

York Town Board Meeting  
September 26, 2013

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

Absent: Norman Gates

Others: George Worden Jr. (Highway Supt.), Dominic Perkins, Andrew Emborsky (Town Attorney), Lisa Semmel (Town of Leicester Supervisor), Roberta & Paul MacLean, Grayce McLaughlin and David Rose

Supervisor Deming opened the Town Board Meeting at 7:40 p.m. and invited Councilman Rose to lead in the Pledge of Allegiance.

MINUTES

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Deuel to approve the minutes of the September 12<sup>th</sup> Town Board Meeting. Voted on and approved, Yes-4, No-0.

HIGHWAY REPORT

Mr. Worden reported the Highway Department has been working with the County on shoulder work for Linwood Road as well as with the State near Craig Road, tying in intersections after completion of their paving. Mr. Worden stated they were able to mow roadsides once again as well. Mr. Worden commented how pleased he was with the large amounts of millings received from the State's paving project two weeks ago, adding how helpful and what a cost savings it will be for our future projects.

WATER/SEWER REPORT

Mr. Worden reported with the assistance of the Village of Mt. Morris, we began this week flushing our sewer system. Monday and Tuesday the department worked in the Retsof area, encountering large amount of roots, which we will need to keep a watchful eye on. The Wadsworth area was completed Wednesday and then on to the hamlet of Greigsville. Mr. Worden stated they experienced more debris this year than in past years, which adversely affects the plant.

Mr. Worden stated that Water Department personnel recently completed meter reads for the October cycle, bills to be mailed out next week. Mr. Worden also commented we have tried numerous times to change out a meter at a residence in Fowlerville, but to no avail. The homeowner has not responded to calls or a letter sent from Billing Clerk, Mrs. Messina, so in order to obtain a read we had to borrow the meter reader from the Town of Geneseo that captures the read in a drive-by method.

## NEW BUSINESS

### 1) AKZO update:

Supervisor Deming reported at the September 12<sup>th</sup> meeting the Board and Town Attorney Campbell discussed at great length the matter of the brine plant recently brought to our attention. Unfortunately since that meeting no additional updates have been obtained. Numerous calls have been made to the NYS Attorney General's Office and NYS DEC, but have yet to receive a response. Mr. Deming stated we expressed our concern regarding the potential closing of the brine plant and possible ramifications to the area and continued requests for a Public Informational Meeting, but again no response. Mr. Deming stated it was announced previously that the employees at the plant received their "pink slips", but later was notified that it was false information and no further word has been disseminated to the public. Our State representatives have been in contact with a number of Supervisors conveying to each their intentions to speak with the Attorney General's office and Governor Cuomo's office directly on our behalf for actual answers to our questions.

Ms. McLaughlin commented not much information has been circulated thus far, but what is out we seem to hear different versions of the situation, is the brine plant staying or going? Supervisor Deming stated the only information we can 100% confirm is that the plant will be closing and they will dismantle the equipment for another location. Ms. McLaughlin asked if DEC has the final approval for the closure. Supervisor Deming replied he was told the County Board of Supervisors has the final approval. Mrs. MacLean commented in regards to contract language, so much of the information is very confusing and hard to follow. Leicester Supervisor, Mrs. Semmel stated the contract involves three parties: AKZO, DEC and Livingston County. Ms. McLaughlin asked Mrs. Semmel where the Town of Leicester stands at this point. Mrs. Semmel replied we have been waiting for any correspondence from AKZO but they have yet to approach us. Supervisor Semmel expressed a major concern shared by many, once the pumping ceases at the brine plant, what will the affects be to the existing aquifers. Mrs. Semmel added, a reporter from Channel 13 asked recently what the affects may be in the future, her reply was no one really knows, there are far too many unknowns. Ms. McLaughlin commented this area and surrounding areas experienced so many issues after the mine collapse, we cannot afford the same results in our communities. Supervisor Deming agreed, saying the Board of Supervisors share the same concerns and are trying to express them to the AG's office and DEC.

Mrs. MacLean asked when the residents may obtain more information on the matter. Supervisor Deming stated the Board of Supervisors will be discussing the subject at next week's meeting and hope to have more detailed information to share. Ms. McLaughlin asked who was first informed of the brine plant's closing. Supervisor Deming reported County Administrator, Ian Coyle, County Attorney, David Morris and a limited number of Supervisors were approached a few weeks ago about AKZO's plans for the future. Unfortunately DEC & the AG's office have had two years to discuss the matter and only just recently informed us, and at the meetings we sat in on, we walked away with more questions than answers. Mr. Deming stated, sadly AKZO feels they have met their obligation and DEC & the Attorney General's office are agreeing, which leaves us asking how to proceed in stopping this. Councilman Rose spoke about a tour given to the York Town Board members and staff of the brine plant in Cuylerville back in 2006. Mr. Rose

stated what an impressive site it was with high tech technology and equipment. We all believed this plant would be running for many years to come, not closing after 19. Attorney Emborsky commented AKZO expressed their desire to close stating financial losses month after month, but from what we understand they have not been close to pumping at full capacity. Mrs. Semmel stated in the reports issued to the Leicester Town Board over the years she can attest that they have not been at full capacity. Ms. McLaughlin stated she is fearful on many levels of this plant closing, and stressed that there is not sufficient manpower to properly keep an eye on the day to day activities of that area. Supervisor Deming stated inspections of the area are an enormous concern of the Towns and County and agreed manpower is something there is never enough of.

OTHER

1) 2014 Budget:

Supervisor Deming reported that the Board met earlier this evening to discuss and review the final numbers for the Tentative budget, and all members are comfortable with what has been prepared. The Preliminary Budget Hearing will be scheduled at the October 10<sup>th</sup> Town Board Meeting.

BILLS

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

General Fund Claim	# 295- 307	\$ 10,108.85
Joint Water & Sewer	#255 - 262	\$ 2,342.00
Highway Fund Claim	# 147 - 154	\$ 11,994.18

ADJOURNMENT

RESOLUTION offered by Mr. Deuel and seconded by Mrs. Parnell to adjourn the Town Board Meeting until October 10<sup>th</sup>. Voted on and approved, Yes-4, No-0.

Town Board Meeting closed at 8:00 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk