

York Town Board Meeting  
June 25, 2009

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

Absent: None

Others: Norman Barrett (Senior Water & Sewage Tr. Pl. Op.), Kirk Richenberg, Jamie Jaroszek, Carl Peter (Zoning & Code Officer) and George Worden Jr. (Highway Superintendent)

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

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to approve the minutes of the June 11<sup>th</sup> Town Board Meeting and June 20<sup>th</sup> Special Town Board Meeting. Voted on and approved, Yes-5, No-0.

WATER/SEWER

1) Meters:

Mr. Barrett reported that the Water Department has completed the reads for the July billing cycle. Mrs. Messana will be reviewing the accounts and once verified, preparing the bill to be mailed out at the end of the month.

2) Coin meter:

Mr. Barrett stated we have been experiencing problems with the coin meter at the Highway Department. The meter receives coins properly but has been rejecting the bills, creating a backup. Mr. Barrett reported he ordered a new machine, which arrived last week and has been installed and programmed with the newly adopted water rates.

3) Water rate notice:

Mr. Barrett stated he assisted the office staff in preparing the Livingston County News notice regarding the increase in water and sewer rates. The lengthy notice is in this week's edition.

4) Sewer Specialty Services:

Mr. Barrett stated a crew from Sewer Specialty was out last week in the Retsof hamlet for a routine "clean out" of the lines. Fortunately there were not any issues, just routine maintenance.

HIGHWAY

1) River Road:

Mr. Worden expressed to the Board how smoothly the River Road project went. In his opinion purchasing the material early to complete projects in order to submit to the State for reimbursement was wise because with delays, money could easily be ear-marked elsewhere.

2) Mowing:

Mr. Worden reported that the department has continued to experience issues with the flail mower. This week marked the third time bearings had to be changed in the mower. Mr. Worden added he recognizes that this is the predominant mower, and suggested that we consider purchasing another used mower in the fall to offset the workload.

3) Signs:

Mr. Worden stated he was approached by Walt Purtell (Livingston Co. Traffic Safety Board, Chair) inquiring if the Town would consider placing “deer ahead” signs on River Road near the Monastery.

The Board stated that we had the same request last year from the Abbey of the Genesee for deer and pedestrian signs, and referred it to the Traffic Safety Board for a resolution. Supervisor Deming asked Mr. Worden what the costs involved would be for a sign or two. Mr. Worden stated for the sign, post and labor, it would roughly run \$ 150.00 per sign. Mr. Worden stated if the Board does decide to authorize him to purchase and install the “deer signs”, one would certainly not be enough on River Road and to be prepared for many additional requests for the same, on all of the roads throughout the township.

Councilman Deuel agreed that several areas in the township are more densely populated with deer, but stated by posting the River Road area we are setting a precedent and other areas will be asking for the same, which could be very costly.

## PRIVILEGES OF THE FLOOR

1) Carl Peter:

a- Wadsworth Grill:

Mr. Peter discussed with the Board the most recent activity on the renovations at the Wadsworth Grill. Mr. Peter informed the Board of the current State Building Code regulations in place. If you are doing more than 50% work to a structure, it must be built back to the new codes. Mr. Peter’s understanding was because of Ms. Uhl’s apartment above the commercial business (bar), a sprinkler system must be installed. Mr. Peter stated he brought this issue up at his last training session in March with the instructors and Regional Directors, all were in agreement of the interpretation. After a great deal of back and forth over the past two months of what Ms. Uhl wanted, a representative from the State, Chery Fisher, had a different take on the State regulations. Ms. Fisher stated because the Grill is a repair, not a renovation Ms. Uhl will not be required to install a sprinkler system, which Karen is thrilled about. If the fire had not occurred and Ms. Uhl constructed basic renovations to the business, she would then have to adhere to the new codes including a sprinkler system.

The Board expressed disbelief that the codes could be interpreted so differently and asked if Ms. Fisher was willing to put her interpretation in writing for verification, which

Mr. Peter replied she would be willing to do so. Mr. Peter stated in light of the fire that destroyed The Grill, he would have thought Ms. Uhl would have insisted on a sprinkler system, but understands the money involved with it. When all is said and done, the Grill will have better wiring, electric, insulation and an alarm system as well as an improved structure.

b- Quilters:

Mr. Peter stated he was approached by the Quilters, asking if they can place hooks on the walls in the great room of the Town Hall to display the quilts the day of the Valley Fest.

The Board stated that this is a second such request by the Quilters for hooks and agreed that they will not be allowed to do so. The Board stated they are not comfortable making permanent marks in the walls. Supervisor Deming stated he will have his Clerk, Mrs. Barefoot prepare a letter in the morning outlining the Board's decision this evening.

A second issue involving the Quilters was discussed. Mr. Peter stated that the quilters have been granted permission to use the hall at least twice a month, and secure the building 6-8 months in advance. There have been occasions that potential paying customers have been refused because of the building already secured by the non-paying quilters. After some discussion the Town Board agreed that the quilters and other organizations will only be able to secure Saturday dates no more than two months in advance in order to allow the renting of the Town Hall to continue. Weekdays do not seem to conflict with rentals, just the weekends.

c- Dollar General:

Mr. Peter asked the Board if they have had the opportunity to drive by the new Dollar General site in the evening to witness the excessive lighting. Mr. Peter stated complaints have been made that the lighting is much too bright even after the business closes. Neighbor, Jamie Jaroszek states once 10:00 p.m. comes the lights out front of store go out, but the areas on both sides of the building remain on, illuminating his entire property. Mr. Peter stated when Dollar General made application to the Planning Board, lighting was discussed and was told it must be dark sky compliant, which at this time they are not.

Supervisor Deming stated he was aware of the lighting issue and has asked Town Engineer, Rick Henry to review the Dollar General lighting plan for comment and resolution.

d- Fire Department:

Mr. Peter stated he wished to speak with the Board about the ongoing negotiations with the York Fire Department. After the June 10<sup>th</sup> Special Town Board meeting Town Attorney, Mr. Coniglio conveyed to the Fire Department's Attorney, Mr. Pinsky that two members of the Town Board would be willing to meet to discuss issues. Mr. Peter stated it was the Fire Department's wish to meet with the entire Board to have any and all questions answered in order to eventually come to a resolve. Mr. Peter added it is not the desire of their members to speak at such meeting, the Attorneys will be representing each group, but if a point of clarification is needed, all members of the Town Board will be present to hear all information not just a summarized version.

Supervisor Deming stated the Board has budgeted \$ 158,000.00 for fire and ambulance service, and the recent letter submitted to Mr. Pinsky asks how to disperse the funds between the two services.

Mr. Peter stated the Fire Department feels if the entire Board is willing to meet with their Attorney, it will give an opportunity to explain the day to day duties, activities involved and the money needed to continue to proceed. Mr. Peter expressed that he does not feel two members could bring back the full information to the rest of the Board. Council Members Parnell and Deuel stated that they do not agree with Mr. Peter's last statement, that two members could not accurately bring back the information to the remaining members. Mr. Peter explained that he did not mean that the members could not handle the information, but if all five members were present, everyone would hear the same dialect and if questions were asked all would hear the responses. It would give all members the chance to ask or answer any question(s).

Supervisor Deming asked the Board their thoughts on the request made and the possibility of an Informational Meeting or Special Town Board Meeting with the entire Board present.

Councilman Gates stated with an Informational Meeting questions from the public may take away from the meeting itself. Supervisor Deming replied whether we call it an Informational or Special Meeting, anytime a majority of the Board (3 of 5 members) is present, it classifies as a Town Board Meeting.

Councilman Deuel stated if having the meeting will push us in the direction of a future resolve, he is willing to move forward with this meeting as long as the Fire Department knows in advance that no negotiations will take place at this meeting, this is for informational purposes only.

Councilman Rose also agreed that he is willing to meet with the Department as long as it is for educational purposes pertaining to their requirements. No negotiations will take place at the scheduled meeting, but at least we are headed in the right direction.

Council Member Parnell stated she is willing to meet with the Fire Department but is unsure how issues will play out because each Attorney has very different interpretations of the laws.

Supervisor Deming stated he will contact Mr. Coniglio and Mr. Cicoria in the morning informing them of the scheduled meeting for Tuesday, June 30th at 7:00 p.m. at the York Town Hall.

#### Privileges of the Floor-continued:

##### 2) Kirk Richenberg:

Mr. Richenberg stated he wanted to convey his thoughts as well to the Board on the School Resource Officer issue. He had planned to speak two weeks ago, but in light of the comments made that evening thought it might be appropriate to speak tonight. Mr. Richenberg stated he hopes the Board stays hard and fast in their decision not to fund their portion of the SRO position. Mr. Richenberg believes changing your mind at this juncture would not be a good idea, knowing that York Central School does have the funds to support it themselves if they choose to do so. Mr. Richenberg stated he understands that pressure is being applied to reverse the decision, but encourages the Board to stay with the original thought. Mr. Richenberg stated he is aware that a meeting

is upcoming with both Town Boards (York & Leicester), the School and the County to address the funding aspect, and suggests that the Board ask at that meeting, “What are the people hired at York Central School doing, why do you need and SRO to discipline the students, isn’t their job ?”.

### OLD BUSINESS

#### 1) Engineering services:

##### a- Water:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve the proposal for Engineering Services by Clark Patterson Lee in the amount of \$ 109,570.00, for design and construction of a new water transmission main along NYS Route 63.  
Voted on and approved, Yes-5, No-0.

##### b- Sewer:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve the proposal for Engineering Services by Clark Patterson Lee in the amount of \$ 103,270.00, for design and construction of a new collection system in the Retsof Sewer District.  
Voted on and approved, Yes-5, No-0.

### NEW BUSINESS

#### 1) Rate increases:

Supervisor Deming reported at the Special Town Board Meeting on Saturday the 20<sup>th</sup>, the Board approved increasing the water and sewer rates. Mr. Deming stated we had to revisit the current rate schedule after we were notified of the 7 ½ % increase from our supplier, the Village of Geneseo. After a great deal of discussion the Board agreed to increase the water rates by 10% and the sewer rates in Sewer Districts #1 & #2 by \$ 5.00 and in Retsof Sewer by \$ 10.00.

### OTHER

#### 1) Letter:

Supervisor Deming informed the Board of a letter he recently received from Mary Perkins. An organization was developed called Barn Cat Outreach (BCO) for the purpose of controlling the feral cat populations mainly in Livingston County, but also in surrounding counties of Ontario, Allegheny and Northern Steuben. Ms. Perkins stated in addition to the State and National grants they applied for to obtain supplies needed to fund the program, they are seeking donations throughout the County as well.

After a brief discussion the Board stated they wish much success for this program, but feel donating to this organization should be a personal choice.

BILLS

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to approve all claims brought before the Board. Voted on and approved, Yes-5, No-0.

Sewer Districts	# 101-107	\$ 7,991.34
Consolidated Water	# 141-153	\$ 11,860.93
General Fund Claim	# 210-219	\$ 1,853.38
Youth Fund Claim	# 9-12	\$ 170.00
Highway Fund Claim	# 95-97	\$ 123.01

ADJOURNMENT

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

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

Respectfully Submitted,

Christine M. Harris, Clerk