

York Town Board Meeting  
November 9, 2017

Present: Supervisor Gerald L. Deming, Councilmembers: Lynn Parnell, Norman Gates, Amos Smith and Frank Rose Jr.

Absent: None

Others: George Worden Jr. (Highway Supt.), Carl Peter (Zoning/Code Officer), Henry Fuller, Kirk Richenberg and Dan Jagodzinski.

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

**MINUTES**

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the minutes of the October 10<sup>th</sup> Public Hearing, October 12<sup>th</sup> Regular Town Board Meeting, October 26<sup>th</sup> Budget Hearing and Special Town Board Meeting. Voted on and approved, Yes-5, No-0.

**HIGHWAY REPORT**

Mr. Worden reported the following for the Highway Department:

Flooding: Due to the excessive rainfall, flooding took place over the weekend in several areas of the town. On River Road we lost some road shoulder, and 20 feet of water main was exposed. Stumps were coming through the creek and then over the road. We were fortunate to make the repairs in a timely fashion and once we re-designed the area somewhat differently, we now can get an excavator down to the creek for any future needs that may arise. This process took all of Saturday and Sunday to complete. The Casey Road pipe flooded once again and must be replaced with a larger one or a retention pond. Mr. Worden stated that we have discussed a meeting with the owners and feels it needs to happen soon.

Wind: Mr. Worden reported that during recent wind storms, the highway department has had to remove trees in areas around the town, most recently on Anderson Road, with a tree across the roadway. Mr. Worden stated that he spoke with Dr. Matlin about removing some trees in the road right of way, which he gladly gave us permission to proceed with.

Snow: The trucks are prepared and plenty of salt is on the hand for the snowfall we are expected to receive tomorrow.

Mr. Worden reported that the truck ordered last month is slated to be in our possession in December, with the requested changes outlined.

## **WATER/SEWER REPORT**

Mr. Worden reported the following for the Water/Sewer Department:

Another water break occurred on York Road East, roughly 12-15 feet from the last break in September. The existing 600 feet of pipe is in very rough shape and must be replaced. Mr. Worden estimates the replacement cost to be \$25,000.00.

Mr. Worden stated that the rain caused issues at the Retsof treatment facility as well. We dealt with large amounts of infiltration into the plant. Prior to this weekend's rain, we still had infiltration to the facility and must be reviewed how to eliminate such. Supervisor Deming asked Mr. Worden if he thinks the infiltration is coming from areas other than just the Retsof hamlet, which Mr. Worden replied he does, and believes Piffard and York may be part of the excess as well. Mr. Worden stated that we may need to send a letter to the residents or conduct an onsite visit to identify areas of ground and surface water entering the sewer treatment system. Supervisor Deming suggested that Mr. Worden contact the Livingston County Water/Sewer Authority due to the fact they recently went through this process and may be able to assist. Mr. Worden stated he will contact them.

## **PRIVILEGES OF THE FLOOR**

1) Kirk Richenberg:

Mr. Richenberg submitted written correspondence to the Town Board and reviewed with them his comments on such, but asked Supervisor Deming first if the Water & Sewer lines have been turned over to the Town. Supervisor Deming answered that they had not.

**Dear Town of York Board Members,**

**As a tax payer in the Town of York, I have the following concerns about the installation and ownership transfer of the new water and sewer lines that have been installed in 2017 to service the new cheese factory and other businesses and residents in the Linwood area in the town.**

**Pavement surfaces compromised on town and county roads.**

**Shoulders of the roads along the new water and sewer lines are failing due to contaminated back fill and improper compaction.**

**Driveways accessing roads along the new water and sewer lines are failing.**

**Ditches that were impacted during the construction of the water and sewer lines are not**

flowing as they did prior to this project, therefore there is standing water and erosion problems.

Tree that were damaged during construction of the water and sewer lines, will soon die from possible disease, these dead trees could fall into the roads.

Road cross culverts were compromised during water and sewer line construction.

These concerns and possibly more could cost the taxpayers greatly if these lines are turned over to the town without the necessary repairs. I believe the repairs should be made and inspected by an independent firm at the expense of the water and sewer line installer and not the town engineers due to a conflict of interest.

**Kirk Richenberg**

**11/10/17**

Mr. Richenberg read aloud his comments, expressing his thoughts with each:

- Craig Road, north side is falling apart, which is where the sewer main was put in for the cheese plant. Another location needing attention is north on Federal Road where an excavator turned around on a hot day, compromising the surface.
- Field and regular driveways need major attention due to the water/sewer mains installed.
- Ditches in the project area were affected, they did not reestablish the existing ditch line after installation.
- Trees damaged at construction time and not properly maintained, will end up falling into the roadway.

Mr. Richenberg commented that all of the concerns should be taken care of prior to the Town of York taking dedication of these lines. Supervisor Deming assured Mr. Richenberg prior to dedication, these concerns and more will be addressed and completed. Mr. Richenberg stated that Clark Patterson Lee does not have the Town's best interest and feels many sets of eyes need to view what takes place.

Mr. Richenberg asked what transpired at the last TTHM meeting. Mr. Worden replied that a number of people attended, with many ideas. Mr. Deming stated that water personnel from each town attended, along with engineers, supervisors/mayor and the County Health Department, but no resolve took place. Supervisor Deming stated that he heard multiple times the statement that everyone needs to put a Solar Bee in their system. Mr. Deming commented if that is the case, it really should start in Geneseo. Mr. Richenberg questioned if there was any assistance on how to deal with the ongoing

issue. Mr. Deming and Mr. Worden answered that no assistance was offered, only another meeting was scheduled. Mr. Worden added that the Health Department wants each Town to work on this individually, not as a group. Mr. Richenberg asked, even though Geneseo's numbers to us are high, they don't offer assistance. Supervisor Deming stated after this meeting, he along with Mayor Hathaway and Supervisor Wadsworth discussed getting together with our water personnel and engineers, to see about a potential resolve.

Mr. Fuller asked if anyone from the public attended this meeting, which Supervisor Deming replied no, no one from the public was present outside of the agencies involved.

Mr. Richenberg questioned whether or not the town was paid for advertising for Solar Bee when we purchased it.

Supervisor Deming stated that we did not get paid by Solar Bee, but did have a picture taken outlining the recent purchase. Mr. Richenberg stated he was aware of this picture and is the reason why he questioned payment because of a statement alongside of the picture, "our water got significantly better with the Solar Bee." Mr. Worden stated that Solar Bee paid for all of the testing and the quote came from that testing. Mr. Richenberg stated with the existing issues, did installation of the Solar Bee work. Supervisor Deming replied once the Solar Bee was installed it did help the TTHM numbers. The new tank will have a Solar Bee as well.

Mr. Richenberg asked if there is an agreement yet with Covington, which Mr. Deming replied there is not, but did have a meeting recently. Supervisor Deming stated that they want to be able to get water, which we can offer 50,000 gallons maximum per day, but nothing has been finalized. Mr. Richenberg asked with that number do we have the capacity, and also for future expansion. Mr. Deming answered Yes, we can allow that number and still have availability for expansion.

Mr. Richenberg questioned if the contracts have been signed for Phase II. Mr. Deming replied Phase II contracts have not been signed, on the advice of our Town Attorney. Mr. Campbell stated that the Town will not proceed with contracts until all paperwork is in place. Mr. Deming added that variances have been applied for and obtained for the tank, DFA is spending the funds.

Mr. Richenberg asked the Board if they feel confident with what the Engineers are doing. With no response from the Board, Supervisor Deming stated he believes the silence answered Mr. Richenberg's question.

Mr. Richenberg asked what the status was with Cowan Road. Mr. Worden replied that we need to do some patching of the area. Mr. Richenberg added that there are two very large holes that exist roughly, 50 feet between each other and it is becoming a safety hazard when vehicles are swerving away from one, almost hitting the second one. Mr. Worden stated that we must patch it this year and re-do the area next year. Mr. Richenberg commented that the expense to correct this road should be paid by the property owner creating the issue, not the rest of the taxpayers.

Mr. Richenberg asked if we have seen any receipts from DFA pertaining to the \$ 1.6 million. Supervisor Deming responded that he has asked for such receipts but has yet to receive any documentation.

Mr. Richenberg briefly discussed the Budget Hearing that took place recently, and stated that for the last two years, the Town's Accounting Firm has made mistakes, and they need to be more accurate for these meetings. Mr. Richenberg commented in regards to the "celebrations" line item in the budget, he feels if money is not spent in 2018 for the line, it shouldn't be allocated. Councilwoman Parnell addressed that monies will be spent next year because the Valley Fest Committee will be purchasing items in preparation for the Town's Bicentennial.

2) Henry Fuller:

Mr. Fuller stated he no longer needs Privileges of the Floor because all of his questions were answered.

## **OLD BUSINESS**

1) Linwood Road North:

Supervisor Deming reported that the Board has discussed several times the potential numbering system or road change for Linwood Road North. Mr. Deming stated with the exception of one incident that took place in April, we had not had any issues and questions whether or not we should make any change. Mr. Peter replied once the 911 system brought this matter to the Town's attention, if something were to happen once again without a change the town would be completely liable.

Mr. Jagodzinski commented as a resident of Linwood Road North, with the proposed change, a unique name would certainly help delivery drivers and others to locate residences. Zoning and Code Officer Carl Peter stated after reviewing the suggested road change of "Linwood Station Road," the Livingston County 911 system did not feel it would resolve the matter and may continue to have issues. Mr. Peter prepared a letter to the Board (see below) suggesting a special numbering section for Linwood Road North and name it Linwood Road but with different numbers #'s (1450-1799). No cross streets would be affected. Mr. Jagodzinski stated ultimately this idea was suggested previously and may be the best solution.

November 9, 2017

To: York Town Board

Re: Linwood Road North

Attached is the response from Mike Bradley at the 911 office regarding the correspondence from the Linwood Road North residents. We took into account their comments at the September Board meeting and their suggestion of changing Linwood Road North to Linwood Station Road, but felt this changed the problem but did not solve the problem. Heather Ferrero asked the question of could we have a "special numbering section" for Linwood Road North and name it Linwood Rd. (see attached email). Mike said that since there are no other cross intersections from the county line to Linwood Rd. and it was such a short section of road it could be possible with proper signage to have Linwood Road make a 90 degree turn similar to Batzing Rd. and then it would be Linwood Rd. from Rte. 36 till Rte. 5 in Leroy. I believe this would be a much better solution that would allow the residents to keep the Linwood name.

Respectfully,



Carl A. Peter

Town of York

Code Enforcement Officer/ Addressing Official

Councilman Smith asked what expense we will incur with the change. Mr. Worden and Mr. Peter replied only the cost of road signs. Mr. Jagodzinski expressed that the residents fully understand that a change will take place and they want it to be a smooth process. Councilman Rose asked if only a certain number are affected? Mr. Peter answered all those currently on Linwood Road North will now be Linwood Road but with a number change. Mr. Jagodzinski stated we already use Linwood Road, the majority of the residents are willing to change their number. Mr. Peter asked if the Board wants him to send a letter to these residents. Supervisor Deming stated due to the fact that the majority of the residents in this area have agreed to the change already,

he asked the Town Board whether they feel comfortable in proceeding, which they replied they do.

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to change Linwood Road North to Linwood Road but with a new house numbering sequence for each resident. Voted on and approved, Yes-5, No-0.

\*\* Mr. Peter will notify these residents of the upcoming change.

**NEW BUSINESS:**

1) Integrated Employment Services:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to approve the 2018 contract with Integrated Employment Services at a rate of \$65.00 per visit. Voted on and approved, Yes-5, No-0.

\* cleaning takes place once per month

2) Livingston County Planning Board:

Supervisor Deming reminded the Board of Mr. Sliker's resignation from the Livingston County Planning Board and stated we will now be advertising for any residents interested in filling that vacancy.

3) Planning/Zoning term expirations:

a. Advertisement

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing the Clerk permission to advertise seeking interested residents to fill the following vacancies effective January 1, 2018:

Livingston County Planning Board Rep (1 member)

Town of York Planning Board (2 vacancies)

Town of York Zoning Board of Appeals (2 vacancies)

Voted on and approved, Yes-5, No-0.

\* Wednesday December 6, 2017 is the deadline to submit a letter of consideration.

4) Virginia Ave correspondence:

Supervisor Deming reported that we received two letters recently regarding tractor trailers using Pascuzzo Lane and Virginia Avenue. Mr. Vazquez and Mr. Pascuzzo each prepared correspondence for the Board to review.

To whom it may concern:

Received: 10/27/2017

I have been a resident of Greigsville, NY for over 20 years and have enjoyed the neighborhood that my family and children call home; however, there has been an ongoing concern regarding the traffic on our dead end street of Virginia Ave, which is connected to Route 36.

A neighbor and close friend had developed a stone road for neighborhood and local use many years back, which connects Virginia Ave to Route 63. The point of intersection begins at the corner of my property on Virginia Ave and is labeled "Pascuzzo Ln." Despite traffic signs indicating that Pascuzzo Ln is a 5 MPH speed zone and intended for neighborhood use, I have witnessed many large vehicles, specifically tractor trailers, utilize this road at higher speeds. The property damage left behind has been frequent and expensive.

In the past, Pascuso Ln did not register as a local road via GPS tracking. Now, it is identified by satellite and appears as a reference for misguided drivers. The property damage continues as tractor trailers are unable to remain within the lanes of the road, often tearing into our lawns and kicking stones onto our surrounding properties. I would like to make a formal request for the town to investigate into this issue and offer possible solutions that would benefit the neighborhood, preventing drivers from misusing Pascuso Ln.

Thank you.

Michael Vazquez



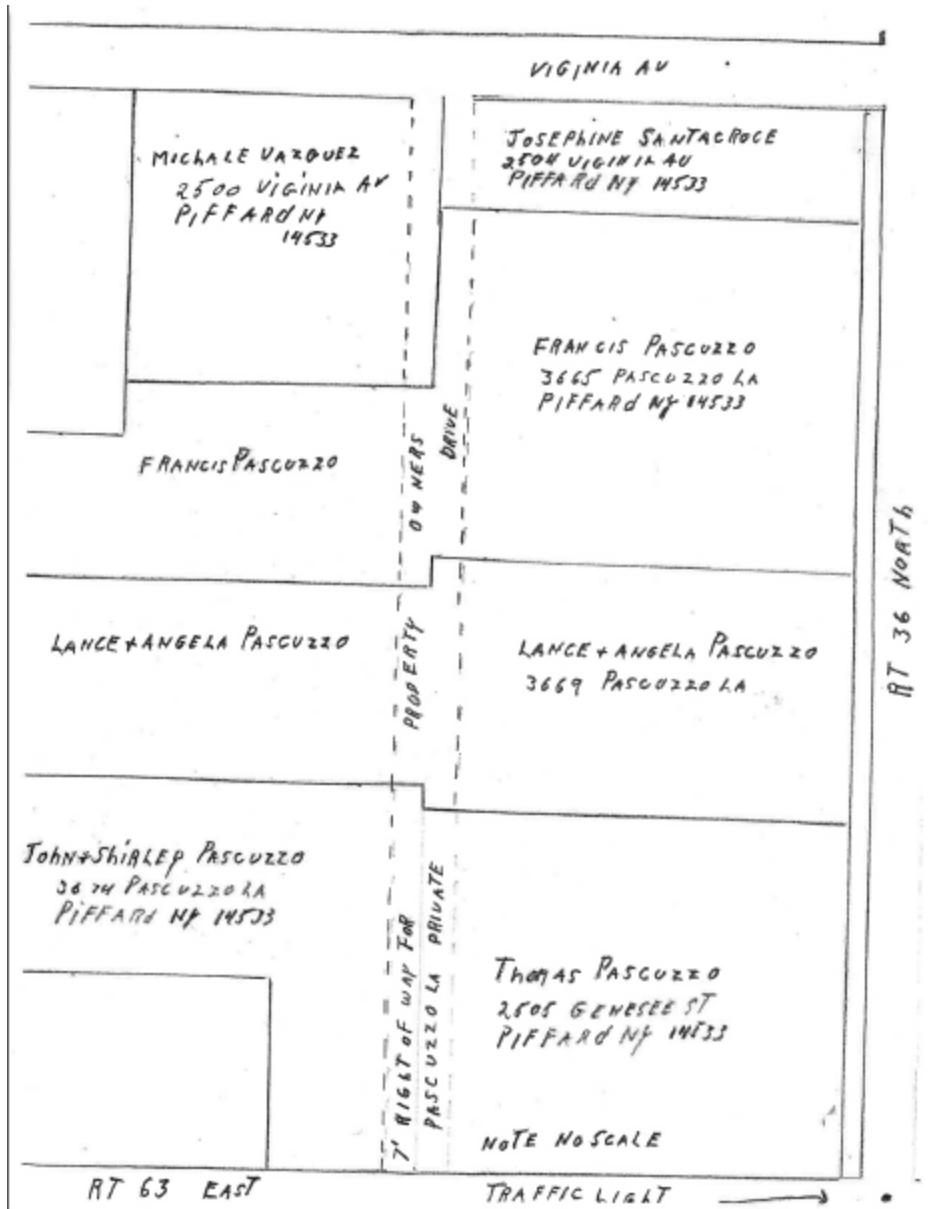
To:

YORK TOWN BOARD

Francis Pasquazzo  
3665 Pasquazzo Ln  
Pefferd N.Y. 14533

On 6/22/17 I talked to David Paoletta about a problem with cars + trucks using Pasquazzo Ln to get around the Red Light at RT 36 + 63 only because it is listed on the G.P.S. he stated that because it is private property it can't be listed on the G.P.S. he said he was going to look into the matter, & have not heard anything from him.

Francis Pasquazzo



Once Pasquazzo Lane was formed it is now listed on GPS with drivers turning down it by mistake. Mr. Vazquez expressed that this has happened several times and requested “no trucks” signage if possible. Mr. Worden stated that he spoke with Mr. Vazquez about the matter but added before he was able to post anything he would need Town Board approval. Supervisor Deming questioned as to why we wouldn’t post a sign on Virginia Ave. We know that Pasquazzo Lane is a private drive and we cannot post there but feels Virginia Ave is a must. The Board agreed for the minimal price involved, they authorized Mr. Worden to purchase “No truck” signage for Virginia Ave.

5) Sewer Use Law:

a- Public Hearing

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to schedule proposed Local Law # 3 of 2017, "Town of York Sewer Use Law" Public Hearing for Wednesday November 29, 2017 at 6:00 p.m. Voted on and approved, Yes-5, No-0.

6) Eagle Scout Submittal:

a. Trevor Nellis:

Clerk Harris submitted to Supervisor Deming and the Board the Eagle Scout project of Trevor Nellis. Clerk Harris stated that Trevor approached her almost 8 months ago to seek any potential ideas for an Eagle Scout Project. After a short discussion about abandon cemeteries, Trevor expressed his interest to prepare a record for all to view of these cemeteries. The four cemeteries that he created a database for are: Fraser, Job Wood, Oakview and the Old Scotch Cemetery (located behind the Town Hall). The data base will consist of names and location of each grave site. Clerk Harris stated that she is grateful that Trevor was able to complete this project and looks forward to posting the information on the Town's website for anyone interested in obtaining genealogical information from those cemeteries. Supervisor Deming viewed the documentation and the pictures attached and stated how detailed it was. He commended Trevor and those who assisted him for the betterment of our town. The Board agreed that this project was very well done.

**BILLS**

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

General Fund	# 300-329	\$ 12,979.13
Joint Water/Sewer	# 236-261	\$ 149,434.32
Street Lighting	# 11	\$ 1,585.69
Highway Fund	# 185-203	\$ 14,960.77

**ADJOURNMENT**

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to adjourn the Town Board Meeting until November 29 Public Hearing. Voted on and approved, Yes-5, No-0.

Town Board meeting closed at 8:16 p.m.

Respectfully submitted,

Christine M. Harris, Clerk