York Town Board Meeting June 13th, 2023 7:00 pm

Present: Supervisor Gerald Deming, Council Members: Amos Smith and Jason Swede

Absent: Frank Rose Jr. and Norman Gates

Others: James Campbell (Town Attorney), Scott Hulburt, George Worden Jr., Henry Fuller, Kirk Richenberg, Carl Peter (Zoning/Code Officer) Ryan Zahm, Davies Nagel, Becky Lewis, Jessica DeMarte and Martha Edmonds.

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

MINUTES:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to approve the minutes of the May 9th, 2023 Regular Town Board Meeting and May 23rd Special Town Board Meeting. Voted on and approved, Yes-3, No-0.

BILLS:

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve all claims brought before the Board. Voted on and approved, Yes-3, No-o.

•	General Fund # 129-159	\$ 23,894.51
•	Consolidated Water/Sewer # 109-130	\$ 145,111.44
•	Highway Fund # 86-100	\$ 8,996.70
•	Y-L Youth Fund # 9	\$ 52.88

7:03 p.m.- Councilman Rose arrived at this time.

PRIVILEGES OF THE FLOOR:

1)Henry Fuller:

Mr. Fuller began by inquiring if Supervisor Deming heard anything recently about Geneseo being a location for a potential spot for immigration purposes.

Supervisor Deming replied that the Governor did state that SUNY Geneseo along with other colleges could be a location but has not heard anything new in the last 2 weeks.

Councilman Smith stated that the prison was mentioned as well, which Supervisor Deming answered from what he has been told that location is no longer on the table at this point.

Mr. Richenberg asked if you could elaborate further on the services that would need to be provided if this should take place. Supervisor Deming stated that the County would need assistance of DSS (Department of Social Services) and the Health Dept. as well as RTS for transportation purposes. Mr. Deming commented that this program was supposed to be funded by New York City but local towns and counties will certainly be affected directly.

Mr. Fuller asked what the status on WASA because they have been driving around our town?

Supervisor Deming and Highway Supt, Mr. Worden replied we have not had any communication with them and have no idea why they would be here.

Supervisor Deming added we are still pursuing the AKZO settlement.

2) Kirk Richenberg:

Mr. Richenberg asked to speak with the Board this evening regarding water districts, salt storage building and Comp Plan.

Q- What stage are we at for the AKZO project? Supervisor Deming stated that the AKZO committee will be scheduling a meeting with NYSDEC and the Attorney General's office to review and outline how we can spend the \$20 million.

Q- The water plan last year, is it off the table?

Supervisor Deming answered that the plan is not off the table but in a smaller format due to lack of grant funds.

Q- Is the Ox Bow still part of the smaller plan?

Supervisor Deming replied the Ox Bow is not part of the smaller plan but may be part of the future plan.

Q- Are we in need of a new pump station if this does not go through?

Supervisor Deming answered once money is available, this is first on the agenda. This will have to be done regardless of funding, our pumps are quite aged.

Q- When is the work in Piffard (North Rd. & Center St) going to begin?

Highway Supt. Worden reported that the pipe is here and we will be doing that project later this summer.

Q- Regarding the salt storage shed, has there been a survey or any research done with surrounding communities about these buildings?

Supervisor Deming answered that Mr. Worden has been in several towns reviewing each of the structures. Mr. Worden commented he has done his research.

Q- Comp Plan-one of the requests for proposals will not have any public input for 6 months?

Supervisor Deming replied No and stated that there will be meetings as they continue through the process, public meetings will take place.

Q- In the initial application for grant funding, it states that all sectors need to be accounted for?

Supervisor Deming answered that is correct, we need to engage all sectors of the town in order to keep the grant funding.

Q- There is an extensive project on the industrial site on York Rd. E with a significant increase in heavy traffic. Do we have the ability to put the onus on the business owner for our roads?

Zoning & Code Officer, Mr. Peter stated it is a processing facility and most of the work is for driveway purposes to their scale.

Q- Doesn't the road have a 10-ton weight limit allowance and there is a blind curve as well?

Mr. Worden replied it does have a 10-ton weight limit and currently the road is in fair condition. Supervisor Deming added we will obviously have to review the traffic flow to see if the conditions worsen with the potential increase.

3) Jessica DeMarte:

Ms. DeMarte asked to speak with the Board this evening regarding the potential for a Community Library Project.

KEY POINTS ABOUT COMMUNITY LIBRARY PROJECT:

- Most people think of libraries and think of children, and yes there would be an ability to serve that pre-school population, but there's also a possibility of meeting space, which is something that is currently lacking in both York and Leicester. Also, the library would be what the community was interested in. Libraries at the core are all the same, but there is the ability to customize to what the library offers to what people need and are seeking (books, programs, areas of focus, etc). Just because fast internet may be at the road by your house,

but it does not mean you can afford it, but libraries have public computer access & WiFi. Libraries also usually have faxing, scanning, copying services.

- Would cover York School District residents (mainly Town of York, Town & Village of Leicester).
- Process would be to gather potential board members, do public outreach/education, petition to get on school ballot for creation of district, approval of budget, election of trustees.
- Budget would be based on other libraries of similar sizes in the local area. Most likely, we would be looking at between \$40-\$70 average annually on \$100k house, on the school tax bill.
- School districts collects tax money for the library and then hands it over to the board to spend for the benefit of the library.
- Then decisions like where the library is located, hiring director, official paperwork with the state, policies, etc. would happen.
- We have some ideas for building but nothing concrete. Geographically, it makes sense to have a location near the school in Greigsville but open to options. Legally, we could lease, buy land & build, buy existing and renovate if needed.
- 4 people have committed to being involved as board members: Kate Rodwell, Jessica Demarte, Shari DeTar, Lisa Semmel, we have spoken to more people and so far, everyone has been in support of a library.
- Work on getting 2-4 more people as board members, additional community cheerleaders/supporters also.
- If a district is created, we may ask the Town of York for one-time funds such as solar money to help with a building or to get the library started as school tax funds would lag behind several months.
- We have already spoken with the Village of Leicester Mayor, planning to speak with the Town of Leicester Supervisor as well as York Central School board members. Will keep TOY in the loop on progress.
- We are working with the OWWL Library System on what would need to be in place and we have their support.

Mr. Richenberg commented in previous years, the school was talking about adding a public library there, any additional plans?

Martha Edmonds replied as a past librarian for the school, it was always a dream to have something open to the public but did not happen due to security issues and then COVID came into play.

Ms. Edmonds believes pre-school and adults would certainly benefit from a library, siting social activities for both as well as lectures and meetings could be held as well.

Councilman Smith asked, where do the books come from in the beginning?

Ms. DeMarte replied we would have to buy them upfront and perhaps may be able to obtain some "gently used" ones as well.

Supervisor Deming thanked Ms. DeMarte for attending tonight's meeting.

OLD BUSINESS:

1)Bonnie Morris/water correspondence:

Supervisor Deming reported that he and Clerk Harris reviewed Ms. Morris correspondence and prepared a potential adjustment based on her reads from her old house on York Road West. Supervisor Deming contacted the Board to outline how we arrived at the adjustment and all were onboard and agreed to make it official this evening.

Jan-2022	15,000
April-2022	12,000
July-2022	13,000
Oct-2022	18,000
•	58,000 divided by 4 qtrs= 14,500 rounding up to 15,000

*Ms. Morris's bill in January at the hew residence on Main Street was \$205.20 40,000 gallons

- <u>15,000 average</u> 25,000 difference

25,000 x \$5.13=\$128.25 credit for July 2023 billing cycle.

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve the water adjustment prepared for Bonnie Morris for property located at 2514 Main Street. Ms. Morris will receive a \$128.25 credit for her July billing cycle. Voted on and approved, Yes-4, No-0.

2)Water Service Restoration: a-2526 Main Street (Stokes)

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the water service restoration request submitted by Thomas & Angela Stokes for property located at 2526 Main Street, in the amount of \$200.00. Voted on and approved, Yes-4, No-0.

b-2056 Morrow Lane (Kennedy)

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to approve the water service restoration request submitted by Robert & Rick Kennedy for property located at 2056 Morrow Lane, in the amount of \$200.00. Voted on and approved, Yes-4, No-0.

3)Water Adjustment request:

a-Robert Volkmar: 1699 Main Street

Supervisor Deming stated that this request will be tabled after learning from Highway Supt, Mr. Worden earlier this evening that the line continues to experience an issue and consumption is large once again for the July billing cycle.

4) Anderson Rd remaining funds:

Supervisor Deming reported that we received documentation from CPL engineer Casey DeGraff that there are still remaining grant funds from the Anderson Road water project, and with discussions with the water department, they recommended purchasing software and equipment from Waypoint Technology Group in the amount of \$8,431.55.

Mr. Worden added that the reader and equipment will assist us in mapping out our water district with the necessary coordinates.

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede authorizing the Town permission to purchase with the remaining Anderson Road grant funds, a Trimble handheld, software, and related accessories in the amount of \$8,431.55 from Waypoint Technology Group. Voted on and approved, Yes-4, No-0.

5)UV Disinfection Bid Notice:

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose authorizing Clerk Harris permission to advertise for bids for the Wastewater Treatment facility UV Disinfection. Bids will be opened and read aloud on **Monday**, **July 24**th, **2023 at 11:00 am** at the York Town Hall. Voted on and approved, Yes-4, No-0.

6)Comp Plan update:

Supervisor Deming reported that the Consultant Selection committee has recommended that CC Environment and Planning, in partnership with LaBella Associates be selected to complete the update of the Town of York Comprehensive Plan. The Board tonight will need to proceed with a recommendation as well, contingent upon State DOS approval.

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to approve the selection of CCEP/LaBella Team to update the town's Comprehensive Plan, pending State DOS approval. Voted on and approved, Yes-4, No-0.

7)Playground Equipment:

Supervisor Deming stated that he and Clerk Harris recently visited Bears Playground in Lima to review equipment for the Piffard playground equipment and was quoted for a new wood swing set including 3 belt swings, 2 bucket swings, an ADA swing and a separate playscape totaling \$9,800.00.

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede authorizing the purchase of playground equipment from Bears Playgrounds, not to exceed \$10,000. Voted on and approved, Yes-4, No-0.

Ms. Lewis asked if there will be signage for the playground on the main road to show where it is located. Mr. Deming stated we discussed that earlier in the week as well and commented that it would be great if we are able to post signage on Genesee Street (which will require approval from the State) or across the road.

Ms. Edmonds asked if any studies had taken place on the air quality in that area because of the chemical plant located in Piffard. Mr. Peter responded with regulations in place, EPA would have those records.

Mr. Richenberg added, when he resided in Piffard those ponds would go off based on the temperature and/or solutions they were using. In the late 80's early 90's, there were several Sundays when they had chemical discharge. Going forward there may be some uncontrollable events.

8)Salt Storage Shed:

Supervisor Deming reported tht the bid opening for the Salt Storage Shed took place on June 8th, having two bidders, (Hybrid Building Solutions and Eagle Associates). Supervisor Deming asked Mr. Worden to give a brief overview of the three base bids.

Mr. Worden stated that Base Bid A consisted of the construction of a mafia block type wall system. The roofing metal trusses would then be mounted on the mafia block and the fabric roofing installed. Base Bid B consisted of a wooden sidewall structure. The roofing metal trusses would then be mounted on the wooden walls and the fabric roofing installed. Base Bid C consisted of the construction of a precast concrete wall structure. The roofing metal trusses would then be mounted to the precast walls and the fabric roofing installed.

Hybrid Building Solutions:

<u>BID A</u> \$234,730.00	<u>BID B</u> -	<u>BID C</u> \$322,248.00
Eagle Associates:		
BID A	<u>BID B</u> -	<u>BID C</u> \$312,019.00

Councilman Smith asked a few questions regarding the potential building choice, and the reason for a precast wall versus mafia block wall. Mr. Worden commented that per our engineering firm, based on the size of the structure, mafia block wall was not recommended, too much liability for the Town.

Councilman Smith asked Mr. Worden how many tons, which Mr. Worden responded 2200.

Mr. Richenberg commented that he agreed with what was stated and then asked about longevity of the building and how it is treated due to salt deterioration.

Mr. Zahm responded that there is a salt free coating(waterproof) to the building, which will have a 20-year warranty. Mr. Zahm continued by saying rarely is there replacement in that time period.

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to award the Salt Storage Shed bid to Eagle Associates LLC in the amount of \$312,019.00. Voted on and approved, Yes-4, No-0.

9) Flats Road Pump Station

Attorney Campbell stated that the Town is looking to make upgrades to the Flats Road Pump Station and has received the engineering report from CPL, and now hope to make application for a WIIA grant by the July 28th submission deadline. The intended financing of the \$1,300,000 cost of the project is as follows:

\$780,000 in grant funds from the EFC WIIA program \$520,000 in local share funds through EFC low interest loans or long term bonding

Attorney Campbell stated that the Board would first need to proceed by calling for a Public Hearing to accept comment on these improvements pursuant to New York State Town Law §§ 202-b, and suggested scheduling such hearing for July 11th at 6:30 p.m. prior to the start of the regular Town Board meeting.

Councilman Swede asked if there could be a chance that DEC would not grant us the AKZO funds, which Attorney Campbell responded it is possible but we will certainly stress the importance of the upgrades to our system.

Supervisor Deming added that he has requested a meeting with DEC and the Attorney General's office for additional clarification but has not received a date thus far. Mr. Deming commented that the County has had the money in their account for roughly 20 years and we could certainly use it for our upgrades.

Attorney Campbell added, from what has been stated by water personnel and Town engineers, this project must be done regardless of the funding. Mr. Worden informed the Board that the two existing pumps ages are **1966** and **1972**.

Mr. Fuller inquired, under 202-b, does it or can it include the improvements in Mt. Morris? Supervisor Deming replied it cannot, the money is for York and Leicester.

Mr. Fuller commented, signage in our town states we are a Right to Farm Community but by putting in all of these water lines it looks like we want development.

Supervisor Deming and Attorney Campbell answered water mains do not automatically bring business. The majority of the requests we have received over the years have been from existing homeowners with well issues or the desire to have municipal water.

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith as follows:

TOWN OF YORK

2668 Main Street, York NY 14592

Resolution calling for a Public Hearing to Receive Comment on the Town of York, Flats Road
Pump Station Improvements Pursuant to New York State Town Law §§202-b.

WHEREAS, the Town Board of the Town of York has determined that it is necessary to make significant improvements, rehabilitation and repairs to the Flats Road Pump Station within the Town of York Consolidated Water District; and

WHEREAS, the Town Board of the Town of York recognizes there is a need to provide safe and effective public water service to its customers within the Town of York Consolidated Water District and that appropriate improvements to the existing drinking water delivery facilities will mitigate the public health risks associated with the potential for inadequate ability to deliver potable water within said District; and

WHEREAS, in order to accomplish such needs, the Town Board of the Town of York is proposing the following improvements to the Flats Road Pump Station within the Town of York Consolidated Water District: The replacement of the existing Flats Road booster pump station. The new pump station will include a building, pumps, piping, electrical supply, generator, and chlorine injection. Once the new building is constructed, the existing building will be demolished; and

WHEREAS, the Town Board is empowered to authorized such improvements subject to the provisions of New York State Town Law §202-b; and

WHEREAS, this Public Hearing Notice is made pursuant to and in compliance with Town Law §§202b and 193; and

NOW THEREFORE BE IT RESOLVED, that pursuant to New York State Town Law, a public hearing be held on the 11th day of July, 2023 at 6:30 p.m. at the Town Hall located at 2668 Main Street, York, New York, with respect to the replacement of the Flats Road Pump Station as more particularly described in the Engineering Report last dated June, 2023, prepared by Clark Patterson Lee, which said report is on file in the York Town Clerk's office; and be it further

RESOLVED, that the maximum amount proposed to be expended for the improvements is \$1,300,000.00 of which it is expected that \$780,000.00 will be funded from a NYS EFC Water Infrastructure Improvement Act (WIIA) Grant and the local share of \$520,000.00 will be financed through long term financing through either the New York State Environmental Facilities Corporation or through long term bonding; and be it further

RESOLVED, that the anticipated cost for such improvements shall be borne by the Town of York Consolidated Water District; and be it further **RESOLVED,** that a copy of Engineering Report dated June, 2023, prepared by Clark Patterson Lee, describing the proposed improvements to be constructed therein shall be available for the public inspection at the York Town Clerk's Office; and be it further

RESOLVED, that at the time and date aforementioned, all interested parties may be heard concerning the proposed improvements to the Flats Road Pump Station within the Town of York Consolidated Water District as noted above and described in more detail in the Engineering Report.

Dated: June 13, 2023

By Order of the York Town Board Christine Harris, Town Clerk

Voted on and approved, Yes-4, No-o.

10) Trail Town Committee

Town of York Trail Town Committee Report for 6/13/23

- 1. The Trail Town Committee along with the York Historical Society participated in I Love My Park Day "the largest single day volunteer event in NYS" at York Landing. Trail walks with general trail cleanup were held.
- Grant '23 See 2023 GVTT Grant Announcement pdf.
- Grant '22 Question: Progress on certificate of insurance renewal for the upcoming year? (Notification to Boy Scout regarding his Eagle Project)
- 4. Kristine Uribe of the GVG has been working with White Creek Solar and they have agreed to put some information panels up at the intersection of the old G&W rail bed with the GVG north of Piffard. The Trail Town Committee and the York Historical Society have agreed to help with this effort.
- 5. Northern Border Regional Commission 2023 Catalyst Program Grant details?



NEWS RELEASE

FOR IMMEDIATE RELEASE -MAY 10, 2023

Media Contact:

Dylan Carey, Greenway Program Director, Parks & Trails New York (518) 217-8640, dcarey@ptny.org Rebecca Murray, Project Coordinator, Parks & Trails New York (518) 217-8575, murray@ptny.org

Parks & Trails New York announces funding for Genesee Valley Trail Towns

Grants will provide amenities for residents and visitors along Genesee Valley Greenway State Park and in nearby villages and towns

ALBANY, NY - Parks & Trails New York today announced the recipients of \$50,000 in grants to support communities participating in the Genesee Valley Trail Town initiative.

"The Genesee Valley Region is truly a recreation destination and these unique communities serve as gateways for area residents and visitors seeking entertainment, art, architecture, and adventure," said Paul Steely White, Executive Director of Parks & Trails New York. "This funding will not only spur investments to reinvigorate downtown districts, but it will continue the great work underway to unify local stakeholders and community groups dedicated to the promotion and sustainability of local culture, character, and outdoor recreation."

The grants will enable the Genesee Valley Trail Towns to take advantage of visitation to the Genesee Valley Greenway and other outdoor recreational resources in the area, foster place-making efforts, create safer streets for cyclists and pedestrians in Trail Town communities, and implement projects identified in the Genesee Valley Trail Town Initiative's community action plans.

Grants will be awarded in conjunction with the Genesee Valley Trail Town Initiative, a collaborative effort between Letchworth Gateway Villages, Parks & Trails New York, the Friends of the Genesee Valley Greenway, Genesee Valley Greenway State Park, and ten communities along the 90-mile Genesee Valley Greenway in Western New York. The Trail Town Initiative aims to boost outdoor tourism, create more resilient communities and support the region's post-COVID recovery.

The Genesee Valley Trail Town communities are: the towns of Caneadea, Cuba and Hume in Allegany County, the towns of Avon, Geneseo, Mount Morris, Nunda, and York in Livingston County, the towns of Wheatland in Monroe County, and the town of Perry in Wyoming County.

The Genesee Valley Trail Town Grants are made possible by funding from the Ralph C. Wilson, Jr. Foundation.

Awardees include:

- Town of Hume (\$10,000) Providing a designated rest area through the construction of an open-air pavilion on the site of the former tennis court just off the Greenway in the hamlet of Fillmore.
- Town of York (\$7,015) Enhancing the user experience by installing wayfinding signage, ADA-compliant picnic tables, and a bicycle repair station.
- Cuba Friends of Architecture (\$6,026) Improving the west end of the greenway by installing
 a picnic table, bench, bike rack and dog waste station, and properly sealing concrete abutments
 with graffiti-resistant sealant.
- Town of Caneadea (\$6,000) Highlighting local heritage by contributing towards programming and event support for the first Caneadea Seneca Field Days event in July 2023.
- Village of Scottsville (\$5,853) Improving access by creating five new ADA designated handicapped parking spaces at Canawaugus Park and a concrete pathway connecting the parking area to the Greenway.
- Perry Main Street Association (\$5,853) Creating additional community connections to and activating the Silver Lake Trail by expanding a public art play structure.
- Village of Geneseo (\$5,835) Installing wooden trail signs marking the Geneseo Loop Trail, and bicycle repair stations at Village Park and Highland Park in Geneseo.
- Village of Avon (\$3,417) –Driving foot, bicycle, horse, and snowmobile traffic to the downtown
 area with new wayfinding and directional signage.

About Parks & Trails New York

Parks & Trails New York is New York's leading statewide advocate for parks and trails, dedicated since 1985 to improving our health, economy, and quality of life through the use and enjoyment of green space. With thousands of members and supporters across the state, PTNY is a leading voice in the protection of New York's magnificent state park system and the creation and promotion of more than 1,500 miles of greenways, bike paths, river walks, and trails. PTNY's trail programs, which aim to transform unused transportation and other corridors into vibrant public places, have furthered dozens of trail projects and hundreds of miles of trail over the last 30 years. For more information, visit www.ptny.org.

Supervisor Deming stated he will contact our Insurance Agent, David Boyce tomorrow to expedite the insurance renewal certificate.

Mr. Nagel commented that the Trail Town Committee would like to offer their assistance to the Town with Playground signage.

HIGHWAY REPORT:

Mr. Worden reported the following for the Highway Department:

- . conducting roadside mowing
- . making signage repairs
- . some personnel have been working with the County

- . changed a crossover pipe on Limerick Road
- . we are reclaiming the gravel pit

WATER/SEWER REPORT

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

- . experienced a leak at Rt. 63 & Federal Road, under the road. It was a copper service and we are unsure how long it leaked for.
- . sewer tap has been completed at the Travel Center, but we still need to do the water tap.

Mr. Worden informed the Board that we may be losing a Water & Sewer employee and asked to advertise for applicants.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to advertise for a Water & Sewer Employee. Voted on and approved, Yes-4, No-o.

. Tom Trathen update: Mr. Worden stated, at the May 9th meeting, the board discussed water adjustment options for Mr. Trathen. He along with water personnel met with Mr. Trathen today to review the options in detail. Later in the day Mr. Trathen contacted Mr. Worden to let him know he will proceed with purchase of a new meter pit, with the town conducting the installation.

Councilman Smith inquired when Craig Road work will begin. Mr. Worden replied, work will begin the end of August.

8:13 p.m.

RESOLUTION offered by Mr. Rose and seconded by Mr. Smith to enter into Executive Session for Personnel matters, to include Town Board and Town Attorney. Voted on and approved, Yes-4, No-o.

8:21 p.m.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to end Executive Session. Voted on and approved, Yes-4, No-o.

Supervisor Deming reported that no action was taken in Executive Session.

OTHER

Supervisor Deming thanked Zoning Board of Appeals member, Scott Hulburt for agreeing to participate in the upcoming update of the Town's Comprehensive Plan.

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to adjourn the Town Board Meeting until July 11th Public Hearing at 6:30 p.m. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:22 p.m.

Respectfully submitted, Christine Harris Christine M. Harris, Clerk