

Town Board Minutes
February 14, 2012

The regular town board monthly meeting held on February 14, 2012 at the town meeting room, 56 Geneva Street, Dresden New York was called to order by Supervisor Flynn at 7:30PM

Present: Supervisor Patrick H. Flynn, John H. Martini, Linda K. Francisco, Burge W. Morris
Excused- Colby J. Petersen- Continued Education

Others present: George Thompson, Jeff Finger- Highway Supt., John Christensen, Dr. Tim Dennis- District Legislator, Linda Lefko, Dave Granzin, Darlene Conley, Warren Zimmerman, Dan Egburtsen, and Joyce Stryker

Supervisor Flynn led the Pledge of Allegiance.

Mr. Flynn presented the abstract of vouchers for review.

Motion by Mrs. Francisco 2nd Mr. Morris, that the bills on the Gen A & B Accounts in the amount of \$ 12,099.55 be paid, carried.

Motion by Mr. Morris, 2nd Mr. Martini, that the bills on the Highway DA & DB accounts in the amount of \$ 10,533.97 be paid, carried.

Motion by Mrs. Francisco, 2nd Mr. Martini that the bills on the Watershed Account in the amount of \$ 479.57 be paid, carried.

Mr. Flynn read a letter from the Yates County Planning Board. This letter dated January 30, 2012 was recommendation of the YCPB at their January 26th 2012 meeting approved the action for a One year Moratorium on Directional and Hydraulic Fracturing in the Town of Torrey.

Mr. Martini read a letter from Independent Oil & Gas Association of NY requesting a meeting to answer questions and provide support in understanding the natural gas industry and its exploration processes before any laws are enacted regarding moratoria to delay or prevent natural gas development.

It was suggested during the drafting of the Law regulating drilling in the town, the committee contact this company for a presentation.

Mr. Martini reported on a trip to Towanda Pa. A group of concerned area residents including 3 members from both Town and Planning Board attended. The invitation and tour was arranged by Chesapeake Gas Company of a hydro-fracking drilling site. This well site "pad" was on 2-3 acres section of the leased 640 acres. This site is projected to be in operation for 30 years which is why the area is booming with employment and need for more services. CGS Main Office is located in Oklahoma. The employees guiding the tour were well versed for questions and answers. Mr. Martini would like to visit area residents that have been impacted in both positively and negative ways. Mr. Morris stated he has read a negative report submitted by a RIT College intern.

With there being no further discussion, Mr. Flynn offered the following resolution 2nd by Mr. Martini, **WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Torrey for a public hearing to be held by said Town Board on January 10, 2012 at 7:30 PM at the Town Hall, 56 Geneva Street, Dresden, Yates County, New York to hear all interested parties on a proposed Local Law entitled " Imposing a Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing" in the Town of Torrey" and

WHEREAS, notice of said public hearing was duly advertised on the sign boards at Village of Dresden, Dresden Post Office and at the Town Offices on December 28, 2011 and,
WHEREAS, said public hearing held at the Town Hall at 7:30 PM on January 10 ,2012, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local law, or any part thereof,
and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) (SEQRA), it has been determined by the Town Board that adoption of the proposed Local Law constitutes an Type II Action as defined under said regulations and the adoption of said Local Law is not subject to SEQRA,
and

WHEREAS, the Town Board of the Town of Torrey, after due deliberation, finds it in the best interest of the Town of Torrey to adopt said Local Law 01-12,

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Torrey hereby adopts said Local Law as Local Law No. 01-2012 entitled “Imposing a Moratorium on Horizontal and Directional Gas Drilling and Hydraulic Fracturing” in the Town of Torrey” for the term of one year, a copy of which is attached hereto and made a part of this resolution, and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Torrey, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

This by roll call vote: Supervisor Flynn- **Aye** Councilman Martini-**Aye** Councilwoman Francisco-**Aye**
Councilman Morris- **Aye** Councilman Petersen- Absent **4 Ayes** 0 Nays 1 Absent
Local Law 1-12 adopted

With there being no further discussion, Motion by Mr. Martini, 2nd Mr. Morris, authorizing the Supervisor to sign the 2012 Fire Contract with the Village of Dresden for \$ 110,099.Carried.

Motion by Mr. Martini,2nd Mr. Morris authorizing the Supervisor to sign contract with Yates County for Lifeguard funding in 2012 , in the amount of \$ 1080.00, carried

Fire Contract with Village of Dresden- Dan Egburtsen, Deputy Mayor and Captain in DFD presented a breakout on expenses with an updated fire budget for the Village. He presented cost of equipment needed to outfit 25 firemen. Asked how many bunker gear sets was needed

Mr. Zimmerman replied 20 cost of \$ 2,000. Per set. Board members asked questions on the budget but Mr. Egburtsen apologized that he was not present in the budget process. Mayor was absent due to family emergency. Area fire tax rates were discussed and formula for determining rates Dr. Dennis explained is the fire budget request divided by taxable assessed value in fire district. Therefore it is hard to compare rates of other fire departments.

It was suggested that a representative of both municipalities and fire Department attend each others monthly meeting to open up lines of communications between the three.

Mr. Granzin inquired if this is the forum to have a contract discussion.

Mr. Flynn stated to comply with “open meetings law” it requires this type of forum to have all village and town board members meet and discuss the contract.

Mr. Flynn stated that to meet the fire contract budget of \$110,000. \$ 20,000 will have to be borrowed from the General Fund as \$ 90,000. was budgeted. The taxes in 2013 will be raised to repay the

General Fund. Mr. Morris suggested that when the town budget workshop is held in August or September a representative from both fire department and village should make a point to attend.

Village of Dresden Trustee Tom McGuigan copied an email he sent to Village Mayor and Mr. Egburtsen on his thoughts on the fire department and village. He suggested consolidating services with the Town due to duplication of services is a waste of taxpayer's money. He feels that downsizing the fire equipment would help cut costs.

Motion by Mr. Martini 2nd Mrs. Francisco, authorizing the Supervisor to sign a contract with Yates County for Dog Control, carried.

Highway Report- Mr. Finger stated the grader is having problems with a ram, estimated parts bill around 2600. plus shipping. County is replacing signs and Town Road signs will have to be replaced and relocated. The signs are larger and highly reflective.

Mr. Flynn announced NYS DOT CHIPS money for highway 2012 set at \$ 50,983.

Code and Watershed Inspections reports submitted. Code- Special Use inspections- SLDH Club, Anthony Rd Winery, Ray Zimmerman-greenhouse, Construction Ins-Framing, Unsafe barn, plans on parochial school, and training at code school. 76 miles
Watershed – Met with homeowner to review drainage plan for failed system 12 miles

Dave Granzin of Perry Point Rd asked the Board if there was going to be a discussion on the cattle auction being held at Ray Zimmerman's farm off of Route 14. The day of the first auction were vehicles and horse drawn buggies parked along Route 14 creating a road hazard? This is a commercial business in an Ag District therefore a use variance is needed. The new zoning law addresses signage, and there is a large sign on the side of Mr. Zimmerman's barn.

Warren Zimmerman stated that they have all the permits from USDA already.

Clerk reported Ray Zimmerman has a building construction permit and certificate of compliance for a cow and heifer barn to date but there are regulations and permits from the town he may need.

Clerk contacted NYS Ag & Markets for information, although as Mr. Zimmerman was inspected and has a USDA Market Agreement; he is not exempt as normal farm operations. Bringing cows into his auction for sale that are not raised on his property would be operating a commercial business.

Code Officer Kenville is on vacation and has not visited the site since his inspection on January 26, 2012; this was a week before the 1st auction.

Mr. Flynn stated that this is an issue for the Code Officer.

Mr. Granzin asked why bother having zoning laws that are not being followed or enforced.

There being no further business before the board, Mr. Flynn made a motion to adjourn
2nd Mr. Martini, carried at 8:35pm

Respectfully submitted,