

Town Board Minutes
Local Law Wastewater Public Hearing
December 13, 2011

The regular town board monthly meeting and public hearing on the Wastewater Draft Law held on December 1, 2011, was held at the Dresden Fire Department, Firehouse Ave, Dresden NY due to the large crowd of attendees. Supervisor Flynn called the meeting to order at 7:30 PM

Present: Supervisor Patrick H. Flynn, John H. Martini, Linda K. Francisco Colby J. Petersen
Excused- Burge W. Morris- out of state attending funeral

Others present: George Thompson, David Bond – Highway Supt., John Christensen, John Ghidiu, Steve Eskildsen, Don House- District Legislator, Sam Selwood, Jack Hessney, JM Cougevan, Floyd Hoover, Elaine Thiesmeyer, Linda Lefko, Dave Granzin and 70 residents

Supervisor Flynn led the Pledge of Allegiance and opened the public hearing at 7:35PM

Colby Petersen presented a slide show explaining certain points of the draft that has been a topic of interest, gathered comments received from residents. He explained that the drafting of this wastewater law came from the responses in the returned Comprehensive Plan survey's of 2008.

In this survey the resident's highest response was on the question regarding land uses. Many agreed that #1 priority action that the town must take was on land use regulations. The Town will ensure to protect and preserve Seneca Lake and the Shoreline. The committee of 5 residents worked diligently over eighteen months to draft this law with the goal to protect and preserve all watercourses in the town.

Residents voiced their concerns on the proposed law regarding issues of:

1. creating financial hardships especially on the fixed incomes,
2. invasion of privacy issue, due to inspections within the residences,
3. Additional cost for new position on Town payroll,
4. Zone 1 and Zone 2 Districts
5. Explanation of terms (ex: high usage appliances)
6. If Town has Comp Plan in place.
7. If inspector is bonded
8. Why farmers can spread manure and manure pits,
9. Is municipal sewer system a possibility in near future
10. How many inspections per year
11. Does this law cover Dresden

Residents applauded Dave Christiansen comment that the home owner determine when septic should be pumped, on a whole he feels that the homeowners take care of their own systems and the property owners that don't, the neighbors will complain and report them. The Town has no right to enter anyone's home not for any reason or law.

John Christensen a reporter for the newspaper apologized for the editorial error reporting a new job position would be created. He said that as a journalist he must look at the actions of government in the most critical way.

A resident asked why the Penn Yan Municipal is not using the "light system" to sanitize wastewater. When flow is high due to rain excess untreated wastewater/sewer is allowed to flow into Keuka Outlet.

A resident asked if the Town could accept proof of recent pumping by way of a paid receipt from a creditable waste hauler.

A resident stated that it is well documented that Seneca Lake is in trouble by the poor water quality test. Type B potable water, not for consumption but allowed for bathing and cooking
A resident stated the Village of Dresden located on gravel soils so that wastewater flowing into a nearby watercourse is rare.

A question on how many wastewater inspections were recorded for Seneca Lake in other townships Mr. Petersen stated there were 380 inspections last year and 250 inspections this year.

Asked if septic problems exist upland from the lake, Mr. Petersen said many tanks, covers, baffles are old and failure is inevitable.

Presently inspections are for new construction, replacement and property sales only.

Mr. Martini read letters from resident's Matthew Canavan, James Reisenberger, Richard Grunberg stating their reasons for opposition and opinions of this wastewater law.

Mr. Petersen thanked the attendees for their comments and will take them back to the committee when reworking the draft.

Mr. Flynn asked if there were any other comments, being none, he closed the hearing at 8:30pm

Mr. Flynn presented the abstract of vouchers for review.

Motion by Mr. Martini 2nd Mrs. Francisco that the bills on the Gen A & B Accounts in the amount of \$ 24,345.98 be paid, carried.

Motion by Mrs. Francisco, 2nd Mr. Martini, that the bills on the Highway DA & DB accounts, in the amount of \$ 26,343.97 be paid, carried.

Motion by Mr. Petersen, 2nd Mrs. Francisco, that the bills on the Watershed Account in the amount of \$ 534.14, be paid, carried.

Mr. Flynn introduced a resolution calling for a town local law moratorium banning directional drilling for one year. He presented a Local Law draft of a one year moratorium on hydro fracking and directional drilling in the Town of Torrey. It is the purpose of this local law to prevent serious detrimental health and environmental effects posed by the practices of horizontal or directional gas drilling and hydraulic fracturing, also known as hydro-fracking, which could threaten the Town of Torrey through potential contamination of aquifers and fresh water supply, the use of massive quantities of water, the disposal of the fracking fluids, the release of chemicals used in the processes and the impact upon local landscapes which could result in the degradation of the Town of Torrey's significant environmental, natural, aesthetic and agricultural resources as well as to the Town of Torrey's infrastructure. It is the further purpose of this local law to enable the Town of Torrey to have sufficient time to draft and enact a local law establishing regulations pertaining to the practices of horizontal or directional gas drilling and hydraulic fracturing within the Town of Torrey. Motion by Mr. Martini 2nd Mrs. Francisco setting a public hearing on the Moratorium Local Law for January 10, 2012 at 7:30 PM, carried.

Motion by Mr. Martini 2nd Mrs. Francisco to approve the minutes of the November meeting with corrections, carried.

Mr. Flynn offered the following resolution in support of the MOVE Act on behalf of the YC Board of Elections.

Resolution Requesting the Moving of New York State's September Primary to the Same Date as the Federal Primary

WHEREAS, a denial of waiver has been issued by the court in the matter of

USA v. State of New York & SBOE, the so-called “MOVE Act lawsuit” and,

WHEREAS, this denial of waiver will potentially cause there to be scheduled three separate primaries in 2012, and

WHEREAS, an additional third primary had neither been expected nor been budgeted for in the Yates County Board of Elections submitted 2012 Budget, creating an unexpected financial burden,

WHEREAS, the desired primary date by the Yates County Elections Commissioners and the New York State Elections Commissioner Association being the 4th Tuesday in June,

BE IT RESOLVED that the Town of Torrey Board urge the State of New York to schedule the September primary on the same date as the Federal primary, thereby avoiding the imposition of cost upon the County associated with the third primary

Motion to accept resolution supporting the MOVE made by Mr. Flynn, 2nd Mr. Martini,
Roll call vote:

Supervisor Flynn- **Aye** Councilman Martini-**Aye** Councilwoman Francisco-**Aye**
Councilman Petersen-**Aye** Councilman Morris- Absent **4 Ayes** 0 Nays 1 Absent Carried

Sealed bids opened and read aloud for the sale of the town highway 2003 Ford pick-up truck with plow attachments.

Stivers Enterprises- dated 12/13/11 3:35PM \$ 6701.

Stephanie Martens- dated 12/9/11 9:30AM \$ 5200.50

Brighton Plow Service- dated 12/12/11 9:30 AM \$ 7200.00

Seneca Lake Tire – dated 12/9/11 11:45PM \$ 6751.00

Timothy Forrester – 12/10/11 7:10PM \$ 5611.00

Motion by Mr. Petersen 2nd Mr. Flynn to accept the bid of Brighton Plow Service-
West Henrietta NY for \$ 7200.00 carried.

Mr. Flynn announced an opening on the Planning Board.

David Bond Acting Highway Supt. Reported that parts have been ordered for rear mower he found a lower cost supplier. He is sending the tractor to “Lamb” in Addison for repair, as Barrington has used this dealer and they have good pricing. Town of Milo will transport the tractor to and from the repair shop.

Code and Watershed reports submitted.

Steve Eskildsen commended Dave Bond on the excellent job he did as Highway Superintendent.

The Board agreed, thanking Mr. Bond for a well done job as Highway Superintendent for the year 2011.

There being no further business before the board Mrs. Francisco made the motion to adjourn 2nd by Mr. Martini carried at 9:05 PM

Respectfully submitted,