

York Town Board Meeting
May 14, 2009

Present: Supervisor Gerald L. Deming, Council Members: Lynn Parnell, Frank Rose Jr., Norman Gates and David Deuel

Absent: None

Others: George Worden Jr. (Highway Supt.), Anne Sapienza (Town Assessor), Carl Peter (Zoning & Code Enforcement Officer) and Norman Barrett (Senior Water & Sewage Treatment Plant Operator)

Supervisor Deming opened the Town Board Meeting at 7:30 p.m.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the minutes of the April 23rd Special Town Board Meeting and Regular Town Board Meeting. Voted on and approved, Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Anne Sapienza:

Mrs. Sapienza gave a recap to the Town Board of the completed re-evaluation process she conducted. Mrs. Sapienza reviewed proposed rates for the 2009 tentative roll and discussed estimated State Assessment Aid (for March-2010) for the Towns of York and Leicester. Mrs. Sapienza stated based on the number of parcels in the Town of York (1,632) our aid will be \$ 7,996.80, which is \$ 4.90 per parcel. Mrs. Sapienza reported that this year was very hectic due to the reval, next year should be relatively quiet and the third year will be the time to review any problem areas before the process begins once again.

Mrs. Sapienza expressed to the Board the line item outlining dispersion of values for the 2009 tentative roll. What she has prepared calculates the Town of York at 2.87 %, and anything under 5 is exceptional.

Mrs. Sapienza stated that she met with the Board of Assessment Review members this evening to discuss and review procedures for the upcoming Grievance Day, which will be held on Tuesday, June 2nd from 4-8 p.m. Currently, Mrs. Sapienza is aware of three people attending grievance, but may have "walk ins" as well.

Mrs. Sapienza expressed that overall the recent re-evaluation process went very smoothly, and stated that she is confident and pleased with the roll she prepared.

HIGHWAY

1) Craig Road:

Mr. Worden informed the Board that the Craig Road project is roughly at 90% completion. Mr. Worden stated we allocated \$ 80,000.00 for this project and is pleased to tell the Board that we will be well under that estimation due to the fact that Elam Sand & Gravel gave us a great deal on material.

2) Brush cleanup:

Mr. Worden stated that the townwide brush cleanup went very smoothly. The Highway Department actually needed a second day because they assisted the Water Department in a correction of a water break the day of the actual scheduled cleanup. Mr. Worden stated the residents seem to be using this method more and more each year, which is exactly what we hoped for.

3) York Road West:

Mr. Worden informed the Board that he has received numerous calls inquiring about the posted weight limit signs on York Road West. Mr. Supervisor Deming stated it is very important to educate the residents that the posted sign does not apply to local traffic, and suggested that an additional sign be placed outlining it.

4) Mowing:

Mr. Worden stated that routine mowing has taken place within the last few weeks, but is still keeping to a schedule to reduce outings in order to save money in the budget.

5) Industrial Appraisal:

Councilman Deuel reported that he received the documents from Industrial Appraisal for review and potential changes. Mr. Deuel stated Mr. Peter (for the Town Hall), Mr. Barrett (for the Water & Sewer Dept.) and Mr. Worden (for the Highway Dept.) must review what has been prepared thus far before the final appraisal can be completed. Mr. Deuel asked the gentlemen once updates have been made to please contact Industrial Appraisal directly, or have a member of the office staff do so.

6) Material:

Mr. Worden informed the Board of an opportunity proposed by Caledonia Highway Supt., Mark Schroeder regarding road material. Mr. Worden stated that material made from limestone is being used for crusher run, which is actually better for packing than gravel. Mr. Worden added that we could purchase the material for \$ 2.00 a ton and currently we crush our own for \$ 3.00 per ton, Mr. Worden asked the Board if they want to proceed with this offer.

After some discussion the Board agreed that the Town could save a great deal of money by purchasing this material rather than crushing it ourselves, and asked Mr. Worden to proceed with the offer.

WATER/SEWER

1) Water breaks:

Mr. Barrett reported that the Water Department experienced three breaks over the last few weeks. The first break occurred on Main Street in Wadsworth before the railroad tracks, the second at the corner of Evans and Tenth Street and the third once at the southwest corner of Chandler & River Road. All occurrences were corrected in a timely manner and did not inconvenience the residents for too long a period of time.

2) Flow tests:

Mr. Barrett stated that Corey from Clark Patterson Lee came out today to view some flow test activity conducted by our Water Department. The flow tests were able to gauge current hydrant pressures in order to use that information for future projects. Mr. Barrett stated Corey seemed a bit confused during this process and believed the pressures were too low for such projects when in fact we carried 80 lbs of pressure consistently throughout the system.

3) Manhole maintenance:

Mr. Barrett reported that the sewer department performed some maintenance to a few manholes in the district that were damaged by the wing of the plow truck during the winter months. The department altered the slope slightly in hopes to alleviate such maintenance in the future.

4) Engineering:

Supervisor Deming informed the Board and Mr. Barrett that Clark Patterson Lee has assured him by our next meeting (May 28th) we should have completed engineering estimates for the upcoming water and sewer projects. Mr. Deming added that the projects will be quite costly and whether it be Retsof Sewer or new waterlines, both projects are equally in need of attention. It is much too difficult to determine which is a greater need because both are dire and will be expensive.

OLD BUSINESS

1) Cemetery restoration:

Council Member Parnell inquired if we have plans to restore another cemetery this year. Supervisor Deming replied we did allocate funds but we need to review the cemeteries to determine which one is a priority. The Board discussed the need to schedule a tour in the near future.

2) Piffard playground:

Highway Superintendent, Mr. Worden informed the Board that he spoke with Charles "Dutch" VanRy recently about the Piffard playground. Mr. VanRy stated the York/Leicester Kiwanis will be doing work shortly on site and asked about mulch under the swings. Mr. Worden informed Mr. VanRy that the Board had discussed at a previous meeting the treated vs. untreated mulch, and stated that they will need to contact Pete Robinson, Youth Director to determine what is acceptable material at the park for safety purposes. Mr. Worden added he will obtain quotes for fencing for the Piffard playground as well as the Fowlerville Square.

3) Insurance visit:

Mr. Worden informed the Board that Deborah O'Reilly-Morshead from Selective Insurance paid us a visit on Tuesday to perform an inspection of the panel boxes at the Town Hall, Highway Department and Sewer Plant. All locations were reviewed and approved. Ms. Morshead did make a comment on the slide that still exists behind the parking lot area. She stated in her report last year the slide should be removed before anyone is injured, otherwise the Town will be liable for any and all claims.

Supervisor Deming stated because of the suggestion last year and her stronger request this year, the Town unfortunately has no choice and must remove the slide from the grounds, and asked Mr. Worden to follow through with the removal.

NEW BUSINESS

1) SEQR Resolutions:

a- Replacement of transmission main:

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

WHEREAS, the Town of York has authorized the commencement of the design for the **2009 Drinking Water State Revolving Fund Green Innovation Grant Project** outlined in the Short EAF and

WHEREAS, the goal of this project is to replace the existing, deteriorated transmission main along State Route 63 and replace pumps at the pump station on Flats Road, and

WHEREAS, the New York State Environmental Quality Review Act (SEQR) and its implementing regulations at 6 NYCRR part 617.5 (c) (2) states that the replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site shall be considered a Type II action under SEQRA, now therefore be it

RESOLVED, that the Town of York hereby classifies the 2009 Drinking Water State Revolving Fund Green Innovation Grant Project as a Type II action pursuant to 6 NYCRR Part 617.5 (c) (2), and be it further

RESOLVED, that based on the classification of this action as a Type II action, no further environmental review of this project is required.

Voted on and approved, Yes-5, No-0.

Supervisor Gerald L. Deming	Aye
Council Member Lynn Parnell	Aye
Councilman Frank Rose Jr.	Aye
Councilman David Deuel	Aye
Councilman Norman Gates	Aye

b- Replacement of collection sewers:

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

WHEREAS, the Town of York has authorized the commencement of the design for the **2009 Clean Water State Revolving Fund Green Innovation Grant Project** outlined in the Short EAF and

WHEREAS, the goal of this project is to replace the existing, deteriorated collection sewers and appurtenances on Retsof Avenue, 10th Street and Evans Avenue including the connection to State Route 63 (Retsof Road), and

WHEREAS, the New York State Environmental Quality Review Act (SEQR) and its implementing regulations at 6 NYCRR Part 617.5 (c) (2) states that the replacement, rehabilitation or reconstruction of a structure or facility in kind on the same site shall be considered a Type II action under SEQRA, now therefore be it

RESOLVED, that the Town of York hereby classifies the 2009 Clean Water State Revolving Fund Green Innovation Grant Project as a Type II action pursuant to 6 NYCRR Part 617.5 (c) (2), and be it further

RESOLVED, that based on the classification of this action as a Type II action, no further environmental review of this project is required.

Voted on and approved, Yes-5, No-0.

Supervisor Gerald L. Deming	Aye
Council Member Lynn Parnell	Aye
Councilman Frank Rose Jr.	Aye
Councilman David Deuel	Aye
Councilman Norman Gates	Aye

BILLS

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to approve all claims brought before the Board with exception of the Youth claim for Referee services in the amount of \$ 150.00, which is pending verification. Voted on and approved, Yes-5, No-0.

Sewer Districts	#79-87	\$ 6,736.93
Consolidated Water	#99-117	\$ 89,911.06
General Fund Claim	#153- 179	\$ 14,808.55
Youth Fund Claim	# 4-7	\$ 1,069.85
Street Lights	# 5	\$ 1,427.83
Highway Fund Claim	# 65-77	\$ 71,320.07

OTHER

1) Scholarship program:

Council Member Parnell expressed to the Board an idea she had to perhaps fund a small scholarship each year to be received at the Graduation ceremony. Mrs. Parnell stated if the Town of York was interested, we could then ask the Town of Leicester as well, as a joint scholarship, since we share the same school district.

After a brief discussion the Board agreed that they like the idea of the scholarship and the possible joint efforts of both townships, but they are concerned about the idea of sponsoring a scholarship with taxpayer dollars. The Board stated before any action takes place, the Town of Leicester must be asked their interest in the program and Mrs. Parnell must also speak with Bill McKenzie at the school about the scholarship possibility.

2) Zoning issues:

a- Historical Society:

Zoning & Code Enforcement Officer, Carl Peter informed the Board of a few zoning requests presented to him. Mr. Peter stated that the York Historical Society submitted two sign applications, one to be located on Dow Road in front of the Samuel Warren House and the second at the corner of Route 36 and Dow Road. Mr. Peter stated due to the new zoning regulations the sign at the house would be allowed, however zoning regulation 517 E (9) does not allow off premise signs. Mr. Peter recommended the Historical Society be directed to the Zoning Board for a variance for the sign. How does the Town Board want him to handle fees for the two applications and the public hearing?

The Board agreed the Historical Society will not be charged for their applications, and the fees will be waived. As far as the sign at the corner of Dow Road & Route 36, if they wish to place it in the State's Right of Way, they will need to obtain State approval first. If they decide to place the sign across the road on Abbey of the Genesee property they will need written approval for that location as well, which we understand that verbally they have been given.

b- Chad Draper:

Mr. Peter stated he met today with Supervisor Deming, Planning Board Chairman, David Russo and Town Attorney, Ron Cicoria to discuss Mr. Draper's business on Main Street in Wadsworth. Mr. Russo asked to speak with the gentlemen because he has been approached by a resident inquiring if Mr. Draper's archery business (Home Occupation) is legal in a residential area. Mr. Russo expressed his feelings that it was not legal and should not have been approved. Mr. Peter and Supervisor Deming stated they believed it was legal due to the fact Mr. Draper was approved under the previous zoning regulations, not the current regs, but agreed to involve Mr. Cicoria for his interpretation.

Mr. Peter stated Mr. Cicoria's belief was that Mr. Draper did follow all zoning regulations at that time, but will need to decide how he wishes to handle the size requirement issue for the sign located on his building. Mr. Draper has two options: (1) He can trim down the existing sign to meet specifications or (2) Seek a variance from the Zoning Board of Appeals. Supervisor Deming stated he believes Mr. Draper will more than likely ask to meet with the Zoning Board for their determination.

c- Martin "Tom" Wiest:

Mr. Peter stated that Mr. Russo informed him of another future Home Occupation request. Mr. Wiest owns property on Genesee Street (Rt. 63) and wants to do welding and sell car parts from his garage at his residence. Mr. Peter stated because Mr. Wiest did not apply under the previous regulations, he must adhere to the current zoning requirements, ultimately sending him to the Planning Board to request a Special Use Permit for a business in a building other than the primary structure, and then onto the Zoning Board of Appeals for a Use Variance. Mr. Peter stated, to date no application has been submitted.

Mr. Deming commented that we are not trying to discourage any citizens from enjoying their hobby activities, but business activity in a residential area need to abide by our zoning regulations.

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to adjourn the Town Board Meeting until May 28th. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:45 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk