Town of Yates February Board Meeting
8 S. Main St., Lyndonville, NY 14098
February 10, 2022, 7:00PM

Present: Jim Simon, Supervisor (via Zoom)
Terry Chaffee, Jr., Councilman
Susan Hrovat, Councilman
John Riggi, Councilman
Harold Suhr, Councilman
Michele Harling, Town Clerk

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

Others: Georgette Stockman Bill Olinger

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

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

No remarks.

CORRESPONDENCE

No correspondence.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

No comments.

RESOLUTION NO. 34-2/22

RESOLUTION TO APPROVE MINUTES OF JANUARY ORGANIZATIONAL MEETING

RESOLVED, to approve the minutes of the January 13, 2022 Organizational and Regular Board Meeting as presented to each Board Member.

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

Roll Call Vote:

Councilman Suhr: Aye

Councilman Chaffee: Aye
Councilman Riggi: Aye
Councilman Hrovat: Aye
Supervisor Simon: Aye

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 35-2/22

RESOLUTION OPPOSING ALL COVID 19 MANDATES

WHEREAS, the NY state and US federal responses to the COVID 19 virus since March of 2020 resulted in numerous government mandates restricting individual freedoms, and

WHEREAS, the COVID 19 mandates in NY included unconstitutional lockdowns, capacity limits, restrictions on hospital and nursing home visits to loved ones, compulsory masking, vaccine requirements for employment and public access, and curtailments of free speech, and

WHEREAS, many states imposed very few COVID 19 mandates and have had no increased incidences of COVID 19 hospitalizations and deaths compared to those states with severe restrictions like NY, and

WHEREAS, over 40 states have lifted most if not all of their COVID19 mandates, including vaccine mandates and masking indoors and for K-12 schools, and

WHEREAS, NY ignored and tried to silence the increasing chorus of credentialed health care specialists regarding the efficacy of masking, social distancing, vaccinations and lockdowns, and

WHEREAS, the recommendations of the Great Barrington Declaration authored by Dr. Kulldorff (Harvard), Dr. Gupta (Oxford), and Dr. Bhattacharya (Stanford) and signed by 925,000 health care professionals was ignored and attacked for political reasons despite "focused protection" proving to be the exact approach NY state and the federal government should have taken, be it

RESOLVED, the Town of Yates is opposed to all COVID 19 mandates, and be it further

RESOLVED, that the Town calls upon NY to conduct a bipartisan review of COVID 19 mandates and their deleterious effects on New Yorkers, and be it further

RESOLVED, that the Town Clerk send official copies of this resolution to President Joe Biden, Senator Chuck Schumer, Senator Kirsten Gillibrand, Congressman Chris Jacobs, Governor Kathy Hochul, Lt Governor Brian Benjamin, State Senator Rob Ortt, State Assemblyman Steve Hawley, Orleans County Legislature Chair Lynne Johnson, Lyndonville Mayor John Belson, and Lyndonville Central School District Board of Education President Ted Lewis.

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

Supervisor Simon said that he had an inquiry from Congressman Jacob's Office regarding some of the stuff the Town is doing with COVID and his staffer asked if the Town was planning to post this publicly if it was passed. He explained that we normally don't but sometimes will do a press release so as part of this if the Board would like, it could be fashioned into a press release. It is obviously going to a lot of people and there is a lot of pressure now on the Governor and the State Department of Health and the State Department of Education to lift all of the mandates. So, the more we get resolutions like this in the hopper, the better.

Roll Call Vote:
Councilman Suhr: Aye
Councilman Chaffee: Aye
Councilman Riggi: Aye
Councilman Hrovat: Aye
Supervisor Simon: Aye

5 Ayes 0 Nays

Motion: Carried

RESOLUTION NO. 36-2/22

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)-	$ 39,767.44
Fund B (General – Outside Village)-	$ 319.31
Fund DA (Highway – Townwide)-	$ 29,380.45
Fund DB (Highway – Outside Village)-	$ 2,333.34
Water 4-	$ 17,024.11
H- (REDI Town Park Project)-	$ 5,107.75
Water 2-	$
Youth-	$
Fire-	$ 60,100.00
TOTAL	$154,032.40

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

Roll Call Vote:
Councilman Suhr: Aye
Councilman Chaffee: Aye
Councilman Riggi: Aye
Councilman Hrovat: Aye
Supervisor Simon: Aye

5 Ayes 0 Nays

Motion: Carried

PRIVILEGE OF THE FLOOR

Georgette Stockman, Town of Yates, said that she hadn't been to the last couple of meetings and apologized if the Board had already done this but that the Town of Somerset was looking at renewing their opposition to Lighthouse Wind in a resolution and she encouraged the Town of Yates to do the same thing because the project continues to be a threat. It would be more likely if the Heritage Wind Project actually does go in and thatproject has been issued a permit.

Councilman Riggi said that we passed a resolution opposing the Lighthouse Wind Project at our January Board Meeting.

Supervisor Simon said that he was making a note to send a copy of our January resolution opposing Lighthouse Wind to the Town of Somerset Board so that they were aware of our renewed opposition. In the past the two towns have done a joint letter after both boards have passed these resolutions which both Supervisor's sign and then is mailed directly to the Apex CEO and is posted on the DPS website.

Councilman Riggi added that the vote was unanimous.

Bill Olinger, Town of Yates, asked when he could expect water on the Ridgeway Yates Townline Road. He said that neither he nor his neighbor, Mark Woodworth, have access to town water.

Supervisor Simon said that they are the last couple of remaining homes in the town that do not have water. He asked that Bill leave his name and address with the Town Clerk. He will contact the Town of Ridgeway to see what they offer on the Townline Road and if there is a way to use some of the ARPA money to add the last few homes on the Yates water line. He explained that the ARPA money should allow us to connect the last few houses if that's the direction that the board wants to go and so decides.

Councilman Suhr asked if there is water on the Ridgeway side of the road across the street.

Bill Olinger said that yes there was and that there is a dead end on Route 63 and a dead end on the Swett Road and that he would just as soon have those lines connected.

Supervisor Simon explained that we have half of our ARPA money right now and we will be getting the other half around June or July this year and that there will have to be public hearings held on how to spend the ARPA money but there are a handful of things like water that the money can be spent on so the record should show that this is one way we can spend that money. It will have to be scoped out by the Town Engineer in terms of cost but his thought is that maybe they can tap into Ridgeway's line rather than run ours down the road.

Councilman Suhr asked if Bill would have a problem tapping into Ridgeway's line if allowed.

Bill said that it would be fine.

Supervisor Simon said that we can start working on a decision now by getting an analysis done by the Town Engineer with regard to cost and we can also talk to Brian Napoli in Ridgeway to see what way would be cheaper and better- to tap into their line or run ours. This will not happen overnight; the process has to unfold and it could take a year or more to complete.

REPORT OF TOWN OFFICERS

Councilman Riggi said that he will be participating in a panel discussion at the end of the month which will be a Zoom conference on home rule. He doesn't know much about it now but he will keep the Board updated. They asked him to speak and to not hold back which has never been a problem.

Supervisor Simon said that he will be filling out a Hometown Hero form to purchase a banner for David Bellavia and is in communication with Valerie Wells and has the photograph approved. He said that he was very pleased with the budget update on the A-fund balance, and with all of the fund balances in general. Now we can look more closely as this year unfolds and start considering the 5-year financial plan so that we can purchase things like a new snow plow, for example. He talked to Roger the other day and the Highway was down to two snowplows because little things break here and there and we only have four to start with and they're trying to clear all of the roads.

ADJOURNMENT

Moved by Councilman Hrovat, Whereas there is no new business to be brought before the Board that the meeting be adjourned at 7:13PM.
Seconded by Councilman Suhr

5 Ayes 0 Nays

Motion: Carried

Respectfully Submitted
Michele L. Harling
Yates Town Clerk