

Town of Yates July Regular Board Meeting and
Public Hearing
8 S. Main St., Lyndonville, NY 14098
July 13, 2017, 7:00PM

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

Excused: Roger Wolfe, Highway Superintendent

Others :

Larry Wolfe	Anne Smith	Paula M. Simon
Cynthia Hellert	Paul Lauricella	Robert A. Kazukieurcz Sr.
Donna Bane	Howard Pierce	Becky Winters
Linda Fisk	Charlene Hayton	Theron Hayton
Richard Fisk	Wendy Thering	Roger Thering
Pam Atwater	Richard Pucher	Roger Barth
Bob LaPorte	Agnes LaPorte	Jay Tuxford
James Hoffman	Nancy Palmer	Maryellen Royce
Steve Royce	Faith Basil	Taylor Quarles
Ruth Doughty	Mike Basil	Judy Esposito
Donn Riggi	Kathy Evans	Susan Dudley
R.T. Doughty	Peg Schwabel	Ralph E. Smith
Krista Sauerberg	Georgette Stockman	Kate Kremer
Harper Barth	Sullivan Barth	Tassos Kirkos
Andrew B.	Anne Smiley	Joe Fox
Dennis Seekins		

Supervisor Simon called the July Board Meeting to order at 7:03PM.

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

Supervisor Simon asked that all present sign in. He added that the sign in sheet will be used for both the Regular Town Board Meeting and the Public Hearing.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

Paul Lauricella, Town of Yates, explained that he had attended the Workshop Meeting earlier in the week where a new bookkeeping program was discussed. He felt that the Board should keep seeking quotes for a better deal because the quote discussed was too expensive and that to spend that much money was not ethical.

Ralph Smith, Town of Yates, requested that the Town Board reduce the assessments of all lakefront properties by \$20,000, retroactive to July 1, 2017.

RESOLUTION NO. 60 -7/17

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the June 8, 2017, regular Board Meeting as presented to each Board Member.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 61-7/17

RESOLUTION TO AUTHORIZE TOWN OF YATES SUPERVISOR TO SIGN CONTRACT WITH LOGICS LLC TO PROVIDE ACCOUNTING SOFTWARE AND SUPPORT SERVICES TO TOWN OF YATES

WHEREAS, the Town of Yates will be in need of a new accounting software and support services for the bookkeeping of the town once KVS no longer provides the service after December 31, 2017, and

WHEREAS, the Town of Yates, in coordination with the Towns of Shelby and Ridgeway, reviewed two bids for new accounting software service and found the Logics LLC bid to be the most comprehensive service for the least cost, be it

RESOLVED, to authorize the Town of Yates Supervisor to sign the Logics LLC contract for accounting software and support services for the Town of Yates.

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

5 Ayes 0 Nays

Motion: Carried

Supervisor Simon explained that the Board looked at several options, 2 companies submitted bids and Logics was the lowest bid.

RESOLUTION NO. 62-7/17

RESOLUTION TO AUTHORIZE TOWN OF YATES SUPERVISOR TO REPRESENT THE TOWN OF YATES IN THE ORLEANS COUNTY WATER SERVICE DISTRICT EXPLORATION AND PLANNING PROCESS

WHEREAS, the County of Orleans is exploring the possibility of a county-wide water district shared service, be it

RESOLVED, to authorize the Town of Yates Supervisor to represent the Town of Yates in the Orleans County water service district exploration and planning process.

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

5 Ayes 0 Nays

Motion: Carried

Supervisor Simon added that this is a County effort to analyze water service countywide and to see if there is a better way to do business.

RESOLUTION NO. 63-7/17

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

A-Accounts-	\$ 27,807.22
B-Accounts-	\$ 1,436.87
DA-Accounts-	\$ 16,380.05
DB-Accounts-	\$ 14,760.70
Water 4-	\$ 13,891.50
Water 2-	\$ 28,464.30
Fire-	\$

TOTAL	\$102,740.64

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

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

Paul Lauricella, Town of Yates, attended the Workshop Meeting earlier in the week and was disturbed that the Board was considering a 3% raise in the highway contract. He said that 3% was much higher than private sector raises and that the Conservative Party will be watching the Board's decision.

Pam Atwater, Town of Somerset, brought in displays of pictures of APEX advertising where no turbines were depicted. She felt that this was done intentionally to appeal to people's emotions. She also set up a diorama model, to scale, showing the size of one of the proposed wind turbines in comparison to a normal home. She questioned why this was not in one of their advertising pictures.

Taylor Quarles, Lighthouse Wind, mentioned that their office would be closed the last week of July because they would be set up at the Orleans County Fair for the third year. He encouraged the audience to visit one of the 25+ wind farms in New York State.

Roger Barth, Town of Yates, said that he would love to visit a wind farm where the turbines are over 600 feet tall, by a lake, in a community like the Town of Yates.

Nancy Palmer, Town of Ridgeway, said that the Town of Somerset and the Barker School benefitted from the revenue generated by the power project and that we have an opportunity for a stronger tax base here with the Lighthouse Wind project. She encouraged the Board to act for the betterment of the community and not on their individual feelings.

Howard Pierce, Town of Yates, stated that he feels bad for the damage the lakefront residents have endured with the rising lake levels and feels that the Lighthouse Wind project could help by bringing additional revenue to the Town. He added that the Lyndonville School would have better accommodations and that in the last year and a half the Board has not done anything to bring extra money into the Town.

Krista Barth, Town of Yates, explained that her son graduated from Lyndonville School and that he is now an attorney. She stressed that it's the teachers and community that make the school and students successful, not money from APEX. She added that no remediation is possible; there is no protection for the citizens to either their health or peace. She asked the Board not to be short-sighted and tear apart our community.

Anne Smith, Town of Yates, read a letter from a Superintendent of Schools in Armstrong, Illinois, who served on a wind panel. His concerns and observations from his experience in his school district were medical problems due to lack of sleep, headaches, and jaw problems and the relocation of families because of their close proximity to the wind farm.

Andrew Bowie, Scottsdale, said that they tried to defy the wind farms in California and it didn't work. He believes that they are coming and it's best to work together from the beginning and enjoy the free improvements from the extra money that will come in.

Maryellen Royce, Town of Appleton, asked the Board if there should be a \$20,000 decrease in assessment to the lakefront residents because of the high lake levels, what should the decrease be due to the wind turbines. She thanked Supervisor Simon and Councilman Riggi for their recent letters to the DPS and asked the Board to vote "no" the second MET tower because it would only be collecting more data for APEX investors.

TOWN OFFICERS REMARKS

Dan Wolfe, Code Enforcement Officer, said that he had a stack of DEC applications for lakefront protection projects. He added that the DEC is really expediting the application process, usually issuing permits within 24 hours. He added that it's building permit season and that it's been busy.

Tricia Laszewski, Town Assessor, told the Board that Cariann will be attending a week-long class in Ithaca for credits toward her Assessor's Certification.

Supervisor Simon mentioned that Councilman Whipple was involved with the Lyndonville Revitalization program as led by the Village. He added that they had hired a consultant and urged the audience to share their ideas with Councilman Whipple. He also said that the Town website has been updated to include the most current information for those residents that had lakefront damage due to rising lake levels.

PUBLIC HEARING

Supervisor Simon called the Public Hearing to order to hear all persons for or against, for the Special Use Permit application of Lighthouse Wind, LLC for a MET Tower to be located on a parcel of land Northeast of West Yates Center Road and Route 269 in the Town of Yates at 7:32PM.

The Public Hearing was officially transcribed by a stenographer. The transcription will be placed in the official minutes upon completion with a list of those present.

Notice of said Public Hearing was duly posted in the Batavia Daily News on June 19, 2017 and posted at the Yates Town Hall.

PUBLIC COMMENT

See Transcripts.

RESOLUTION NO. 64-7/17

RESOLUTION TO KEEP PUBLIC HEARING OPEN UNTIL REGULAR AUGUST TOWN BOARD MEETING

WHEREAS, the public presented questions and concerns for additional information from APEX, and

WHEREAS, members of the Town Board requested that their questions and concerns be answered by APEX, be it

RESOLVED, to keep the Public Hearing open until the regular August Town Board Meeting to allow for additional written submissions and further public input.

Offered by Councilman Riggi, who moved its adoption
Seconded by Supervisor Simon

4 Ayes 1 Nay (Bradley)

Motion: Carried

ADJOURNMENT

Moved by Councilman Bentley, whereas there is no new business to be brought before the Board, the meeting be adjourned at 8:15PM.

Seconded by Councilman Riggi

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk