

York Town Board Meeting
August 9, 2012

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

Absent: None

Others: Roger McCracken (Water & Sewer Operator), Lee Gratwick, Grayce McLaughlin and Carol Ell

Supervisor Deming opened the Town Board Meeting at 7:35 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 July 24th Public Hearing and July 26th Regular Town Board Meeting. Voted on and approved, Yes-5, No-0.

WATER/SEWER

1) 2013 Pickup Truck:

Mr. McCracken reported that the bid for (1) New 2013 1/2 Ton Regular Cab, 4 wheel drive pickup truck is now advertised and the opening is slated for Tuesday, August 21st, 2012 at 2:00 p.m.

Mr. McCracken reported we recently had another water issue on Evans Avenue. The existing 4 inch line was installed pre 1941 and is in dire need of replacement. The line runs from Retsof Road, turns up Evans Avenue and the first two homes (Cichelli's and Pierson's) continue to experience rusty water, and more so recently. Mr. McCracken stated we could probably directional drill the area, which would not be an expensive method, but time is more the factor. Mr. McCracken added we must be mindful of the distance needed from water line to sewer line, which is a 10 foot required separation.

Mr. McCracken stated the Village of Geneseo was out this week to clean the Retsof sewer main lines. We may be receiving a cleaning bill from John and Ann Cichelli due to water backup in their bathroom. It is not something that happens each time, but unfortunately occurrences do happen in this process.

Mr. McCracken commented the THM samples will be taken at the end of the month, which will be the 3rd quarter.

OLD BUSINESS

1) Hurricane Technologies:

Supervisor Deming reminded the Board of the Hurricane Technologies celebration scheduled for August 20th. Anyone able to attend must RSVP no later than tomorrow.

NEW BUSINESS

1) New York State Route 63 Water Main:

Supervisor Deming reported we received two bids for the water main project on Route 63:

#1- Kandey Co., Inc.-	\$597,750.00
#2- CCS Pipeline, Inc.-	\$497,684.00

The Engineer originally estimated the project to run roughly \$519,250.00, so pending verifications, CCS Pipeline's bid was better than anticipated. Mr. Wies informed the Board that the low bidder, CCS Pipeline was previously known as Morsch Pipeline, and have had past working experience with them and feel comfortable with their bid and proposed work. Clark Patterson Lee recommends awarding the contract to CCS Pipeline, Inc.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to award the New York State Route 63 Water Main project to CCS Pipeline, Inc. in the amount of \$497,684.00. Voted on and approved, Yes-5, No-0.

2) Town Hall:

Mr. Deming reported Custodian, Carl Peter conveyed to him his recommendation to power wash the Town Hall. Mr. Peter received a quote from Stafford Painters in the amount of \$890.00 and wondered how the Board wished to proceed.

After some discussion the Board concluded the quote was a bit higher than expected, and suggested renting the equipment and doing the work ourselves.

PRIVELEGES OF THE FLOOR

1) Lee Gratwick:

Ms. Gratwick asked to speak this evening to reinforce her concerns regarding fracking. Ms. Gratwick submitted a petition containing 37 names of Town of York residents urging the Board to adopt the one year Moratorium, allowing time to educate ourselves on the subject.

Ms. Gratwick stated numerous people spoke at the July 24th Public Hearing, some knowing the process while others still learning. Please allow time to learn as much as possible about the fracking industry, educate yourselves because it is a very serious matter with potentially dangerous ramifications to our community.

(Ms. Gratwick submitted the petition to Clerk Harris, which will be included with the entire packet of comments for Board review)

2) Grayce McLaughlin:

Ms. McLaughlin also discussed with the Board her concerns pertaining to the fracking industry. Ms. McLaughlin submitted a petition containing 51 names of residents who share her concern and ask the Board to follow through with adoption of the Local Law for a Moratorium of one year on gas extraction using high volume hydraulic fracturing in the Town of York. Ms. McLaughlin stated while obtaining these signatures, very few residents refused to sign the document, the majority agreed with her concerns. As Ms. Gratwick stated earlier, we are all learning as we go, additional time to educate ourselves is a must in order to make a proper decision. Ms. McLaughlin informed the Board that a compressor station is situated near their home on Federal Road, and has had major upgrades to it relatively recently, including a gas metering station, which has her more concerned about future decisions. With these projects they have received water through our hydrants, have they notified the Town? Water Operator, Mr. McCracken confirmed that the gas company asked permission for water consumption, and we then metered the hydrant in order to prepare a bill for them. Ms. McLaughlin also made the Board aware of an incident Tuesday morning where the company was releasing major amounts of gas into the air. The process lasted roughly 30 minutes and the sound was immense, which was a bit scary. It happened a second time today at the 8:15 a.m. range and lasted 20-25 minutes.

Ms. McLaughlin commented we are a small Town and we trust our neighbors, we must be alert on this topic because it could affect us for years to come if a wrong decision is made. The Town Board has a responsibility and obligation to protect the community.

(Ms. McLaughlin submitted the petition documentation to Clerk Harris, which will also be included in the packet for Board review)

7:55 P.M.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to enter into Executive Session for Legal purposes, to include: Town Board, Town Clerk and Mr. McCracken. Voted on and approved, Yes-5, No-0.

8:10 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.

OTHER

1) Nardi Water Matter:

Supervisor Deming reported after the July 26th meeting in which Mr. Nardi attended to explain his side of the water issue, the Board must now decide how they wish to proceed. Mr. Nardi's wife Fallon, has contacted the office several times to inquire as to the Board's decision, and wondered if Mr. Nardi still needed to appear at court on August 13th. Clerk, Harris conveyed to Mrs. Nardi the need for Ben to appear on his scheduled date, and expressed the Board's intentions to recommend to Judge Porter that the water usage and flushing bill be paid along with 25 hours of community service. Once both have been completed, the Town would like to have the matter closed in order for Mr. Nardi not to have a criminal record. The original bill prepared totaled \$868.01 which was consumption and flushing based on an out of district rate. After discussion by the board, they agreed to alter the bill to reflect an in the district rate which reduces the bill to \$523.04, a savings of \$344.97.

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel recommending that Justice Thomas Porter authorize Mr. Nardi to make payment to the Town of York in the amount of \$523.04 (in the district rate) and perform 25 hours community service, to complete restitution for the water matter. Time table for payment may be at the discretion of the Judge. Voted on and approved, Yes-5, No-0.

BILLS

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to pay all claims brought before the Board with exception to the Village of Geneseo bill. Voted on and approved, Yes-5, No-0.

• General Fund Claim	#219-233	\$ 8,869.81
• Joint Water and Sewer	#209-229	\$21,213.73
• Street Lights	#7	\$ 1,464.09
• Highway Fund Claim	#151-162	\$31,332.69

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to adjourn the Town Board Meeting. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:20 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk