

October 21, 2010
Sewer Informational Meeting
6:00 p.m.

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

Absent: Norman Gates

Others: Chris Pascuzzo, Donna Falkner, Ronald Cicoria (Town Attorney), Eric Wies (Clark Patterson Lee), George Worden Jr., Roger McCracken, Bernie Thoma (Thoma-Consultants), David Matthews, Meghan and Aaron Rodwell

Supervisor Deming opened the Informational Meeting at 6:03 p.m.

PURPOSE

Supervisor Deming stated the purpose of the Informational Meeting is to inform the residents in the Retsof Sewer District area of the discussions held regarding possible upgrades to the existing infrastructure.

Mr. Deming stated the Town's Engineering Firm, Clark Patterson Lee(Eric Wies) and Livingston County Grant Writer, (Bernie Thoma) are present this evening to give an overview of the projects proposed, the cost involved and the possibility of obtaining grant funding.

Mr. Wies stated the existing sewer lines in the hamlet of Retsof were installed in the early 1950's by the Salt Mine for their workers, and there after turned over to the Town of York. Over the years the main has deteriorated and infiltration has occurred, with the Town trying numerous methods of identifying the problem areas. Internal inspections, grouting in areas, and smoke testing have all taken place. Smoke testing identified collapsed areas in the main, and inflow (which is a direct result of illegal connections into the sewer treatment plant). Mr. Wies stated the Town can not continue to "band aid" the trouble areas because the costs are too expensive and they ultimately are not working, we need to replace the existing lines. Mr. Wies stated after extensive review of the system, the Town is proposing to replace approximately 7,000 feet of main in the Retsof area, installing a new sanitary system, with a separate storm system. Mr. Wies added, the cost for these projects will run approximately \$2.2 million dollars, but without grant funding repairs to the Retsof hamlet will be significantly less.

QUESTIONS/COMMENTS

- 1) David Matthews: "If the new lines are installed too shallow will it affect the homes that have washing machines in the basement?"

*Response: Mr. Wies stated each home has different conditions and is very hard to gauge the depth for the entire project. Without a doubt some homes will be affected, and a pump might be required.

2) Chris Pascuzzo: "How many units are in the Retsof area?"

*Response: Mr. Wies replied there are 110-113 units in Retsof.

3) David Matthews: "What is the condition of the water lines?"

*Response: Supervisor Deming stated the water and sewer lines are both equally in rough shape and need to be replaced, we hope to do this at the same time.

4) Chris Pascuzzo: "PVC laterals to clean out?"

*Response: Mr. Wies replied yes.

Supervisor Deming stated based upon the initial figures, the cost per household is roughly \$800.00, which is probably unaffordable without grant funding.

Mr. Thoma expressed the need for the users in the Retsof Sewer District to participate in the upcoming survey which will be mailed out within the next few weeks. If we receive 85 % response rate, and the income information is under the allotted level we may be able to receive grant funding through the Community Development Block Program. Mr. Thoma added how important it is to make sure in areas where rental homes are located, the tenants must be the person(s) completing the survey, in order to have a more accurate account of the actual users in the district. If we qualify we could receive up to \$600,000.00, which is a grant that does not have to be paid back. Mr. Thoma stated to the Board, and will in the letter to the residents, that the surveys are completely confidential. All results are to be mailed back to his office, the Town will not be receiving any survey documentation, with exception of the results. We hope to submit the application in April of next year, and should receive word by the end of the year or early 2012. Mr. Thoma explained once again the first survey attempt will proceed within the next two to three weeks, a second attempt will happen pending the mail in responses. In order to get the best possible results we would then ask Town representation to go directly to the residents stressing the importance of completion of the surveys.

Mr. Deming stated even with grant funding we would still need to borrow the remainder of the money. We would look at a 30 year loan, but without funding this will not be possible. The Town would still need to complete necessary repairs to the main, but not to the extent proposed. Supervisor Deming stated an advantage we would have moving forward would be to use our Water and Sewer employees to do some of the repairs, which could save a great deal of money by not having to pay prevailing wage. Mr. Deming added, a portion of the

proposed \$2.2 million would be used for the reconnection of laterals into the homes.

Mr. Wies stated it is possible once we apply for the initial grant, additional funds may also be available as well. If funding is obtained, our time line for starting these projects would be 2012.

Supervisor Deming thanked the public for attending and closed the Informational Meeting at 6:45 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk

Regular Town Board Meeting
October 21, 2010

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

Absent: Norman Gates

Others: Roger McCracken (Water and Sewer Operator), George Worden Jr. (Highway Superintendent), Helen and Vern Finch, Paul Raymond, David Pixley, Justin Grant, Linda Grant, Eric Wies (Clark Patterson Lee), David Jones and Ken Foster

Supervisor Deming opened the Regular Town Board Meeting at 7:30 p.m. with the pledge to the flag.

MINUTES

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to approve the minutes of the October 7th, 2010 Budget Hearing. Voted on and approved, Yes-4, No-0.

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to approve the minutes of the October 7th, Regular Town Board Meeting. Voted on and approved, Yes-4, No-0.

PRIVILEGES OF THE FLOOR

1) Paul Raymond:

Mr. Raymond asked to speak with the Board this evening to discuss a request for water for his property located on Simpson Road (Caledonia Diesel). Mr. Raymond stated not until the fire that recently took place did he consider municipal water, but after such event, it brings safety and fire protection to the forefront.

Mr. Raymond stated he spoke with Town Clerk, Mrs. Harris two weeks ago about the request and she recommended he attend tonight's meeting to discuss it further with the Board and Town Engineer, Mr. Wies.

Mr. Wies prepared two cost analysis sheets for Mr. Raymond to review. The first opinion was based on installing 4,350 feet of 8 inch PVC from Fowlerville Road to Simpson Road, and the estimated cost would be \$279,000.00 (which includes a 10% contingency fee and 20% for legal, engineering and administration fees). The second sheet was based on installing 12 inch PVC, which calculated to \$348,000.00. Mr. Wies explained both size lines would certainly boost fire protection, but did not see a huge difference between them and stated the 8 inch line would be more than sufficient. Mr. Wies commented both options are not cheap, and overall it works out to be roughly \$50.00 per foot. Mr. Wies stated the biggest issue pertaining to cost is the distance between residences. From Fowlerville Road to Simpson Road there is only one house, and not having enough homes to pay for the footage of water line in the ground will make the project unaffordable.

Mr. Raymond asked the Board how a Water District can be formed. Supervisor Deming replied Mr. Raymond's property on Simpson Road is already in the Consolidated Water District, but a non-service area. If Mr. Raymond was to do the work himself or hire a contractor to install the water line, meeting Town of York specifications, the project would certainly be cheaper, and once approved the line could then be dedicated to the Town and then become our responsibility. Mr. Raymond asked if he was to install the water main to Simpson Road, would the Anderson Road homeowners then be able to connect from there. Supervisor Deming replied once the majority of the line was put in, it would be more cost effective for the Anderson Road residents, if they as a whole decide to proceed further. Mr. Deming stated many years back, Anderson Road residents asked the Town to prepare a feasibility study for their area, and after viewing the figures involved for a water district, we could not obtain majority approval from the residents to proceed. It is very important to have as many homes involved as possible in order to reduce the cost per household.

Mr. Finch asked if Asbury Road is still a possible source of water for the Town, especially for the hamlet of Linwood. Supervisor Deming stated that we have looked on and off for several years at that option, but would still have a hefty cost to contend with for new construction.

Mr. Pixley asked what the yearly charges are for the homeowners who currently have Town water. Supervisor Deming stated all customers in the Consolidated Water District paid a debt service of \$196.94 per unit

on their January 2010 County and Town tax bill this year, plus the quarterly water bill, which is based on actual consumption.

Supervisor Deming stated he will have Mr. Wies prepare a cost estimate sheet for the Anderson Road area. Once the information is complete, we will then schedule an Informational Meeting to discuss the options available. A letter will be mailed out to the residents on Anderson Road and the surrounding homes on Main Street notifying them of the date and time of the meeting.

HIGHWAY

1) Maintenance:

Mr. Worden reported some crew members from his department continue to work for the County on the Fowlerville Road project, and the remainder of the highway department has been busy mowing cemeteries and roadsides. We recently pulled out the plow equipment for inspection for the upcoming winter season, and the men took down the flags today from the Main Street poles, in order to put the wreaths up next month.

WATER/SEWER

Mr. McCracken reported due to his recent accident he has not been at the treatment plant, but has kept in daily contact with his men and Mr. Worden for day to day duties. Mr. McCracken stated the men have been handling the work load well and the departments have been running smoothly.

OTHER

1) J. Cecil and Judy Gray:

Mr. McCracken informed the Board of a situation the Water Department was recently made aware of. When Mr. and Mrs. Gray connected to Town Water in 2004, we inadvertently placed a 1 inch read head on a 5/8 meter, making all reads double-triple in consumption. By not having a normal base consumption, the department was unaware that the Gray's were using much more than they actually were, until this October billing cycle when Mr. Gray asked to verify the meter. Once the verification took place, the correction was made to the meter, but we now need to reimburse Mr. and Mrs. Gray for over payment of water from 2004 to present. Mrs. Messana, Water Billing Clerk, prepared a spread sheet for the Town Board to review.

Highway Superintendent, Mr. Worden commented because this is the second issue of its kind in this area, the water department will be visiting each home to verify the remaining meters to make sure all are working properly.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to approve reimbursement to Judy and J. Cecil Gray in the amount of \$3,121.29 for overpayment of water charges dating back to 2004. Voted on and approved, Yes-4, No-0.

NEW BUSINESS

1) Water Tap Application:

a- William Hasler:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to approve the Water Tap Application submitted by William Hasler in the amount of \$1,500.00, for property located at 2606 Cowan Road. Voted on and approved, Yes-4, No-0.

2) James Mays Request:

Supervisor Deming stated at the October 7th meeting the Town Board discussed the request of Mr. and Mrs. Mays of Retsof regarding their October-2010 water consumption read. Mrs. Messana prepared written documentation for the Board to review in order to verify if an adjustment is warranted.

After some discussion the Board did agree that this quarter's consumption was higher than the normal cycles, but did not feel ongoing PRV issues by the homeowner would justify an adjustment by the Town. Mr. McCracken stated once again Mr. Mays expressed in his letter two weeks ago his issues began to occur at his residence when the Town upgraded the water and sewer lines with higher pressures, which never took place.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to reject the water adjustment request submitted by James and Marian Mays for property located at 2775 Evans Ave. Voted on and approved, Yes-4, No-0.

3) Proposed Dog Law:

Town Clerk, Mrs. Harris presented to the Board a draft version of the Town of York Dog Control Law. Mrs. Harris asked the Board to review what has been presented for feedback, in order to follow through with adoption of the required Local Law before January 1, 2011.

Mrs. Harris stated each Town will be adopting their own Local Law, and creating their fee schedules, to which the Town Board must decide the actual dollar amount of. Clerk Harris stated the current fees are \$5.50 for a spayed/neutered dog and \$13.50 for unspayed/unneutered. It is her recommendation to increase the fees by \$2.00 for each, but also expressed that the Board has the final determination. Mrs. Harris also addressed the issue of Purebred licenses. Currently the Town of York has 4 Purebred License renewals on the books, and the Town must

decide whether we will continue with it, or eliminate those licenses and have the owners license each of their dogs individually. The Board agreed usually a purebred license is issued to an owner who breeds dogs for profit, and feel we should eliminate the purebred license applications, and have all dogs licensed individually. Mrs. Harris stated she agrees with the Board about the elimination of the purebred license renewals, but expressed concern on one license in particular, stating that this license holder has a total of 15 dogs, of which 13 are unspayed and unneutered, making her renewal a much more costly one.

Supervisor Deming thanked Mrs. Harris for the information submitted including the dog licensing cost work up sheet, and asked the Board to review the proposed Local Law in order to schedule the Public Hearing within the next meeting or so.

4) Assessor:

Supervisor Deming reported that he met with Town Assessor, Anne Sapienza to discuss the Town's decision on whether or not to continue with the State's reappraisal and aid program. Mrs. Sapienza explained in order to obtain the \$5.00 stipend for each parcel, the Town must decide on what plan to proceed with. The Town Board discussed different options, but thought the 5 year plan would be most beneficial with the Town receiving the \$5.00 per parcel (1,400 parcels within the Town of York) on the year of the reappraisal, and \$2.00 per parcel for the other years.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deming authorizing the Town to proceed with the 5 year plan for reappraisal purposes. Voted on and approved, Yes-4, No-0.

5) Court Renovations:

Supervisor Deming informed the Board prior to the Information Meeting this evening, he asked Mr. Thoma to view the court room above the Town Clerk's office, for suggestions on how to proceed with retention of records and possibility of grant funding. Mr. Thoma stated the first step is to contact the office of Court Administration to decipher what records must be kept and what records can be destroyed. Supervisor Deming asked Councilman Deuel to be the liaison between that agency and Court Clerk, Mrs. Geary. Mr. Deming stated the court work has continued to pile up, so having Mr. Deuel assist in the process will be an asset.

The Board also discussed the need to further evaluate the court office. For years court has always taken place on the top floor, but with the ongoing requirements for handicap accessibility, we will eventually be mandated to comply in the main hall. Supervisor Deming stated he feels we should speak with an Architect about drafting a plan for the main

hall, to incorporate the court as well as a conference room. Mr. Deming commented we have struggled over the years with the decision to expand the office space because of the rental availability to the residents, but now need to focus more seriously on revamping what we currently have and what our future needs will be.

6) Brush pick up:

The Board discussed with Highway Superintendent, Mr. Worden scheduling a date for a fall brush/leaves pick up. Mr. Worden suggested a Tuesday in November, in order to miss the refuse trucks on Mondays.

After little discussion the Board agreed to schedule the fall clean up day for Tuesday, November 16th. A notice will be placed in the Genesee Valley Penney Saver.

7) Spill Plan Resolution:

RESOLUTION offered by Mr. Deuel and seconded by Mr. Rose to approve the following resolution:

Whereas, there has been a discussion and a recognized need for the Town of York to be empowered to act in the case of an environmental emergency or hazardous spill; and

Whereas, the York Town Board deems it to be in the best interests of this Town and its residents that the Town have an appropriate plan to respond to an environmental hazard, environmental spill or any other event which shall have an environmental impact on the Town and its residents.

Now, therefore, it is resolved that the Town of York, its agents, and employees shall be empowered to act in any way necessary in response to any environmental events, including but not limited to, environmental spills, environmental hazards, blockage of roads and blockage of drainage affecting any roads, right of ways, appurtenances or other types of property, whether public or private. The Town shall assist in the cleanup, removal and restoration of any affected property.

Furthermore, the Town shall be entitled to reimbursement, by the party(ies) responsible for the environmental impact, for any and all costs and expenses incurred by the Town, including but not limited to employee time and wages, labor costs and materials at the current applicable rate of compensation set by the County of Livingston.

Voted on and approved, Yes-4, No-0.

8) Accounting Firm Request:

Supervisor Deming reported the Board received a request from Shelby Bennett of Baldwin Business Services, requesting that the Board consider consolidating the sewer accounts into the water account for deposit purposes. Ms. Bennett explained that the individual districts

themselves will continue to run separately, but for banking purposes this will be a much more efficient method.

9) Website Presentations:

Councilman Deuel stated he contacted each of the website developers to schedule a date and time for a Town Board presentation. On November 18th, the Board will meet with the following:

6:00 p.m.	Annette McNinch	Digital Towpath
6:30 p.m.	Robert Deming	Genesee Valley Web Marketing
7:00 p.m.	Lari	Design FM

10) B.O.A.R Member:

Town Clerk, Mrs. Harris informed the Board that Board of Assessment Review Member, Daniel Barefoot will be submitting his letter of resignation within the next few weeks, and we will need to advertise for the position. Councilman Deuel suggested we review all positions (Planning and Zoning) expiring at the end of 2010, and publish one notice.

Mrs. Harris stated she will review the individual Boards and have the notice prepared for the paper.

9:05 P.M.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to enter into Executive Session to discuss a personnel issue, to include Town Board, Town Attorney and Town Clerk. Voted on and approved, Yes-4, No-0.

9:50 P.M.

RESOLUTION offered by Mr. Deuel and seconded by Mr. Rose to end Executive Session. Voted on and approved, Yes-4, No-0.

Supervisor Deming reported no action was taken in Executive Session.

OTHER

1) Joint Meeting:

The Town Board scheduled a joint meeting with the Leicester Town Board for Tuesday, October 26th at 6p.m. at the Leicester Town Hall to discuss a personnel matter.

2) Water discussions:

Supervisor Deming stated water discussions were held recently with Councilman Rose, Mr. Worden, Mr. McCracken, Mr. Henry (Clark Patterson Lee) and himself to review the future water needs for the Town of York. Mr. Deming expressed how pleased he was with the cooperation

of ideas of the group, and feel due to the fact bonding is inexpensive at this time, we may be able to bond the entire repair projects as a whole, rather than several smaller ones. Overall the conversation was very positive and felt as if we were headed in the right direction. Mr. Deming stated further discussions will be coming, but wanted to wait until the end of the year to verify funds.

BILLS

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to approve all claims brought before the Board. Voted on and approved, Yes-4, No-0.

Sewer Districts	#168-173	\$76,201.82
Consolidated Water	# 218-222	\$ 3,249.91
General Fund Claim	#350-361	\$12,367.90
Highway Fund Claim	#166-167	\$ 123.68

ADJOURNMENT

RESOLUTION offered by Mr. Deuel and seconded by Mr. Rose to adjourn the Town Board Meeting until November 4th. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 10:10 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk