

York Town Board Meeting
July 9, 2015

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

Absent: Norman Gates

Others: George Worden Jr. (Highway Superintendent), Kirk Richenberg, Henry Fuller, Davies Nagel, Patricia Gardner and Carl Peter (Zoning and Code Officer)

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

MINUTES

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to approve the minutes of the June 24th Informational Meeting and June 25th Town Board Meeting. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR

1) Davies Nagel:

Mr. Nagel began by expressing his thanks to the I.R.G. Committee for participating over the past several months. Numerous hours have been spent trying to assist the community and their needs. Mr. Nagel specifically thanked Pat Gardner for being the liaison with the Town Board.

Mr. Nagel submitted a hand out to the Board outlining the preliminary report followed by the Impact Research Group, which was a model initially prepared by the Town of Avon committee, as recommended by Attorney Campbell. This overview put things in order on how to proceed, and is as follows:

- a. Residential/Property Owners
- b. Quality of Life
- c. Economics
- d. Land, Natural Resources and Waste Management
- e. Government and Services
- f. Natural Gas Drilling in York

Mr. Nagel stated he is undertaking item (d) Land, Natural Resources and Waste Management. Mr. Nagel referenced a recent EPA Hydrologic Fracturing Study pertaining to such topic.

“No widespread impact on drinking water, but does confirm specific instances that led to water contamination that the oil and gas industry has always denied. Unfortunately, there was no before and after baseline testing and the data was provided by the industry so more study is recommended”.

Mr. Nagel added a way that we could protect our water in the future could be by participating in a study conducted by Brockport in order to get a baseline study of each of our creeks. The study costs \$40.0 per creek sample, and we should continue to look into this for potential future analysis.

Mr. Nagel also commented that a new report is out from the Environmental Working Group, discussing leaving just a 35 foot buffer between fields of corn or soy and neighboring streams, could significantly reduce nitrogen and phosphorus runoff, and so may possibly be an important way to protect the water from any fracking runoff.

**As a personal side note: These hedge rows seem to be disappearing even though they are important habitat for the many pollinators, that are responsible for 1/3 of the food we eat. If a hedgerow is going to be removed there are groups that will relocate any honeybee colonies that may be found in the area.

Mr. Nagel asked the Board, what would be the effects of an increase in truck traffic especially along Route 63, and then read aloud information pertaining to a Health and Community study, dated January of 2012 discussing the impacts of living near truck traffic areas.

“Most people understand the safety issues involved especially at the intersection of Routes 63 and 36. Newer research has focused on the health issues involved along a truck corridor, especially stop and go traffic. Diesel exhaust, a suspected carcinogen, and brake pad dust that can contain asbestos, lead and other heavy metals are both major health concerns. There is a higher risk of asthma for children living within a 1/2 mile of a highway and a higher risk when exposed to traffic pollution at school. That’s why our Comprehensive Plan puts a high priority on putting footpaths, trails and an open space on the North side of Route 63 across from the school. This configuration tends to slow down the traffic as it makes the area look more residential/green space oriented”.

Mr. Nagel stated the committee will continue to research and obtain further information to document and share. He feels the group is moving in a positive direction and encourages other opinions and ideas, which he believes is helpful.

Mr. Nagel’s submittal to the Town Board

1. Overview: Following model of Avon committee as recommended by Jim Campbell (snapshots)

- a. Residential/Property Owners**
- b. Quality of Life**
- c. Economics**
- d. Land, Natural Resources & Waste Management**
- e. Government and Services**
- f. Natural Gas Drilling in York**

2. Preliminary Report: Land, Natural Resources & Waste Management

- a. **What did the recent EPA Hydrologic Fracturing Study say?**
- b. **What could we do now to protect our water in the future?**
<http://www.takepart.com/article/2015/02/03/ag-runoff-drinking-water-pollution-solution>, Environmental Working Group
- c. **What would be the effects of an increase in truck traffic, especially along Route 63? Driving Harm: Health and Community Impacts of Living near Truck Traffic The Impact Policy Brief Series January 2012.**

**Thanks to Board and especially to the Impact Research Group,
D. Nagel**

HIGHWAY REPORT

Mr. Worden reported the following:

Due to wet weather conditions, we did not have to set up for the 4th of July celebration at the school, but has tentatively been rescheduled for July 16th, with the celebration on Saturday, July 18th.

We have worked on road shoulders on River Road, with the assistance from the Town of Leicester. Additional shoulder work will be completed in other areas shortly.

Trying to keep up with the mowing (cemeteries, parks and roadside)

Councilman Deuel asked if Mr. Worden has heard from the State regarding mowing of their roadways (Routes 36, 63 and 20). Mr. Worden replied he is aware that they are in Avon at this time and is hopeful they will be in York before the fireworks on the 18th. He was told they are working their way around, but seem to be mowing only twice per year, as of the last few years.

WATER/SEWER REPORT

Mr. Worden reported the following:

- We are now working on a material spec sheet for the McVean/Telephone Road water project. We anticipate completion by the end of next week.

- Retsof Avenue had issues between two manholes recently and have had previously with heavy rains. Blockage of the line (80 feet) needs to be cleared. We can cut the existing roots, but would have to do this process every year due to the existing old clay piping. Mr. Worden suggested installing 100 feet of new PVC piping (\$1,000.00). Entire project with our equipment and manpower would be roughly \$5,000.00, which ultimately eliminates root issues.

- In order to complete any project the flow at the plant must be at a minimum and should take two days. We need for it to dry out more so, which will bring us to the August time frame.

- Although flow has been very high due to the heavy rains we are still meeting the DEC limits.

After little discussion...

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing Highway Superintendent, Mr. Worden permission for installation of 100 feet of PVC piping in the Retsof hamlet, using town manpower and equipment, not to exceed \$5,000.00. Voted on and approved, Yes-4, No-0.

OLD BUSINESS

1) Union Negotiations:

Supervisor Deming reported Union Negotiations will begin on Tuesday, August 25th at 5:00 p.m. at the York Town Hall. The Union represents Town Highway and Water/Sewer personnel. Supervisor Deming and Councilman Rose will be the Board's representation for negotiations.

NEW BUSINESS

1) Caledonia Trail Blazers:

RESOLUTION offered by Mr. Rose and seconded by Mr. Deuel authorizing Supervisor Deming permission to renew the yearly Land Use Agreement with the Caledonia Trail Blazers Inc. Snowmobile Club for the 2015-2016 season. Voted on and approved, Yes-4, No-0.

2) Transfers:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to approve the following Transfers:

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	A1990.4	Contingency	\$	500.00
	Unanticipated Revenue			
	A1090	Int & Pen Real Prop Taxes	\$	1,000.00
	A2680	Insurance Recovery	\$	3,000.00
	A3040	Real Property Tax Admin	\$	1,631.00
		TOTAL:	\$	6,131.00

<i>Transfer To:</i>	A1330.4	Tax Collector Contractual	\$	915.00
	A1420.4	Attorney Contractual	\$	4,500.00
	A7550.4	Celebrations Contractual	\$	660.00
	A9055.8	Disability Insurance	\$	56.00
		TOTAL:	\$	6,131.00

HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>	Unanticipated Revenue			
	DA2650	Sale of Scrap	\$	1,000.00
	DAUB	Unexpended Balance	\$	16,793.00
		TOTAL:	\$	17,793.00

<i>Transfer To:</i>	DA5130.2	Machinery Equipment	\$	2,793.00
	DA9008.8	Employee Benefits - Sick	\$	15,000.00
		TOTAL:	\$	17,793.00

CONSOLIDATED WATER

<i>Transfer From:</i>	SW8320.4	Source of Supply Contr	\$	1,219.00
		TOTAL:	\$	1,219.00

<i>Transfer To:</i>	SW1680.4	Data Processing Contractual	\$	1,219.00
		TOTAL:	\$	1,219.00

RETSEW SEWER DISTRICT

<i>Transfer From:</i>	SS8130.4	Sewage Treat. & Disp Contr	\$	124.00
		TOTAL:	\$	124.00

<i>Transfer To:</i>	SS1680.4	Data Processing Contractual	\$	108.00
	SS1950.4	Tax & Assessments on	\$	16.00

TOTAL: \$ 124.00

SEWER DISTRICT #1

<i>Transfer</i>	SS1-		
<i>From:</i>	8130.4	Sewage Treat & Disp Contr	\$ 575.00
			\$ 575.00

<i>Transfer</i>	SS1-		
<i>To:</i>	1680.4	Data Processing Contractual	\$ 504.00
	SS1-	Tax & Assessments on Prop	\$ 71.00
			\$ 575.00

SEWER DISTRICT #2

<i>Transfer</i>	S S2-		
<i>From:</i>	8130.4	Sewage Treat. & Disp Contr	\$ 124.00
			\$ 124.00

<i>Transfer</i>	SS2-		
<i>To:</i>	1680.4	Data Processing Contractual	\$ 108.00
	SS2-	Tax & Assessments on Prop	\$ 16.00
			\$ 124.00

Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR CONTINUED

2) Kirk Richenberg:

Mr. Richenberg commented, two meetings ago discussion was had pertaining to the Fire tax and the Highway budget was also referenced. It was stated that the majority of the highway budget was spent for snow removal, and asked if it was possible to get a breakdown, for snow, road repairs, and particularly shoulder repairs. Mr. Richenberg stated the average homeowner's vehicles are not doing the damage, but probably the over width vehicles using the roadways. Supervisor Deming replied we can obtain that information for Mr. Richenberg.

Mr. Richenberg stated several times the roads have been widened and they are showing once again the need for attention, can we obtain county road repair documentation as well. Mr. Worden replied County records can be requested to Don Higgins directly.

Mr. Richenberg asked in relation to the fire tax, farmers vs non-farmers, what other tax breaks do they get (for example: water/sewer agreements).

Mr. Richenberg asked whom was involved in the interview process for the Assessor position. Supervisor Deming responded that he, along with Councilman Deuel, and Mrs. Sapienza conducted the interviews, while Leicester Supervisor Lisa Semmel also was present. Mr. Richenberg questioned why Mrs. Semmel was in attendance. Mr. Deming stated Supervisor Semmel asked to sit in, but did not participate in the discussion. Over the years the Towns of York and Leicester have shared an Assessor, with Leicester also needing to appoint one shortly. Mr. Richenberg stated at the May 14th meeting the Board went into Executive Session and once you returned, made a decision to advertise for the Assessor position. Can you tell me what the purpose was for Executive Session and did it meet the criteria. Supervisor Deming replied the Board entered into Executive Session to discuss a Personnel matter, and it did meet the criteria.

Mr. Richenberg expressed to the Board he feels there is inconsistency with the minutes taken from one meeting to another. Sometimes being recorded in every little detail, when other times not, and stated they should be more consistent. Mr. Richenberg added that he also contacted Bob Freeman about his concerns and wants the Board to take a hard look at the minutes prepared.

** Mr. Freeman is the Executive Director of the NYS Committee on Open Government

Supervisor Deming commented that he does review Clerk Harris' minutes and has not had an issue with them and feels they are thorough.

Mr. Richenberg continued by saying one example he is referring to was the fact that he presented something to the Board and it never got into the minutes.

Clerk Harris responded to Mr. Richenberg that the document he is referring to was the NYS Comptroller's audit of the York Fire Department and when he submitted to the Board at the May 14th meeting, he asked that the Board review the document, which they did, but did not ask that the full audit be posted. Mrs. Harris added, on numerous occasions residents have submitted information to the Board, but have not requested it be added to the minutes, but apologized again for the confusion. Clerk Harris continued by saying that she works very hard on the minutes and is disappointed that Mr. Richenberg feels they are inconsistent, but stated she is only human and omissions may happen, but they are certainly not on purpose. At times it is difficult to obtain every word or sentence when numerous people are speaking at the same time.

Councilwoman Parnell commented she feels Clerk Harris goes above and beyond with her minutes. Councilman Deuel added Mrs. Harris has asked him for his assistance in the past for clarification on a topic in order to obtain as much detail for her minutes, and feels she does a very good job.

3) Henry Fuller:

Mr. Fuller stated that Mr. Richenberg has already covered a couple of his points but did have a few more to address with the Board. Mr. Fuller asked if the contract between the Town and the Fire Department is available to view, which Supervisor Deming stated it is.

Mr. Fuller asked what the status was for the Ag Tax discussion. Councilman Deuel replied he has been very busy as of late, but is trying to obtain further information for

additional discussion at future meetings. Mr. Deuel added he was well aware that it would require several meetings and much more information on the subject.

Mr. Fuller stated earlier in the evening Mr. Nagel referenced a study conducted in Brockport regarding baseline testing of creeks. A \$ 500,000 study was done within the last 5 years on the Genesee River. Mr. Fuller stated Mr. Nagel was correct when discussing creek run-off, but stated much more is involved. A representative from Wayland Labs once told him if you do not have an actual baseline to start with, it will be very difficult to evaluate going forward. Hopefully the EPA will get issues cleared up.

BILLS

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

General Fund Claim	# 203- 222	\$ 5,950.79
Joint Water & Sewer	# 156- 171	\$ 15,095.66
Youth Fund Claim	# 11- 13	\$ 2,051.36
Street Lights	# 7	\$ 1,387.06
Highway Fund Claim	# 125- 136	\$ 82,045.25

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board Meeting until July 23rd. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:06 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk