

York Town Board Meeting  
July 11, 2019  
7:30 p.m.

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

Absent: None

Others: Kirk Richenberg, George Worden (Hwy Supt), Carl Peter (Zoning &  
Code Enforcement Officer) and James Campbell (Town Attorney).

Supervisor Deming opened the Town Board Meeting at 7:32 p.m. and  
invited Councilman Gates to lead in the Pledge of Allegiance.

**MINUTES:**

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to approve  
the minutes of the June 13th, 2019 Town Board Meeting. Voted on and  
approved, Yes-5, No-0.

**OLD BUSINESS:** None

**NEW BUSINESS:**

1)Water Adjustment Request:

a- Amber Torregrossa

Supervisor Deming read aloud a letter from York resident Amber  
Torregrossa requesting a water adjustment on the July cycle. Clerk Harris  
gave a brief overview of the situation. Supervisor Deming and Councilman  
Smith commented that the Town does have a policy in place for requesting  
the procedure is once the matter has been addressed, corrected and verified  
by our Water Dept personnel, we can proceed with a potential adjustment.  
Clerk Harris stated that Ms. Torregrossa father has monitored the meter for  
a few weeks after receiving a call from the office with the latest  
consumption which shows that the upcoming read in October should be  
back on course for a normal minimum amount. Our Water Department has  
been onsite three times as well once with the owner Mr. Shoemaker. The  
meter was also checked to make sure it is working properly.

Supervisor Deming stated that we will table this discussion until Mr.  
Worden joins us this evening.

2) Court Clerk Appointment:

Supervisor Deming stated that the Board received a letter from Judges Thomas Porter and Daniel Koch in regards to the Court Clerk position due to Ms. Geary's recent retirement. Three interviews were conducted on July 1, 2019 and after careful consideration they have decided that Kimberly Reitz was the most qualified for the job and asked for Town Board approval.

Ms. Reitz is currently part time at the Geneseo Village Court which would work well with the Town of York needs. The hourly rate would be \$15.00 per hour with approximately 15 hours per week.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve the recommendation of Judges Thomas Porter & Daniel Koch to hire Kimberly Ann Reitz as Court Clerk for the Town of York with a rate of pay of \$15.00/hr for approximately 15 hours per week. Voted on and approved, Yes -5, No -0.

3)BOAR Advertisement:

Clerk Harris informed the Board that we will need to advertise for (1) position to the Board of Assessment Review. Per Town policy, it has been the decision of the Board to advertise for appointed positions due to upcoming term expiration. Supervisor Deming inquired as to whose term will be expiring on September 30<sup>th</sup>, which Clerk Harris responded Chris Pascuzzo.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing Clerk Harris permission to advertise for one (1) member to the Town of York Board of Assessment Review, term running from October 1, 2019 - September 30, 2024.

4) Davies Nagel Tap Applications:

a-Water Tap (3585 Main Street)

b-Sewer Tap (3585 Main Street)

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to approve the Water and Sewer tap applications submitted by Davies Nagel for property located at 3585 Main Street for workshop purposes only in the

amount of \$ 3,000.00. (\$1500.00 for water & \$1500.00 for sewer). Voted on and approved, Yes-5, No- 0.

\*If in the future Mr. Nagel wishes to utilize the structure for residential purposes, inspections from the Zoning/Code Officer will be required.

5) Extension to Consolidated Water District/Rt.20:

a- Final Map, Plan and Report- acceptance.

Supervisor Deming stated that we received from Clark Patterson Lee, the Final Map, Plan and Report for the Extension to the Consolidated Water District-Rt. 20. We are waiting on the Livingston County Health Department but could schedule a Public Hearing at this time.

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to officially accept the Map, Plan and Report prepared and to schedule a Public Hearing for Tuesday July 30<sup>th</sup> at 5:30 p.m. Voted on and approved, Yes-5, No-0.

### **HIGHWAY REPORT:**

Mr. Worden reported the following for the Highway Dept:

- We have finally made it fully through our roadside mowing & will probably be conducting a second round shortly.
- We have been black topping on Spring Street and will be doing Cowan Road and then Casey Road.
- The County is planning on grinding Federal Road Monday from Route 63 to Dow Road.
- Some of the employees have been utilizing their vacation time.

Councilwoman Parnell asked Mr. Worden if the bridge on Dow Road will be addressed because it is in terrible condition. Mr. Worden replied that they will be patching there shortly to smooth it out until a more permanent repair can be done later in the summer.

### **WATER/SEWER REPORT:**

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

## **WATER**

- Pumps at the tank are up and running but have 1 delay with the gas meter that runs the backup generator, which is not in yet.
- We are having issues with communication from the tanks to the pumps. Cell phone reception is minimal. Clark Patterson has recommended perhaps using the Scada System (Supervisory Control and Data Acquisition). This system is for remote monitoring and control which operates with coded signals over communication channels. Mr. Worden commented that we use to have this system and are trying to work on a quote/price to make it affordable. Mr. Worden added that he has a problem with the maintenance fee associated with SCADA Systems. He will keep the Board updated as information becomes available.
- Visone did correct the railroad crossing issue. Loose ends still need to be tied up which is the responsibility of the Contractor. There is a drain that crosses under the tracks to the catch basin, it was repaired and grouted. We still have to raise the valve boxes and hydrants on Old State Road.
- Mr. Worden & Clark Patterson Lee will be meeting with both contractors shortly about finishing up the last of the items but a date has not been scheduled yet

## **SEWER**

- We had two sewer issues recently, both were lateral matters and the responsibility of the homeowner.

Councilwoman Parnell questioned water pressure into her home. Mr. Worden replied that the pressures have changed, you are able to increase it if you wish but cautioned to be mindful of older piping within the house.

## **PRIVILEGES OF THE FLOOR:**

1) Kirk Richenberg:

Mr. Richenberg asked a number of questions:

-Has the water & sewer in Linwood been turned over to the Town?

Mr. Deming replied that it has not been turned over to us.

-Has Morsch been back on site?

Mr. Worden answered that he has not been back as of yet.

-What is the status of the Grid Bee?

Mr. Worden stated that the Grid Bee is now operational.

-Is the landscaping complete?

Mr. Worden replied that the landscaping is not complete, that will be Steve Morsch's responsibility.

-At the last meeting I asked about a section of pipe in Linwood and if it was at the proper depth, what is that update?

Mr. Worden replied he has not had a chance to view the situation.

-What is the status of Casey Road culvert, any discussion with Liv Co Soil & Water?

Supervisor Deming answered that he has not yet contacted Mr. Stryker.

-Is the Shared Service Agreement for Highway been delivered and paid for?

Mr. Worden replied it has been delivered, all but the bulldozer. Supervisor Deming stated that \$35,000 is our portion and we have paid some but not all at this time.

-Has there been a meeting scheduled with the Fire Dept pertaining to the Court situation?

Councilman Smith reported that an upcoming meeting will take place on the 18<sup>th</sup> of this month. Mr. Smith commented that the Judges have prepared a brief spec sheet of their needs to address at that time. Mr. Deming added that he has spoken with the County Grant's office about the possibility of obtaining funds.

-Will we be leasing space?

Supervisor Deming replied we would like to lease and commented that he has spoken with Bergen about their current lease as a guide.

-How will the public be informed and will there be public input?

Mr. Deming stated that information to the public on the new court area will be the responsibility of the Town Board. Attorney Campbell added any time money is financed; a Permissive Referendum is required with a potential Public Hearing.

### **WATER ADJUSTMENT REQUEST- *continued from earlier***

The Board discussed with Mr. Worden the water adjustment request of Amber Torregrossa brought up earlier in the evening. Mr. Worden stated he was aware of the request and of the additional re-reads that were taken by the Water Department. In his opinion, the water may have been left on by the tenant or turned on by someone else but either way reads taken thereafter show that the October bill should be back to the normal

consumption. Mr. Worden added that we really should look at our adjustment policy again to determine if we should keep it.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the water adjustment request submitted by Amber Torregrossa for property located at 2819 Main Street (Apt 1). Voted on and approved, Yes-5, No-0.

\*Adjustment savings totals: \$98.54

**PROPOSED LOCAL LAW:**

Clerk Harris submitted to each Board member two weeks ago a draft of the Battery Storage Moratorium prepared by Attorney Campbell. It is now officially presented to the Board this evening in order to proceed with a Public Hearing if they desire.

Mr. Richenberg continued on with his privileges...

-The proposed Local Law (Moratorium) for battery storage, will this be covered under Article 10?

Attorney Campbell stated that he and Supervisor Deming attended a presentation this week on Solar where a question arose on battery storage and whether or not we would be covered with a Local Law. Mr. Campbell spoke in detail on the questions/answers that took place but ultimately stated that we are unsure even with a law if we are fully covered.

-If a moratorium is completed, which is one more law for the Town, won't they just override it?

Attorney Campbell replied while Article 10 allows them to override, they have been reluctant to do so and an applicant must show a real necessity. Mr. Campbell expressed how important it is to have something in place rather than not.

-Mr. Richenberg asked the Board to reconsider putting one more moratorium in place.

Supervisor Deming replied that a moratorium allows us time to do additional research on this important topic. Attorney Campbell commented that one local town did not put a moratorium in place and decided to update their zoning regulations instead which is potentially less defensible.

-What kind of infrastructure or basics is required?

Supervisor Deming stated that they place the battery storage units near transmission lines or transformers.

-Is there more than one transmission line in York?

Mr. Worden answered that the Town of York has two transmission lines.

Councilman Rose asked if Article 10 addresses how to tax the applicant. Attorney Campbell replied, Article 10 cannot dictate what assessment is put on. These rules have changed and evolved over the years and the State is rebuilding regulations to accommodate future needs.

The Board agreed to proceed with a moratorium.

### **PUBLIC HEARING:**

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to schedule a Public Hearing for Thursday, August 15, 2019 at 6pm for a one-year moratorium and prohibition relating to application for, permitting of, approval of or installation of Large-Scale Battery Energy Storage System Installations within the Town of York. Voted on and approved, Yes-5, No-0.

### **OTHER:**

1) The Bank of Castile:

Supervisor Deming discussed with the Board the recent decision of the Bank of Castile to close their branch here in the Town of York effective November 1, 2019. Mr. Deming stated that he met with representatives from the bank hoping that we could alter that decision but to no avail. All banking will be transferred to the Geneseo branch. We will certainly miss the service the local branch provides us.

2) Assessor Re-Appointment:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to re-appoint Gregg Torrey as Single Assessor for a six year term, expiring September 30, 2025. Voted on and approved, Yes-5, No-0.

Term: October 1, 2019-September 30, 2025

3) York Valley Fest:

Councilwoman Parnell informed the Board that the Valley Fest committee has been working hard to get things secured before the July 27<sup>th</sup> event.

Mrs. Parnell also reported that a Bicentennial committee meeting will take place at 7 pm on Monday, August 5<sup>th</sup> at the Wadsworth Grill. All are welcome to attend in order to further discuss upcoming events to help celebrate the Town of York's 200 year birthday. Councilman Rose stated he along with Davies Nagel will be conducting a "celebration of Greigsville" on Saturday, August 24<sup>th</sup> with a presentation and music. Mrs. Parnell also reported that Assemblywoman Marjorie Byrnes will be conducting a proclamation as well for our 200 years, which is scheduled for September 7<sup>th</sup>.

**BILLS:**

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

GENERAL FUND:	# 188-227	\$ 54,550.73
HIGHWAY FUND:	# 127-143	\$ 15,286.84
CONSOLIDATED WATER/SEWER FUND:	# 142-165	\$252,933.10
LIGHTING DISTRICT:	# 7	\$ 1,359.60

**ADJOURNMENT:**

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adjourn the Town Board Meeting. Voted on and approved, Yes-5, No-0

Town Board Meeting closed at 8:28 p.m.

Respectfully Submitted,

Christine M. Harris, Town Clerk



