

York Town Board Meeting
February 7, 2019

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

Absent: None

Others: George R. Worden Jr. (Highway Supt.), Henry Fuller and Kirk Richenberg

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

MINUTES

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the minutes of the January 10th Public Hearing and Regular Town Board Meeting. Voted on and approved, Yes-5, No-0.

HIGHWAY REPORT

Mr. Worden reported the following for the Highway Department:

- The department has been plowing & salting as needed
- Would like the Board to consider bidding out the lawn mowing services in order to verify and compare what we have been spending vs. what a contractor may spend.
- We recently had an issue with our oldest truck. The computer in the dashboard had to be replaced.

Mr. Worden reported that the Livingston County Highway Department requests yearly documentation from him, the Town Board must consider approval of an Agreement to Spend Town Highway Funds. Mr. Worden outlined for the Board the improvements he will be preparing for this year and the estimated costs involved with such repairs:

- Cowan Rd. from Federal to Limerick Road (black top) \$12,000
- Spring St. from Retsof to the dead end (driveway pipe issue/black top) \$12,000
- Limerick Rd. from Cowan to Linwood Rd. (chip seal) \$21,000
- Batzing Rd. from Casey to McVean (Wedge/chip seal) \$21,000
- Old State Rd. from Rt. 36 to Tuttle Rd. (chip seal) \$19,000
- River Rd. from Rt. 63 to Abbey driveway (wedge/chip seal) \$50,000
- Casey Rd. from Fowlerville to culvert near bridge (wedge/culvert change) \$33,000
- Retsof Ave. from Retsof Rd. to dead end (replace crossover pipe/chip seal) \$26,000
- Retsof Rd. from Spring St. to Rt. 36 (grind & recycle for potholes) \$ 120,000
- Old State Rd. from Clapp to Wallace (4 culvert replacements/wedge/b.top) \$12,000
- Milroy Rd.(County Rd.5) to Mt. Pleasant (edge restoration/wedge) \$30,000
- Mt. Pleasant from Rt. 36 to R/R tracks (blacktop) \$ 25,000
- Dow Rd. from County Rd. 50 to Rt. 36 (grind & blacktop by underpass) \$7,000
- Retsof Rd. from town line to Chandler Road (wedge) \$8,000

TOTAL: \$ 397,000

(actually \$396,000 on sheets)

AGREEMENT TO SPEND TOWN FUNDS

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose, Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended, in the amount of \$397,000. Voted on and approved, Yes-5, No-0.

Councilman Smith asked about the status of employees and the candidates that applied. Mr. Worden reported that we have not interviewed the three candidates that previously applied, but anticipate being able to do so next week. Mr. Worden stated he will discuss with the office staff when to schedule the interviews.

MOWING

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing the Highway Superintendent permission to advertise for bids for lawn mowing services for the upcoming season. Voted on and approved, Yes-5, No-0.

Councilman Smith inquired if Mr. Worden will be selling some of the mowing equipment now that we are contracting for services. Mr. Worden stated that with this year's bidding, we are using it as research at this point. If for some reason the option for mowing services is more expensive than what we can do it for, we will return back to mowing it ourselves. We will have to evaluate the work done and price given before making a final decision.

Councilman Smith asked how the schedule with the County works? Mr. Worden responded if we are able to assist the County with their projects, we do, either by all going or at times sending only 1 person depending on their need. Mr. Smith commented that with the length of our own punch list we should be focusing on our projects in order to get them completed. He would hate to lose valuable time with the County when we have a number of projects of our own. Councilman Smith suggested perhaps trying to prepare a schedule that would spread work out between the County and the Town. Mr. Worden stated that in some instances that would be difficult because they do not always give us much time to plan. The County has never actually given a written schedule to work from, usually it is 1 or 2 day notice.

WATER/SEWER REPORT

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

Water:

- As of today's date, we have now connected 15 homes in Linwood to municipal water.
- During the frigid weather recently three homes experienced frozen meters (2 on Chandler Road & 1 on Main Street). For the trailer on Main Street, this was not the first time it happened, so they will be required to pay for a meter pit to be installed. The two on Chandler Road had skirting issues that allowed the cold to freeze the meter.

Supervisor Deming asked why we don't require a meter pit to be installed after the first time the meter freezes. Mr. Worden replied that we should, but due to the cost for the pit we try to educate and if it happens a second time, they pay for the meter and also the meter pit.

Sewer:

-We have not had any issues at the Treatment Facility, things have been smooth. We are grateful that with the cold temperatures we did not have any frozen laterals to deal with.

Mr. Worden commented at the water tank location in Linwood there are several items still on the punch list that need to be addressed:

- Landscaping (grass did not get planted prior to snowfall)
- Grid Bee install (wiring & install after winter months)
- Valve boxes have to be adjusted
- PRV vaults (start up and electric)
- Roadside restoration
- Pumps on Tuttle Road

Supervisor Deming asked, in order to finish water and sewer in the Linwood area, the majority still is restoration? Mr. Worden replied that is correct.

Mr. Worden commented that the Linwood (Covington) tank area will not be part of the upcoming mowing bid because it will not have much if any grass this season.

PRIVILEGES OF THE FLOOR

1) Kirk Richenberg

Mr. Richenberg inquired if the question he asked at the end of the last meeting regarding transfers and due to's/due from's had been obtained from the Accounting Firm. Supervisor Deming replied that is had and read aloud the response from Baldwin's:

"Basically a transfer or line transfer is just that, you are moving money within a fund to cover one allocation that is over by another which has more money left in it.

Due to's/Due from's are different because this money that was used from a different fund (example: General sent too much money to Trust & Agency or say your Highway needed to borrow from General to pay for a truck payment, etc.) These due to's/ due from's are usually created in Trust & Agency because money gets transferred for insurance, retirement, etc. and at the end of the year we try to clean them up and put the money back into the fund where it belongs".

Supervisor Deming stated that the majority of money goes through the Trust & Agency. The account holds the money and draws the most interest. As the year goes on and an account needs money transferred, we process accordingly.

Mr. Richenberg commented that he doesn't see a difference between transfers and due to's/due from's. Mr. Deming answered that transfers are within the same account. Mr. Richenberg asked what triggered this now, it was never done previously. Supervisor Deming and Councilwoman Parnell replied that it has occurred before. When Justin (Bennett) took over our account from Tom Baldwin, he has made a number of changes and updates. Previously it was approved strictly as transfers, but this is the format used now.

Mr. Richenberg stated that not a single question was raised at the meeting regarding the difference between the two and felt they should not have been approved if the Board did not understand it. Supervisor Deming commented he fully understood the movement of money aspect, perhaps not as much the wording, but the overall need. Councilwoman Parnell replied that she understood completely the difference because she deals with transfers and due to's/due from's every day at her job.

Mr. Richenberg revisited the continuing situation on Cowan Road and asked why we would not utilize the posting currently on the website for snow removal and parking restrictions for this particular area. In the notice it states, "Section 1219 of the Vehicle and Traffic Law and Section 214 of the Highway Law and New York State specifically prohibit the placement or leaving of snow, ice or other substance upon any highway which includes pavement, shoulders and ditches". Mr. Richenberg continued by saying at the last meeting (January 10th) it was discussed that a concerned resident should contact 911 anytime a road hazard exists, but if this is already in place why can't the Town have them proceed with clean up.

Supervisor Deming asked Mr. Worden what the difference was between snow and mud in the roadway, and its enforcement. Mr. Worden responded that there isn't a difference, if he sees it in the road he will contact them directly or if we end up cleaning it up, we will then bill them for such service.

Mr. Richenberg encouraged Mr. Worden and the Board to visit the area tonight after the meeting, stating that Cowan Road is an absolute mess. Supervisor Deming and Mr. Worden stated they will take a ride up this evening.

Mr. Deming reinforced the need for anyone seeing this type of hazard to contact 911. If we are able to reach the owner first we will try to do so, but documenting the issue is the main priority.

Mr. Richenberg stated also at the last meeting electric for the pump station was addressed. Clark Patterson has been paying for it from the start but the Town will be paying for it, we just have yet to be billed, correct? Supervisor Deming stated we will be paying for the electric once we actually put Linwood on, but until then, it is still between Lawnel Farms and Clark Patterson.

Mr. Richenberg asked how this would actually work for a public health issue, a private company is pumping into a municipal facility? Mr. Worden replied that a temporary variance was given from the Health Department until Linwood was officially approved.

Mr. Richenberg questioned if any other bills were paid by Clark Patterson, which Supervisor Deming answered none.

Mr. Richenberg inquired about the upcoming replacement of culverts on Casey Road and the previous discussions about someone else paying for it due to the clearing that was completed. Mr. Worden stated that he and Mr. Deming have not met with Nobles about this, but will still need to proceed with the replacement. Mr. Worden reported that he will be putting in the same size culvert pipe. Mr. Richenberg stressed that the actions of the property owners caused this.

Mr. Richenberg expressed to the Board the need to obtain references for the newly discussed mowing services, especially for the cemeteries. For years the Town of York has done a wonderful job and we do not want to take a step backward. Make sure to ask if they have had any past experience mowing cemeteries. Mr. Worden stated that we will certainly ask about their experience and agreed we need to continue to be respectful and considerate in the cemeteries.

2) Henry Fuller

Mr. Fuller questioned how the Town “takes over” the cemeteries. Supervisor Deming replied once a cemetery has been officially abandoned, it becomes the responsibility of the Town, per State Law.

Mr. Fuller recalled when working on the Fracking plan, the gentleman from Clark Patterson spoke about protection of artesian wells in our community, as outlined in our Comprehensive Plan, and the need to value them as a resource. If the artesian wells are such a necessary resource, why do farmers saturate them with manure, which has taken place within the last 3 to 4 weeks.

Mr. Richenberg commented in a CAFO Plan you have to give a certain footage requirement from a well, especially if it is an active one. Mr. Richenberg agreed, when fracking was being discussed, aquifers were spoken about a great deal and the need to be protected per the Town’s Comp Plan.

Mr. Worden commented that CAFO plans should map out well requirements, but added he does not believe the well Mr. Fuller is referring to is an active one, this is where the watermain was installed.

Mr. Fuller stated that it sounds like these questions should be addressed by New York State DEC. Supervisor Deming stated he agrees, but offered to assist if needed.

OLD BUSINESS

1) Solar Committee

Supervisor Deming reported that he and Councilman Smith spoke recently about the Solar Committee and the need to include others in order to gain additional perspectives.

Mr. Deming commented that throughout the County the beginning stages of very large solar projects are underway, in Caledonia and Mt. Morris. What is being proposed in Caledonia is roughly 2600 acres and 900 in Mt. Morris.

Councilman Smith suggested that we open it up to the community for two or three weeks on the website, to seek interested members.

NEW BUSINESS

1) Justice Audit

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell acknowledging that the York Town Board examined Justice Thomas Porter and Justice Daniel Koch's court records for the fiscal year ending December 31, 2018. The Board found them to be procedurally adequate for control of monies, per Section 2019-a of the Uniform Justice Court Act. Voted on and approved, Yes-5, No-0.

2) Recent NYS Legislation

Supervisor Deming reported that Clerk Harris made him aware of recent New York State Legislation adopted by Governor Cuomo to amend certain provisions of the NYS Real Property Tax Law providing local municipalities the option to temporarily extend the payment period for property taxes to a person who has either been furloughed or designated as a non-pay federal employee, due to the shut down by the Federal government. Such legislation would allow an extended period of 90 days after the collection period for payment of property taxes.

Supervisor Deming and the Board discussed whether to participate in such.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith that the Town of York has chosen to "Opt Out" of the recent New York State Legislation to temporarily extend the payment period for Real Property taxes. Voted on and approved, Yes-5, No-0.

OTHER

1) Town of York Bicentennial

Councilwoman Parnell reported that the first event to kick off the Town's Bicentennial year took place on Saturday, January 26th at the Wadsworth Grill, for a chicken and biscuit dinner and a historical presentation from Steve Gates. The event was very well attended and financially did quite well. We are looking forward to the upcoming schedule of events.

Mrs. Parnell stated that the next gathering will be held on **Sunday, February 24th at 2:00 p.m. at Dublin Corners Brewery**. The theme is Irish heritage, including a bottle painting event. On **Tuesday, March 26** (the actual birthday for the Town of York) **the Yard of Ale** will host this event, **starting at 6:00 p.m.**, engraved pint glasses will be available.

Mrs. Parnell commented that many wonderful souvenirs can be purchased as a memento of the bicentennial occasion (engraved pavers, t-shirts, engraved glasses, etc.). All monies raised through these events will be put back into the community.

Councilwoman Parnell gave a brief overview of the additional activities scheduled throughout the year:

April	Easter Egg Hunt	
May	Town wide yard sale	(17 th -19 th)
June	Frank Rose/Dave Nagel	(1 st) Time/Event TBD
July	Fireworks at YCS	(5 th ...rain date 6 th)
July	York Valley Fest	(27 th)
August	Cemetery Tour	(date TBD)
September	Hillcrest formal event	(7 th)

** The next meeting of the Bicentennial Committee will take place on Monday, March 4th at 7:00 p.m. at the Wadsworth Grill. All are welcome to attend.

2) Outdoor signage

Councilman Smith reported that he made contact with some businesses regarding outdoor signage and the potential for an upgrade. To date he has yet to receive any information to share with the Board.

BILLS

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

General Fund	#30-59	\$ 205,493.18
Highway Fund	#17-41	\$ 36,791.88
Consolidated Water/Sewer	#18-37	\$ 187,518.04
Lighting District	#2	\$ 2,039.65
Youth Fund	#2	\$ 16.75

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to adjourn the Town Board Meeting until March 7th. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 8:45 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk