

Public Hearing
6:30 p.m.
July 9, 2024

Present: Supervisor Gerald Deming, Councilmembers Frank Rose Jr. & Lynn Parnell

Absent: Amos Smith and Jason Swede

Others: James Campbell (Town Attorney), David Deuel, Blaine VanRy, Joe McIlroy and
Dustin Geiger

Supervisor Deming opened the Public Hearing at 6:30 p.m. and asked Attorney Campbell to read aloud the Public Hearing notice:

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of York, and pursuant to Town Law §130 and §264, that a public hearing shall be held by the Town Board of the Town of York at the Town Hall, located at 2668 Main Street, York, New York at 6:30 p.m. on Tuesday July 9, 2024 for the purpose of considering public opinion and comment about or concerning proposed Local Law No. 2 of the Year 2024 relating to the following:

The purpose of this local law is to create a new Section 619 of the Zoning Ordinance of the Town of York for purposes of properly regulating Energy Storage Systems within the boundaries of the Town of York to protect Residential Uses, Prime Farmland, Farmland of Statewide Importance, Business areas and other land uses, to preserve the natural resources, overall beauty, nature, and character of the Town of York and to protect the health, safety, and general welfare of the citizens of the Town of York.

A copy of the proposed Local Law is available for review by the public at the office of the Town Clerk during regular hours or on the Town of York's website: www.yorkny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: June 12, 2024

By Order of the York Town Board
Christine M. Harris, Town Clerk

Supervisor Deming opened the hearing up for comments and/or questions on the proposed Local Law:

David Deuel- Mr. Deuel stated that he supports a Ban on Commercial Energy Storage. As the Town continues to review and update the Comprehensive Plan and re-do the zoning, a Ban can be a pause, so we can then re-visit how to properly update our zoning where commercial and agriculture are involved. Taking the time to educate ourselves in order to do it properly, is the right way to proceed.

Blaine VanRy- Mr. VanRy commented that he fully agrees with Mr. Deuel and added that David has conducted a great deal of research on this and is quite versed on energy storage. Mr. VanRy stated that the industry is not predictable at this time, and asked Attorney Campbell how other towns are proceeding. Attorney Campbell replied that most towns are restricting it. Mr. VanRy added once again he is all for renewables but technology is not quite there yet.

Mr. Deuel and Mr. VanRy addressed the fact that technology is moving forward but currently too many questions exist regarding energy storage and discussed solar energy in other locations and other formats.

Joe McIlroy- Mr. McIlroy stated that Planning Board member Chris Wall was very instrumental in assisting with wording for this proposed Local Law due to the industry he deals with everyday in his work environment.

Attorney Campbell reported now that the required Public Hearing has taken place, the Board will need to wait for a decision/recommendation from Livingston County Planning before proceeding. The County has the proposed Local Law on their agenda for this Thursday evening (July 11th). The Board will have the County's decision by our next meeting on August 13th and will need to conduct SEQR prior to rendering a decision.

ADJOURNMENT:

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to close the Public Hearing at 6:45 p.m. Voted on and approved, Yes-3, No-0.

Respectfully submitted,
Christine M. Harris
Christine M. Harris, Clerk

Regular Town Board Meeting
July 9th 2024
7:00 p.m.

Present: Supervisor Gerald L. Deming. Councilmembers Frank Rose Jr. & Lynn Parnell

Absent: Amos Smith and Jason Swede

Others: James Campbell (Town Attorney), Joe McIlroy, George Worden Jr. (Highway Supt), Dustin Geiger, Blaine VanRy, David Deuel, Emily Conable, Kirk Richenberg, Becky Lewis, Marta Burroughs, Stephen Hint, Tim Swisher, Molly Cummings, David Rose, Davies Nagel, Carl Peter (Zoning/Code Officer) and Martha Edmonds.

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 Mrs. Parnell and seconded by Mrs. Rose to approve the minutes of the June 11th, 2024 Town Board meeting. Voted on and approved, Yes-3, No-0.

BILLS:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to approve all claims brought before the Board. Voted on and approved, Yes-3, No-0.

• General Fund Claim	# 174-206	\$ 78,641.67
• Consolidated Water/Sewer	# 138-161	\$421,206.67
• Highway Fund	# 100-112	\$ 23,106.30
• Youth Fund	# 10	\$ 260.00

PRIVILEGES OF THE FLOOR:

1)Trail Town Committee Report-7/9/24

Submitted by D. Nagel:

1. The grant projects should be completed soon as the deadlines are approaching. You can check out Fowlerville, York Landing and Piffard to see what's been done. It has been a lot of work but we've had a lot of support from the community.
2. Congrats to the Town for securing the 1M grant to improve the safety in Greigsville. As a number of the Trail Town Committee have been involved with the original Greigsville Transportation Plan as well as the Safe Streets for All efforts it is our hope that some of us will be able to work with the town planner on the upcoming improvements for Greigsville.

3. On this October 20th the York Historical Society, in conjunction with the Trail Town Committee, will be holding an event celebrating the 30 year anniversary of the Society's Little Italy sign installation on Spring Street. Please join the community as we acknowledge those who have recognized the importance of the town's history and worked to preserve it.

Mr. Nagel stated that the celebration on October 20th will take place on Spring Street where the plaque is located.

****UPDATE (7-16-2024) : Per D. Nagel, the event scheduled for October 20th has been moved to October 27th.**

(2) Kirk Richenberg:

Mr. Richenberg asked to speak with the Board this evening regarding the recent FOIL request he submitted and Water Department questions:

Q- Has the Town received anything yet from Eric Wies in writing regarding the pumps on Flats Road?

Supervisor Deming replied we have not received anything in writing as of yet.

Q- Did the last water break have anything to do with this?

Supervisor Deming and Highway Supt, Mr. Worden responded that the recent water break in Piffard did not have anything to do with the Flats Road pumps.

Q- Did the Town Board ever see the truck proposals before approving it at the Jan. 10, 2023 meeting? There were no signatures on the form.

Councilman Rose reported that he worked with Mr. Worden on the truck bids and reviewed the proposals submitted. Mr. Worden added that the Western Star bid could not guarantee their price, but with the International bid, they indicated they would hold their price.

Q-If the price changes, more approvals would be needed?

Supervisor Deming answered, if the price does increase, we would have to approve once again.

Q- Why did we not get more bids?

Mr. Worden responded that he did speak with two other companies in addition to the two that submitted, but neither chose to prepare a bid.

HIGHWAY REPORT:

Mr. Worden reported the following for the Highway Department:

- The department paved York Road East with nova chip, but still need to do shoulders. All driveways will get built to grade. (We had a great deal of help from surrounding highway departments)
- We are currently assisting the Town of Leicester right now and Geneseo too, as a re-payment for their help on our projects.

WATER/SEWER REPORT:

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

- We experienced on Sunday (7th) a water break 200 yards south of the Piffard pumphouse. The pipe is 1972 Ductile Iron, and Mr. Worden suggested putting new pipe in when upgrades to the pumphouse take place. Mr. Worden stated that the rest of the pipe looks good.

SEWER: We are starting to add chemicals to the UV Disinfection System, per NYSDEC requirements

- Retsof Sewer project: Lining of the pipe is complete, there are a few more laterals to be done. The project is coming together well with the Contractor.
- Mr. Worden informed the Board that he received a call from the State regarding some subsidence from the previous water break.
- Piffard cleanup will be next after we get the shoulder machine back. We have two (2) more homes to connect to the new line from the old one, which the homeowners are aware of.

Q- Mr. Richenberg questioned why we were not on a Boil Water Advisory with the current break?

Mr. Worden explained per NYS Standards, if water is shut down for 4 or more hours, an Advisory is required. We were only down for 3, Mr. Worden asked Mark Grove of the Livingston County Health Department if he wanted the Town to proceed with a Boil Water notice and was told it was not necessary, due to the chlorine sample results we were receiving. Mr. Worden stated we followed County and State protocol.

NEW BUSINESS:

1) Pay App #4; M.W. Controls:

RESOLUTION offered by Mr. Rose & seconded by Mrs. Parnell to approve Pay App #4 for MW Controls Service, Inc. in the amount of \$47, 504.46. Voted on and approved, Yes-3, No-0.

(2) Pay App #2; Genesee Valley Construction:

RESOLUTION offered by Mr. Parnell and seconded by Mr. Rose to approve Pay App #2 for Genesee Valley Construction, LLC in the amount of \$244,415.33. Voted on and approved, Yes-3, No-0.

3) Pay App #6; STC Construction:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to approve Pay App #6 for STC Construction, Inc. in the amount of \$76,262.08. Voted on and approved, Yes-3, No-0.

4) BOAR Re-appointment:

a) Chris Pascuzzo:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell to re-appoint Chris Pascuzzo to the Board of Assessment Review, term; October 1, 2024- September 30, 2029. Voted on and approved, Yes-3, No-0.

5) Emily Conable-Bank Property Discussion:

Creating the York Bank as a Habitable Space for the Future

The south side of the building is proposed to be a co-op run by volunteers for local produce, products, coffee and baked goods, books, art and information on local events.

The north side could be utilized by the Town Historian:

Separate entrance,

Identified parking space at the door

Handicap accessible ramp

Climate control (by Fox Heating and Cooling \$12,000)

Access to kitchenette

Access to bathroom

300 square feet of open space

Internet

Electric

Plumbing

Possible future storage space in basement.

The Bank is currently being renovated by dedicated volunteer neighbors and friends. The initial clearing out was by Breton Construction who also restored the collapsed roof, 1st floor and basement steps with a matching grant from LivCo. Since then, volunteers have removed two ceilings and a wall, stripped off damaged plaster and lath. The walls and back ceiling will be redrywalled, two doors replaced, electric and plumbing restored and new bathroom and kitchenette installed by VanRys. (\$30,000)

A great location

Public access

Great visibility

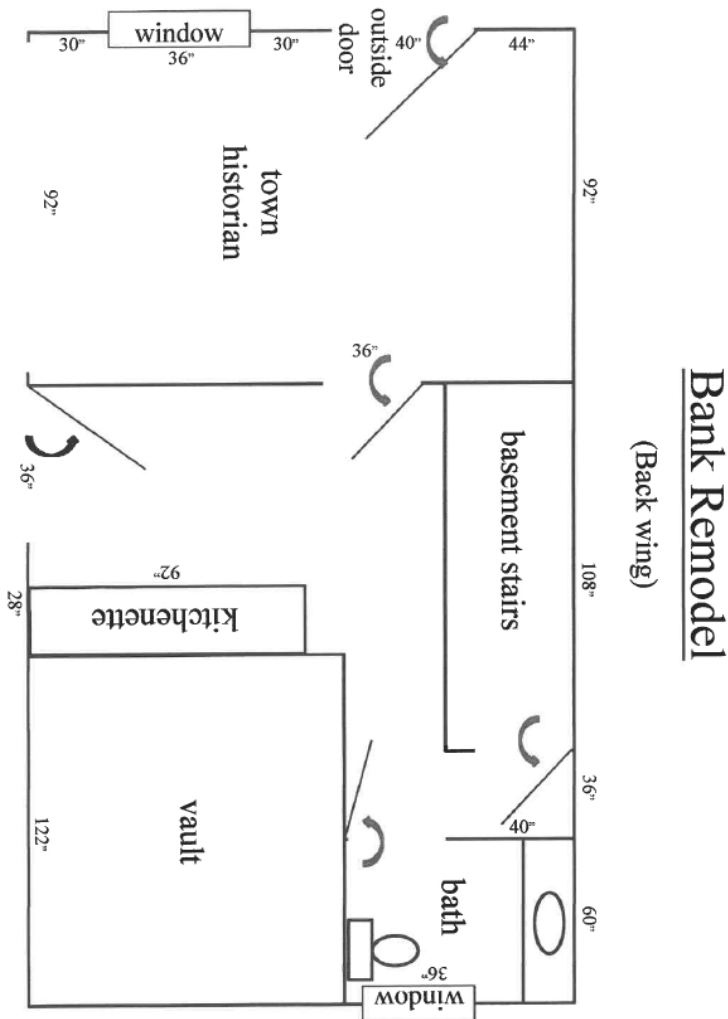
Ease of use for Town Historian

Private ownership unless or until Town wishes to buy it.

Creates an active site at the 4 corners of York once again.

Additional parking will be added on the north side of the Bank on the York Rd property for 8 cars.

Rent would include utilities.



Ms. Conable stated when she bought the property in November of 2022, the old bank was included, which has become a huge project. The bank is under renovations, with a great deal of help from friends, neighbors as well as contractors.

Ms. Conable commented it was discussed use of the south side of the building as a proposed co-op for local baked goods, produce, books and art. Ms. Conable expressed the desire to create a space for the community to congregate and share information. There has been such a wonderful turn out of volunteers over the weeks that we are trying to ride the momentum of excitement from the community to continue forward. The north side of this building could be utilized by the Town of York Historian. Mr. Gates has visited the area a couple of times and seems excited about the prospect of having an office in this historic building as well as the potential for continued foot traffic and visibility for the Historian's office.

Ms. Conable stated that the building is privately owned but has had discussions with the Town regarding potential lease options. At this point, all work that has been completed thus far has been paid for by Ms. Conable. Ms. Conable expressed once again the dedicated volunteers who have assisted along the way, with Brian Shares re-habbing the front door, the VanRy's donating much of their time as well as many others.

Ms. Conable stated if the town is looking for a long-term lease, we can certainly review that option.

Councilwoman Parnell commented she is very interested in what has been taking place and supports the idea of our Historian in this location.

Councilman Rose also expressed support of what Ms. Conable has done and continues to do at the old bank.

Supervisor Deming stated having something on this corner will be great for the community and hopefully would be a starting point for potential work across the street as well. Supervisor Deming also acknowledged a letter received today from the Town of York Historical Society encouraging the Town Board to consider financial assistance for the revitalization of the bank building for the Historian's office.

Letter from the York Historical Society:

Town of York Historical Society
2431 Dow Rd.
PO Box 464
York, NY, 14592

July 9, 2024

Town of York
2668 Main St.
York, NY, 14592

To the Town of York Board,

The Board of our organization would like to express our approval and support of Ms. Emily Conable's efforts to save, and make reusable, one of our Town's oldest structures: the historic brick Bank on Main Street. This modest building has served many purposes for the residents of York since its construction approximately two hundred years ago. Her ongoing commitment to this structure in the face of numerous physical and financial setbacks is truly laudable, and it will be a cultural and economic asset to the community when it is put back into use.

We understand that part of her plans for the building is to offer a portion to be used as a dedicated Town Historian's Office. We approve of this. The current space housing the Town Historian and the Town's historic ephemera and artifacts is unsuitable in the long run. A larger, highly visible space in close proximity to the Town Hall, with signage, as well as an ADA compliant access and restroom, is something that will help current and future Historians. It also will reflect well on the Town of York, and aid the public in locating and accessing their office and services.

We heartily encourage the Town to provide some of the financial and physical help needed to accomplish the goal of revitalizing this corner of the business district, and to place the Town Historian's Office within the Bank Building.

Regards,



Melissa Alber
President
Town of York Historical Society

Note: new Phone number and email for the Town of York Historical Society:
(585) 549-6226
toyhistoricalsociety@icloud.com

Blaine VanRy informed the Board that the primary goal is to have reconstruction of the north side completed within 6 months in order to utilize the space, which includes new electrical services and walls. We are not trying to restore to the original, but a viable usable space. Ms. Conable stated there will be a vintage look to the space, and added Steve Gates is very excited about the prospect of office space here.

Mrs. Edmonds inquired as to the age of the existing safe in the building. Ms. Conable replied the safe is from 1913.

Ms. Cummings asked what is the next step?

Supervisor Deming answered that we need to review the costs involved with the renovations of the north side as well as lease options (fees).

Attorney Campbell stated with a long-term lease agreement, which involves extended financial assistance, the Town should consider conducting a Public Hearing for comment and questions on the matter.

Supervisor Deming stated that the first thing to address is hammering out specific figures, especially for budget purposes, then a Public Hearing for comment and thereafter a decision of the Board will take place.

Mr. McIlroy inquired about code requirements.

Zoning & Code Officer, Mr. Peter stated a building permit would be required for all upgrades. A permit is not necessary for demolition but needed for new construction.

Supervisor Deming asked that we schedule a meeting soon with himself, Ms. Conable, Attorney Campbell, and Councilman Rose to further discuss the bank renovations and numbers involved.

After no further discussion...

ADJOURNMENT

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Rose to adjourn the Town Board meeting until August 13, 2024. Voted on and approved, Yes- 3, No- 0.

Town Board meeting closed at 7:36 p.m.

Respectfully Submitted,
Christine M. Harris
Christine M. Harris, Clerk