

The Regular monthly meeting of the Yorkshire Town Board, for the month of May, was held on Monday, May 18, 2020, via Teleconference due to the Coronavirus pandemic. Under governors' orders conference calls for Town Meeting is acceptable during NYS Pause.

Supervisor Spencer called the meeting to order at 7:00pm

Roll Call:

Marcia Spencer, Supervisor, Present

Christopher Edmunds, Deputy Supv & Committee Member, Present

Kenneth Fisher, Coun. Member, Present

Bradley Regan, Coun. Member, Absent

Teresa Hewitt, Coun. Member, Present

On a Motion of Coun Hewitt, seconded by Coun Fisher, it was moved to dispense with the reading of the minutes of April 20, 2020 meeting

Carried unanimously

**RESOLUTION #40-20**

On a Motion of Coun Hewitt, seconded by Coun Fisher the following Resolution was Resolved, to approve the draft minutes of the April 20, 2020 Regular Town Board Meeting

Spencer, Aye; Fisher, Aye; Edmunds, Aye; Regan, Absent; Hewitt, Aye

Ayes 4 -Nays 0 – Absent 1 -Adopted

Financial Report:

Supv Spencer presented her Supervisors monthly report for March 2020 to the Town Board for review and filed with the Town Clerk

Justice Report: courts remain closed until May 31<sup>st</sup>, 2020 in New York State

Report of Departments:

Dog Control – inspection of the kennel from Ag and Markets went well

Water Commissioner Report: (written)Larry received an out of district inquiry from Andrew Bartz on Countyline Road to connect to Town of Yorkshire Water. Seeking board opinion regarding the connection, once we have Town or Village of Arcade approval. Danny Heineman has performed location services and met with the contractor regarding replacement of the Pioneer High / Middle School Road. Where are we with the operation contract. Since the dollar amounts were previously approved. Can Heineman bill at the new water raters pending a contract.

A discussion was had regarding if we need to have original involve for parts purchase through Heineman for the Water Dept.

A lengthy discussion was had regarding Town residents trying to get water hooked up. Not sure why it is taking so long. Brian Bloom trying to get water hooked up for the new building he is building near Weber City. Blooms have been working for almost a year to get water to the building site.

It was stated that 1 year for a new water service hook up is too long. We need to rethink the water laws and how requests are handled

Supervisor Spencer stated we should be helping Bloom get water service for there new store front. This is a great thing for our town.

Coun. Edmunds asked who dropped the ball? Are only new water customers having a problem with receiving water? The water laws are from the 1960's and you can't just make up rules for how each situation is handled. Could we possibly make a committee to update the water rules / water laws and how we handle out of district such as a contract.

Coun. Hewitt asked if any nearby towns have recently updated their water laws? Need to make sure changes are the same for everyone not just 1 or 2 customers

Chris Lexer stated We need to be smart and do our research and fix it for everyone.

Coun Hewitt stated let's get the Attorney involved and start the process so that there is a system in place for everyone.

Cattaraugus County Planning Board is looking for anyone interested in being on county planning board. The County planning board meets the last Thursday of the month. We need representation from our area. On a motion of Supervisor Spencer, seconded by Coun Fisher it was moved to Send Chris Edmunds name to the county planning board.

#### RESOLUTION #41-20

On a Motion of Supervisor Spencer, seconded by Coun. Fisher the following Resolution was Resolved. To send Chris Edmunds name to Cattaraugus County Planning board as a new member.

Spencer, Aye; Fisher, Aye; Edmunds, Aye; Regan, Absent; Hewitt, Aye

Ayes 4 -Nays 0 – Absent 1 -Adopted

Highway Supervisor: reminder that the water class was going to take at the end of April was cancelled due to Coronavirus. Bids notice for the new Salt Shed has been in the paper. We have had 2 inquiries about it. Bids will be opened until May 28<sup>th</sup>, 2020. Spring Cleanup will be hopefully in late June this year. We will be looking into hiring another fulltime highway worker. Will be calling back part time worker soon. Hoping to have a new full-time worker hired in the next couple of weeks. We have been trimming trees, digging ditches. Being cautious on large to see how things are going. Upcoming projects include overlay Gunbarrel Road, Card Road, and lots of patching

Code Enforcement: only emergency inspections can be done up to this time. Building permits for private homeowners or single employee contractors. Can start issuing permits for others starting May 19, 2020

Summer Recreation: The Village of Delevan has voted to cancel summer recreation for the coming summer due to Social distancing and sanitation requirements.

On a motion of Coun. Edmunds, seconded by Coun Hewitt to cancel the 2020 Summer recreation program

RESOLUTION #42-20

On a Motion of Coun Edmunds, seconded by Coun. Hewitt the following Resolution was resolved to cancel the 2020 Summer Recreation program due to the social distancing and new sanitation requirement from the coronavirus.

Alle Catt email from Ginger Schroder regarding a resolution for the Towns to keep power to tell where we want wind turbines. Town board members received information for review.

On a Motion of Coun Hewitt, seconded by Coun Edmunds the following Resolution was resolved

Spencer, Aye; Fisher, Aye; Edmunds, Aye; Regan, Absent; Hewitt, Aye  
Ayes 4 -Nays 0 – Absent 1 -Adopted

WHEREAS, NYS is a “home Rule State.

WHEREAS, per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community.

WHEREAS, New York State’s fiscal year 2021 State Budget included the Accelerated Renewable Energy Growth and Community Benefit Act (the “Act”), the primary focus of which has been the new section 94-c of the Executive Law, which overhauls the state’s large-scale renewable siting process, and

WHEREAS, this amendment replaces the current Article 10 process with a method for siting renewable energy projects that provides for much less public participation and much less transparency.

WHEREAS, there is considerable evidence that onshore industrial wind energy projects will be a net economic liability to NYS host communities.

WHEREAS, the law authorizes the State to make state lands “shovel ready” and available for construction of renewable energy projects.

WHEREAS, each of these proposed changes preempt municipalities’ home rule authority.

WHEREAS, the law is sweeping in its scope and changes all aspects of power plant siting (including but not limited to industrial scale wind turbines projects, solar, and transmission lines) including permitting and approval, the role of local zoning laws, land acquisitions, environmental review, and creation of PILOT and Host Community Benefits Agreements, and

WHEREAS, many New York State municipalities have significant concerns about the proposed law and believe it will benefit energy companies to the detriment of local governments and citizens, and

WHEREAS, lawyers, including Gary Abraham, Ginger Schroder, and Ben Wisniewski are forming a consortium of municipal entities (led by the Towns of Sommerset and Yates) to challenge the provisions of the new law relating to the abrogation of home rule rights, and

WHEREAS, the Town of Yorkshire desire, at no cost to the Town of join the consortium of municipal entities and requests that a copy of this resolution be delivered to the attorneys forming the consortium.

All business needs to have a safety plan for reopening. At this time all those entering town hall must wear a mask and maintain social distancing. Hand sanitizer will be available, and we will use the new window put in the clerk's office. Each department to clean and sanitizer their own area

A discussion was had regarding water billing procedures.

On a motion of Coun Hewitt, Seconded by Supervisor Spencer the Following resolution was resolved to keep Town of Yorkshire Water Billing at payment due 4 weeks after billing date, and 10% penalty after payment due date.

Spencer, Aye; Fisher, Aye; Edmunds, Aye; Regan, Absent; Hewitt, Aye  
Ayes 4 -Nays 0 – Absent 1 -Adopted

A discussion was had regarding hiring another constable. Joe Neamon put in for the constable position. Courts are going to be very busy once they open back up. Town law says constable must be a Cattaraugus County Resident.

Voting will be held at the Town hall on Tuesday, June 23, 2020

Chris purchased and distributed  
masks for Town Clerk, Assessor, court Clerk.

Monthly Audit: all Town Board members have received a copy of the abstract for an opportunity to review

Pay Claims:

RESOLUTION #43-20

On a motion of Coun. Edmunds, Seconded by Coun Hewitt the following resolution was resolved, that the following claims for payment be approved: General Fund Claims # 92-109, in the amount of \$4,965.06 as set forth in the General Fund Abstract #5 dated May 18, 2020; Highway Fund Claims #64-74 in the amount of \$11,200.85, as set forth in Highway Fund Abstract #5 dated May 18, 2020; Water District #1 Fund Claims #25-30 in the amount of \$710.34 as set forth in the Water District #1 Abstract #5 Dated May 18th, 2020; Water District #2 Fund Claims #5 in the amount of \$30.00, as set forth in Water District #2 Abstract dated May 18, 2020.

Spencer, Aye; Fisher, Aye; Regan, absent; Hewitt, Aye, Edmunds, Aye.

Ayes 4 – Nays 0 – Absent 1- Adopted

With no further business, on a motion of Coun Fisher, seconded by Coun Edmunds the Meeting was adjourned at 8:00pm

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Donna Lavery, Town Clerk

