

York Town Board Meeting
October 10th, 2019
7:30 p.m.

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

Absent: Frank Rose Jr.

Others: James Campbell (Town Attorney), Henry Fuller, Renee & William Young, Sandra & David Sliker, Kirk Richenberg, Karen Milligan, David Bojanowski, David Deuel, Joe McIlroy and Francis Burger.

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. Smith and seconded by Mrs. Parnell to approve the minutes of the September 12th, 2019 Public Hearing and Regular Town Board Meeting. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR:

1) David Deuel:

Mr. Deuel commented for a number of years he has spoken about the effects of Emerald Ash Borer, specifically at the northern end of the town. Mr. Deuel stated that he had hoped Highway Supt. Mr. Worden would be in attendance to discuss this and the necessary removal of trees on Casey and McPherson Roads. Mr. Deuel stated whomever the right of way may belong to, the diseased trees need to be removed. If the Town is unable to do this, Mr. Deuel stated he would, but would like to at least coordinate with the Town to close the road for 2 days (1 day for each road) in order to remove the trees. Mr. Deuel added that he will be contacting the State as well, there are dead trees on Rt. 20 and they continue to fall. Mr. Deuel stated that he will contact Mr. Worden to coordinate the process.

Supervisor Deming asked, roughly the number of trees that have been affected. Mr. Deuel responded approximately a dozen on Casey as well as McPherson and an old maple tree. Mr. Deuel stated some are located by

the Frontier telephone lines, they are not large in diameter, but still need to be removed. Mr. Deuel commented that other areas have been affected, not just his ash trees and stated once again his intentions to touch base with Mr. Worden.

2) Karen Milligan and Dave Bojanowski:

Mr. Bojanowski thanked the Board for allowing him to speak this evening on behalf of the Milligan family (Armson Farm). Mr. Bojanowski stated Armson Farm is applying to New York State Department of Ag & Markets for a Farmland Protection Implementation Grant.

The Genesee Valley Conservancy is willing to develop and submit the Armson Farm application on 94 acres and if selected, the Conservancy would hold the conservation easement. Mr. Bojanowski stated that the Board was supportive last year of the Batzing application and gave a brief status update on that. Mr. Bojanowski also inquired if any Town Board member had a conflict of interest with this application based on doing business with the Milligan's. Councilman Smith commented that his family has in the past conducted business but currently is not. Mr. Bojanowski stated that past dealings would not create a conflict. Supervisor Deming and each board member responded that no one had a conflict of interest with the Armson Farm application.

After no further discussion...

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell supporting Armson Farm application for a New York State Farmland Protection Implementation Grant. (FPIG) Voted on and approved, Yes-4, No-0, Absent-1, F. Rose Jr.

*Mr. Bojanowski stated they will now be applying for such grant within a month and should know the results within 1-2 months thereafter.

3) Renee Young:

Ms. Young read aloud her thoughts pertaining to solar:

Renee Young

I'm here because I feel obligated to give a voice to the silent majority about the town accepting solar farms. It appears you're being unduly swayed by a very vocal minority.

I've read the minutes of past meetings and see a great deal of anti-solar farm propaganda put forth. You can find whatever you're looking for on any subject on google if you want to look. For or against, everything is there. It doesn't make any of it accurate.

We live in New York State where we are barely allowed to make any decisions for ourselves. If our current governor thought solar farms had any adverse environmental issues, they would be banned from the state just like numerous other things including fracking. He would not allow such a decision to be made on the local level by us upstate folk. In fact, some local farmers were paid money to entice them to "forever farm". Since the state didn't pay me any money, they apparently don't believe my property deserves to be in any protected class.

I also thought as Americans we are supposed to be striving to lower our carbon footprint. Farming in less productive fields when there might be an alternative sounds foolish to me. It's sad to say but farming is trending down. We can't predict the future. By putting excessive restrictions on the placement of solar arrays, you could be hurting the very people you were trying to protect.

The town has a responsibility to protect the quality of life in the community. If I got to pick any kind of business to be across the road from me, which I didn't get to, I'd rather have a solar farm. I see them as a good neighbor. No traffic, No noise, No smell and they look neat and uniform. I'm willing to do just that, live across from solar panels.

Like any proposed development in town, prudent policies should be implemented like reasonable setbacks, upkeep, disposal after their life expectancy. It's rare a proposed development would require nothing from the taxpayer. They will not wear out our local roads. They will not need any taxpayer investment in water, sewer or the school.

I don't want to offend anyone here but I don't think you're qualified to take away people's property rights by banning any use of "prime" farmland for anything. I don't think it's prudent to take advice from someone who thinks it's acceptable to paint political statements on the side of their building. What would our community look like if we all followed his lead? I also see lawsuits being inevitable when people find out you've taken away their property rights.

Finally, I remember when a company proposed filling the salt mine with fly ash. The meetings were standing room only at the school auditorium. That tells me our community will rise up when they are against something. People usually only show up when they are against something. You've been debating solar for over 2 years. Where is the groundswell of people against them???

4) David Sliker:

Mr. Sliker also read aloud comments pertaining to solar and the proposed changes to certain sections of the Zoning Ordinance:

I know you all know who I am, For the record I am David Sliker. For twelve years I sat at the table where you are now, 10 of those years as Mr. Demming's deputy. During those years there was a lot accomplished over 50 miles of pipe put in the ground both water and sewer with a complete revamp of the sewer plan, town master plan was rewritten (still in effect today) and the zoning laws were rewritten, they were adopted 15 days after I left office (still in effect), cell tower regulations, along with many other concerns of the time were addressed during my time on the board. After leaving the Town Board, I spent 7 years on the County Planning Board. During my time on these boards it was always my goal to make sure all my decisions took in account all 3,400 residence not one or two who were pushing their special interest.

I am not a farmer so I can only speak from my observation over maybe 50 of my past 64 years. In 1970 there was approximately 30 active dairy farms in York, today there is less than 10. In 1970 the average herd size was maybe 200-250 animals? At 250 head/farm that comes to about 7,500 head of cattle town wide. Today just three farms alone in town average 3,000 - 4,000 animals each. Crop yields/acre have more than doubled in the past 50 years with the adjusted cost/acre to harvest decreasing similarly.

On a completely none related note I remember sitting in the class at MCC in 1978 and having the professor lecture on how all the experts predict by the year 2000 the world will use up all the natural deposits of oil and natural gas.

I guess what I am saying here is we don't know what the future holds. I am sure if you told a farmer in 1970 the average farm in the town would have more than 2,000 animals, and a cow can go it's entire life without being touched by a drop of

rain, we use drag lines and semis to spread liquid animal waste from multi 1000 gallon ponds, huge self propelled choppers that run through the fields at 10+ miles per hour with more semi trucks to hauling haylage, and silage. With almost no bails of hay or straw as they new them to handle. They would have told you, you where crazy. That's the point I am trying to make, you can look at all the predictions you want and quote as much data as you can find. The truth is no one knows what the future holds. All we can do is make decisions on what we know today.

Let's talk prime soil in our town. In 1920, (steam powered tractors were still being used) the USDA did soil studies of all soils in our town and mapped them according to soil types and land restraints, (drainage ,flooding, etc...), and applied classifications as they saw it in 1920. I believe this is the map being used by the committee to determine where type #2 solar arrays can and can't be located.

At the committee mtg. Wednesday 10/2/19 it was stated that there would be no solar allowed on any of the land labeled "All areas are Prime Farmland" as highlighted on their map, or any land labeled "Of Statewide Importance". I went to the USDA, they are the keeper of this map, and found that in Livingston County there are 169 classifications of soils with 107 of them listed as some type of "Prime" land, either prime if drained, or prime if not flooding, or one of the other prime distinctions, or "Farmland of statewide importance" . These classifications are listed on the map I had printed. The darkest and lightest green are "All areas of Prime Farmland" and "Farm land of Statewide Importance". This would be the land protected by the proposed law. The remaining medium green approximately 40% of the total land, is what could have #2 solar installations. This land is also in a classification that has the word Prime as part of the description. A very large portion of the land that could be developed is that of the Abbey of the Genesee. It has been my understanding this land has brought the highest rent of any land in the town, this is because when the classifications of 1920 were put on this land, the land had flooding potential, poor drainage or needed irrigation, **it is not on the map to be protected**. Since the classifications were established there was a dam built in 1950 to eliminate flooding, hundreds of miles of drainage installed. This is the case for much of the areas on this map. Another area that can be developed is labeled "Prime land if irrigated and reclaimed of excess salt and sodium." The mine closed in 1995 the salts have leached out along with a few ton/acre of liquid manure spread on the land, it is now in production.

"Land of Statewide Importance", the proposed law states no solar to be installed on any land with this classification. This means if a company developed 300 acres and 30 or 40 acres are among the 300 acres it would be developed around those areas. In 30 or 40 years when the facility is reclaimed those 30 or 40 acres would be overgrown with willow and poplar trees and not usable.

My suggestion is: lets call this map what it is, an attempt to limit the farm land covered by solar arrays. The use of this 100 year old map that was created to determine soil types and land conditions is not going to protect the lands that should be protected. The more land available for solar will drive the cost of land up which is good for people who own land that are not farmers, bad for farmers looking to expand. The map that the proposed law is listing to use eliminates approximately 60% of land in the town for type 2 solar arrays.

There is 31,424 acres in town. I would suggest the removal of any references to the 1920 map and put a maximum # of acres in the town to be used for #2-solar farms. Currently its 40% I think that is a little high maybe 20% 6,200 acres. But do not handcuff landowners because of an obsolete 1920 soil map.

Mr. Sliker stated once again that the Board in an attempt to limit farm land for solar arrays is using this 100 year old map as an excuse. Mr. Sliker recommends removal of this map reference and reduce the maximum number percentage of acres. The current percentage is much higher than it needs to be.

5) Kirk Richenberg:

Mr. Richenberg asked if the numbers in the budget are accurate for the unexpended balance. Supervisor Deming replied that they are. Mr. Richenberg followed by saying that in last year's budget there was \$1.6 million of unexpended balance, now we have only \$300,000.00. Supervisor Deming answered that the numbers are correct. Last year's numbers were for this year's projects and we have been paying as we proceed through the projects.

Mr. Richenberg asked about the status of Linwood water & sewer and whether it had been turned over to the Town yet. Supervisor Deming reported once Mr. Morsch has completed his items, we will then take ownership. The temporary pump house has been removed but he has restoration at the water tank and on Federal Road.

Mr. Richenberg stated that he has concerns on Linwood water, how did he not know about the one issue but knew about the pump house. Supervisor Deming answered he was probably aware of it once we talked about it.

Mr. Richenberg informed the Board that Federal Road north of Linwood Road is in dire need of repair. The holes are getting larger each day and currently they are at least 1 1/2" deep. Mr. Worden expressed his intentions at a previous meeting to do full repairs after the Anderson Road water project. The way this road is now, he shouldn't wait to fix it.

NEW BUSINESS:

1) Water Adjustment request:

a- Nancy Stein (Acct #25-0155)

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve the water adjustment request submitted by Nancy Stein for property located at 2689 Craig Road. Voted on and approved, Yes-4, No-0.

**Adjustment savings- \$56.48

b- Water Service Shut Off (Acct #25-0700)

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to approve the water service shut off request submitted by Richard Schubmehl for property located at 2384 Genesee Street. Voted on and approved, Yes-4, No-0.

c- Water Service Restoration (Acct # 25-0291)

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the water service restoration request submitted by Randy Rodger for property located at 3488 Main Street, in the amount of \$200.00. Voted on and approved, Yes-4, No-0.

2) Old State Road:

a-Authorizing the preparation of the Map, Plan and Report

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell...

In the Matter of the Formation of the Consolidated Water District
Old State Road Extension
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 new water district extension yet to be perfected and to be known as the "Consolidated Water District Old State Road Extension;" and

WHEREAS, the improvements are to be located along a portion of Old State Road 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/extension must be perfected to create the "Consolidated Water District Old State Road Extension;" and

WHEREAS, in order to facilitate the creation of the "Consolidated Water District Old State 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 created district extension; 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; and

WHEREAS, the Town of York, on behalf of the "Consolidated Water District Old State 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 Old State Road Extension" project at a cost not to exceed \$5,000.00; and
2. Any such costs shall be passed on to the "Consolidated Water District Old State Road Extension;" and
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 10, 2019. The Motion was made by Mr. Smith and seconded by Mrs. Parnell, and recorded as follows:

Vote of the Board: Councilperson Lynn Parnell	Aye
Councilperson Frank Rose, Jr	Absent
Councilperson Norman Gates	Aye
Councilperson Amos Smith	Aye
Supervisor Gerald Deming	Aye

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 10th day of October, 2019.

Christine Harris - Town Clerk

**b- Acceptance of Map, Plan & Report
RESOLUTION offered by Mr. Smith and seconded by Mr. Smith...**

In the Matter of the Formation of the Consolidated Water District Old State 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 new water district yet to be perfected and to be known as the "Consolidated Water District Old State Road Extension;" and

WHEREAS, the improvements are to be located along a portion of Old State Road in the Town of York, County of Livingston and State of New York; and

WHEREAS, as part of the completion of the improvements and the financing thereon, a district/extension formation must be perfected to create the "Consolidated Water District Old State Road Extension;" and

WHEREAS, in order to facilitate the creation of the "Consolidated Water District Old State Road Extension" and the intended infrastructure improvements therein, the Town Board adopted a resolution authorizing the engagement of Clark Patterson Lee 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 created district/extension; and

WHEREAS, the cost of such Map, Plan and Report is intended to be borne by the district/extension to be formed in which such improvements will be made; and

WHEREAS, Clark Patterson Lee has prepared such Map, Plan and Report with respect to the establishment of the "Consolidated Water District Old State Road Extension" and all improvements intended to be made therein and presented the same to the York Town Board; and

WHEREAS, the York Town Board now wishes to accept such Map, Plan and Report so that it may schedule a Public Hearing regarding the potential creation of the "Consolidated Water District Old State Road Extension";

NOW THEREFORE, be it

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

1. That the Town Board of the Town of York has been presented with the Map, Plan and Report for the "Consolidated Water District Old State Road Extension" as prepared by Clark Patterson and Lee and hereby accepts the same on behalf of the district/extension to be formed; and

2. Any such and all costs associated with such Map, Plan and Report shall be passed on to the "Consolidated Water District Old State Road Extension" excepting and unless a valid petition is filed seeking a referendum pursuant to Article 7 of the New York State Town Law, in which case there will be a vote of all eligible persons within the district/extension to be formed. Should the referendum result in the district/extension not being formed, or should the district not be formed for any other reason, the cost of such Map, Plan and Report shall become an expense of the Town as a whole and shall be paid out of the Town's General Fund.

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the York Town Board on Thursday, October 10, 2019. The motion was made by Mr. Smith and seconded by Mrs. Parnell, and recorded as follows:

Vote of the Board: Councilperson Lynn Parnell	Aye
Councilperson Frank Rose, Jr	Absent
Councilperson Norman Gates	Aye
Councilperson Amos Smith	Aye
Supervisor Gerald Deming	Aye

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 10th day of October, 2019.

Christine Harris - Town Clerk

**c- Scheduling of Public Hearing for District Formation
RESOLUTION offered by Mr. Gates and seconded by Mr. Smith...**

TOWN OF YORK

2668 Main Street, York NY 14592

**RESOLUTION AND ORDER for Legal Notice of Public Hearing to
Receive Comment on the Formation of the Consolidated Water
District Old State Road Extension pursuant to New York State Town Law §209 — d**

WHEREAS, the Town Board of the Town of York desires under Article 12-A of the New York State Town Law to create the Consolidated Water District Old State Road Extension, which would include certain real property located wholly in the Town of York, County of Livingston and State of New York; and

WHEREAS, the Town requested that the Town Engineer produce a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the Consolidated Water District Old State Road Extension; and

WHEREAS, the Town Engineer has caused such Map, Plan and Report to be prepared and delivered to the Town Board and the Town Clerk of the Town of York; and

WHEREAS, the real property that will be located in the district is described in the Map, Plan and Report attached hereto and filed in the York Town Clerk's Office and is more particularly described as follows:

All that tract or parcel of land situate in the Town of York, Livingston County, State of New York, being described as follows:

Beginning at a point 735 feet, more or less, easterly of the center line of Tuttle Road (49.5 feet wide right-of-way) on the center line of Old State Road (49.5 feet wide right-of-way) at the intersection of the southerly extension of the westerly line of tax account number 69.-1-37.2; thence,

1. Northerly, along the southerly extension of the westerly line of tax account number 69-1-37.2 and westerly lines of tax account numbers 69-1-37.2 & 69-1-37.11, a distance of 1,785 feet, more or less, to a northwesterly corner of tax account number 69-1-37.11 and a southeasterly corner of the Existing Town of York Consolidated Water District; thence,
2. Easterly, along a northerly line of tax account number 69.-1-37.11, and a southerly line of the Existing Town of York Consolidated Water District, a distance of 479 feet, more or less, to a northwesterly interior corner of tax account number 69-1-37.11, and a southeasterly corner of the Existing Town of York Consolidated Water District; thence,
3. Northerly, along a westerly line of tax account number 69.-1-37.11, and an easterly line of the Existing Town of York Consolidated Water District, a distance of 508 feet, more or less, to a northwesterly corner of tax account number 69-1-37.11; thence,
4. Easterly, along a northerly line of tax account number 69-1-37.11, a distance of 1,696 feet, more or less, to a northeasterly corner of said tax account number; thence,

5. Southerly, along an easterly line of tax account number 69.-1-37.11, a distance of 1,681 feet, more or less, to a northeasterly interior corner of said tax account number; thence,
6. Easterly, along a northerly line of tax account number 69.-1-37.11, a distance of 68 feet, more or less, to a northeasterly corner of said tax account number; thence,
7. Southerly, along the easterly lines of tax account numbers 69.-1-37.11 and 69.-1-54.1, and the southerly extension of the easterly line of tax account number 69.-1-54.1, a distance of 607 feet, more or less, to the center line of Old State Road; thence,
8. Westerly, along the center line of Old State Road, a distance of 22 feet, more or less, to the northerly extension of an easterly line of tax account number 69.-1-39.113; thence,
9. Southerly, along the northerly extension of an easterly line of tax account number 69.-139.113 and an easterly line of tax account number 69.-1-39.113, a distance of 505 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Old State Road, thence,
10. Westerly, through the lands of tax account number 69.-1-39.113, along a line 500 feet southerly of and parallel to the center line of Old State Road, a distance of 824 feet, more or less, to the easterly line of tax account 69.-1-39.112; thence,
11. Southerly, along the easterly line of tax account number 69.-1-39.112, a distance of 74 feet, more or less, to the southeasterly corner of said tax account number; thence,
12. Westerly, along the southerly lines of tax account numbers 69.-1-39.112, 69.-1-39.211, and 69.-1-39.22, and through the lands of tax account number 69.-1-39.113, along the westerly extension of the southerly line of tax account number 69.-1-39.22, a distance of 1,355 feet, more or less, to the easterly line of tax account number 69.-1-39.12; thence,
13. Southerly, along the easterly line of tax account number 69.-1-39.12, a distance of 122 feet, more or less, to the southeasterly corner of said tax account number; thence,
14. Westerly, along the southerly line of tax account number 69.-1-39.12, a distance of 287 feet, more or less, to the southwesterly corner of said tax account number; thence,
15. Northerly, along the westerly line of tax account number 69.-1-39.12, a distance of 500 feet, more or less, to the southeasterly corner of tax account number 69.-1-39.3; thence,
16. Westerly, along a southerly line of tax account number 69.-1-39.3, a distance of 122 feet, more or less, to an interior southeasterly corner of said tax account number;
17. Southerly, along an easterly line of tax account number 69.-1-39.3, a distance of 94 feet, more or less, to a southeasterly corner of said tax account number; thence,

18. Westerly, along a southerly line of tax account number 69.-1-39.3, a distance of 93 feet, more or less, to a southwesterly corner of said tax account number; thence,

19. Northerly, along the westerly line of tax account number 69.-1-39.3, and the northerly extension of the westerly line of said tax account number, a distance of 298 feet, more or less, to the point of beginning.

Town of York Consolidated Water District Old State Road Extension, as described above contains approximately 147.23 acres of land.

All as shown on a map prepared by CPL, "Consolidated Water District - Old State Road Extension", dated October 04, 2019.

NOW THEREFORE BE IT ORDERED and RESOLVED, that the Map, Plan and Report for the Consolidated Water District Old State Road Extension as prepared by Clark Patterson Lee last dated February, 2019 is hereby acknowledged as received by the York Town Board and shall be filed in the York Town Clerk's Office; and be it further

RESOLVED, that pursuant to New York State Town Law, a public hearing be held on the 29th day of October, 2019 at 4:00 p.m. at the York Town Hall at 2668 Main Street, York, New York, with respect to the formation of the Consolidated Water District Old State Road Extension to include the property noted and as more particularly described in the Map, Plan and Report filed in the York Town Clerk's Office; and be it further

RESOLVED, that the Map, Plan and Report calls for the installation of approximately 300 linear feet of water main, valves, water services and a hydrant. The water main will be installed along portions of Old State Road and will serve approximately 7 single family residential properties; and be it further

RESOLVED, that the maximum amount proposed to be expended for the improvements above is \$36,356.00; and be it further

RESOLVED, that the anticipated cost to the typical property located within the Consolidated Water District Old State Road Extension is estimated to be \$600.00, which includes estimated debt service for the costs associated with the improvements in the amount of \$265.00, plus approximately \$35.00 for a proportionate share of the recent improvements to the Consolidated Water District which was a necessary precursor to the improvements anticipated within the Consolidated Water District Old State Road Extension, plus estimated annual water costs of \$300.00 (estimated based on historical usage of single-family residential units within the Town); and be it further

RESOLVED, that the estimated one-time costs for hook-up fees are \$1,000.00 for the typical property, including installation of a service line at the costs of approximately \$10.00 per linear foot (\$500.00 average) and \$500.00 for well isolation and interior plumbing modifications; and be it further

RESOLVED, that a copy of the Map, Plan and Report describing the proposed district formation and the improvements to be constructed therein shall be available for the public inspection at the York Town Clerk's Office; and be it further

RESOLVED, that at the time and date aforementioned, all interested parties may be heard concerning the formation of the proposed Route 36 Water District.

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the York Town Board on Thursday, October 10, 2019, recorded as follows:

Vote of the Board: Councilperson Lynn Parnell	Aye
Councilperson Frank Rose, Jr	Absent
Councilperson Norman Gates	Aye
Councilperson Amos Smith	Aye
Supervisor Gerald Deming	Aye

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 10th day of October, 2019.

Christine Harris - Town Clerk

Dated: October 10, 2019

3) 2020 Budget Hearing:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to schedule the 2020 Town of York Budget Hearing for Tuesday, October 29, 2019 at 5:00 p.m. Voted on and approved, Yes-4, No-0.

4) Solar Regulations:

a-Acceptance of proposed Local law regulations
RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell acknowledging receipt of the draft local law proposed by the Solar Committee and authorizing Attorney Campbell to submit such law documentation to the Livingston County Planning for review and recommendation. Voted on and approved, Yes-4, No-0.

Attorney Campbell spoke in detail on the proposed regulations prepared by the Solar Committee. Several points discussed were special use permits, site plan, setbacks, SEQR requirements, PILOT agreements and Community Benefit Agreement.

Mr. Richenberg inquired if the changes have been reviewed by the full committee. Supervisor Deming and Councilman Smith as solar committee members replied yes, the committee has reviewed all documentation.

Mr. Richenberg commented, in light of the last law passed, what is the hurry, is this due to the moratorium ready to expire? Supervisor Deming replied that the committee has been working for some time on these regulations and is comfortable with what has been proposed. Mr. Deming added that the expiration of the moratorium is also a factor as well, which will be shortly.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to schedule a Public Hearing for proposed Local Law #6 of 2019 to amend certain portions of Section 618 of the Zoning Ordinance of the Town of York for Wednesday, November 6, 2019 at 6:30 p.m. Voted on and approved, Yes-4, No-0.

5) Special Town Board Meeting:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to schedule a Special Town Board Meeting for Tuesday, October 29, 2019 at 6:00 p.m. Voted on and approved, Yes-4, No-0.

*Purpose: to render a decision(s) on the two Public hearing held earlier in the evening.

6) Marriage Fee Waiver:

a-Active Duty members

8) Bicentennial event:

Councilwoman Parnell informed the Board of another Bicentennial celebration. The event will be a Halloween costume party (children & adults) on Saturday, October 26th from 6-10 p.m. at the Valley View Barn on York Road East. All are welcome.

BILLS:

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

GENERAL FUND:	# 288-315	\$ 18,211.05
HIGHWAY FUND:	# 190-206	\$ 31,180.83
CONSOLIDATED WATER/SEWER FUND:	# 219-258	\$152,326.04
LIGHTING DISTRICT:	# 10	\$ 1,584.97

Executive Session-8:25 pm

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to enter into Executive Session for the purpose of potential litigation, to include Town Board, Town Attorney and Town Clerk. Voted on and approved, Yes-4, No-0.

Executive Session-8:40 pm

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to end Executive Session. Voted on and approved, Yes-4, No-0.

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

Mr. Richenberg asked if the Board had any idea of the County's plans for Federal Road. Supervisor Deming stated he believes the County will be returning there next year. Mr. Richenberg commented what was done previously was foolish and when they go back, will be an additional waste of money. Mr. Richenberg asked Supervisor Deming to pass along his comments to the County, which Mr. Deming agreed to do.

9) Payment Application #10:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve Final Payment application #10 for Visone Construction, Inc. in the amount of \$26,309.58. Voted on and approved, Yes-4, No-0.

10) Statewide Aquastore:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve Final Payment application #6 for Statewide Aquastore, Inc. in the amount of \$6,500.00. Voted on and approved, Yes-4, No-0.

11) Certificate of Completion:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing Supervisor Deming permission to sign the Certificate of Substantial Completion for Visone Construction, Inc. Voted on and approved, Yes-4, No-0.

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adjourn the Town Board Meeting until October 29th hearings and Special Town Board Meeting. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:45 p.m.

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