

York Town Board Meeting  
June 12, 2008

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

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.), Norman Barrett (Senior Water & Sewage Tr. Pl. Op.), Gary Wall, Jeff Edwards and Carl Peter (Zoning & Code Officer)

Supervisor Deming opened the Town Board Meeting at 7:30 p.m.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to approve the minutes of the May 22<sup>nd</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

\*\* 7:32 p.m.- Councilman Rose arrived at this time.

PRIVILEGES OF THE FLOOR

1) Gary Wall:

Mr. Wall came this evening to discuss with the Board his continued plans to purchase and manage properties within the Town of York and his dealings with our Zoning & Code Officer, Carl Peter. Mr. Wall stated that he has had the opportunity to work with zoning officers in other towns, and has not incurred the problems with them as he has with Mr. Peter.

Mr. Wall stated in working with other zoning officers, he can see that they are willing to help him to better understand the zoning guidelines in each community, which allows a form of respect from both parties, something he feels he does not have in the Town of York.

Mr. Wall indicated to the Board that the main concern he has, and the reason for speaking with them this evening is to express his frustration with Mr. Peter when he is required to follow a rule or "code" that other business owners or residents are not required to adhere to. Mr. Wall added that he has asked Mr. Peter several times when the need arises to enter onto his property, to please contact him before hand so he may be present as well as the tenants, which he has not followed through with. Mr. Wall informed the Board that he recently met with the Zoning Board of Appeals (Public Hearing was May 22<sup>nd</sup>) to request a variance for signage at his Geneseo/York Storage Solutions property on Genesee Street (Route 63). He was denied the variance and believes Mr. Peter swayed that Board into making the decision they made. Mr. Wall added that New York State Codes indicate that a temporary sign may be up for no more than 6 months at a time.

Mr. Wall documented many examples of his dealings with Mr. Peter over the past three years, and asked the Board for their assistance for a resolve. Mr. Wall stated that he has invested a great deal of time, effort and money into the properties he owns and asked the Board to help remedy the situation, in order for all taxpayers to be treated equally.

Mr. Wall stated he is looking to have more input from the Town Board and less from Mr. Peter because he continues to encounter “road blocks” when dealing with him.

The Town Board thanked Mr. Wall for coming this evening and stated they will review the documents submitted and then schedule a meeting with him to discuss the issues further in hopes of a resolution.

2) Jeff Edwards:

Mr. Edwards asked to speak with the Board this evening to discuss an intersection issue. Mr. Edwards stated that as a business owner (Genesee Valley Feeds), he witnesses several times a week dangerous encounters at the corner of Chandler Road and Retsof Road. Mr. Edwards stated that traffic has increased and the rate of speed has as well in that area, which will sooner or later reflect a serious accident. Mr. Edwards expressed that the drivers are not stopping at the intersection and asked the Board to place “stop ahead” signs on those roads, to hopefully slow down the flow of traffic.

Supervisor Deming stated that the Board has addressed this issue several times over the past 10 years and asked the Livingston County Traffic Safety Board for assistance in the request. The Traffic Safety Board replied that both roads are town roads and a decision must be made by us, which did not give the Board any guidance. The Board suggested at that time to perhaps trim down the knoll on Chandler Road for better visibility, but was steered away from that once the estimate was given.

Highway Superintendent, Mr. Worden stated he would be willing to post “stop ahead” signs on Retsof Road with flags placed on either side, in order for drivers to view more clearly until a better solution can be reached.

## HIGHWAY

1) Oil & Stone:

Mr. Worden reported that the Highway Department completed the oil & stoning of the roads in the Piffard hamlet, but has yet to broom the area until a rainy day occurs, in order to alleviate a great deal of dust to the homeowners.

2) Parking lot:

Mr. Worden informed the Board that he has the parking lot slated for blacktopping in mid July.

3) New truck:

Mr. Worden stated that he received the new pick up truck a few weeks ago, and was quite pleased that he was able to have it in time to take to the Highway Superintendent training session.

4) Abbey of the Genesee:

Supervisor Deming asked Mr. Worden what the status was on the request made by the Abbey of the Genesee a few months ago regarding signs on Monastery property. Mr. Worden replied that he has been quite busy and has not yet met with them, but when a meeting is scheduled Walt Purtell (Chairman of the Liv. Co. Traffic Safety Board) offered to attend as well to discuss the possible placement of road signs.

## WATER/SEWER

### 1) Water Tank:

Mr. Barrett reported due the heat spell a great deal of water is being used and the town pump had to be started. The pump was started last Friday and continued running throughout the weekend and into Monday when readings were taken. The reading showed that the tank had dropped 14 feet. Currently we are at 20 feet and will not stop the pump until the tank reaches 24 feet once again. Mr. Barrett stated that large consumptions of water was used in a very short span of time, some of which we are certain was filling of swimming pools.

### 2) Meters:

Mr. Barrett stated that his department picked up the equipment today to begin reading the water meters. The men are usually able to complete the reads within 3-4 days, which is incredible considering the fact that we are only a few shy of 1,000 meters installed.

### 3) Coin meter:

Mr. Barrett reported that the coin meter at the Highway Department has been continuously busy. Roger McCracken emptied the container a few weeks ago and Town Clerk, Mrs. Harris emptied it again two days ago, with \$ 529.00 collected. Many of the local farms are hauling on a daily basis tanker trucks to and from this site.

### 4) Retsof Road:

Mr. Barrett stated that the Retsof Road watermain project is tentatively scheduled for early July.

### 5) Route 63 Quote:

Mr. Barrett reported at the last Town Board Meeting, Councilman Gates asked Mr. Barrett to obtain an estimate to proceed across the flats on Route 63. Mr. Barrett stated he spoke with Carl Chichester of Blair Supply about the materials needed and he estimates for 12 inch HDPE plus misc. fittings, the total would be approximately \$ 105,000.00 ( \$ 104, 000 –pipe + \$ 1,000–fittings). The area would encompass the end of the new main installed last year to roughly ½ to ¾ of the way to Chandler Road.

### 6) Summer help:

Mr. Barrett discussed with the Board the possibility of hiring some summer help, especially when the Retsof Road water project is underway. Mr. Worden asked Mr. Barrett if he would like to use one of the full-time Highway men when the project gets started, or perhaps use a part-time person from Mr. Worden's list. Mr. Barrett thanked Mr. Worden for his willingness to share an employee, but noted that their work schedule is equally as busy as the Water Departments and agreed that a part-time employee might be the beneficial way to go.

### 7) Pressure issues:

Mr. Barrett addressed water pressure issues in our system. Mr. Barrett stated that a few areas in our water district continue to experience very low pressure, especially the Cowan Road area. Mr. Barrett stated that a comment was made by a resident on Cowan

Road to the office staff on Monday that the weekend was very difficult because their water pressure was almost nonexistent.

After a brief discussion the Board agreed that we need to address the matter and asked Mr. Barrett to contact Paul Chatfield Engineers for assistance.

### OLD BUSINESS

#### 1) Koch Spraying Services:

Mr. Barrett reported that the Town received a claim today from Koch's Spraying Services (Josephine Koch) dated September 5, 2006 in the amount of \$ 125.00. Mr. Barrett stated that the bill reflects wasp treatment at the Highway Barns (for the water coin meter area), but no one in the Water Department recalls asking Ms. Koch to spray.

The Board agreed to table this discussion and potential payment until verification of the claim.

#### 2) Dubiel matter:

Supervisor Deming updated the Board on the Dubiel situation. Mr. Deming stated at the meeting on May 22<sup>nd</sup>, the Board offered to pay half of Mr. Dubiel's repair claim. The Town shortly thereafter received confirmation from the Dubiels that they were willing to accept the Town's offer in order to resolve the matter.

### NEW BUSINESS

#### 1) SRO Meeting:

Supervisor Deming stated that he would like to schedule a meeting with the Town of Leicester and York Central School's Resource Officer (SRO) within the next month, and asked the Board which date in July would be better, the 8<sup>th</sup> or the 22<sup>nd</sup>. The Board agreed that either date would be acceptable and will now contact Supervisor Gary Moore to verify the date and time with his Board.

#### 2) Deputy Town Clerks deletion:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to delete two (2) Deputy Town Clerk positions, reflecting Norma Geary as the Sole Deputy Town Clerk for the Town of York.

\* Resolution prepared at the request of the Livingston County Personnel Office.

#### 3) Historian Resolutions:

##### a- Deletion:

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to delete Davies Nagel as Co-Historian for the Town of York. Voted on and approved, Yes-5, No-0.

##### b- Re-Appointment:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to re-appoint Stephen Gates as the Sole Assessor for the Town of York. Voted on and approved, Yes-5, No-0.

\*Resolutions prepared at the request of the Livingston County Personnel Office.

4) Deuel Subdivision:

Supervisor Deming reported that Mr. Deuel has met with the York Planning Board about his plans to subdivide his parcel on Telephone Road (Route 20). The Planning Board held a Public Hearing on the matter and recommends approval from the Town Board.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the David Deuel Subdivision as per recommendation by the York Planning Board. Voted on and approved, Yes-4, No-0, Abstain-1, David Deuel.

OTHER

1) Wadsworth Cemetery:

Council Member Parnell reported to the Board that Snyder Brothers began the second phase of their restoration on Monday in the Wadsworth Cemetery. She will continue to keep the Board informed of their progress.

2) Website:

Mrs. Parnell stated that Design FM is still gathering information and pictures for the Town's website. Proposed completion date is within a month.

3) Neighbor dispute:

Supervisor Deming informed the Board of a recent neighbor dispute in the Retsof area. Mr. Deming stated that he has received numerous telephone calls from Gary Boyd and Mike VanGelder (VanGelder's Automotive). Mr. Boyd claims that Mr. VanGelder is re-adjusting dirt on his property which may change the flow of excess water onto his property, and recently contacted the Livingston County Sheriff's Department with a complaint. Mr. Deming stated that an officer came out to evaluate the situation only to discover that Mr. VanGelder was only filling in low spots on his property, nothing severe enough to change direction of any water. Mr. Deming stated after the incident, Mr. Boyd has continued to contact him to have the Town involved in the matter. Mr. Deming informed Mr. Boyd and Mr. VanGelder that this issue is strictly between those two men, this is not a Town matter and both men have received a letter from Town Attorney, Mr. Cicoria stating this.

OTHER

1) Zoning suggestion:

Councilman Rose stated in addition to a Highway and a Water & Sewer report given at each Board Meeting, he suggested that Zoning & Code Officer, Mr. Peter attend as well to inform the Board of the zoning activities. The Board agreed that a zoning report would be beneficial, but stated perhaps one meeting per month rather than every meeting. Mr. Peter agreed that the suggestion was a viable one, and will be attending the Town Board Meetings monthly.

BILLS

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to pay all claims brought before the Board. Voted on and approved, Yes-5, No-0.

Sewer Districts	# 90- 101	\$ 125,091.73
Consolidated Water	# 112-131	\$ 7,393.61
General Fund Claim	# 180-207	\$ 13, 812.06
Youth Fund Claim	# 10	\$ 45.00
Street Lights	# 6	\$ 1,383.78
Highway Fund Claim	# 113-130	\$ 20,817.81

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to adjourn the Town Board Meeting until June 26<sup>th</sup>. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:27 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk