Town of Yates Public Hearing and February Board Meeting
8 S. Main St., Lyndonville, NY 14098
February 13, 2020, 7:30PM

Present: Jim Simon, Supervisor
Jim Whipple, Councilman
Susan Hrovat, Councilman
John Riggi, Councilman
Harold Suhr, Councilman
Michele Harling, Town Clerk

Excused: Roger Wolfe, Highway Superintendent
Trisha Laszewski, Town Assessor
Dan Wolfe, Code Enforcement Officer

Others:			
	Bob LaPorte	Agnes LaPorte	Larry Wolfe
	Ralph E. Smith	Georgette Stockman	Sue West
	Kathy Evans	Steve Royce	Maryellen Royce
	Agnes Recco	Peter Welkley	Sam Recco
	Mindy Recco	Pam Atwater	Paul Lauricella
	Kate Kremer	Russ Martino	Bill Jurinich

Supervisor Simon called the Public Hearing to order for the Yates Town Park REDI Grant Project at 7:30PM.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Notice of said Public Hearing was duly published in the Batavia Daily News on January 28, 2020 and posted at the Yates Town Hall and on the Town of Yates website.

The purpose of such Public Hearing is to discuss the Yates Town Park REDI Grant Project in order to receive as much feedback from the Town residents about the Town Park project as possible before making a final decision to accept the REDI Grant.

SUPERVISOR REMARKS

Supervisor Simon said that in addition, the Public Hearing notice was placed in the Pennysaver and on the Town website which is up to date with all of the park proposal diagrams and information. He asked that public comments to be limited to 5 minutes. He explained that the Board would not be responding during this phase but that they will be keeping notes and have already received many good suggestions from the public. He said this is meaningful and the Board has tried to take all of the inputs from the public into consideration along with the inputs from the Task Force which has been doing a great job. The decision for whether or not to accept

the grant will be made at the regular March Town Board Meeting. He said a couple of people asked about the additional NYSEG land and he explained that it will not be considered for this public hearing but that if becomes available to buy or use through an easement that they would be going through a separate public hearing process for that.

PUBLIC COMMENT

Kathy Evans, Town of Yates, said that even with a 5% local match it's a small price to pay for the amount of free money offered. She said the additional local grant money makes the proposition even better. She added that everyone in the Town should have access to the lake to be able to experience the relaxing, rejuvenating, fun and healthy experience of it. She is excited about the kayak launch access and said that maybe businesses could rent kayaks, canoes and paddle boats along with refreshments. She said the Town could promote the park allowing for concerts, plays, and other outdoor events.

Bill Jurinich, Town of Yates, said this is not free money it's taxpayer money that he refers to as "mystery money". The State is looking at a 6 billion dollar deficit and is handing out money that it doesn't have. He said he understands Comprehensive Plans but that there are a lot of other things that would benefit more people in this community than an enhanced town park in a remote area. He said that a kayak on Lake Ontario is probably usable 15-20 days a year. It's not a good body of water to kayak on. The cost/building estimates of this project are too much.

Paul Lauricella, Town of Yates agreed that grant money is not free money; it comes out of everybody's pockets. He is on the Task Force and said that there has not been a clear path to costs as far as what the taxpayer's are going to have to pay. He doesn't think that it's a good idea and heard on the radio that the State deficit is more like 19 billion. He can't remember the last time the Town lowered the tax rate or held the line on it. He said people are struggling to put food on the table and pay for their heat and now we're adding to their tax bill. He said most people in the Town don't use the park and that there is no economic benefit to improving it. It's too much money and we should give the money back to the State and save the local taxpayers money. He doesn't like the idea of cameras in the park and feels like the Town will push this project through.

Peter Welkley, Town of Yates, said that he has selfish reasons for not wanting this because of his proximity to the park. He said that an open pavilion near Morrison Road will bring in a lot of drinking and noise and that the people that live on Ruby Lane pay a lot in taxes and bought their property for peace and quiet and to enjoy the lake. He said as far as improving the park for people to be able to enjoy the lake; it's been there this whole time and used to have a beach which is no longer there. He said if you wanted a nature trail you could have walked in the grass all along. He said that other than the Amish on Sundays, the park rarely gets used. He worries about the type of people that will use it. He has seen people sleeping in their vehicles early in the morning and paths into the woods littered with needles and beer cans and evidence of

campfires. How will this be monitored? He questioned the $1,500.00 estimate to clean the bathrooms per year and believes that it will be a lot more. He said that in the past police surveillance has not been good. He asked if the road will be adequate to handle the possible increase in traffic and said that it's already a done deal. He desperately hopes that the NYSEG property will not be available for sale.

Ralph Smith, Town of Yates, said that he recently talked to a couple of members of the Mennonite Community who told him that they are excited about the expansion of the Town Park, especially the playground and the kayak launch. He said this is probably one of the few ways that they get their tax money back and will probably be the prime users of the facility. He said the engineering appears to be sound. He's worried about the future lake levels and doesn't know how they can engineer those amenities that jut into the lake. He said as far as the free money is concerned, the improvement of the Town Park was never on anybody's radar. He said that broadband, at a good price, is where major funding should be devoted and would have an exponential impact for the good of the members of the Yates community. He said if it wasn't for the grant money the Town would never be considering a park expansion because there are much higher priorities around the Town.

Bill Jurinich, Town of Yates, explained that those that live along the lake know that at certain times of the year when the lake turns over there are large amounts of sludge that will impact the proposed jetties and kayak launch. He said once it's inside the jetty, has anyone considered the cost of removing it to make the kayak launch usable. The Green Harbor owner owns a 25' boom backhoe to keep his harbor clean. He asked the Board to put this to a public vote to see if the residents of the Town want this.

Peter Welkley, Town of Yates, wondered if people realize how the lake rolls and if those that may want to kayak realize this. He said there are 3 foot rollers in the lake that he can hear from his house. He asked what impact the park expansion will have on the assessments of the homes nearby.

Pam Atwater, Town of Somerset, said that she kayaks and has a tough time finding access points to put her kayaks in on the lake so she appreciates the opportunity this affords to people. She thinks that parks in general, especially along the lake, offer people the opportunity to enjoy that setting. She said that birders that take field trips usually skip from Golden Hill State Park to Hamlin Beach and that this would be a good setting for birders which brings in a lot of people as a tourist attraction. She submitted an article written by Bob Confer called "You're part of the local tourism industry" which talks about the impact local residents have on tourism and how we should be fostering and encouraging it because of the money it brings into our local communities which in turn, helps everybody.

Ralph Smith, Town of Yates, discussed the three men that went out kayaking on Lake Ontario three years ago from out of state where at least one of them drowned because of one of the

famous Lake Ontario squalls. If the wind comes up out of the South there is no way that a kayaker could paddle hard enough to overcome that wind. Anything that would encourage people who don't know how to kayak to come in and use this spot; then it should be demonstrated how dangerous kayaking can be on Lake Ontario especially for inexperienced people.

Kate Kremer, Town of Yates, is very excited about the idea of this kind of money coming into the Town of Yates. She said grant money is usually geared toward a specific use and although she appreciates that there are other needs of the Town like broadband, the fact that the grant was available and someone took the initiative to apply for it is great. She said that she is on the LWRP committee and that they have been looking at ways to revitalize the lakefront area so this grant comes at a perfect time. She said that money in this state begets more money and if Yates implements this grant well, it could serve us in the future to obtain more grants. She said our taxes are high and will not go down anytime soon and that it's time for the Town of Yates to start receiving some of that money back. She added that Lake Ontario, on calm days, is wonderful to kayak on and that kayakers usually don't go too far from the shore. She agreed that some safety rules and cautions would be a good idea. She feels that this puts Lyndonville on the map and is one of the few assets that the Town has and it should be highlighted. She is sympathetic to the residents who live near the park and feels that we should be attentive to them and hopes that we can be supportive of them and expand the park at the same time. She said that this should attract birders and will attract people to the town outside of the summer months which could help sustain local businesses.

Georgette Stockman, Town of Yates, said that the County has a Comprehensive Plan which talks about the Yates Town Park with goals for the park such as: to install picnic tables and benches to provide a view of the lake, to install interpretive signage to commemorate the lake as a transportation route, to install upgrades to the Yates Town Park such as enhanced water, electric, sewer, playgrounds and boat launch, to expand into the NYSEG acres, and to explore the active recreation or water access at the Yates Town Park. She is a regular attendee at these meetings and has listened to residents say for years how there should be other things going on in Lyndonville so here is the opportunity.

RESOLUTION NO. 31-2/20

RESOLUTION TO CLOSE THE PUBLIC HEARING ON TOWN OF YATES TOWN PARK REDI GRANT PROJECT

RESOLVED, to close the Public Hearing at 8:00PM.

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

5 Ayes 0 Nays

Motion: Carried

Supervisor Simon called the February Board Meeting to order at 8:05PM.

SUPERVISOR REMARKS

No comments.

CORRESPONDENCE

No comments.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

No comments.

RESOLUTION NO. 32-2/20

RESOLUTION TO APPROVE MINUTES

RESOLVED, to approve the minutes of the January 9, 2020 Organizational and Regular Board Meeting as presented to each Board Member.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 33-02/20

RESOLUTION TO ALLOW SUPERVISOR TO SIGN AGREEMENT WITH GARY AND SHERIANN DENT TO MOW TOWN CEMETERIES FOR THE YEAR 2020

WHEREAS, Gary and Sheriann Dent have mowed the Town cemeteries for the last 7 years and the Town is pleased with the quality of their work and have received favorable comments from visitors of the Town cemeteries, and

WHEREAS, they have read and understand the terms of the Mowing Agreement and agree to mow for the year 2020 in the amount of $20,000; payments to be made in eight equal payments of $2,500.00 starting in April and the last payment in November, be it

RESOLVED, the Town Board authorizes the Supervisor to sign the Mowing Agreement with Gary and Sheriann Dent.

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

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 34-2/20

RESOLUTION TO PAY BILLS

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

RESOLVED to pay the bills as follows:

Fund A (General – Townwide)	$ 60,365.03
Fund B (General – Outside Village)	$ 1,982.10
Fund DA (Highway – Townwide)	$ 36,737.08
Fund DB (Highway – Outside Village)	$ 2,264.28
Water 4-	$ 15,684.31
Water 2-	$ 37,954.59
Youth-	$
Fire-	$ 53,800.00
TOTAL	$208,787.39

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

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

Paul Lauricella, Town of Yates, said that Sonny and Sheri Dent do an impeccable job on the Town cemetery and is there five times a week if that's what it needs. They weed whack around every stone which is back-breaking work.

Kate Kremer, Town of Yates, said that the Yates Town Board is doing a great job and thanked them.

REPORT OF TOWN OFFICERS

Michele Harling read the Assessor's report:

I continue to receive renewal exemption applications for Agriculture, AGED, Non-profit, and disability. A reminder that all exemption renewals need to be filed in my office no later than March 1st. I have noticed an increase of Yates residents reaching out to the Medina office for information. This shows me that people are becoming comfortable knowing I am available Monday-Friday. I will be working on new assessment values generated by the closed building permits.

Councilman Suhr said that he would like the Town Park built near his home if at all possible.

Councilman Riggi said that he has been working with the State on the LWRP for months to finalize the language on policies that pertain to renewable energy. One policy was for on-shore and one was for off-shore. He said initially the language we used was not accepted so we started working with the Department of State lawyers to come to an agreement on new language and we are happy with the new statements. Basically it says that it's not in the Town's best interest for any kind of renewable project within the LWRP. We are expecting the rest of the LWRP committee to sign on at their next meeting and then the process can start moving forward. This was a big milestone passed.

Supervisor Simon said that we did the Modern Waste surveys over the 3 lakefront Towns along with the Highway Departments and Modern is now compiling the information into the red-will not go down anymore, yellow-if you make an improvement we will go down, and green-they will go down the lane, system. Roger Wolfe said that the County representatives rode along too and it went well. Now we're just waiting for the list. He said that we may have some changes in service.

ADJOURNMENT

Moved by Councilman Whipple, Whereas there is no new business to be brought before the Board that the meeting be adjourned at 8:15PM.
Seconded by Councilman Hrovat

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted
Michele L. Harling
Yates Town Clerk