

York Town Board Meeting  
November 6, 2014

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

Absent: Norman Gates

Others: George Worden Jr. (Highway Superintendent), James Campbell (Town Attorney), Mary Kummer, Patricia and Dean Gardner, David Rose, Fred Mingrino, Davies Nagel, Henry Fuller and Kirk Richenberg

Supervisor Deming opened the Town Board Meeting at 7:30 p.m. and invited Councilwoman Parnell to lead in the Pledge of Allegiance.

MINUTES

**RESOLUTION** offered by Mrs. Parnell and seconded by Mr. Deuel to approve the minutes of the October 23<sup>rd</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR

1) Davies Nagel:

Mr. Nagel asked to speak with the Board this evening to inquire as to the status of the upcoming work session pertaining to proposed Local Law #1 of 2014.

Supervisor Deming stated the Board briefly discussed tonight a date for the work session, which will be Tuesday, December 2<sup>nd</sup> at 7:00 p.m. to review the comments and questions from the September 24<sup>th</sup> Public Hearing and email submittals thereafter. Mr. Deming added the Board will then decide if to have an Informational Meeting to further review the answers. Mr. Nagel asked if the work session will be an exchange between the Board and the public, and further commented it will be important to work together rather than separately in order to come to a viable conclusion. Mr. Rose stated several years ago while updating Zoning regulations the public was included in the process and feels it worked out rather well. Mr. Nagel agreed the process was a smooth one when updating the Zoning and Comprehensive Plan.

2) Kirk Richenberg:

Mr. Richenberg stated at the last Town Board Meeting discussion was held regarding potential services from DDSO going from \$25.00 to \$30.00, and questioned what it's for. Supervisor Deming replied DDSO is a State run facility for the developmentally disabled, and the fees quoted were for cleaning services. Mr. Deming stated the Town is not currently contracted for such services, but has the option to do so at a later date if desired. Mr. Richenberg asked if the Town can legally enter into this type of agreement. Attorney Campbell answered it is legal to contract for cleaning services and other townships have already done so. Ms. Harris stated the purpose for this type of involvement is to allow the town to obtain services and for the individuals to learn life skills to further involve themselves into the community.

Mr. Richenberg questioned the Board on the Privileges of the Floor Policy, and asked why a woman was allowed to speak at the previous Town Board Meeting, without requesting such privileges in advance. Supervisor Deming replied the woman asked a question pertaining to the subject the board was speaking on, not privileges itself. Mr. Deming added it is completely up to the Board if they wish to call upon an individual over the course of the meeting.

Mr. Richenberg addressed the conditions of town roads. He feels the roads are being sacrificed for timely repairs in order to work for the County on their roadways, and asked if we have a procedure in place. Supervisor Deming answered the Highway Department is run by Mr. Worden and it is his decision on how he disperses his crew. Mr. Richenberg stated a property owner had a very large amount of work done to their driveway, and feels they received treatment above and beyond. Mr. Worden replied the work completed at the owner's property was done at the request of the County, due to the fact they had hired the Town of York to complete the project.

Mr. Richenberg stated at a prior Town Board Meeting he spoke on the Right to Farm signage, but it did not appear in the minutes and made the following statement:

“Farming has been going on in the Town of York for 200 years without anyone being denied any incidence of the right to farm, to the best of my knowledge. As has been stated by a councilman that this was his effort to get these signs up, I would like you as a board to know that this is a clear waste of taxpayer money to benefit one councilman's personal agenda. I find it appalling that the rest of this board voted to approve this resolution and clearly waste taxpayers money since after all these signs serve no legal purpose”.

( The above comment was submitted in writing)

### HIGHWAY

Mr. Worden reported the Highway crew has been preparing our equipment in anticipation of the upcoming winter season. Patch work in areas has been done and will continue, along with additional road shoulder work.

Mr. Worden commented in regards to the ongoing truck issues on Retsof Avenue, the State has conveyed to him that they do not want additional signs posted to help alleviate the matter. Mr. Worden stated because of their decision we will need to make sure officers start writing tickets when it occurs, hoping this will deter the route taken by the drivers. Supervisor Deming asked if we could post a sign once they turn onto Retsof Road, which Mr. Worden replied a 10 ton weight limit sign already exists.

### WATER/SEWER

Mr. Worden discussed with the Board an ongoing water issue for the last two years at a vacant property located at 3850 Main Street. In order to alleviate any potential water breaks over this period of time we shut off the water at the main line. This home has a crawl space that is very difficult to work in, so Mr. Worden's suggests that we request of the new owner installation of a meter pit at the residence to protect our system. Mr. Worden added due to the change in ownership, now would be the time to proceed before we restore the water service. Attorney Campbell stated although the previous homeowner did not have a meter pit installed once the home was abandoned, the Town can look at this situation as a fresh, clean opportunity

to put things in proper order. Supervisor Deming asked Mr. Worden to inform the new owner of the situation and the Town's requirement for a meter pit.

Mr. Worden informed the Board that the Water Department is seeking a fire safe cabinet to store all flammable material, and asked the board permission to purchase one for \$1,200.00.

**RESOLUTION** offered by Mr. Deuel and seconded by Mrs. Parnell authorizing Mr. Worden permission to purchase one (1) fire safe cabinet for the Water and Sewer Department, in the amount of \$1,200.00. Voted on and approved, Yes-4, No-0.

Mr. Worden discussed with the Board conversations he has had with a resident on York Road West regarding sewer issues. The homeowner owns a two-family residence that has one side connected to municipal sewer and the other side is still on septic. Now that they are experiencing issues, the homeowner is requesting any assistance from the Town.

The Board briefly discussed the matter and then determined if the homeowner had brought the matter to the Town's attention when he first bought the property (7 years ago) he would have been compensated for a pump as was several other homeowners. The Board agreed no compensation will take place and asked Mr. Worden to contact the homeowner with the decision.

#### NEW BUSINESS

(1) Posting of comments:

Clerk Harris discussed now that the Board has had the opportunity to review all submittals, she would like to post all comments received for proposed Local Law #1 of 2014 pertaining to Hydraulic Fracturing, and asked permission to do so.

**RESOLUTION** offered by Mr. Deuel and seconded by Mr. Rose authorizing Clerk Harris permission to post all comments received on the Town's website and Facebook site, pertaining to proposed Local Law #1 of 2014. Voted on and approved, Yes-4, No-0.

(2) Board appointments:

Clerk Harris informed the Board that a notice was recently published in the Livingston County News seeking any interested Town of York residents wishing to serve on the Planning Board, Zoning Board of Appeals and Board of Assessment Review. Currently three (3) members' terms are expiring on the Planning Board and one (1) on the Zoning Board of Appeals the end of this year. The Board of Assessment Review position expired September 30<sup>th</sup>. All residents were asked to submit a letter of interest for such positions, with Friday, November 14<sup>th</sup> as the deadline date.

(3) 2015 Budget Hearing

Clerk Harris reminded the Board of the upcoming 2015 Budget Hearing scheduled for Thursday, November 13, 2014 at 7:00 p.m.

(4) Examination:

Clerk Harris presented a copy to the Board of the recent examination completed, period covering January 1, 2012 through December 12, 2013.

**BILLS**

**RESOLUTION** offered by Mrs. Parnell and seconded by Mr. Rose to approve all claims brought before the Board. Voted on and approved, Yes-4, No-0.

- General Fund Claim           #352-370                 \$ 10,193.58
- Joint Water and Sewer       #276-289                 \$116,145.16
- Youth Fund Claim            #18                         \$    180.00
- Street Lights                 #11                         \$   1,657.98
- Highway Fund Claim         #191-199                 \$   6,260.62

**ADJOURNMENT**

**RESOLUTION** offered by Mrs. Parnell and seconded by Mr. Deuel to adjourn the Town Board Meeting until November 13<sup>th</sup> Budget Hearing. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 7:50 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk