

October 25, 2012  
Public Hearing  
6:45 p.m.

Present: Deputy Supervisor Lynn Parnell, Councilmen: David Deuel and Norman Gates

Absent: Supervisor Gerald Deming and Councilman Frank Rose Jr.  
Others: Carl Peter and Patricia Gardner

Deputy Supervisor Parnell opened the Hearing at 6:45 p.m.

PURPOSE

Mrs. Parnell explained the purpose of said hearing is to take public comment regarding proposed Local Law #1 of 2012, "Raising the Income Limits for Senior Citizens' Exemptions and for Persons with Disabilities and Limited Incomes".

The Board discussed that over the years many towns including York, have followed suit with the County's decision to raise the sliding scale amounts. This public hearing is a requirement in order to proceed with the increase.

After no comment or questions from the public....

RESOLUTION offered by Mr. Deuel and seconded by Mr. Gates to close the Public Hearing at 6:59 p.m. Voted on and approved, Yes-3, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk

October 25, 2012  
2013 Budget Hearing  
7:00 p.m.

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

Absent: Frank Rose Jr.

Others: Carl Peter, Patricia Gardner, Grayce McLaughlin, Fred Mingrino, Rene Lyness and Tom Baldwin (Town's Accounting Firm, Baldwin Business Services)

Supervisor Deming opened the 2013 Budget Hearing at 7:05 p.m.

### PURPOSE

Supervisor Deming stated the purpose of said hearing is to present the 2013 Preliminary Budget and to receive public comment and questions on it.

Mr. Deming introduced Tom Baldwin of Baldwin Business Services, the Town's Accounting Firm, to review two important issues in the upcoming budget. Mr. Baldwin commented the Board conveyed to him their desire to remain under the 2% tax cap and to try to keep the tax rates current. The 2013 budget achieves both goals. Mr. Baldwin summarized each of the districts, their balances and how they will be affected in the coming year. In the General Fund for 2012 we lost revenue from what was originally projected for fines and forfeitures and mortgage tax. Last year we used \$30,000 from the fund balances to offset the increases, and for the upcoming year the Town will use \$35,000.00. Overall the increases in the General Fund will be small and even with use of some fund balance, the Town still has over \$70,000.00 in the account. In the Highway accounts we have budgeted additional funds due to fuel and equipment increases, and is using \$26,000 in Highway savings to offset upcoming equipment purchases. The Fire District will experience a minimal increase of \$1,400.00 for 2013. Consolidated Water District began with a temporary borrow, which will turn into a Bond in 2013 for all current projects. The Retsof Sewer District will see a \$600.00 increase, Sewer District #1 will be using \$25,000.00 of savings for upcoming equipment purchases and Sewer District #2 will remain constant for the upcoming year. Mr. Baldwin summarized the General and Highway fund's amounts to be raised by tax. In the General Fund the total will be \$294,227.00 and Highway \$419,170.00, with the total Town budget to be \$1,338,024.00. Mr. Baldwin added the 2% tax cap will not be an issue once again for 2013, the Town is \$38,000.00 above the cap. Mr. Baldwin commented after numerous discussions with Supervisor Deming and review of the accounts, he feels York is on solid ground for the next 3-5 years.

7:20 p.m. Councilman Rose arrived at this time.

### COMMENTS/QUESTIONS

1) Grayce McLaughlin: "Why is there such an increase in the dog control line

item ?”

\* Response: Supervisor Deming stated the increase in dog control is due to the State’s removal from the licensing process, requiring each Town to completely handle all aspects of dog licensing.

Supervisor Deming commented he is pleased with the proposed 2013 budget and feels comfortable for the coming year.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to close the Budget Hearing at 7:25 p.m. Voted on and approved, Yes-5, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk

Regular Town Board Meeting  
7:30 p.m.

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

Absent: None

Others: Carl Peter (Zoning/Code Enforcement Officer), Fred Mingrino, Grayce McLaughlin, Patricia Gardner, Rene Lyness and Andrew Emborsky (Attorney)

Supervisor Deming opened the regular Town Board Meeting at 7:30 p.m. with the Pledge of Allegiance.

MINUTES

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

Supervisor Deming reported we will not receive Highway or Water/Sewer Reports this evening due to an incident the departments are contending with. Mr. Worden contacted Supervisor Deming earlier this evening to notify him that while working on the water main replacement project, the contractor hit the sewer main, so correction is now underway.

Mr. Deming also stated the new pickup truck will be returned to West Herr shortly due to a small dent in the tailgate Mr. Worden noticed while still in our parking lot.

### PRIVILEGES OF THE FLOOR

1) Fred Mingrino:

Mr. Mingrino asked to speak with the Board this evening to discuss the previous two Steering Committee meetings. Although time has been spent, he feels very little has been accomplished, even with the assistance of Avon's committee present. The Town of Avon's committee has been working at the issue twice a week for four months, and questions are still unanswered. Mr. Mingrino stated, bottom line, we need more time. The one comment expressed by Avon's committee members was that Mr. Holko of Lenape was not to be trusted and wasn't nearly large enough to handle any possible disaster. Mr. Mingrino added the York committee brought up topics and asked numerous questions, and it has been frustrating that the members of the public are unable to speak at such meetings when they are able to answer many of them. Several comments made by our committee members were, "Mind boggling", "Our plate is full", "We've got to get the ball rolling", "It's not going to be an overnight thing" and "This list is mind boggling and growing". Many are aware of what has taken place in Pennsylvania, drilling started before they were ready and now they're playing catch up.

Mr. Mingrino feels the Steering Committee has been given an almost impossible task, with no idea how much time to complete it. It took a year to complete our existing revisions of the Zoning Laws with the assistance of our Engineers, Clark Patterson Lee... Our Committee needs more time.

Please reconsider a moratorium or a temporary ban until things are in place.

### NEW BUSINESS

1) Local Law #1 of 2012:

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to approve Local Law #1 of 2012 entitled, "Raising the Income Limits for Senior Citizens' Exemptions and for Persons with Disabilities and Limited Incomes".

INCOME

RESIDENTIAL EXEMPTION

\$0.00	-	\$20,000.00	50%
\$20,000.01	-	\$20,999.99	45%
\$21,000.00	-	\$21,999.99	40%
\$22,000.00	-	\$22,999.99	35%
\$23,000.00	-	\$23,899.99	30%
\$23,900.00	-	\$24,799.00	25%
\$24,800.00	-	\$25,699.99	20%
\$25,700.00	-	\$26,599.99	15%
\$26,600.00	-	\$27,499.99	10%
\$27,500.00	-	\$28,399.99	5%

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

2) 2013 Town Budget:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to approve the 2013 Town of York Budget as presented. Voted on and approved, Yes-5, No-0.

3) Resignation:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to accept the resignation of Sharon Deming as the Town of York's representative on the Livingston County Youth Bureau. Voted on and approved, Yes-5, No-0.

4) Appointment:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to appoint Patricia Gardner as the Town of York's representative to the Livingston County Youth Bureau. Voted on and approved, Yes-5, No-0.

Clerk Harris will submit notification of the new appointment.

5) York Central School Veteran's Day Celebration:

Supervisor Deming informed the Board of an email received from York Central School teacher, Sandra Streb outlining this year's Veteran's Day celebration at the school. The event will take place on Friday, November 9<sup>th</sup>, 2012 at 9:30 a.m., with a luncheon to follow. The assembly will be in the High School gym and luncheon in the auxiliary gym. All are welcome and encouraged to attend.

6) Food Drive:

Supervisor Deming reported that a York-Leicester Community Food Drive has been scheduled for Saturday, November 3<sup>rd</sup> from 9 a.m.-12p.m. Local Scout

**RECEIVED**  
BY *CMH* | 10/25/12 DATE

October 23, 2012

Town of York  
Gerald L. Deming, Supervisor  
PO Box 187  
York NY 14592

Dear Mr. Deming

Please accept this letter of resignation of my membership on the Youth Bureau Board as the Town of York representative, effective as soon as can be arranged.


Ms. Pat Gardner has agreed to become a Town of York representative on the Board and I would highly support that.

The work that the Youth Bureau accomplishes with the children of our community, their leadership in various projects and activities, and their sponsoring of the Teen Recognition Banquet are so beneficial to our county.

I appreciate the opportunity you gave to me to be a part of the Youth Bureau and I hope that I have represented our Town well.

Thank you.

Sincerely,



Sharon Deming  
2680 Main St.  
PO Box 127  
York NY 14592

Troops, Community Groups and York Central School Organizations will be collecting food door to door for the local pantries. The drop off areas will be York United Presbyterian Church and St. Thomas Aquinas Church, in Leicester.

7) Fall Clean up:

The Board and Highway Superintendent, Mr. Worden agreed to schedule a brush clean up day. The slated date is Tuesday, November 13<sup>th</sup>.

8) Appointments:

Mr. Deming stated we have two members. (one from Planning Board and one from Zoning Board of Appeals) terms to expire December 31, 2012. The Town's policy is to place a notice in the Livingston County News and Genesee Valley Penny Saver requesting applicants for the positions, including the current members.

7:45 p.m. – Attorney Emborsky arrived at this time.

9) Contractor's payment:

Supervisor Deming informed the Board that Clark Patterson submitted Payment Application #1 for CCS Pipeline. The amount to be paid at this time is \$218,685.30.

OTHER

1) Supervisor Deming discussed with the Board the statements made earlier this evening by Mr. Mingrino. Mr. Deming asked the Board if they wish to revisit the possibility of a moratorium.

Mr. Emborsky commented the decision to revisit the moratorium discussion is completely up to the Board, but it has only been less than 30 days from the initial vote. The Board received public comment several times including the hearing and made their decision, but could vote once again if they choose to do so.

Mrs. Lyness asked, what is the process involved to begin a petition. Mr. Emborsky replied petitions have already been accepted by the Board and are on file. Mr. Emborsky added the Town Board has made their determination at this point and we now need to support the Steering Committee. Mr. Mingrino stated he was pleased with Mr. Emborsky's comments at the first meeting, but he and others are well aware of the difficult process ahead of this committee.

Councilman Deuel responded to Mr. Mingrino's original comment that the Board should revisit the possibility of a moratorium until the Steering Committee has time to reassess our needs. Mr. Deuel stated he personally is not a representative for the industry nor is part of a land owner coalition, and reiterated the fact that due to the geology of this area, drilling will not take place in York. Councilman Deuel stated 30,000 well permits have been allowed over a

ten year period, with only 1 being applied for in the Town of York. We are not in an area geologically conducive to drilling. Mr. Deuel stated he still believes a one year moratorium is not necessary, because nothing will happen in that time frame and ultimately has faith in our Steering Committee.

Mrs. Lyness and Ms. McLaughlin expressed concern if permitting is approved by the State before we can prepare something. Supervisor Deming stated only two meetings have taken place with a great deal of information presented, we need to give the Steering Committee a chance to get their bearings. Mr. Deming reported we are trying to schedule a trip to Pennsylvania to tour a site showing the negative aspects of fracking within a community. Mr. Deming added liability has been an ongoing question and concern he has, specifically damages caused by the gas industry and where it leaves the homeowner(s) and the community. Council Members Parnell and Rose stated they look forward to the tour and anticipate gaining valuable and needed information in order to proceed further. Councilman Rose added although aspects of our Zoning must be updated, we are still ahead of many towns whose laws have not been updated in over 30 years.

## 2) Dominion Resource Services:

Supervisor Deming reported he recently spoke with Donald Houser, Dominion Resources government liaison, about scheduling a conference call and/or meeting to discuss the new structures and upcoming gas procedures on their property on Federal Road. Mr. Deming stated his first choice would be to hold a community meeting (with Mr. Houser present) to explain what was added to the site and to field questions pertaining to it, and ongoing practices. Ms. McLaughlin commented she looks forward to a meeting, but addressed existing road conditions at this time. Dominion has had a great deal of traffic in and out of their field, which has made a mess of Federal Road. Supervisor Deming stated he will make Highway Superintendent, Mr. Worden aware for review.

## 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    | #307-320 | \$ 5,608.01  |
| • Joint Water and Sewer | #289-297 | \$253,104.90 |
| • Highway Fund Claim    | #201-209 | \$ 17,692.80 |

## ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to adjourn the Town Board Meeting until November 20<sup>th</sup>. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:15 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk