

York Town Board Meeting
November 21, 2013

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

Absent: None

Others: George Worden Jr. (Highway Superintendent), Patricia Gardner, Carl Peter (Zoning & Code Officer) and Andrew Emborsky (Town Attorney)

Supervisor Deming opened the Town Board Meeting at 7:33 p.m. and invited Councilman Gates to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell to approve the minutes of the November 7th Town Board Meeting. Voted on and approved, Yes-5, No-0.

HIGHWAY REPORT

Mr. Worden reported the Highway Department continues to mow roadsides and trim brush until snow falls. Mr. Worden stated all machinery is ready for the winter season, and in fact had to plow and salt once already this year in the Stewart Road area.

Mr. Worden stated last week he was made aware of a piece of equipment on the Federal Surplus Site, and contacted a few Board members to seek approval to purchase before he was out bid. The equipment we purchased was a CAT Payloader, at a price of \$2,300.00. Mr. Worden commented due to its capabilities, we will be able to sell our old payloader and forklift. The newer payloader includes a 2½ yard bucket. The Board asked where the equipment originally came from. Mr. Worden replied the payloader was once property of the Canandaigua Department of Veteran's Affairs. Councilman Rose suggested auctioning the forklift and old payloader in the spring. Councilman Deuel asked the status of the army surplus truck previously purchased. Mr. Worden stated the department has roughly half of the work completed on that truck.

WATER/SEWER REPORT

Mr. Worden reported that the water and sewer departments are running smoothly, even with scheduled time off from personnel. Mr. Worden stated Mr. Grant has been obtaining "sign offs" from the residents in the Route 63 Watermain Replacement area. At this point we are lacking six (6) signatures (3- no response to our letter, 2-wish for additional work and 1- has an issue with the existing ditch). Mr. Worden commented pictures of the area were taken prior to the start of the project which has been quite helpful after the construction phase and what was required for restoration purposes. Mr. Worden added, one resident expressed their concern regarding future settling and asked for

assurances for a return visit. Mr. Worden informed them settling will occur, in the spring we will be reviewing the area once again. Attorney Emborsky suggested sending a certified letter to the residents who have yet to respond to the initial mailing, which the Board agreed would be the best solution.

Mr. Worden informed the Board of a conversation he had regarding a waterline request. A private line was installed several years ago, but never made active, and the owner of the line inquired what the next step was to begin the process now that he has a potential buyer for one of the lots. Mr. Worden stated we flushed the system over a week ago and first sample results were excellent, no bacteria in the line. Mr. Worden added he also had the opportunity to review the asbuilt drawings as well as the stamped plans for that area. Each step of the way the owner installed the line according to Town specifications. Mr. Worden commented when this line becomes active, our system will benefit with the constant flow of water through the lines. Mr. Worden stated the lots are in two separate phases. In phase I, water and sewer lines are installed, along with electric as well. Attorney Emborsky stated before we take responsibility of the line, we will need to make sure that a certified letter is sent to us when wording for dedication of the line to the Town of York is complete. Mr. Emborsky added we must be sure all issues (liens/easements etc.) have been addressed prior to signing the contract.

OLD BUSINESS

1) Zoning update:

Supervisor Deming reported that the Board met earlier this evening with Attorney Emborsky to review some draft zoning modifications to the Town of York Zoning Ordinance. Clerk Harris stated Planning Board Members and Norm Gardner of Clark Patterson Lee have been notified of the draft document. Supervisor Deming asked to mail a copy to each of the Steering Committee members as well. The Board agreed to accept comment until Wednesday, December 11th. The next regular Town Board Meeting is slated for December 12th.

NEW BUSINESS

1) Mary MacDonald issue:

Clerk Harris reported she received a visit last Friday from Fowlerville resident, Mary MacDonald lodging a complaint about farm machinery driving upon her property leaving very large marks in the front lawn areas. Mrs. Harris informed Mrs. MacDonald that Fowlerville Road is a County owned road, but would gladly pass the message on to Mr. Worden Monday morning. The complaint was given to Mr. Worden and after review suggested that another Board member visit the site. Councilman Deuel stated he and Clerk Harris viewed the marks, witnessing that in fact tractor tire marks, either by the tractor itself or the tire from its equipment was certainly outlined on Mrs. MacDonald's property. Mr. Deuel added the marks look as though they were a one-time occurrence, due to the fact the only 1 set of markings were visible, and stated this matter would not come under the "Right to Farm Law" on our books. Supervisor Deming stated he and Don Higgins (Livingston County Highway Superintendent) also visited the area, and commented that the County will follow through with the issue at this point.

OTHER

1) Route 63 Bridge:

Supervisor Deming reported that he spoke with Livingston County Planning Director, Angela Ellis and New York State Department of Transportation pertaining to their upcoming plans for the Route 63 Bridge. DOT has three dates scheduled to discuss in detail the plans to reconstruct the bridge on Route 63 (Genesee Street) entering Geneseo. The first tentative date is Monday, December 2nd. Mr. Deming commented that the State is proposing to close the bridge completely until the entire project is finished, which will be a major traffic issue.

2) Holiday Wreaths:

Highway Superintendent, Mr. Worden and Clerk Harris expressed to the Board the shape of the holiday wreaths. While preparing the wreaths this week, we noticed that they are breaking apart more and more each time we handle them, and need to be replaced. The Board suggested seeking prices after the holidays, which Clerk Harris agreed as well. Highway Superintendent, Mr. Worden commented it might be a good idea to have a fundraiser for the new wreaths at the York Valley Fest.

3) Zoning Updates:

Mr. Peter informed the Board of a meeting he and Highway Superintendent, Mr. Worden attended today regarding flood plain districts. Mr. Peter stated the County is planning to revamp their maps and outlined a few areas in need of attention (creeks, streams) which are high priority. Mr. Worden added that the County's maps will be digitally prepared, and we had to submit the Town of York's priority areas.

Mr. Peter spoke once again about the rubbish complaint discussed a few weeks ago. Mr. Peter stated after much review, he was unable to locate any documentation to substantiate the complaint. Mr. Emborsky added, he too found nothing in the codes relating to a time table.

Mr. Peter addressed with the Board an ongoing question he had for Attorney Campbell, but yet to receive an answer for. Mr. Peter stated he emailed Mr. Campbell regarding a zoning request two months ago and has not been able to follow up with the caller with an answer. Mr. Peter stated last year the Board explained to him that he needed to remain on top of zoning matters and if a question arose that needed legal assistance, to feel free to contact Mr. Campbell or Mr. Emborsky. Mr. Peter stated he has called and emailed Mr. Campbell, but hasn't received a response and finds it difficult to proceed with an answer. The Board discussed the zoning matter with Mr. Peter, expressing if the request does not meet the minimum square footage for the second home, our zoning will not allow it. Mr. Emborsky agreed with the Board's assessment of the issue, and added all applicants must comply with the zoning codes or proceed further with potential variance approval. Mr. Peter stated the time this issue has taken waiting for an answer, is a poor reflection on him as well as the Town of York, and feels the Board should be aware of it. Attorney Emborsky commented

that the discussion this evening was the first time hearing of the issue, but would certainly follow up with Mr. Campbell.

OTHER

1) Patricia Gardner:

Mrs. Gardner asked the Board if they were aware of the new requirements within New York State School Districts. Mrs. Gardner stated that it is referred to as Common Core State Standards (CCSS) and that most parents are unaware of what it is and how their children will be affected. Common Core represents an effort by states and school administrators to ensure that state curricular standards are aligned with the expectations and skills required for post – secondary education and work. Mrs. Gardner added apparently Common Core was developed because officials believed the United States was falling behind other countries in student achievement, not preparing them properly for college. Forty-five states have adopted the Common Core national standards, and are being implemented this year, most likely due to the millions of Federal Funds issued to all who participate. Mrs. Gardner commented Common Core standards show what students in Pre-K through 12th grade should know and be able to do in ELA and mathematics. Mrs. Gardner stated the changes to be implemented have teachers as well as parents quite concerned, and wanted the Board to know more about what will be expected at schools.

Mrs. Gardner stated she will forward the educational link to Clerk Harris in order for the Board to review further.

BILLS

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

• General Fund Claim	#353-367	\$ 9,028.44
• Joint Water and Sewer	#297-306	\$ 100,578.36
• Highway Fund Claim	#178-183	\$ 4,418.94

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board Meeting until December 12th. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:25 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk

