

Town of Yates May Board Meeting
8 S. Main St., Lyndonville, NY 14098
May 11, 2017, 7:00PM

Present: Jim Whipple, Councilman
Wes Bradley, Councilman
Brad Bentley, Councilman
Michele Harling, Town Clerk
Andrew Meier, Town Attorney
Trisha Laszewski, Town Assessor
Dan Wolfe, Code Enforcement Officer
Roger Wolfe, Highway Superintendent

Excused: Jim Simon, Supervisor
John Riggi, Councilman

Others:	Larry Wolfe	Dale Nikitas	Bruce Williams
	Chris Bronson	Bob Verheyn	Becky Winters
	Howard Pierce	Mark Darrow	Richard Fisk
	Anne Smith	Cynthia Hellert	Slawomir Majorowski
	John Champlin	Barb Champlin	Anna Majorowski
	Paul Lauricella	Sandy Lauricella	Donna Bane
	Kate Kremer	Jim Hoffman	Bob LaPorte
	Agnes LaPorte	John Zimmerman	Kathy Evans
	Paula Simon	Chris Craft	Sherrill Cavers

Councilman Whipple called the May Board Meeting to order at 7:00PM.

PLEDGE OF ALLEGIANCE

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

Howard Pierce, Town of Yates, commented on Resolution No. 50-5/17. He told the Board that he attended the workshop meeting in May where the Board allowed a resident to speak after the hearing was closed and did not follow "Proper Parliamentary Procedure". He would like the Board to pass the Solar Law but feels that because this is a "Right to Farm Community", that the Board should protect prime farm land when approving Solar Farm applications.

RESOLUTION NO. 49-5/17

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the April 13, 2017 regular Board Meeting as presented to each Board Member.

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

3 Ayes 0 Nays (2 Absent: Simon and Riggi)

Motion: Carried

RESOLUTION NO. 50-5/17

RESOLUTION ADOPTING LOCAL LAW 1 OF 2017

WHEREAS, proposed Local Law No. 1 of the Year 2017, entitled “A Local Law Enacting Solar Energy Systems Regulations,” was introduced at a duly called meeting of the Town Board of the Town of Yates on the 13th day of April, 2017, with a copy thereof having been duly given to all board members; and

WHEREAS, due notice of a public hearing to be held thereon on the 8th day of May, 2017, was duly published in the Batavia Daily News, the official newspaper of the Town of Yates, on April 24, 2017, and posted as required by law; and

WHEREAS, copies of the proposed local law were mailed to each person entitled to service of same pursuant to New York Town Law 264(2); and

WHEREAS, such public hearing was held on the 8th day of May, 2017, at which time all interested persons were given an opportunity to be heard thereon,

NOW, THEREFORE, BE IT RESOLVED that the Town of Yates hereby adopts Local Law No. 1 of the Year 2017, entitled “A Local Law Enacting Solar Energy Systems Regulations.”

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

3 Ayes 0 Nays (2 Absent: Simon and Riggi)

Motion: Carried

RESOLUTION NO. 51-5/17

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A GENERAL RELEASE AND AGREEMENT WITH NORMAN L. AND DENISE MCDONALD

RESOLVED, to authorize the Supervisor to sign a General Release and Agreement with Norman L. and Denise McDonald, subject to review and approval by the Attorney for the Town as to form.

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

3 Ayes 0 Nays (2 Absent: Simon and Riggi)

Motion: Carried

RESOLUTION NO. 52-5/17

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

A-Accounts-	\$ 23,132.73
B-Accounts-	\$ 1,889.52
DA-Accounts-	\$ 21,286.31
DB-Accounts-	\$ 19,754.59
Water 4-	\$ 26,674.93
Water 2-	\$
Fire-	\$

TOTAL	\$ 92,738.08

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

3 Ayes 0 Nays (2 Absent: Simon and Riggi)

Motion: Carried

PRIVILEGE OF THE FLOOR

Slawomir Majorowski, Town of Yates, asked the Board if they would be providing assistance to residents with shoreline damage. He also asked the Board to please keep them posted in the event that help becomes available in the future.

Paul Lauricella, Town of Yates, asked the Board about a recent voucher that was submitted by the Bookkeeper for reimbursement to the New York City Association of Town's Conference. He also asked the Board to be more mindful when reviewing vouchers and the use of equipment by Town Employees.

Kate Kremer, Town of Yates, attended the Symposium on Energy in the 21st Century where presenters discussed ways in which municipalities, through state funding, can conserve energy.

The presenters asked those present to attend Board meetings to find local projects where they can utilize the funding opportunity, decrease energy use, and save taxpayers money.

Anne Smith, Town of Yates, read an article by Annette Smith called “OPINION: The Winds of Woe”, where neighbors of wind turbines share the way they have been negatively impacted by wind towers. Some of their issues are caused by low frequency noise, barometric pressure waves, and infrasound.

Richard Fisk, Town of Yates, said that if we currently had wind turbines in the Town, they could help to blow the Lake Ontario waves back to Canada.

Mark Darrow, Town of Yates, asked the Board if they had any plans to place rock or other protection on the shoreline. He heard that the Town of Carlton will be placing some rock along the shoreline.

Roger Wolfe, Highway Superintendent, said that the Town of Carlton did get a permit to do some shoreline repair. He had no idea of when it would be done.

James Hoffman, Town of Somerset, talked about an environmentalist group that stopped a wind project in Oregon. He said that in Oklahoma, the state can no longer afford Wind Tax Credits. He questioned why we need wind energy when the Niagara Power Project is only operating at 60% efficiency.

Chris Bronson, Town of Somerset, discussed a doctor in Australia that treats patients who live near industrial wind turbine projects that suffer from symptoms like: sleep deprivation, feelings of seasickness, nausea, vertigo, headaches, head pressure, excruciating ear pain, and dizziness. She stressed that insomnia can cause chronic health conditions and can become a public safety hazard for sleep deprived drivers.

Chris Craft, Town of Yates, discussed the damage he has experienced on Punch Lane from the Lake Ontario Shoreline erosion. He did apply for and was granted a permit through the DEC to place shoreline protection. He wanted to thank all of those responsible for filling sandbags and making them available to the Town of Yates residents.

Cynthia Hellert, Town of Yates, commended Supervisor Simon for being proactive and visiting households that experienced Lake Ontario shoreline damage and flooding. She also questioned if the buildup of foam in the lake was safe.

Roger Wolfe, Highway Superintendent, responded that the water is sampled daily and is highly regulated. He suggested that she talk to the Village of Lyndonville if she has any questions.

Howard Pierce, Town of Yates, asked for an apology from one of the Town Councilman because of something that was posted in the Orleans HUB and signed “Councilman, Town of Yates”. He also publicly thanked Wes Bradley for his work in purchasing the new Fire/Rescue truck for the Lyndonville Fire Department.

Agnes LaPorte, Town of Somerset, said that after a recent trip to Wyoming County she learned that the sound and vibrations that are caused by wind towers are most noticeable a mile from the turbine, not directly under it. She is concerned about the health issues that they cause.

TOWN OFFICERS REMARKS

Dan Wolfe, Code Enforcement Officer, attended a DEC meeting in the Town of Carlton, where he learned that the DEC is expediting the shoreline protection permit process. He recently sent out 12 – 15 violation letters to Town residents for collapsing structures. He also sent out letters for excessive rubbish and garbage and is asking for residents to respond with a plan. He added that building permit season is just gearing up.

Tricia Laszewski, Town Assessor, sent out over 200 Change of Assessment Notices between the three towns. Grievance Day will be held in the Town of Yates on May 25, 2017 from 4:00pm–8:00pm at the Yates Town Hall.

Roger Wolfe, Highway Superintendent, has been grading and adding stone to gravel roads and has been cleaning ditches and culvert pipes.

Councilman Bradley thanked the Lyndonville Area Foundation for their \$7,500.00 check to the Town to support the local recreation program.

Councilman Bentley asked Andrew Meier if all of the easements were in for the expansion of Water District #4 on Goodwin and Ward Roads.

Andrew Meier, Town Attorney, responded that they were all in.

ADJOURNMENT

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

Seconded by Councilman Bentley

3 Ayes 0 Nays (2 Absent: Simon and Riggi)

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk