

York Town Board Meeting  
June 13, 2019

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

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.), Dustin & Christopher Geiger, David Deuel, Kirk Richenberg, David Sliker, James Campbell (Town Attorney) Carl Peter (Zoning & Code Officer) and Annie Chwiecko (Community Representative with Senator Patrick Gallivan's office)

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

**MINUTES**

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the minutes of the May 9<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

7: 35 p.m.- Councilman Rose arrived at this time.

Supervisor Deming introduced from Senator Patrick Gallivan's office, Annie Chwiecko to say a few words. Ms. Chwiecko stated that she has had the pleasure of working with the Senator for nine years, dealing with many interesting issues. Newly formed by the Senator is the Veteran's Hall of Fame, of which three deserving representatives from each County are selected, totaling twenty or so to choose from. Jake Davis from Caledonia was chosen this year as a person who continues to go above and beyond for his community. Women of Distinction is another recognition that the Senator is promoting for our district. Ms. Chwiecko expressed that many men and women give fully of themselves and it is appropriate to recognize them. Many businesses give back to their local community as well and deserve acknowledgment and appreciation too.

At this time the Senator is very busy in sessions. With many of the issues facing this State, it is sometimes difficult to enact legislation, but Senator Gallivan is working diligently on our behalf. Ms. Chwiecko added that he is very well respected by all members of the Senate and feels he represents this area very well. Ms. Chwiecko offered her assistance any time and noted her office hours on Tuesdays at the County building and Thursdays in Henrietta.

**Questions**

Kirk Richenberg- What do you feel may slip through the cracks ?

Ms. Chwiecko responded that marijuana will be one that slips through. It is hard to know at any given time what will pass or fail, things happen quite quickly. She expressed that the Senator is a strong voice but is only one voice.

David Sliker- Status of farmworker overtime?

Ms. Chwiecko replied that the matter has not come to fruition yet, it is still pending. Mr. Sliker also inquired about illegal alien's ability to obtain a driver's license. Ms. Chwiecko commented that this legislation will pass.

Councilwoman Parnell expressed concerns regarding the latest information of the local prison closure. Ms. Chwiecko responded that Senator Gallivan and Assemblywoman Marjorie Byrnes conducted a press conference stating the huge ramifications of this closure, but this too will unfortunately pass. Questions now arise as to what to do with the facility after the millions of dollars already spent and continue to be spent there. Ms. Chwiecko added, having to relocate existing employees elsewhere does not help them or our communities. Senator Gallivan and Assemblywoman Byrnes spoke with a representative from the Governor's office in great detail about the negative effects this prison closure will have, they listened, but we know the decision has already been made. At this point we hope to at least have something viable for use of the building.

Councilman Rose asked, with the Detention center in Batavia being overcrowded, could the Federal Government potentially use the Livingston Facility for them?

Ms. Chwiecko replied that she is unsure what may take place because that specific area is not in their jurisdiction.

After no further questions...

Supervisor Deming thanked Ms. Chwiecko for attending tonight's meeting.

### **HIGHWAY REPORT**

Mr. Worden reported the following for the Highway Department:

- Ground down & repaved Retsof Road from Rt. 36 (Main St.) to Rt. 63
- Retsof Rd. shoulders will be put back next week
- Assisting Liv. Co. High. Dept. on Federal Road with tiling
- County has control of Federal Rd., residents need to call them with any issues
- Road damage from a local farmer took place recently. Mr. Worden received a couple of quotes for repairs that the farm will be responsible for. We would like to put back with the same material. Mr. Worden recommends conducting a Public Works meeting later tonight to review the details.

Councilman Smith commented that the Highway Department did a great job on Retsof Road.

### **WATER/SEWER REPORT**

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

- Meters have been read for the July billing cycle
- New pump station is in and wired up
- Waiting for gas to be connected to generator

- Hopefully within 2 weeks we should have all approvals back for piping & other infrastructure on Tuttle Road
- PRV's for Tuttle Road residents will be installed before pressure is increased
- Where the waterline went under the R/R tracks on Old State Road there is subsidence.

Supervisor Deming questioned if the subsidence has increased over time. Mr. Worden answered that the Contractor noticed it last fall, and Yes, it has increased some since then. Mr. Deming asked if the Railroad is aware of this and have they been watching it on a daily basis. Mr. Worden replied Yes to both questions. Supervisor Deming stated that we need to be pro-active on this matter so we are not liable going forward. Mr. Deming asked specifically when the Railroad inspects each day, they confirm that the tracks are safe ? Mr. Worden replied they do confirm that the tracks are safe.

Mr. Worden reported that the Retsof Treatment Plant has been running smoothly. There was one matter recently that took place on Tenth Street at a residence, in which we were called to troubleshoot. After review and use of our camera equipment, we verified that it was a plugged lateral which is the homeowner's responsibility.

Cheese Factory wants to add more types of waste material to our sewer plant. Supervisor Deming stated before any change they need to submit in specific detail what the additional waste is, for our review and Clark Patterson's.

Retsof hamlet ditch repair will be completed after the shoulders have been put on Retsof Road, which will be next week.

### **PRIVILEGES OF THE FLOOR**

1) David Deuel:

Mr. Deuel thanked the Board for the opportunity to speak this evening, and asked if the members had the chance to read comments he prepared earlier in the week, which the Board replied they had.

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## `Saving our farmland...and forests!!

There is no denying the world population is increasing, from 4 billion in 1970 to around 7 billion today, and projecting to 9.5 billion by 2050. With this increase in population, comes an increase in carbon emissions, thus the move to renewable energy sources. There are opportunities for a variety of renewable sources, on different scales, to be developed economically. The short and long term pros and cons of each source should be thoroughly examined. As a retired dairy farmer, land and forest owner, my concerns are on the impact large scale solar arrays will have on our food security and open space.

Information from the United States Department of Agriculture (USDA) and American Farmland Trust (AFT) show that between 1992 and 2017 the US has lost 46 million acres of farmland to development. That works out to an average of over 5000 acres per day. Five thousand acres per day! Presently, there are 900 million acres in the US classified as farmland. More importantly, only 340 million of these acres are considered cropland, land suitable for cultivation of grains, vegetables, orchards, nuts, cotton, etc. The remaining acreage is pasture, grasslands, and rangeland, suitable for grazing livestock, not crop production. As global demand for food and fiber will increase by 50-70% by 2050, what is the best use of our agricultural land?

Hugh Bennett, considered the father of soil conservation and creator of what is now the Natural Resources Conservation Service (NRCS) department of USDA, stated in 1959, "Productive land is neither limitless nor inexhaustible." This statement is the basis of a number of governmental policies on the local, state, and federal levels. On the federal level, since 1996, the NRCS has invested \$1.5 billion in conservation easements on farmland. The New York State Department of Agriculture and Markets, as part of the Farmland Protection Program started in 1994, has funded conservation easements on 50,000 acres, at a cost of over \$140 million. In 2018 alone, Ag and Markets budget for farmland protection was \$35 million. Of this, \$10 million went to six farms in Livingston and Wyoming Counties to protect 4,270 acres. Most New York County and Town comprehensive plans contain sections on the importance of agriculture to the municipality's economy, environment, and quality of life. In fact, a number of counties and towns have official Farmland/Open Space Protection Plans, funded in large part by NYS grants. Taxpayer dollars, on all levels, are being used to protect our farmland and ensure our food security.

Large scale solar arrays have the potential of taking thousands upon thousands of acres out of agricultural production nationwide. In New York, Governor Cuomo has announced \$1.5 billion in grants and incentives available for large scale solar arrays developed in New York. Taxpayers are now funding both farmland protection and solar developments that will remove thousands of acres from agricultural production.

In what universe does it make sense to spend taxpayer dollars to preserve valuable farmland at the same time we are spending taxpayer dollars to convert valuable farmland to other uses? What is even more troubling is the fact that the solar project developers choose to use our best croplands for their projects. The conversion of these highly productive soils will cause a shift of food production to less productive lands. This will require more acreage, more fuel, more fertilizer, more seed, more pesticides, more water, and more labor to produce the same amount of food and fiber. Add to this the fact that the world will need 50-70% more food and fiber in 30 years, and we have a real problem.

This leads to another environmental issue. If we continue to develop our best cropland, where will our food and fiber come from? Will this accelerate the conversion of South American rainforest and African savannah to cropland? Will the more fragile, highly erodible land in our country that has been taken out of production in the past be converted back to cropland? Will our forest land be returned to agricultural production as it was in the 19<sup>th</sup> century? What value do we place on our natural, wild, undeveloped lands for human mental and physical well being?

Our nation and the world need both food and renewable energy. How we go about fulfilling the need for both, and how one affects the other, is of utmost importance. Agricultural cropland is under tremendous developmental pressure. Add to this the water issues that threaten the loss of thousands of irrigated western crop acres, how many crop acres can we afford to convert to solar arrays and still provide food and fiber security? Major solar projects, such as the Horseshoe Project proposed in Caledonia, NY, should not be sited on prime cropland; they should be sited on our least productive land, or better still, rooftops and other spaces that can't be used for food or fiber production.

Hugh Bennet said, "As a nation, we will conserve our productive land and use it prudently only if there is sustained public demand for such a course of action." I urge anyone concerned about the proposed Horseshoe Solar site in Caledonia, or other similar very large proposed solar developments, to contact their representatives and encourage them to consider the value of farmland in permitting such projects. Better yet, attend your local town board or county legislature meeting and express your opinions in person.

"Don't it always seem to go that you don't know what you've got till it's gone. They paved paradise and put up a parking lot." Joni Mitchell

Submitted by David Dewel  
6-11-2019

Mr. Deuel addressed additional points of importance. With solar panels requiring much sunlight, it is a bit puzzling why this area is so sought after. There is data collected, ranking the cloudiest cities in the United States, and the surrounding areas are as follows:

Heavy cloudy	Buffalo	208 days per year	Ranked #3
	Rochester	200 days per year	Ranked #6
Partly cloudy	Buffalo	311 days per year	Ranked #1
	Rochester	304 days per year	Ranked #4

Why would we allow consumption of prime land for solar arrays when they will be only utilized half of the time at best, in our climate. Roof top panels should be encouraged more so.

Mr. Deuel outlined a letter prepared by the Livingston County Planning Board to our local Supervisors expressing concern on large scale solar and the impacts on Prime Agricultural Resources (Dated April 1, 2019). The letter details the increasing number of energy companies conveying an interest in establishing large scale solar energy systems in Livingston County. These systems are far larger than accessory solar uses, typically for residential, commercial or agricultural needs. Livingston County recognizes that alternative energy plays a role in our State, but has serious concerns on our prime Ag soils. Mr. Deuel stated agriculture is the #1 industry in our county and is identified in the Livingston County Agricultural & Farmland Protection Plan as an important resource that needs protection. If we are not willing to follow these plans, why have them...they are here for a purpose.

Mr. Deuel summarized a comment made by Hugh Bennett, of the Natural Resources Conservation Services (NRCS), "Prime Farmland is of major importance in meeting the Nation's short and long term needs for food and fiber. Because supply of high quality farmland is limited, the USDA recognizes that responsible levels of government as well as individuals should encourage the wise use of our Nation's prime farmland".

Will the Town of York and Livingston County be responsible levels of government?  
Don't turn prime farmland into sheep pastures.

Mr. Deuel thanked the Board once again and offered to meeting with any members of the Town Board and/or Solar committee to further discuss this important subject matter.

2) Kirk Richenberg:

Mr. Richenberg stated that he has a few questions relating to Federal Road.

What specifically was the outcome of this area. Mr. Worden reported that Midland has not been onsite yet, but coal patch was put in. Mr. Richenberg commented that it looks as if ditching needs to be done by the landowner. Mr. Worden agreed ditches could be cleaned out, but added that we have to be careful in other areas due to wetlands. Mr. Richenberg followed by asking if we are still in limbo with them coming out, with Mr.

Worden replying we are, not quite sure when Midland will be here. Mr. Richenberg questioned if anything will be done on Federal Road between Anderson and Linwood Road. Mr. Worden answered that we will have the shoulder machine shortly and we need to patch as well.

Mr. Richenberg then turned the attention to Casey Road and asked if any conversation has taken place with the landowner pertaining to the culvert. Supervisor Deming and Mr. Worden replied that no conversation as of yet. Mr. Worden stated that he did speak with Livingston County Soil and Water Conservation District Manager, Bob Stryker about the situation. Several culverts would have to be changed all the way from the river to the affected area on Casey Road, we can't replace only 1 culvert, it will not solve the problem. Mr. Deming asked if we could upsize the culvert. Mr. Worden answered we cannot, otherwise it will change the backup of water downstream.

Mr. Richenberg asked what happened to the land that is now creating issues with town culverts and other properties.

Supervisor Deming asked if this would be a question to ask of Mr. Stryker, which Mr. Worden replied it would.

Mr. Deuel commented if this land continues to be cleared there will be the potential continuation of losing additional town infrastructure (culverts & roads).

Supervisor Deming asked Mr. Worden to contact Mr. Stryker to schedule a meeting to further discuss these issues.

Mr. Richenberg stated, if you participated in FSA you are held accountable for your actions. The cost of this situation is far more than a culvert repair.

Another topic Mr. Richenberg wished to address was Linwood water. Has it been turned over to the Town? Supervisor Deming answered it has not been turned over.

Mr. Richenberg questioned the ongoing repairs to the shoulders of Craig Road and Federal Road (portion in the Town of York's jurisdiction) and the ditch line, and stressed the need to make the contractors aware of this prior to taking ownership. Mr. Worden stated that we have already addressed those issues and other issues with both contractors.

Mr. Richenberg mentioned on Stewart Road (County Road), a great deal of erosion has taken place. Mr. Richenberg questioned a section of pipe in Linwood and wondered if it was put in the proper depth, to keep from freezing. Mr. Worden asked specifically where Mr. Richenberg is referring to. Mr. Richenberg answered where the directional drilling portion is. Mr. Worden confirmed where any directional drilling is done we have a way to verify depth and will do so once again.

Mr. Richenberg brought up that he recently reviewed the Annual Water Quality Report and noticed that the dates of sampling were difficult to follow and showed the Board a

copy of such chart. Clerk Harris also reviewed what was printed and commented that the document sent to the Village of Geneseo prior to publication was not what the Board is viewing this evening, our submittal dates were clearly typed. Supervisor Deming will contact the Village about the report.

Mr. Richenberg concluded by making a statement as it pertains to Livingston County road work, "If we could only do common sense ditching, we are removing much too much soil, creating erosion". Mr. Richenberg, the Town Board and Mr. Worden discussed the work conducted by County Highway on York Road West and other locations, not fully understanding what they were achieving. Mr. Deming stated he will speak with Ian Coyle and Don Higgins about the areas and potential onsite review.

Mr. Richenberg commented once again, we are taking too much material out !

### **OLD BUSINESS**

1) William Korth correspondence:

Supervisor Deming reminded the Board of Mr. Korth's request at the May 9<sup>th</sup> Town Board Meeting regarding water to two properties. Mr. Korth has submitted his official request to the Board and once Clark Patterson Lee has prepared a Map, Plan and Report we will then schedule the Public Hearing.

York Town Board  
2668 Main Street  
PO Box 187  
York, NY 14592

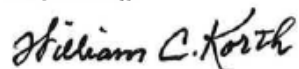
William C. Korth  
1638 McVean Road  
Caledonia, NY 14423

May 15, 2019

ATTENTION: York Town Board:

I would like to extend water service from McVean Road to two houses on the south side of Route 20, west of McVean Road. One is owned by myself and the other is owned by my son. Currently these two houses are serviced by individual wells with poor water quality. I would pay for installing a 2" water line and any other applicable costs. A draft of a preliminary plan is attached. I look forward to working with you on this project.

Respectfully,



William C. Korth



2) Signage:

Councilman Smith stated he was tasked with seeking signage quotes and recently received two to change the outside sign to digital. The quotes are strictly for replacement of the sign part, not the entire structure.

Full color	\$ 19,728.57
Red LED	\$ 12,777.14

The Board thanked Councilman Smith for his efforts but stated that at this time the quotes are more than we wish to spend for signage.

**NEW BUSINESS**

1) Retirement:

a- Norma Geary:

Supervisor Deming informed the Board that we received yesterday notice from Court Clerk, Norma Geary of her intentions to retire effective June 30<sup>th</sup>, 2019. Mr. Deming stated that Mrs. Geary has worked for the Town since 1973 and as Court Clerk for 36 years, and thank her for her service.

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to accept the resignation of Norma Geary due to retirement, with regrets and gratitude for her dedicated years of service. Voted on and approved, Yes-5, No-0.

\*\* The Board discussed plans for a retirement gathering for Mrs. Geary at a later date.

b- Advertisement:

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to advertise for the position of a part-time Court Clerk for the Town of York. Voted on and approved, Yes-5, No-0.

2) Court building discussion:

Supervisor Deming reported that the Town Board over the years has discussed and prepared numbers to renovate the Town Hall in order to make the Court office ground level and handicap accessible. Each time it was brought up the figures were very expensive and now change the thought process to perhaps build something new, which may be cheaper.

Supervisor Deming and Councilman Smith met with York Fire Department members after the last meeting on May 9<sup>th</sup>, to recommend a potential addition to the already existing plans for a new fire hall, to include space for court. The membership was very receptive to the suggestion and did agree to proceed, but they are now waiting for the full Town Board to decide if this is the route we wish to go.

Fire Chief Dustin Geiger commented that the membership is certainly willing to work with the Town Board.

Mr. Deming stated that we have known for many years that the upstairs court office was not a viable location, and needed to be updated. This potential site is a perfect place at a reasonable price for a new court room and office, and would like to move forward. Councilmen Rose, Smith and Gates and Councilwoman Parnell all agreed that this new location would be the best option.

The committee formed for this project will be: Dustin Geiger, Alan Brightman, Supervisor Deming and Councilman Smith.

Councilman Rose inquired if court will be on the backside of the building. Mr. Peter answered that the design is still up for discussion.

Mr. Peter also commented that the playground might actually be partly on the church property.

Mr. Richenberg asked why not use the fire hall for court. Supervisor Deming stated financially it would be too much to renovate and we would not need that large of a space.

Mr. Worden added that the department still needs 2 lanes of egress for the trucks to the new fire hall.

Councilman Smith asked Mr. Geiger if a meeting date has been scheduled yet, which Mr. Geiger replied not as of yet.

3) Union Negotiations:

Mr. Deming reported that he received documentation from the Union that we must begin negotiations shortly and asked the board whom is willing to participate.

Councilman Rose offered to be part of the Union Negotiations with Supervisor Deming.

4) Water Service Restoration:

a- 3261 Flats Road; Acct. #: 25-1631

b- 2526 Main Street; Acct. #: 25-3115

c- 2657 York Rd. W; Acct. #: 25-3200

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve all three Water Service Restoration requests submitted, with the \$200.00 fee for each. Voted on and approved, Yes-5, No-0.

5) Water Service Shut-off:

a- 3488 Main Street; Acct. #: 25-0291

b- 3650 Retsof Rd. Acct. #: 25-2400

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve both Water Service Shut-off requests submitted. Voted on and approved, Yes-5, No-0.

\*\* 3488 Main Street will not be shut off until the outstanding balance has been paid.

6) Caledonia Trailblazers:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell authorizing Supervisor Deming permission to renew the yearly Land Use Agreement with the Caledonia Trailblazers Snowmobile Club for the 2019-2020 season. Voted on and approved, Yes-5, No-0.

7) Anderson Road water:

Attorney Campbell stated with the Board wanting to proceed with Anderson Road water, we will now review the required SEQR documents.

### **PART 1- Project and Setting**

Attorney Campbell read aloud the purpose of Part 1, which describes the intent to connect approximately 31,000 linear feet of water main along a portion of Anderson Road, Federal Road, Linwood Road, Limerick Road and Main Street. The District will serve approximately 71 units.

### **PART 2- Identification of Potential Project Impacts**

Attorney Campbell read aloud 18 questions for Part 2 SEQR review with the Board replying Yes to four (4): Impact on Land, Impact on Surface water, Impact on Agricultural Resources and Impact on Noise, Odor & Light (all required additional answers from the Board), and a No response to the remaining 14 questions.

a- Adoption of Findings:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to Adopt the Findings that were made in the review of Part 2 of the Full Environmental Assessment Form as set forth therein. Voted on and approved, Yes-5, No-0.

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

b- Negative Declaration:

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to adopt a Negative Declaration based on the findings made in the review of the Full Environmental Assessment Form. Voted on and approved, Yes-5, No-0.

c- Supervisor signature:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing the Supervisor to sign the SEQR forms. Voted on and approved, Yes-5, No-0.

d- Authorization:

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates authorizing the Supervisor permission to sign the EAF signifying the Negative Declaration being made. Voted on and approved, Yes-5, No-0.

e- Establishing Lead Agency:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve:

**CLASSIFYING THE TOWN OF YORK CONSOLIDATED WATER DISTRICT – ANDERSON ROAD EXTENSION IN THE TOWN OF YORK AS A TYPE I ACTION, ESTABLISHING LEAD AGENCY AND DETERMINING THE SIGNIFICANCE OF SUCH ACTION, AND DIRECTING THAT THE NEGATIVE DECLARATION BE PUBLISHED IN ACCORDANCE WITH SEQRA.**

Council Member Amos Smith presented the following resolution and moved that it be adopted, and it was seconded by Council Member Lynn Parnell.

BE IT RESOLVED BY THE BOARD OF THE TOWN OF YORK AS FOLLOWS:

WHEREAS, the Town Board of York, New York is considering the financing and construction of improvements for the Town of York Consolidated Water District Anderson Road Extension, including the installation of approximately 31,000 linear feet of 8-inch water main (the "project"). The water main will be installed along portions of Anderson Road, Federal Road (C.R. 50), Linwood Rd (C.R. 23), Limerick Road, and Main Street (NYS RT 36) to serve approximately 71 residential properties. Currently, these residences are served by private wells lacking in quantity and quality; and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "action") might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which is attached hereto; and

WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"); and

WHEREAS, the Board determined that the project was an "Type I Action" pursuant to SEQRA; and

WHEREAS, the Board determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Board's request to be designated Lead Agency status;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF YORK DECLARES TO BE LEAD AGENCY FOR THE PROJECT FOR THE PROPOSED ACTION AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF YORK, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an "Type I Action" under SEQRA and will result in no significant impacts and therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Duly put to a vote as follows:

AYES  
5

NAYS  
0

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

## 8) Proposed Local Laws:

Attorney Campbell presented to the Board three proposed Local Laws for review and discussion and a decision on whether they wish to proceed in scheduling Public Hearings.

Proposed Local Law #2 of 2019 is for 4185 Main Street location (Bernecker property), which the Board had a request to return back to Agricultural District.

Proposed Local Law #3 of 2019 is to amend Article IV of the Zoning Ordinance to modify Section 402c of such section, pertaining to permitted uses. Mr. Campbell stated that a request was made from an individual looking to purchase and use a parcel for a surveyor's business. This law would allow this permitted use for professional services purposes.

Proposed Local Law #4 of 2019 is to amend the boundaries of the Hamlet Commercial and Residential Districts and change a portion to a Commercial District classification. (Three parcels: 1 parcel owned by Hafiz Ellahi and 2 parcels owned by Mike VanGelder)

Mr. Campbell stated now that the laws have been presented to the Board, they will be submitted next to the Livingston County Planning Board for their review, but we are still able to proceed in scheduling Public Hearings tonight.

**PUBLIC HEARINGS:**

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to schedule three (3) Public Hearings for Tuesday, July 30<sup>th</sup>, the hearings will take place as follows:

Local Law #2 of 2019	6:00 p.m.
Local Law #3 of 2019	6:15 p.m.
Local Law #4 of 2019	6:30 p.m.

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

9) York Valley Fest:

Councilwoman Parnell reported that the York Valley Fest preparations are continuing for the July 27<sup>th</sup> event, but need permission from the Board to close Chandler Road from Retsof Road to Main Street the morning of for the 5K race.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose authorizing the closure of a portion of Chandler Road (from Retsof Road to Main Street) for the York Valley Fest 5K race on July 27, 2019. Voted on and approved, Yes-5, No-0.

Mrs. Parnell stated that a letter will be mailed out from the Valley Fest committee to the Chandler Road residents to inform them of the upcoming closure.

**9:10 P.M.**

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to enter into Executive Session for pending or threatening litigation, to include Town Board and Town Attorney. Voted on and approved, Yes-5, No-0.

**9:40 P.M.**

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to end Executive Session. Voted on and approved, Yes-5, No-0.

Supervisor Deming reported that no action was taken in Executive Session.

**OTHER**

1) Solar discussion:

a- Battery storage:

Attorney Campbell informed the Board that they will be hearing more about battery storage for solar purposes. This type of storage is usually the size of a tractor trailer box. More information is coming out about potential environmental concerns, including explosions that have taken place. Mr. Campbell added that most rural communities do not have the proper fire -fighting equipment to handle such incidents, so many towns are choosing to BAN these storage units all together. Mr. Campbell commented that more information is coming out each day, but wanted the Board to be aware of it if they wish to take any action.

Councilman Smith stated due to the information heard this evening he would support authorizing Attorney Campbell to prepare a moratorium for the large battery storage units. The members agreed.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell authorizing Attorney Campbell permission to draft a moratorium on Large Scale Energy Battery Storage Systems for the Town of York. Voted on and approved, Yes-5, No-0.

**BILLS**

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

General Fund	#151-187	\$ 20,003.93
Highway Fund	#107-126	\$ 101,286.48
Consolidated W/S	#116-141	\$ 162,798.78
Lighting District	#6	\$ 1,466.22

**ADJOURNMENT**

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adjourn the Town Board Meeting until July 11<sup>th</sup>. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:45 p.m.

Respectfully Submitted,  
*Christine M. Harris*  
Christine M. Harris, Town Clerk