Town of Yates August Board Meeting
8 S. Main St., Lyndonville, NY 14098
August 8, 2019, 7:00PM

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

Excused: Roger Wolfe, Highway Superintendent

Others :	Susan Dudley	Cynthia Hellert	Richard Hellert
	Bob LaPorte	Agnes LaPorte	Jessica Capurso
	Jill Smith	Olga Edwards	James Hoffman
	Georgette Stockman	Pam Shirback	

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

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

No remarks.

CORRESPONDENCE

Michele Harling read a letter sent from Wes Bradley, Fundraising Chairman of the Lyndonville Lions Club, expressing their gratitude for the Town's donation to the 2019 4th of July Celebration.

PRESENTATION RE: CANCER SCREENING

Jessica Capurso, Olga Edwards and Jill Smith from the Medina Memorial Hospital gave a Cancer Screening Presentation and supplied handouts to the Board and audience for Prostate Cancer and Breast Cancer awareness. They urged everyone in attendance to get screened regularly because early detection is so important and saves lives.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

RESOLUTION NO. 83-8/19

RESOLUTION TO APPROVE MINUTES OF THE REGULAR JULY MEETING

RESOLVED, to approve the minutes of the July 11, 2019 regular Board Meeting as presented to each Board Member.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 84-8/19

RESOLUTION TO APPROVE MINUTES OF AUGUST WORKSHOP MEETING AND EXECUTIVE SESSION

RESOLVED, to approve the minutes of the August 5, 2019 regular Board Meeting as presented to each Board Member.

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

4 Ayes 0 Nays 1 Abstain (Bradley)

Motion: Carried

RESOLUTION NO. 85-8/19

RESOLUTION TO ACCEPT SINGLE AUDIT FROM AMATO, FOX & COMPANY, PC

WHEREAS, Amato, Fox & Company, PC has audited the records for the Town of Yates for the year ending December 31, 2018, and

WHEREAS, the Board was presented with a copy of the audit report in June for their review, and

WHEREAS, Amato, Fox & Company, PC explained the highlights of the 2018 audit to the Yates Town Board at the August 5, 2019, Workshop Meeting, be it

RESOLVED, that the Town of Yates hereby accepts the audit by Amato, Fox & Company, PC.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 86-8/19

RESOLUTION REQUESTING THE YATES TOWN PLANNING BOARD CONDUCT RESEARCH AND PROVIDE RECOMMENDATIONS TO THE YATES TOWN BOARD

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REGARDING ZONING LAWS APPLICABLE TO TRANSIENT OCCUPANCY OF RESIDENCES TOWN-WIDE

WHEREAS, the Town of Yates Zoning Law regarding Bed and Breakfasts was adopted 15 years ago, and

WHEREAS, many other types of transient occupancies of residences are in existence today (such as AirBnB and Vrbo), be it

RESOLVED, that the Yates Town Board requests the Yates Planning Board conduct a thorough review of the Town's existing zoning law regarding transient occupancy of residences, consider other more recent municipal zoning laws in light of current circumstances, and provide recommendations to the Yates Town Board.

Supervisor Simon explained that a couple of situations have come up recently that required the attention of the Code Enforcement Officer. The Zoning Law is probably 15 years old and doesn't mention AirBnB's or Vrbo's. Because the law is in need of updating, the Town Board is going to ask the Planning Board to do some research and make recommendations. This may take a month or two and will be subject to public hearings and discussion.

Councilman Whipple said that he was at a Medina Planning Board meeting this week where they were discussing the same things. Medina will be talking to Jim Bensley at the County so he thought that maybe both Towns could work toward a general set of rules.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 87-8/19

RESOLUTION TO AUTHORIZE PAYMENT OF NO MORE THAN $4,500.00 FOR LED STREET LIGHT CONVERSION

WHEREAS, the Town Board passed Resolution No. 55-4/19 authorizing the Town to fund the transition of all 27 street lights to LED configurations and is receipt of the National Grid invoice, be it

RESOLVED, that the Town Clerk pay the bill.

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

5 Ayes 0 Nays

Motion: Carried

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Councilman Bradley added that once the project is completed, the Town will receive a $1,500.00 incentive toward the overall expense so the total cost for the conversion will be under $3,000.00.

RESOLUTION NO. 88-8/19

RESOLUTION TO PAY BILLS

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

RESOLVED to pay bills as follows:

Fund A (General – Townwide)	$ 28,639.46
Fund B (General – Outside Village)	$ 4,332.07
Fund DA (Highway – Townwide)	$ 10,425.26
Fund DB (Highway – Outside Village)	$143,101.01
Water 4-	$ 5,259.59
Water 2-	$ 398.84
Youth-	$ 7,369.66
Fire-	$
TOTAL	$199,525.89

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

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

James Hoffman, Town of Somerset, said that the UN Inter-Governmental Panel on climate change has recently come out recommending preservation enhancement of forest grasslands and wetlands to help curb climate change which makes sense to preserve open space. Our local Town policies are already geared toward that so we don't really need wind and solar projects to carry our part of the load in fixing climate change. He also submitted a flyer for an upcoming SOS info session for Thursday, August 15th at 7:00PM in Barker for an update on APEX's Lighthouse Wind Project.

Supervisor Simon saw the study that came out from the UN which he felt was very dictatorial. He thought that it was ironic that they dictate not to cut down trees and destroy grasslands but this is exactly what a wind turbine project would do.

TOWN OFFICERS REMARKS

Dan Wolfe, Code Enforcement Officer, no report.

Tricia Laszewski, Assessor, said that some folks are receiving letters from New York Tax and Finance about their Sr. STAR. She explained that the State required that everyone in the Sr. STAR program fill out an Income Verification Form which she had them do. She sent them to

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the State who is now saying that they did not receive them. She asked that anyone that received a letter in the mail to respond to it or they are in jeopardy of losing their Sr. STAR exemption and will be dropped back down to a Basic STAR exemption. She said that if you didn't receive a notification, chances are you should be fine. She explained that if you've been in the program for a while and were already on the automatic verification, with the little green postcards, she wouldn't worry about it.

She added that Julie completed her Data Collection class at the Cornell seminar last month which she passed so she is one class closer to her certification.

Supervisor Simon said that they are still holding the REDI Commission Meetings; he went to one today in the Town of Somerset. The State panel was there and all of the municipal folks from Niagara and Orleans County who have any projects because of flooding on the lake. He said that they were supposed to go through 65 projects and they went through exactly half of them, all in Niagara County so Deputy Supervisor Riggi will have to go to the meeting on Monday because he cannot make that one. He said that the announcement that came out yesterday was that of the $300 million that was authorized, $20 million will now be used for private residences so if you know of anyone who didn't get in for the first round in 2017, it is now opened up again for authorization. You have to go through the process and Dan, our Code Enforcement Officer, is able to help out to get you started. He said that $20 million won't go far because it will be used across the Lake but it's a shot. He doesn't know where the Town Park project being submitted to this commission will land within the priorities and whether or not the Town will get any funding to do it. If we do get funding, the project is all subject to public hearings. The Town has the Task Force working on it which is going well but we'll have to wait and see if we rise to the level of being funded.

ADJOURNMENT

Moved by Councilman Whipple, whereas there is no new business to be brought before the Board, the meeting be adjourned at 7:28PM.
Seconded by Councilman Suhr

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk

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