

York Town Board Meeting
January 12th, 2017

Present: Supervisor Gerald L. Deming, Councilmembers: Amos Smith, Norman Gates and Lynn Parnell

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.), Henry Fuller, Kirk Richenberg, Dustin Geiger, Carl Peter (Zoning & Code Officer) and James Campbell (Town Attorney)

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

MINUTES

RESOLUTION offered by Mr. Smith & seconded by Mr. Gates to approve the minutes of the December 28th, 2016 Close-Out Meeting and January 2nd, 2017 Organizational Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY REPORT

Mr. Worden reported that he recently prepared the necessary sheets for Town Board approval & submittal to County Highway Department to spend Town Funds. Mr. Worden reviewed with the Board the proposed General Repairs for 2017:

- Federal Rd., starting at Anderson & leading to Rt. 20 (wedging edge of road/shoulders) \$20,000.00
- Casey Rd., starting at Fowlerville Rd & leading to Batzing Rd. (pipe replacement and wedging/shoulders) \$45,000.00
- Batzing Rd., starting at Casey Rd. & leading to McKenzie Rd. (wedging & gravel shoulders) \$17,000.00
- River Rd., starting at Craig Rd. & leading to Abbey of Genesee's main driveway (replace culverts near Craig & wedge shoulders, must do this are in sections, too expensive otherwise) \$60,000.00
- Simpson Rd., starting at MacIntyre Rd. & leading to McPherson Rd. (install of cross over pipe & wedge/shoulders) \$25,000.00
- Old State Rd., starting at Tuttle Rd. & leading to Clapp Rd. (wedging then shoulders) \$10,000.00
- Dow Rd. (upper), starting at Federal Rd. & leading to County Line (oil & stone) \$18,000.00
- Cowan Rd., starting at Main St. (Rt. 36) & leading to Limerick Rd. (oil & stone) \$18,000.00

RESOLUTION offered by Mr. Smith & seconded by Mrs. Parnell agreeing to expend Town Highway Funds for General Repairs and Improvements upon 54.5 miles of town highway. Voted on and approved, Yes-4, No-0.

Councilman Smith inquired how Mr. Worden determines which projects to complete each year. Mr. Worden answered the determination is done by the age of the road or the actual repair needed. Mr. Smith asked what percentage of funds are used for this. Mr. Worden replied \$86,000.00 used are Town funds, the remainder is through the CHIPS program.

Mr. Worden stated that he and the men have been conducting major cleaning of the shop area, ultimately getting a “face lift” of sorts, including painting. Mr. Worden added that the main door used to enter the shop area had experienced severe rotting around the door jam. He recently ordered a new 42 inch door from Avon Lumber, which the bill is in the claims to be paid this evening.

Mr. Worden reported that he and the men have also been busy de-icing the roads. Supervisor Deming asked if additional complaints have come in regarding blue salt, which Mr. Worden replied none. He proceeded to explain that he was able to obtain extra salt from American Rock, and by the way they treat it, there was a bit of color difference, but the result was the same & he was glad to have it.

Councilman Smith asked if there are any other building improvements planned. Mr. Worden replied the wiring at the Highway building is in dire need of upgrade. Currently they only have 100 amps coming in right now, and we were hoping to make the necessary upgrades this year. Previously used electrician (Pete Scondras) has now retired, so we have to decide how to proceed and whom to contact. Mr. Deming stated that he & Mr. Worden will be meeting with Liv. Co. Grant writer, Heather Grant to discuss potential funding available for solar. Councilman Smith asked about the salt shed, which Supervisor Deming answered, we are also inquiring about applying for funding for buildings as well.

WATER/SEWER REPORT

Mr. Worden reported that the lab results are back for THMs. This last quarter’s read was 68, which is well below the 80 limit. Mr. Worden added that the reading came in at the pump house in the 50’s, so he is pleased with the current report.

Mr. Worden stated in regards to the Sewer District, recently we experienced two pumps failing on Flats Road. It was not as dire as it sounds because that was a 2 stage pump system, with two pumps on one side and two additional on the other. Even though the one side was in need of replacement (rotating elements), the other side was working properly. We were back to full strength within two days.

Councilman Smith asked about the cost when these units go down. Mr. Worden replied that repairs are relatively costly, in the neighborhood of \$2,000.00, but issues are not

always the same. At times we have been able to construct our own pieces, which has assisted in the pricing aspect.

NEW BUSINESS

1) Wind Overlay Zone:

Supervisor Deming reported that at their December 8th, 2016 meeting, Liv. Co. Planning Board recommended approval with a few advisory comments for Creation of a Wind Overlay Zone at 2330 Cowan Road (Applicant: Joseph Eyer). At this time the Town Board can set a Public Hearing to hear public opinion & comment on the proposed local law (#1 of 2017) at any time. Mr. Deming stated that the Planning Board will also be required to hold a hearing as well & suggested separating the hearings for less confusion.

RESOLUTION offered by Mr. Gates & seconded by Mr. Smith to set the Public Hearing for proposed Local Law #1 of 2017, "to amend and supersede as applicable the zoning map of the Town of York, Livingston County, New York, as officially adopted to create a Wind Overlay Zone pursuant to Article VI of the Zoning Ordinance of the Town of York", for Tuesday February 7th, 2017 at 7:00pm at the York Town Hall. Voted on and approved, Yes-4, No-0.

2) Planning Board Resignation:

RESOLUTION offered by Mrs. Parnell & seconded by Mr. Smith to accept the resignation of Mark Vitale on the York Planning Board, effective immediately. Voted on and approved, Yes-4, No-0.

January 12, 2017

Mark Vitale
3524 River Road
Piffard, NY 14533

York Town Board 2668
Main Street York, NY
14592

Dear Board Members,

Please accept my resignation from the Town of York Planning Board effective immediately. With my current work load, I am unable to put in the time necessary to adequately serve in this position.

Thank you for the opportunity to serve the community these past several years. I offer my best wishes to my colleagues who continue to serve on the board.

Sincerely,

Mark J. Vitale

Supervisor Deming stated through the recent interview process, several candidates expressed interest in the Planning Board & Zoning Board of Appeals. Several members have already been appointed, but the two people are still interested (Davies Nagel expressed interest only for Planning Board and Chris Wall expressed for either Board).

RESOLUTION offered by Mrs. Parnell & seconded by Mr. Smith to appoint Chris Wall to the York Planning Board to fill the 1 year vacancy of Mark Vitale, term expiring December 31st, 2017. Voted on and approved, Yes-4, No-0.

3) Petty Cash Audit:

RESOLUTION offered by Mr. Gates & seconded by Mr. Smith to approve the Water and Town Clerk Petty cash accounts as presented by Town Clerk, Christine Harris. Voted on and approved, Yes-4, No-0.

*Petty cash bins were verified by Supervisor Deming prior to the start of the meeting.

**PETTY CASH
TOWN CLERK ACCOUNT**

As of January 12, 2017

Starting balance for this account: \$149.99

Usual balance for this account totals: \$ 200.00 (we have 6 receipts in cash bin totaling \$ 50.01 paid out in 2016)

\$ 145.00 in bills
\$ 4.99 in change
149.99 - Total

** Daily start up bin has: \$ 2.09

Verified by Supervisor Gerald L. Deming

**PETTY CASH
WATER ACCOUNT**

Starting balance for this account: \$150.00 As of January 12, 2017

Balance for this account totals: \$ 150.00

\$ 140.00 in bills

\$ 10.00 in change

\$ 150.00- Total

** Daily start up bin has: \$6.64

Verified by Supervisor Gerald L. Deming

PRIVILEGES OF THE FLOOR

1) Henry Fuller:

Mr. Fuller asked Mr. Worden how the water department is doing with the THM's, are we in compliance? Mr. Worden responded that we are in compliance and that the latest quarter reflected a read of 68. Mr. Worden commented that we have yet to see from the County, the results from Geneseo, and after the meeting that took place the end of October a second meeting has not been scheduled. Mr. Fuller asked how many towns draw from the lake. Mr. Worden replied the Town & Village of Geneseo, Towns of York and Leicester and Livingston Co. Water Authority.

Mr. Fuller asked once the cheese factory is up & running what will happen to our system if problems have not been rectified prior with the THM's? Mr. Worden stated we have as well as Geneseo, taken steps to rectify the ongoing THM issue. The main issue is that they must turn the water over more so in order for the THM numbers to be lower coming into our system. The Health Department and all parties involved are working together to manage the problem.

Mr. Fuller stated at the last meeting, Richard Ellis was appointed to the Board of Assessment Review and seemed to be a nonchalant vote by the Town Board. Didn't any member of the board question his credit hours while on the Zoning Board of appeals, and now he has been appointed to something else? Mr. Fuller commented, if this is Government Affairs at its best, he's not impressed. Supervisor Deming stated unlike the Planning & Zoning Boards, the Board of Assessment Review meets once a year & training is far less. Mr. Fuller responded due to Mr. Ellis' track record he should have

been excluded from this new appointment, and added that the Town Board needs to take a closer look at whom they are appointing.

2) Kirk Richenberg:

Mr. Richenberg asked the Board in regards to the cheese plant, how many units will WNY be charged for? Councilman Gates stated he believes the number is 833 units. Supervisor Deming replied we are not 100% sure of that number until we can see the document. Mr. Richenberg asked for clarification if it is 833 units, will they be getting charged 833 X yearly debt service? Mr. Deming responded Clark Patterson has prepared the breakdown of unit charges, but stressed again the need to confirm that number.

Mr. Richenberg questioned if the number had been determined for the increase to the rest of the Consolidated Water District. Supervisor Deming stated as of right now the increase will run roughly between \$25.00-\$30.00, but is only an estimate at this time until firm pricing is determined. Mr. Deming added the board will be scheduling an informational meeting for the Consolidated Water District residents to inform them of the upcoming increase.

Mr. Richenberg asked if the Town owns the property where the recycling center is located. Supervisor Deming replied the Town does own the property & believes it is approximately 5 acres.

Mr. Richenberg read aloud the following:

At the first Town Board meeting in December of 2016 a person was nominated by a board member to fill an opening on the Board of Assessment Review. The town board member that nominated this person had full knowledge of the *nominee's lack of fulfilling* his annual education requirements for the position he currently held on the York planning board. But this town board member pushed through this nomination and got the approval of the full town board anyway. This is disgraceful, appalling and politics as usual by certain members of the town board. I also find it to be insulting to York tax payers that the complete town board voted unanimously to approve this *nominee without any discussion*. In closing, I wonder if this nominee ever filled out an application for this position. Also this is the good old boys club at work.

8:05 P.M.

RESOLUTION offered by Mrs. Parnell & seconded by Mr. Smith to enter into Executive Session for a Personnel Matter, to include Town Board and Town Attorney. Voted on and approved, Yes-4, No-0.

8:24 P.M.

RESOLUTION offered by Mrs. Parnell & seconded by Mr. Smith to end Executive Session. Voted on and approved, Yes-4, No-0.

Supervisor Deming reported no action was taken in Executive Session.

BILLS

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

- General Fund Claim #1-26 \$40,223.29
- Joint Water & Sewer #1-18 \$31,607.57
- Light District #1 \$1,887.78
- Highway Fund Claim #1-17 \$34,008.08
- Youth Fund Claim #1 \$15.00

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell & seconded by Mr. Smith to adjourn the Town Board Meeting until February 9th Public Hearing. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:25 pm

Respectfully submitted,

Christine M. Harris, Clerk