

York Town Board Meeting
August 13, 2024
7:00 p.m.

Present: Supervisor Gerald L. Deming. Councilmembers Frank Rose Jr. (Deputy Supervisor), Amos Smith, Lynn Parnell and Jason Swede

Absent: None

Others: James Campbell (Town Attorney), George Worden Jr. (Highway Supt), Blaine VanRy, Emily Conable, Jay Ezard, David Deuel, Becky Lewis, Kirk Richenberg, Dustin Geiger, Stephen Hint and Davies Nagel,

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 Mr. Smith and seconded by Mrs. Parnell to approve the minutes of the July 9th, 2024 Public Hearing and Regular Town Board meeting. Voted on and approved, Yes-5, No-0.

BILLS:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to approve all claims brought before the Board. Voted on and approved, Yes-3, No-0.

• General Fund Claim	# 207-237	\$ 44,676.88
• Consolidated Water/Sewer	# 162-192	\$505,027.15
• Highway Fund	# 113-129	\$156,243.30
• Youth Fund	# 11-13	\$ 10,315.00

PRIVILEGES OF THE FLOOR:

1)Emily Conable:

Ms. Conable wished to speak this evening to update the Board on the bank property renovations. Ms. Conable reported that a new gas line was recently installed by RG&E, a new furnace installed, and a new sump pump will be installed by Don Gullo shortly. Ms. Conable added that she spoke with Mike Koch about proceeding with a new sewer connection and he has agreed to do so. The Engineer Andy Schmieder had to conduct a minor update of the building permit for Zoning/Code Officer, Carl Peter, but once that is completed, she will be submitting them for review and approval.

Supervisor Deming commented that Town Historian, Steve Gates is still very excited about the location of the old bank for the Historian's office.

2) Jay Ezard:

Mr. Ezard asked to speak with the Board regarding an ongoing issue in Piffard. Mr. Ezard stated that his property is located two buildings down from the Yard of Ale restaurant on Rt. 63 (Genesee Street). Storm drains were installed many years back by then resident Joe Vitale, which have been in very rough shape for quite some time. Any time we experience heavy rainfall, our home and others have major issues. Mr. Ezard stated that he addressed this matter with Mr. Worden and was told to come to a meeting to explain the situation and perhaps the Board may be able to assist by taking it over and conducting repairs.

Mr. Worden reported that a 6" clay tile runs on Piffard Circle East under the main road behind the Post Office to the creek. The creek is located on the edge of roadway.

Mr. Ezard shared that there are three (3) clay tiles under his breezeway and had three pumps running with the last rainstorm, and still could not keep up with the incoming water.

Mr. Worden stated the 6" drain tile crosses under the State Highway Right of Way, so any work done, we would need permits from the State and easements from property owners.

Mr. Ezard stated the existing manhole is roughly 12-14 feet from the center of the road to the west side of Piffard Circle East. A new manhole will certainly be needed.

Supervisor Deming inquired about the costs involved with these repairs. Mr. Worden replied roughly \$50,000.00 to put in a new manhole and piping to the creek.

Mr. Ezard commented to replace a catch basin with a manhole his estimate was roughly \$1,500.00-2,000.00.

Mr. Worden answered we could set a new grate and manhole within a day but that will not cure the problem without replacing piping under the highway itself.

Councilman Rose asked if the water actually goes under the road, which Mr. Worden replied, it does.

Supervisor Deming stated, as Mr. Worden explained earlier, the State has higher catch basins than Mr. Ezard, so he will continue to get all of the water if nothing is done.

Mr. Ezard commented he knew Mr. Vitale installed the storm drains years ago but was not sure who assumes responsibility now.

Supervisor Deming inquired if all of this work is in the Right of Way, which Mr. Worden answered it is. Mr. Deming instructed Mr. Worden to get a quote to fix the issue completely and one for a manhole and catch basin repair.

Mr. Ezard asked if perhaps a road plate could be put down over the area now for safety purposes, Mr. Worden agreed.

Dustin Geiger added that the Fire Department has been called out several times due to the excess water in basements due to the heavy rainfall and assisted the Ezard's with the recent storm.

3)Kirk Richenberg:

Mr. Richenberg asked to speak this evening on the following: Highway and Water/Sewer questions:

Q-Do we have an update on the truck?

Mr. Worden responded that the dealer has assigned a new salesman but did tell us that it looks like November for the truck.

Q-Is it the same price?

Mr. Worden answered it is the same price.

Q-Do we have a signed contract?

Supervisor Deming replied there is not a signed contract, they never required one.

Comment: Mr. Richenberg commented we budgeted, we collected taxes toward this truck, why not proceed with a signed contract. It is good business to get something in writing.

Q- Status on the loader?

Mr. Worden responded that it is still on schedule for October.

Q-Has the Town received anything yet in writing from CPL for the pumps on Flats Road?

Supervisor Deming replied we have not received anything yet and added that he has been pushing to utilize the AKZO funds for this project, but no word as of yet if we are able.

Comment: Mr. Richenberg commented, is it fair to say, these pumps are 50-60 years old and we have collected money and maintained them over the years, why did we not set money aside for upgrades. Lots of pipe in the ground, we need to have a strategic plan in place for upgrades.

Supervisor Deming replied we have collected a great deal of money over the years but we have had to deal with routine maintenance, water breaks and water projects that have needed funding.

Comment: Mr. Richenberg stated we are wasting taxpayer dollars to put a BAN in place knowing the State can amend it at any time.

Supervisor Deming stated having a Local Law in place is not a waste of money and has helped us previously. Having something in place is far better than nothing at all.

Q-Did any of the Board see what the Genesee County Director of the IDA salary was? He was the highest paid in the State of New York. How much does the Livingston County Director make?

Supervisor Deming replied he is not quite sure but believes it is roughly \$130,000.00.

HIGHWAY REPORT:

Mr. Worden reported the following for the Highway Department:

- The floor of the salt barn was paved.
- Last year we used only 700 ton of salt, which was only part of the allotment, so whatever is remaining in the allotment, we will add our additional amount from the mine the end of this month.
- We paved North Road, Center Street and 1/2 of East Road in Piffard. We will finish the other half within the next 2 weeks.
- Restoration in Piffard is 95% done, we still have two (2) corners of restoration to complete by the end of August.

Councilman Smith mentioned that material will need to be removed at the playground field when they come down. Mr. Worden stated he will remove what is there and use it elsewhere.

Blaine VanRy commented that Piffard residents have questioned whether the stone near their property must be spread by them.

Mr. Worden replied that the stone piles are not the property owner's responsibility. When the Highway Dept. is ready to return, we will handle that when we move the stone to do the road shoulders in the area.

WATER/SEWER REPORT:

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

- The (2) residences in Piffard have been connected to the new line.
- Again, we are roughly 95% done with restoration

SEWER: We increased the chemical at the plant for the UV Disinfection System. We started small and have slowly bumped up, but we may have to change the chemical(s) in order to achieve the results, we anticipated, because we have not been getting the numbers we want. We have been working with Rare Earth and CPL on this situation. We are currently up to 10 gallons per day. Mr. Worden stated the issue may be due to the numbers of lift stations throughout the Town and the time it takes to travel to the plant before treatment, which could be a couple of days. With the need to increase the chemical, DEC has been onboard from the onset, but with the increase in chemical to run the plant, it will cost us more money for the 6-month time frame we are using it.

- For the Retsof Ave project: Lift Station is up and running, laterals are now complete and now they are onto storm water.
- Mr. Worden commented when the lines are washed, they are sending all residue to the plant.
- They are still lining the manholes
- We have completely new power coming in for the GenSet.
- Grit removal for the plant: Mr. Worden reported that the Dansville Sewer Plant in replacing their grit removal system with a new stainless steel one, and inquired if we may be interested in theirs. After verification on it, we were told this system could have up to 10 years of life to it and Dansville is asking between \$3,000-\$4,000 for it. A new system (30 yr. lifespan) would be a \$200,000 purchase.

Councilman Rose inquired with a grit removal system would we still have to haul? Mr. Worden answered we would have to test it first but could perhaps dispose by way of garbage bags.

Mr. Worden added, currently we are not removing grit, simply moving it around. Mr. Worden asked the Board permission to look at the system and if it could benefit us, include CPL for design purposes.

The Board authorized Mr. Worden to review the equipment but asked to talk with the Board again before any additional steps.

NEW BUSINESS:

1)Local Law #2-2024:

Attorney Campbell stated that the Town Board conducted the Public Hearing for proposed Local Law #2 of 2024 last month. The Board also received feedback from the Livingston County Planning Department regarding this law and asked

the Board if they wish to proceed with SEQR. The Board consented to having Attorney Campbell move forward with the SEQR process.

PART 2- Identification of Potential Project Impacts:

Mr. Campbell read aloud to the Board the required 18 questions to which they responded “No, or small impact may occur” to all.

a) Adoption of Findings:

RESOLUTION offered by Mr. Swede & seconded by Mr. Smith to Adopt the Findings that were made in the review of Part 2 of the Full Environmental Assessment Form. Voted on and approved, Yes-5, No-0.

PART 3-Determination of Significance:

a) Negative Declaration:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to adopt a Negative Declaration based on the findings made in the review of the Full EAF and adopt the SEQR. Voted on and approved, Yes-5, No-0.

b) Authorization:

RESOLUTION offered by Mr. Swede and seconded by Mr. Rose authorizing the Supervisor permission to sign the EAF signifying the Negative Declaration being made and further authorizing Clerk Harris to send a copy of Part 3 “Determination of Significance” to the Environmental Notice Bulletin. Voted on and approved, Yes-5, No-0.

c) Approval:

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to approve Local Law #2 of 2024, “A Local Law entitled, Adding Section 619 to the Zoning Ordinance of the Town of York to Provide for Energy Storage System Regulation”. Voted on and approved, Yes-5, No-0.

ROLL CALL

Councilwoman Lynn Parnell	Aye
Councilman Amos Smith	Aye
Councilman Jason Swede	Aye
Deputy Supervisor Frank Rose Jr.	Aye
Supervisor Gerald Deming	Aye

2) York UP Church request:

Supervisor Deming stated that the Board received a letter from the York United Presbyterian Church asking for consideration to waive the sign permit fee for the

new signage they are erecting. In the letter, they indicated that the church had already received their variance for the new signage but hope the Town Board would waive this fee due to the non-profit status of the church.

received
PAB 7/18/24

United Presbyterian Church

Founded 1813

2662 Main St., P.O. Box 411
York, New York 14592

Church Office 243-1266
e-mail: yorkupchurch@gmail.com



July 18, 2024

Dear Town of York Board Members and Carl,

The United Presbyterian Church has received our variance for our new sign and are now applying for a sign permit.

We are requesting the application fee be waived due to the church being a non-profit. We have already paid for the variance application and an additional fee is an additional burden.

Sincerely,


Nancy Glazier, Memorial Committee Chairperson
243-4605

Town of York
Livingston County, New York

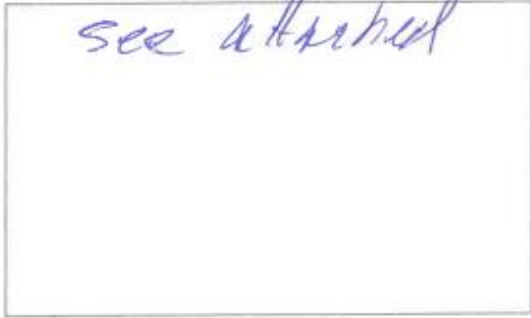
Application for Sign Permit

Applicant's Name (print) United Presbyterian Church, York
Telephone Number 585.243-1266
Address P 2662 Main St
Post Office, Zip, State PO Box 411, York NY 14592

Location of Land for proposed Sign:
Address 2662 Main St York
Tax Map # 51.5-1-27

Dimensions _____ Height _____ Light Yes ___ No X

ESTIMATED COST: \$ 12000

Drawing 

- Please Check One:
- Free Standing
 - Wall Sign
 - Projecting Sign
 - Awning & Canopy Sign
 - Window & Door Sign
 - Temporary Sign
 - Limited Sign
 - Home Occupation
 - Commercial Attached
 - Commercial Free Standing

I agree that all provisions of the Zoning Ordinance, and all other Ordinances and laws, will be complied with whether specified herein or not, in the completion of the work contemplated herein.

[Signature]
Applicant's (owner's) signature
243 4605

2/18/2024
Date

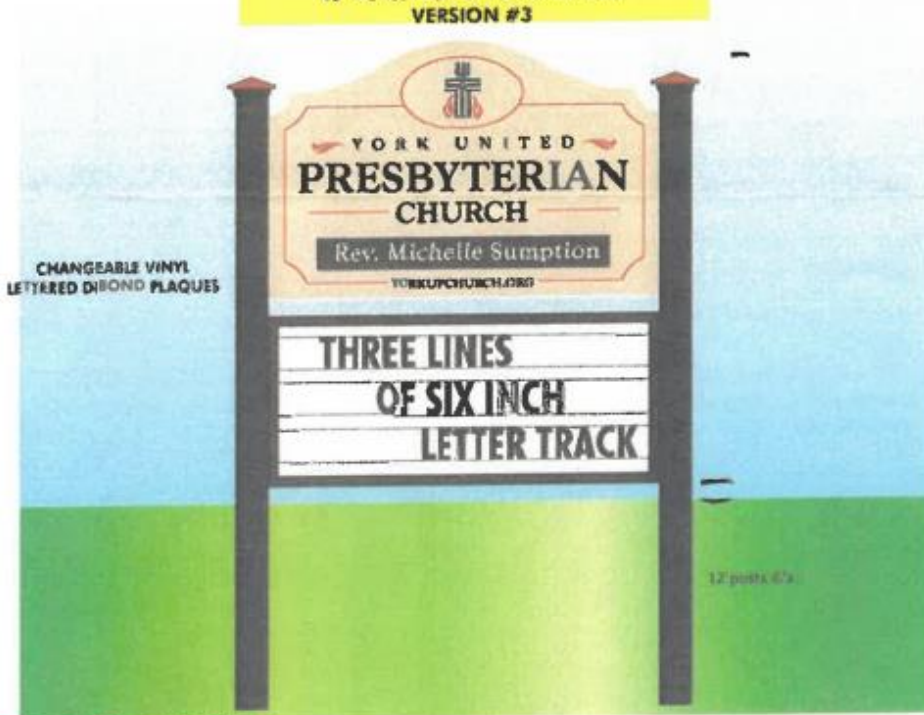
Return completed Application to:
Carl A. Peter, Zoning and Code Enforcement Officer
York Town Hall
P.O. Box 187
York, NY 14592

Phone: 243-3128 Cell: 245-2687



Sandblasted & Carved Signs • 23k Gold Leaf • Computer Graphics
 Commercial / Architectural • Design • Fabrication • Installation • Vinyl

YORK UNITED PRESBYTERIAN CH - LAWN
 DOUBLE SIDED V CARVED 2" HDU
 48 INCHES HIGH BY 72 INCHES WIDE
VERSION #3



DESCRIPTION:
 INNER BORDER - TERRA COTTA
 BACKGROUND - IVORY
 LETTERING - DARK NAVY, TERRA COTTA
 POSTS - 6" 12" tall WITH PAINTED BEVEL TOPS

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 6491 Route 20-A Perry, N.Y. 14530

The Board discussed at great length what has been done previously and what potentially should be done going forward.

Town Clerk

From: Code Enforcement Officer
Sent: Monday, August 12, 2024 11:12 AM
To: Amos Smith; Town Clerk; Frank Rose; Jay Swede; Jerry Deming; Lynn Parnell
Subject: Fee Request

To All: In regard to the York Presbyterian Church's request for waiver of the building permit fee I just wanted to add some history for your decision. In the past I have issued building permits to the York Baptist Church, Holy Ground Ministries, and the York Sportsman's Club for building permits. If you decide to grant the request to waive the \$100.00 fee the church is asking for, I only ask for guidance from you of whether this is a one time decision or setting policy moving forward for all non profits. I have no opinion either way, I am just asking for guidance in fulfilling your wishes.

Thanks, Carl

Supervisor Deming commented, personally I would not charge non-profits, but does understand that previous applicants have been charged and feels we should table this for further verification from Mr. Peter.

3) Pay App #3; Base Bid A

a) Genesee Valley Construction:

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to approve Pay App #3 (Base Bid A) to Genesee Valley Construction, LLC in the amount of \$247,167.58. Voted on and approved, Yes-5, No-0.

4) Town Hall Lawn Services/Cleaner:

(a)Lawn Service:

Supervisor Deming informed the Board that he recently relieved the Town Hall Custodian of his duties and requested Clerk Harris reach out to lawncare services for a quote(s). Clerk Harris stated that she prepared RFP's for lawn care services as well as for cleaning service and conducted four walk throughs for the outside work.

Supervisor Deming reported that we received four quotes for lawn services, all by local companies. The mowing ranged from \$40-65 per trip and total quote (including a one-time quote to remove excess vegetation and replace with landscaping fabric and stone) from \$390-\$2,400. The low bid was submitted by Seifert's Landscaping.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to accept the quote submitted by Seifert's Landscaping in the amount of \$40.00 per mowing trip, with a total of \$390.00. Voted on and approved, Yes-5, No-0.

(b)Town Hall Cleaner:

Supervisor Deming stated that Clerk Harris received a call from James Mayes expressing interest in the cleaner position. Clerk Harris spoke with Mr. Mayes directly and conducted a walk through of the Town Hall building with him, at which time he then submitted an official email of interest for the Board to consider.

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to hire James Mayes as the Town Hall Cleaner, which will include during the winter season; shoveling, snow blowing of walkways and steps, at a wage of \$3,000. Voted on and approved, Yes-5, No-0.

5) Home Town Heroes:

Councilwoman Parnell updated the Board on the Home Town Heroes banners. Mrs. Parnell reported that we received a total of 56 applications and we purchased 61 brackets to be sure we had a few extra on hand. The Holiday banners have been ordered (60 in total) and should be in within 2-3 weeks.

OTHER:

1)Contract:

Attorney Campbell stated that the Town Board has had negotiations with the Union the last few months after it was decided to re-open the contract. There has been a great deal of back and forth, but no movement yet regarding a new contract.

7:57 p.m. Executive Session

RESOLUTION offered by Mr. Rose and seconded by Mr. Swede to enter Executive Session for Collective Bargaining purposes, to include Town Board, Town Attorney and Highway Superintendent. Voted on and approved, Yes-5, No-0.

8:36 p.m.-End of Executive Session

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to end Executive Session. Voted on and approved, Yes-5, No-0.

Supervisor Deming reported no action was taken in Executive Session.

David Deuel inquired as to the status of the Comprehensive Plan?

Becky Lewis, Comp. Plan Committee member replied that the consultants are doing a great job pulling data and at our upcoming Sept 18th meeting, the committee is preparing to finalize the Draft Town of York Comprehensive Plan. The meetings are open to the public, and after this meeting the draft will be posted on the website for review.

Mr. Deuel stated that he visited the Town's website, but nothing was listed to inform us when meetings are or what the status was.

Mr. Deming commented that the information should be posted on the website and will make sure it is going forward.

Mr. Deuel stated that there is a link for the Comp Plan on the Town's website but once you click on it, it sends you directly to a different link with minimal information.

Councilman Rose voiced that the following meeting (Oct. 18th at 6 pm) will be a Public Workshop gathering to obtain input from the public on the draft.

Mr. Hint inquired if Councilman Rose has had a chance to contact Rich Brock. Mr. Rose replied he has not connected with Mr. Brock yet.

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to adjourn the Town Board meeting until September 10th 2024. Voted on and approved, Yes- 5, No- 0.

Town Board meeting closed at 8:40 p.m.

Respectfully Submitted,
Christine m. Harris
Christine M. Harris, Clerk