

York Town Board Meeting
February 9, 2021
7:00 pm

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

Absent: None

Others: Andrew Smith, George Worden Jr. (Highway Supt.) Joe McIlroy, Dustin Geiger, Henry Fuller and joining via telephone, Town Attorney James Campbell

Supervisor Deming opened the Town Board Meeting at 7:00 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 the January 12th Town Board Meeting. Voted on and approved, Yes-5, No-0.

HIGHWAY

Mr. Worden reported the following for the Highway Department:

- The department has been filling pot holes throughout the Town.
- We have been plowing and salting as needed
- Mr. Worden was contacted regarding the new trucks. The trucks are now in and we should have delivery next week.

Andrew Smith is in attendance this evening to discuss with Mr. Worden and the Board Lawnel Farms intentions for manure crossovers in (4) locations in the Town and is seeking approval for such. Mr. Smith stated that the locations for the directional drilling will take place at:

- (1) Cowan Road by the windmill
- (2) Craig Road between Hanna Farm and Ted Andrew's home
- (3) Craig Road across from the heifer barn at the Curry farm
- (4) York Road East between Dan Moore's and Smith's residence

Supervisor Deming asked Mr. Worden if he had any issues with the request, which Mr. Worden replied he did not, proceed with the format you have been doing.

Mr. Deming commented that he is pleased with this process, it keeps a number of trucks from being on the road ways.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to approve the above stated four locations for Lawnel Farms for manure crossovers. Voted on and approved, Yes-4, No-0, Abstain-1, (Amos Smith).

WATER/SEWER:

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

- Water Department conducted regular water samples today, THMs are next week.
- (Sewer) Mr. Worden met with CP Lee regarding plant changes for DEC in having to deal with treatment of effluent. We may have more plumbing to be done, they are getting figures together for his review.

Councilman Smith inquired as to the work needed to retro fit the building. Mr. Worden answered that we have two ways to proceed, we can retro fit the existing building or build a new structure. Two options to consider.

Councilman Smith also asked about the heater in one of the buildings that has been an issue. Mr. Worden stated that he had Don Fox look at the equipment and he gave a quote of \$3600 to fix it. Supervisor Deming asked Mr. Worden to obtain three (3) quotes to fix or replace the heater in order to have it running once again.

Supervisor Deming asked Mr. Worden clarification pertaining to the new trucks. Are the vehicles being brought to us directly or do we have to go get them? Mr. Worden replied they will be delivered to us directly.

NEW BUSINESS:

1) Youth Basketball League:

Supervisor Deming informed the Board that a request has been made by York/Leicester Youth Program to participate in a GLOW (Genesee, Livingston, Ontario & Wyoming) Youth Basketball League at the YMCA in Warsaw and Batavia. The program is available to boys and girls in grades 3-6, from March 6th - May 22nd. The cost per team is \$295 which is paid through the participant's registration fees. After speaking with our insurance company, they were able verify coverage and noted the program can proceed under the current York/Leicester Youth insurance policy if the Board agrees. Mr. Deming also added that Attorney Campbell is preparing a Release Form that every participant's parent must sign.

Supervisor Deming stated that if the Board is comfortable with the program, we will conduct two resolutions: the first to approve the program participation and the second is to approve the list of coaches submitted.

a) Participation:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve participation of the 2021 GLOW Youth Basketball League, with the inclusion of the proper release form prepared by Attorney Campbell. Voted on and approved, Yes-5, No-0.

b) Coaches:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith to approve the following coaches for the 2021 GLOW Youth Basketball League pending the required background checks:

Girls: 6th grade - Brad McClain
5th grade - Bobbi Jo Bonnefede
4th grade - Pat Goodell

Boys: 6th grade - Tracy Peglowski
5th grade - Dan Ayers
4th grade - Matt Miller

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

*There will not be any 3rd graders participating this year due to lack of gym space to practice.

Councilman Smith asked what the wording will be Mr. Campbell is preparing for this form, for protection of the Town.

Attorney Campbell explained that the Release Form he is preparing waives any claim in law or equity against the Towns of York & Leicester and Village of Leicester, which indemnifies and holds them harmless from any injury, damages, losses, claims and lawsuits relating to or resulting from transportation to or from practices, games, clinics or other events associated with the program.

2) Court correspondence

Supervisor Deming informed the Board that our Town Court received a partial grant from the Justice Court Assistance Program (JCAP) for the 2020-2021 cycle year, in the amount of \$4,883.61. The court will be purchasing the following:

Walkthrough metal detector	\$ 3,255.00
New bench for Judges	\$ 1,458.62
Other furniture	\$ 169.99

** All paid receipts indicating that JCAP funds were spent must be sent to them within 180 days from receipt.

3) Formation of Route 20 Water

a- Map, Plan and Report (Resolution):

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the following
In the Matter of the Formation of the Consolidated Water District _NYS Route 20 Extension
Located Therein, Within the Town of York, Livingston
County, New York.

RESOLUTION

WHEREAS, the Town Board of the Town of York is considering the construction of certain water delivery improvements within a new water district extension yet to be perfected and to be known as the "Consolidated Water District — NYS Route 20 Extension;" and

WHEREAS, the improvements are to be located along a portion of NYS Route 20, Federal Road, Ellicott Road, NYS Route 36, McPherson Road, Macintyre Road and Casey Road in the Town of York, County of Livingston and State of New York; and

WHEREAS, prior to completion of the improvements and the financing thereon, a district formation/extension must be perfected to create the "Consolidated Water District — NYS Route 20 Extension;" and

WHEREAS, in order to facilitate the creation of the "Consolidated Water District — NYS Route 20 Extension" and the intended infrastructure improvements therein, the Town must engage the services of a professional engineer to prepare a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the newly created district extension; and

WHEREAS, the cost of such Map, Plan and Report is intended to be borne by the district to be formed in which such improvements will be made; and

WHEREAS, the Town of York, on behalf of the "Consolidated Water District — NYS Route 20 Extension" (which is yet to be perfected), desires to engage the services of Clark Patterson Lee to prepare a Map, Plan and Report with respect to such improvements;

NOW THEREFORE, be it

ORDERED by the Town Board of the Town of York as follows.

1. That the Town Supervisor is authorized to engage by written agreement, the engineering firm of Clark, Patterson, Lee to prepare a Map, Plan and Report for the "Consolidated Water District — NYS Route 20 Extension" project at a cost not to exceed \$2,500.00; and
2. Any such costs shall be passed on to the "Consolidated Water District — NYS Route 20 Extension" upon formation of said district. If such district extension is not formed, the expense incurred for the preparation of such Map, Plan and Report shall be a Town charge and shall be assessed, levied and collected in the same manner as other Town charges; and
3. Adoption of this Resolution is subject to permissive referendum pursuant to Article 7 of the New York State Town Law.

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the York Town Board on Tuesday, February 9, 2021, recorded as follows:

Vote of the Board:	Councilperson Lynn Parnell	Aye
	Councilperson Frank Rose, Jr	Aye
	Councilperson Norman Gates	Aye
	Councilperson Amos Smith	Aye
	Supervisor Gerald Deming	Aye

This is to certify that I, the undersigned, Clerk of the Town Board of the Town of York, Livingston County, New York, was duly adopted by the Town Board of said Town on date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 9th day of February, 2021.

Christine M. Harris

Christine Harris - Town Clerk

b- Permissive Referendum:

Attorney Campbell stated that the Permissive Referendum notice must be published in the Livingston County News within 10 days. Both the notice and the resolution approved tonight for the Map, Plan and Report must also be posted on the Official Town Clerk signboard as well as the website. The 30 day permissive referendum period starts at the time of adoption of the resolution. The publication within 10 days is critical to comply with the Town Law requirements for actions adopted subject to permissive referendum.

**PUBLIC NOTICE OF RESOLUTION OF THE TOWN OF YORK
ADOPTED SUBJECT TO PERMISSIVE REFERENDUM**

PLEASE TAKE NOTICE that a Resolution was adopted by the Town Board of the Town of York on February 9, 2021 by majority vote at a duly convened and noticed public meeting, subject to permissive referendum whereby the Town Board of the Town of York authorized Clark, Patterson, Lee to prepare a Map, Plan and Report for a potential water district extension to the Town of York Consolidated Water District, to be known as "Consolidated Water District — NYS Route 20 Extension." Said resolution authorized the preparation of the Map, Plan and Report at a cost not to exceed \$2,500.00, said cost to be borne by the "Consolidated Water District — NYS Route 20 Extension" upon formation of said district. If such district extension is not formed, the expense incurred for the preparation of such Map, Plan and Report shall be a Town charge and shall be assessed, levied and collected in the same manner as other Town charges.

Such action was adopted subject to permissive referendum and notice thereof is hereby provided pursuant to New York State Town Law §90; and

Pursuant to New York State Town Law, any petition for referendum must be made and filed pursuant to Article 7 thereof; and

Copies of the Town Board minutes reflecting the above referenced Town Board Resolution may be obtained at the York Town Hall from the Office of the Town Clerk.

Dated: February 9, 2021

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF YORK

Christine M. Harris

Christine Harris, Town Clerk

c- Income survey:
RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing G & G Municipal Consulting to conduct an Income survey for the Route 20 water extension, in the amount of \$2,390.00. Voted on and approved, Yes-5, No-0.

OTHER:

1) Scholarship:

Councilman Smith discussed with the Board the possibility of starting a scholarship in memory of National Guardsman Chief Warrant Officer, Christian Koch. The Board agreed it would be a wonderful way of remembering Mr. Koch, who grew up in this area and attended York Central School. Councilwoman Parnell added that some of the remaining Valley Fest money could be utilized for such scholarship. Clerk Harris suggested contacting York Central to perhaps coordinate a joint scholarship with them.

Supervisor Deming asked Councilman Smith to contact YCS teacher, Sandy Streb to discuss the scholarship further.

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 # 23-50 \$ 226,131.45
- Joint Water/Sewer # 21-46 \$ 183,667.07
- Highway Fund # 14-34 \$ 49,771.97

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to adjourn the Town Board Meeting until March 9, 2021. Voted on and approved, Yes-5, No-0.

Town Board Meeting closed at 7:21 p.m.

Respectfully Submitted,
Christine Harris
Christine M. Harris, Clerk