Town of Yates November Board Meeting
8 S. Main St., Lyndonville, NY 14098
November 14, 2024, 7:00PM

Present: Jim Simon, Supervisor
Susan Hrovat, Councilman
John Riggi, Councilman
Terry Chaffee, Jr., Councilman
Michele Harling, Town Clerk
Trisha Laszewski, Assessor

Excused: Harold Suhr, Councilman
Roger Wolfe, Highway Superintendent
David Reese, Code Enforcement Officer

Others : Larry Wolfe Bill Jurinich Paul Lauricella
Justin Edwards

Supervisor Simon called the November Board Meeting to order at PM.

PLEDGE OF ALLEGIANCE

SUPERVISOR REMARKS

No remarks.

CORRESPONDENCE

No correspondence.

PRIVILEGE OF THE FLOOR ON AGENDA ITEMS ONLY

Paul Lauricella, Town of Yates asked about Resolution No. 102-11/24. He wondered if a check is cut and sent to the Town Clerk for surplus equipment. He asked if the tax increase will be at 2%. He asked if the Board was able to set aside any money for equipment purchases. He thinks that the budget is hard to read because it all looks like a bunch of numbers without any specifics such as what the money is being spent on. He realizes that once the budget is approved it gives permission for each Department to spend the money that is allocated to them. He asked for clarification on the water resolution in this meeting. He asked if the Board has done anything about the Short- Term Rental Local Law.

Supervisor Simon replied that there is a process for all checks that are received by the Town and with regard to surplus equipment; the money would probably go into the DA or DB's reserve account. He hopes that some of this old equipment, like the snowplow, will sell. He hopes that there will be extra money left in the budget to spend on equipment. Roger has been good with that. He pointed out that the last tractor payment is being sent out this month. They will be keeping the same amount of money in that budget line after the tractor is paid off to use for future purchases. Ideally, if Roger doesn't need to purchase something right away, he can start putting that money into reserve for purchases. He explained that the water resolution this month

is for our Water District #4 unit charges and the Village increase in the price per thousand will take place effective January 1, 2025. We'll have that resolution ready for December's Town Board Meeting. He said that the Short-Term Rental Local Law proposal is on hold.

RESOLUTION NO. 97-11/24

RESOLUTION TO APPROVE OCTOBER REGULAR BOARD MEETING MINUTES

RESOLVED, to approve the minutes of the October 10, 2024 regular Board Meeting as presented to each Board Member.

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 98-11/24

RESOLUTION TO APPROVE PRELIMINARY BUDGET PUBLIC HEARING MINUTES

RESOLVED, to approve the minutes of the November 7, 2024 Public Hearing as presented to each Board Member.

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 99-11/24

RESOLUTION TO ADOPT THE PRELIMINARY BUDGET AS THE TOWN OF YATES FINAL BUDGET FOR FISCAL YEAR 2025

WHEREAS, a Public Hearing was held on November 7, 2024, at 5:30PM at the Yates Town Hall to present the Preliminary Budget and all persons wishing to be heard had a chance to speak, be it

RESOLVED that the Preliminary Budget be adopted as the Final Budget for the year 2025 and, be it

FURTHER RESOLVED, that a copy of such budget shall be attached to these minutes and posted on the Town website in a timely manner.

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

Supervisor Simon said that the changes that were discussed at the November Workshop have been made. He thanked all that were involved in preparing the Final Budget for their help. He said we'll see how we end up at the end of the year with our reserves. We'll have to take another hard look at the beginning of the fiscal year.

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 100-11/24

RESOLUTION ESTABLISHING UNIT CHARGES FOR LEVELS 1, 2 AND 3 OF WATER DISTRICT 4

WHEREAS, the Town of Yates Water District #4 Unit Charges are calculated based on the annually scheduled principal and interest loan totals for each improvement loan, and

WHEREAS, the Town Assessor provides assessment taxable totals and the number of level 1, 2 & 3 water units from the Final Roll to the Town Supervisor annually, and

WHEREAS, as part of the 2025 budget process, the Town Board determines the annual unit charges to be levied on the upcoming tax bills, be it

RESOLVED, that the following Unit Charges are hereby established for Water District #4, effective January 1, 2025:

Level 1: $190.15
Level 2: $157.61
Level 3: $ 4.82

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 101-11/24

RESOLUTION 5-YEAR FISCAL PLAN

RESOLUTION TO APPROVE THE UPDATE TO THE TOWN OF YATES 5-YEAR FISCAL PLAN FROM 2023-2028

WHEREAS, the Town Board asked all Department Heads to provide an update to the 2023-2028 5-Year Fiscal Plan to provide the most up to date department goals to inform the 2025 proposed budget and to provide guidance regarding mid- to long-term areas for which reserve funds or bonds will be needed, be it

RESOLVED, that the Yates Town Board approves the Updated 5-Year Fiscal Plan as presented below.

Town of Yates 5-Year Fiscal Plan 2023-2028

Purpose: This 5-Year Fiscal Plan will be updated each year to provide the most up to date departmental goals to inform the next year's budget, and to provide guidance to the Yates Town Board regarding mid to long term areas for which reserve funds or bonds will be needed.

Town Board

- Short Term Goals:
  - Town property upgrades @ Patterson Pond
  - Negotiate new union contract
  - Seek increased grants for Summer Youth Recreation Program
- Long Term Goals:
  - LWRP projects
  - Additional Town Park features (full kitchen, extended walking path)

Town Highway

- Short Term Goals:
  - 1-ton pick-up with utility body
  - Update fuel log system in highway building
- Long Term Goals:
  - Create a plan to get the rest of the plow trucks replaced given the 2- to 3-year delay from order to delivery.

Town Water and Sewer

- Short Term Goals:
  - Continue to assess the price updates for the water utilities (SW2 and SW4)
  - Replace four master meters (SW4)
  - Work with Village to increase rates to cover cost of production changes (SW4)
- Long Term Goals:
  - Purchase and Implement Water GIS mapping system
  - Upgrade residential water meters
  - Water line upgrades to old lines
  - Paint the water tower (in approximately 5-years)

Town Clerk

- Short Term Goals:
  - Records Retention Grant Application for Historians Office

    - Wet vacuum all Town Hall carpets
    - New Phone System to Replace Unsupported System
- Long Term Goals: None at this time

Assessor

- Short Term Goals:
    - Explore revamping office space to accommodate simultaneous CEO and Assessor meetings with constituents.
- Long Term Goals: None at this time

Court

- Short Term Goals: None at this time
- Long Term Goals: None at this time

Code Enforcement

- Short Term Goals:
    - Finalize review and implementation of eCode360
    - Purchase digital state code access
    - Purchase digital distance measuring tool and digital camera
- Long Term Goals: None at this time

Ambulance:

- 2023 & 2024 = $15,000 per year
- 2025 & 2026 = $35,000 per year

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 102-11/24

RESOLUTION TO AUTHORIZE YATES HIGHWAY SUPERINTENDENT TO SELL SURPLUS EQUIPMENT

WHEREAS, the Town of Yates has unused surplus equipment which, if sold, would bring revenue to the highway fund balance reserve, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to sell surplus equipment (including, but not limited to, vehicles), and be it further

RESOLVED, that any revenue from sales of surplus equipment be added to the DA fund balance reserve.

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

RESOLUTION NO. 103-11/24

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)	$ 40,619.38
Fund B (General – Outside Village)	$ 2,335.55
Fund DA (Highway – Townwide)	$ 38,315.05
Fund DB (Highway – Outside Village)	$ 29,256.77
H (REDI)-	$
Water 4-	$ 6,688.72
Water 2-	$ 55,832.50
Youth-	$
Fire-	$
TOTAL	$173,047.97

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

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

PRIVILEGE OF THE FLOOR

Bill Jurinich, Town of Yates, asked if the surplus equipment will be sold at auction.

Supervisor Simon said that depends, it's up to Roger to decide. He doesn't anticipate getting a lot for the snowplow.

Paul Lauricella, Town of Yates, said the reason he asked so many questions was because he missed the workshop meeting and that's where he finds out what's going on.

Supervisor Simon said that the Preliminary Budget has been posted since last month and they have been working on the whole budget process for a few months. Hopefully it has all been transparent. The Final Budget will be posted on the website and available on the counter. He said if there are any questions on specific line items he can be reached via email. Understanding the budget does take getting used to.

TOWN OFFICERS REMARKS

Councilman Riggi said that there is a potential issue that he has been researching that centers around the use of Roundup on fields after the harvest and before they distribute manure. They use this to kill off all of the organic growth. There are ambulance chasing lawyers all over the television advertising about Roundup and the possible side effects of it like cancer. This does point out that there may be a problem with Roundup. It is a Monsanto Bayer Pharmaceutical Herbicide and the active chemical in it is glyphosate, which is a known risk factor in the development of cancer after long term exposure. The latest is that in the United States, there have been 130,000 people diagnosed with cancer that have been related to the use of Roundup which is why we're probably seeing all of these ambulance chasers on the TV. Interestingly enough, we should never trust the government, but the EPA says that there are no risks of cancer, no connection. But, the World Health Organization says that it is a probable carcinogen which means it's not possible- it's probable. The probabilities are such that there is a statistically significant probability that long term use for whatever reason could lead to cancer. You can drive around and see the fields that look like a greenish-yellowish color; they are the ones that have been sprayed with Roundup. Roundup will dissipate over time. Worse care, it takes around 10 months. We get a lot of rain here and when you have active glyphosate in the soil and it goes into the water of the lake, and our water intake unlike the Town of Somerset who gets their water from the Niagara River (which could be a problem, too), we have a potential for exposure. It could potentially get into our drinking water. Considering that Lake Ontario is the bathtub of the Great Lakes, we're getting everything that's coming from the other Great Lakes, not just glyphosate from Roundup, but everything else. In an effort to continuously improve products, Monsanto Bayer has now genetically engineered Roundup ready family of seeds so now you can plant those seeds and they won't be affected by Roundup. That means that Roundup can be used the whole growing season to cut down on weeds, but not the plants or the crops. It is important to note that he is not blaming the farmers for this because they're running a business and trying to get people fed. He does question the people in Albany and wonders how much the Albany bureaucrats and the downstate bureaucrats who have never been up here know about any of this. He doesn't know and that's why he's asking the question. He's advocating for this Board to enlighten the County Legislature and our State representatives to the risk and ask for more information on how Roundup is being governed. Are there certain rules that they are using for application, are their certain levels of application that they can use, how often can they use it during the year, etc… He is advocating for the Town Board to start that work.

Supervisor Simon said this raises a couple of questions; one is what is New York State Ag and Market's policy and regulations for use. We don't know, other than by visual evidence, who man be using it here. Since it is able to be used he wouldn't be surprised that some of the farmers are using it. He is curious to find out if our water has been affected. He suggested checking into the results of our annual water reports. He added that he would be surprised if it hasn't already been tested for and if it has, if there is a way in our water system for the water to be treated to not have that, but he doesn't know.

Councilman Riggi said that we need to ask if they are testing for glyphosate. We should also get to the Orleans Genesee County DOH, as well. There may be rules already and this may be something for nothing. He thought that he should bring it up because we're all living out here and if there is an exposure to be had, we're all being exposed so how dangerous is that exposure.

Supervisor Simon said if the shelf life is 10 months, take corn; if you eat an ear of corn, are you getting any of this in your system.

Councilman Riggi has not done any research to find out if this is something that your body will naturally break down or if the stomach enzymes or acid would break it down. That's why it's important to get this information from the people that know.

Supervisor Simon said he wonders if RFK will have anything to say about this, it may be on his radar.

Councilman Hrovat said she did finally make contact with the Lyndonville School to get some information and photos from the Summer Recreation Program. She would like the information because she needs to prepare to ask for the next round of money. We will have the total number of children served and the budget.

Supervisor Simon said that's great. He said it's a good idea to send a thank you note to the Lyndonville Area Foundation for their contribution to the program and we will probably need to ask for a little more money because we've had to dip into the reserves for that account for the last couple of years. If we don't get the whole cost covered, we can choose to cover it and budget for it.

Councilman Hrovat said that with COVID, it took a little to figure out. We didn't have the swimming for those years and because it's a separate charge that we pay to the Village of Medina, it was hard to figure it all out, at first. There has been an uptick in the number of children that attend the Summer Rec Program.

ADJOURNMENT

Moved by Councilman Riggi, whereas there is no new business to be brought before the Board, the meeting is adjourned at 7:16PM.
Seconded by Councilman Chaffee

4 Ayes 0 Nays 1 Absent (Suhr)

Motion: Carried

Respectfully Submitted,
Michele L. Harling
Yates Town Clerk