

Town of Yates February Board Meeting
8 S. Main St., Lyndonville, NY 14098
February 9, 2017, 7:00PM

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

Excused: Brad Bentley, Councilman

Others:	Larry Wolfe	Becky Winters	Howard Pierce
	Chris Bronson	Dale Aikitas	Bruce Williams
	Robert Verheyen	Beyy Wolanyk	Alice Wolanyk
	Cat Mosley	Mike O.	Donna Bane
	Linda Fisk	Richard Fisk	Agnes LaPorte
	Cynthia Hellert	James Hoffman	Paul Lauricella
	Paula Simon	Georgette Stockman	Steve Royce
	Maryellen Royce	Taylor Quarles	Richard Pucher
	Stacey Pellicano	Richard Hellert	Pam Atwater
	Faith Basil	Mike Basil	Cathy Orr
	B.P.		

Supervisor Simon called the February Board Meeting to order at 7:02PM.

PLEDGE OF ALLEGIANCE

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

Paul Lauricella, Town of Yates, questioned Resolution No. 31-2/17. He asked about the cost of the new trucks and the condition of the old trucks.

Supervisor Simon replied that the resolution would cap the combined cost of both trucks at \$90,000 and that the old trucks were in very poor condition. He added that the Highway Superintendent would be utilizing State Bids and would be looking for the best possible prices.

Paul Lauricella questioned Resolution No. 33-2/17 and if the Town would have to pay for the Legal Services associated with the Water 4 expansion in addition to what we pay the firm annually to attend our monthly meetings.

Supervisor Simon responded that the firm would be paid a separate amount for the work done on the Water 4 project and that their Legal Services would be paid from the Bond being secured for the improvement.

Howard Pierce, Town of Yates, mentioned that he had a chance to talk with the Highway Superintendent about the past practices used for buying trucks for the Highway and that the Town used to be on a regular 5-year purchasing schedule. They have not been doing that as of late and that's why 2 trucks are in poor condition and need to be replaced.

RESOLUTION NO. 29-2/17

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the January 12, 2017 Organizational and Regular Board Meeting as presented to each Board Member.

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

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

RESOLUTION NO. 30-2/17

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the February 6, 2017 Workshop Meeting as presented to each Board Member.

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

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

RESOLUTION NO. 31-2/17

RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO PURCHASE TWO 1-TON TRUCKS

RESOLVED, to authorize the Yates Highway Superintendent to expend no more than \$90,000 to purchase two 1-ton, four-wheel drive trucks to replace two aging trucks.

Offered by Councilman Bradley, who moved its adoption

Seconded by Councilman Whipple

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

RESOLUTION NO. 32-2/17

RESOLUTION TO SUPPORT VILLAGES CALLING FOR INCREASES TO NEW YORK STATE AID AND INCENTIVES TO MUNICIPALITIES

WHEREAS, New York State provides \$715 million in Aid and Incentives to Municipalities each year, and 90 percent of that goes to upstate cities;

WHEREAS, the AIM funding per capita is \$277 per city resident and only \$7 for residents in towns and villages;

WHEREAS, there are 549 villages with a combined population of 1,918,032 in New York State, including four (Albion, Holley, Lyndonville and Medina) in Orleans County with a population of 14,770;

WHEREAS, many villages wrestle with the same problems as cities, with aging infrastructure, blighted housing, abandoned commercial sites, brownfields and increased crime rates;

WHEREAS, villages are similar to cities with a high concentration of senior citizens and low-income families;

WHEREAS, villages mirror cities as centers for culture, civic and religious life, especially in rural counties;

WHEREAS, villages are like cities with many important community structures – churches, courthouses, schools and other public buildings – that do not pay taxes, shifting the tax burden for those sites to other residents in the village or city;

WHEREAS, the state’s tiny share of AIM funding for villages has put villages at a competitive disadvantage in attracting and retaining businesses and residents;

WHEREAS, the huge disparity in AIM funding between the cities and villages is a form of state-sponsored economic discrimination, resulting in much higher tax bills for village residents and a diminished quality of life;

WHEREAS, the erosion of the village tax base has shifted a greater burden of town, county and school district tax burden outside the village, punishing the outside-village residents as well;

WHEREAS, the high tax rates in the village encourage suburban sprawl and development of green space and farm land for housing tracts, industrial parks and “Big Box” stores;

WHEREAS, village residents are no less a New Yorker than a city resident;

RESOLVED, the Town Board calls on Gov. Andrew Cuomo and the State Legislature to adopt a fair formula for sharing AIM funding so village residents can enjoy municipal services and their homes without being taxed to death.

RESOLVED, that the Town Clerk shall forward copies of this resolution to Gov. Andrew M. Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, County Legislature Chairman David Callard and Lyndonville Mayor John Belson.

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

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

RESOLUTION NO. 33-2/17

RESOLUTION TO ENGAGE THE FIRM OF WEBSTER SCHUBEL & MEIER LLP FOR LEGAL SERVICES IN CONNECTION WITH WATER DISTRICT FOUR, PHASE TEN EXTENSION

RESOLVED, to authorize the Supervisor to sign a Letter of Engagement retaining Webster Schubel & Meier for legal services in connection with the authorization, financing and construction of a water project known as Water District Four, Phase Ten.

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

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

RESOLUTION NO. 34-2/17

RESOLUTION TO PAY BILLS

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

RESOLVED to pay the bills as follows:

A-Accounts-	\$ 19,730.74
B-Accounts-	\$ 971.55
DA-Accounts-	\$ 18,944.50

DB-Accounts-	\$
Water 4-	\$ 32,580.22
Water 2-	\$
Fire-	\$ 33,300.00

TOTAL	\$105,527.01

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

4 Ayes 0 Nayes (1 Absent: Bentley)

Motion: Carried

PRIVILEGE OF THE FLOOR

Paul Lauricella, Town of Yates, congratulated Wes Bradley on his Community Service Award and said that it was well deserved.

Linda Fisk, Town of Yates, thanked the Highway Superintendent for clearing the sidewalks so that she could walk in the winter.

Pam Atwater, Town of Somerset, repeated a quote by Ben Yazman, APEX, that was said at the Town of Barre open house that “Ultimately community acceptance is the final test” for the placement of a wind project. She added that if that’s the case, why are they still so persistent here.

Mike Basil, Town of Yates, submitted an article from the Observer where Dan Spitzer was quoted saying that wind turbine syndrome does not exist. He stressed that the residents of Yates and Somerset still don’t have sufficient information from Lighthouse Wind on infrasound and shadow flicker among other things. He added that APEX should have to prove a “need” for this project.

Cathy Orr, Town of Somerset, mentioned that in Wyoming County where a wind farm was developed, a safety manual from the project was requested that stated that nobody should be within 1,500’ of a turbine but that those manuals have not been made available to the public here.

Jim Hoffman, Town of Somerset, thanked the Board for their due diligence and will to fight the wind farm and added that there is no question that turbines in excess of 700’ are available on the market and would be available to APEX for the Lighthouse Wind project. He said that visual and noise pollution factors make this project unacceptable to our communities.

Steve Royce, Town of Appleton, questioned why we need the power from the Lighthouse Wind project when the NY Power Authority is trying to sell hydropower.

Taylor Quarles, Lighthouse Wind, mentioned that they are working on the final application and that the office hours in Barker have changed to Mondays and Wednesdays from 9:00am – 5:00pm.

Georgette Stockman, Town of Ridgeway, submitted an article from the Daily News where the Governor discussed a 90-megawatt offshore wind project. He stressed that it would be “invisible” to the residents of Long Island. She questioned why that’s not important to the Governor here with the Lighthouse Wind Project?

Stacy Pellicano, Town of Yates, stressed that we should be looking into sharing legal services with the Town of Somerset. She feels that there is a conflict of interest with the Town of Yates’ current Special Counsel Firm.

Paul Lauricella, Town of Yates, asked if the Town currently purchases its office supplies through shared services agreements with the County to reduce the cost. If not, he thinks that it’s worth looking into.

Supervisor Simon said that he would look into it.

Councilman Whipple added that a lot of the agencies in Orleans County purchase office supplies through state bid to get the best possible pricing.

REPORT OF TOWN OFFICERS

Tricia Laszewski, Town Assessor, no report.

Dan Wolfe, Code Enforcement Officer, issued 74 building permits in 2016. 26 are still open, 48 have been issued either a Certificate of Compliance or a Certificate of Occupancy. Recently, Public Hearings were held for an Area Variance and Special Use Permit for a solar array and a dog kennel permit.

Councilman Riggi added that he is happy that the Water 4, Phase 10 extension project will be going out for bids.

Andrew Meier mentioned that the Water 4 easements for the improvement project have been coming in. They should all be in on time for the bid process.

Supervisor Simon explained that the formal survey developed by the Western Orleans Comprehensive Plan committee will be going out soon and that there will be a place on the survey for personal comments. He stressed that all complete the survey. He added that the Board is working on a Solar Law that may be ready for review by next month.

ADJOURNMENT

Moved by Councilman Whipple, Whereas there is no new business to be brought before the Board that the meeting be adjourned at 7:35PM.

Seconded by Councilman Bradley

4 Ayes 0 Nays (1 Absent: Bentley)

Motion: Carried

Respectfully Submitted
Michele L. Harling
Yates Town Clerk