

York Town Board Meeting
November 10th, 2020
7:00 p.m.

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

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.) James Campbell (Town Attorney), Davies Nagel, Kirk Richenberg, Dustin Geiger, Carl Peter (Zoning/Code Officer) Justin Bennett (Baldwin Business Services) Joe McIlroy (Planning Board Chair) and Nicole Manapol (Letchworth Gateway Villages Director).

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

MINUTES

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve the minutes of the October 27th two Local Law Public Hearings, Budget Hearing and Special Town Board Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY

Mr. Worden reported the following for the Highway Department:

- We continue to enjoy the great weather for as long as we can.
- We have mowed the cemeteries, parks and roadside for hopefully the last time.
- The department wedged Stewart Road for the County
- Plow equipment is ready to go.

Mr. Worden reported that we still have money in the 2020 budget for two pickup trucks (one for the Highway Department & the second for the Water/Sewer Department) and has since priced out on the piggy back bid process. There are (2) ¾ ton trucks, gas engine with electric windows totaling \$53,966.40. We are able to purchase (1) plow for \$5,000.00, making the complete total \$58,966.40.

Councilman Smith inquired why we are looking at Dodge vehicles now when we have priced GM vehicles previously. Mr. Worden replied that GM does not have anything for us right now and commented he does not care what brand as long as we can obtain a good price.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell authorizing Highway Supt Worden permission to proceed with purchase of two (2) Dodge ¾ ton pickup trucks along with one (1) plow at a cost not to exceed \$58,966.40. Voted on and approved, Yes-4, No-0.

WATER/SEWER:

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

- The new watermain on Anderson Road was recently flushed and was approved by the Livingston County Health Department. The valves are open now to the hydrants if the fire departments should need to utilize them.
- Treatment Plant has been running smoothly. Jim Hodges has been using some vacation time but the other employees continue to get work done.

Councilman Smith asked if we have an anticipated time frame for the Anderson Road residents to connect.

Mr. Worden answered, according to the Health Department we can allow residents to begin the connection process but wondered how we will do this safely since our department must enter every structure. We have to verify that wells are disconnected properly so as to not cross contaminate our system. Anyone with a meter pit will be easy to confirm.

Supervisor Deming spoke with Mark Grove of the Health Department about this situation and he suggested that perhaps discuss with our engineers to potentially conduct the inspection, Mr. Worden stated that he has spoken with Clark Patterson and they are not interested in entering the homes for the same reason (Covid-19). Mr. Worden suggested that our personnel get tested prior in order to reassure the residents.

Councilman Smith commented that we need to come up with a solution in order to get the homes connected, people are very anxious about obtaining town water. May we need to address this question with those residents so they feel more comfortable allowing town employees in their home.

York Fire Chief, Dustin Geiger stated that the Fire Department has a spare contactless thermometer that they are willing to allow the Town to use during this process. Supervisor Deming and Mr. Worden thanked Mr. Geiger for his offer and agreed that would be helpful.

Mr. Richenberg asked if the town has contact tracing, how can we make sure others are not positive?

Councilman Smith replied we should be able to verify with the County that homes we are entering are not listed as positive cases and safe to enter their homes.

*NOTE: The Town office has documented visitors to the Town Hall (date, name, time) from the time we re-opened the building on July 7th of this year for contact tracing purposes.

PRIVILEGES OF THE FLOOR:

1) Nicole Manapol/Davies Nagel:

Ms. Manapol gave an update of the Trail Town Initiative. In May of this year the Town of York supported a grant application, and is happy to report that the program was awarded over \$300,000. Ms. Manapol stated their ultimate goal is to grow programs to 10 additional communities but came this evening to re confirm the Town of York's commitment. They wish to create an alignment between groups, municipalities, businesses and residents over the course of the year to work on digital mapping to identify and market areas. Ms. Manapol stated due to Covid-19, they have been assisting businesses online and have been quite busy in this format.

Supervisor Deming asked how Letchworth Gateway Villages is different from County Tourism. Ms. Manapol stated that the County markets existing business, where their research helps attract and build new ventures. Letchworth Gateway Villages is able to work across County boundaries and across the region.

Supervisor Deming inquired as to "What do you believe draws people to the Town of York?". Ms. Manapol replied that York has several things: Abbey of the Genesee, The Yard of Ale, True North Farm, Dublin Corners, Hillcrest and Linwood Gardens as well as Cycle Path. With what we all have been dealing with, we are certainly trying to promote outdoor activities to the communities.

Mr. Nagel commented that Trail Town programs certainly work and bring good things to a community. Mr. Nagel added as Ms. Manapol stated the main goal for the time being is to confirm the Town of York's support for this project and agree to helping community members and Letchworth Gateway Villages staff to establish a Trail Town committee in York that will be responsible for liaising with the LGV team by organizing activities in York and participating in workshops over the course of the year. At this time, Mr. Nagel offered to head up the committee to then submit information to the Town Board.

Supervisor Deming asked if monies were available for Little Italy?

Ms. Manapol replied that LGV provides strategic material on how to prioritize and obtain funding.

****Written Comment submitted: (11-6-2020)**

Well I think this is great!

We plan to add rooms to rent to Hillcrest for overnight stays when we have events and I love the idea of collaborating with local businesses to help grow awareness of our community and increasing area tourism and business revenue. We will also be listing our carriage house this winter as an Air BNB. I actually planned to create a little "local destinations" guide for guests already.

The Wilcox/Rodwell family supports this!
I just resigned from my full-time job as an Advertising Agency Account Supervisor and will be doing freelance marketing for local business. Would love to assist in any way I can assuming this gets pushed through.

Warmest Regards,
Kate

Supervisor Deming asked the Board if they felt there was a downside?

The Board replied that there is no downside for continued support.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell for continued support of the Trail Town Program and appointment of Davies Nagel as the Town of York representative. Voted on and approved, Yes-4, No-0.

Letchworth Gateway Villages 2020-2021 Genesee Valley REDI Trail Town Destination Development Project

Project Summary:

The Letchworth Gateway Villages (LGV) initiative is a municipal consortium formed in 2017 by the villages of Perry (Wyoming County), Mount Morris and Geneseo (Livingston County) to catalyze economic growth and new tourism-related opportunities for rural communities serving as gateways to one of New York State's top attractions - Letchworth State Park. Through network-building, technical assistance and research, our mission is to foster the regional cooperation needed to build a 21st Century rural economy.

In conjunction with stakeholders working with LGV through the Rural Economic Development Innovation (REDI) planning process, LGV was awarded funding by the USDA and Northern Border Regional Commission (NBRC) to establish a Trail Town destination program in select rural communities in the five-county Genesee Valley Region with the goal of creating a Trail Town model that can be replicated across additional communities in the future. Project components will include:

- Destination capacity building for each municipality (e.g. business coaching and support, digital marketing training, networking and assessments)
- Development of consistent trail town branding guidelines for signage, wayfinding and other marketing assets.
- Trail town enhancements, including kiosks, signage and wayfinding, trailhead improvements, and public art that improve trail to town connectivity.
- Development of a revolving loan fund to support new venture creation and other municipal activities that advance outdoor recreation tourism, now and into the future.

What is a Trail Town Program?

The Trail Town Program revitalizes rural communities by growing outdoor tourism and small businesses. First launched in 2007 to help support communities along the 150 mile Great Allegheny Passage (GAP), the program now helps trails nationwide follow their lead. Through a combination of assessment and research, consistent trail-wide marketing, business coaching and support, and nee-work-building, the Allegheny Passage Trail Town program was able to grow 65 new businesses and 270 jobs in 10 years, achieving an overall economic impact of \$50 million per year with 40% of local income generated from outdoor recreation (up from 25% when the initiative started).¹

Why a focus on Outdoor Recreation - why now?

With the COVID-19 pandemic, our communities are going to need all the support they can get to recover including how to adapt to a new normal in a post-pandemic environment. Forecasts on consumer behavior anticipate that consumers will shift towards buying local, travel closer to home and seek opportunities for outdoor recreation in nature. Developing a Trail Town destination model for our area represents an important opportunity to build resilient and sustainable communities now and in the future.

Key benefits to partner municipalities include:

Progress Fund Trail Town Program Impact: <https://www.trailtowns.org/about-us/>

- Small business coaching and support, including digital transformation and adaptation to new economic realities in a post-pandemic environment
- Consistent marketing, branding and wayfinding for communities and businesses near Letchworth State Park, the Genesee Valley Greenway State Park, the Genesee River, and DEC State Forests in the Genesee Valley Region.
- Improved capacity at the municipal level for destination planning, collaborative marketing, assessments and funding.
- A model trail town program that can be replicated in other communities in Livingston County as well as the broader Genesee Valley Region.

Over the long term, the project will:

- Increase overnight stays and spending in the communities which in turn generates important bed and sales tax for counties.
- Increase property values and investment with the addition of trail amenities ● Improve rural infrastructure while protecting trail assets and surrounding nature ● Contribute to social cohesion and pride in place.

USDA Rural Business Development Grant Program

The USDA Rural Business Development Grant Program provides funding to support targeted technical assistance, training and other activities leading to the development or expansion of small and emerging private businesses in rural areas which will employ 50 or fewer new employees and has less than \$1 million in gross revenue. The Village of Perry will be applying for the funding on behalf of the LGV initiative and partner communities.

The Northern Border Regional Commission

The Northern Border Regional Commission (NBRC) is a partnership between the federal government and the States of Maine, New Hampshire, New York and Vermont. Its mission is to catalyze regional, collaborative, and transformative community economic development approaches that alleviate economic distress and position the region for economic growth.

For more information please contact:

Nicole Manapol, Director
Letchworth Gateway Villages
46 N. Main Street
Perry, NY 14530

Phone: (585) 237-8079 email:
director@letchworthgatewayvillages.org

GENESEE VALLEY

DIGITAL MAP GUIDE PROJECT



"THE BEST

SHARE WHAT YOU LOVE

TRAVEL ADVICE COMES FROM THE PEOPLE WHO LIVE THERE"

Letchworth Gateway Villages has created an online Map Guide of the unique local businesses and attractions visitors can discover in the communities that surround Letchworth State Park.

You are invited to map your favorite places of interest, local businesses, events, music, stories, etc. to be included on the map

Anyone can participate and your contribution will support the places you love most by helping to

promote travel in the region!

TO GET INVOLVED VISIT:

www.exploregenesevalley.com

contact | nina@letchworthgatewayvillages.org | (585)738-7592

2) Baldwin Business Services:

a-Justin Bennett:

Mr. Bennett informed the Board that he and Supervisor Deming received a telephone call from the Real Property Director, Bill Fuller stating that the format he prepared for vacant land parcels for the 2021 budget cannot be broken out, and asked that we re-adopt the budget with revisions outlined:

County Requested we not break out the Vacant land on the Town of York Budget because their formulas already break it out on their end.

County provided an updated EDU and number of feet of vacant land so we need to adjust a couple water districts tax levy, as follows:

Anderson Road originally proposed \$49,704.50
Anderson Road reduced to \$45,220.50
Reduction of \$4,484

Linwood Road originally proposed \$46,045.50
Linwood Road reduced to \$42,885.50
Reduction of \$3,160

Old State Road originally proposed \$2,822.81
Old State Road reduced to \$2,342.81
Reduction of \$480

Total Reduction of \$8,124

Offset lines:

Reduction of line SW8320.4 of
\$6,265
Reduction of line SW9950.9 of
\$1,859
Total Offset: \$8,124

ADOPTION

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve revisions and adoption to the 2021 Town of York Budget, as presented. Voted on and approved, Yes-4, No-0.

3) Kirk Richenberg
Mr. Richenberg posed several questions to the Board this evening:

Q- Regarding Anderson Road project, it is so late in the season for restoration what kind of protection do the taxpayers have?

Supervisor Deming replied that some restoration will be conducted now and final restoration will take place in the spring. Money has been retained until a final inspection of the area has been completed.

Comment: Quite a bit of the work was on the shoulders, I believe there will be shoulder problems in the future.

Q- Why was the contractor putting in culverts?

Mr. Worden answered that the culverts in that area were not in good shape.

Q- Was there more money involved?

Mr. Worden replied that monies used for culvert replacement were part of the bid price.

Q- Does the budget revisions delay the deadline for filing?

Supervisor Deming answered fortunately we are fine, Bill Fuller caught this quickly so we had enough time to approve tonight before the deadline.

Q- I have concerns about the budget, Town Board members met separately with the accounting firm, why not meet as a unit?

Supervisor Deming replied each Town Board member met separately with him and Mr. Bennett to ask their own questions pertaining to the budget, and feels that it went very well.

Comment: If questions were heard by the public it might have spurred additional questions and feels we should have been included.

NEW BUSINESS

1) Town Hall rental

Supervisor Deming discussed with the Board their thoughts on the status of upcoming rental requests of the Town Hall. Mr. Deming reported that Livingston County had 26 new cases today of COVID. The Board recommended not renting the hall for December of 2020 or January of 2021.

2) Justice Audit

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith acknowledging that the York Town Board examined Justice Thomas Porter and Justice Daniel Koch's court records for the fiscal year ending December 31, 2019. The Board found them to be procedurally adequate for control of monies, per Section 2019-a, of the Uniform Justice Court Act. Voted on and approved, Yes-4, No-0.

3) Change Order

Supervisor Deming stated that we have a change order for Anderson Road Water Project. The change order includes:

- a- Final quantities, which did increase to cover additional water main to the east & west on Telephone Road and to the east on Simpson Road.
- b- The replacement of 8 culverts on Town roads (per Mr. Worden)
- c- The addition of a gravity drain to the PRV vault
- d- The total increase is \$107,088.40

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the change order for Anderson Road water project, prepared by CPL in the amount of \$107,088.40. Voted on and approved, Yes-4, No-0.

**There is still \$83,972.60 remaining in contingency

OLD BUSINESS

1) Solar update

Attorney Campbell reported that he has spoken with Solar Park to move to completion on the PILOT and Community Benefit Agreement. He received word recently from their Attorney that they approved the agreement with only two minor changes. Mr. Campbell stated he is pleased that they seem to be willing to move forward. Supervisor Deming and Mr. Campbell have talked about a Road Use Agreement, and will be addressing this with Solar Park at a later date.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing Supervisor Deming permission to sign the Community Benefit & PILOT Agreement between the Town of York and Solar Park Energy, LLC. Voted on and approved, Yes-4, No-0.

Attorney Campbell reported that Solar Park has depleted their \$10,000 previously submitted, and we are waiting for additional funds before any actual approvals are given. Mr. Campbell stated he will be using the document prepared as a model for the OYA project as well.

Councilman Smith commented we certainly need to make sure the Town is reimbursed for what we have already paid out in order to pay bills on time.

Supervisor Deming asked what are our guarantees?, which Attorney Campbell replied the \$270,000 lump sum Community Benefit Payment due by the end of 2021 or completion of construction, whichever comes first.

Councilman Smith inquired where the Town stands on the Class Action Lawsuit?

Attorney Campbell stated that our answer has been submitted, and is now going to Discovery, to see what evidence or documentation they have. Mr. Campbell added they could also request official records from the Town as well and could be depositions. The Plaintiff can come in and ask questions, which will be on the record. Once Discovery is completed, motions are expected seeking to dismiss the case.

Councilman Smith asked if we have a timeline?

Attorney Campbell answered that Discovery will be the next 6-8 months. Mr. Campbell stated he is aware of the town monies to be spent over this period, but added we do not have a choice in order to defend ourselves all due to the fact that the Statute of Limitations for this matter was not suspended. You are going to see months where it's less expensive than other months, it will depend on how the case progresses. Mr. Campbell also stated that we did receive a letter from Selective Insurance stating that they conducted an exhaustive search, but found nothing.

Mr. Richenberg asked for clarification, is this a class action suit or individual suit?

Attorney Campbell replied this is an individual action against the Town.

After no further questions or comments...

BILLS:

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

- General Fund #283-308 \$ 16,732.61
- Consolidated W/S #238-257 \$ 943,045.20
- Lighting District #11 \$ 1,661.42
- Highway Fund #181-199 \$ 11,755.37

ADJOURNMENT:

RESOLUTION offered by Mr. Gates and seconded by Mr. Smith to adjourn the Town Board Meeting until December 8th. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 7:50 p.m.

Respectfully Submitted,
Christine Harris
Christine M. Harris, Clerk