

York Town Board Meeting
March 28, 2013

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

Absent: Frank Rose Jr.

Others: George Worden Jr. (Highway Supt.), Roger McCracken (Water & Sewer Op.), Carl Peter (Zoning & Code Officer) and Andrew Emborsky (Town Attorney)

Supervisor Deming opened the Town Board Meeting at 7:30 p.m. with the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to approve the minutes of the March 14th Town Board Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY REPORT

Highway Superintendent, Mr. Worden stated the winter weather is still here and has continued to salt on those sporadic days. Due to the freezing, then thawing, the department has encountered numerous potholes to repair. Mr. Worden commented they are doing their best to keep up with them.

Mr. Worden reported he recently purchased from the surplus site, a tractor for roadside mowing in the amount of \$ 600.00. We will need to purchase an actual mower for the tractor, which will cost us roughly \$ 2,000.00.

7:35 p.m.- Councilman Rose arrived at this time.

Mr. Worden stated the department has been working on the truck purchased previously from the surplus site. A neighboring Town has agreed to paint the vehicle for us, all we need to do is supply the paint. Mr. Worden added he has located a used aluminum box for the truck that will work perfectly. It has some wear, but will certainly work for our purposes, and asked the Board permission to purchase it.

RESOLUTION offered by Mr. Gates and seconded by Mrs. Parnell authorizing Highway Superintendent, Mr. Worden permission to purchase an aluminum box for the newly purchased truck, in the amount of \$4,000.00. Voted on and approved, Yes-5, No-0.

Mr. Worden informed the Board that he was notified of the additional funds we will gain in CHIPS. Mr. Worden stated after their visit to Albany, the Highway Superintendents were told additional money was available, but wasn't quite sure on the

dollar amount until now. The Town will receive \$ 28,000.00 more for CHIPS purposes. Mr. Worden commented he is very pleased and will put the money to good use.

Mr. Worden stated when he visited the surplus site to retrieve the tractor, he had also purchased a lawnmower as well. Unfortunately when he arrived the lawnmower was no longer onsite and they could not locate its whereabouts, so we had to settle for one piece of equipment rather than two.

WATER/SEWER REPORT

Mr. McCracken reported the Water Department completed all reads and Billing Clerk, Mrs. Messana verified the information for the April cycle. The cards were mailed out today.

The Retsof Treatment Facility is running smoothly.

Mr. McCracken stated the department has been completing stakeouts of the River Road area, in order to follow through with the permanent service connections after the Route 63 watermain replacement project. Mr. Worden commented he spoke with Mr. Morsch this week about his plans for restoration of the project. Mr. Morsch conveyed his intentions to complete the majority of the restoration next week, weather permitting. Mr. Morsch also informed Mr. Worden of a conversation he had with a Mueller representative about the saddle issues. They are now asking what they can do to resolve the situation. Mr. Morsch stated to them that the Town feels they should not be responsible for payment of the new saddles and compensation for installation should also be taken into account. Mr. Worden stated he believes the saddles will be paid for by Mueller and hope they work with us on the cost for re-installing the new ones. Mr. Worden reported Mr. Morsch easily has a solid two weeks of cleanup ahead of him, and before we officially sign off on the project he wants to contact the State. Mr. Worden stated before the project is finished he personally will touch base with the State to make sure the ditches in the project area are acceptable to them, so we will not have any issues after we close out the project.

Mr. Worden reported he attended another meeting this week with Geneseo to further discuss the upcoming plans for updating of their water tank. Although they feel comfortable with the plan in place, Mr. Worden conveyed once again his concerns about the project. Mr. Worden commented there was discussion about the possibility Geneseo may want to obtain water from us during this process. Mr. Worden stated in order for us to assist them with water we would have to replace a valve at the Flats Road Pump Station which hasn't been used since 1971. Supervisor Deming stated regardless whether or not Geneseo will need our assistance, we need to correct our valve issue.

RESOLUTION offered by Mr. Gates and seconded by Mr. Rose authorizing the Water Department permission to purchase the necessary parts to correct the valve located at the Pump Station in Piffard at a cost of \$ 2,200.00 plus labor. Voted on and approved, Yes-5, No-0.

ZONING DISCUSSION

Zoning & Code Officer, Mr. Peter discussed with the Board a conversation he had recently with a Town resident expressing their interest in growing hops for a

nanobrewery. Mr. Peter stated Justin and Heather Grant have been investigating the prospect of starting a brewery, allowing the public to visit the operation and perhaps purchase their product. Mr. Peter stated he is unsure how to classify this business, Agri-business or Commercial business. Mrs. Grant feels the operation should be classified as Agri-Tourism. Mr. Peter stated because of the unique request he contacted Heather Ferrero of the Livingston County Planning Department for assistance. Ms. Ferrero expressed that there is no president anywhere in the County to refer to in relation to this proposed project. Mr. Peter stated due to the fact that it is not a clear cut classification, he will be contacting the Grants to inform them of the need to meet with our Zoning Board of Appeals to make such determination. Mr. Peter reported the Grants currently have a Morton building on their property to be used in the process, but if the public is to be invited in, additional certifications and inspections will need to be addressed (building requirements and septic approvals from the Livingston County Health Dept.). Attorney Emborsky commented once the Grants have the opportunity to meet with the Zoning Board, we will then have the chance to obtain additional information on the project, for greater understanding of what is involved.

Mr. Peter questions whether or not they are actually considered a farm operation. Mr. Peter added, the Grants own a great deal of land, but does that qualify them as a farm business. Mrs. Grant conveyed to Mr. Peter her thoughts by allowing the public to view the process and purchase their product they should be classified as Agri-Tourism. Mr. Peter reported the family has already started the hops portion of the process. Councilman Deuel commented after numerous conversations with the Grants, a micro-brewery has been a goal of Justin's for quite some time.

Mr. Peter expressed to the Board his thoughts that the initial determination must first come before the Zoning Board for an interpretation/ classification of the business, then onto the Planning Board regarding the their actual plans.

OLD BUSINESS

1) Health Insurance update:

Supervisor Deming updated the Board on the status of the new Health Insurance coverage. Employees accepting Town insurance should be receiving the new cards any day and will become effective Monday, April 1st. The current coverage will cease as of midnight Sunday, March 31, 2013.

NEW BUSINESS

1) Copier:

Councilman Deuel and Clerk Harris reported we received two quotes for a new copier for the office. The first quote was submitted by Mary Friends of Konica Minolta Business Solutions and the second from Mark Bender of Usherwood Office Technology. The quotes allowed the Town the opportunity to lease either 36, 60 or 63 months. Councilman Deuel stated he and Clerk Harris thoroughly reviewed both quotes and ultimately decided to recommend approval for Usherwood. Based on the number of copies produced by the Town, black & white copies are the majority printed and Usherwood's quote would be roughly \$150.00 difference in savings.

Usherwood Office Technology- Quoting a Canon 5235

63 month lease- \$ 165.12 (month), based on 14,000 b/w images & 2,700 color (yr)

Return existing machine- no charge

35 images per minute

Digital sorting-stapling

** If the Board wished to keep the existing copier, we could buy it outright for \$2,000.00, but would be charged 15% of the previous contract for service.

Konica Minolta Business Solutions- Quoting a Bizhub C284

36 month lease- \$ 155.00 (month) initial quote

60 month lease- \$ 151.56 (month)

36 month lease- \$ 147.28 (month)- Late submittal Quote

28 images per minute

Staple finisher 50 sheet

3G Fax capabilities

No max limit on copies

** Color copy price is cheaper for Konica, but the majority of Town copies are black & white and Usherwood has a much lower rate.

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to approve the quote submitted by Usherwood Office Technology to lease a Canon 5235 copier for 63 months. Voted on and approved, Yes-5, No-0.

2) Benefit Resource Inc.:

Supervisor Deming discussed with the Board the option to proceed with Benefit Resource Inc. to handle the new procedures for insurance and reimbursement matters. Mr. Deming stated Mr. Lippitt and Brown & Brown highly recommend this company. Previously Mrs. Barefoot handled all insurance related information for Town employees, but going forward should not continue due to privacy material, hence the recommendation for Benefit Resource and their tracking abilities.

RESOLUTION offered by Mr. Rose and seconded by Mr. Gates authorizing the Town of York permission to contract with Benefit Resource Inc. in the amount of \$ 825.00 per year (which consists of a yearly fee of \$ 375.00 plus \$ 50.00 per month, minimum requirement). Voted on and approved, Yes-5, No-0.

3) York/Leicester Youth:

Supervisor Deming reported the Long Agency will be canceling our Youth policy effective May 1st, 2013. For a number of years we have been paying \$ 1,200 for such coverage and now that the policy will be terminated, we have been seeking coverage elsewhere. David Boyce of Tompkins Insurance has been reviewing our coverage and

feels very comfortable with what he has prepared, which will be in the neighborhood of \$ 700.00 per year, covering more than the original policy had.

After little discussion the Board agreed they are very pleased with the new quote and stated the cancelation from the Long Agency certainly proved to be a positive step for savings.

4) Confidentiality Agreement:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel authorizing Supervisor Deming permission to sign a Confidentiality Agreement with Hurricane Technologies, Inc. Voted on and approved, Yes-5, No-0.

5) Telephones:

Clerk Harris stated the Highway and Water/Sewer Departments continue to experience issues with the telephones at their shop. We discussed with Hurricane the possibility of removing the phones from those areas and have all calls directed to the Town issued cell phones for Mr. Worden and Mr. McCracken. Unfortunately no changes can occur until our contract ends with Time Warner at the end of June, otherwise we will incur a substantial fee. Once the contract expires the men will then have the opportunity to receive calls directly or use the phone system method at the Town Hall for the "prompt" giving callers their number.

OTHER

Attorney Emborsky discussed with the Board the recent decision of Judge Robert Wiggins regarding the Lenape vs. Town of Avon matter and the possible affects in the local townships. Many towns may feel a bit more comfortable with their Local Law adoption after this ruling. Supervisor Deming stated although we did not adopt a Local Law, the Steering Committee is taking the necessary steps to update our zoning where needed.

** Clerk Harris informed the Board the tentative date for the next Steering Committee Meeting is Thursday, April 4th, not Wednesday the 3rd.

8:28 P.M.

RESOLUTION offered by Mr. Gates and seconded by Mr. Deuel to enter into Executive Session to discuss a Personnel Matter, to include Town Board, Town Attorney and Clerk Harris. Voted on and approved, Yes-5, No-0.

9:15 P.M.

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

Supervisor Deming reported no action was taken in Executive Session.

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	#82-94	\$ 6,441.44
Joint Water and Sewer	#87-98	\$ 16,656.37
Street Lights	#4	\$ 1,523.25
Highway Fund Claim	#39-51	\$ 10,246.82

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Gates to adjourn the Town Board Meeting until April 11th. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 9:16 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk