

York Town Board Meeting
August 25, 2011

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

Absent: None

Others: Roger McCracken (Water & Sewer Operator), Ronald Cicoria (Town Attorney), Virginia Avenue residents: Tara Johnson, Patricia Onorati and Joanne Cuozzo and George Worden Jr. (Highway Superintendent)

Supervisor Deming opened the Town Board meeting at 7:30 p.m. with the Pledge to the flag.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the minutes of the August 11th Town Board Meeting. Voted on and approved, Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Tara Johnson:

Ms. Johnson asked to speak with the Board this evening about the continued water issues on Virginia Avenue. Ms. Johnson along with Mrs. Cuozzo and Ms. Onorati discussed with the Board how frustrated they have been for the past two months with municipal water quality. Ms. Johnson brought with her this evening several dated sample bottles of water taken over the past week and a half. The samples reflect clearly the rust color in each of the bottles, with exception to one, which was taken shortly after the line had been flushed. Ms. Johnson stated she knows the Town has been doing what they could over this period, but hopes additional measures can be done to resolve the matter. Ms. Johnson added it is some what upsetting to continue to pay water bills when we go through this regularly, especially the last three summers. In addition to water consumption use, Ms. Johnson stated she has also seen that the discoloration of water is now causing build up on her household appliances and hopes the Town Board will soon rectify the problem.

Supervisor Deming informed the residents that plans are being prepared by our Engineering Firm, Clark Patterson Lee, to replace the Virginia Avenue line. Once the plans have been approved by the Health Department, we may then proceed.

Ms. Onorati asked if current piping to the residence is sufficient or will we have to replace once the new line is installed. Water/ Sewer District Operator, Mr. McCracken replied as long as it's copper piping going to the house, the line is fine. Ms. Onorati explained in detail her daily routine of flushing the internal lines of her home and stated how frustrating and exhausting the process has been.

Mr. McCracken reported, a few weeks ago the Board discussed the possibility of looping Virginia Avenue to Route 63 for better flow purposes, but have since revamped the design. The plans now are to replace roughly 700 feet of piping which would start at Route 36 (Main Street) and continue to the end of Virginia Avenue. Supervisor Deming stated he is well aware of the continued struggles the Avenue residents have been facing and apologized for it, but asked that they bare with us a short while longer until the new line has been installed. If all goes according to plan the Board anticipates Virginia Avenue replacement to be completed before the end of the year.

Ms. Johnson commented she is very happy to hear how quickly they will be receiving a new line but asked the Board, due to what we have continued to deal with can we obtain a credit on our next water bill. Supervisor Deming responded the Board will discuss and consider her request.

HIGHWAY

1) York Central School:

Mr. Worden informed the Board the first course of paving at York Central has been completed. The second course will take place on Thursday or Friday of next week. Mr. Worden stated once again his belief that they will make the deadline before school is back in session.

Mr. Worden added the school recently asked if we might be able to pave the area by the bus garage as well. The Board stated, knowing all of the equipment is already on site, it makes sense to follow through, if it works into Mr. Worden's schedule.

Councilman Deuel asked Mr. Worden if the school project has gone smoothly. Mr. Worden and Supervisor Deming replied the projects at York Central have progressed very well and school officials seem to be quite pleased with the work completed as well as the cost savings. Highway Superintendent, Mr. Worden commented he would like to schedule a meeting with Business Director, Mr. Forsythe soon to review all of the work done and the increased projects asked of them, in order to sort out the additional costs involved.

2) River Road:

Mr. Worden reported the Highway Department put millings down on River road to help fill some potholes that occurred. The area should harden up quickly with all of the daily traffic, and then we will be able to oil and stone it, which should be next week.

WATER/SEWER

1) Maintenance:

Mr. McCracken reported the Water Department assisted Mr. Worden and the Highway Department last week at the school with paving.

Mr. McCracken also informed the Board he recently completed and faxed over to Eric Wies of Clark Patterson Lee the information he requested for upcoming projects.

2) Virginia Avenue:

Mr. McCracken continued the conversation with the Board pertaining to the ongoing water quality issues on Virginia Avenue. The water department over the past two months have made numerous visits to the Avenue to flush the lines, but does not seem to stay clear for any length of time. Mr. Worden commented we are looking at 30 days minimum before we hear from the County Health Department for approval, so in that time maybe we can borrow an automatic flushing machine from Monroe County to keep the water from getting stagnant on Virginia Avenue. Supervisor Deming asked Mr. Worden to contact the Livingston County Health Department first to see if they have a machine we can borrow before touching base with Monroe County and inquire as to cost to purchase as well. Mr. Worden replied he will do so. Mr. Deming stated if we were to purchase a machine, cost not to exceed \$1,500.00.

Mr. Worden stated once approvals have been obtained we should contact owner operators to assist us with the digging portions of Virginia Avenue and we can follow through with the rest of the process. Councilman Rose agreed, by hiring owner operators, that will eliminate having to pay prevailing wage. The Board agreed we need to push forward for a resolve.

Mr. Worden also wanted the Board to know, even though we have only received 1 complaint, the line on Old State Road, from Main Street to the railroad tracks has also had quality issues.

NEW BUSINESS

1) Senator Gallivan:

Supervisor Deming stated the luncheon with Senator Gallivan stated for Monday, August 29th has been cancelled once again and will be rescheduled after the Senator reviews his upcoming commitments.

2) Department of Transportation Letter:

Supervisor Deming read aloud a letter Clerk Harris received from the New York State Department of Transportation (DOT). The letter addressed the request previously made by the Town Board to review the speed limit on Retsof Road, and Department of Transportation intentions. Livingston County Highway Superintendent, Don Higgins will investigate traffic conditions on Retsof Road between Route 63 (Genesee Street) and the Leicester Town line, pertaining to lowering of the speed limit. Once the study has been completed, we will be notified of their determination.

3) Ronald Regone:

Supervisor Deming stated he recently spoke with Ron Regone about pressure issues at his residence on Tuttle Road. Mr. Regone stated after 30 years, the pump he purchased no longer worked, so he had to purchase a new one in order to have sufficient water pressure into his home. Mr. Regone conveyed to Mr. Deming once the Town included Tuttle Road into the Consolidated Water District, it is their responsibility to maintain a certain amount of pressure to him, if they can not, they have to purchase a pump in order to do so. With the fact he

recently purchased a new pump for his residence he is now asking the Town to reimburse him for his costs associated with the pump.

Supervisor Deming stated we have a responsibility to provide a minimum of 20 lbs. of pressure to the residents. Mr. Deming stated at first glance he did not believe we had any responsibility to reimburse Mr. Regone a pump, but once he heard that Tuttle Road might not have the required pressure, he began to inquire more thoroughly.

The Board discussed the fact that other residents on Tuttle will inquire about assistance if we reimburse Mr. Regone. Supervisor Deming stressed, if the pressure at the main line holds at 20 lbs or more, our responsibility has been met, if less than that, we need to make it right. Mr. Deming asked Mr. Worden and Mr. McCracken to verify the pressure at Mr. Regone's property and the rest of Tuttle Road in the morning.

4) Abbey of the Genesee:

Councilman Deuel informed the Board of a meeting he attended, as a representative from the Town, at the Abbey of the Genesee. Most of the community are aware that Jeffres have been renting land from the Monastery for the past few years, but now want to put in a lagoon system. Mr. Deuel stated Tom Jeffres was also in attendance and expressed his desire to speak with the York Town Board to outline and review further their plans for the property across from the York Sportsman's Club on Craig Road. Councilman Deuel reported Jeffres is proposing an 8 million gallon lagoon. The waste will be processed through a digester before being trucked here, and washed down to less than 3% solids. Mr. Deuel added Jeffres will use the lagoon for storage and then spread it with a drag line, injecting directly into the ground. The actual manure will originate in Wyoming County, through the Synergy facility.

Councilman Deuel stated the Abbey asked if the Town had any restrictions on what is being proposed, which he replied he did not believe so.

The Town Board discussed at great length the information Mr. Deuel reported and voiced numerous concerns with the proposed plans. Town Attorney, Mr. Cicoria stated what is being proposed seems more Industrial rather than Agricultural, and asked why the Town of York would want to become a dumping ground for Wyoming County waste. Supervisor Deming added we certainly have enough cows in this area to keep the process locally if we should decide to, without including other counties. Councilman Deuel stated he asked Mr. Jeffres to prepare informational packets for the Town Board to review prior to the upcoming meeting, in order to be better versed on the material. Mr. Deuel commented he doesn't see how we could say no to this project or prevent it. Supervisor Deming stressed his belief that in order to proceed with a project of this design, they should have to own the land, not lease it. Mr. Deming agreed with Attorney Cicoria that it sounds more Industrial business than Agricultural. Council Member Parnell also agreed, if a lagoon is what they are proposing, they should have to own the property that it sits on. Councilman Rose commented if we allow other counties waste to enter our township where will it end. We could potentially have much more waste here than originally proposed.

The Board stated they look forward to discussing the matter further with Mr. Jeffres.

5) County Snow & Ice:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve the County Snow and Ice contract for the period beginning October 15th, 2011 to October 14th, 2012, at the rate of \$ 4,000.00 per mile, to perform snow and ice control on County Roads located in the Town of York. Voted on and approved, Yes-5, No-0.

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	# 252-263	\$ 22,512.94
Joint Water & Sewer	# 229-236	\$ 5,723.34
Highway Fund Claim	# 173-182	\$ 8,531.12

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to adjourn the Town Board Meeting until September 8th. Voted on and approved, Yes-5, No-0.

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

Respectfully Submitted,

Christine M. Harris, Clerk