

York Town Board Meeting  
June 23, 2011

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

Absent: Gerald Deming

Others: Roger McCracken (Water and Sewer Operator), George Worden Jr. (Highway Supt.), Carl Peter (Zoning & Code Officer), Christine & Mark Williams and Officer Chris Ward (NYSDEC)

Deputy Supervisor Parnell opened the Town Board Meeting at 7:32 p.m. with the Pledge to the Flag.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to approve the minutes of the June 9<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR

1) Officer Ward:

Officer Ward asked to speak with the Board this evening to advise them of the most recent change by NYS Department of Environmental Conservation with respect to certain provisions of 6 NYCRR Part 215, concerning the regulation of open fires. Currently, Part 215 prohibits open burning with some exceptions. One of the exceptions allows the on-site burning of downed limbs and branches less than six inches in diameter and eight feet in length, by residents of towns with a total population of less than 20,000, between May 15<sup>th</sup> and the following March 15<sup>th</sup>. To date, the towns themselves are not permitted to burn collected material. Due to recent weather related issues effective June 16, 2011, those towns with less than 20,000 in population, DEC will exercise its discretion not to enforce this prohibition until June 30, 2012. After such date, the towns will be required to follow the rules once again set forth in Part 215.

Clerk Harris stated she spoke with Officer Ward about DEC's recent alteration of Part 215, and suggested he contact Supervisor Deming in order for the town to perhaps schedule a date to burn the massive brush pile collected at the York Recycling Center. Ms. Harris commented the Board had considered renting a chipper on more than one occasion, but realized the costs involved were far too great, so this new information will be a welcome relief, not to mention cost effective.

Officer Ward stated he did have the opportunity to speak with Mr. Deming recently, and Jerry suggested he attend tonight's meeting to update the remainder of the Board. Officer Ward recommends burning the pile before the DEC deadline, and added he should be contacted prior to the burn in order to notify the sheriffs Department as well.

Highway Superintendent, Mr. Worden stated the Fire Department could start the pile earlier in the day, let it burn down and have the Highway Department turn it over the next day with the loader.

Officer Ward stated once a date and time has been determined, please contact him.

2) Linsner Letter:

Deputy Supervisor, Mrs. Parnell read aloud a letter the Board received from Piffard resident, Elizabeth Linsner. Ms. Linsner stated she wanted to lodge a zoning/code violation against neighbors, Mark and Christine Williams regarding three unlicensed vehicles on their property. Ms. Linsner continued by saying she has contacted Zoning Officer, Carl Peter three times to discuss the issue, but has yet to receive a return call. Ms. Linsner added she would appreciate the Board discussing the matter and informing her of the decision this evening.

Deputy Supervisor, Mrs. Parnell asked Mr. Peter if he was aware of Ms. Linsner's letter and commented not returning calls was not appropriate. Mr. Peter stated his intentions were to contact Mr. Williams about the vehicles before responding to Ms. Linsner, in hopes of resolving the issue first.

Mr. and Mrs. Williams attended tonight's meeting to explain their side of the story pertaining to Ms. Linsner's complaint. Mr. Williams stated they have lived in the Town of York on North Road since 1987 and never had issues with any of his neighbors previously. Mr. Williams stated, to clarify, they had actually only two unregistered vehicles, not three, and as of Monday one of the vehicles was removed from the premises. All vehicles are now registered with exception of one which legally they are entitled to have on their property. Mrs. Parnell has a copy of the print out from Motor Vehicles as verification. Mr. Williams apologized for the delay in correcting the violation, and thanked the Board for allowing him to speak this evening.

Councilman Deuel thanked Mr. and Mrs. Williams for attending tonight's meeting and stated the Board will prepare a response letter for Ms. Linsner outlining their discussion this evening addressing the violation in question and adding that it has now been resolved.

## HIGHWAY

1) Rt. 20 Detour:

Mr. Worden informed the Board that the Rt. 20 detour project had a few complaints the first day, but nothing thereafter.

2) York Central School Project:

Mr. Worden stated the paperwork for the upcoming York Central School Project is finally complete and we are ready to proceed. The project will begin on July 13 or 14<sup>th</sup> and should take roughly three weeks. Mr. Worden added the millings left over from this project will be used elsewhere for other projects.

3) Micropave:

Mr. Worden stated this season we will be trying some micropave on our roadways. With this process, the roads seem to have a longer life span and we won't have to contend with excess stone and dust. We will be micropaving, Chandler and Retsof Roads and a portion of Old State Road.

WATER/SEWER

1) Water Tank:

Mr. McCracken commented the Water Department continues to focus on updating the plumbing of the Tuttle Road tank while it is empty. Cleaning of the tank went smoothly and considering the age of it (45 years), the inside looks remarkable good. We hope to be able to test and then refill the tank within the next week or so.

2) Transportation:

Mr. Worden stated at the Board's request he reviewed a few sites verifying what vehicles might be available through the State Bid process. Several trucks, including F150's were viewed but if we purchased one, it would take 6-8 weeks for delivery.

**8:10 p.m.** Supervisor Deming arrived at this time.

Mr. Worden commented he understands the Board's reason for wanting to purchase smaller vehicles with better fuel mileage, but questioned if the vehicle would be able to haul heavy equipment when needed.

Supervisor Deming asked Mr. Worden to visit a few dealers to obtain quotes for the Board to review. Mr. Worden agreed to do so and stated if the Board approves a particular vehicle, we would certainly have it sooner than on State Bid.

Mr. Deming stated we will table further discussion until the quotes have been received by Mr. Worden.

3) Tank Rehabilitation Cost Estimate:

Mr. Worden presented a copy of Clark Patterson Lee's estimate for the eastside tank rehabilitation. The probable cost for spot repairs to interior as well as exterior and coating, Pit Filler (exterior/interior), Inlet/outlet mixing system and mobilization would be \$287,200.00. With the addition of contingency (10%, \$28,720.00), the total project cost is estimated at \$315,920.00. The documentation gives a detailed recommendation of proposed restoration for the Board to review.

4) Meter Reads:

Mr. McCracken reported the meter reads for the July billing cycle were completed today. Once Mrs. Messana reviews the consumption sheets, she will then print the water and sewer bills. Anticipation date for mailing of the bills will be next Thursday, June 30<sup>th</sup>.

5) Livingston County Work Force:

Mr. McCracken informed the Board one of the two gentlemen from Livingston County Work Force Development has been working for the Water/Sewer Department steadily. Mr. McCracken stated Michael Patterson has been a good addition to the crew. Mr. Patterson seems to be a solid worker and has taken direction very well. The second gentleman, Mr. DeMunn has not appeared.

6) Lift stations:

Mr. McCracken commented not too long ago the Tabtronics lift station experienced a broken pump shaft on the #1 pump and now the #2 pump is experiencing the same issue. We are unable to repair a shaft, so a new rotating element had to be ordered and installed to rectify the problem, which it has.

Mr. McCracken stated the Retsof Road lift station near the treatment plant also needed repair. Numerous seals had worn and needed replacement, which we followed through with.

After some discussion the Board agreed having additional units on hand as spares would be appropriate in the event of an emergency.

OTHER

1) Cemetery:

Councilman Deuel informed the Board of a conversation he had with York resident, Kevin Simpson pertaining to the Old Scotch Cemetery located behind the Town Hall. Mr. Simpson conveyed while walking through the cemetery last fall he noticed pieces were broken off of a stone but the base was still in place, and now that he has revisited the site, did not see any pieces at all, and wondered what happened to them.

Mr. Worden stated he will discuss the matter with the men who have been mowing the cemetery but believe they would not have a reason to remove the stone pieces. Mrs. Parnell stated she will contact Joe Snyder of Snyder Brothers to ask him as well if they have been back to this cemetery.

2) Detour:

Councilman Deuel also addressed the ongoing Rt. 20 detour. Mr. Deuel stated we are well aware of additional traffic on Federal Road, but should also pay close attention to Anderson Road too, in case damage is done. The Board also commented on the increase traffic to Tuttle Road and Old State Road. Mr. Worden stated he will continue to monitor those roads.

## NEW BUSINESS

### 1) Ag Education:

Councilman Deuel stated he spoke with Gary McIntyre recently about Noblehurst Farms interest in getting involved with Ag Education in the community. Supervisor Deming commented there is currently a program in place through BOCES that has been quite successful and suggested they contact them for further information and possible involvement.

### 2) NYS Teamsters:

Supervisor Deming informed the Board we have recently spoken with a new representative for the New York State Teamsters. Mr. William Baron contacted the office and stated his intentions to begin negotiations for Union employees.

Mr. Deming stated we have been struggling the past two years with increases in every direction, and this year alone we encompassed a 31% increase in New York State Retirement, with an additional 31% slated for next year as well.

### 3) York Road West request:

Supervisor Deming stated he was approached by York Road West resident, Danielle Lopez expressing interest in purchasing the small portion of Town owned property (frontage: 60 x depth: 95) located directly next to her residence, that once had the water tower on it. Mrs. Lopez stated she and her husband wish to upgrade their single wide home but will need to have additional land, according to the new zoning regulations. They are currently renting from James Weylman but will be purchasing the parcel shortly and hope to have the extra land available to combine at closing. Mr. Deming informed Mrs. Lopez in order to comply with the existing zoning regarding upgrading, it must be at least 15 years newer than the current structure. Mr. Deming added as a municipality we are unable to sell the parcel outright, we are required by law to publish a notice in our legal paper, the Livingston County News, expressing our desire to dispose of the land, but will contact Town Attorney, Mr. Cicoria to verify the proper procedures.

RESOLUTION offered by Mr. Deuel and seconded by Mr. Gates authorizing Supervisor Deming permission to contact the Town Attorney to begin the procedure of disposing the small parcel of land owned by the Town of York, located on York Road West, Tax Map Number: 51.5-1-2. Voted on and approved, Yes-5, No-0.

### 4) Employee telephones:

Mr. Deming stated we have received a few requests from employees regarding additional features for Town owned telephones they have been issued. A few of the employees have asked if the Board would allow texting to be added to the policy, and offered to pay for it if it can be done.

The Board briefly discussed the request and stated they will not be adding the texting feature to the phones, and due to the fact we pay for the monthly usage there is no way to separate the bill to have the employee pay the texting charges solely.

5) Recycling Center:

Town Clerk, Mrs. Harris stated she unlocked the recycling center this week for Contractor, Pat DioGuardi to unload material for a job he completed in Town. Mrs. Harris outlined the items Mr. DioGuardi dropped off and commented he will be submitting a check to us once we verify the exact cost. Mr. Deming asked Mrs. Harris to contact Mr. DioGuardi and inform him that the total charges will be \$ 15.00.

6) Picture:

Council Member Parnell reminded the Board of a discussion they had last year regarding a framed picture of the Town Hall for the back wall of the Clerk's office. The Board commented we should wait until the flowers were in bloom before taking the photo, and Mrs. Parnell suggested now might be the time to do so.

Supervisor Deming stated once the scaffolding from the roof project has been removed and the flower planters for the front steps put in place, we should follow through with the picture.

7) Caledonia Trail Blazers:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell authorizing Supervisor Deming permission to renew the yearly Land Use Agreement with the Caledonia Trail Blazers Inc. Snowmobile Club for the 2011-2012 season. Voted on and approved, Yes-5, No-0.

OTHER

1) Lawn issues:

Zoning & Code Officer, Carl Peter brought to the Board's attention the ongoing issue of lawn maintenance in a few areas in the Town. Mr. Peter asked how often will we be mowing the particular parcels, in order for him to obtain an estimate of costs in the letter he sends to the homeowner(s). Supervisor Deming stated we hope once they realize we will be charging them for each visit to the site, they might want to handle the situation themselves or at least minimal visits from us, otherwise it will certainly be rather costly.

Mr. Peter stated the residence on Chandler Road was mowed recently by the homeowner's bank and the duplexes on Main Street (Rt.36) in Wadsworth will be mowed next week by soon to be owner, Gary Wall. There are two additional parcels we will be attempting to make contact with, the Dachille property on Anderson Road and the Kaiser property on Flats Road in Piffard.

BILLS

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

General Fund Claim	# 189-200	\$ 3,395.20
Joint Water & Sewer	# 171-182	\$ 24,920.76
Youth Fund Claim	# 7-8	\$ 455.94
Highway Fund Claim	# 124-129	\$ 5,552.66

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to adjourn the Town Board Meeting until July 14, 2011. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:55 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk