

York Town Board Meeting
March 13, 2014

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

Absent: Frank Rose Jr.

Others: Carl Peter(Zoning and Code Officer)

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

MINUTES

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to approve the minutes of the February 27th Town Board Meeting and March 5th Joint Work Session. Voted on and approved, Yes-4, No-0.

** Due to the winter weather conditions Highway Superintendent, Mr. Worden is unable to attend tonight's meeting, no report will be given for the Highway Dept. and Water/Sewer Departments.

OLD BUSINESS

1) Water/Sewer interviews:

Supervisor Deming reported Council Members Rose and Parnell and Highway Superintendent Worden met a few weeks ago to conduct interviews for a full-time Water and Sewer position. Originally three individuals were scheduled, but prior to the interviews one candidate had already accepted a position elsewhere, so two interviews took place. The committee stated both gentlemen interviewed very well.

After much discussion the Board concluded due to the fact that the current employees are handling the workload well, they have decided not to fill the position at this time, previously vacated by Roger McCracken.

2) Health Insurance:

Supervisor Deming reported once again that the current health insurance coverage for Town employees will cease effective April 1st, 2014. Counsel for the Town, David Lippitt recently prepared a breakdown of insurance plans for the Board and Teamster's representative to review. The Union representative has initially agreed to the SimplyBlue Plus Silver 3 Plan, but must now speak with Union members. Mr. Deming added, the Union rep conveyed to him they were unable to prepare an insurance plan that could come close to what has already been outlined.

The Board reviewed the Excellus Blue Cross Blue Shield information, agreeing that the Silver 3 Plan is most similar to the current coverage.

Supervisor Deming stated he will keep the Board informed once he has spoken with Union representation.

3) Sign update:

Mr. Deming stated he spoke with Highway Superintendent, Mr. Worden regarding the quote for the Championship soccer signs. Mr. Worden reported that the quote has yet to be given to him, but once it has been prepared he will notify the Board.

4) Wasserman claim:

Supervisor Deming reported the Town recently received from our carrier, Selective Insurance, a decision regarding the water claim filed by Piffard resident, Roselyn Wasserman. The claim was investigated and evaluated with the result that the Town was not legally responsible for the damages sustained at Ms. Wasserman's residence. Mr. Deming stated Selective declined any payment for this claim.

5) Smith update:

Supervisor Deming reported Susan Smith will be meeting with the Planning Board on Tuesday, April 8th to discuss the proposed renovation plans to their existing barn. All Town Board members are encouraged to attend.

Mr. Deming stated in addition to the Smith application, a second barn renovation request will take place in the near future. Owners of 2635 York Road West, Molly Cummings and David Rose, have also expressed a desire to utilize their property for business purposes. Ms. Cummings intends to introduce Yoga programs to the community and will be the instructor for such. Mr. Peter stated the homeowners own 41 acres, of which 250 feet of it from York Road West is zoned Hamlet Residential, with the remainder in Agricultural. Councilman Deuel commented he has visited the property and at first glance where the pool is to be installed would be residential and the front portion of the barn as well, but the rest of the property would be Ag. Mr. Peter stated if a proposed business is to be started in an Agricultural district, it is required to receive County Planning Board approval. Supervisor Deming stated he will contact Attorney Campbell to verify his availability in order to have further discussions with the homeowners regarding the renovation request.

6) Veteran's Exemption:

Supervisor Deming informed the Board that York Central School has approved the Veteran's Exemption for school taxes. Assessor Sapienza conveyed that all existing Veteran exemptions currently on the Town & County property tax bill will automatically be eligible for the school bill as well.

OTHER

1) Agricultural information:

Councilman Deuel further discussed agricultural information and the tax rates associated with it. Mr. Deuel stated in the Town of York's Comprehensive Plan dated 2006, it examined current land use conditions and trends in assessing future needs of the community. The data provided at that time demonstrated that the Town of York was a rural community with agriculture as the predominant land use feature, with 83% devoted to Ag uses. Mr. Deuel stated when discussing future development it is important to understand the tax implications. Each type of land use (commercial,

residential & agricultural) has a different cost of development determined by assessing the amount the use would pay in taxes vs. required services (fire, school, water & sewer).

Mr. Deuel referenced a study conducted in 2006 in the Town of Byron, similar in character to the Town of York. They determined the cost of development as follows:

For every \$1.00 of taxes brought in by the following land uses the Town had to pay the following services:

Residential	\$ 1.30
Commercial/Industrial	\$.77
Agricultural	\$.49

Mr. Deuel stated previously and once again, open land uses far less services than what they pay in taxes and needs to be balanced. Open land continues to pay more than their fair share of the tax burden.

Mr. Deuel reported since 2006 open land values have increased an average of 68% per acre of tillable land. Of the \$15.9 million increase in town assessment since 2010, \$11.5 million was from the increase to open land values (72%). In 2009, 80 landowners had a total of 115 open land parcels. The greater the demand for land increases the value.

Councilman Gates asked if the County has initiated any agricultural information to the public, which Supervisor Deming replied he was not aware of any at this time. Councilman Deuel stated he will be contacting the offices of Senator Gallivan and Assemblyman Nojay to assist in educating our representatives the value of ag land and the taxes associated with it. Supervisor Deming voiced once again his belief that the decision should be brought to the voters by way of a Public Referendum, not a Town Board decision because three of the five members own agricultural property that would ultimately benefit with the tax rate change. Councilman Deuel expressed his thoughts if it proceeds to a referendum he does not think it will pass. Supervisor Deming stated whatever the result may be the public should have a say as to how tax rates are used. Mr. Deming asked if Angela Ellis has been contacted, which Mr. Deuel replied not as of yet, but will be talking with her shortly. Councilman Deuel commented after speaking with numerous farmers they don't seem to be as concerned about this issue particularly because they have other "battles" with the State to contend with. He feels this subject is very important and will continue to disseminate information.

NEW BUSINESS

1) Rt. 36 water replacement update:

Supervisor Deming reported of the \$1.5 million dollar BAN originally secured, we have approximately \$365,000.00 left after the majority of the projects have been completed. The Town has experienced numerous breaks in the Route 36 area over the years, especially this year with five in a 24 hour period. The area to be replaced would begin at the intersection of Route 36 & 63, by Valero gas station, continue south on Main Street, ending around house number 4101 range.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell authorizing Clark Patterson Lee permission to begin the engineering for the section of Route 36 (Main

Street) from the corner of Route 36 & 63 south through Wadsworth. Water main replacement will consist of a 12 inch line in the area. Voted on and approved, Yes-4, No-0.

2) Informational Meetings:

Supervisor Deming stated with the estimates complete for the McVean Road and Linwood Road areas, the Board can now proceed with Informational meetings to inform the property owners of the costs associated with municipal water.

*McVean/Telephone Roads- Thursday, April 10 at **6:30 p.m.**

*Anderson, Linwood, Federal & Limerick Roads- Thursday, April 17 at **7:00 p.m.**

Supervisor Deming stated before the Linwood meeting, he will contact Julie Marshall, Director for Livingston County Economic Development about the possibility of grant funding available if Noblehurst Farms was able to be part of the service area. Mr. Deming stated with potential funding and additional units from the farm, the final figures may be more attainable.

3) Leicester water:

Supervisor Deming reported he received confirmation and permission from the Village of Geneseo regarding our request to service the Town of Leicester with municipal water. The average daily demand would be approximately 10,000 gallons, with a maximum no greater than 50,000 per day.

The Board discussed water rates to Leicester will be based upon our current Out of District charge.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates authorizing the Town permission to charge the Town of Leicester for water at our current Out of District rate and further authorize the Town Attorney to prepare the necessary written agreement. Voted on and approved, Yes-4, No-0.

OTHER

1) York Fire Department:

Mr. Peter discussed with the Board a recent meeting the York Fire Department had with their Attorney, reviewing future policies and procedures of the department. All new applicants must be approved by the Town Board (as Town employees) prior to membership. Any and all fundraisers must also require Town Board approval.

Mr. Peter stated the department will be submitting a list to the Board of applicants for the last two years for approval. Going forward any new submittals will also be brought before the Town Board. Mr. Peter added at Monday night's meeting the department approved Jake Powell as a new member pending an arson check and tonight's decision of the Board.

Mr. Peter commented regulations state if a decision is not made by the Town Board within a 70 day period, the applicant is automatically a member. The Board asked what age can a person become a member. Mr. Peter replied the department can allow a person as young as 16 to join, but can't allow them to enter a burning structure. At 17 they are allowed to participate fully.

Mr. Peter added they will be reviewing the current Bylaws further and have already discussed changing the membership age to 17. The department's intentions are to encourage the younger generation to become involved early and stay active as an adult.

Councilman Deuel asked if a member is dismissed for any reason does the Board have to be involved in that process. Mr. Peter replied he did not believe the Town Board has to be a part of those situations, but will ask their Attorney for clarification. Mr. Peter stated the Fire Department must show do cause for any dismissal, so it will probably not be a Board issue.

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell approving the membership of Jakob Powell to the York Fire Department, pending the results of the arson check requirement. Voted on and approved, Yes-4, No-0.

2) Farmland Preservation Committee:

Councilman Deuel reported two members of the Farmland Preservation Committee have resigned, Lee Gratwick and Davies Nagel. New members of the committee are: Meghan Rodwell, Donna Walker and Jerry Sturm. The immediate goal of this committee is to assist at the York Valley Fest by distributing educational information to the public pertaining to land preservation.

3) Speed limit request:

a- Lynn Katter:

Clerk Harris stated she received a visit today from Limerick Road resident Lynn Katter and his daughter, Allison. The Katter's expressed concern about the speed limit on Limerick Road (55 mph) and wondered if a reduction could be approved. Ms. Katter stated additional families have moved to the area, with many joggers and walkers, and feel it could be a safety issue with the number of large trucks that travel it.

Supervisor Deming stated we can submit a speed limit reduction to the Livingston County Traffic Safety Board if the Board feels it is necessary. Council Members Parnell and Deuel commented they do not feel a reduction of speed is warranted for that area.

RESOLUTION offered by Mr. Gates and seconded by Supervisor Deming to submit a speed limit reduction request to the Livingston County Traffic Safety Board for Limerick Road between Anderson Road and Linwood Road. Voted on, Yes-2, No-2:

Gerald Deming	Aye
Norman Gates	Aye
Lynn Parnell	Nay
David Deuel	Nay
Frank Rose Jr.	Absent

Resolution for Limerick Road speed limit reduction: **FAILED**

BILLS

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

General Fund Claim	# 84-94	\$ 7,881.83
Joint Water/Sewer	# 64-75	\$ 3,199.05
Street Lights	# 3	\$ 2,513.09
Highway Fund Claim	# 51-63	\$ 9,393.60

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to adjourn the Town Board Meeting. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:30 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk