

York Town Board Meeting
March 8, 2012

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), Carl Peter (Zoning/Code
Officer) 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. Deuel and seconded by Mrs. Parnell to approve the
minutes of the February 23rd Town Board Meeting. Voted on and approved, Yes-
5, No-0.

HIGHWAY

1) Sign request:

Highway Superintendent, Mr. Worden informed the Board of a request he
received for a “Deaf Child sign” on Simpson Road. The family renting 2989
Simpson Road asked to have the Board consider placement of such sign.

After little discussion the Board authorized Mr. Worden to order the
requested signage.

2) Albany:

Mr. Worden stated he, along with other Highway Superintendents jaunted to
Albany yesterday to discuss with our representatives the issue pertaining to
CHIPS Funding. Mr. Worden stated New York State received a 52% increase
from the Federal Government for CHIPS funding, and asked how that will carry
over at the County level. Supervisor Deming commented the increase was 52%,
but unfortunately the County will receive the exact amount of money dispersed to
them as was in 2011, we will not see any additional funding to work with.

3) Funds:

Councilman Deuel asked Supervisor Deming, due to the mild winter we had
this year, where will the unused funds appropriate for snow removal be allocated.
Mr. Deming answered legally we are required to transfer surplus funds (DA
5142.1; “Services” (Payroll) and DA 5142.4; “Town Contract for snow removal” to
the Reserve Fund.

WATER/SEWER

1) Vault project:

Mr. McCracken reported the Water Department finally finished the vault project in Geneseo this week. Restoration of the area will take place in the spring.

2) Easements:

Supervisor Deming stated he spoke with Mr. Callan about the possibility of the Town of York obtaining an easement from him for the upcoming water main improvement project proposed. Mr. Callan reiterated to Mr. Deming what he expressed to Mr. McCracken, that he would sell the Town the area at the price it is assessed for, \$13,000. Supervisor Deming stated needless to say we will not be moving forward with that option and will re-evaluate other possibilities. Mr. McCracken commented although the easement for Mr. Callan will not be obtained, we will need to get several on Genesee Street (RT.63) stretch from Aaron Parson's moving west to the corner of Rt. 63 and Retsof Road. We hope to stay in the right of way as much as possible, but should have signed easements on file in the event we have to disturb additional area.

3) SPDES Permit:

Mr. Worden and Mr. McCracken reported they have continued to work on updating our SPDES permit with NYS Department of Environmental Conservation. Mr. Worden stated we have had ongoing discussions with DEC and Clark Patterson about what is needed, in hopes of a resolve shortly.

4) Sewer Plant:

Supervisor Deming asked Mr. Worden if the Water and Sewer Department could clean up the small area of land at the treatment plant across from the Capa once it dries up a bit. Mr. Worden replied the department will follow through with clean up after a few dry days have occurred.

OLD BUSINESS

1) Fracking discussion:

Supervisor Deming informed the Board that he received an email from Davies Nagel about scheduling a meeting with David Slottje, Esq. to hear his thoughts on hydro-fracking. Mr. Nagel stated he will attempt to secure a date in April, to be held at York Central School for all persons interested on the subject. Mr. Deming commented he will express to Mr. Nagel to schedule the date on an off Board meeting evening in order to devote the entire night to the issue.

Clerk Harris copied for each Board member an email she received from Linwood resident, Lee Gratwick pertaining to a legal educational workshop slated for Friday, April 13th from 1-5 pm at the Wood Library in Canandaigua, discussing hydraulic fracturing. The workshop is designed to educate County and Town representatives on how to craft and adopt Local Laws to protect land and natural resources.

Anyone interested and able to attend need only pre-register by April 10th. There is no fee for this session.

2) Right to Farm Community Signs:

Councilman Deuel presented a draft copy of the Right to Farm Community signs to be posted at the Town Hall. At the February 9th meeting Highway Superintendent, Mr. Worden displayed the prepared metal signs to be placed throughout the community. Mr. Deuel stated the postings would be more of an 8 1/2 x 11 framed picture for the hallway and office area, outlining the Town of York's adoption of the law in 2010.

Councilman Deuel asked Clerk Harris to review with him after the meeting the desired location of the signage, which Mrs. Harris agreed to assist with.

3) Trucking discussion:

Councilman Deuel stated at our February 23rd meeting we briefly discussed scheduling a meeting with Larry Smith and Rob Donnan pertaining to the ongoing issues with silage and manure trucks in the township. Mr. Deuel stated he recently spoke with Mr. Smith about the issue and explained the Board's decision to wait until Highway Superintendent, Mr. Worden is available, in order to be part of the discussion. Supervisor Deming stated now that Mr. Worden has returned from vacation we do need to proceed with a date.

After a brief discussion the Board tentatively scheduled a meeting for Monday, March 12th at 7:00 a.m. at the Town Hall, pending the availability of both gentlemen.

**Supervisor Deming stated he will have Mrs. Barefoot contact Mr. Smith and Mr. Donnan.

4) Meeting:

Councilman Deuel updated the Board on the BIOGAS meeting he attended in Batavia on Monday. The presenter was a Professor of Economics, speaking predominantly on the financial and economic aspects. Mr. Deuel stated including himself, only 5 people attended the session, two people from Larsen Engineering, Steve Mountain (City of Batavia), and a gentleman from Genesee County who is currently hauling food waste.

NEW BUSINESS

1) Industrial Appraisal:

At the previous Board meeting, we discussed whether or not to continue with the yearly Industrial Appraisal format. Supervisor Deming apologized that he has not made contact with our Insurance Agent, Mr. Boyce yet to ask his opinion on the matter, but did ask Mr. Worden his thoughts.

Mr. Worden agreed with Clerk Harris if Mr. Boyce does not specifically request this appraisal be conducted each year, he feels internally we can handle the updates and prepare the necessary documents for the insurance carrier, which would save us some money.

Supervisor Deming stated he will contact Mr. Boyce before the March 22nd meeting.

2) Resignation:

Supervisor Deming informed the Board of Mr. Cicoria's resignation as Town Attorney. Due to his recent appointment as Acting District Attorney of Livingston County which is a full time position, Mr. Cicoria will be unable to continue as Town Attorney.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to regretfully accept the resignation of Ronald Cicoria as Town Attorney for the Town of York. Voted on and approved, Yes-5, No-0.

The Board discussed the need to appoint a new Attorney to represent the Town and stated several names have been considered, hoping to render a decision by the March 22nd meeting.

3) Youth:

Supervisor Deming stated he will be scheduling a York/Leicester Youth Committee meeting shortly to review the upcoming summer recreation program events.

4) Roof:

Supervisor Deming reported we received a claim for final payment of the roof replacement project conducted last summer. Mr. Deming commented after recent review by Custodian, Carl Peter, he verified a few issues in need of addressment from the contractor before final payment is made. Mr. Peter stated gutter issues arose which then prompted him to step onto the roof for other inspections. After review, he noticed that a 10 foot piece of down spout was not connected properly above the office side of the Town Hall building and bubble spots are showing on the roof.

The Board agreed to hold final payment until after the scheduled visit of the contractor, which will take place on Thursday the 15th at 1:00 p.m.

5) Zoning Meeting:

Supervisor Deming informed the Board of an upcoming Zoning Board of Appeals meeting scheduled for Wednesday, March 21st at 7:30 p.m. The meeting was called to discuss the proposed variance request submitted by owner, Gary Wall to replace a trailer near his residence on Fowlerville Road.

Any Town Board member wishing to attend, please do so.

6) Bid Opening:

Supervisor Deming reported one of the two scheduled bid openings took place last Friday (2nd). The Back Lots Transmission Main opening was postponed, but the Water Storage Tank Improvements was opened at 2 p.m. Three bids were received, they are as follows:

Spensieri Diversified, LLC (Syracuse)	\$221,565.00	Total bid
AMSTAR of Western, NY (Cheektowaga)	\$147,050.00	“
Global Contracting & Painting (Orchard Park)	\$173,300.00	“

No action was taken by the Town Board at this time.

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	#63-77	\$ 17, 115.56
• Joint Water & Sewer	#58-72	\$ 11,000.55
• Street Lights	#2	\$ 1,721.84
• Highway Fund Claims	#50-59	\$ 8,939.38

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to adjourn the Town Board Meeting until March 22nd. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:10 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk

