

January 10, 2008
Public Hearing
7:00 p.m.

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

Absent: Frank Rose Jr.

Others: Phil Cooper, Carl Peter and George Worden Jr.

Supervisor Deming opened the Public Hearing at 7:00 p.m.

PURPOSE

Supervisor Deming stated that the Public Hearing was called to discuss and review proposed Local Law #1-2008 entitled, “Town of York Unsafe Buildings Law”.

Zoning & Code Enforcement Officer, Carl Peter explained that this proposed law would enable him a more clear definition for the New York State Uniform Code and its enforcement, and strongly urges the Town Board to approve it later in the evening at their regular meeting.

Town resident, Mr. Cooper stated that he has had the opportunity to read the proposed Local Law and believes it is very well written, but did suggest that in Section 2 under “Unsafe Building or Structure” (A), we should try to be more clear in the paragraph’s definition.

The Board agreed that the paragraph is a bit difficult to follow and advised Mr. Peter to restructure the wording in that particular section for better understanding, but otherwise feel quite comfortable with the document presented.

Supervisor Deming stated he would keep the hearing open for 5 minutes to allow any further comments or questions.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to close the Public Hearing at 7:12 p.m. Voted on and approved, Yes-4, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk

January 10, 2008
Public Hearing
7:15 p.m.

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

Absent: None

Others: Phil Cooper, George Worden Jr., Carl Peter, Ronald Cicoria (Town Attorney),
Norman Barrett and Chris Pascuzzo

Supervisor Deming opened the Public Hearing at 7:15 p.m.

PURPOSE

Supervisor Deming stated that the second Public Hearing was scheduled to introduce proposed Local Law #2-2008 entitled, “ York Local 1203, Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code”.

Mr. Peter stated that this Local Law would provide for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in the Town of York. Mr. Peter added that this is a New York State requirement for all towns throughout the state, and would allow the Code Officer more strength in enforcement of the written codes.

Mr. Peter also stated that this law should have been adopted several years ago, so we have a great deal of “catching up to do”.

Councilman Rose stated he has concerns on how this law would affect the local businesses, and the costs they would be incurring in renovations in order to abide by the codes.

Town Attorney, Mr. Cicoria strongly suggests to the Board they they adopt this proposed Local Law for potential legal reasons, and added that once adopted it would be the responsibility of the Town Board and Zoning/Code Officer on how strong they wish to enforce it.

After no further comment or questions....

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to close the Public Hearing at 7:30 p.m. Voted on and approved, Yes-5, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk

York Town Board Meeting
January 10, 2008
7:30 p.m.

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

Absent: None

Others: Norman Barrett (Senior Water & Sewage Tr. Pl. Op.), Phil Cooper, Ron Cicoria (Town Attorney), George Worden Jr. (Highway Supt.), Carl Peter (Zoning/Code Officer) and Chris Pascuzzo

Supervisor Deming opened the regular Town Board Meeting at 7:32 p.m.

MINUTES

RESOLUTION offered by Mr. Deuel and seconded by Mr. Rose to approve the minutes of the December 13th, 2007 Town Board Meeting and January 1st, 2008 Organizational Meeting. Voted on and approved, Yes-5, No-0.

PRIVILEGES OF THE FLOOR

1) Chris Pascuzzo:

Mr. Pascuzzo requested privileges this evening to discuss with the Board the sewer tap charge for his father's (John "Jack" Pascuzzo) new home. Before Mr. Pascuzzo began, Supervisor Deming stated he had the opportunity earlier in the day to speak with Jack about the matter of his easement during the installation of the sewer system. Mr. Pascuzzo conveyed to Mr. Deming that he had several conversations with then On-Site Inspector, Perry Gernold about granting an easement to the Town to proceed across his property, with the understanding that when he and his wife, Shirley decide to build their new home, a sewer tap would not only be available to them, but at no cost to connect, which Mr. Gernold agreed to on behalf of the Town. Mr. Deming added, when Mr. Pascuzzo presented his building permit application late last year, water & sewer tap application forms were included in the packet which he then submitted payment for. (Water & Sewer taps are \$ 1,500.00 each).

Chris Pascuzzo stated to the Board that he is pleased that Mr. Deming had the chance to speak with his Father today and respectfully request that the Board consider reimbursing him for the sewer tap fee he has already paid for.

After a short discussion the Board agreed under the circumstances surrounding the easement discussion, Mr. Pascuzzo will not be required to pay the \$ 1,500.00 sewer tap fee for the new residence on Pascuzzo Lane.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to reimburse John & Shirley Pascuzzo the \$ 1,500.00 sewer tap fee, upon receipt of the signed easement for such location. Voted on and approved, Yes-5, No-0.

HIGHWAY

1) Plows:

Highway Superintendent, Mr. Worden reported that the two new plows for the Highway trucks will be arriving on January 25th, which is much sooner than we originally thought.

2) Salt:

Mr. Worden updated the Board that we have continued to obtain salt from the desalinization plant in Leicester. Several other towns in the county have also decided to follow suit, but the Town of Leicester is not one of them. Mr. Worden stated that many more towns would like to receive the salt but would have to leave a truck on site in order to get any, and many do not have an extra truck to spare.

3) Gravel:

Mr. Worden stated that he spoke with the Conesus Highway Superintendent recently about their desire to purchase gravel from the Town of York.

Supervisor Deming replied, if Conesus or any other town is interested in material we have plenty in our gravel pit.

Mr. Worden added that the gravel pit renewal will be coming do once again this year, and once renewed will be set for 3 years.

4) Part-time rate:

Mr. Worden addressed with the Board the current hourly rate for part-time employees (\$ 9.50), as set at the Town's Organizational Meeting. Mr. Worden reported that the Town of York is one of the lowest paid for part-time help, with other towns paying \$2.00 to \$3.00 more per hour. Mr. Worden asked the Board to consider raising the rates for part-time help.

** Town Board Tour: Supervisor Deming stated that it would be appropriate to schedule a town tour within the next two weeks to visit the Highway, Water & Sewer facilities, in order to have the new members view the Town properties. The tentative date will be Saturday, Jan. 19, but we will have to firm up a time once everyone verifies their schedule.

WATER/SEWER

1) Sewer video:

Senior Water & Sewage Treatment Plant Operator, Mr. Barrett reminded the Board of the video taken by Sewer Specialties in December. Mr. Barrett stated that 23 laterals were crossed, 9 were suspect. Recently he asked Barefoot Septic to view the area as well in hopes that their smaller camera could pinpoint even further the trouble areas, which it did. Barefoot's video exposed two broken clean-outs, which Mr. Barrett has already contacted the homeowners about.

2) Water:

Mr. Barrett informed the Board that the Water Department was once again at the property of Jim & Nancy Templeton on Main Street, but not for a water break. After the break occurrence the first week of December, Mr. Barrett thought it might be a good idea to change out all the existing bolts in that area with stainless steel ones, which they did and believe should be quite solid for many years now.

3) Genesee St.- water leak:

Mr. Barrett informed the Board of a bill in this month's packet of claims. The bill is from Steve Morsch of Morsch Pipeline for a water leak he corrected on Genesee Street at the property of Nancy Grant.

Mr. Barrett stated after Mr. Morsch began digging they verified that the leak must have occurred during the sewer installation time in Piffard, noting that it has slowly been leaking for roughly 3 years until the homeowner could hear it just recently.

** A Public Works Committee Meeting will be scheduled before the end of January to discuss and verify the upcoming projects in the departments.

OLD BUSINESS

1) Dieter letter:

Supervisor Deming reported to the Board that we received a letter on December 18, 2007 from Roger & Cindy Dieter asking the Board to consider applying the money they believe they over paid last year, toward this year's tax bill.

After a brief discussion the Board stated that this issue had been resolved by the previous Board and do not believe that there is any reason to overturn that decision.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to reject the request submitted by Roger & Cindy Dieter for reimbursement. Voted on and approved, Yes-5, No-0.

Supervisor Gerald Deming	Aye
Council Member Parnell	Aye
Councilman Gates	Aye
Councilman Deuel	Aye
Councilman Rose	Aye

NEW BUSINESS

1) Ray Simpson request:

Supervisor Deming read to the Board a request from Raymond Simpson, to consider a water adjustment at his property on Main Street. Mr. Simpson recently located a major water leak to his barn and has since disconnected the line in order to alleviate any further leakage, and at this time asks the Board for an adjustment.

Town Clerk, Mrs. Harris reviewed with the Board Mr. Simpson's water history, noting that on average his residence uses the minimum for a 3 month period (0-6,000 gallons). The January bill encompassed 109,000 gallons of water, which totaled \$ 442.54.

Supervisor Deming informed the new members of the Board of the Town's water adjustment policy, and stated that Mr. Simpson would definitely qualify for it.

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose granting Raymond Simpson a water adjustment on the January- 2008 bill, as per Town policy. Voted on and approved, Yes-5, No-0.

** Mr. Simpson's savings after the adjustment: \$ 139.94

2) Local Law #1-2008:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve Local Law #1-2008, entitled "Town of York Unsafe Buildings Law" as presented. Voted on and approved, Yes-5, No-0.

3) Local Law #2-2008:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to approve Local Law #2-2008, entitled " York Local 1203 Law; Administration & Enforcement of the New York State Uniform Fire Prevention and Building Code" as presented. Voted on and approved, Yes-5, No-0.

4) Proposed Local Law #3-2008:

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to schedule a Public Hearing for Thursday, February 14, 2008 at 7:15 p.m. The purpose of said hearing is to discuss and approve the Senior Citizens Exemption and Persons with Disabilities and Limited Incomes Exemption for 2008. Voted on and approved, Yes-5, No-0.

5) Gates Water:

Supervisor Deming reported to the Board that he received a telephone call this week from Gates Farms asking for clarification on their recent water bill and whether or not they are part of the Consolidated Water District because the original bill prepared by the Water & Sewer Clerk, Mrs. Messana charged them the out of district rate.

After some discussion the Board concluded that the bill prepared must be corrected and the rate changed to reflect that Gates Farms is part of the Consolidated District. Mr. Deming added in addition to receiving a quarterly water bill the Farm will be receiving a yearly debt service charge on their County/Town Tax bill for 11 units of water. (For 2008 the water charge was: \$ 200.27 per unit)

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to add Gates Farms to the Consolidated Water District for the Town of York, and to reduce the January of 2008 bill from \$ 7,966.68 to \$ 4,798.92, which reflects the rate change. Voted on and approved, Yes-4, No-0, Abstain-1, Norman Gates.

BILLS

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

2007

Consolidated Water District	# 272-276	\$ 14,552.41
York Sewer District #1	# 56-58	\$ 2,842.68
Retsof Sewer District	# 151-154	\$ 2,238.95
Highway Fund Claim	# 434-447	\$ 7,285.45

2008

Retsof Sewer District	# 1-6	\$ 210.60
Retsof Sewer District	# 7-12	\$ 375.28
York Sewer District #1	# 1-12	\$ 1,743.30
York Sewer District #2	# 1-11	\$ 4,221.49
Consolidated Water District	# 1-7	\$ 2,006.22
Consolidated Water District	# 8-13	\$ 8,871.80
General Fund Claim	# 1-31	\$ 28,575.04
Street Lights	# 1	\$ 1,919.22
Highway Fund Claim	# 1-18	\$ 16,515.26
Highway Fund Claim	# 19-23	\$ 5,011.40

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to adjourn the Town Board Meeting until February 14th. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:25 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk