

York Town Board Meeting
September 12th, 2018

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

Absent: Amos Smith

Others: Amy Meyers, Dawn Argenta, Scott Cruickshank, James Campbell (Town Attorney), Carolyn Meisel & Mike Dabramo Geneseo-Wadsworth Library), Henry Fuller, Kirk Richenberg, Larry Strassner (Honor Flight), Norma Geary, Maxine Flint, Sue Ackley, Nancy Bishop, Mary Hopkins, Jane Towne, Frances Froot, Elizabeth Lyness, George Worden Jr. (Highway Supt) and Zack Kobylanski.

Supervisor Deming opened the Town Board Meeting at 7:33 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 August 9th Regular Town Board Meeting. Voted on and approved, Yes-4, No-0.

YORK VALLEY FEST

Councilwoman Parnell stated on behalf of the York Valley Fest, three presentations will take place this evening. The revenue from the “Closet to the Pin” event benefits Rochester Honor Flight and the York Central School Backpack program. Larry Strassner is here this evening to accept a check in the amount of \$1,500.00 for Honor Flight. Mr. Strassner expressed his sincere thanks and gratitude for such donation and commented that Honor Flight had recently completed their 61st mission. Since 2008, 2900 veterans have participated and hope to be over 3000 by year’s end.

Committee representative, Jane Towne presented the second check in the amount of \$1,500.00 to Frances Froot and her “packers” for the Backpack program at York Central School. Mrs. Froot stated that last year 27 children utilized this program but do not have the numbers yet for the current year. The group packed every Wednesday making sure the children had a backpack for the weekend with food items they were able to fix themselves. Mrs. Flint stated that she and school officials certainly see how beneficial this program is for children in the district. Ms. Towne added that the Valley Fest is very happy to be able to donate locally to a very worthy cause.

Mrs. Parnell commented that the final presentation is for Karen Uhl of the Wadsworth Grill. Ms. Uhl was unable to attend this evening but Amy Meyers is present on her behalf to accept a plaque from the York Valley Fest. Ms. Uhl spearheaded the Chicken BBQ this year with \$1,500.00 in proceeds collected from it. Mrs. Parnell stated that the

committee is so grateful for everything Ms. Uhl did and hope she is able to be a part of next year's event.

HIGHWAY REPORT

Mr. Worden reported the following for the Highway Department:

- Oil and stoned Federal Road and part of Old State Road
- Will continue wedging next week on River Road
- Department is mowing cemeteries and parks
- The portion of sidewalk on Main St & York Rd West in need of repair will have concrete poured on Friday of this week.
- The concern about the sewer line on Craig Road will be addressed tomorrow with the Contractor and County Officials.

WATER/SEWER REPORT

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

- The Dept is reading meters now for the October billing cycle
- The contractor for the Tuttle Road project has most of the pipe installed. They are trying now to conduct a pressure test on the line. Progress is slow but they are doing a very good job.
- Sewer plant has not had any issues to contend with as things have been stable with normal maintenance on the pumps.

PRIVILEGES OF THE FLOOR

1) Geneseo/Wadsworth Library:

Carolyn Meisel and Mike Dabramo representing the library asked to speak with the Board this evening to discuss potential financial support. Ms. Meisel stated in the past the Town of York donated \$400.00 per year but ten years ago it ceased. Ms. Meisel reported that their records reflect that 10% of their visitors are York residents and request that the Town of York again contribute financially and now seek a donation of

\$4,000.00. Ms. Meisel added that they are looking for the Town to begin donating yearly once again and hope that York Central School will join as well.

Mr. Dabramo stated much of the money previously was endowed by the Wadsworth Family (privately owned) but also funded by the Village and Town of Geneseo as well as the Geneseo School District. Ten years ago it went public and we now seek additional financial support.

Supervisor Deming asked if the Library had contacted York Central School with such request which they replied not as of yet. Supervisor Deming stated that the Board did donate previously but then recognized that other surrounding libraries are being used by our residents as well and the Board found it difficult to donate to one and not all so the donations ceased.

Ms. Meisel expressed that the Geneseo-Wadsworth Library records reflect that most of the York residents would visit their location. Mr. Dabramo outlined how the Board could add a separate line item entry to the tax bill for a library charge that would not be too much of a financial burden for the residents.

Supervisor Deming thanked Ms. Meisel & Mr. Dabramo for attending this evening and stated that the Board will discuss their request for funding but encouraged them to contact York Central School as well.

2) Henry Fuller:

Mr. Fuller stated that he has several questions pertaining to Valley Fest funding & mowing reimbursement from Livingston County. The Board addressed his questions with Mrs. Parnell stating that the Valley Fest account is separate from the town's accounts. Mrs. Parnell commented that the Town donated the first year, \$500.00 to get things started but has not received any additional funds thereafter. Financial support comes from donations from businesses and the residents in this community. Mr. Worden addressed that the Town employees are not used to assist with Valley Fest services. Mr. Worden stated that he, himself drops off signage & barriers on his own time but does use his Town vehicle to do so.

Mr. Fuller commented that he was under the impression that the Town donated to the Valley Fest yearly along with employee assistance. Councilwoman Parnell replied this is not the case. The Town gave a minimal amount the first year but community donations have been the support the last 9 years.

Mr. Fuller then asked Mr. Worden several questions pertaining to mowing, right of way requirements and County reimbursement for such.

3) Kirk Richenberg:

Mr. Richenberg addressed with the Board the minutes approved tonight from the August 9th meeting. In Mr. Richenberg's privileges two items needed to be corrected. The first question asked should reflect about the water tower in Covington & who was currently using it. Mr. Deming's response was the Cheese Plant & Creamery are the only users.

The second question asked, was the tower complete with Supervisor Deming's response that it wasn't complete but did have power to it. After further discussion it was clarified that there is power to the structure but has not been connected to date. Mr. Worden & Mr. Deming added that they both have contacted the engineering firm to ask when the connection will take place but have yet to receive a response.

Mr. Richenberg asked a number of questions pertaining to water tower payments, the existing Bond, reimbursement for the \$250,000.00, escrow account for Linwood Water & Sewer and the written contract for it. Additional questions regarding road repairs and monies used thus far were also addressed. Mr. Richenberg questioned how the Board decides when the Attorney is present at regular meetings with Supervisor Deming replying, with all the outstanding projects before us, he is more comfortable with Mr. Campbell at our meetings.

Mr. Richenberg asked the Board what was discussed after the close of the August 9th meeting when the Board remained in the building. Supervisor Deming and Attorney Campbell both replied that no Town business took place after adjournment. Mr. Deming added that a few members of the public were still in attendance and Mr. Richenberg was welcome to stay as well but nothing official took place.

Mr. Richenberg commented that he believes the answer given was not truthful.

OLD BUSINESS

1) Solar Regulations update:

Attorney Campbell reported that each Board Member received a draft of the proposed Local Law to create Solar Regulations within the Town of York code. Submission was also made to the Livingston County Planning Board for review for their September 13th meeting.

Mr. Campbell asked if the Board had any preliminary questions pertaining to the regulations, which they replied they did not.

Attorney Campbell stated the County will review and take action tomorrow evening at their meeting but wanted the Board to be prepared that they will probably recommend disapproval due to the desire to protect prime agricultural soils as outlined in their comments with the Town of Avon's document. Mr. Campbell added if their recommendation is such it does not mean we can't move forward, we would need to adopt by a super majority.

NEW BUSINESS

1) Public Hearing

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to schedule a Public Hearing for Wednesday October 3, 2018 at 6:00 p.m. for the purpose of considering public comment and opinion about or concerning proposed Local Law number 2 of 2018 relating to adding “Solar Energy Systems to the Zoning Ordinance of the Town of York”. Voted on and approved, Yes-4, No-0.

* Clerk Harris will post and publish all necessary Public Hearing requirements.

2) Water Shut- off request:

a- 2526 Main Street:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to approve the Water Service Shut-off request submitted by Angela Stokes for property located at 2526 Main Street. Voted on and approved, Yes-4, No-0.

3) Linwood Rd. signage update:

Supervisor Deming stated that Clerk Harris and Zoning/Code Officer, Mr. Peter each received an email from Linwood resident, Dan Jagodzinski expressing that the Linwood area is still experiencing issues with deliveries after the relatively recent address changes, and suggested that arrows be attached to the existing signage to help the matter.

Discussion between the Board and Mr. Worden took place on whether or not arrows could be added or if new signage with arrows should be ordered. Mr. Worden stated that he does not believe the cost would be too great if new signs had to be made, which he believes would be much cleaner than adding separate ones. He will confirm pricing first.

4) Art Bernecker request:

a- Property rezone:

Supervisor Deming read aloud a letter submitted to the Board from Art Bernecker Jr. pertaining to property he owns at 4185 Main Street in Wadsworth, requesting a zoning change.

RECEIVED
BY PAB 9/10/18 DATE

September 7, 2018

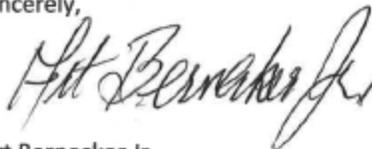
To: York Town Board

RE: Softball Unlimited

As you are all aware, my property at 4185 Main Street in Wadsworth, has been used for several years as an amateur soft ball league field. Two years ago the softball fields were tilled in and I began to rent the land for agricultural crops. For the past year Zack Kobalanski has been using the buildings to store his equipment for his Landscaping business.

Since the softball fields no longer exist, I feel the need to zone the property as a planned development is no longer necessary or in my best interest. For that reason I am requesting your consideration to rezone the property back to Agricultural since the land around it is Agricultural and that is what it is currently being used for.

Sincerely,



Art Bernecker Jr.

Supervisor Deming stated originally that area was agricultural prior to the Planned Development zoning change for softball purposes. Attorney Campbell added, in our current zoning regulations the Town Board can grant approval for such change to revert back to agricultural classification, but would require a public hearing to do so.

Councilman Rose commented that he too had to proceed with a hearing two years ago to rezone his property on Main Street.

Attorney Campbell stated if the Town Board desires he can draft proposed local law documentation for this request. The Board agreed to authorize Mr. Campbell to proceed. Attorney Campbell stated with this request it actually would be more procedurally correct to revert back to its original agricultural zoning.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose authorizing Attorney Campbell permission to draft a proposed Local Law to amend the boundaries of the Planned Development Zoning District and extend the boundaries of the Agricultural Zoning District of the Town of York, for the property located at 4185 Main Street in Wadsworth. Voted on and approved, Yes-4, No-0.

5) Visone Construction:

a- Change order request:

Supervisor Deming reported that the Board has before them this evening a change order request from Visone Construction for the Old State Road/Tuttle Road water project. After review of the documentation, Mr. Deming stated he is not comfortable paying this change order until we receive verification on a few points. The Town Board agreed and decided to table the request until verification has been made.

BILLS

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

General Fund	# 261-285	\$ 11,919.98
Joint Water & Sewer	# 188-212	\$ 255,497.80
Light District	# 9	\$ 1,540.24
Highway Fund	# 160-177	\$ 42,291.81

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board meeting until Wednesday, October 3rd Solar Public Hearing. Voted on and approved, Yes-4, No-0.

Town Board meeting closed at 8:55 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk