

York Town Board Meeting
December 29, 2009

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

Absent: None

Others: Norman Barrett (Senior Water and Sewer Treatment Plant Operator), Ronald
Cicoria (Town Attorney), Gary Muisus, John Marchaesi and Mike Jensen
(Fibertech Networks)

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 December 10th Town Board Meeting. Voted on and approved, Yes-5,
No- 0.

PRIVILEGES OF THE FLOOR

1) Fibertech Networks:

Fibertech Networks representatives, Mr. Muisus, Mr. Marchaesi and Mr. Jensen
attended tonight's meeting to discuss and answer any questions regarding their
proposed project along Chandler Road and a second project at the intersection of Route
63 and Retsof Road. Mr. Muisus stated Fibertech tries to use existing poles throughout
townships if they are able, but if not additional poles may be added or underground
installation of the fiber optic lines are placed.

The Board reviewed the plans submitted but questioned where Chandler Road's
project was outlined because the drawings refer solely to the second proposed project.
Supervisor Deming stated he and the Town Board were aware of Fibertech's plans on
Rt. 63 and Chandler Road, but did not know of the second location, and asked if
permits or easements have been obtained before any work begins. Mr. Marchaesi and
Mr. Muisus stated they believed a permit had been filed, but then asked Mr. Jensen for
verification. Mr. Jensen reviewed the existing documents only to realize that the Town
of York had not been asked for approval thus far, which they apologized for.

Senior Water and Sewer Treatment Plant Operator, Mr. Barrett reported he had
been in contact with LaBella Associates (Engineering firm for Fibertech) several times
over the past two weeks about the Retsof Road/Route 63 intersection, and had
concerns about the two existing water lines, sanitary sewers and storm sewers located
in those areas. Mr. Barrett stated his initial thought would be to place the fiber optic
lines on poles rather than underground, due to the multitude of already existing
infrastructure. Mr. Jensen stated they would be willing to bore 10 feet down in order to
work around the existing lines, and have done so in other projects.

After much discussion...Supervisor Deming stated it is the Board's feeling that
the proposed project is a positive one, but stress the need to use any and all existing
poles throughout the Town and encourage less installation of additional poles. When
the boring needs to be done, confirm all actions with Mr. Barrett in order to alleviate
any interference with our water and sewer lines.

Mr. Muisus stated before any further action takes place he will have Mr. Barrett
and Mr. Jensen prepare a solid plan that the Town and Fibertech are comfortable with.

Mr. Deming asked if Fibertech has a standard permit they use for each project, or is each contract quite different. Mr. Marchaesi replied most contracts are similar and if the Town wishes they will be happy to have their attorneys draw up a permit for review and signature. Mr. Muisus added that the wording would consist of the areas of use, number of existing poles used, any additional poles needed, necessary boring, and reimbursement of hours for any town employees used during these projects.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing Fibertech Networks to prepare boilerplate permits for Route 63 & Chandler Road and Retsof Road & Route 63, to be reviewed by Town Attorney, Mr. Cicoria. The permit will outline the number of poles used, areas of use, necessary boring, additional poles needed and reimbursement to the Town for any employee(s) used during these projects. Voted on and approved, Yes-5, No-0.

EXECUTIVE SESSION: 8:10 P.M.

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to enter into Executive session to discuss legal matters, to include: Town Board, Town Clerk and Mr. Barrett. Voted on and approved, Yes-5, No-0.

EXECUTIVE SESSION: 8:27 P.M.

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to end Executive Session. Voted on and approved, Yes-5, No-0.

Supervisor Deming reported no action was taken in Executive Session.

WATER/SEWER

1) Water Break:

Mr. Barrett reported that the water system incurred a break today at the corner of Milroy and Mt. Pleasant Roads. A valve gave way and blew out the gasket causing the break. Mr. Barrett stated we were fortunate that a representative from the G&W Rail Road (Jim Mustari) witnessed the break while passing through on the train. He then contacted the water department making us aware of the situation. The crew along with the assistance of Highway Supt., Mr. Worden and the newly acquired loader were able to fix the break by early afternoon.

2) Experiment:

Mr. Barrett stated that his construction model is up and running to gauge the THM reads. The unit changes out 15 gallons of water daily and at the end of the week should be able to see if any resolve is underway. The experiment will run for 2-3 months to verify on a longer term basis if the THM reads are actually decreasing, if not we will need to re-evaluate our next step.

3) Meeting:

Mr. Barrett informed the Board of the meeting scheduled with Town and Village officials from Geneseo to discuss the THM issues. The meeting has been slated for Thursday, January 14th, at 8:00 a.m. at the Village Office.

OLD BUSINESS

1) LCWSA:

Supervisor Deming informed the Board and Mr. Barrett that he recently spoke with Cathy Van Horn of the Livingston County Water and Sewer Authority (LCWSA). Mr.

Deming expressed the desire of the Board to have Ms. Van Horn speak with Mr. Barrett directly about our system, and future questions will be addressed by him, with assistance of his crew as needed.

NEW BUSINESS

1) Adam Wilkins:

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to appoint Adam Wilkins as a substitute at the York Recycling Center. Voted on and approved, Yes-5, No-0.

2) 2010 Organizational Meeting:

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to schedule the 2010 Organizational Meeting for Monday, January 4th, 2010 at 5:00 p.m. at the York Town Hall. Voted on and approved, Yes-5, No-0.

3) Town Hall Rentals:

Supervisor Deming stated he spoke with custodian, Carl Peter about updating the existing rules and regulations for Town Hall rental agreements. Mr. Peter had several recommendations and Supervisor Deming suggested he further discuss them with the Buildings Committee Chair, Mr. Deuel.

4) Walt Purtell:

Supervisor Deming reported that Walt Purtell, as representative to the Livingston County Traffic Safety Board stated that they following questions have been raised at their meetings, which need Town Board attention:

a- A request was made by Carl Fuller of Dow Road for a speed zone sign on the Federal Road area between Dow Road and Federal Road roughly 4/10 of a mile, encompassing 5-6 homes. Mr. Purtell stated if the Town was interested in submitting TE-9 speed zone form, it can be sent to either the Livingston County Traffic Safety Board or Livingston County Highway Supt., Don Higgins. The Board agreed to submit a request to the Traffic Safety Board.

b- County Highway Supt. Higgins advised that his Department would agree to request from the York Highway Department to have newer street signs made for Chandler Road and Route 63 intersection. The new signs should have either 3 or 4 inch high letters for street names, in order to be more visible to oncoming motorists approaching Route 63. Mr. Purtell added if at all possible, an overhead street light in this location would also be a benefit to vehicles.

The Board discussed the possibility of a solar light for the intersection and also agreed to revamp the existing sign with larger letters.

* Supervisor Deming stated he will instruct Mrs. Barefoot to prepare a letter to the Livingston County Traffic Safety Board with the Boards' decisions this evening.

5) Transfers:

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

GENERAL FUND-TOWNWIDE

<i>Transfer From:</i>	A1420.4	Attorney Contractual	\$ 5,000.00
	A1930.4	Judgment & Claims	\$ 9,935.00
		TOTAL:	<u>\$ 14,935.00</u>

<i>Transfer To:</i>	A1110.4	Justice Contractual	\$ 2,248.00
	A1355.4	Assessor Contractual	\$ 177.00
	A1460.4	Records Mgmt Contr	\$ 3,210.00
	A1670.4	Central Printing Contractual	\$ 1,538.00
	A1910.4	Unallocated Insurance	\$ 2,263.00
	A1950.4	Taxes & Assessment on Prop	\$ 93.00
	A3510.4	Dog Control Contractual	\$ 28.00
	A3660.4	School Attendance Officer	\$ 632.00
	A7520.4	Historical Property Contractual	\$ 500.00
	A7550.4	Celebrations Contractual	\$ 49.00
	A8010.4	Zoning Contractual	\$ 280.00
	A8160.4	Refuse Contractual	\$ 3,808.00
	A9050.8	Unemployment Insurance	\$ 109.00
		TOTAL:	<u>\$ 14,935.00</u>

HIGHWAY FUND-TOWNWIDE

<i>Transfer From:</i>	DA5110.4	General Repairs Contractual	\$ 17,000.00
	DA5110.4A	Cemetery Contractua	\$ 6,584.00
	DA5130.2	Machinery Equipment	\$ 15,000.00
		TOTAL:	<u>\$ 38,584.00</u>

<i>Transfer To:</i>	DA5112.2	Improvements Contractual	\$ 37,725.00
	DA9009.8	Employee Benefits-Birthday	\$ 34.00
	DA90660.8	Medical Reim	\$ 825.00
		TOTAL	<u>\$ 38,584.00</u>

CONSOLIDATED WATER DISTRICT

<i>Transfer From:</i>	SW8320.4	Source of Supply Contractual	\$ 3,106.00
		TOTAL:	<u>\$ 3,106.00</u>

<i>Transfer To:</i>	SW5310.1B	Admin Pers Svc Billing Clerk	\$ 169.00
	SW8340.1	Trans & Distr Services	\$ 254.00
	SW8340.1A	Trans & Dist – Med Reimb (payroll)	\$ 2,032.00
	SW9030.8	Social Security	\$ 68.00
	SW9060.8A	Medical Reimb-Flex Acct	\$ 583.00
		TOTAL:	<u>\$ 3,106.00</u>

RETSOF SEWER DISTRICT

<i>Transfer From:</i>	SW1990.4	Contingency	\$ 374.00
		TOTAL:	<u>\$ 374.00</u>

<i>Transfer To:</i>	SS8110.1	Admin Personal Service	\$ 3.00
	SS8110.1A	Admin Pers Clerk Services	\$ 5.00
	SS8130.1	Sewage Treat. & Dist. Svc	\$ 34.00
	SS8130.1A	Medical Reimb-Payroll	\$ 305.00

SS9060.8	Hospital/Medical Insurance	\$ 19.00
SS9060.8A	Medical Reimb-Flex Acct	\$ 8.00
TOTAL:		\$ 374.00

SEWER DISTRICT #1

<i>Transfer From:</i>	SS1-8110.4	Admin Contractual	\$ 7,300.00
	SS1-8120.2	Sewage Collection System Equip	\$ 15,600.00
			Unanticipated Revenue
	SS1-2120A	Relevied Sewer Bills	\$ 397.00
	SS1-2665	Sale of Equipment	\$ 1,500.00
			\$ 24,797.00

<i>Transfer To:</i>	SS1-8110.1	Admin Personal Service	\$ 100.00
	SS1-8110.1B	Admin Pers Svc-Billing	\$ 88.00
	SS1-8120.4	Sewage Coll. System Contr	\$ 2,160.00
	SS1-8130.1A	Medical Reimb-Payroll	\$ 1,422.00
	SS1-8130.4	Sewage Treatment & Disp Contr	\$ 20,692.00
	SS1-9060.8	Hospital/Medical Insurance	\$ 297.00
	SS1-9060.8A	Medical Reimb-Flex Acct	\$ 38.00

SEWER DISTRICT #2

<i>Transfer From:</i>	SS2-8110.4	Admin Contractual	\$ 2,000.00
	SS2-8120.2	Sewage Collection System Equip	\$ 4,300.00
	SS2-8130.2	Sewage Treat & Disp Equip	\$ 1,100.00
	SS2-UB	Unexpended Balance	\$ 3,757.00
			\$ 1,157.00

<i>Transfer To:</i>	SS2-8110.1	Admin Personal Service	\$ 3.00
	SS2-8110.1A	Admin Pers Clerk Services	\$ 5.00
	SS2-8120.4	Sewage Coll System Contr	\$ 6,760.00
	SS2-8130.1A	Medical Reimb-Payroll	\$ 305.00
	SS2-8130.4	Sewage Treatment & Disp Contr	\$ 4,057.00
	SS2-9060.8	Hospital/Medical Insurance	\$ 19.00
	SS2-9060.8A	Medical Reimb-Flex Acct	\$ 8.00

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

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 Fund Claim	#198-210	\$ 8,066.67
Consolidated Water	#279-291	\$ 3,552.66
General Fund Claim	#409-424	\$10,147.09
Street Lights	#13	\$ 1,783.07
Highway Fund Claim	#202-210	\$ 7,699.52

APPOINTMENTS

Council Members Parnell and Gates informed the Board they were very pleased with the candidates who applied for the upcoming positions on the York Planning Board and Zoning Board of Appeals.

The Board discussed at great length each applicant and what they could bring to the specific Board. The Board agreed that attendance is very important for each member, the need to participate in the majority of the yearly meetings and most of all mandatory that a member can not miss three consecutive meetings.

After much deliberation the Board made the following appointments:

Planning Board:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to appoint Joe McIlroy to the York Planning Board for a 5 year period, term expiring December 31, 2014, with Frank Rose Sr. as alternate #1 and Heather Grant as Alternate #2. Mr. Rose and Ms. Grant's terms' will also expire on December 31, 2014. Voted on and approved, Yes-5, No-0.

ZONING BOARD

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to re-appoint Paul Schneider to the York Zoning Board of Appeals for a 5 year period, term expiring December 31, 2014, with Jerry Sturm as alternate. Mr. Sturm's term will also expire on December 31, 2014. Voted on and approved, Yes-5, No-0.

ADJOURNMENT

RESOLUTION offered by Mr. Deuel and seconded by Mr. Gates to adjourn the Town Board Meeting until the January 4th Organization Meeting. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:40 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk

