

York Town Board
July 12, 2012

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

Absent: Frank Rose Jr.

Others: Jodie and David Pasquarella, George Worden Jr. (Highway
Superintendent) and Tom Gates Jr.

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 June 28th Town Board Meeting. Voted on and approved, Yes-4,
No-0.

PRIVILEGES OF THE FLOOR

1) David Pasquarella:

Mr. Pasquarella asked to speak with the Board this evening about the ongoing
traffic issue at his residence on River Road. The Pasquarella's moved to the area
two years ago and recognized quickly how much traffic they encounter and the
rate of speed in which the vehicles travel. Mr. Pasquarella stated currently there
are no posted speed limit signs, only curve ahead signs, and asked the Board to
consider placement of some.

Supervisor Deming stated any road not posted is automatically 55 mph, and
commented he too is aware of how fast traffic is on River Road. Mr. Pasquarella
informed the Board of several close calls he and his wife have experienced while
trying to leave their driveway. Mr. Pasquarella added he has taken pictures of the
recent skid marks from two days ago that are over 40 feet in length leading to the
stop sign at the corner, and listened to each of the neighbors' similar stories of
close calls when he stopped with the petition. Mr. Deming stated as a
municipality we are unable to reduce current speed limit signs or post additional
signs without first receiving permission from the State, and can refer this issue to
the Livingston County Traffic Safety Board this evening. Supervisor Deming
asked the best time to have an Officer in the area. Mrs. Pasquarella replied
normally the 4:30 p.m. range is the busiest time.

* **7:35 p.m.:** Councilman Rose arrived at this time.

Mr. Pasquarella commented, with the number of homes in that short area
many drivers are unaware of how quick the stop sign appears after they pass the

gully, and in which the speed they are traveling. Mrs. Pasquarella stated even with their wrap around driveway they still have to contend with oncoming speeders. Mr. and Mrs. Pasquarella asked the Board to consider posting additional signage informing vehicles of homes and stop sign ahead.

Supervisor Deming stated in addition to the River Road request, the Board should also recommend review of MacIntyre Road as well for 35 mph.

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel authorizing the Board to submit requests to the Livingston County Traffic Safety Board to consider approval for reduction of the speed limit on River Road from Fowlerville Road to Mt. Pleasant Road, from 55 to 35 mph and on MacIntyre Road from Simpson Road to Fowlerville Road, from 55 to 35 mph. Voted on and approved, Yes-5, No-0.

(River Road is a Town Road and MacIntyre Road is a County Road)

HIGHWAY

1) Oil and Stoning:

Mr. Worden reported that the Highway Department spent the last few days oiling and stoning Dow Road, East and West and then had to make a return visit to the area to patch a section. Mr. Worden stated he met a Deputy on Dow Road west this morning to make out a report of an incident of damages to the road from the night before. A vehicle was conducting “burns outs” right up to Rt. 36, which we then had to patch and sweep the intersection once again. Mr. Worden stated he is waiting to receive cost estimates for the repairs in order to submit to the driver for reimbursement.

2) Work Week:

Mr. Worden stated the change from (4) 10’s to (5) 8’s is going well, they have settled into the full week routine without a hitch. We did have to use part time help this week though, due to illness from some full time employees.

3) Correspondence:

Councilman Deuel reported he continues to receive correspondence pertaining to the permitting process necessary to post Right to Farm signs in our community. Mr. Worden was told previously by Regional Department of Transportation that they would not issue a permit, would not remove the signs if we installed them and may be asked to remove the signs at a later date. Mr. Deuel stated so much confusion has taken place on how to proceed to place our signs in the Town of York, all we are looking for is guidance from the State on what is protocol. Mr. Deuel stated recently he received an email from Bob Somers, from the New York State Department of Agriculture and Markets informing us that the State does have a permitting process for placement of signs within the Right of Way. The Town would have to apply for a permit and DOT may require dimensions of the sign, as well as employee placement of it. Some State Roads that are in the Federal Scenic by- ways program, do not allow such sign placement in those right of way areas, but other areas are acceptable.

Councilman Deuel stated different agencies have discussed the need for DOT to have a standard road sign that Right to Farm communities would install to their specifications, as with other highway signs, and he fully agrees with this suggestion. Supervisor Deming commented it is unclear to him why we need permission to post a sign if it is placed on private property. Councilman Deuel stated he understands the frustration, but even private property requires State approval.

WATER/SEWER

1) Water Line:

Mr. Worden reported that the Water Department did start the water line project on River Road. Unfortunately due to other duties, we were unable to work on it this week, but will begin once again the following week.

2) Concerned Resident:

Clerk Harris informed the Board of a visitor today at the Town Hall. A Fowlerville resident stopped to inquire if the Town granted permission or a permit to anyone recently to tap into the fire hydrant on Batzing and Casey Road. The resident questioned the two men at the scene, and was told they had permission to do so, but she was uncomfortable about the situation and thought it appropriate to follow up with the office staff. Mr. McCracken was notified and informed us that no one had permission, nor do we grant permits for this matter. Mr. Worden stated he was then made aware of the situation and promptly contacted the Livingston County Sheriff's Department once again to file a Theft of Services complaint. Mr. Worden added we had a lead on whom it might be and once it was confirmed, the Sheriff's Department will now see it through.

3) Sewer Plant:

Mr. Worden commented the drying beds are being used as much as possible for sludge purposes. We still have to haul some away, but overall the process is going well.

4) Invitation to Bid:

Mr. Worden informed the Board the Rt. 63 bid opening for installation of approximately 7,300 linear feet of 12 inch water main (including valves, hydrants and water services) is slated for **Wednesday, August 1, 2012 at 11:00 a.m.**

PRIVLIGES OF THE FLOOR – continued:

2) Tom Gates Jr.:

Mr. Gates informed the Board that Gates Farm recently purchased the Christiano property (17.36 acres) on Genesee Street. Mr. Gates stated after closing he was made aware that the parcel was not in the Agricultural District nor received an agricultural exemption and asked the Board about the existing water and sewer charges on the 2012 Town and County tax bill. Mr. Gates stated he

received a print out of the bill from Clerk Harris outlining the vacant land charges to the districts, and requested the Board consider removing them because the land will be used solely for agricultural purposes.

Supervisor Deming stated the only way charges may be removed is by putting the land in the Agriculture District at the County level, and once that has taken place we are required to remove the charges for future years. Mr. Gates replied he has already met with the County Planning Department and Town Assessor, Mrs. Sapienza on the matter to sign the necessary documents. Mr. Deming stated once the Town and the County were notified of the sale and request for Agriculture District inclusion, the water and Sewer vacant land charges will be removed.

NEW BUSINESS

1) Playground:

Supervisor Deming stated at the June 28th meeting, Custodian Carl Peter informed the Board that the swings at the playground behind the Town Hall are in need of replacement. Mr. Deming stated Mr. Peter received the name of a company that York-Leicester Kiwanis orders through, by the name of Miracle Playground Equipment and obtained a quote for 3 replacement swings, in the amount of \$321.00.

After a brief discussion the Board felt we should view some additional websites to see if we can obtain equipment at a cheaper price.

2) Insurance Renewal:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell authorizing Supervisor Deming permission to renew the Town's Insurance for 2012-2013, with Tompkins Insurance Agencies (Selective Insurance), in the amount of \$32,731.17. Voted on and approved, Yes-5, No-0.

8:40 P.M.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to enter into Executive Session to discuss a Personnel Matter, to include: Town Board, Highway Superintendent and Town Clerk. Voted on and approved, Yes-5, No-0.

9:10 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.

UNION NEGOTIATIONS

Supervisor Deming informed the Board that a meeting has been scheduled for Wednesday, August 15th at 4:30 p.m. at the York Town Hall for the purposes of Union Negotiations.

OTHER

1) Quilters:

The Board discussed at great length the conversation at the June 28th meeting with Cindy Dieter concerning the use of the Town Hall by the Quilt Guild. Councilman Deuel stated in lite of the information presented by Mrs. Dieter and confirmation from Clerk Harris, this seemed to be an isolated incident and feels the Board should reconsider their decision to charge the Guild for Saturday sessions. The Board agreed communication is the most important factor in allowing this system to work. The quilters may use the hall on Saturdays, unless an actual renter wishes to secure that day and at that time they will need to alter their plans. The exception will be for a scheduled event(s), which may not be canceled for any reason and will be highlighted accordingly in the rental book as unchangeable (twice per year). The Board also stressed the need to have Mrs. Dieter continue to inform Mr. Peter by Wednesday of the scheduled week their status for the upcoming Saturday session.

Clerk Harris stated she will notify Mrs. Dieter of the Board’s decision this evening.

BILLS

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

General Fund Claim	# 192-207	\$ 36,954.86
Joint Water & Sewer	# 176-198	\$ 40,030.21
Youth Fund Claim	# 13-14	\$ 1,200.90
Highway Fund Claim	# 132-142	\$ 6,722.52

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to adjourn the Town Board Meeting until July 24th Public Hearing. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:30 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk

