

York Town Board Meeting
February 9, 2012

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

Absent: None

Others: Ronald Cicoria (Town Attorney), Dorothea Prine, Jeff Edwards, George
Worden Jr. (Highway Superintendent), and Roger McCracken
(Water/Sewer Operator)

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 Mr. Deuel to approve the
minutes of the January 12th, 2012 Town Board Meeting. Voted on and approved,
Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Jeff Edwards:

Mr. Edwards asked to speak with the Board this evening to discuss with them
the recent talk and interest in local Town Board's actions pertaining to Hydro-
fracking. Mr. Edwards stated many surrounding towns by way of a Local Law,
have enacted a moratorium on the matter and wanted to ask this Board their
thoughts and potential future action. Mr. Edwards commented he believes this
area will not be looked at as a viable site for drilling, but wanted to discuss it and
gauge the Board's feelings on the topic.

Supervisor Deming stated this Board and the Board of Supervisors have had
numerous conversations about hydro-fracking (hydraulic fracturing). The Town
Board has discussed proceeding with a moratorium for the purpose of evaluating
and updating our current zoning ordinance in order to protect and secure our
water and sewer infrastructure. Mr. Deming added he personally is not in favor
of drilling and has witnessed the process in Pennsylvania and commented how
unimpressed he is with it. A moratorium gives the Town Board and Planning
Board time to review our current zoning and correct what needs to be updated for
the purpose of keeping our community running smoothly.

Mr. Deming and Councilman Rose commented, at this time if the State
approves permitting of hydraulic fracturing, we can not stop the process from
moving forward, but through a moratorium we can update our zoning that would
outline our needs.

Councilman Deuel stated he has reviewed a great deal of material on hydro-
fracking as well as attending several seminars on the matter in order to educate

himself and others on how to protect what we currently have. Mr. Deuel added much correspondence is available to anyone wishing to read it and we can use that to our advantage to make sensible future decisions. A moratorium would only be approved for 6 months to 1 year and in that time we would have the opportunity to further educate ourselves and update our zoning in the process. Councilman Deuel stated he personally is in favor of drilling because he feels this Country is a buyer of fuel, and if we can promote it here, safely, perhaps we need to seriously consider all options.

Mr. Edwards stated he is happy to hear that the Town Board has not already formed an opinion one way or the other on the matter and is open to discuss and review this as a potentially positive alternative.

Mr. Edwards stated this issue has become a political hot button over the past several months. Documentation has revealed in the last 10 years 80,000 wells were hydro-fracked, with no negative impacts to speak of. Mr. Edwards continued by inviting the Board to visit a website: shalnavigator.com, which shows a map of all actively drilled wells and any violations associated with it, in order to judge for themselves the process and the security measures involved with it.

Supervisor Deming reiterated the Board's continued interest in this matter and thanked Mr. Edwards for his comments this evening. Mr. Deming also stated he too believes the Town of York may never see an application filed here, but wants to be proactive with our zoning updates.

HIGHWAY

1) Snow:

Highway Superintendent, Mr. Worden reported very little snowfall has taken place this season but what has arrived seems to occur on Fridays, which gives the crew a bit of overtime, something that cannot be helped with the 4 day work week.

2) Maintenance:

Mr. Worden stated the Highway Department has been placing additional road signs throughout the township, most recently on the lower part of Dow Road, which is our responsibility where the remainder belongs to the County.

Mr. Worden displayed the new "Right to Farm Community" signs to the Board this evening and asked where specifically to install them. Councilman Deuel stated the locations should be Fowlerville Road before the River bridge, east end of Route 20 (Telephone Road), Route 36 (Main Street) and Rt. 63 (Genesee Street), for most visibility.

3) Water Projects:

Mr. Worden updated the Board on the water project they have working diligently on. The vault project located in Geneseo has not gone as smoothly as he had hoped for after installing the necessary piping and fittings. We conducted a pressure test, which unfortunately failed, ultimately starting the Water and Highway Department crews on a mission to locate a leak or leaks. Mr. Worden

commented we had to dig so deep for this project that it is making it much more difficult to locate the issue, but we will continue forward until a resolve has been achieved.

OTHER

Councilman Deuel commented the Board and Mr. Worden discussed at a previous meeting burning of the large brush pile at the recycling center, and wondered when it will occur. Mr. Worden suggested Supervisor Deming contact the new Fire Chief, Rick Rees and NYSDEC to schedule a date to burn. Supervisor Deming agreed he will touch base with both.

Supervisor Deming asked Mr. Worden, what is the existing rule on when employees are legally required to wear reflective vests. Mr. Deming stated he came upon their work zone this week and noticed several of the men not wearing their vests and commented we need to be more proactive in the safety department.

Mr. Worden agreed all employees should have it on whenever they step out of a vehicle, especially near roadways. Supervisor Deming asked Mr. Worden to address it with the men once again.

WATER/SEWER

1) Request:

Supervisor Deming discussed with Mr. Worden an incident that recently occurred with the pay check stub for water and sewer personnel. The last pay period two employees never received their stubs information, so he is now asking Mr. Worden to pick up that information every two weeks. Mr. Worden stated the request will not be a problem, he will handle it going forward.

2) Sewer question:

Councilman Deuel stated he recently attended a Trustees Meeting at the York UP Church with Bill Hasler, and Mr. Hasler asked about the sewer charge on the 2012 County/Town tax bill. Mr. Hasler believed all churches were exempt from such fees.

Supervisor Deming and Clerk Harris stated it is illegal not to charge everyone equally. The York United Presbyterian Church, St. Luke's Church in Retsof and others are all charged for water and sewer services.

OLD BUSINESS

1) Local Law Draft:

Councilman Deuel stated the Board has discussed many times the hydro-fracking issue and the possibility of enacting a Local Law to place a moratorium on drilling until our zoning has been updated. The Board was not comfortable with the very lengthy version used by other towns and asked Mr. Deuel to prepare a draft of possible verbiage for our township. Councilman Deuel stated he prepared a brief page outlining our purpose for a moratorium and asked the Town Board to review, in order to make suggestions at the February 23rd meeting.

2) View Shed Discussion:

Councilman Deuel informed the Board of a recent conversation he had with Heather Ferrero of the Livingston County Planning Department. Ms. Ferrero has been incredibly helpful to our Planning Boards over the years and is versed on our zoning. Mr. Deuel expressed to her that he feels the wording in the zoning is very restrictive, which is not the intent in regards to view sheds. The initial plan was how to protect specified areas but encourage development in other areas of the town.

Mr. Deuel stated the view shed committee has had a bit of an issue scheduling meetings but once we can confirm a date(s), we will iron out suggestions in order to proceed to the Planning Board for further discussion on the subject.

NEW BUSINESS

1) Livingston County Youth Bureau:

Supervisor Deming informed the Board of a letter he received from the Livingston County Youth Bureau asking the Board to submit to them one or more names for outstanding youth in our community. Supervisor Deming asked the Board to think of a student who has made a true contribution to our community and we will submit his or her name to the Youth Bureau. Clerk Harris suggested Matthew Klein, which Mr. Deming replied three people have already offered his name.

2) Carl Peter:

Supervisor Deming reported Zoning/Code Officer, Mr. Peter will be on vacation beginning February 18th -26th. All routine building permit applications will be on hold until his return but any emergencies can be handled by one of the zoning officers in Geneseo. As far as his custodial duties, Mr. Deming stated he will make sure the Town Hall is unlocked and locked for all renters. Clerk Harris stated to date, the quilters will be here Saturday and Tuesday evening, other than that the office staff will take care of the other secured date, which is Wednesday.

3) Transportation Bill:

Supervisor Deming stated the Board of Supervisors has been made aware of a new transportation bill by the Federal government called HR-7. This bill would allow heavier and larger vehicles on our roadways. Many Supervisors met with our representatives and they on our behalf, lobbied to remove that section of the bill which has been done at this time, and will be conducting a 3-year study on the matter, granting us a bit of a reprieve for a few years. What we have been told is the funding for such bill is coming from the fracking industry.

4) Seminars:

Water and Sewer Operator, Mr. McCracken informed the Board of upcoming training seminars for the department. Mr. McCracken stated each operator is required to obtain credit hours in order to retain certification and coming in March are classes to choose from. Mr. Worden stated even though the session on

March 13th is in Mt. Morris, he is hesitant to have all three employees attend, leaving the Town without an operator for the day.

The Board suggested Mr. Worden decide which employee will attend which class and submit the registration accordingly.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell authorizing all three (3) employees from the Water and Sewer Department to attend training class in March, with Mr. Worden deciding who will attend which location.

(2) on March 13 th in Mt. Morris	\$27.00 each
(1) on March 15 th in Waterloo	\$31.00

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

5) Dorothea Prine:

Mrs. Prine began by thanking the Board for approval of the larger STOP signs, she hopes they will make a difference with the traffic.

Secondly, she wanted to discuss with the Board an incident that took place last week at the recycling center, which she knows Mr. Deming is already aware of. A car was parked in front of the recycling building unattended for some time and when she pulled up to drop off her items in the building and quickly retreat, she was blocked in and asked the person in front of her to move. The person stated she wouldn't move and continued to clip coupons from discarded newspapers and magazines, ultimately unfazed how inconsiderate it was to others using the facility.

Supervisor Deming commented he was aware of the situation and stated he and recycling center personnel will try to do a better job with the flow of traffic.

BILLS

Resolution offered by Mrs. Parnell and seconded by Mr. Rose to approve all claims brought before the Board, pending Mr. Worden and Mr. McCracken's verification. Voted on and approved, Yes-5, No-0.

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| • General Fund Claim | #23-52 | \$ 16,879.73 |
| • Joint Water & Sewer | #17-44 | \$ 127,438.43 |
| • Youth Fund Claim | #3- | \$ 40.00 |
| • Street Lights | #1 | \$ 1,901.30 |
| • Highway Fund Claim | #14-41 | \$ 37,243.93 |

8:25 P.M.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to enter into Executive Session for Personnel issues, to include: Town Board, Mr. McCracken, Mr. Cicoria, Mr. Worden and Clerk Harris. Voted on and approved, Yes-5, No-0.

8:45 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.

ADJOURNMENT

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to adjourn the Town Board Meeting until February 23rd. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:46 P.M.

Respectfully Submitted,

Christine M. Harris, Clerk