

Hochul gets stay on mask mandate

Gov. Kathy Hochul's team announced a stay was granted Tuesday on her coronavirus mask mandate.

She said, "As governor, my top priority is protecting the people of this state. These measures are critical tools to prevent the spread of COVID-19, make schools and businesses safe, and save lives. I commend the attorney general for her defense of the health and safety of New Yorkers, and applaud the Appellate Division, Second Department, for siding with common sense and granting an interim stay to keep the state's important masking regulations in place. We will not stop fighting to protect New Yorkers, and we are confident we will continue to prevail."

A Nassau County Supreme Court ruled Monday the mandate couldn't be enforced, as it wasn't first approved by the New York State Legislature. Hochul replied by stating, "My responsibility as governor is to protect New Yorkers throughout this public health crisis, and these measures help prevent the spread of COVID-19 and save lives. We strongly disagree with this ruling, and we are pursuing every option to reverse this immediately."

On Dec. 10, Hochul announced masks would be required to be worn in all indoor public places statewide, unless businesses or venues implement a vaccine requirement. That began Dec. 13, and is set to continue until Feb. 1.

Earlier in the day, Erie County Executive Mark Poloncarz issued a statement regarding the status

of emergency orders issued by Erie County, including the requirement to wear masks in all indoor public locations, issued on Nov. 23.

"Yesterday, a Nassau County State Supreme Court judge issued a decision on the constitutionality of an order issued by New York state. The judge did not rule on the merits of a mask mandate, nor on the constitutionality of emergency orders issued by local governments. All local orders, including Erie County's, are still valid because they were issued under a different section of New York's executive law," he said. "As such, all prior Erie County emergency orders are still in full effect, including the emergency order issued on Nov. 23, 2021, requiring all patrons and public-facing staff in indoor Erie County public locations to wear masks. 'Indoor public locations' includes, but is not limited to bars, restaurants, hotels, barber shops, beauty parlors, bowling alleys, schools, office complexes, shopping centers, malls, stores and any other location that is open to the public."

New York State Education Commissioner Betty A. Rosa said, "We are pleased the Appellate Division granted the application by the Department of Health and the governor's office, confirming the lower court's decision is stayed pending further proceedings. As such, the mask mandate remains in effect for schools across the state. We support Gov. Hochul and the state Department of Health as they continue with the

appeal. We thank the members of our school communities for their patience during this process."

Prior to the stay order, New York State United Teachers President Andy Pallotta said, "Public health experts have been clear that masks are an important part of the strategies designed to keep students, educators and our communities safe. Their current guidance is that masking up is the right thing to do, particularly given the still-elevated infection rates. In the meantime, we're looking to state health officials to set a clear off-ramp for when mask requirements in schools can be relaxed so students, families and educators have some certainty that there is light at the end of this long tunnel."

Senate Republican Leader Rob Ort said, "I am disappointed the Appellate Division issued a stay that will keep the unconstitutional mask mandate in place while the appeals process plays out in the courts."

"We are two years into this pandemic, and it's absurd that this administration is still ruling by mandates - which continue to cause confusion, frustration and division among New Yorkers."

"If the governor truly thinks a mask mandate is in the best interests of New Yorkers, she should send a bill to be debated before the Legislature."

"New Yorkers are fed up - it's time to move beyond one-size-fits-all mandates and return to a system that provides checks and balances."

Board seeks bids for park pavilion; takes action on NU solar proposal

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Bax said the matter has been before the ZBA and is being handled by Attorney for the Town Tom Seaman of Seaman Norris. "Tom didn't seem to have any objection. I did speak with him personally."

On a follow-up question from Jacoby, Bax said he felt any risk would fall to the unnamed developer for the solar project.

"The risk is on the developer for having to start over in the event the ZBA doesn't issue the appropriate variances," Bax said.

Jacoby asked, "By doing this tonight, are we implying that we are approving it?"

"No," Bax returned. He said it was his understanding "that the purpose of the SEQR is to find out what the environmental impact of the project is. The variances may be in the form of setbacks; they may be in the form of berms or other things as it's been presented to the ZBA."

"If the ZBA doesn't approve the variances, we'll have a different project before us," he said.

Lannon said the action would be to declare the town's intent to be lead agent on the project.

"What would happen then is that

we would send out lead agency coordination letters to various agencies to get their feedback," he said. "It's a 30-day process; there are several steps that need to be taken."

Lannon noted the Town Board would not see the matter for months on its next of issuing a negative declaration on the project.

Jacoby said he would second Geiben's motion, but added, "I'm not excited about it."

Soon after, the motion passed for GHD to move forward with the SEQR.

Geiben said the solar project was being put forward by NU behind its athletic fields, and that it would undergo further reviews by the state's environmental board. "That is where we are right now."

In other news:

✓ The board approved a negative declaration for a one-lot subdivision at 4044 Creek Road.

✓ The board lent its support toward planning for the Mighty Niagara Half Marathon and Hospice Dash 5K by Niagara Hospice. The event will take place Saturday, Oct. 1, and run from Artpark in Lewiston to Porter on the Lake Park in Youngstown.

Wheatfield, Town of Niagara, Royalton to distribute COVID at-home test kits

•The Town of Wheatfield will distribute at-home coronavirus test kits for residents from 9 a.m. to 1 p.m. Saturday, Feb. 5. Kits will be distributed at Wheatfield Town Hall, 2800 Church Road. There is a two-kit-per-vehicle limit, and proof of residency is required.

•The Town of Niagara will pass out 450 COVID-19 test kits to residents from 4-7 p.m. Tuesday Feb. 1, at the Calvin K. Richards Community Center located in Veterans Memorial Community Park, 7000 Lockport Road.

Each household will be given two kits, each one containing two tests. Disbursement will be on a first-come, first-served basis and will continue until all test kits have been handed out.

Proof residency will be required.

•The Town of Royalton has received 360 at-home test kits from Niagara County for distribution to residents. It plans to host a giveaway event in the vestibule of Town Hall from 4-7 p.m. (or until kits are gone) Wednesday, Feb. 2. Test will be distributed

on a first-come, first-served basis.

Royalton Town Hall is located at 5316 Royalton Center Road, Middleport. Here, too, proof of residency is required.

Niagara County noted it has distributed 7,200 test kits to cities and towns for distribution. Each municipality is putting together its own distribution plans. Residents may want to contact their city/town hall for information on any upcoming event(s).

WBA holds swearing-in ceremony



The Wheatfield Business Association recently swore-in a slate of leaders. Included are President Jeff Taylor, Vice President Terry Vosburgh, Secretary Julie Taylor, Treasurer Mary Sue Velky, Past President and board member Rob Allen, and board members Kelsey Oliphant and Mike Doktor. Missing from the photo is Tom Grimm. Town of Wheatfield Justice the Hon. Gary Strenkoski conducted the ceremony. (Submitted photo)

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