

York Town Board Meeting
December 6th, 2018
7:30 pm

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

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt), Robert Grant (Water & Sewer Operator), Kirk Richenberg and Bonnie MacLeod

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

MINUTES

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the minutes of the November 8th Public Hearing, November 8th 2019 Budget Hearing and November 8th Regular Town Board Meeting. Voted on and approved, Yes- 4, No-0.

HIGHWAY REPORT

Highway Supt. Worden reported the following for the Highway Report:

- The department has been plowing and salting as needed.
- 300 ton of salt has been used already this season
- We have been checking pipes and culverts for repairs
- Began working on plans for next year's projects
- Tree crew from National Grid is in the township conducting trimming where needed.

Mr. Worden reported that he would like for the Board to consider allowing him permission to purchase a sander/salter for the 1 ton truck. Two quotes have been obtained for a for a two cubic yard one.

George & Swede "Smith" salter - \$6500.00 stainless & electric
Townline Equipment "Salt Dog"- \$4580.00 stainless & includes the controller

Mr. Worden commented that he is leaning more toward a Salt Dog from what has been recommended from other townships.

RESOLUTION offered by Mr. Smith & seconded by Mrs. Parnell to approve purchase of a Salt Dog salter/sander for the 1 ton truck in the amount not to exceed \$4580.00.
Voted on and approved, Yes-4, No-0.

(Funds for this purchase will be taken from this year's budget)

WATER/SEWER REPORT

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

- Water project in Linwood is continuing to move forward, services are almost complete, house samples have passed.
- Chlorine hut has to be done (electrical work will take place next week) to be able to use a generator for pump purposes if power should go out. Alarms would be helpful as well in order to monitor with the increase in demand for water for the plant and residents coming on board.
- We anticipate completion in order for the residents to connect by the middle of December once Health Department approval has taken place.
- Pressure Reducing Valves (PRV's) will be completed next week for residential homes as well as the necessary 7 meter pits.
- For the higher pressure areas (Federal Rd, Genesee St. & Tuttle Rd) once the new pump station comes on line, which hopefully will be the February time frame, pressures will certainly increase.
- Mr. Worden commented that lower pressures sometimes occur when tanks are refilling. Residents will experience less pressure, and now that we are working with 1 tank, we experience it a little more frequently. Mr. Grant added once the tank is back up and running, the pressure will level out and until then the Dept is doing their best with the system. Mr. Worden stated that if all goes well, tomorrow the pressures should be higher and by next week stabilized.
- SPDES Permit (State Pollutant Discharge Elimination System): Mr. Worden & Mr. Grant explained that currently the Town tests for phosphorus but with new SPEDES regulations to come we will have additional levels to adhere to once parameters have been set by the DEC.

Mr. Worden suggested that a Public Works Committee work session be scheduled to discuss several matters: Potential updating of the current water regulations to include check valve(s) wording and RPZ valve certification per NYSDOH requirement.

Mr. Worden stated that a number of residents in the Linwood hamlet have expressed desire to keep their well plus connecting to town water, with a check valve in place, it will allow us the security not to inner mingle the two systems giving us another layer of

protection from well pollution. Supervisor Deming asked about the price for such check valves which Mr. Worden replied roughly \$12.00 each.

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith requiring a check valve be installed for every parcel connecting to municipal water while keeping their existing well and for any parcel requiring a meter pit. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR

1) Kirk Richenberg:

Mr. Richenberg had a number of questions for the Board this evening:

-Will someone inform the people of the Board's recent decision this evening?
Supervisor Deming replied we will inform the residents in the upcoming letter.

-Has there ever been a salt spreader on a 1-ton?
Mr. Worden answered that the reason for the spreader is to get to the tight areas currently very difficult for the 10 wheeler to get to (North Rd, Recycling Center and some intersections). Keeping the large truck off certain areas helps.

-Regarding Linwood Water, that whole system will be dependent upon the system at Craig Station until February...what happens if it fails?
Mr. Grant reported that a plan is in place in the event of failure. Another generator will be ready to be replaced. Mr. Worden added that a generator from the Highway Department could be available for use as well.

-For use of private pumps, will there be compensation?
Supervisor Deming replied that Clark Patterson owns them so there will not be compensation.

-Will they pay if they fail?

-Status of Covington Road Water Tower?
Mr. Worden stated that the chlorinator is not yet done and fencing is not complete. Mr. Richenberg asked about the Grid Bee. Mr. Worden answered that the Grid Bee will be installed in the Spring (not in use during winter months) and would wait to install when ready to use in order to begin the warranty at that time.

-Any donations made yet for Cowan Road from the farmer?
Supervisor Deming answered that no donations have been made to date. Mr. Richenberg inquired if any further discussions have taken place, with Mr. Deming and Mr. Worden replying that nothing had been discussed recently.

-The continued wear and tear on this road with their continual movement of product back and forth from one side to the other, what will stop them from doing the same once the road repairs have been made?
Supervisor Deming asked Mr. Worden if road work is completed now would we need to do it again in two years. Mr. Worden replied not in 2 years but roughly 10 years.

-They are continuing to break the law (Highway & DEC Law). It is understandable that sometimes issues may occur but this continues to take place with no resolve. Can't they haul in gravel to keep the mud out? We have to detour because of the lack of attention to this area farm. Mr. Richenberg continued his comments by noting that he drives by this area often and witnesses the conditions left by this farm and questioned why they are the only one that continues to do this while other farms in the area do not have this situation.

-When they make plans to expand the system (the herd), they need to be accountable and expand the manure handling facility.

- Budget related questions: When audited in 2014, it was stated that the Fund balances were low, this year it is very high (\$1.8 million), why not offset taxes with the sizeable fund balances. The General Fund is 35%, Highway 42% and Retsof sewer 400% higher than the actual expenses.

Supervisor Deming stated that the Fund balances will be used for a number of necessary upgrades, he feels more comfortable keeping the General and Highway accounts higher for emergency purposes. At our last State audit, one auditor recommended having the accounts 25% more, while the second auditor suggested 35%.

Mr. Deming added that expenses occur that may not be budgeted and want to have enough to cover, such as a security evaluation that took place today from the Livingston County Sheriff's Department. Once we receive the completed written evaluation and recommendations, we will certainly have to review how to proceed with the funds necessary to do so. Supervisor Deming commented if at next year's budget cycle we see that the Fund balances are still higher we may take from those accounts to offset taxes.

-Retsof Sewer District Fund balances?

Water/Sewer Operator, Mr. Grant stated that many DEC mandates are coming at us which will require engineering to take place costing the district money for that as well as the actual updates plus upgrades to the building. Mr. Richenberg asked if we had any idea as to the projected costs involved. Mr. Grant replied we do not have any costs as of yet, we just received word recently regarding additional testing and removal of phosphorus.

-When the Cheese plant was to come onboard, I thought we were to receive funds to help with the upcoming projects ?

Supervisor Deming answered that we still plan to receive funds, but the plant is not at 100% operation yet.

-Mr. Richenberg commented that he finally had the opportunity to fully review the budget numbers and made a suggestion to the board to get the budget process more to a finished stage prior to the Public Hearing deadline, so you would not have to pass the budget immediately, allowing more conversation and review.

Supervisor Deming stated that we could certainly request meetings with the Accounting firm earlier than the June time frame, in order to try and get the process started sooner.

-Is all Board members involved in the process?

Mr. Deming replied that the initial meetings with the Accounting firm, he is the only one present, shortly thereafter Mr. Worden is included for Highway line items and then the Town Board follows.

-What was the donations made by DFA?

Supervisor Deming reported in September of 2017 we received a call from an employee of Shambaugh and Son (contractors for DFA), expressing desire to donate to the community in some fashion and wondered if we could assist with possible organizations. They ultimately decided to donate as follows:

\$1,500 to the York VFW
\$1,500 to the York/Leicester Youth Program
(Donations by Shambaugh)

\$1,500 to the York VFW
\$1,500 to the York/Leicester Youth Program
(Donations by Craigs Station Cheese)

** Donations made to the York VFW were presented to them directly.

-At the Budget hearing (Nov. 8th), I made a statement that WNY Cheese is using the infrastructure before the Town actually bills them for it (units), shouldn't we be collecting something from them. Attorney Campbell commented that I was correct and that we should have been collecting but have no means to do so. Supervisor Deming and Councilman Smith stated that they do not recall that particular question or the response from Attorney Campbell due to the number of questions and answers that evening, much had been discussed. Supervisor Deming stated he will speak with Mr. Campbell.

-Is the water line or sewer line turned over to the Town?

Supervisor Deming replied that neither line has been turned over yet.

-Is there a timeline ? and what about the ditches?

Mr. Worden answered that more needs to be done, ditches will be taken care of in the spring. Mr. Deming added we still have money set aside for restoration repairs that will not be disbursed until satisfied.

OLD BUSINESS

1) Sexual Harassment Prevention Policy:

a- Adoption:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adopt the Town of York Sexual Harassment Prevention Policy as required by New York State. Voted on and approved, Yes-4, No-0.

*Postings will occur at the Town Hall, Water/Sewer Dept. and Highway Department.

NEW BUSINESS

1) Appointments:

a- Planning Board:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to re-appoint David Dermody to the York Planning Board for a 5 year period, term expiring December 31, 2023. Voted on and approved, Yes-4, No-0.

b- Zoning Board of Appeals:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to re-appoint Mark Connolly to the York Zoning Board of Appeals for a 5 year period, term expiring December 31, 2023. Voted on and approved, Yes-4, No-0.

2) VanRy correspondence:

Supervisor Deming reported that he received two letters from Charles “Dutch” VanRy. The first letter was on behalf of the York-Leicester Field Day Association requesting additional funding to increase the firework display in July for the Town’s upcoming 200 year anniversary. The second letter was on behalf of the York-Leicester Kiwanis Club seeking support for the Piffard playground by committing to a three year program to replace fencing on the property.

Supervisor Deming stated that Mr. VanRy attended a Town Board Meeting in May of this year pertaining to both requests, but after receiving the fencing quote in June from Empire Fencing, the board agreed it was far too expensive for the actual use the playground gets because of the ongoing use of facilities at York Central School. Fencing cost totaled \$17,430.00. As far as increasing the donation for the fireworks, the board had already agreed to support the York Valley Fest with funding for the upcoming celebration. The York-Leicester Field Day Association will continue to receive the yearly \$1,000 amount. Mr. Deming commented that he spoke with Mr. VanRy this weekend about both decisions.

3) Proposed Local Law #1 of 2019:

Mr. Deming informed the Board that we have received documentation that the Livingston County Planning Board has placed on their upcoming agenda for December 13th, our zoning referral pertaining to the Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations.

**Town’s Public Hearing is slated for January 10, 2019 at 7 p.m.

4) Petition for water:

Supervisor Deming reported that the Town received from Marcia Gavin a signed petition requesting that residents on Craig Road and River Road be included in the Water District. Mr. Deming stated once we receive a petition, it is the responsibility of the Town Board to proceed with a feasibility study through our engineering firm, to calculate the costs involved and the potential for municipal water. Once the information has been completed we will notify the residents in this area.

** Supervisor Deming will contact Clark Patterson about this petition.

BILLS

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

General Fund	# 347-384	\$ 13,204.30
Joint Water & Sewer	# 262-284	\$ 232,970.69
Light District	# 12	\$ 1,758.93
Highway Fund	# 217-233	\$ 31,600.19

OTHER

1) Recycling Center update:

Supervisor Deming reported that he is pleased to inform the board that a resident, Marcia Gavin has applied for the position of Recycling Attendant, and at this time we need to approve such application.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the application of Marcia Gavin as a Town of York Recycling Attendant. Voted on and approved, Yes-4, No-0.

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to adjourn the Town Board meeting until December 27th close out meeting. Voted on and approved, Yes-4, No-0.

Town Board meeting closed at 8:20 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk