

York Town Board Meeting
July 14th 2020
7:00 pm

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

Absent: Frank Rose Jr

Others: James Campbell (Town Attorney), George Worden Jr. (Highway Supt), Carl Peter (Zoning & Code Officer), Joe McIlroy, (Planning Board Chair) and Kirk Richenberg,

Supervisor Deming opened the Town Board Meeting at 7:00 p.m. and invited Councilman Gates to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the minutes of June 9th, 2020 Town Board Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY

Mr. Worden reported the following for the Highway Department:

- Assisting the Town of Leicester with oil & stoning
- Department has been mowing the roadside
- We will be oil & stoning Craig Road and River Road on Monday and additional oil & stoning at the end of the month
- The heat has been tough to battle but we are getting through it
- We have been putting sand on the road to keep from bleeding

Mr. Richenberg asked, knowing what happened on Federal Road, has there been any communication between the Town and local farms telling one another who will be on the roads. Mr. Worden replied many times they do notify him, while other times he is aware by the trucks in the area and know their intended location.

WATER/SEWER:

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

- We experienced two (2) water breaks recently. The first was on North Road with this line being roughly 20 years old. There was a rotted spot on the bottom and we were able to correct the situation quickly. The second break was more involved. It was located on Piffard Circle directly in the center of the road. This piece was installed in the 70's and should be replaced. The break did undermine some of the road. Water did end up in the homeowner's basement which we have been assisting with the cleanup.

Mr. Worden did express the desire to update this section before any road repairs in that area take place. The Board agreed.

- SEWER: No issues with the Treatment Plant

* Mr. Worden stated that the water hydrants have been getting painted courtesy of Earl Lubanski. Mr. Lubanski asked if he could do York Road West and then stated he was willing to do more which we are grateful for. While supplying him with the paint. He stated that it takes roughly 1 hour per hydrant. Mr. Worden commented that Mr. Lubanski did not ask for compensation but feels he should be paid for this service because we are very appreciative for his willingness to do this for the Town and it certainly needed to be done. The Board fully agreed and noted that Mr. Lubanski should keep track of his hours and pay him at the current part-time wage.

Councilman Smith asked Mr. Worden if the Grid Bee is working properly. Mr. Worden replied that it is and added that the next scheduled testing for water is next week. Mr. Worden also reported during the bridge project in Geneseo, they have had to continually use water and have used over a million gallons which will benefit our testing results.

PRIVILEGES OF THE FLOOR:

1) Kirk Richenberg:

Mr. Richenberg asked a number of questions:

-What is the status of Anderson Road project?

Mr. Worden answered that we had a pre-construction meeting (June 23rd) with all parties involved and the contractor stated he would be starting the middle of August.

-Is there any conflict with CPL and the Contractor?

Supervisor Deming and Mr. Worden both replied not that they were aware of.

-Any Town Board conflicts with the Contractor?

Supervisor Deming answered again not that he is aware of and then asked if there is someone specific Mr. Richenberg is referring to.

-At the last meeting there was approval for \$20,000.00 (Genset) but the quote was for \$18,700.00, why approve for additional amount?

Mr. Worden stated that the quote was given earlier so with the wording "not to exceed" it covers us. Mr. Worden commented that the original quote stood as is.

-Last month the Town Clerk was given permission to inquire about AED's, is there grant money available?

Supervisor Deming stated he will inquire tomorrow about potential funding.

**Clerk Harris updated the Board at this time on AED information obtained.

Cardiac Life was an agency that submitted quotes for 3 different units and Cintas sent a catalog to choose from several different units. The quotes range from \$1,300-\$1,800 with the understanding that additional supplies are needed as well. Although having an

8-year warranty on the equipment, it will be required to replace parts every 2 to 4 years. Clerk Harris sought advice from Karen Dewar, Director of Livingston County Emergency Medical Services about what to look for and what is required of the Town once a unit has been purchased. Ms. Dewar stated that it must be registered with Medical Region first, and training needs to be obtained with renewal of training every 2 years. She recommended inquiring what the local fire department currently has in order to share supplies and or battery at a given time, as batteries are costly and battery life is important to verify. The unit must be checked and verified each week. Ms. Harris contacted surrounding towns to see whether or not others have an AED in their hall and who may be trained on it. Several of the clerks responded that they do have one: Groveland, Livonia, Mt. Morris and Nunda. Nunda was the only office that had a unit but no one in the office has been trained on it. Town of Avon, Lima, Caledonia and Leicester stated they do not have a unit in their building. Clerk Harris commented that the Board asked that she obtain information which she has but the Board can review the documentation as to what unit they wish to purchase if any, and whom will be trained.

Mr. Richenberg continued with his Privileges...

-Does Kevin Neidermaier have anything to offer?
Supervisor Deming answered he will speak with Mr. Neidermaier about this tomorrow.

-The Attorney and Clerk both stated this is a requirement for municipal buildings, why haven't we done this earlier?
Clerk Harris answered that obviously many other towns were not aware of this requirement as well, which Mr. Richenberg then commented he is only asking about this town.

7:24 p.m.- Councilman Rose arrived at this time.

Comment: At the last Planning Board Meeting, it was run by the Town Attorney. If the Chairman is not available then a contingency plan should be in place rather than having someone who does not have the best interest of the Town.

Planning Board Chairman, Mr. McIlroy asked the Board if he could respond to this statement which Supervisor Deming replied he could.

Mr. McIlroy explained that he contacted Attorney Campbell Monday night asking him to facilitate the meeting the next evening. He felt that Heather (Grant) would not have enough time to prepare an outline and effectively run the meeting given it was last minute taking into consideration there were many topics before the Planning Board.

Supervisor Deming commented he does not believe it was illegal having Mr. Campbell run the meeting which Attorney Campbell answered that is correct. Mr. Deming questioned Mr. Richenberg's statement, are you stating that Mr. Campbell doesn't have the town's best interest?

-Also at the Planning Board meeting, it was discussed that the Project Applicant had a conflict with the current engineer. Later the Board chose to hire Lance & MRB not just for solar but for this project, and now questions the legalities of that. Why didn't the Town Board approve this?

Attorney Campbell replied that the Town Board didn't have to give approval for these projects. The Planning Board and Zoning Board of Appeals have the authority to decide whom they wish to work with and hire services when they deem necessary. Small scale solar applications are within the Planning Board's jurisdiction. Article 10 applications are outside of the preview of the Planning Board.

Supervisor Deming added he was aware of the Growmark conflict with Clark Patterson, that is why the Planning Board chose to hire MRB for that project.

NEW BUSINESS

1) Liv. Co. Intermunicipal Agreement

A- Emergency Medical Services:

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to approve the Intermunicipal Agreement between the Town of York and Livingston County for the provision of Emergency Medical Services (County ambulance), effective August 1, 2020. Voted on and approved, Yes-5, No-0.

*Services are provided between the hours of 6:00 a.m.- 6:00 p.m., Monday – Friday.

2) Town Hall rental status

Clerk Harris stated at the June 9th meeting, the Board agreed to re-evaluate hall rentals in August, but wondered if we could discuss it once again now due to the number of requests we are receiving.

Supervisor Deming commented due to the ongoing requirements; 6 feet separation, wearing of face masks and only allowing up to 50 people per gathering, he cannot see how we are able to proceed with rentals. The Board agreed that it would be too difficult to enforce at this time and asked Clerk Harris to cancel all rentals scheduled for August. Supervisor Deming stated we will continue to monitor how things are progressing, but will not rent the hall until we are comfortable with the situation. Clerk Harris will notify the August rentals of the Board's decision.

3) Jerry Ayers correspondence

Supervisor Deming reported that he received an email from Jerry Ayers on June 22nd stating he is still experiencing address issues after the change. Mr. Deming asked Mr. Peter if he had a chance to review the email (The Board also received a copy of Mr. Ayers' email prior to the meeting). Mr. Peter replied he had reviewed the email and commented with the address changes made two years ago to the area he thought it should make the situation better not worse. GPS and shipping companies may not have updated. Supervisor Deming stated he will pass this request on to Livingston County 911 for assistance.

(See attached correspondence)

Patti

From: Gerald Ayers <gpayers@yahoo.com>
Sent: Monday, June 22, 2020 2:34 PM
To: yorksupr@rochester.rr.com
Subject: Duplicate Street Addresses on Linwood Road

RECEIVED
BY PAB | 6/22/20 DATE

I have had constant address problems ever since GPS and apps have been used to locate my address! I have multiple concerns: 1) Emergency response vehicles can only find my location approximately 50% of the time. 2) I regularly give directions to lost people who cannot find any addresses on either section of numbers on Linwood Road. (1-3 times per week, for about the last 10 years, you do the math)

3) I regularly sell farm products online or through online auction services. They collect the sales tax! That means that since the other 2021 Linwood Road is in Genesee county, for the last 10 years a portion of my sales tax, paid by my customers, has been paid to Genesee County. I think it would be to your financial advantage, if not for public safety, to find a way so computer software programs don't get confused 50% of the time! The answer to this is not changing my address again. I was given this address, 2020, by the Town of York in 1977. In 2007, without any discussion, I received a letter telling me my new address was 2021. I am aware of discussions a few years ago of changing that portion of Linwood Road to Stewart Road. That would be the best solution.

Jerry

Sent from my iPad

4) Board of Elections

Supervisor Deming read aloud a letter from the Board of Elections stating after the recent State and Federal Primary held on June 23rd at the Town Hall, election inspectors made them aware of two (2) electrical outlets in need of attention in the main hall. Councilman Smith stated he will get together with custodian, Mr. Woodworth to address the matter.

5) David Rose correspondence

Supervisor Deming read aloud an email he received from resident, David Rose. Mr. Rose stated in order to fulfill a school requirement to perform community service, he and his wife, Molly are seeking permission to allow their daughter Lucy to volunteer under the supervision of Earl Lubanski, to paint fire hydrants in York. They understand that the Town will not be held liable or responsible for Lucy and no payment for her work will take place.

After little discussion the Board stated they do not have any issue with Lucy assisting Mr. Lubanski and agreed to grant permission.

6) Water Service Shut-off

a- 3229 Genesee Street

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to approve the Water Service Shut-off request submitted by Don Gullo for property located at 3229 Genesee Street. Voted on and approved, Yes-5, No-0.

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	#168-199	\$ 63,808.37
Consolidated W/S	#135-161	\$ 29,464.93
Lighting District	#7	\$ 1,440.78
Highway Fund	#120-131	\$ 39,788.40

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board Meeting until August 11th. Voted on and approved, Yes-5, No-0.

Town Board meeting closed at 7:33 p.m.

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