

Public Hearing  
May 12, 2011  
7:00 P.M.

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

Absent: None

Others: Bernie Thoma (Thoma Development Consultants) and George Worden Jr.

Supervisor Deming opened the Public Hearing at 7:05 p.m.

PURPOSE

Mr. Thoma commented this hearing is the second required Public Hearing in order to make application to the NYS Office of Community Renewal, for grant funding under the Federal Small Cities Community Development Program. Mr. Thoma stated the Town of York is seeking maximum funding of \$600,000.00 for improvements to the Retsof Sewer District, with the total project cost at \$887,700.00. Supervisor Deming stated if we are able to obtain funding, the remaining \$287,700.00 will be bonded. Mr. Thoma expressed the importance of obtaining additional surveys in order to qualify for funding, and commented Clerk Harris submitted 7 more this evening, which now brings the required amount needed to 1. The deadline for Grant proposals is May 27<sup>th</sup>, and if we are able to submit and gain approval, construction could begin next year at this time.

Councilman Gates asked Mr. Thoma what our chances are for full funding, which Mr. Thoma replied is excellent. The worse case scenario would be partial funding if monies have already been paid out to other applicants, but believe we have a very strong chance for complete funding.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to close the Public Hearing at 7:15 p.m. Voted on and approved, Yes-5, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk

Regular Town Board Meeting

May 12, 2011

7:30 P.M.

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

Absent: None

Others: George Worden Jr. (Highway Superintendent), Carl Peter (Zoning and Code Officer) and Roger McCracken (Water/Sewer Operator)

Supervisor Deming opened the Regular Town Board Meeting at 7:30 p.m. with the Pledge to the Flag.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to approve the minutes of the April 28<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-5, No-0.

HIGHWAY

1) River Road:

Highway Superintendent, Mr. Worden updated the Board on the River Road culvert replacement project. Mr. Worden stated the process has gone very well, we have completed our third week on River Road, and hope to have it operational by the end of next week. That section of road will be dirt for a time, with some settling occurring, once we are able to add additional dirt and pack it down, then blacktopping will take place.

Mr. Worden commented he has been able to use 4 of the 5 new part-time employees, and all have done a great job thus far. Mr. Worden added he has asked Water and Sewer Operator, Rob Grant to assist them on River Road as well, which has also been very helpful.

2) Subsidized Employment:

Supervisor Deming stated we received a call from David Peck at Livingston County Social Services regarding placement of another person through the grant program. Mr. Peck indicated funds are still available for 6 months and asked if the Town of York would be interested in participating once again. Mr. Deming asked Mr. Worden if he would have a need for this person, knowing we recently approved five part-time employees. Mr. Worden replied he would certainly use any assistance available to him, but commented that he would like to interview the gentleman before rendering a final decision. The Board agreed Mr. Worden will discuss it further with Supervisor's Clerk, Mrs. Barefoot in order to stay in contact with Mr. Peck.

Mr. Worden also informed the Board that we are currently using a community service individual at the Water and Sewer Department. This young man has a total of 400 hours to

complete and expressed the desire to perform all or most of them with us, which we are grateful for another set of hands. Mr. Worden commented the young man is a very good worker.

3) York Road West:

Councilman Deuel asked Mr. Worden if the Town or County have any plans in the near future to retrieve the trees and stumps at the Gratwick property that were cut down last year. Mr. Worden stated the County promised they would remove the brush, but to date has not yet happened.

4) Retsof/Chandler Roads:

A) Signs:

1) Stop Ahead:

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel authorizing Highway Superintendent, Mr. Worden permission to purchase and post double sized stop ahead signs at both locations of the Retsof Rd./Chandler Rd. intersection. Voted on and approved, Yes-5, No-0.

2) Speed Limit Request:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing the Board to submit a request to the Livingston County Traffic Safety Board to consider approval for reduction of the speed limit on Retsof Road from Rt. 63 (Genesee St.) to the York/Leicester Town line, from 55 to 45 mph. Voted on and approved, Yes-4, No-1, David Deuel.

WATER.SEWER

1) Mowing:

Mr. McCracken informed the Board due to the Highway Department's schedule, the Water Department has been busy mowing, including the cemeteries. Mr. McCracken commented, as Mr. Worden stated, the department has had a community service person the past two weeks, The young man has worked well with our guys and seems to be a good worker.

2) Sewer Pump Station:

Mr. McCracken stated he recently had issues at the Tabtronics pump station. A new rotating element has been ordered, for a total cost of \$2,013.00.

OLD BUSINESS

1) Retsof Sewer District:

Supervisor Deming stated now that we have completed our second required Public Hearing and continue to obtain completed surveys for financial assistance, the Board must approve application for Grant Funding.

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose authorizing Supervisor Gerald L. Deming to file an application for funds from the New York State Office of Community Renewal through its Community Development Block Grant Program 2011, and upon approval of said request to enter into and execute a project agreement with the State for such financial

assistance to the Town of York for the Retsof Sewer Project. Voted on and approved, Yes-5, No-0.

2) Ag District discussion:

Councilman Deuel discussed previously with the Board their thoughts on potential future policies in the Town of York for protection of agricultural land. Mr. Deuel stated he has concerns regarding land use regulations, specifically lot dimensions and water connections in an Ag District. Many agricultural parcels will be coming due for renewal in the next few years, ultimately the Town could lose prime farmland to development if we are not diligent. Councilman Rose asked if the Town should restrict certain lands if the owners of those parcels want to proceed in a different format from farm use. Mr. McCracken commented, if a farmer wants to remove any or all of his/her land from the Ag District, it should be their decision and the Town should not play a factor in it.

Mr. Deuel clarified by saying, if owners wish to remove their land to seek the benefit of municipal water for development purposes, they should be able to, but should not be obtaining the continued benefits offered to Ag Assessment properties. Mr. Deuel added we should do what we can to offer people the incentive to retain their land in the Ag District but until then the Town Board needs to have a particular direction to proceed in.

NEW BUSINESS

- 1) Consolidated Water District Improvements:
  - a. Declaration of Lead Agency:

CLASSIFYING THE 2011 WATER SYSTEM IMPROVEMENTS  
IN THE TOWN OF YORK AS A TYPE I ACTION PRUSUANT  
TO 6 NYCRR 617, AND DECLARATION OF LEAD AGENCY  
STATUS

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to present the following resolution and moved that it be adopted:

BE IT RESOLVED BY THE YORK TOWN BOARD AS FOLLOWS:

WHEREAS, the York Town Board of the Town of York, York, New York (the "Board") is considering the financing and construction of new water main to improve water service, and the financing and rehabilitation of a water tank, a pump station, existing water main, and a meter vault to ensure reliability and efficiency, together with improvements incidental thereto (the "Project"); and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "Action") might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which it attached hereto; and

WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced Project and duly considered the impacts which may be expected to result from the proposed Action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”); and

WHEREAS, the Board determined that the Project was a “Type 1 Action: pursuant to SEQRA; and

WHEREAS, the Board determined that the Project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Board’s request to be designated Lead Agency status;

NOW THEREFORE, BE IT RESOLVED BY THE YORK TOWN BOARD, YORK, NEW YORK AS FOLLOWS;

1. The Board hereby declares itself and is hereby designated as Lead Agency for the proposed Action and therefore responsible for determining whether an environmental impact statement is required in connection therewith and otherwise complying with the procedural and substantive requirements of SEQRA.

This resolution shall take effect immediately.

Duly put to a vote as follows:

<u>AYES</u>	<u>NAYS</u>
5	0

b. Negative Declaration:

DETERMINING THE SIGNIFICANCE OF THE PROPOSED 2011 WATER SYSTEM IMPROVEMENTS IN THE TOWN OF YORK, AND DIRECTING THAT THE NEGATIVE DECLARATION BE PUBLISHED IN ACCORDANCE WITH SEQRA.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to present the following resolution and moved that it be adopted:

BE IT RESOLVED BY THE YORK TOWN BOARD AS FOLLOWS:

WHEREAS, the York Town Board of the Town of York, York, New York (the "Board") is considering the financing and construction of new water main to improve the water service, and is considering the financing and rehabilitation of a water tank, a pump station, existing water main, and a meter vault to ensure reliability and efficiency, together with improvements incidental thereto (the "Project"); and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "Action") might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which it attached hereto; and

WHEREAS, the Board determined that the Project was a "Type 1 Action" pursuant to SEQRA; and

WHEREAS, the Board determined that the Project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board previously declared and was thereby designated as Lead Agency for the proposed action, with the consent of all of the involved agencies, and is therefore responsible for determining whether an environmental impact statement is required in connection therewith and otherwise complying with the procedural and substantive requirements of SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE YORK TOWN BOARD, YORK, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed Action is an "Type 1 Action" under SEQRA and will result in no significant impacts and therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Duly put to a vote as follows:

<u>AYES</u>	<u>NAYS</u>
5	0

c. Public Hearing Notice:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to schedule a Public Hearing for Wednesday, June 1, 2011 at 7:00 p.m., for the purpose of conducting a public hearing upon a map, plan and report, including an estimate of cost in relation to the proposed increase and improvement of the facilities of the Consolidated Water District, at a maximum estimated cost of \$1,500,000. Voted on and approved, Yes-5, No-0.

2) ISO:

Supervisor Deming discussed with the Board a letter he received from Insurance Services Office, Inc. (ISO) The letter documented their recent survey results for the Town of York. ISO is the leading supplier of statistical data, underwriting information and actuarial analysis to the property/casualty insurance industry in the United States. The Building Code Effectiveness Grading Schedule (BCEGS) classifications are distributed by ISO to assist in their insurance underwriting and premium development programs for residential and commercial properties.

ISO completed its analysis of the building codes adopted by the Town of York. The resulting BCEGS classification is a Class 5, which is a regression from the former Class 4. Ms. Shultz, from ISO expressed in the letter their willingness to speak with us before re-classifying our community, deadline is May 19<sup>th</sup>, 2011.

Supervisor Deming and Zoning/Code Officer Carl Peter agreed a conference call with Ms. Shultz would be the most efficient way to proceed for more information.

3) DDS Engineers:

Supervisor Deming reported he and Councilman Rose met this evening with a representative from DDS Engineers to review their plans to install a new 12" gas main in the Town of York. Previously the Board and Mr. Worden had questions and concerns on their upcoming project, but after several discussions, Mr. Worden and Mr. McCracken are now comfortable with the changes made. DDS will be keeping a minimum of five feet from our waterlines, work will be conducted in the Right of Way and all restoration must be completed.

4) Cemetery Quotes:

Council Member Parnell reported Snyder Brothers Cemetery Service submitted two estimates for the Board to review and consider. The estimate for the Route 20 Cemetery, is \$4,430.00 and the McVean Road (Inverness) Cemetery, \$13,860.00.

The Board discussed the need to primarily focus on the McVean Road Cemetery, much more repairs will be necessary in order to maintain the existing stones.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel authorizing Snyder Brothers Cemetery Service to perform stone restoration work and repairs in the McVean Road (Inverness) Cemetery, amount this year not to exceed \$10,000.00. Voted on and approved, Yes-5, No-0.

Supervisor Deming asked Council Member Parnell to contact Joe Snyder to have him schedule a meeting with the Board and resident Kirk Richenberg on Federal Road, to review and explain the repairs they completed in the Job Wood Cemetery. Mr. Richenberg voiced his concerns to the Board at a previous meeting, so we want to make sure he is aware of the procedures used by Snyder Brothers.

5) Roof Project:

The Board discussed the upcoming roof project at the Town Hall and stated due to the ongoing rentals, we should block off now several weeks in the Calendar book for the project. We slated June 23<sup>rd</sup>-30<sup>th</sup> and July 1<sup>st</sup>-9<sup>th</sup>. Once the contractor gives us an official start date, they estimate the project to take roughly two weeks to complete.

BILLS

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

• General Fund Claim	#137-149	\$ 9,915.70
• Joint Water & Sewer	#129-143	\$ 92,496.37
• Youth Fund Claim	#5	\$ 1,200.86
• Highway Fund Claim	#92-105	\$ 17,142.56

OTHER

1) East Road-Piffard:

Supervisor Deming informed the Board Robert Boyer of Piffard requested privileges this evening regarding the discussion held and decision made by the Board at the April 28<sup>th</sup> meeting, but did not appear tonight.

The Board and Highway Superintendent, Mr. Worden briefly discussed their water issue and possible solutions, but expressed the need to review the site further in order to render a determination for a resolve.

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board Meeting until May 26<sup>th</sup>. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:45 P.M.

Respectfully Submitted,

Christine M. Harris, Clerk



