

York Town Board Meeting  
September 27, 2007

Present: Supervisor Gerald L. Deming, Council Members: Lynn Parnell, William Hasler,  
Norman Gates and David Sliker

Absent: None

Others: Frank Rose Jr., David Deuel, Gary Wall, Jason Johnson and Norman Barrett  
( Senior Water & Sewage Treatment Plant Operator)

Supervisor Deming opened the Town Board Meeting at 7:35 p.m.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Sliker to approve the minutes of the September 13<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Gary Wall:

Mr. Wall came this evening to discuss with the Board an offer he received from Jason Johnson to continue to conduct business at the location previously occupied by Mike VanGelder, with a current zoning of commercial. Mr. Wall stated half of the property will be used by Mr. Johnson and the other half will be used for storage purposes. Mr. Johnson's application is for the purpose of selling used vehicles at 3678 Main Street. Mr. Johnson stated that his business would consist of selling ONLY, no repairs will take place on site.

The Board discussed with Mr. Johnson and Mr. Wall stipulations regarding this request in order for approval. They are as follows:

- No more than 3 outside vehicles for sale at one time in front of the building abutting to Route 63 (Genesee Street)
- No more than 3 vehicles for sale inside at any given time
- Vehicles for sale may not hinder visibility entering or exiting Rt. 63, in order not to block existing driveway
- All vehicles must be certified NYS inspected
- Must upgrade existing sign as per approval by variance granted to Mr. Wall

\*\* If any of the above stipulations are not adhered to, approval may be revoked at anytime.

RESOLUTION offered by Mr. Sliker and seconded by Mrs. Parnell to approve the request of Jason Johnson for the purpose of selling used vehicles at 3678 Main Street, building owned by Gary P. Wall Real Estate, with the five stipulations listed above. Voted on and approved, Yes-5, No-0.

## NEW BUSINESS

### 1) 2008 Preliminary Budget:

RESOLUTION offered by Mr. Sliker and seconded by Mr. Gates to adopt the 2008 Preliminary Budget as presented. Voted on and approved, Yes-5, No-0.

### 2) 2008 Budget Hearing:

RESOLUTION offered by Mr. Sliker and seconded by Mrs. Parnell to schedule the 2008 Budget Hearing for Thursday, October 11<sup>th</sup>, 2007 at 6:30 p.m. at the York Town Hall. Voted on and approved, Yes-5, No-0.

### 3) Water Shut-off:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Hasler to approve the Water Service Shut-off request submitted by James Weylman for property located at 2561 York Road West. Voted on and approved, Yes-5, No-0.

\*\* water charges will cease but sewer charges will remain

### 4) Cemetery marker:

Town Clerk, Mrs. Harris informed the Board of a recent email she received for a request of the Town Board. Mrs. Harris stated that a gentleman by the name of Frank Laumer is asking the Board to consider allowing him to place a historical marker in the Wadsworth Cemetery, commemorating the life and death of Private Ransom Clark.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the request made by Frank Laumer for a historical marker of Private Ransom Clark in the Wadsworth Cemetery and to suggest to Mr. Laumer to contact Town Historian, Stephen Gates to involve him in the process. Voted on and approved, Yes-5, No-0.

## WATER/SEWER

### 1) Gates Farm:

Mr. Barrett reported that the Gates waterline is installed and running quite smoothly. The Town has not had any problems servicing the quantity of water to them, and the surrounding water customers have not experienced any drop in water pressures from the new line.

### 2) River crossing:

Mr. Barrett informed the Board that the Water Department will be finishing restoration work on the land disturbed by the river crossing project, on the Geneseo side. Mr. Barrett added that he wants to complete the clean up process shortly because Bill Vitale has been very anxious about it and has contacted Mr. Barrett several times about a time table. The department will be conducting the restoration work within the next two weeks.

3) DEC Inspection:

Mr. Barrett reported that the Department of Environmental Conservation (DEC) conducted their annual inspection of the Wastewater Treatment Facility yesterday. The visit went very well, but DEC is requiring that a copy of the asbuilts for the sewer plant upgrade be filed with their office in the near future.

Supervisor Deming stated in order for the sewer plant to have any upgrades, all paper work including asbuilts prepared by Clark Patterson Associates, had to be approved first by DEC before continuing forward with the project, DEC should have a copy on file. Mr. Deming added he would contact Rick Henry in the morning to discuss the matter further.

4) Arkema:

Mr. Barrett reported to the Board that Arkema experienced and corrected a water break at their plant on Monday of this week. Once the Water Department was notified of the correction, we then flushed all dead end lines to remove any excess material or dirty water in the pipes. Mr. Barrett stated the residents in the hamlet of Piffard were very understanding throughout the process.

5) Bob Lowden:

Mr. Barrett stated that Bob Lowden stopped to see him today at the treatment facility to discuss his home on Chandler Road. Mr. Lowden apologized for not attending the meeting scheduled a few weeks earlier, but wanted to answer any questions or concerns the Town may have with his property.

Mr. Barrett informed Mr. Lowden that the current 30 foot right of way to his property will be changing hands shortly, in order to be added to the parcel owned by Barbara Martin. The parcel currently has the horse barn upon it, leaving Mr. Lowden with no access to Chandler Road and ultimately land locking him. Mr. Barrett added before the right of way issue was changed, Mr. Lowden had all his utilities placed in that 30 foot piece, which is now becoming the main focus. Mr. Barrett informed Mr. Lowden that the property legalities need to be ironed out with Ms. Martin before the Town can issue him a Certificate of Occupancy.

Supervisor Deming stated that our sewer and water policies clearly state that an easement from Ms. Martin will not be the "saving factor" for Mr. Lowden because he must own the property that his utilities are on. Mr. Barrett reported that Mr. Lowden discussed purchasing some land from Sam Swearingen on Chandler Road in order to install a driveway to his residence. Mr. Deming replied that this might be the only solution to the matter, but until legal issues have been resolved the Board will wait to hear from Mr. Lowden.

6) Bernecker waterline:

Mr. Barrett informed the Board that Art Bernecker's waterline is moving forward quite well. Mr. Bernecker's Engineer, Sandy Vreeland is finalizing the plans for approval. Once the plans have been reviewed and approved, Mr. Barrett will sign them in order to file with the Livingston County Health Department. The stipulations are as follows:

- Waterline needs to be buried 4 ½ feet below the road
- Need to separate the lines for water and sewer
- Pipe: Ductile Iron

BILLS

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

Retsof Sewer District	# 103-108	\$ 2,081.26
York Sewer District #1	# 44-45	\$ 1,249.95
Consolidated Water	# 202-209	\$ 5,129.95
General Fund Claim	# 304-314	\$ 11,892.62
Highway Fund Claim	# 152-160	\$ 68,776.96

OTHER

1) Mark Hilyard residence:

RESOLUTION offered by Mr. Gates and seconded by Mr. Hasler to approve the request submitted by Town Assessor, Anne Sapienza to reduce the water and sewer unit charges for the property located at 2552 York Road West, owned by Mark & Evelyn Hilyard from 2 units each to 1 on the upcoming and future Town and County tax bills. Voted on and approved, Yes-5, No-0.

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Sliker to adjourn the Town Board Meeting until October 11<sup>th</sup> Budget Hearing. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:57 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk