street Intersections.
- a. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
 - b. Multiple intersections involving junction of more than two streets shall be avoided. Where this proves impossible, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
 - c. To the fullest extent possible, intersections shall be located not less than two hundred (200) feet apart, measured from centerline to centerline.
4. Lots and Lot Sizes.
- a. Lot size and dimensions shall be in accordance with the Zoning Ordinance.
 - b. All lots shall front upon an approved street.
5. Easements. Easements with a minimum width of ten (10) feet plus the width of any required pipe or other improvement shall be provided as necessary for utilities.
6. Storm Drainage. Storm water drainage plans shall be developed in conjunction with Yates County Soil and Water.
7. Monumentation. All land identified as a subdivision by these regulations shall have appropriate monumentation/survey markers to indicate the corners of the subdivision and any intersecting street corners.

3.400 Required Improvements

Minimum improvements and construction standards required of all subdivisions shall be set forth in this section and shall further be in accordance with the prevailing standards as established by the Town Board.

- 1. Streets. Required improvements and construction standards shall be in accordance with the specifications of the Town of Starkey, and shall include as a minimum a three (3) rod right of way (49 ½ feet).
- 2. Public Water Supply. Where a public water supply, in the opinion of the Board, is reasonably accessible, the subdivision shall be provided with a complete water distribution system, including a connection for each lot. Where a public water supply is not in reasonable distance, an alternate supply, approved by the NYS Department of Health, shall be furnished.
- 3. Public Sewer System. Where a public sewer system, in the opinion of the Board, is reasonably accessible, the subdivision shall be provided with complete public sewer connections, including connections for each lot. Where a public sewer system is not in reasonable distance, an alternate system, approved by the NYS Department of Health, shall be furnished.
- 4. Performance Bond. The Planning Board may, at its discretion, require that the subdivider post with the Town Board, a certified check or bond made out to the Town of Starkey in an amount sufficient to cover the full cost of installing the required improvements as estimated by the Town Engineer. In the case of a bond filed, it shall be with surety satisfactory to the Town Board and the time for the completion of improvements and installations shall be specified, such time to be satisfactory with the Town Board.

ARTICLE 4

PROVISION FOR FUTURE RE-SUBDIVISION

Where a parcel is divided into lots substantially larger than the minimum requirements in the Zoning Regulations, the Board may require that lots, streets, and/or infrastructure be laid out as to provide for the future re-subdivision in accordance to the requirements contained in these regulations

ARTICLE 5 WAIVERS

5.100 Waivers

1. Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and in the interest secured, provided that such variations will not have the effect of nullifying the Comprehensive Plan or Zoning Ordinance.
2. Where the Planning Board finds that, due to the special circumstances of a particular plat, the provisions of certain required improvements is not requisite to the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements subject to appropriate conditions.
3. In granting modifications, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

ARTICLE 6 SEPARABILITY

6.100 Separability

Should any section or provision of the regulations contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so decided to be invalid.

ARTICLE 7 VIOLATIONS AND PENALTIES

7.100 Violations and Penalties

1. A violation of any section of these regulations shall constitute a violation as defined in the Penal Law and shall be punishable by a fine not exceeding \$250.00, by a sentence of imprisonment not exceeding fifteen (15) days, or both. Every day out of compliance shall be considered a new violation.
2. In addition to other remedies provided by the law, any appropriate action or proceedings whether by legal process or otherwise, may be instituted or taken to prevent the unlawful erection, construction, alteration, repair, conversion, moving, maintenance or use, to prevent the occupancy of such building, structure, or lot, or to prevent any illegal act, conduct, business or use in or about such premises.

RESOLUTION 19-2021

Youth Agreement

On a motion by Caryl Sutterby, councilperson, seconded by Bill Holgate, councilmen, the following resolution was.

ADOPTED Ayes 4 George Lawson, Alan Giles, Caryl Sutterby, Bill Holgate

Nays 0

RESOLVED that the Town Board, Town of Starkey does hereby authorize George Lawson to sign the Youth Agreement.

RESOLUTION 20-2021

Phone and Internet Upgrade

On a motion by Alan Giles, councilmen, seconded by Caryl Sutterby, councilperson, the following resolution was.

ADOPTED Ayes 4 George Lawson, Alan Giles, Caryl Sutterby, Bill Holgate

Nays 0

RESOLVED that the Town Board, Town of Starkey authorized the upgrade of the Town's Internet and Phone service to the hybrid Spectrum 200mb internet and Ooma phone service (\$380.63/month) and the purchase of Ooma phone equipment (1 time fee of \$779.94).

RESOLUTION 21-2021

Court Account Signer

On a motion by Alan Giles, councilmen, seconded by Caryl Sutterby, councilperson, the following resolution was.
ADOPTED Ayes 4 George Lawson, Alan Giles, Caryl Sutterby, Bill Holgate
 Nays 0

RESOLVED that the Town Board, Town of Starkey does hereby authorize Carrie A. Wood and George E. Lawson as persons authorized to sign checks for the Justice Account (#000500534). They need to have their signature on file with Five Star Bank.

RESOLUTION 22 -2021**Standard Work Day and Reporting Resolution**

BE IT RESOLVED, that the Town of Starkey / 30478 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Retirement based on their record of activities..

ELECTED OFFICIALS

| Name (First and Last) | Social Security Number | NYSLRS ID | Title | Current Term Begin & End Dates | Standard Workday | Record of Activities Result | Not Submitted | Pay Frequency | Tier 1 |
|--------------------------|------------------------------|-----------|-------|-----------------------------------|---------------------|-----------------------------------|---------------|------------------|--------|
| | | | | | | | () | Bi-weekly | () |
| | | | | | | | () | Bi-weekly | () |

APPOINTED OFFICIAL

| | | | | | | | | | |
|----------------|------|-----------|--------------------------|-----------------------|------|-------|-----|-----------|-----|
| Brian Shriver | 6196 | 6277555-6 | Code Enforcement Officer | 01/01/2021-12/31/2021 | 6.00 | 23.29 | () | Bi-weekly | () |
| Jerri McDaniel | 0960 | 6048949-9 | Assessor's Aide | 01/01/2021-12/31/2021 | 6.00 | 8.44 | () | Bi-weekly | () |
| Jerri McDaniel | 0960 | 6048949-9 | Court Clerk | 01/01/2021-12/31/2021 | 6.00 | 14.56 | () | Bi-weekly | () |

On this 13th day of May, 2021, Candace J. Iszard Dated enacted: 5/13/2021
 (month) (year) (signature of clerk)

I, Candace J. Iszard, clerk of the governing board of the Town of Starkey, 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 13 day of May, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and whole of such original.

I further certify that the full board, consists of 5 members, and that 4 of such members were present at such meeting and that 4 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the TOWN OF STARKEY on this 13 day of May, 2021, Candace J. Iszard **CERTIFIED**
ONLINE

Affidavit of Posting: I, Candace J. Iszard being duly sworn, deposes and says that the posting of the Resolution began on 5/17/2021 and continued for at least 30 days. That the Resolution was available to the public on the

- o Official sign board at 40 Seneca St. Dundee, NY 14837
- o Employer's Official website at www.townofstarkey.org

Motion: Bill Holgate Seconded: Caryl Sutterby
 Ayes: Bill Holgate, Caryl Sutterby, George Lawson, Alan Giles

Appr: 4-0
 Noes: None

Dated: May 13, 2021

Candace J. Iszard

Candace J. Iszard, Starkey Town Clerk

Audit of Claims

On a motion by Alan Giles, councilperson, seconded by, Caryl Sutterby, councilperson the bills contained in the May 13th, 2021 abstract have been reviewed by the Town Board and are authorized for payment in the following amounts:

| | | |
|---------------------|---|------------|
| General Fund | Vouchers Number: 81-G through 100-G | \$3,310.48 |
| Highway Fund | Vouchers Number: 40-H through 48-H | \$6,285.19 |
| Ayes 4 | George Lawson, Alan Giles, Bill Holgate, Caryl Sutterby | |
| Nays 0 | | |

With no further business, on a motion by George Lawson the meeting was adjourned at 8:59 PM.

Dated: May 13, 2021

Candace J. Iszard

Candace J. Iszard, Starkey Town Clerk