

**YORK TOWN BOARD MEETING**  
July 8th, 2025  
7:00 p.m.

Present: Supervisor Gerald L. Deming, Councilmembers: Amos Smith, Jason Swede, John Morgan and Frank Rose Jr.

Absent: None

Others: Dwight Kanyuck (Town Attorney), Bryan Scott (Dept. Highway Supt) Scott Hulbert, George Worden Jr. (Highway Supt), Cindy & Walter Pond, Joe McIlroy, Cecilia & David Deuel, Sue Ackley, Frances & Neil Frood, Carl Peter (Zoning/Code Officer), Rev. Michelle Sumption and Kirk Richenberg.

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

**MINUTES:**

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve the minutes of the June 10<sup>th</sup> and June 24<sup>th</sup> Town Board meetings. Voted on and approved, Yes-5, No-0.

**BILLS:**

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

|                            |           |              |
|----------------------------|-----------|--------------|
| • General Fund Claim       | # 174-204 | \$105,633.14 |
| • Consolidated Water/Sewer | # 165-191 | \$ 25,006.82 |
| • Highway Fund             | # 114-129 | \$ 99,490.88 |
| • Youth Fund               | #15-17    | \$ 1,263.57  |

**PRIVILEGES OF THE FLOOR:**

1)Frances "Franny" Frood:

Mrs. Frood began her privileges by commenting that tonight's conversation is a follow up from last months meeting pertaining to the need for continuation of food programs to area families.

Mrs. Frood started by gauging the Boards response to her question of: If you were to go to the grocery store to buy 4 staple grocery items, (1 gallon of milk, 1 loaf of bread, 1 jar of peanut butter and 1 jar of jelly) what do you think the cost would be for a family for these four items? Each Board member responded with their amount, to which Mrs. Frood replied, for Tops' brand items, the cost would be \$12.00-13.00 and name brands \$15-16.00.

Thank you for the opportunity to ask a couple of questions to the YOU as a follow-up to last month's presentation on food programs.

Invisible, marginal, homeless, food insecure – whatever the label you choose – does not change the fact that PEOPLE need help.

Question #1. How do we as a community respond to the increase in need due to the cuts to the SNAP program?

Question #2. Would the Town Board be willing to start a committee to work with area food programs to come up with some plans or solutions to funding lost by the cuts?

Congress passed the Bill presented to them which will cut SNAP and increase food insecurity in our area. I must admit this produced worry and frustration. How and where will we get the energy needed to continue the food missions that are available to the YCS District when numbers increase.

There are 3 programs under the auspices of the YUP Church and the York Baptist Church which are independently funded by the community. The three programs are The Christmas Sharing

Program, The Backpack Program and the York Food Pantry. These programs will struggle to meet the needs created by cuts to SNAP. The cost for the programs will rise.

The Christmas Sharing Program brings 2 bags of food to 45 families across the YCS District each month. The 2 bags contain healthy, fresh food which can be stretched into 3 meals at a cost of \$64 for each family. What do families do for the rest of the month's meals and how will needs be met if supplemental food programs are cut?

Food Insecurity does exist in our community, and it is important to put a face on the **INVISIBLE**. First, The following is the story of a person we met last month while delivering food to a family already on our delivery route.

B was going to be away for the delivery. She asked her neighbor D to put the food in her refrigerator so it wouldn't spoil. While there, I asked D if she was the person B was sharing her food with. D said yes and asked what this program entailed since by the end of the month she was having difficulty with enough money for food. D had

worked for 26 years and was now retired, caring for her adult son. D burst into tears when we told her we would put her name on the list, and she would receive her own food in July.

Second, Remember, a child going to school with a hungry tummy finds it difficult to learn. As a parent, how do you decide what meal to give up or who should have less? These are decisions parents face.

Our community is faced with very difficult funding decisions.

Volunteers in these food programs want to work with the Board in planning for solutions to the cuts. The community needs to plan and be prepared for whatever comes; think outside the box. Our community will have to work together to solve food insecurity created by cuts to SNAP.

Are you, the Board able and willing to form a community food program committee to discuss these needs?

Mrs. Frood stated Congress passed the bill affecting previously supported Federal programs as it pertains to food insecurity and stated that they may not believe there is an issue, but food insecurity does exist and certainly exists in this community like many other areas. Mrs. Frood reiterated the questions, are you willing to form a community food program committee to discuss these needs? She added, we have volunteers who are willing to assist.

Supervisor Deming responded by saying he cannot speak for the rest of the Board, but he is willing to meet to discuss what potentially can be done as a Board.

Councilman Morgan stated he agrees with Supervisor Deming that he is not sure what specifically we can do as a Board but would be willing to sit down to discuss further options. Mr. Morgan commented, as a Deputy with the Livingston County Sheriff's Department, he dealt with on a number of occasions, the public abusing and/or misusing these funds.

Mrs. Pond commented as a Clinical Social Worker for 30 years she has witnessed firsthand the need for these programs.

Supervisor Deming added he receives weekly emails from the Sheriff's Department listing arrests for SNAP misuse in our county but understands that there are others who truly need the services.

Mrs. Frood replied she agrees with Mr. Deming that there are those that misuse the services but there are many, many more that desperately need it.

Councilman Morgan stated once again his willingness to sit down to discuss what can be done.

2)Cindy Pond:

To: York Town Board - Cindy Pond on 7/8/2025  
Re: "Big, Beautiful Bill" and impact on local citizens

The disenfranchised citizens of our county – the ones living at or below the poverty level, the mentally ill, the food-insecure families, the physically disabled, the homeless – are not going to come to you with their concerns. They are too engulfed in trying to make it from one day to the next, from one outstanding bill to the next; they are teetering on losing a home or losing their social security benefits, or caring for that loved one because they cannot afford nursing home care or fearful that their local hospital and/or nursing home will soon close.

It is imperative that we speak for them, that we provide a voice to remind those in power that THEY DO exist and are in need of some assistance.

And it is a core function of government to serve and protect its citizens – all of them. We look to our Town Boards to make good and reasonable decisions that help us to live good lives. And when citizens feel supported, and when they know what to expect, they do better.

It is also imperative that our elected officials consider the harm to food-insecure people when examining how

federal measures from this incomprehensible Budget Bill affect programs like SNAP.

Well, that SNAP budget? That SNAP cut means: 4.5 meals fewer per week for each of those folks. There are 21 meals in a week, but the SNAP poor could only eat 16.5 meals. So, NO FOOD after Saturday breakfast until Sunday evening - and then only a half a meal. A day and a half each week without food.

We should be transparent to the entire community – if passing this budget bill means increasing local or state taxes, then let's say that, out loud and clear so that our community is informed about the repercussions of this Big Betrayal Budget.

If passing this bill means that local government has to redistribute monies from roads and sewers, then let's say that. Let us be direct and clear and straightforward about how we will all be affected – both good and bad.

We'll have to face those people who feel that the poor just need to work harder, that they don't deserve the help, that there's waste, fraud and abuse going on. The SNAP program has a documented very low rate of fraud.

One of the greatest deceptions of our time is the false narrative that we should be more concerned about a poor person misusing the welfare system than we are about ultra-wealthy people having unprecedented control and power over all of us. (Benjamin Cremer)

Billionaire tax cuts are a policy choice. Cutting healthcare is a policy choice. Cutting food assistance is a policy choice. Taking from the poor and giving to the rich is a policy choice. What is our “policy choice” going to be in York?

Educating and informing the community and its citizens is important – and the right thing to do.

We need creative solutions to provide more resources for our citizens in this county. Maybe this should not all fall to your feet, but you are now directly in the decision-making path. You are the ones citizens will look to for solutions.

We know that everybody will be up-in-arms if taxes rise. How will you balance the needs for food, the most basic necessity, for the children, families, elderly, disabled and veterans versus road repair, sewer improvements, water cleanliness?

We would like your help to work with us, to address these needs proactively. For instance, do we know what assistance Albany will or will not provide? Are there some local solutions – I just heard about BOCES working with the local Libraries in Wyoming county to provide lunches for kids (1-18years) Monday through Thursday and serving 30-40 kids for one week. Can we get a Board member to work with a group of us to ask these kinds of questions and get a head start towards a solution?

Supervisor Deming inquired if York Central School had the breakfast program this year for the students?

\*Sue Ackley responded that the school did have the breakfast program this year, but we are unsure if it is in the budget for next year.

**NOTE:** Supervisor Deming received an email on July 9, 2025 after the Board meeting from David Deuel stating “it appears the free breakfast/lunch program is funded for the 2025-2026 year”.

3)David Deuel:

Mr. Deuel stated what has been discussed at previous meetings and again this evening is “brain storming sessions” to include representatives from the York & Leicester Town Boards as well as the Village of Leicester and a representative from the school.

Mr. Deuel stated he agrees with Supervisor Deming and Councilman Morgan that we should sit down to discuss ideas on how to assist those in need in our community.

Thank you for the opportunity to speak with you this evening. Three months ago I shared my concerns with you on how proposed federal legislation would impact county and town programs, services, property tax levels, and the overall quality of life in our community. At that time, and again last month, the prevailing opinion was that of monitoring the situation and taking a wait and see position.

We now know the general framework of the legislation passed and signed into law. Details on many aspects of this legislation are still being finalized and analyzed. We are all familiar with the adage, "The devil is in the details." How this will impact our community is, quite frankly, "to be determined."

Personally, I strongly believe we can no longer sit on our hands taking a wait and see attitude. Another adage we are all familiar with is, "Failing to plan is planning to fail." On the dashboard of the Livingston County website there is a category "How Do I", click on this and among the listings is "Find Food Resources", click on that and over 40 programs spread throughout the county come up. The majority of these are run and financed by volunteers and donations. Whether or not we choose to acknowledge it, there are families in our community that need to be seen and have a story that needs to be heard. There is poverty in our community, there is food insecurity in our community.

As federal funding for food assistance and other programs is reduced, will these private, volunteer run programs see an increase in the number of families requesting assistance? Volunteers at times already feel overwhelmed and stressed, wishing they could provide <sup>more</sup> ~~average~~ for those in need. Also of concern is the increasing <sup>age</sup> of volunteers and donors.

Volunteers of these programs have been discussing the future and a path forward. What is being proposed tonight is a brainstorming session, which probably will and should involve several meetings. As we are dealing with the entire York Central School District, this meeting should include representation from YCS, both the York and Leicester Town Boards, the Leicester Village Board, members of volunteer groups in both towns, and anyone else willing to lend a hand. It is important for the school, towns and village to be included for their ideas and inputs, equally important as to what they can do is what they cannot or are unwilling to do. I am confident and optimistic that when we all work together collectively and cooperatively, we can move forward with a plan to serve the needs of our communities. Are there questions or comments?

Thank you for the privilege of your time and your consideration of this matter.

Supervisor Deming asked Mr. Deuel if he was willing to spear head this committee, which Mr. Deuel replied he is not, but would be willing to assist if needed. Mr. Deuel also commented that he did have a conversation with a school board member as well expressing the need to figure out how best to assist our community, and to get all parties involved in the process.

4)Kirk Richenber:

Mr. Richenber asked to speak with the Board this evening on the following topics: Solar and Highway questions.

Q- Do we have a running tally of the \$40,000 for legal and engineering fees? Attorney Kanyuck replied zero money has been used thus far and the Town actually allocated \$60,000.

Q- Are there negotiations still to be done?

Supervisor Deming responded, yes there are negotiations still ahead and some of which are on the agenda tonight. Attorney Kanyuck added, the developer is doing a detailed design, and the engineering firm will review the drawings.

Q- Are we still looking at 135mw?

Attorney Kanyuck replied that we are still at 135 megawatts between the 2 Towns.

Q-Is there anything in the agreement regarding any other funds that won't go through the PILOT?

Supervisor Deming answered no but did add that there are funds specifically for the Fire Departments.

Carl Peter stated the solar company is purchasing equipment for both fire departments (York & Cuylerville), with York's portion roughly totaling \$100,000.

Q- With the other 2 solar projects, under Section 94-c in the permitting program for large scale projects, there was a 10% reduction in electric bills, is there anything like that for this project?

Attorney Kanyuck replied that previous Section 94-c is now referred to as Article 8, and as far as a reduction, probably not, because this will be more traditional, like a power plant.

Q- The schedule of revenue projections that I reviewed does not add up correctly. Based on the chart prepared, (outlining the Host Benefit Agreement, PILOT and Land), for property tax year 25 at \$3,000 per mw, it states the Town would get \$404,000, this is not accurate.

Attorney Kanyuck answered that he prepared the calculations and knows they are correct. The chart prepared is based on the total project of 135 MW, which is a combination of the Towns of York & Leicester, which we have a percentage of.

Q- Regarding the invasive species matter discussed at the June meeting, did that get excavated?

Highway Supt. Worden replied it did get excavated.

Comment: Mr. Richenberge stated that it has returned and asked what will be done now? Mr. Worden answered he is not sure at this point. The County has it too and has not addressed it.

Councilman Rose and Swede stated these programs are being cut, which includes the hogweed program as well.

Q- What is the status of the 10-wheeler?

Mr. Worden reported that the information we have received states it will be coming in September. We are waiting on the box.

Councilman Smith inquired if we could go elsewhere, which Mr. Worden replied all are backed up, so we unfortunately will have to wait.

### **HIGHWAY REPORT:**

Mr. Worden reported the following for the Highway Department:

- Retsof Ave., Tenth Street and Evans Ave. have been paved, and we are now waiting for it to harden fully before driveway aprons are put down. Shoulders will be next, weather permitting.
- With the recent rainstorm, Dow Road pipe was washed out which took a couple of days to correct. York Landing Road was also affected.
- Cowan Road west project for paving will be the last project of the year, other areas will need to be completed first.

### **WATER/SEWER REPORT:**

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

- The pumps have been keeping up well through the hot spells
- The engineers are working on the pump station, checking and conducting calculating regarding pump flows, as well as monitoring hydrants for a week.
- With the recent storm the new pump station on Retsof Ave. was not working properly. The setting was not quite right & had to be reset, which we took care of.
- We did notice with the heavy rainfall, in the Retsof area, we did experience less infiltration, which is a good sign. We did notify the residents in the Retsof area, the Town is allowing 2 years from the start of this project, to disconnect their drain water in order to be in compliance.

### **OLD BUSINESS:**

1) Highway Pickup:

Supervisor Deming reported that we did not receive any bids on July 1<sup>st</sup> for the scheduled bid opening. Thereafter he contacted the Livingston County Purchaser, Ashley Scutt to inquire if the Town could piggyback with the County OGS System (Office of General

Services). Ms. Scutt did the leg work and sent out emails to 130 companies. As of today, we have two (2) bids already back, but did leave it open until next Tues, July 15<sup>th</sup>.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose authorizing the Supervisor permission to accept a bid to purchase a pickup truck for the Highway Dept, with the understanding that the bid must meet all specifications listed and be \$50,000 or less. Voted on and approved, Yes-5, No-0.

**NEW BUSINESS:**

1) Water Tap Application:  
a-Connie Cannon

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to approve the Water Tap Application submitted by Connie Cannon for property owned at 2047 Limerick Road. Voted on and approved, Yes-5, No-0.

**\*The \$1,500.00 tap fees were waived due to the fact that this parcel has been part of the Consolidated Water District and has been charged a yearly debt service.**

2) Town Hall Cleaner Resignation:

Supervisor Deming reported that we received a resignation letter from Jim Mayes for the position of Town Hall Cleaner:



To: York Town Board  
From: James Mayes  
Subject: Town Custodian Position

I would like to resign from the position of town custodian.  
I will stay on until July 1. Because of medical reasons I feel I can no longer do them properly.

Thank You

*James Mayes*

RESOLUTION offered by Mr. Swede & seconded by Mr. Morgan to accept the resignation of Town Hall cleaner Jim Mayes. Voted on and approved, Yes-5, No-0.

3)Petition:

Supervisor Deming stated that Clerk Harris received a petition from Casey Road resident Robert Turner, including a number signatures from neighbors and others traveling on Casey Road. The petition states "**it would be in the best interest of safety to install 35 mph speed limit signs on Casey Road, from Fowlerville Road going north**". Mr. Turner did convey that there were signs previously on Casey Road but are no longer there and should be re-installed.

We the undersigned feel it would be in the best interest of safety to install 35 mph speed limit signs on Casey road, in the town <sup>(Cady)</sup> fowlerville, from fowlerville road going north.

| Name<br>(Print) | Name (Sign)    | address                                   | Date      |
|-----------------|----------------|---|-----------|
| Robert Turner   | Robert Turner  | 2073 Casey Road, Caledonia NY             | 5/29/2025 |
| Grace Turner    | Grace Turner   | 2073 Casey Rd Caledonia NY 14425          | 5/29/2025 |
| James Predmore  | James Predmore | 759 Kingston Rd #1<br>Leicester, NY 14451 | 6/01/2025 |
| Kathryn Bonee   | Kathryn Bonee  | 2136 Casey Rd., Caledonia, NY             | 6-3-2025  |
| GARY BOWE       | Gary Bowe      | 2136 Casey Rd, Caledonia NY               | 6-3-2025  |
| Bob & McAlvey   | Bob & McAlvey  | 2339 Ellicot Rd Caledonia NY              | 6/15/25   |
| Nancy Stein     | Nancy Stein    | 2089 Craig Rd Pittford 14533              | 6/5/25    |
| Justin Guas     | Justin Guas    | 1908 Martin St Linwood 14486              | 6/5/25    |
| Amy McAleavy    | Amy McAleavy   | 2339 Ellicot Rd                           | 6/5/2025  |
| STEVE MINGES    | Steve Minges   | 2473 Kelly Rd Caledonia                   | 6/5/25    |
| Bob Abbot       | Bob Abbot      | 2812 York Rd. East, York                  | 6-5-25    |
| Frank LaPenna   | Frank LaPenna  | 2063 Casey Rd                             | 6-7-25    |
| Pat Kelly       | Pat Kelly      | 2140 Casey Rd                             | 6/8/25    |
| Miriam Torre    | Miriam Torre   | 2140 Casey Road                           | 6/8/25    |
| Dominic Lewis   | Dominic Lewis  | 3183 Genesee St, Pittford NY              | 6/8/25    |
| Ralf Pidetz     | Ralf Pidetz    | 2160 Casey Rd Lot 1 Caledonia NY          | 6/8/25    |
| CHARISE GRAY    | Charise Gray   | 2160 Casey Rd Caledonia NY                | 6/8/25    |
| Brittany Peter  | Brittany Peter | 341 Fowlerville Road Caledonia            | 6/8/25    |

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| Name (Print)       | Name (Sign)        | address                                  | Date     |
|--------------------|--------------------|--|----------|
| Jeff Turner        | Jeff Turner        | 2073 Casey Rd, Caledonia NY              | 6/8/25   |
| JoAnne Coffey      | JoAnne Coffey      | 3339 Fowlerville Rd. Caledonia, NY 14423 | 6/8/25   |
| Irene Hall         | Irene Hall         | 219 Machutine Rd Caledonia               | 6/8/2025 |
| Ret McDonald       | BRET McDONALD      | 3342 Fowlerville Rd Caledonia NY 14423   | 6/8/25   |
| Matt Bartlett      | Matt Bartlett      | 3354 Fowlerville Rd Caledonia 14423      | 6/8/25   |
| Alison Jonas       | Alison Jonas       | 3354 Fowlerville Rd Caledonia 14423      | 6/8/25   |
| Janis Jonas        | Janis Jonas        | 6054 Marrowback road (versus 1475)       | 6/8/25   |
| Donna Rea          | Donna Rea          | 3368 Fowlerville Rd 14423                | 6/8/25   |
| Kathy Bergum       | Kathy Bergum       | 3380 Fowlerville Rd, Caledonia 14423     | 6/8/25   |
| Stephanie Bartlett | Stephanie Bartlett | 3390 Fowlerville Rd Caledonia 14423      | 6/8/25   |
| Colin Shuey        | Colin Shuey        | 3394 Fowlerville Rd Caledonia 14423      | 6/8/25   |
| Mystal Wilson      | Mystal Wilson      | 3394 Fowlerville Rd Caledonia            | 6/8/25   |
| Ivan Kelly         | Ivan Kelly         | 5701 Gulick Rd. Honeoye                  | 6/8/25   |
| Casey Kelly        | Casey Kelly        | 149 Seaside Way                          | 6/8/25   |
| Mark Kelly         | Mark Kelly         | 3425 Fowlerville Rd                      | 6/8/25   |
| Brian Ehrich       | Brian Ehrich       | 3540 Avrill Rd                           | 6/8/25   |
| Renew Kelly        | Renew Kelly        | 3425 Fowlerville Rd                      | 6/8      |
| Emily Ehrich       | Emily Ehrich       | 3540 Avrill Rd 14423                     | 6/8/25   |

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| Name (Print)            | Name (Sign)      | address                             | Date    |
|-------------------------|------------------|-------------------------------------|---------|
| Jeff Turner             | Jeff             | 4073 Casey Road, Caledonia NY       | 6/10/25 |
| Shannon Kelly           | Sally            | 144 Seminole Way Rochester NY 14616 | 6/8/25  |
| Jess Kelly              | Jelly            | 5701 Gulick R. Highway 14471        | 6/8/25  |
| Ernest Thorpe           | Wyatt Jessmer    | Casey Rd.                           | 6/8/25  |
| PAT Kelly               | Patricia Kelly   | 111 Kelly View Drive Avon NY        | 6-8-25  |
| Donalee                 |                  |                                     |         |
| Iron Splinter Salvation |                  | 3351 Fowlerville Rd Caledonia       | 6-10-25 |
| Anna Voges              | Anna Voges       | 6220 Robins Lane Mt Morris          | 6/10/25 |
| Daniel Ventresca        | Dg/Vc            | 2225 River Rd Caledonia             | 6/10/25 |
| Marty Linkine           | Marty Linkine    | 5307 Lake Rd Avon NY                | 6/10/25 |
| Joseph Messina          | Joe              | 2218 River Rd. Caledonia NY         | 6/10/25 |
| Jessica Messina         | J. Messina       | 2218 River Rd                       | 6/10/25 |
| Kristen Starkey         | Kristen Starkey  | 2214 maiden Lane Caledonia NY 14423 | 6/10/25 |
| Brielynn Starkey        | Brielynn         | 2214 maiden Lane Caledonia NY 14423 | 6/10/25 |
| Shannon Wall            | Shannon          | 2207 River Rd Caledonia NY 14423    | 6-10-25 |
| Jacqueline Wall         | Jacqueline       | 2207 River Rd Caledonia NY 14423    | 6-10-25 |
| Elizabeth Miller        | Elizabeth Miller | 3304 Fowlerville Rd Caledonia 14423 | 6/10/25 |
| Mark Tones              | Mark Tones       | 3252 Fowler Hill Caledonia 14423    | 6/10/25 |

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| Name (Print)     | Name (Sign)             | address  | Date               |
|------------------|-------------------------|--|--------------------|
| <del>Bob</del>   | <del>Bob</del>          | <del>20175 Fowlerville Rd</del>                | <del>5/17/25</del> |
| DAVID BRAUNER    | <u>David</u>            | 2221 MAREN LN CALEDONIA NY 14423               | 6-10-25            |
| Joe Brian        | <u>X</u>                | 3240 Fowlerville                               | 6-10-              |
| Jodie Stella     | <u>Jodie Stella</u>     | 3196 Fowlerville Rd. Caledonia NY 14423        | 6-10-25            |
| Joe Stella       | <u>Joe Stella</u>       | 3196 Fowlerville Rd Caledonia NY 14423         | 6/10/25            |
| Riley Stella     | <u>Riley Stella</u>     | 3226 Fowlerville Rd Caledonia NY 14423         | 6/10/25            |
| Kristy Teed      | <u>Kristy</u>           | 3227 Fowlerville Rd Caledonia NY 14423         | 6/10/25            |
| David Prester    | <u>David</u>            | 3237 Fowlerville Rd                            | 6-10-25            |
| Jeff Chardick    | <u>Jeff Chardick</u>    | 3248 Fowlerville Rd                            | 6/10/25            |
| Diane Unishaw    | <u>Diane Unishaw</u>    | 3248 Fowlerville Rd                            | 6-10-25            |
| Tim Bucci        | <u>Tim Bucci</u>        | 2715 Main St York NY                           | 6-13-25            |
| Karen Bertrand   | <u>Karen Bertrand</u>   | 5990 S. Forest View Honeoye NY 14471           | 6/14/25            |
| Durtray Bertrand | <u>Durtray Bertrand</u> | 140 Chase Meadow Trail NY 14472                | 6/14/25            |
| Kyle Walton      | <u>Kyle Walton</u>      | 136 Chase Meadow Trail Honeoye Falls NY 14472  | 6/14/25            |
| Suslyn Bertrand  | <u>Suslyn Bertrand</u>  | 140 Chase Meadow Trail, Honeoye Falls NY 14472 | 6/14-              |
| RICHARD BERTRAND | <u>RICHARD BERTRAND</u> | 5990 S. Forest View, Honeoye, NY 14471         | 6-14-25            |
| Casey Walton     | <u>Casey Walton</u>     | 136 Chase Meadow Trl, Honeoye Falls, NY 14472  | 6/14-25            |

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| = (Print)      | Name (Sign)        | address                                  | Date               |
|----------------|--------------------|--|--------------------|
| <del>Tom</del> | <del>Tom</del>     | <del>8073 Casey road, Caledonia NY</del> | <del>6/14/25</del> |
| Jeanette       | <del>Stevens</del> | 36 State Rte 36                          |                    |
| Patrick        | <del>Stevens</del> | Coilester NY 14481                       | 6/14/25            |
| Heather        | <del>Matthew</del> | 1908 Main St.                            |                    |
| Grant          | <del>Matthew</del> | Linwood, NY 14480                        | 6/14/25            |
| Chris          | <del>Worden</del>  | 3526 Westgate Dr.                        |                    |
| Henry          | <del>Worden</del>  | Churchville NY 14428                     | 6/14/25            |
| Sean           | <del>Worden</del>  | 3418 Iroquois Rd                         |                    |
| Johnson        | <del>Worden</del>  | Caledonia NY                             | 6/14/25            |
| Allen Bradford | Allen Bradford     | 337.5 Block St Rd, Caledonia NY          | 6/14/25            |
|                |                    |  |                    |
|                |                    |  |                    |

Mr. Worden stated there were signs previously on Casey Road which were unfortunately painted over. Mr. Worden commented that we could replace the original sign with a 35 mph suggested speed sign and further discuss with the Sheriff's Department a recommendation to conduct a speed study for the area. Supervisor Deming asked Mr. Worden to follow through with this.

4) White Creek Solar:  
 a- Agreement for Road Use, Repair & Improvements:

**RESOLUTION offered by Councilman Smith and seconded by Councilman Rose:**

IT IS RESOLVED BY THE TOWN BOARD OF THE TOWN OF YORK AS FOLLOWS:

**AUTHORIZATION FOR TOWN SUPERVISOR TO EXECUTE WHITE CREEK SOLAR ROAD USE AGREEMENT**

WHEREAS, on February 27, 2025, White Creek Solar LLC ("White Creek Solar") was issued a Siting Permit for a Major Renewable Energy Facility (the "Permit") by the State of New York Office of Renewable Energy Siting ("ORES") for a 135-megawatt solar energy facility to be located in the Towns of York and Leicester (the "Project"); and

WHEREAS, the Permit requires that White Creek Solar enter into a Road Use Agreement with the Town for the use, inspection, and repair of town roads utilized for the construction of the Project; and

WHEREAS, the proposed Road Use Agreement, attached hereto as Exhibit A, has been reviewed and commented on by the Supervisor, Highway Superintendent, MRB Group (the engineer for the town), and the Town attorney, and the terms are agreeable to all parties; and

WHEREAS, the proposed Road Use Agreement provides for the following elements:

- Town approved designated haul routes for construction vehicles;
- Town approval of location and construction techniques for Town road underground cable crossings and access road curbcuts;
- Pre- and post-construction road condition surveys;
- Repair of, or funding for the Town to repair, roads damaged by the project
- Time periods of use;
- Improvements and modifications (if necessary) to designated haul routes;
- Funding for a Town engineer to assist the Town in the review of plans related to the road use agreement;
- Emergency road repairs;
- Repair techniques and warranties;
- Indemnification of the town from claims related to the Project road use;
- Insurance requirements;
- Road repair bonding;
- Changes to approved locations and haul routes;
- Triggers for re-instatement of the Road Use Agreement for damage associated with operation, maintenance, or decommissioning of the Project.

WHEREAS, the Board has had an opportunity to review the terms of the Road Use Agreement and understands its contents.

NOW THEREFORE BE IT RESOLVED, that the Board approves the White Creek Solar Road Use Agreement in substantially the form annexed to herein as Exhibit A; and

IT IS FURTHER RESOLVED that Board finds that entry into the White Creek Road Use Agreement by the Town, in terms substantially consistent with those presented in Exhibit A, are in the best interests of the Town of York; and

IT IS FURTHER RESOLVED, that the Board authorizes the Town Supervisor to enter into the White Creek Road Use Agreement on behalf of the Town of York and approved in form by legal counsel for the Town, and execute those documents necessary to memorialize such agreement, the execution thereof by the Town Supervisor to constitute conclusive evidence of such consistency and approval.

The foregoing Resolution was duly put to vote on roll call which resulted as follows:

AYES: 5; J. Morgan, J. Swede, A. Smith, F. Rose Jr. and Supervisor G. Deming

NAYS: 0

This Resolution was thereupon declared duly adopted.

CERTIFICATION OF TOWN CLERK

STATE OF NEW YORK)

COUNTY OF YORK ) s.s:

Christine Harris, Town Clerk of the Town of York, Livingston County, New York, DOES HEREBY CERTIFY that she has compared the above Resolution duly adopted by the Town Board of the Town of York on the 8<sup>th</sup> day of July, 2025 with the original Resolution now on file in her office, and she certifies that it is a correct and true copy of that Resolution.

Dated: July 8, 2025

*Christine M. Harris*  
Christine M. Harris, Town Clerk

b-Town Board Consent to certain Prime farmland & set back waiver:

Attorney Kanyuck reviewed with the Board the proposed resolution...

Kirk Richenberg- Have the landowners been notified of the proposed changes? If they haven't been, they should be.

Davie Deuel- Regarding Enhanced landscaping, the Board should say no to this until they could guarantee with a Bond. To just change the agreement is not right and the citizens deserve better. He is very much opposed to the waiver(s).

Councilman Swede commented when he looks at this project, it doesn't quite make sense. He doesn't like the idea of placing solar panels on prime farmland, but in order to decrease the actual footprint of usage of it, he would agree.

Mr. Deuel stated he disagrees with Councilman Swede.

Councilman Smith stated in Exhibit A, they are taking away space, which is probably some of the best area to put solar, which he questions.

Joe McIlroy asked, is this waiver request in addition to the other waivers discussed? Attorney Kanyuck replied there were waiver requests previously during the permitting process.

Councilman Smith expressed that the Board set a precedent early on that we have regulations in place that should be followed. We spent a great deal of time and effort putting these regulations into law and stated it is a hard NO for him.

Councilman Morgan stated he is in agreement with Councilman Swede, if it can't be used as farmland where it is situated in the middle of this project, he is in favor of the waiver as well.

Councilman Rose commented, he does not like the setbacks either but to reduce the footprint of prime farmland might be good.

Supervisor Deming stated we will table the discussion at this time in order to have Olivia Panno speak with the Town Board further.

Mr. McIlroy inquired as to the difference between a variance and a waiver. Attorney Kanyuck gave a brief summary of the two.

Mr. Deuel commented they do not follow through on what they originally agree upon.

Mr. Richenber also commented, Councilman Swede stated earlier, the map the Board reviewed does not look like it matches up. The Town should not be the one who always gives in to requests.

Councilman Rose asked if they are required to start by a specific date?

Attorney Kanyuck responded, it must be completed by the end of 2027.

**\*Further discussion on the waiver has been tabled at this time**

5)Project Budget Modification:  
a-Retsof Sewer District:

**TOWN OF YORK**

**RESOLUTION offered by Mr. Smith and seconded by Mr. Swede:**

**RETSOF SEWER DISTRICT  
PROJECT BUDGET MODIFICATIONS**

**WHEREAS**, the Town of York has received funding from Rural Development for their Retsof Sewer District Project ("Project"); and

**WHEREAS**, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

**WHEREAS**, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

**RESOLVED**, that the Town Board of the Town of York authorizes the following Budget modifications for the Project:

|                |             |          |
|----------------|-------------|----------|
| Single Audit   | Decrease of | \$8,800  |
| Net Interest   | Decrease of | \$10,000 |
| Legal Services | Decrease of | \$15,000 |

I, Christine Harris, Town Clerk of the Town of York, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of York on July 8, 2025, by the following vote:

|                                   | AYE | NAY |
|-----------------------------------|-----|-----|
| Gerald Deming, Supervisor         | Yes | —   |
| Frank Rose Jr., Deputy Supervisor | Yes | —   |
| Amos Smith, Councilman            | Yes | —   |
| John Morgan, Councilman           | Yes | —   |
| Jason Swede, Councilman           | Yes | —   |

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

*Christine M. Harris*

Christine Harris  
Town Clerk – Town of York

Dated: July 8, 2025

**FORM E**

RURAL DEVELOPMENT (RD) PROJECT BUDGET / COST CERTIFICATION

## TOWN OF YORK

Project Name:

**Retief Sewer District  
Collection System Improvements**

Date: 06/17/24

Report No.: 10 DRAFT

#### Funding Source

|                  |                       |                         |                       |
|------------------|-----------------------|-------------------------|-----------------------|
| RD Loan:         | \$1,629,000.00        | Applicant Contribution: | \$0.00                |
|                  |                       | WIA Grant:              | \$343,000.00          |
| <b>SUBTOTAL:</b> | <b>\$1,629,000.00</b> | <b>SUBTOTAL:</b>        | <b>\$343,000.00</b>   |
|                  |                       | <b>TOTAL:</b>           | <b>\$1,972,000.00</b> |

| ITEM   | ORIGINAL BUDGET       | MODIFIED BUDGET       | PREVIOUS EXPENDITURES  | EXPENDITURES THIS PERIOD | EXPENDITURES TO DATE   | BALANCE REMAINING   |
|--|-----------------------|-----------------------|------------------------|--------------------------|------------------------|---------------------|
| <b>A. ADMINISTRATIVE</b>                               |                       |                       |                        |                          |                        |                     |
| 1. Legal - Krusk & Campbell                            | \$15,000.00           | \$6.00                | \$0.00                 |                          | \$0.00                 | \$0.00              |
| 2. Bond Counsel - Harris Beach                         | 14,791.00             | 14,791.00             | 6,981.90               |                          | 6,981.90               | 7,809.10            |
| 3. Net Interest  | \$0,000.00            | \$0,000.00            | 0.00                   |                          | 0.00                   | 40,000.00           |
| 4. Fiscal Advisor - Municipal Solutions, Inc           | 34,500.00             | 34,500.00             | 23,797.30              |                          | 23,797.30              | 10,702.70           |
| 5. RD Application (RD Ineligible)                      | 3,500.00              | 3,500.00              | 5,500.00               |                          | 5,500.00               | 0.00                |
| 6. Single Audit - EPPR Group                           | \$8,800.00            | \$8.00                | 6.00                   |                          | 6.00                   | 0.00                |
| 7. Miscellaneous (postage, legal ads, permits, etc...) | 358.82                | 358.82                | 358.82                 |                          | 358.82                 | 0.00                |
| <b>Total A. Administrative</b>                         | <b>\$128,949.82</b>   | <b>\$95,149.82</b>    | <b>\$36,638.02</b>     | <b>\$0.00</b>            | <b>\$36,638.02</b>     | <b>\$58,511.80</b>  |
| <b>B. TECHNICAL SVCS.</b>                              |                       |                       |                        |                          |                        |                     |
| 1. Engineering - Clark Patterson Lee                   |                       |                       |                        |                          |                        |                     |
| a. Study & Report Phase                                | \$6,500.00            | \$6,500.00            | \$6,500.00             |                          | \$6,500.00             | \$0.00              |
| b. Preliminary & Final Design                          | 95,000.00             | 95,000.00             | 95,000.00              |                          | 95,000.00              | 0.00                |
| c. Bidding   | 8,000.00              | 8,000.00              | 8,000.00               |                          | 8,000.00               | 0.00                |
| d. Construction Administration                         | 32,000.00             | 32,000.00             | 30,720.00              |                          | 30,720.00              | 1,280.00            |
| e. Construction Observations                           | 91,200.00             | 91,200.00             | 91,200.00              |                          | 91,200.00              | 0.00                |
| <b>Total B. Technical Svcs.</b>                        | <b>\$232,700.00</b>   | <b>\$231,700.00</b>   | <b>\$231,420.00</b>    | <b>\$0.00</b>            | <b>\$231,420.00</b>    | <b>\$1,280.00</b>   |
| <b>C. CONSTRUCTION</b>                                 |                       |                       |                        |                          |                        |                     |
| 1. Construction Contracts                              |                       |                       |                        |                          |                        |                     |
| a. Genesee Valley Construction                         | \$938,305.00          | \$938,305.00          | \$919,538.90           |                          | \$919,538.90           | \$18,766.10         |
| <b>Total C. Construction</b>                           | <b>\$938,305.00</b>   | <b>\$938,305.00</b>   | <b>\$919,538.90</b>    | <b>\$0.00</b>            | <b>\$919,538.90</b>    | <b>\$18,766.10</b>  |
| <b>D. DIRECT EXPENDITURES</b>                          |                       |                       |                        |                          |                        |                     |
| 1. Direct Expenses                                     |                       |                       |                        |                          |                        |                     |
| a. Gas Line (RG&E)                                     | \$2,823.60            | \$2,823.60            | \$0.00                 |                          | \$0.00                 | \$2,823.60          |
| b.   |                       |                       |                        |                          |                        |                     |
| <b>Total D. Expenditures</b>                           | <b>\$2,823.60</b>     | <b>\$2,823.60</b>     | <b>\$0.00</b>          | <b>\$0.00</b>            | <b>\$0.00</b>          | <b>\$2,823.60</b>   |
| <b>E. CONTINGENCY</b>                                  |                       |                       |                        |                          |                        |                     |
| 1. Contingency   | \$69,221.58           | \$103,021.58          |                        |                          |                        | \$103,021.58        |
| <b>Total E. Contingency</b>                            | <b>\$69,221.58</b>    | <b>\$103,021.58</b>   | <b>\$0.00</b>          |                          |                        | <b>\$103,021.58</b> |
| <b>TOTAL PROJECT COST</b>                              | <b>\$1,372,000.00</b> | <b>\$1,372,000.00</b> | <b>\$51,187,506.92</b> | <b>\$0.00</b>            | <b>\$51,187,506.92</b> | <b>\$0.00</b>       |

I certify to the best of my knowledge and belief that the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the award.

33

— 500 —

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### Child Development

Reviewed by: Thomas Becker

SD Entry Date:

## 6) Consolidated Water District River Road Ext:

### a-Accepting the Engineer's Report:

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to accept the Engineering Report prepared by MRB for the Consolidated Water District River Road Extension Project. Voted on and approved, Yes-5, No-0.

## b-Formation/Public Hearing:

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose for the following:

**TOWN OF YORK**  
2668 Main Street, York NY 14592

**RESOLUTION AND ORDER for Legal Notice of Public Hearing to Receive  
Comment on the Formation of the Town of York Consolidated Water  
District -River Road Extension pursuant to New York State Town Law §209-d**

**WHEREAS**, the Town Board of the Town of York desires under Article 12-A of the New York State Town Law to create the Town of York Consolidated Water District -River Road Extension, which would include certain real property located wholly in the Town of York, County of Livingston and State of New York; and

**WHEREAS**, the Town Board on April 8, 2025 resolved as provided by Town Law §209-b to have the engineering firm MRB Group produce a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the Town of York Consolidated Water District-River Road Extension; and

**WHEREAS**, the MRB Group has caused such Map, Plan and Report to be prepared and delivered to the Town Board and the Town Clerk of the Town of York; said Map, Plan and Report, titled Town of York Consolidated Water District River Road Extension, dated June 2025 (the "Engineering Report"); and

**WHEREAS**, the real property that will be located in the district is described in the Engineering Report attached hereto and filed in the York Town Clerk's Office and is more particularly described in Schedule "A" hereto; and

**WHEREAS**, said district is shown on a map prepared by MRB Group, entitled " Town of York Consolidated Water District River Road Extension-Map and Plan", dated June 2025, which, with the accompanying parcel list, is annexed Appendix "A" to the Engineering Report.

**NOW THEREFORE BE IT ORDERED and RESOLVED**, that the Engineering Report for the Town of York Consolidated Water District-River Road Extension as prepared by MRB Group is hereby acknowledged as received by the York Town Board and has been filed in the York Town Clerk's Office; and be it further

**RESOLVED**, that pursuant to New York State Town Law, a public hearing be held on the **12th day of August 2025 at 6:00 p.m.** at the York Town Hall at 2668 Main Street, York, New York, with respect to the formation of the Town of York Consolidated Water District – River Road Extension to include the property noted in the Engineering Report filed in the York Town Clerk's Office and as more particularly described in Schedule A annexed hereto; and be it further

**RESOLVED**, that the Engineering Report calls for the installation of approximately 22,400 linear feet of 6-inch water main (with hydrants, valves and other appurtenant infrastructure) that will serve approximately 12 single-family homes, 9 agricultural properties, and 1 utility property; and be it further

**RESOLVED**, that the maximum amount proposed to be expended for the improvements above is Two Million Five Hundred Eighty Seven Thousand Six Hundred Twenty Dollars and Eighty Five Cents (\$2,587,620.85), which will be funded by settlement funds from the Akzo Salt Collapse Settlement Funds. The Town of York Consolidated Water District; and be it further

**RESOLVED**, that the anticipated cost to the typical property located within the Town of York Consolidated Water District -River Road Extension shall be on a benefit basis and the annual cost is estimated to be \$289.00 per unit for maintenance fees and \$305.52 for water usage for the average residential user; and be it further

**RESOLVED**, that the estimated one-time costs for hook-up fees are \$1,500.00 for the typical property, including installation of a service line at the costs of approximately \$10.00 per linear foot (\$500.00 average) and \$1,000.00 for interior plumbing modifications; and be it further

**RESOLVED**, that a copy of the Engineering Report describing the proposed district formation and the improvements to be constructed therein is available for the public inspection at the York Town Clerk's Office and will be made available at the Town website at <https://www.yorkny.gov> and be it further

**RESOLVED**, that at the time and date aforementioned, all interested parties may be heard concerning the formation of the proposed Town of York Consolidated Water District -River Road Extension; and be it further

**RESOLVED**, that the Town Clerk shall cause a certified copy of this Resolution and Order to be published in the *Livingston County News* no earlier than July 23, 2025 and no later than August 2, 2025, and the Town Clerk shall also cause a copy of this Resolution and Order to be posted on the sign board of the Town maintained pursuant to Town Law § 30(6) no earlier than July 23, 2025 and no later than August 2, 2025; and be it further

**RESOLVED**, that formation of the proposed district is considered an unlisted action pursuant to the State Environmental Quality Review Act ("SEQRA") the Supervisor is authorized to sign the SEQRA Full Environmental Assessment Form, prepared by MRB Group and annexed to the Engineering Report as Appendix C.

The question of the adoption of the foregoing Resolution and Order was duly submitted for approval by vote of the York Town Board on Tuesday, July 8, 2025 recorded as follows:

**Vote of the Board: Supervisor Gerald L. Deming - Aye, Deputy Supervisor Frank Rose Jr. - Aye, Councilman John Morgan – Aye, Councilman Jason Swede – Aye and Councilman Amos Smith – Aye.**

I, the undersigned, Clerk of the Board of the Town of York of the County of Livingston, hereby certify that the above Resolution and Order was duly adopted by the York Town Board of said Town on date above, and that the same is a true and correct transcript of said Resolution and Order

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 8<sup>th</sup> day of July 2025.

*Christine M. Harris*  
Christine M. Harris, Town Clerk

**Dated: July 8, 2025**  
By Order of the York Town Board  
Christine Harris, Town Clerk

## Schedule A

### Boundary Description of Proposed Town of York Consolidated Water District River Road Extension

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of York, County of Livingston and State of New York, designated as Town of York Consolidated Water District - River Road Extension and as delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated June 2025, entitled "Town of York Consolidated Water District - River Road Extension - Map and Plan" (Project No. 2507.25001) and being more particularly bounded and described as follows:

**BEGINNING** at a point at the southern corner of Tax Map Parcel (TMP) 52.-1-3.11, said point being located at coordinates North 1,044,623'± and East 1,344,498'±, said point being the Point of Beginning (POB) of Town of York Consolidated Water District - River Road Extension; thence

1. Northerly 617'± along the eastern boundaries of TMPs 52.-1-3.11, 52.-1-3.12, 52.-1-3.13 and 52.-1-2 to a point of inflection on the eastern boundary of TMP 52.-1-2, said point being located offset 500' northeast perpendicular from the centerline of York Landing Road; thence
2. Northwesterly 1,033'± along a line offset 500' north perpendicular from the centerline of York Landing Road through TMP 52.-1-2 to a point of inflection within said TMP, said point being located 500' offset east perpendicular from the centerline of River Road; thence
3. Northerly 1,043'± along a line offset 500' east perpendicular from the centerline of River Road through TMPs 52.-1-2 and 52.-1-1.115 to a point of inflection located within said TMP 52.-1-1.115, said point being located 500' offset southeast perpendicular from the centerline of River Road north of its intersection with York Road East; thence
4. Northeasterly 1,238'± along a line offset 500' southeast perpendicular from the centerline of River Road through TMPs 52.-1-1.115, 52.-1-1.114 and 52.-1-1.12 to a point of inflection on the northeast boundary of said TMP 52.-1-1.115; thence
5. Northwesterly 1,014'± along the northeastern boundary of TMP 52.-1-1.115 and continuing across the right-of-way of River Road to a point of inflection within TMP 51.1-22, said point being located 500' offset northwest perpendicular from the centerline of River Road; thence
6. Southwesterly 703'± along a line offset 500' northeast perpendicular from the centerline of River Road through TMP 51.-1-22 to a point of inflection within said TMP, said point being located 500' offset north perpendicular from the intersection of the centerlines of River Road and York Road East; thence

7. Easterly 4,340'± along a line offset 500' north and parallel to the centerline of York Road East through TMPs 51.-1-22 and 41.-1-66 to a point of inflection on the western boundary of TMP 41.-1-66; thence
8. Southerly 504'± along the western boundaries of TMPs 41.-1-66 and 41.-1-63 and continuing to a point of inflection on the centerline of York Road East; thence
9. Easterly 12'± along the centerline of York Road East to a point of inflection; thence
10. Southerly 28'± to the northwest corner of TMP 51.-1-47.11; thence
11. Southerly 505'± along the western boundary of TMP 51.-1-47.11 to a point of inflection, said point being located offset 500' south of the centerline of York Road East; thence
12. Easterly 3,965'± along a line offset 500' south and parallel to the centerline of York Road East through TMPs 51.-1-47.11, 51.-1-21.1 and 51.-1-22 to a point of inflection within TMP 51.-1-22, said point being located offset 500' west of the centerline of River Road; thence
13. Southerly 3,052'± along a line offset 500' west and parallel to the centerline of River Road through TMPs 51.-1-22, 52.-1-5.111 and 51.-1-23.12 to a point of inflection within TMP 51.-1-23.12, said point being located offset 500' north of the centerline of Craig Road; thence
14. Westerly 4,496'± along a line offset 500' north and parallel to the centerline of Craig Road through TMPs 51.-1-23.12 and 51.-1-47.11 to a point of inflection on the western boundary of TMP 51.-1-47.11, said point being located offset 500' north of the centerline of Craig Road; thence
15. Southerly 502' along the western boundary of TMP 51.-1-47.11 and continuing to a point of inflection on the centerline of Craig Road; thence
16. Westerly 24'± along the centerline of Craig Road to a point of inflection; thence
17. Southerly 30'± to the northwest corner of TMP 61.-1-25.111; thence
18. Southerly 498'± along the western boundary of TMP 61.-1-25.111 to a point of inflection; thence
19. Easterly 6,105'± through TMP 61.-1-25.111 along a line offset 500' south and parallel to the centerline of Craig Road, continuing across the River Road right-of-way and continuing into TMP 61.-1-25.111 to a point of inflection, said point being located offset 500' perpendicular east of the centerline of River Road; thence

20. Northerly 2,124'± along a line offset 500' east and parallel to the centerline of River Road through TMPs 61.-1-25.111, 52.-1-7, 52.-1-5.2 and 52.-1-5.12 to a point of inflection within TMP 52.-1-5.12, said point being located offset 500'south perpendicular to the centerline of York Landing Road; thence
21. Southeasterly 662'± along a line offset 500' southwest and parallel to the centerline of York Landing Road to a point of inflection within TMP 52.-1-5.12; thence
22. Northeasterly 512'± through TMPs 52.-1-5.12, 52.-1-4 and 52.-1-5.13 and continuing across the right-of-way of York Landing Road to the southern corner to TMP 52.-1-3.11, said location being the point and place of beginning (POB) of the Town of York Consolidated Water District - River Road Extension.

**HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY**, the parcel of land situated in the Town of York, Livingston County, New York to be known and identified as the Town of York Consolidated Water District - River Road Extension.

c-SEQR-EAF Part 1:  
RESOLUTION offered by Mr. Smith and seconded by Mr. Swede after review of such, to approve Part 1 of the Full EAF (Environmental Assessment Form). Voted on and approved, Yes-5, No-0.

d- SEQR Resolution- Declaring Lead Agency:

**TOWN OF YORK**  
**CONSOLIDATED WATER DISTRICT RIVER ROAD EXTENSION**

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**SEQR RESOLUTION**  
**DECLARING THE INTENT TO BE LEAD AGENCY**

**RESOLUTION offered by Councilman Jason Swede and seconded by Councilman John Morgan:**

**WHEREAS**, the Town of York Town Board (hereinafter referred to as "Town Board") has reviewed and accepted the New York State Environmental Quality Review Act ("SEQRA") Full Environmental Assessment Form ("EAF") Part 1, prepared by the MRB Group (hereinafter referred to as "Town Engineer") on the above-referenced Town of York Consolidated Water District River Road Extension Project (hereinafter referred to as "Action"); and

**WHEREAS**, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review ("SEQR") Regulations; and

**WHEREAS**, the Town Board determines that said Action is also subject to review and approval by other involved agencies under the SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency to ensure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board does hereby declare its intent to be designated as the lead agency for the Action and authorizes the Town Supervisor to sign and date the Full EAF Part 1.

**BE IT FURTHER RESOLVED**, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on **August 11, 2025**.

Dated: July 8, 2025

The above Resolution was duly adopted on July 8, 2025 by the Town of York Town Board.

*Christine M. Harris*  
Christine Harris, Town Clerk  
Town of York

e- Supervisor Authorization of EAF:

RESOLUTION offered by Mr. Rose and seconded by Mr. Morgan authorizing Supervisor Deming permission to sign Part 1 of the Full EAF as presented. Voted on and approved, Yes-5, No-0.

f-Lateral Restriction Resolution:

**RESOLUTION: AUTHORIZATION OF PLACEMENT OF LATERAL RESTRICTIONS - CONDITIONS ON FUTURE SERVICE WITHIN TOWN OF YORK CONSOLIDATED WATER DISTRICT RIVER ROAD EXTENSION**

**WHEREAS**, the Town of York Town Board (hereinafter referred to as "Town Board") has proposed to create the Town of York Consolidated Water District River Road Extension for the express purpose of providing public water supply to residents along the right-of-way for York Road East, Craig Road, River Road and York Landing Roads included within the Town of York Consolidated Water District River Road Extension; and

**WHEREAS**, part of the land area within the Town of York Consolidated Water District River Road Extension is located within Livingston County Agricultural District No. 1; and

**WHEREAS**, the Town Board is filing a Notice of Intent to Undertake an Action Within an Agricultural District and to evaluate the impact of providing a source of public water supply within this area of lands within Livingston County Agricultural District No. 1; and

**WHEREAS**, the New York State Department of Agriculture and Markets has expressed concern about potential adverse impact that said public water supply is likely to have on agriculture uses within said Agricultural District; and

**NOW, THEREFORE BE IT RESOLVED** by the Town Board of Town of York, Livingston County, NY imposes the following conditions, on the management of water/sewer lines located along York Road East, Craig Road, River Road and York Landing Roads within an agricultural district, maps of which are attached to this resolution showing the boundaries of the agricultural district in relation to the parcels indicated:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the date of filing of the Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water and/or sewer service will not be provided to more than a total of four residences, buildings and/or structures on any tract of land which has been divided into parcels after the date of filing of the NOI by the municipality, where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.

- (3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

The above resolution was offered by Councilman Smith and seconded by Councilman Swede at a meeting of the Town Board held on Tuesday, July 8, 2025. Following discussion thereon, the following roll call vote was taken and recorded:

|                                |     |
|--------------------------------|-----|
| Supervisor Gerald L. Deming    | Aye |
| Dep. Supervisor Frank Rose Jr. | Aye |
| Councilman Amos Smith          | Aye |
| Councilman Jason Swede         | Aye |
| Councilman John Morgan         | Aye |

I, Christine Harris, York Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of York for the July 8, 2025 meeting.

*Christine M. Harris*  
Christine Harris, Town Clerk  
Town of York

7)Sewer line connection:

Supervisor Deming reported that the current Town of York municipal sewer line abuts his property boundaries on Chandler Road and stated his request to connect to the sewer district at this time.

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose authorizing the Deming residence at 2742 Chandler Road to connect to the municipal sewer district. Voted on and approved, Yes-5, No-0.

**\*(First sewer charge will be October 2025)**

8)Town Hall Cleaner Position:

Clerk Harris stated after receiving Mr. Mayes' letter of resignation the day after our June 10<sup>th</sup> board meeting, we did advertise for the position to expedite any interested candidates. Clerk Harris added that we did have one individual stop into the office expressing their interest and handed the board documentation from resident Jeff Maggio.

After little discussion....

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to appoint Jeff Maggio as the new Town Hall cleaner. Voted on and approved, Yes-5, No-0.

9)Town Clerk Applications:

Clerk Harris informed the Board that we have received 4 letters of interest from Town of York residents and 1 non-resident letter for the position of Town Clerk. Mrs. Harris stated that she has had conversations and/or met with 3 of the 4 Town applicants but now stressed the need to get two members of the Board to conduct formal interviews and asked who will be assisting her with this.

Councilman Swede and Smith stated they will be part of the interview process.

After no further business...

**ADJOURNMENT**

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to adjourn the Town Board meeting until August 12<sup>th</sup> . Voted on and approved, Yes- 5, No- 0.

The Town Board meeting closed at 8:24 p.m.

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