

York Town Board  
March 8, 2018

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

Absent: Amos Smith and Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.), Henry Fuller, Kirk Richenberg and Carl Peter ( Zoning & Code Enforcement Officer)

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 Mr. Gates and seconded by Mrs. Parnell to approve the minutes of February 8<sup>th</sup> Public Hearing and Regular Town Board Meeting. Voted on and approved, Yes-3, No-0.

**HIGHWAY REPORT**

Mr. Worden reported the following for the Highway Department:

- Livingston County Highway Department has officially changed the signs on Linwood Road (Previously Linwood Road North).
- Plowing and salting of roadways has continued.
- Routine maintenance of equipment.
- Patching of potholes when weather permits.
- Conducted interviews for the MEO position, 9 applications were received.

Mr. Worden informed the Board that after the initial interviews took place, a second interview was scheduled with the top two candidates, requesting that they drive the plow truck. Both men handled the truck well. Mr. Worden stated that the interview committee recommends to the Town Board, hiring Mark Schlegeter of Telephone Road for the position of MEO with the Highway Department.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to accept the recommendation of the interview committee to hire Mark Schlegeter to the York Highway Department. Voted on and approved, Yes-3, No-0.

(Contingent upon completion of passing a drug test and Mr. Schlegeter will be on a 6 month probation period).

## **WATER/SEWER REPORT**

Mr. Worden reported the following for the Water/Sewer Department:

### **Water:**

- Water Department personnel is now underway with meter readings for the April Billing cycle. It may be a bit slower, due to the recent snowfall.
- Eugene Kane addressed the Board at the February 8<sup>th</sup> meeting with an ongoing water issue. After review of the property it was verified that when the water replacement project took place the contractor severed the shut off, but has now been corrected.
- The current THM read this quarter in Fowlerville was 62

### **Sewer:**

- Higher flows have been recorded at the plant with the addition of the Cheese Plant, but we are not in any violation.
- The Town currently has a manual bar rack that records flow charts, we may want to pursue an automatic one because with the current flows and eventual larger flows it will probably distort our flow chart for recording purposes.

## **PRIVILEGES OF THE FLOOR**

1) Henry Fuller:

Mr. Fuller stated that one of his questions this evening was already addressed by Mr. Worden, regarding the THM read.

Mr. Fuller commented that the Town passed a law that no more storm drains were allowed to be pumped into the municipal system, but asked when will you be fixing the issues in Retsof. Supervisor Deming answered that we have had plans to correct the problem for several years and have applied for grant funding in order to offset the sizable amount for repairs. The estimated cost will be \$2 million dollars. Mr. Deming added when the Cheese Plant comes on full-time it will generate revenue to help with the proposed improvements.

Mr. Fuller asked if any notes had been taken at the last meeting in Mt. Morris with the County Health Department and Town and Village representatives. Mr. Worden stated he was unsure if anyone had taken notes, but thought perhaps Cathy had.

Mr. Fuller questioned whether or not the people from the Anderson Rd. water project area are aware of the ongoing THM issue. Mr. Deming responded he believes that it was discussed previously at the last Informational Meeting.

Mr. Fuller asked if he could obtain a breakdown of upcoming road repairs reported at the last meeting. Clerk Harris answered that the complete breakdown is listed in the February 8<sup>th</sup> approved minutes and will be on the Town's website later this evening but also offered to make a copy for Mr. Fuller at the close of the meeting.

2) Kirk Richenberg:

Mr. Richenberg asked if the Town had taken ownership of the land the water tower is situated on. Supervisor Deming replied that the Town had taken ownership. Mr. Richenberg questioned the status of the abatement with the Wyoming County Board of Supervisors. Mr. Deming answered that the Wyoming Co. Board of Supervisors will be officially approving the abatement at their next meeting. Mr. Richenberg asked of the certainty of this action which Supervisor Deming replied that the Town of Covington Supervisor reassured him that this matter will not be an issue.

Mr. Richenberg asked if the Covington Supervisor brought up in any conversation money they had anticipated from Synergy. Supervisor Deming answered that he did allude to the fact a few years ago the Synergy tax court case but nothing more so except that it didn't pan out for revenue.

Mr. Richenberg commented with roughly 50,000 gallons per day allotment of water, it certainly would not get many homes able to connect. Mr. Deming stated that 50,000 was the number discussed but Covington has yet to even form a water district.

Mr. Richenberg asked if the force main was ever pressure tested, which Mr. Worden replied that it had, by contractor Steve Morsch.

Mr. Richenberg remarked that he sees \$15,000 is allotted to Cowan Road for repairs and asked if there are any plans. Mr. Worden replied where the run off happens, he plans to use bank run and add 3" of blacktop as well as drainage. Mr. Richenberg asked how to isolate the run off from the barn. Mr. Worden answered he will be tapering and diverting to the other directions. Mr. Richenberg stated that everything in front of the barn is going to run directly to the ditch so now we will have feed and manure contaminants in the Town ditch. At the December meeting it was discussed that the Town representatives were planning a meeting with the owner of this farm to discuss potential financial assistance with upcoming repairs and asked when this will happen. Supervisor Deming stated that we still plan to speak with the farm but have yet to schedule a date. Mr. Richenberg stated the existing barn was built many years ago but the issues they previously had, do not compare with what is happening currently. Mr. Worden commented we cannot be 100% sure the cause of the repairs needed but knows he needs to fix the road. Mr. Richenberg expressed once again that taxpayers should not be paying for the problem created by this particular farm. The Board talked about this issue numerous times to have them help with the costs but now sounds like it won't happen and feels this is not right.

Mr. Richenberg asked about the status of the Shared Services Grant with Geneseo, Caledonia and York. Supervisor Deming reported that we did not get the grant.

Mr. Richenberg asked if the Board had awarded the job for saddles and PRV's. Supervisor Deming stated we will be approving a bid this evening. We received a total of four bidders, 2 of the 4 were a bit better than anticipated but the remaining two were very high.

Mr. Richenberg asked how many years does a Town employee have to work before they are vested, with Councilwoman Parnell replying 10 years with the State system.

Mr. Fuller asked if we are going to survey Cowan Road before repairs are made stating that the barn is built pretty close to or on the Town right of way. Mr. Worden answered before work is done, The County will come to place pins and added that the right of way is a 3-rod road.

Supervisor Deming asked Zoning & Code Officer Mr. Peter about building regulation for a barn at this location. Mr. Peter replied through Ag & Markets, a permit was not required at that time but would verify setbacks.

Mr. Richenberg stated that the Town may have some “teeth” if we asked the farm about their CAFO Plan especially if it runs into a town highway. After that then speak with DEC, the barns cannot meet their CAFO Plan. The entire area completely slopes to the road. No matter what the Town does unless that farm corrects their issue, the problem will never get resolved. When a farm submits their CAFO, they have to include all this information, the Town can inquire about this.

### **OLD BUSINESS**

#### 1) York Valley Fest:

Councilwoman Parnell informed the Board that a presentation to the community will take place on Wednesday April 11<sup>th</sup> at 7:00 p.m. at the York Town Hall. Honor Flight Network was asked to attend to explain what their non-profit organization does to honor America’s Veterans. Mrs. Parnell stated that the Valley Fest this year will be conducting a “Closet to the Pin” contest, with proceeds to benefit Honor flight, the 5K proceeds will benefit the YCS Backpack Program and opening of a Time Capsule, with a \$5.00 donation, will benefit the York Historical Society. The capsule will officially close at the 2019 Valley Fest. Mrs. Parnell added that a Chicken BBQ will also take place, organized by Karen Uhl of the Wadsworth Grill, with those proceeds to benefit the Backpack Program and Honor Flight.

### **NEW BUSINESS**

#### 1) Water Service Restoration Applications (2):

a- 2657 York Rd. West

b- 3261 Flats Road

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve water service restoration applications for 2657 York Rd. West and 3261 Flats Rd., in the amount of \$200.00 each. Voted on and approved, Yes-3, No-0.

- 2) Water & Sewer Tap Applications  
a- 2650 Dow Rd.-Jesse & Laura Hamilton  
b- 3376 Main St.- Greg Keenan

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve Water and Sewer Tap Applications submitted by Jesse & Laura Hamilton and Greg Keenan, in the amount of \$1,500.00 each. Voted on and approved, Yes-3, No-0.

- 3) Water Tap Application:  
a- 3780 River Rd.- Cliff Grant

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve the Water Tap Application submitted by Cliff Grant for property located at 3780 River Road. Voted on and approved, Yes-3, No-0.

\*Mr. Grant has been paying the yearly debt service charge for years, so the Tap fee has been waived for this application.

- 4) Drop Box:  
Supervisor Deming stated he received request(s) from residents asking for the Board to consider a drop box for payments and/or correspondence. Clerk Harris commented she would love to have a drop box and has asked for one in previous years. After a great deal of discussion the Board concluded that Clerk Harris and Mr. Peter will review the site to determine the best location for a potential box and submit to the Board for a decision.

- 5) Consolidated Water District Contract 2- Water Main:  
Supervisor Deming reported that we received 4 bids on February 15<sup>th</sup> for the Base Bid (which includes installation of water-main along Old State Rd. and backlots to the Tuttle Rd. tanks), two PRV vaults, Alternate A (water services in the Linwood and Linwood North Service Area) and Alternate B (installation of residential PRV's along Federal Rd.). The top two (2) bids were as follows (which includes Base bid plus Alt. A & B):  
Visone Construction, Inc. -\$744,844.50  
Morsch Pipeline, Inc. -\$767,708.00

\*Villager Construction and Randsco exceeded \$1 million.

Supervisor Deming stated that Clark Patterson reviewed each of the bids, and recommends that the Board award Contract 2- Water Main to Visone Construction Inc. of Depew, New York.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to award Consolidated Water District Contract 2- Water Main to Visone Construction, Inc. in the amount of \$744,844.50. Voted on and approved, Yes-3, No-0.

**OTHER**

1) Rt. 63 Bridge Meeting:

Supervisor Deming stated that a Public Informational Meeting for the Rt. 63 Bridge Replacement Project has been scheduled for Tuesday, March 13<sup>th</sup> from 4-7 p.m. at the Government Center, for all who wish to learn more about the upcoming project.

**BILLS**

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve all claims brought before the Board with exception of the Statewide Aquastore bill, which is pending verification. Voted on and approved, Yes-3, No-0.

- Joint Water & Sewer           #45-65           \$145,746.92
- General Fund Claim       #64-94           \$ 12,015.10
- Street Lights                #3                \$ 1,803.09
- Highway Fund               #39-55           \$ 41,252.03

\*Councilman Gates asked about the solar panel plans at the Abbey of the Genesee. Supervisor Deming answered that the Monastery asked if it was permissible to have an application for 10 acres for their own use, due to the existing solar moratorium. Mr. Deming stated that they are allowed to have this application.

**ADJOURNMENT**

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to adjourn the Town Board Meeting. Voted on and approved, Yes-3, No-0.

Town Board Meeting closed at 8:17 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk