

Town Board  
October 11, 2011

The regular monthly meeting of the Torrey Town Board was held on October 11, 2011 in the town meeting room, 56 Geneva St. Dresden and was called to order by Deputy Supervisor Martini at 7:30PM.

Present: Burge W. Morris, Colby J. Petersen, Linda K. Francisco, John H. Martini  
Absent: Patrick H. Flynn

Others present: George Thompson, Nate Daggett, Mary Lilyea, Dave Granzin, Jack Hessney, Linda Lefko, Dave Bond- Dep. Hwy Supt. John Ghidiu, and Tim Chambers

Mr. Martini led the Pledge of Allegiance.

Motion by Mr. Morris 2<sup>nd</sup> Mrs. Francisco to accept the 2011-2012 Insurance proposal of Stork Insurance for \$ 15,783.72 carried by all.

Mr. Martini presented the abstract of vouchers for audit.

Motion by Mrs. Francisco, 2<sup>nd</sup> Mr. Petersen that the bills on the General A & B accounts in the amount of \$ 31,054.88 be paid, carried by all.

Motion by Mr. Petersen, 2<sup>nd</sup> Mr. Morris, that the bills on the Highway DA & DB accounts in the amount of \$ 17,517.49 be paid, carried by all.

Motion by Mr. Morris 2<sup>nd</sup> Mrs. Francisco, that the bills on the Watershed accounts in the amount of \$ 4,938.01 be paid, carried by all.

Motion by Mr. Morris 2<sup>nd</sup> Mr. Petersen, to approve the minutes of the September meeting, carried.

Motion by Mr. Morris 2<sup>nd</sup> Mrs. Francisco, authorizing the Supervisor to sign the 2012 Snow and Ice Contract with Yates County, carried.

Mr. Martini introduced a local law resolution setting a public hearing on a Local Law " To Override Limit set on Tax Levy Cap".

**WHEREAS**, the Town Board of the Town of Torrey, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, the Town Board of the Town of Torrey has reviewed the draft of the aforementioned proposed Local Law and deems it in the best interests of the Town of Torrey to proceed in accordance with the Code of the Town of Torrey and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on October 25, 2011, at 7:30 p.m. at the Torrey meeting room, 56 Geneva Street, Dresden,, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of such Public Hearing and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Torrey sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Torrey.

Motion by Mr. Morris, 2<sup>nd</sup> Mr. Petersen to hold public hearing on stated law, carried by all.

Motion by Mr. Martini 2<sup>nd</sup> Mr. Morris to hold a public hearing on the 2012 Preliminary Budget, on October 25,2011 at 7:30pm in the town meeting room, carried by all.

Motion by Mr. Petersen, 2<sup>nd</sup> Mrs. Francisco, authorizing the Supervisor to sign 2012 Watershed Contract with Town of Benton for \$ 32,632. Carried by all.

Mr. Morris gave a report on the Justice Audit on Judge Mashewske's 2010-2011 reports and financial records. The audit states all records are found in good order, recommendation that bank statements be reconciled with check book.

Mr. Martini offered the following resolution, 2<sup>nd</sup> by Mr. Petersen,

**WHEREAS**, the Town of Torrey Town Board on September 13, 2011 did request that the Torrey Justice Financial Records for the Year 2010 be audited and

**WHEREAS**, an audit was performed on September 21, 2011 on the Town of Torrey Justice Financial Records for the year Oct 2010- Sept 2011, this audit took place in the Town Offices at 56 Geneva Street, Dresden, NY, and

**THEREFOR BE IT RESOLVED**, on October 11, 2011 the Town of Torrey Town Board did receive and approve the audit report on the Town of Torrey Justice Financial Records for the year 2010 as presented by Councilman Morris, who's findings were that to the best of his knowledge, the Torrey Justice Financial Records for the year 2010, to be true and correct.

Roll Call Vote:

Councilman Martini – Aye

Councilman Morris – Aye

Councilwoman Francisco – Aye

Councilman Petersen- Aye

Vote carried 4 Ayes 0 Nays

The Code Officer and Watershed reports were submitted to board.

Dave Bond gave the highway report. He stated T-3 is in need of tires and is having issues with the brake system. It will go to Beam Mack for repair.

John Ghidiu thanked Dave Bond for his report, then asked why the Code Officer was not required to attend meetings to answer any concerns of the residents.

Mr. Martini stated Mr. Kenville has his own hours. The board will request Mr. Kenville to attend meetings.

Correspondence:

Letter from Dave Granzin regarding highway work on Perry Point Rd. Dave appeared before the board with regarding highway work recently performed on the curve at gully over culvert pipe. After the removal of overgrowth of weeds, trees and excess soil around guardrails the "waste" was deposited on the bank of the gully. A concern that the waste will end up at the bottom creating a blockage or be washed out into the lake. Since 2008 the town has a steep slopes law and he feels that the highway should not be exempt from this law. He said that the highway was negligent when it pushed the dirt over the bank and this should be removed.

Dave Bond stated that he was working alone as other two employees were drawing sand and working with another town that day. He graded in front of the guardrail to remove excess sandy soil which was holding water on the shoulders eventually creating roadway cracking and damage this was 70% of the soil he removed. He graded behind the guardrail and then pushed the soil to the bank. The trees were obstructing a driver's view, a lot of poison ivy and sumac he removed also. He laid the brush debris along the edge of the bank. He said he can remove the debris now but this may create a bigger disturbance and possible bank failure.

Jack Hessney asked if the town owns a log bucket with finger to remove the trees, the town does not. There is a 6 inch tree that must be removed before it washes into the lake.

Mr. Petersen stated the woody debris should be removed as long as removal does not disturb the soil.

It was suggested that YC Soil & Water be contacted for opinions for future highway projects to avoid this problem.

Colby stated there is some grant monies that could be used for the town culvert assessment project through soil & water. Once the assessment is completed would assist with FEMA application grants when needed.

A copy of John & Eileen Moreland's letters to the DEC Permits administrator were presented. These letters stated concerns and objections on LPG Storage Facility proposed in Watkins Glen And the negative impact on the surrounding countryside and more importantly Seneca Lake.

John Ghidiu asked what progress the town is in with the hydro-fracking moratorium. The town attorney is reviewing Town of Benton's moratorium.

Mary Lilyea reported no word on power plant status. She is sending out exemption letters next week.

Tim Chambers responded that AES bond holders may take over January 1<sup>st</sup>. AES known to "walk away from holdings"

Dave Granzin inquired as to response from permit requirements for owners of rental properties. Clerk knows of one property which has applied and paid. Two have requested the applications.

Nate Daggett introduced himself to attendees as a candidate for the Highway Supt position in November.

There being no further business, a motion by Mr. Morris, 2<sup>nd</sup> Mrs. Francisco to adjourn at 8:45Pm carried.

Respectfully submitted