

York Town Board Meeting  
October 10, 2013

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

Absent: Frank Rose Jr.

Others: Patricia Gardner, Carl Peter (Zoning & Code Officer), George Worden Jr. (High. Supt.) and David Rose

Supervisor Deming opened the Town Board Meeting at 7:32 p.m. and invited Clerk Harris to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to approve the minutes of the September 26<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY REPORT

Mr. Worden stated the department continues to mow back roadsides for better visibility, including all intersections. The crew has also been patching holes and continuing with road shoulder repair. Mr. Worden commented Anderson Road will need a bit more attention as well but will need to verify budget figures before scheduling anything further. Mr. Worden added all trucks are in the process of being serviced for the winter season.

WATER/SEWER REPORT

Mr. Worden informed the Board, Lawnel Farms had a sewer issue at one of their tenant homes today. After review of the situation we verified that the problem was not Town related, so Lawnel took care of the problem from that point forward.

Mr. Worden stated he recently spoke with NYS Rural Water Association (NYRWA) about the need to schedule a visit to have them verify any leaks or seepage of our system. Mr. Worden stated Rural Water is a non-for-profit organization, promoting the development and improvement of rural drinking water and its systems throughout the State.

Mr. Worden reported that Water & Sewer Operator, Rob Grant will begin going door to door on Tuesday to the residents on Genesee Street regarding the Rt. 63 Water Main Replacement Project, seeking necessary input for final restoration. Mr. Grant will obtain from the residents whether or not the homeowner(s) are satisfied with the work conducted or if additional attention is needed before we sign off on the project with Mr. Morsch. Mr. Worden stated Mr. Morsch is aware of several areas of restoration to complete, but with the cooperation of the residents, we will have a more concrete answer what still needs to be done.

Councilwoman Parnell asked if the department completed cleaning of the sewer mains. Mr. Worden replied with the assistance of the Village of Mt. Morris, we did complete “jetting” of the sewer mains in the Retsof, Wadsworth and Greigsville areas.

### OLD BUSINESS

#### 1) Town Water Adjustment Policy:

Clerk Harris discussed with the Board the fact that the Town no longer has an official Water Adjustment Policy in place, but continues to grant adjustments on a case by case basis. Mrs. Harris stated if the Board’s wish is to continue in this format fine, but recommended consideration once again of a policy to proceed from. The Policy was eliminated January 13, 2011.

Councilman Deuel commented we have continued to grant adjustments based upon previous reads, the most important factor being once the homeowner is aware of the leak, they fix it and have the Water Department verify the correction. Highway Superintendent, Mr. Worden offered to speak with surrounding towns about obtaining sample policies to reference. The Board stated we will continue to review each water request on a case by case basis until further notice.

#### 2) Brine Plant update:

Supervisor Deming reported as discussed previously, Livingston County has contacted NYSDEC several times, most recently Wednesday in regards to a meeting with AKZO pertaining to the Cuylerville Brine Plant. Mr. Deming stated rumors have been circulating that AKZO contacted SUNY Geneseo asking to hold a public meeting at the college, with October 22<sup>nd</sup> or 29<sup>th</sup> as possible dates. Supervisor Deming commented Senator Patrick Gallivan and Assemblyman Bill Nojay have been working diligently on our behalf to obtain answers to our questions, and expressing to DEC the need to hold a Public Informational Meeting to outline what AKZO’s intentions are. Supervisor Deming added, the County is meeting with consultants in order to hire someone to help protect and safeguard our area. One consultant interviewed was a mining consultant out of Wayland, specializing in mining practices. At one time she was a consultant for DEC, but in recent years even fought against them. Councilman Deuel asked if these consultants have a Geological background, which Mr. Deming replied he believed they had. David Rose commented the consultants interviewed by the County more than likely dealt with clients in the mining industry, we need to focus more geologically.

Supervisor Deming stated that County representatives have submitted numerous F.O.I.L. requests to DEC to gather as much information pertaining to the Brine Plant Contracts. What has been determined thus far is the fact that two (2) agreements are on file between the Attorney General’s Office and DEC, and a third contract was just confirmed. Mr. Deming added the County is receiving a great deal of calls and visits from concerned residents inquiring about the plant closure and its future. Supervisor Deming stated once again the necessity to schedule a public meeting and our State representatives (Nojay and Gallivan) have already agreed to participate once the date and time can be confirmed. Mr. Deming stated AKZO has conveyed their intention to strictly state their position at such meeting, but we all feel there must be a question and answer portion in order to fully understand what to expect. Councilman Deuel asked what year did the mine collapse take place. Mr. Deming replied, the collapse took place

in 1994 and the brine plant was up & running in 2006. Mr. Deuel asked what the mine did over the 12 year gap. Mr. Peter stated although the mine collapse occurred in 1994, they were able to continue mining salt for quite some time until the water filled the majority of the mine, then all mining practices had to be abandoned.

#### NEW BUSINESS

1) Water adjustment request:

a- David Sliker:

Clerk Harris stated she recently received a water adjustment request from Wadsworth resident, David Sliker for property located at 4216 Route 36. After review of Mr. Sliker's account the average consumption per quarter of his previous four billings was 12,000 gallons, and this current bill totaled 41,000 gallons. The Water Department has confirmed Mr. Sliker's water leak was corrected.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the Water adjustment request submitted by David Sliker for property located at 4216 Rt. 36. Voted on and approved, Yes-4, No-0.

original bill was \$ 283.52 ( \$ 193.52 for water & \$ 90.00 for sewer):

water- \$ 147.53 (adjusted amount)

sewer- \$ 90.00

TOTAL DUE: \$ 237.53 (**savings of \$ 45.99**)

2) Budget Hearing:

Supervisor Deming scheduled the 2014 Budget Hearing for Thursday, **October 24<sup>th</sup>**, 2013 at **7:00 p.m.** at the York Town Hall.

3) Town of Leicester correspondence:

Supervisor Deming reported we received correspondence from the Town of Leicester informing us of their upcoming Public Hearing on Tuesday, October 22<sup>nd</sup> at 7:00 p.m., to take comment on proposed Local Law #4 of 2013. The Local Law is a One Year Moratorium and Prohibition within the Town of Leicester, of Natural Gas and Petroleum Exploration and Extraction Activities, Underground Storage of Natural Gas and Disposal or Treatment of Natural Gas or Petroleum Extraction, Exploration and Production Wastes.

Clerk Harris stated a copy of said Law is posted on the Town Clerk's official signboard.

4) Fall brush cleanup:

The Board and Highway Superintendent, Mr. Worden discussed whether or not to schedule a fall brush cleanup. Mr. Worden stated his willingness to conduct the cleanup if that was the desire of the Board. After little discussion the Board stated due to the Highway Department's ongoing projects, the Town will not schedule a second brush cleanup this year, we will wait until spring.

PRIVILEGES OF THE FLOOR

1) Patricia Gardner:

Mrs. Gardner asked to speak with the Board this evening to submit information she feels the Board should be aware of. After attending a presentation a week ago, Mrs. Gardner explained briefly about Agenda 21. UN Agenda 21/ Sustainable Development was first created by the United Nations back in 1987 and the actual plan was signed by President George Bush and 178 other nations in 1992. Mrs. Gardner stated that the Town of Livonia has now been approached about preparing a sustainability plan, and after once considering such a plan, the Town of Victor has decided to back away from it. Mrs. Gardner expressed the need for the Board to educate themselves and feel it is very scary to think about our freedoms and rights being lost, and asked the Board to explore it further. Supervisor Deming asked if the meeting Mrs. Gardner attended was a public meeting sponsored by a Town or County. Mrs. Gardner said the meeting was not hosted by either agency and was held in Hemlock. Mrs. Gardner urged the Board to read the information submitted and to view the additional websites listed as well, stating with this type of plan it would take away from our existing Home Rule.

Supervisor Deming thanked Mrs. Gardner for her submittal.

BILLS

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

General Fund Claim	# 308-328	\$ 8,927.91
Joint Water & Sewer	# 263-273	\$ 81,944.67
Street Lights	# 10	\$ 1,580.11
Highway Fund Claim	# 155-162	\$ 9,567.57

ADJOURNMENT

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to adjourn the Town Board Meeting until October 24<sup>th</sup>. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:10 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk