

The regular monthly meeting of the Yorkshire Town Board, for the month of February, was held on February 12, 2020, at the Town Hall, 82 S Main Street, Delevan, NY.

Supervisor Spencer called the meeting to order at 7:05pm followed by the Pledge of Allegiance to the Flag.

Roll Call

Marcia Spencer, Supervisor, Present
Christopher Edmunds, Deputy Supv. & Coun. Member, Present
Kenneth Fisher, Coun. Member, Present
Bradley Regan, Coun. Member, Present
Teresa Hewitt, Coun. Member, Present

Other Town officials present were Christopher Lexer, Superintendent of Highways & Code Enforcement Officer/Zoning Officer

Also, present Laney Hill, Arcade Herald Reporter, Brandon, and Marge from the Delevan – Yorkshire Public Library.

On a Motion of Coun Fisher, seconded by Coun Regan it was moved to dispense with the reading of the draft minutes from the January 15, 2020 regular board meeting. Carried unanimously.

RESOLUTION #13-20

On a motion of Coun Fisher, seconded by Coun Regan the following Resolution was resolved, to approve the draft minutes of the January 15, 2020 regular monthly town board meeting as printed.

Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

Communications:

A letter from a resident on Electric Lane in Yorkshire requesting Water Service and to start the process at their own expense. After a brief discussion regarding the water connection of a resident on Electric Lane.

RESOLUTION #14-20

On a motion of Coun Fisher, Seconded by Coun Regan the following resolution was resolved that the resident on Electric Lane requesting water service from the town can move forward with the process.

Spencer, Abstain; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 4, Nays 0, Abstain 1, Adopted

Monthly Financial Reports:

Supv Spencer present her supervisor's monthly report of receipts for January 2020, to the Town Board for review and filed with the Town Clerk

RESOLUTION #15-20

On a motion of Coun Fisher, seconded by Coun Hewitt, the following Resolution was Resolved, that the board had reviewed the Supervisor's monthly report for January 2020 & is accepted as submitted
Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

Justice Lynn Guertin sent a check to the town supervisor in the amount of \$13,886.50 for the month of January 2020

Town Clerk presented copies of her monthly financial report for January 2020, for the Town Board to review.

Reports of Departments

Joe Neamon/Dog Control Officer – no report
Zoning Board – no report

Larry Groves – Water Commissioner – Larry has a meeting with MDA Consulting Engineers and Danny Heineman regarding fluoridation equipment for Friday 2/14/2020

Chris Lexer – Highway Supt (Written report) –
Our salt usage has been nearly 700 tons this year along with around 1400 tons of sand. This is about normal for the year.
Our equipment has been serviced and is ready for the upcoming construction season.
We continue to plow and sand as needed.

Salt Shed Grant update, need to get an engineer, put job out for bid. MDA sent proposal of \$10,000 for design, bid, construction plans. Anything above that would be at an hourly rate.

RESOLUTION #16-20

On a motion of Coun Fisher, Seconded by Coun Edmunds the following resolution was resolved that the Town of Yorkshire will move forward with the engineering portion of the salt shed grant. And Authorized the Highway Supervisor to sign contracts in regard to the salt storage shed.
Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

Supv Spencer Stated Town Prosecutor Klima is awaiting DA approval

Town Constable Posting, we received 1 application, the applicant lives quite a distance away. Board agrees we need someone local, and familiar with our town

Alle Catt email from Ginger Schroder regarding resolution opposing any tax breaks for Alle Catt. Upon review by Council members

RESOLUTION #17-20

On a motion of Coun Hewitt, Seconded by Coun Edmunds the following resolution was resolved

Resolution of the Town of Yorkshire To Inform the Cattaraugus County Industrial Development Agency of its Opposition to the Alle Catt Wind Project, the Issuance of a PILOT Agreement, and that Alle Catt be Required to Pay Full Taxes

WHEREAS, the Town of Yorkshire is a municipality adjoining towns proposed to be towns slated for development for the Alle-Catt Industrial Wind Facility (hereinafter “Project”) by Invenergy and its subsidiaries; and

WHEREAS, the Town of Yorkshire is in the designated “study area” of the Project, known under Article 10 of the New York State Public Service Law (hereinafter “Article 10”) as “an area generally related to the nature of the technology and the setting of the proposed site. For large facilities or wind power facilities with components spread across a rural landscape, the study area shall generally include the area within a radius of at least five miles from all generating facility components, interconnections and related facilities and alternative location sites....”; and

WHEREAS, the Town of Yorkshire has grave concerns about the ramifications of this Project on the Town of Yorkshire and its residents; and

WHEREAS, the Town of Yorkshire Town Board is opposed to the Project as it is currently designed; and

WHEREAS, the Town of Yorkshire Town Board is opposed to the Cattaraugus County Industrial Development Agency (“CCIDA”) entering into any agreement for financial assistance to the Project including but not limited to a Payment in Lieu of Taxes (“PILOT”) for the Project; and

WHEREAS, the Town of Yorkshire Town Board is opposed to the Project receiving any financial assistance or tax breaks whatsoever and is only supportive of the Project being fully taxed by all relevant taxing jurisdictions; and

WHEREAS, the Town of Yorkshire Town Board is advised that the CCIDA recently passed a resolution adopting a Policy Regarding Uniform Criteria for The Evaluation of Projects (“Policy”); and

WHEREAS, the Policy provides that the CCIDA in evaluating commercial energy projects may consider official support of or official opposition to such projects from Local Government or the County; and

WHEREAS, the Town of Yorkshire Town Board wishes to provide this Resolution to the CCIDA, so as to document the Town’s official opposition to the Project for consideration under the Policy in the event that the Project requests financial assistance or a PILOT agreement from the CCIDA;

NOW THEREFORE BE IT RESOLVED by the Town of Yorkshire as follows:

1. The Town Board declares that it is opposed to the Project, and that it is opposed to the Project receiving any financial assistance or PILOT from the CCIDA and that it desires that the Project be fully taxed by all taxing jurisdictions.
2. The Town Board directs the Town Supervisor or the Town Clerk to provide a certified copy of this Resolution to the CCIDA forthwith.

This resolution shall be effective immediately.

Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

We are still in need of more volunteers for planning board, zoning board and board of assessment review. We need 1 volunteer for planning board, and 1 volunteer for zoning board there is training for these positions, and they are not paid positions. We also need 2 volunteers for the Assessment Board of Review. There is a short class to take at the county and then come in for Grievance night in May.

RESOLUTION #18-20

On a motion of Supv Spencer, Seconded by Coun Edmunds the following Resolution was resolved. To move into Executive Session at 7:37pm to discuss employment history.

Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

Supv Spencer closed the Executive Session at 7:56pm and re-open the regular meeting

RESOLUTION #19-20

On a motion of Coun Edmunds, Seconded by Coun Fisher the following Resolution was resolved. To change the Town Attorney to Peter Sorgi at \$225 per hour.

Spencer, aye; Fisher, aye; Edmunds, aye; Regan, aye; Hewitt, aye
Ayes 5, Nays 0, Adopted

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

Donna Lavery, Town Clerk

