

York Town Board Meeting
February 8th, 2022
7:00 p.m.

Present: Supervisor Gerald Deming, Council Members: Frank Rose Jr., Norman Gates and Jason Swede

Absent: Amos Smith

Others: Brian Shares, Heather & Davies Nagel, Carl Peter (Zoning/Code Officer) James Campbell (Town Attorney), Denise Hahn, Jaylin Brooks, Dustin Geiger, Becky Lewis, Celia Lewis, Kirk Richenberg, Holly Watson, Conrad Baker, George Worden Jr. (Highway Supt), Emily Ashworth and Nicole Manapol.

Supervisor Deming opened the Town Board Meeting at 7:00 p.m. and invited Councilman Swede to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Swede to approve the minutes of the January 11th Town Board Meeting. Voted on and approved, Yes-4, No-0.

BILLS:

RESOLUTION offered by Mr. Rose and seconded by Mr. Gates to approve all claims brought before the Board. Voted on and approved, Yes-4, No-0.

- General Fund # 23-52 \$ 229,201.60
- Consolidated Water/Sewer # 16-42 \$ 157,033.93
- Highway Fund # 16-34 \$ 25,256.38

Mr. Richenberg inquired if copies of the bills will be made available to the public as per state mandates. Supervisor Deming replied we will not make copies of all bills but anyone is welcome to review them.

PRIVILEGES OF THE FLOOR:

1) Davies Nagel:

Mr. Nagel asked to speak with the Board this evening as follow up conversation to the January 11th meeting pertaining to authorization of their committee to be formally recognized by the Town and put under the town's liability insurance. Mr. Nagel commented, in order to qualify for grant funding a committee needs to be a municipal entity to operate.

Supervisor Deming stated that after having additional discussions on the subject and questions answered, the Board can approve the Trail Town committee and would ask that the committee keep the Board informed as to the grants they apply for.

Mr. Nagel reported that he reached out to Kristine Uribe, Park Manager of the Genesee Valley Greenway to discuss what might be covered by the Genesee Valley Trail Town Grants and to explain their initial idea for a kiosk project, including bike racks in Piffard as well as other enhancements. Ms. Uribe thought this project would be a great project to proceed with.

Supervisor Deming inquired if there are matching funds that the Town will be responsible for?

Ms. Ashworth replied there will not be matching funds the Town will be responsible for.

Ms. Becky Lewis added that the Trail Town committee would like to try to obtain funds through fundraising before asking the Town Board for assistance.

RESOLUTION offered by Mr. Swede and seconded by Mr. Rose to approve the formation of the Town of York Trail Town committee, consisting of Davies Nagel, Becky Lewis, Ryan Conway and Brian Shares to support the Genesee Valley Trail Town Initiative and the Letchworth Gateway Villages Groups.

Voted on and approved, Yes-4, No-0.

*These groups advocate for trail development and enhancement along the Genesee Valley Greenway and the ten towns involved.

2)Heather Nagel:

Mrs. Nagel wished to discuss with the Board Solar monies received. Mrs. Nagel asked how much have we received, how we wish to spend it and who actually decides where to use it?

Supervisor Deming answered, as far as White Creek project, we do not have an idea at this time how much we will receive, they still have to go through the process.

Mrs. Nagel asked if there are other Solar projects in addition to White Creek?

Supervisor Deming replied yes, we have two current projects; Solar Park (Tom Trathen property) and OYA Solar (Mario Dragani's property). Mr. Deming stated that White Creek will be attending next month's meeting for a presentation.

Mrs. Nagel inquired how much we received from each?

Supervisor Deming replied that we received \$270,000 from each solar company. We will use the monies for the benefit of the entire community, we cannot use it for infrastructure purposes because not all residents have town water and/or sewer. We have secured a \$50,000 grant for updating of the Town's Comprehensive Plan and a \$75,000 grant for a salt shed but will use some solar money for each of those projects. The Town Board will discuss and render a decision on how to best utilize the monies going forward.

Mrs. Nagel asked when the committee will be involved?

Supervisor Deming answered that it is too early to know what direction we wish to go.

Mrs. Nagel commented with the upcoming projects stated above, there will roughly be a balance of \$400,000, correct?

Supervisor Deming replied that was correct.

3)Kirk Richenberg:

Mr. Richenberg asked the Board if the Solar Funds are in an interest bearing account, which the Supervisor answered they are.

Mr. Richenberg inquired if there was language in the Community Benefit agreement specifying where money had to be used?

Supervisor Deming replied there was no specific wording as to where monies could be used. Attorney Campbell also commented, although the agreement did not specify where monies were to be utilized, funds are supposed to be used for the majority of the community. The Town Board will need to have conversations on how to use the funds wisely for the Town of York community.

Mr. Richenberg asked if the Board has had any input from the two landowners who have these projects?

Supervisor Deming reported that the Board has not heard anything from either landowner.

HIGHWAY:

Mr. Worden reported the following for the Highway Department:

- We have been busy with snow plowing
- We did experience one of our trucks in the ditch, no injuries or damage.
- Continue to conduct maintenance to the equipment
- We have also been fixing road signs damaged by truck traffic

WATER/SEWER REPORT:

Mr. Worden reported the following for the Water & Sewer Department:

- There were two (2) water leaks, 1 was on the new 2” line replaced last year by Rochester Pipeline in Retsof. They will be reimbursing us for our time & material to fix the leak. The second leak took place in Leicester on the 4” main, our department assisted the Town of Leicester with this.

SEWER:

- We have been working with CPL on the Retsof Sewer Improvements and Ultraviolet Disinfection system projects.

OLD BUSINESS:

1)Battery Storage:

Mr. Campbell stated that the Battery Storage committee prepared a binder with suggested regulations for a local law which each Town Board has received. Mr. Campbell commented if the Board chooses to make significant changes, you may want to update the existing solar regulations as well. Mr. Campbell stated he will work on this and get back to the Board with a draft.

NEW BUSINESS:

1)Salt Shed Engineering:

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to accept the proposal from CPL in the amount of \$14,500 for engineering services related to the design, bidding and construction of a proposed salt shed in the Town of York. Voted on and approved, Yes-4, No-0.

**Funding for the project includes a \$75,000 SAM grant, with the remainder coming from the Town.



February 4, 2022

Gerald Deming, Supervisor
Town of York
2668 Main Street
York, NY 14592

**RE: PROPOSAL FOR ENGINEERING SERVICES
SALT STORAGE SHED**

Dear Supervisor Deming:

We appreciate the opportunity to submit this proposal for engineering services related to the design, bidding, and construction of the proposed salt storage shed in the Town of York, New York. CPL provided similar assistance to the Town of Leicester with the construction a pre-engineered building with the Town completing the site work.

Project Understanding

It is our understanding that the salt storage shed will be designed to store approximately 2,000 tons of salt utilizing a steel/fabric arch style. Being pre-engineered, the detailed design drawings for the building itself will be completed by the building supplier during the shop drawing review. We will review options for cast-in-place concrete walls or precast block walls. The site work will be completed by Town forces, which will include the excavation and paving.

Funding for the project includes a \$75,000 SAM grant, with the remaining share coming from local sources.

Project Scope

Design

- **Geotechnical:** We will coordinate with a qualified geotechnical engineering subconsultant to perform soil borings at selected locations to determine soil bearing capacity, seismic design criteria, groundwater depths and the presence of bedrock, if any, within the anticipated excavation limits. This information will be required by the building suppliers for the detailed foundation design.
- **Coordination** with building suppliers to obtain layouts and estimates, working with the Town to analyze the options to ensure the selected design meets the long term needs.
- **Complete mapping** based on aerial photography, site survey, and existing mapping provided by the Town. The mapping will be used for site layout and any permitting required.
- **Site Plan:** Prepare building and site layout based on information received from the building supplier. The site plan will depict the proposed salt storage building, any necessary pavement or concrete aprons, existing parking lots, and other prominent site features.
- **Preparation of project specifications**, which will include bid form, agreement, funding agency requirements, detailed building specs, and other legal sections to protect the Town.
- **Stormwater Design:** It is assumed that the disturbance will be less than one acre and that the project will not require a Stormwater Pollution Prevention Plan (SWPPP).



Bidding Phase

- Provide up to twenty (20) sets of plans, specifications, and contract documents to be issued to prospective bidders.
- Respond to bidders' questions during the bidding period and issue any addenda required for the interpretation and clarification of the bidding documents.
- Attend the bid opening, review bids for compliance with the bid requirements and mathematical correctness, prepare the bid tabulation, investigate bidders' qualifications, and prepare a written recommendation for the award of the contract.

Construction Phase - Administration

- Provide construction administration services, which include shop drawing review, processing of payment requests, preconstruction and project meetings, schedule coordination, preparation of change orders, coordination with the contractor, Town, and funding agency, final inspection and punch list, and preparation of record drawings.

Construction Phase - Observation

- We have assumed that construction observation would be completed by the Town.

Project Fee

Our fee proposal to complete the work described above is as follows:

<u>Task</u>	<u>Fee</u>
Design	\$6,500
Bidding	\$1,500
<u>Construction Administration</u>	<u>\$1,500</u>
Subtotal	\$9,500
<u>Geotechnical</u>	<u>\$5,000</u>
Subtotal	\$5,000
TOTAL:	\$14,500

We appreciate the opportunity to submit our proposal and look forward to working with all those involved.

If you have any questions or require any additional information, please contact me at (585) 260-4970.

Very truly yours,

CPL

Eric C. Wies, P.E.
Principal

Proposal Accepted By:

Signature

Date:

2-8-2022

2)Project Budget Modification:

a-Anderson Road

RESOLUTION offered by Mr. Swede and seconded by Mr. Gates to approve the following:

TOWN OF YORK

ANDERSON ROAD WATER DISTRICT EXT. PROJECT
PROJECT BUDGET MODIFICATIONS

WHEREAS, the Town of York has received funding from Rural Development for their Anderson Road Water District Ext. Project ("Project"); and

WHEREAS, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of York authorizes the following Budget modifications for the Project:

Single Audit (Bonadio)

Decrease of \$7,500.00

I, Christine Harris, Town Clerk of the Town of York, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of York on February 8, 2022, by the following vote:

Gerald Deming, Supervisor	Aye
Frank Rose Jr., Deputy Supervisor	Aye
Amos Smith, Councilman	Absent
Norman Gates, Councilman	Aye
Jason Swede, Councilman	Aye

Christine M. Harris

Dated: February 8, 2022

Christine Harris
Town Clerk — Town of York

Voted on and approved, Yes-4, No-0, Absent-1, Amos Smith

3)Amendment to Owner-Engineer Agreement:
RESOLUTION offered by Mr. Rose and seconded by Mr. Gates to approve the following amendment between Owner and Engineer for Professional Services:

This is EXHIBIT K, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated May 9, 2019

**AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1**

The Effective Date of this Amendment is: February 8, 2022.

Background Data

Effective Date of Owner-Engineer Agreement: May 9, 2019

Owner: Town of York

Engineer: CPL

Project: Consolidated Water District – Anderson Road Extension

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

Additional Services to be performed by Engineer

Description of Modifications:

Additional design and permitting, along with construction services, related to Change Order No. 1, Change Order No. 2, and Change Order No. 3. This includes cross culverts, water main additions, vault drainage, and shoulder replacement. Fee impacts included design, permitting, construction administration, and construction inspection.

In addition, CPL also assisted the Town with the purchase of equipment and spare parts, including water meters, plug hug, computers, and water main.

Agreement Summary:

Original agreement amount:	\$191,300
Net change for prior amendments:	\$0
This amendment amount:	\$28,900
Adjusted Agreement amount:	\$220,200

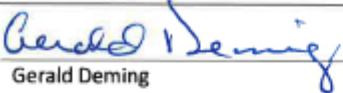
Change in time for services (days or date, as applicable): _____


The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER: Town of York

ENGINEER: CPL

By: 
Print name: Gerald Deming
Title: Supervisor
Date Signed: 2/8/2022

By: 
Print name: Eric C. Wies, P.E.
Title: Principal
Date Signed: 2/4/2022

**USDA - Rural Development
Engineering Amendment Attachment
(EJCDC E-500, Exhibit K - 2014 Edition)**

Amendment No. 1
 Applicant/Borrower: Town of York
 Engineer/Architect: CPL

	Original Agreement Amount	Previous Increase/Decrease	Increase/Decrease this Amendment	Revised Amount
Preliminary Eng. Services	\$2,500.00	\$0.00		\$2,500.00
Final Design	\$86,000.00	\$0.00	\$14,500.00	\$100,500.00
Bidding	\$6,000.00	\$0.00		\$6,000.00
Construction Administration	\$32,000.00	\$0.00	\$5,500.00	\$37,500.00
Resident Inspection	\$64,800.00	\$0.00	\$8,900.00	\$73,700.00
				\$0.00
Additional/Other Services (Specify):				
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Totals	\$191,300.00	\$0.00	\$28,900.00	\$220,200.00

USDA - Rural Development Concurrence
 As lender or insurer of funds to defray the costs of this Contract, and without liability for any payments thereunder, the Agency hereby concurs in the form, content, and execution of this Amendment.

By: _____
 Typed Name: John T. Helgren, PE
 Title: State Engineer
 Date: _____

Updated: 3/2020

Voted on and approved, Yes-4, No-0, Absent-1, Amos Smith

4)Rt. 20/Piffard Circle Bid Results:

Supervisor Deming stated that the Bid opening for Rt. 20 Water and Piffard Circle improvements took place on Friday, February 4th at 2:00 p.m. We received a total of 7 bids for Rt. 20 Water and 6 bids for Piffard Circle improvements.

a-Route 20 Water main

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to approve Base Bid A submitted by Fineline Pipeline, Inc. in the amount of \$584,100.00 for the construction of approx. 13,850 LF of 2", 4" and 8" water mains, valves, hydrants, water services and associated appurtenances along portions of Telephone Rd. (Rt. 20), McPherson Road and MacIntyre Road. Voted on and approved, Yes-4, No-0.

*Supervisor Deming stated that the Engineer's estimate was \$673,000 for this project.

b-Piffard Circle improvements

RESOLUTION offered by Mr. Gates and seconded by Mr. Swede to approve Base Bid B submitted by Blue Heron Construction in the amount of \$59,274 for construction of approx. 620LF of 6" watermain, valves, hydrants, water services and associated appurtenances along portions of Piffard Circle. Voted on and approved, Yes-4, No-0.

c-Route 63 Bore

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to reject all bids submitted for Base Bid C, which was construction of approx. 520 LF of 6" water main, directional drills with casing pipe, valves, hydrants etc. Along portions of East Road and across NYS Route 63. Voted on and approved, Yes-4, No-0.

5)Y-L Youth Director resignation:

Supervisor Deming reported that he recently received an email from York-Leicester Youth Director Pete Robinson stating his intentions to resign as Director of the program after a number of years. Supervisor Deming stated Mr. Robinson was very dedicated to this program and we wish him well. We will need to begin seeking a new Youth Director.

ADJOURNMENT:

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to adjourn the Town Board Meeting until March 8th. Voted on and approved, Yes-4, No-0.

Town Board meeting closed at 7:25 p.m.

Respectfully Submitted,
Christine Harris
Christine M. Harris, Clerk