

York Town Board Meeting
October 12, 2017

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

Absent: None

Others: George Worden Jr. (Highway Supt.), Wade Ayers (Regional International), Henry Fuller, Dustin Geiger, Christopher Geiger, Kirk Richenberg, Deborah Borie, and from Arkema: Scott Wright, Mark Messana and Christopher Feltmen

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 Mr. Smith and seconded by Mr. Gates to approve the minutes of the September 14th Regular Town Board Meeting and October 5th Informational Meeting. Voted on and approved, Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Deborah Borie:

Ms. Borie asked to speak with the Board this evening as a concerned resident in the wake of the recent disaster in Crosby, Texas due to Hurricane Harvey. She expressed that the relevant factor is the fire/explosions that took place at the Arkema plant, as a result of the loss of electrical power. Ms. Borie stated with the plant we have in our township she has concerns about any potential issues here locally. Ms. Borie briefly read aloud a few points from the letter she submitted to the Livingston County News back in August of this year. Ms. Borie expressed the need to be prepared and informed in the event of an incident. Several questions were asked pertaining to the Arkema plant in Piffard.

- What hazardous materials are present at the plant?
- What specific risks do they pose?
- What specific immediate actions should people in close proximity to the plant take in the event of a fire explosion resulting in the release of chemicals?
- How will residents be notified of potential danger?
- What training/equipment do local firefighters, EMT's, police officers and medical facilities and professionals need to protect themselves and to help others?
- What can local municipalities do to protect their citizens before, during and after an untoward event?

Ms. Borie stated that the letter was generated as a concern for preparedness and a way to involve and educate the community. Ms. Borie commented that she submitted her letter to the paper, but received no response which prompted her visit this evening to have further discussion on the subject with the Town Board.

Ms. Borie stated that communities need to be informed what to do in emergency situations, and after what transpired in Texas, she visited several sites to see if an action plan was in place for the Piffard plant, which nothing was listed. Ms. Borie acknowledged that the power failure actually caused the event, but added, now a civil suit is underway by the first responders, which many fell sick during this, leaving them unable to assist. A criminal investigation is also now underway.

Ms. Borie expressed to the Board as elected officials, to obtain the information necessary to educate yourselves on what to do and how to assist the community if the need should ever arise.

Supervisor Deming asked Scott Wright from Arkema, if an actual incident or event was to occur, what would you do, what is the protocol?

Mr. Wright stated that he has been with the Piffard Arkema plant for two years now, and commented what took place in Texas, as previously explained by the Harris County Meteorologist, Hurricane Harvey was well beyond anything seen prior in history. Given the nature of the amount of rainfall, to expect residents or officials to be prepared for that much was impossible. Prior to Hurricane Harvey, the Crosby area experienced Hurricane Allison which was the worst for them but Harvey was much bigger. The Texas plant did have hurricane preparedness procedures and was busy executing the plan but unfortunately the magnitude of water was so great that the primary and secondary systems failed.

Mr. Wright commented as far as the Piffard Arkema plant, we do have in place Emergency Response procedures. Although having such procedures, our main focus is prevention and keeping things moving properly which we take great steps to achieve. We are fortunate that this area of the country does not experience the weather issues Texas and others areas do. We do store organic peroxides, most of which are at ambient temperature. Low temperature products have to be refrigerated, which has back up trailers and other backup systems when needed. We have constant routine maintenance, making sure that all is running properly. All alarms are tested on a daily basis. At times when we have experienced power outages, our generators have worked flawlessly. If there was an extended period of time for an outage, diesel and propane fuel is on site for several days until the supply chain arrives to assist thereafter. If at worse case and all systems and backups fail, Arkema has means by way of trailers to remove material from the site.

Mr. Wright stated in Texas they had 6 feet of water in the plant but backup systems were not located above the 6 foot mark ending up under water. At the Piffard plant, we can survive a 500 year flood. We continue to work on prevention of incidents but certainly work on what we do procedurally in an event. Mr. Wright added; personnel at the plant are not firefighters, they let the professionals handle that if necessary. There is also a Citizen's Advisory Panel that meets a few times per year, keeping posted on Arkema's activities.

Ms. Borie stated that she lives in close proximity to the plant and questioned what she should do in an incident situation. Mr. Wright answered that it ultimately depends on the incident itself. Ms. Borie questioned how the neighborhood would be alerted. York Fire Chief Dustin Geiger replied in emergency situations, the 911 system must be

notified and until further notice is given, residents are asked to shelter in place. Mr. Geiger added that there are a number of ways to notify the public. The fire department could go door to door, and the Livingston County 911 system does have the ability to flag certain roads to notify them of a situation. Mr. Geiger stated that the volunteer fire companies and EMT's are trained for incidents and we do have the equipment needed for safety purposes for our responders. There are many levels of assistance available to us if we should need it. We have access to the Livingston County HazMat Team and Fire Prevention Control to name a few. Mr. Geiger commented in the event of a fire at the plant, some of the products are better off burning rather than adding water to them. Ms. Borie asked how other Piffard citizens deal with this and asked Arkema to share information with the neighborhood which would be very much appreciated. Ms. Borie expressed how alarming it was to watch what took place in Texas and worried what could happen here. Ms. Borie asked if Arkema ever considered publishing information to reassure residents. Taking a proactive positive approach would certainly go a long way in showing that the plant "has our back."

Supervisor Deming asked Mr. Wright if Arkema has any plans for an open house like what they have done in the past. Mr. Wright answered that they will discuss it as it has been a while since their last one.

Councilman Rose asked Mr. Wright if he could give a size comparison of the two plants. Mr. Wright stated that he does not have the Crosby information but Piffard plant consists of 300 plus acres which is strategically placed in the back of the plant away from main areas.

Mr. Richenberg stated that he previously lived in Piffard and knew of retention ponds at Arkema on the north side of their property and wondered if they still exist. Mr. Wright replied that they do not. Mr. Richenberg added that this took place in the 90's and at times without warning the ponds were spontaneously burned off. Mr. Wright answered this is no longer used and the area has been closed off.

After no further comment, Supervisor Deming thanked Ms. Borie and Mr. Wright for attending this evening.

Submitted below is Ms. Borie's letter:

LETTER TO THE EDITOR
LIVINGSTON COUNTY
NEWS AUGUST 31, 2017

The evolving humanitarian disaster in Texas sparked by Hurricane Harvey has heightened our awareness of the responsibility of communities to be as prepared as possible. Of particular relevance to us in Livingston County is the initial confusion that surrounded the fire/explosions at the Arkema plant in Crosby, Texas as a result of the loss of electrical power. Though plant managers and employees appeared to know the dangers and took serious measures to mitigate them, the general community, including first responders, was initially confused about the potential risks and what actions to take.

To be prepared, we need to be informed. Your newspaper would serve this community well by securing

and publishing the answers to the following questions about the Arkema plant in Piffard:

- What hazardous materials are present at the plant?
- What specific risks do they pose?
- What specific immediate actions should people in close proximity to the plant take in the event of a fire/explosion resulting in the release of chemicals?
- How will residents be notified of potential danger?
- What training/equipment do local firefighters, EMTs, police officers, and medical facilities and professionals need to protect themselves and to help others?
- What can local municipalities do to protect their citizens before, during, and after an untoward event?

This letter is not intended as an indictment of the current situation. It is an invitation to work openly together for the future well-being of all.

Deborah Borie
3739 East Rd.
Piffard, NY 14533

HIGHWAY REPORT:

Mr. Worden reported the following for the Highway Department:

- Continue to mow road sides
- Working on Linwood Road (pot holes)
- Working for the county, hauling stone and other projects, wedging on Stewart
- Shoulders on River Road will be done next week.

Mr. Worden reported that we have discussed previously the purchase of a new 10 wheel truck for the Highway Department and informed the Board that one is in stock from Regional International. The last truck ordered was an automatic but our town driver asked if we could order a standard. Due to the existing "piggy back bid", we could proceed in ordering and do have the funds available in this year's budget. Mr. Worden stated that a few things need to be altered but overall the truck is exactly what we are looking for. Supervisor Deming stated that the purchase should be made this year because if we delay the price will be increased from \$195,500 to \$220,000 in 2018. Mr. Worden added that the model available to us has roughly 2,000 miles on it but includes a 6 year warranty.

Mr. Ayers (Regional International) informed the Board that his company authorized a 50% discount on the warranty fee.

Councilman Smith commented that the only contingency is that we need to get rid of the 2001 Sterling and asked Mr. Worden about options. Mr. Worden stated that the truck could be taken to auction. Mr. Richenberg asked if it was feasible to sell the equipment ourselves rather than taking it to auction perhaps making it more beneficial for us. Mr. Worden replied at auction, they will proceed by a Buyer's premium (an additional charge onto the winning bid to be paid by the new owner.) Councilman Smith stated that if we did not take to auction it may be much more work for us in house to prepare. Mr. Richenberg commented this would be the time to have multiple items in order to do all at once.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the purchase of a 2017 International HX 515 6x4 with Tenco plow equipment from Navistar Inc. located in Loudonsville, NY purchased off of the Onondaga County contract #7823 in the amount not to exceed \$195,500.00. Voted on and approved, Yes- 5, No- 0

Mr. Worden reported that he recently spoke with our Engineers regarding the needed road repairs, they in turn will be following up with the contractor. Mr. Worden added that he requested of the Livingston County Deputy Highway Supt to prepare a punch list as well to be documented.

WATER/SEWER REPORT:

WATER:

Mr. Worden reported the following for the Water and Sewer Department: Testing results from the THM's reflect that we are over the 80 maximum. We had a 102 on the north end of town but with the running average we recorded an 82 for the quarter. The read at the Piffard Pump House reflected 90 coming from Geneseo so no matter how hard we try, we will be in violation.

Supervisor Deming stated that a meeting with the Liv Co. Health Department has been scheduled for Thursday October 19th at 2:00 p.m. to further discuss the ongoing THM issues and a possible resolve. The meeting will include the Town and Village of Geneseo, Towns of York and Leicester as well as the Health Department.

Mr. Worden commented that we are receiving such high numbers before it even enters our system that it makes what we are trying to do impossible. Geneseo did not have to advertise due to the numbers reflected in their running average.

Mr. Fuller asked if he was able to attend the upcoming meeting. Supervisor Deming replied he would have to contact Mark Grove from the Health Department to ask.

We are in the process of reviewing plans for the Tuttle Road tank. After our last inspection, the Health Dept. required a "Paint Plan" to be in place for preservation purposes.

SEWER:

Transfer switch at the Tabtronics pump station is in need of replacement. We are waiting on quotes form Carmen Electric. We are still able to operate the station manually but not automatically.

Had a problem with the channel monster at the plant. It was a chain issue and has now been corrected.

Councilman Smith asked the age of the switch at the pump station. Mr. Worden answered he believes it was installed in 2004 or 2005 when the pump station was originally put in Piffard.

- We had a problem with the drive for the recirculating pumps. It has stopped running and is in need of replacement. We are currently on a backup.
- Had a sensor issue with the flow meter. A new one was installed 6-8 months ago so the replacement one is now covered under warranty.

Mr. Worden stated that he and the Board have discussed previously purchasing a camera for the water and sewer department for tracking and viewing of infiltration in our system. The prices received have ranged from \$7,250.46 - \$15,000.00 for the same camera. Supervisor Deming reminded the Board that this item has been budgeted and should come from this year's budget. Mr. Worden added that the cheapest quote came from Bluebook at \$ 7,250.46 and recommended approval of it.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates authorizing Mr. Worden permission to purchase (1) camera from Bluebook in the amount not to exceed \$ 7,250.46 for the purpose of viewing and tracking infiltration. Voted on and approved, Yes-5, No- 0.

PRIVILEGES OF THE FLOOR- continued

2) Kirk Richenberg:

Mr. Richenberg commented that tonight the Board gave permission to purchase a 10 ton truck but feels it looks bad that we have not needed one for some time. Mr. Worden explained that the current fleet is aged and stated that the truck was necessary. Councilman Smith added once the vehicles age it begins to cost us more with older equipment.

Mr. Richenberg asked if either Water or Sewer in Linwood have been turned over to the Town. Supervisor Deming replied neither have been turned over. Mr. Richenberg asked regarding the time spent at the pump station on Craig Road corner, who is reimbursing Town employees. Supervisor Deming answered that Mr. Worden is keeping track of the hours in order to bill back to WNY.

Mr. Richenberg asked, after the October 19th meeting with the Health Department can we see or obtain information as to what was said? When the representatives were here

at the Board meeting they talked about flushing prior to testing and feels this is not an acceptable solution. Mr. Deming agreed that extra flushing is not a solution but it is what we have been instructed to do.

Mr. Richenberg questioned if an agreement is in place Covington. Supervisor Deming answered that there is no agreement at this time but he and Attorney Campbell will be involved in future discussions with Covington. Mr. Campbell reported that he is attempting to schedule a date in the near future. Mr. Richenberg stated according to Covington's minutes, they indicated that they would be assessing the water tower for tax purposes. Attorney Campbell stated, if the tower ends up in Covington we would need a commitment from them not to assess us at the higher level otherwise it will affect the figures already discussed. We are exploring how we can all get on the same page. Covington currently has terrible water issues, we could negotiate a minimal amount of water for them but they still would have to put a great deal of infrastructure in. Mr. Campbell added this has become a critical issue.

Mr. Richenberg then commented that this was not reflected in their minutes until recently and added that the contract should have been in place prior to anything being done. Attorney Campbell stated that we still hope to achieve a resolve with Covington because due to elevation, the tank is better suited at that site. Regardless, the Town is not moving forward until this issue has been resolved. Mr. Richenberg stated that it looks a bit suspect that the people who wanted the water (WNY) have it when others do not. Mr. Worden and Supervisor Deming replied that water the plant is currently using now is for testing purposes only.

Mr. Richenberg asked if the Town of York has any agreement with Pavilion since the location of the line looks like it is in their township. Supervisor Deming and Mr. Worden replied there is no agreement with Pavilion and believes the sign to be inaccurately placed and the piping is not in Pavilion. Mr. Richenberg questioned if there was an agreement with DFA, which Mr. Deming replied there is not.

Mr. Richenberg discussed the October 5th Anderson Road Informational Meeting and stated he feels that the engineer was a good salesman that evening. With 50 plus people in the room not one word was said about the quality of water.

Mr. Richenberg stated that at the last meeting, the Attorney asked to meet with the Board after hours, care to explain what took place? Attorney Campbell replied that by law attorneys have the ability to confer with their boards for confidential legal advice otherwise they have no way to resolve a matter. Mr. Campbell added that he does not do this often and was the first time here in York but needed to speak solely with the Board. He certainly advocates for open meetings.

3) Henry Fuller:

Mr. Fuller asked who oversees Mr. Higgins at the County Highway Department. Supervisor Deming stated that Mr. Higgins reports directly to Ian Coyle and the Board of Supervisors specifically the Public Works Committee. Mr. Fuller stated that the

County has worked on Fowlerville Road the last 2 years. Roughly a month ago they painted lines on it and then they came back with scalping's and a roller which was once put down, covering over the freshly painted lines. Mr. Fuller questioned who is coordinating the road work on Fowlerville Road. Mr. Worden replied that he believes Deputy Superintendent Dennis Barefoot is in charge. Mr. Worden added that Mr. Fuller is correct with all the road issues on Fowlerville Road, this last action he believes they tried to put stone over where the bleeding was taking place.

Mr. Fuller asked how the County pays for mowing and are there any specifications. Mr. Worden answered that he submits hours to the County for payment. Mr. Fuller stated that the Town of Avon mows back to the crops but the Town of York mows 5 feet from it. Mr. Worden replied we do the best we can. Mr. Worden updated Mr. Fuller that he recently had a conversation with the County about the previous concerns with the ditch area at his property. Mr. Fuller questioned the purpose for the counter tapes on Fowlerville Road. Mr. Worden replied he is not exactly sure, but wondered whether or not it had to do with bridge usage and potential repairs/upgrades.

Mr. Fuller reported that there was a news clip recently about the State giving WNY 10 million dollars to clean up blue algae, perhaps the Health Department needs to investigate further. Mr. Deming commented that he was aware that they have applied for and received grant funding.

Mr. Fuller stated that he wished to reiterate Mr. Richenberg's comment pertaining to the statements made by Livingston County Health Department officials at the last meeting. The statement was to continue to flush the lines prior to testing to assist in reducing THM levels. This is not the right method.

NEW BUSINESS

1) 2018 Budget Hearing/ Special Town Board Meeting:

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to schedule the 2018 Budget Hearing for Thursday, October 26, 2017 at 6:00 p.m. and a Special Town Board Meeting for the same evening at 6:30 p.m. Voted on and approved, Yes-5, No-0.

2) Local Law #2 of 2017:

Supervisor Deming reported that the Board received two written comments pertaining to proposed Local Law #2 of 2017. Both letters expressed their desire to have the Board approve a one year moratorium on Large Scale Solar Arrays. The letters were submitted by Rene Lyness and David Rose. (Attorney Campbell read each aloud)

Chrissy:

I may make the meeting but felt it was important to send this anyway.

While I support the use and expansion of solar collectors & solar powering devices for households, businesses & farms, I feel it would be in the Town of York's best interest to restrict the size and scope of commercial ventures for this purpose.

I have always been proud that our town looks to its future, as well as its past, when making decisions on proposals that could change the face of our community. I am not saying that change is bad, only that it should be done mindfully of the present community. It is in the Town of York's best interest to research this issue before passing any laws that may negatively affect our Community. Therefore, I am in favor of this moratorium for the next 12 months while a committee is established to develop a set of rules/laws that we can live with.

Unlike the Chinese and their monster Three Gorges Dam, I do not think it is necessary to have an installation that can be seen from the moon. We are not vain, but we are justifiably proud of where we live and should pass laws that preserve our Town's integrity while looking to its future progression. To reject change is to die and we are far from dead.

Sincerely,

Rene A Tilly-Lyness, CEO

The Paul F Tilly Agency, LLC

PO Box 37A; Lima NY 14485

Phone: (585)582-1660

Fax: (585)582-1018

www.tillyagency.com

and resident of the Town of York.

Submitted by:

David H. Rose

2635 York Rd. West

York, NY 14592

(585) 732-3937

October 12, 2017

Although I am very much in favor of solar energy, I support the proposed moratorium for the following reasons.

- The Town of York Comprehensive Plan (2006) stipulates that the Town must "Support the viability of the farming community to help keep agriculture a dominant use in the Town of York." One potential problem with large scale solar projects is that land that is currently being used for agricultural purposes would

no longer be available. In other words, solar projects would be in direct competition with farming for land. Both industries need flat, open land with good drainage, and so the competition for this land would be intense. The solar industry, however, appears to have deep pockets, since we landowners are being offered literally ten times the leasing rates than we are currently charging farmers. (I know this since we are currently leasing land, and have also received an offer from a solar company.) Clearly, there is a strong financial incentive to switch land leases from agriculture to solar. Obviously, this switch would hurt the agriculture industry, and go against the Comprehensive Plan.

- Recently, some communities and individuals have defined large scale solar installations as agriculture (harvesting the sun). This current definition, however, was not in use when the Comprehensive Plan was written in 2006, and so it is not relevant to the Town of York.
- Farming requires employees, while solar installations do not. If York switches land from farming to solar, the population could potentially go down, thus hurting local restaurants, stores, etc.
- Even if solar panels were installed only on non-tillable land, there is the potential to negatively impact the tillable land. For example, solar panels installed on a steep slope next to tillable land could cause excessive run-off during rain events, thus causing drainage problems on the tillable land.
- Other potential problems, such as tax issues and the need for new power lines and/or substations, need to be resolved.

A Moratorium will give the Town time to research the above issues, as well as many more. At the end of the Moratorium, perhaps a way will be found to include both agriculture and large scale solar in York.

Mr. Fuller stated that he wants to update the remark he made at Tuesday night's solar public hearing. He stated that he did not care about farmers, he wants the record to reflect that he specifically meant dairy farmers.

Mr. Richenberg stated that his land is marginally agricultural. He pays his taxes and feels he should be able to do what he wants with his land, and stated he is not in favor of this moratorium. As a taxpayer we have no say on what farmers do with their land, but others have a say with ours. If this moratorium goes forward tonight use minimal amount of money to get a determination, unlike what took place with the Fracking issue.

Mr. Richenberg asked the Board if they received a copy of his submittal regarding the upcoming Stafford meeting pertaining to solar. Supervisor Deming replied the Board did receive it from Clerk Harris, and has been attached with the October 10th Solar Public Hearing minutes. Mr. Deming continued by saying that he wants to speak with

Angela Ellis of the County Planning Department about proposing a meeting with Dennis Vacco to speak here.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to officially close the Public Hearing at 9:00 p.m. Voted on and approved, Yes-5, No-0.

RESOLUTIONS:

A) Type II Action:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith stating that this moratorium is classified as a Type II Action and does not require further SEQR review. Voted on and approved, Yes-5, No-0.

B) Adoption:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adopt Local Law #2 of 2017 as presented. Voted on and approved, Yes-5, No-0.

Supervisor Gerald L. Deming	Aye
Councilwoman Lynn Parnell	Aye
Councilman Amos Smith	Aye
Councilman Frank Rose Jr.	Aye
Councilman Norman Gates	Aye

Mr. Campbell stated now that the law has been approved and once filed with the State, it is very important to construct a working committee/focus group to begin obtaining the necessary information. The group should consist of 1 or 2 Town Board members plus a few citizens from the community. Supervisor Deming reported that he spoke with Angela Ellis about a potential committee and asked if Heather Ferrero could assist in order to keep this committee on task. Ms. Ellis felt this was something Ms. Ferrero could certainly assist with. Mr. Deming stated the committee should consist of no more than 5-6 people total in order to work smoothly around one another's schedules, and asked the Board who would like to volunteer. Councilman Smith offered his assistance with the upcoming committee. Mr. Smith added, in order to move forward with committee members perhaps we could post to the town website, seeking volunteers for this group.

3) Resignation:

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to accept the resignation of David Sliker as the Town of York's representative on the Livingston County Planning Board, effective December 31, 2017. Voted on and approved, Yes-5, No-0.

Submitted below is Mr. Sliker's letter:

10-12-2017

Town Board Members:

I respectfully submit my resignation from the Livingston County Planning Board as of 12/31/2017, in order to spend more time traveling.

It has been a great privilege to serve my town in this capacity. It has been particularly gratifying to work with The Livingston County Planning Dept., and my fellow Board members.

I want to thank The Town Board for providing me with the opportunity.

Sincerely

David Sliker

4) York Fire Company:

a- New members:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the following names for membership to the York Fire Company:

Richard Gifford
Anthony Mistretta
Robert Schleyer

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

5) Anderson Road formation:

Attorney Campbell reported based on the interest at the Informational Meeting from the Anderson Road and surrounding area residents, the Town Board at this time can on behalf of those residents, authorize Clark Patterson to proceed.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell authorizing Clark Patterson Lee permission to prepare a Map, Plan and Report for the Anderson Road water project. Voted on and approved, Yes-5, No-0.

Supervisor Gerald L. Deming	Aye
Councilwoman Lynn Parnell	Aye
Councilman Amos Smith	Aye
Councilman Frank Rose Jr.	Aye
Councilman Norman Gates	Aye

** Attorney Campbell stated now approved, the complete resolution must be published in the Town's official newspaper and posted within ten days.

In the Matter of the Formation of the Consolidated Water District — Anderson Road Extension and Construction of Water Facilities and Improvements Located Therein, Within the Town of York, Livingston County, New York.

RESOLUTION

WHEREAS, the Town Board of the Town of York is considering the construction of certain water delivery improvements within a district extension yet to be perfected and to be known as the "Consolidated Water District — Anderson Road Extension;" and

WHEREAS, the improvements are to be located along a portion of Anderson Road, Federal Road, Linwood Road, Limerick Road and N.Y.S. Route 36 in the Town of York, County of Livingston and State of New York; and

WHEREAS, prior to completion of the improvements and the financing thereon, a district formation must be perfected to create the "Consolidated Water District — Anderson Road Extension;" and

WHEREAS, in order to facilitate the creation of the "Consolidated Water District — Anderson Road Extension" and the intended infrastructure improvements therein, the Town must engage the services of a professional engineer to prepare a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the newly extended district; and

WHEREAS, the cost of such Map, Plan and Report is intended to be borne by the district to be formed in which such improvements will be made, or by the Consolidated Water District for the Town of York, should the newly formed district be consolidated therein; and

WHEREAS, the Town of York, on behalf of the Consolidated Water District — Anderson Road Extension (which is yet to be perfected), desires to engage the services of Clark Patterson Lee to prepare a Map, Plan and Report with respect to such improvements;

NOW THEREFORE, be it

ORDERED by the Town Board of the Town of York as follows:

1. That the Town Supervisor is authorized to engage by written agreement, the engineering firm of Clark, Patterson, Lee to prepare a Map, Plan and Report for the Consolidated Water District — Anderson Road Extension project at a cost not to exceed \$2,500.00; and
2. Any such costs shall be passed on to the Consolidated Water District — Anderson Road Extension or to the Consolidated Water District for the

- Town of York, should the newly formed district be consolidated therein.
3. Adoption of this Resolution is subject to permissive referendum pursuant to Article 7 of the New York State Town Law.

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the York Town Board on Thursday, October 12, 2017, recorded as follows:

Vote of the Board: Councilman Smith	Yes
Councilman Gates	Yes
Councilman Rose	Yes
Deputy Supervisor Parnell	Yes
Supervisor Deming	Yes

This is to certify that I, the undersigned, Clerk of the Board of the Town of York, Livingston Count, New York, was duly adopted by the Town Board of said Town on date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 12th day of October 2017.

Christine M. Harris
Christine Harris - Town Clerk

6) Sewer Use Law:

Attorney Campbell presented a model draft version “Sewer Use Law” for the Board to review and questioned if they wished to schedule a Public Hearing at this time on the subject. Mr. Campbell stated that this is a pretty comprehensive document that covers the industrial usage aspect. Mr. Campbell stated that he has made a few changes and altered terminology in the document. Supervisor Deming asked if it would be possible to highlight the changes made for the board, in order to specifically see how the model wording works for us. Attorney Campbell replied that he will email the “markups” to Clerk Harris in the morning for her to distribute to the board. After a brief discussion, the Town Board agreed that they want to review the document prior to scheduling a Public Hearing. If everyone has the opportunity to read it before our next meeting, we will schedule a hearing at the November 9th meeting.

OTHER

1) Custodian:

Councilman Smith informed the Board that he had a request from Town Hall Custodian, David Woodworth to replace the aging snow blower. Mr. Worden stated if the Board desires he will obtain local quotes in order to assist Mr. Woodworth. The Board agreed.

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith authorizing approval for a new snow blower for the York Town Hall, amount not to exceed \$1,000. Voted on and approved, Yes-5, No-0.

BILLS

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve all claims brought before the Board. Voted on and approved, Yes-5, No-0.

General Fund	# 272-299	\$ 15,780.91
Joint Water/Sewer	# 212-235	\$ 88,699.32
Street Lights	# 10	\$ 1,505.73
Youth Fund	# 13	\$ 125.00
Highway Fund	# 172-184	\$ 11,440.67

ADJOURNMENT

RESOLUTION offered by Mr. Rose and seconded by Mr. Smith to adjourn the Town Board Meeting until October 26th Budget Hearing. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:20 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk