

York Town Board Meeting
November 7, 2013

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

Absent: Lynn Parnell

Others: Patricia Gardner and Carl Peter (Zoning & Code Officer)

Supervisor Deming opened the Town Board Meeting at 7:30 p.m. and invited Councilman Rose to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose to approve the minutes of the October 24th Budget Hearing and Regular Town Board Meeting. Voted on and approved, Yes-4, No-0.

*With the absence of Mr. Worden no report was given for the Highway Department and Water/Sewer Departments this evening.

OLD BUSINESS

1) Zoning update:

Supervisor Deming reported Attorney Campbell informed him that the Final Zoning document will be ready for the November 21 Town Board Meeting.

2) Water/Sewer hire:

Councilman Deuel questioned if the Town is planning on hiring a new employee for the Water & Sewer Department. Supervisor Deming responded our men have been handling the workload very well thus far and hope to proceed with a new hire after the first of the year.

3) Court hours:

The Board discussed Court changes for the upcoming year. Court Clerk hours will be reduced to 20 hours maximum, which reduces the position from full time to part time, with no health benefits (she may stay on the Town's policy, but must pay the insurance). The Board expressed the need to begin posting and notifying the necessary agencies of the new Court hours. Supervisor Deming stated once Mrs. Geary prepares her schedule we will then post the hours on the Town's website and advertise in our official publication.

NEW BUSINESS

1) Paulette Liptak:

Supervisor Deming reported we received a letter from Retsof resident Penny Liptak requesting a sewer unit charge be removed from a second structure on her property, at

2934 Retsof Avenue. Mrs. Liptak stated the additional home was placed on site back in 1972 for her mother-in-law, who has since passed. She commented that she has no intentions of renting the mobile home again and uses it solely for storage purposes, and hopes the Town Board will consider removing the second sewer charge from her quarterly bill.

Zoning Officer, Mr. Peter conveyed to the Board a conversation he had with Mrs. Liptak two years ago about the situation. Mrs. Liptak stated the home is strictly being used as additional storage and will no longer be needed for residential purposes.

7:38 p.m. - Councilwoman Parnell arrived at this time.

The Board agreed after verification from Mr. Peter and documentation submitted by Mrs. Liptak, removal of the second sewer charge can take place.

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel authorizing the Water/Sewer Billing Clerk permission to remove one sewer unit charge on Mrs. Liptak's quarterly bill for property located at 2934 Retsof Avenue. Voted on and approved, Yes-5, No-0.

RECEIVED

BY *CSH* | 10/30/13 DATE

October 28, 2013

Dear Members of the York Town Board,

I am writing to ask to have one of the sewer charges removed from the property at 2934 Retsof Ave. In 1972 my mother-in-law moved to Retsof and put a mobile home on the property owned by my husband and myself. At that time the property was separated. My mother-in-law passed away in 2001 and we had no intention of renting the property. It is land locked and the only way to enter is through our yard and the chicken yard. We received calls from several people who wished to rent but all were turned down until an inquiry was received from David Tilley. Mr. Tilley purchased the land adjacent to our property line and wished to rent while he was building his home on that property. He would access the trailer through his property. We agreed. Mr. Tilley rented during the time he was building his straw bale house. Over five years ago, Mr. Tilley purchased a property on Retsof Ave. Since that time, no one has lived or even spent one night in that trailer. At some point (I honestly do not remember the year) the land we ceded to my mother-in-law was rejoined into our original property. I will admit that 30 years ago neither my husband nor myself gave a thought to what might happen to this building when his mother died.

When the trailer was put into place, Ralph Flynn installed an adequate septic system and there were never problems since only one person lived there (the building has never been connected to the sewer system). Since the waterline that was installed for the trailer went right by our garage we took advantage to repair a water hydrant that had been there in the past. This is the water I use for my chickens, so it would be impractical and a hardship to have the water shut off to this trailer. This building is now just used just for storage, overwintering plants (I need the water for this purpose), overflow cooking on Thanksgiving, and having reached a certain age it is convenient to have toilet facilities on that side of the property.

At some point I talked with Carl Peter about having the building not be subject to sewer charges. He replied we would need to make the building "uninhabitable" since there was the possibility we could rent it again. I tried to reassure him that would not happen, since the property is landlocked and not too many renters would want to share their yard with chickens. Also the heat only works in half of the house. This summer I had Gullo Kitchen and Bath remove the hot water heater and cap off both the natural gas and water supply to it. I believe this makes the building uninhabitable, but still also allows me to use it for the above purposes. I have not addressed this issue until now since it was not as much of a financial drain while my husband was alive, but now circumstances have changed.

I would greatly appreciate your consideration of this matter.

Sincerely,


Paulette Liptak

OTHER

1) Garbage complaint:

Supervisor Deming reported he received a complaint recently regarding garbage being left roadside throughout the week. Mr. Deming asked Mr. Peter what State Law regulations are pertaining to such. Mr. Peter commented if the garbage is in actual cans it would be classified as contained. Supervisor Deming stated the issue was brought to his attention by another Zoning Officer, reporting that garbage cannot be out longer than a few hours. Mr. Peter commented perhaps the “law” the individual is referring to could be a Local Law or in NYSDOT’s regulations. Mr. Peter stated he will investigate further.

2) Zoning:

Supervisor Deming asked Mr. Peter about an ongoing renovation project on Main Street, next to John Craft. Mr. Deming wondered if the renovations were for business purposes. Mr. Peter stated renovations have been done at the property, which they did receive a building permit for. Removal of a garage door, siding to the home and enclosure of the existing porch took place. Mr. Peter added the owner does have her home business within the structure, which is permissible in town zoning.

BILLS

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

General Fund Claim	# 342-352	\$ 7,131.67
Joint Water & Sewer	# 283-296	\$ 11,532.29
Youth Fund Claim	# 18	\$ 165.00
Street Lights	# 11	\$ 1,740.82
Highway Fund Claim	# 171-177	\$ 7,943.86

ADJOURNMENT

RESOLUTION offered by Mr. Deuel and seconded by Mr. Gates to adjourn the Town Board Meeting until November 21st. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 7:45 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk