

York Town Board Meeting
June 11th 2024
7:00 p.m.

Present: Supervisor Gerald L. Deming, Council Members: Amos Smith & Lynn Parnell

Absent: Jason Swede and Frank Rose Jr.

Others: James Campbell (Town Attorney), George Worden Jr. (Highway Supt), Dustin Geiger, Joe McIlroy, Kirk Richenberg, Mary Jane Schwan, Glenda VanRy, David Deuel, Carl Peter (Zoning/Code Officer), Andy Walton, John Morgan, and Blaine VanRy

Supervisor Deming opened the Town Board meeting at 7:00 p.m. and invited Clerk Harris to lead in the Pledge of Allegiance.

MINUTES:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve the minutes of the May 14 2024 Town Board meeting. Voted on and approved, Yes-3, No-0.

BILLS:

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

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| • General Fund Claim | # 150-173 | \$ 23,994.36 |
| • Consolidated Water/Sewer | # 115-137 | \$358,702.68 |
| • Highway Fund | # 87-99 | \$ 24,494.76 |

7:02p.m.-Councilman Rose arrived at this time.

PRIVILEGES OF THE FLOOR:

1)Janie Schwan:

Ms. Schwan asked to speak with the Board this evening regarding upgrades to the playground behind the Town Hall and UP Church and asked if funding opportunities were available.

Councilman Smith stated that he has had correspondence with the church representative (Artie Geary) on equipment upgrades. Mr. Geary confirmed that the area the swing set is situated on is owned by the York UP Church and they have talked about conducting a fundraiser to assist in the purchase of new equipment. Mr. Smith commented that the Trustees are meeting this evening but he is unsure if the playground request was going to

be part of the discussion tonight and added tht he will reach out to Artie to confirm the church's thoughts.

Ms. Schwan stated that she feels this is an appropriate place to continue to have a playground and/or community area, to be shared financially among the church, fire department and the Town.

Supervisor Deming explained that the Town legally owns only one playground area, which is located in Piffard. Last year we expended \$20,000 for upgrades on playground equipment, and the youth were able to utilize the ball fields again.

Supervisor Deming stated that we do have money in the budget for upgrades, but we were waiting to hear from the church and fire department as to their financial involvement to see how to proceed.

Ms. Schwan suggested perhaps a playground committee be formed.

Councilman Rose reported that this topic was brought up at several of the recent Comprehensive Plan meetings, so the community is certainly expressing the need for upgrades.

Supervisor Deming stated that the Town is willing to participate but clarified tht the land the current swing set is on and where the previous slide was, is owned by the York UP Church and the remaining property thereafter is the Fire Department's so we do not have a great deal of area to place a lot of equipment on.

Supervisor Deming asked Town Attorney Mr. Campbell how the Town can get involved with financial assistance when we do not own the property. Attorney Campbell replied that it is a challenge if the Town wishes to donate, we must have in writing by way of a long-term lease or purchase, specifics that it will have a public purpose, which it does. A lease would work, in order for the Town's insurance to be utilized.

Ms. Schwan inquired if funds are available without having to go to the community?

Supervisor Deming replied we do currently have some money for equipment purposes.

Attorney Campbell stated if you do reach out to the community for assistance, the Town could accept donations on behalf of a project, but conversations still need to take place with the church and fire department.

Mrs. VanRy commented that the York-Leicester Kiwanis has had a long-term lease with Leicester. The Town and Village support the organization, but they are unable to do actual work on the property. A lease agreement may be the best route to go.

Mrs. VanRy continued by saying tht she is pleased that the Town owned park in Piffard is now getting upgrades, but suggested additional equipment that will be used by children of all ages, not just toddlers.

Supervisor Deming stated there has been several other ideas for the Piffard playground, and hope to continue to add to what we already have. As far as the land behind the Town Hall and Church, we do not know what direction the Fire Dept & Church want to go in yet, but Councilman Smith will speak with them shortly.

(2) Piffard residents:

Mrs. VanRy began by saying that she wanted to thank office staff, Patti Barefoot and Chris Harris for the professionalism and assistance they give each time she calls the office. Mrs. VanRy conveyed that she made a call a few weeks ago regarding the water project in Piffard and within 40 minutes Jerry and two others arrived at her residence to review the matter and appreciated the quick response. It had been some time since the Piffard residents have had any updates regarding the restoration and suggested that a letter be sent out outlining the project and what to expect going forward, and within a few days we received exactly that, and wanted to thank the Board and Mr. Worden for that necessary update.

Mrs. VanRy discussed the pending items still yet to be addressed, including two residences that still need to be connected to the new line. Mrs. VanRy also inquired when the playground may be available for ball teams to use once again. Mr. Worden replied there is obviously additional work to be done and did not have a specific time table for the playground itself.

Mrs. VanRy also suggested once again, perhaps new equipment for the older children, not just the younger ones if funding is available.

Mr. Deming answered that it is the intention to add more playground equipment for children of all ages.

Mrs. VanRy also addressed concern coming from Rt. 63 onto East Road, with the lack of a guard rail in place. The previous guardrail at least kept vehicles from the huge drop off. Minimally, there should be “no shoulder” signage.

Mrs. VanRy also wished to compliment the Town and specifically Supervisor Deming for his attendance at a recent Eagle Scout ceremony, stating she though it was wonderful that our youth are recognized and that Mr. Deming personally attended.

Lastly, Mrs. VanRy addressed fencing at the playground. The topic was previously discussed years ago by her husband Dutch. The front fencing looks decent, but the other sides look terrible and should be replaced. Mrs. VanRy stated that removal of the fencing may make the site look better but would probably be unsafe without it.

The Board commented that we do recall the discussion of fencing, but the cost was quite high at the time and did not proceed.

3)Kirk Richenberg:

Mr. Richenberg asked to speak with the Board this evening on the topics of Water and Highway Department questions:

Q-Is there any written documentation regarding the Flats Road pumps from CPL?

Supervisor Deming replied that he and Mr. Worden were told that CPL believed the pumps could keep going for some time and if an issue did arise, we could obtain a portable in a temporary situation.

Q-Did Eric Wies give any basis for his statement?

Supervisor Deming answered that Mr. Wies had discussions with Mr. Worden regarding the older pumps, stating that the existing ones are working well, but Mr. Worden conveyed his concern that due to the age of both, voltage issues are the main problem.

Comment: This engineering firm needs to put documentation in writing when it comes to definitive work going forward for the Town. We pay them thousands of dollars, they need to be more precise.

Q-Last month the Board approved a Municipal Solutions resolution for sewer?

Supervisor Deming replied we did, the approval was to authorize Municipal Solutions to prepare applications for WIIA Grant funds from NYSEFC, which is very difficult to navigate and complicated.

Q- Doesn't the County have a Grant Writer?

Supervisor Deming answered, not as of 3 weeks ago, he left the position at the County.

Q- Why isn't that type of service put out to bid?

Supervisor Deming replied we have utilized Municipal Solutions for 30 years and we have been pleased with the services they provide. Mr. Deming added by saying he is unsure who else we would work with.

Q- What is the delivery timetable for the truck and loader?

Mr. Worden answered that the truck should be in by November and the loader in September.

Q- Are they still confirming the price they quoted for the truck this long after approval?

Supervisor Deming and Highway Supt. Worden answered that they have confirmed the price they quoted us.

Q-This reassurance on the truck, is it a verbal commitment?

Supervisor Deming stated that we have a written contract with them. Mr. Worden added it would not look good on them if they increase their price after signing this contract.

Q- What kind of accounting procedure or policy do we use for highway road improvements?

Supervisor Deming replied every invoice is coded accordingly and then checks dispersed from that budget line item.

Q- In the 2023 Agreement to Spend Highway Funds, Simpson Road was slated for repairs and was not done, what happens to that allocated money?

Supervisor Deming answered that the money gets rolled into another year. Mr. Worden stated that Simpson Road is not going to be done this year and has decided to use it for Retsof.

HIGHWAY REPORT:

Mr. Worden reported the following for the Highway Department:

- The department has been mowing roadside and cemeteries
- Repaired signage on Old State Road curve
- Assisted the Town of Caledonia with nova chipping
- A week from tomorrow we will be conducting a detour on York Rd. East. It will not be an issue for too long.

Councilwoman Parnell asked Mr. Worden if he has any idea when the State will be mowing their roadside because intersections are becoming difficult and dangerous with the high weeds. Mr. Worden responded that he did contact the State but they were not specific as to when they will be mowing in our area.

WATER/SEWER REPORT:

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

- The Water Dept. has begun reading meters for the July billing cycle
- We have been working closely with CPL on the Sewer Plant projects
- The sewer upgrade project for Retsof Ave, Tenth Street and Evans is going well, the residents seem to be content.

Supervisor Deming stated that he spoke with CPL engineer Eric Wies about laterals and someone indicated to the Retsof neighbors they were done with this portion of the project. Mr. Worden commented they are far from done with long side & short side laterals.

Supervisor Deming stated that the residents that are not getting a new lateral must be notified in order to eliminate confusion. Mr. Worden agreed and said he will make sure to reach out to those residents.

- Water samples at the entry reflected a 40 for THM's and 60 in Fowlerville (80 is the limit)
- New Water/Sewer employee is working out well.

NEW BUSINESS:

1)Local Law #2 Draft:

Attorney Campbell officially presented to the Town Board this evening, proposed Local Law #2 of 2024 entitled, "Adding Section 619 to the Zoning Ordinance of the Town of York to provide Energy Storage System Regulation".

(* The Board was emailed this document previously to review)

Attorney Campbell gave a brief overview of the proposed law and asked the Board if they wish to proceed with a Public Hearing.

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to schedule a Public Hearing to consider public opinion and comment about proposed Local Law #2 of 2024 relating to:

"The purpose of this local law is to create a new Section 619 of the Zoning Ordinance of the Town of York for the 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".

The Public Hearing will be held on Tuesday, July 9th at 6:30 p.m.

RESOLUTION offered by Mrs. Parnell and seconded by Mr. Smith authorizing Attorney Campbell to send the proposed Local Law to the Livingston County Planning Department for review. Voted on and approved, Yes-4, No-0.

(2) Caledonia Trailblazers Snowmobile Club:

RESOLUTION offered by Mr. Rose and seconded by Mrs. Parnell authorizing Supervisor Deming permission to renew the yearly Land Use Agreement with the Caledonia Trailblazers Club for the 2024-2025 season. Voted on and approved, Yes-4, No-0.

3) Pay App #1:

a-Genesee Valley Construction:

RESOLUTION offered by Mr. Smith and seconded by Mrs. Parnell to approve Pay App #1 for Genesee Valley Construction, LLC in the amount of \$192,552.65. Voted on and approved, Yes-4, No-0.

4) Water Restoration request:

a-Angela Stokes

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the Water Service restoration request submitted by Angela Stokes for property located at 2526 Main Street, in the amount of \$200.00. Voted on and approved, Yes-4, No-0.

5) Trail Town Report:

*submitted by Davies Nagel:

6/11/24

1. Work on the Fowlerville kiosk has started up again and we hope to finish it this month.
2. ADA picnic tables are slotted to be placed at Piffard and Fowlerville.
3. So far the Trail Town Group has worked a total of 558 hours (in kind labor) for a total of value of \$20,545.59 based on New York State's volunteer rate.

6) York Fire Dept:

a-New Member

RESOLUTION offered by Mr. Smith & seconded by Mrs. Parnell to approve Ariana Roessel as a new member of the York Fire Department. Voted on and approved, Yes-4, No-0.

OTHER:

1) Hometown Heroes:

Councilwoman Parnell reported that applications have been prepared and are now available at the Town Clerk's office and on the Town's website with the deadline to submit being July 15th. Mrs. Parnell stated that the banners total cost for each participant will be \$100.00, the Town will pay for the additional \$4.95 for each. The festive/holiday banners will cost \$59.00 each, of which the Town will pay completely. The new banners will be replacing the Christmas wreaths. The plan will be to put the Hometown Heroes

banners up prior to Memorial Day and taken down after Veteran's Day, at which time the festive/holiday banners will then go up. The total cost for both sets of banners is \$ 9,621.13.

Supervisor Deming asked Councilwoman Parnell where else are we posting this information. Mrs. Parnell replied, we have information at the post offices, local businesses, social media & Facebook pages, as well as the Town Clerk's office and our Town website. Mrs. Parnell also stated that she received a list of Veteran's names from YCS representative Maxine Flint in order to mail a letter out directly to those who have participated in the Veteran's Day ceremonies held annually at York Central School.

Supervisor Deming stated that the Board budgeted \$25,000 for Veteran's and Holiday flags.

RESOLUTION offered by Mrs. Parnell and second by Mr. Smith to approve the invoice by Holiday Outdoor Décor in the amount not to exceed \$9,621.13, for Hometown Hero and Holiday banners. Voted on and approved, Yes- 4, No-0.

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to adjourn the Town Board meeting until July 9th Public Hearing at 6:30 p.m. Voted on and approved, Yes- 4, No- 0.

Town Board meeting closed at 7:55 p.m.

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