

Town Board Minutes
April 12, 2022

The monthly meeting of the Torrey Town Board was held on April 12, 2022 at 56 Geneva Street, Dresden, New York, and called to order by Supervisor Martini at 7:30PM.

Present: Supervisor Peter Martini Councilmen: Colby Petersen, Lawrence Martin, Bruce Henderson
Excused: Grant Downs

Others present: - Terry Button, Richard Harper- Legislator's District II George & Rosa Thompson, Robert Miller, Gary McIntee, Darlene Conley, Donald Jensen, Nancy Sarver, Dwight James- Code Officer.

Supervisor Martini led the pledge of Allegiance.

Yates Co BOE Robert Brechko, Democratic Commissioner appeared to update on Board of Elections activity. Since 2020 there has been 107 changes to election law. Discussion on cybersecurity during upcoming elections. The FBI issued a warning that it has identified a threat and recommends backup generators at all polling places. Councilman Henderson stated that Councilman Downs and Tim Chambers did look into generators, neither was in attendance to report.

Mr. Brechko stated there will be two primaries for Yates Co. Board of Elections.

Discussion on redistricting project, the committee working on this is reorganizing. The idea of adding a 15 legislator has been rejected. One issue was additional financial cost. At this time a lawsuit has been filed in Chemung County against the redistricting in 23rd and 24th Districts.

Greenidge PILOT Clerk reported the town receiving an additional tax PILOT payment of \$ 289,498.18 this week.

Abstract of vouchers - Mr. Martini presented the abstracts for review.

Motion by Mr. Petersen, 2nd Mr. Martin that the bills on the General A & B Funds in the amount of \$ 8,901.34 be paid, carried by all.

Motion by Mr. Petersen, 2nd Mr. Martin, that the bills on the Highway DA & DB Funds in the amount of \$18,637.99 be paid, carried by all.

March minutes: Motion by Mr. Martin 2nd Mr. Petersen approving the March minutes, carried by all.

WD #1 Application: Supervisor presented a resolution authorizing approving the updated application for Water District 1 to the State Comptroller.

WHEREAS, by Resolution passed by the Town Board of the Town of Torrey on February 14, 2017, this Town Board approved the establishment of the Town of Torrey Water District No. 1 ("District");

WHEREAS, by Order dated December 17, 2018, the New York State Comptroller approved the establishment of the district; and

WHEREAS, by Resolution subject to a permissive referendum, passed by the town Board of the Town of Torrey on January 25, 2022, this Town Board approved an increase in the maximum amount to be expended on the district by an additional \$ 824,000 from \$1,576,000 to \$ 2,400.000; and

WHEREAS, no petition was filed with the Town Clerk protesting against the January 25, 2022 resolution and requesting said Resolution be submitted to the owners of taxable property for their approval or disapproval;

WHEREAS, pursuant to § 209-h of the New York Town Law, the increase of the maximum amount to be expended for the improvements of the District requires the approval of the State Comptroller; and

WHEREAS, in compliance with §209-H of the Town Law and with 2 NYCRR Chapter III, Part 85 of the Official Compilation of Codes, Rules and Regulation of the State of New York, this Town Board has directed the preparation of an application to the State Comptroller requesting the approval of the State Comptroller of the increase of the maximum amount to be expended for the improvements of the District; said application and its exhibits are attached hereto and made part hereof ("Application"); and

WHEREAS, as the Application was prepared by the Town Attorney, with the assistance from the Town Engineer and Town Clerk at the direction of the Town Board of the Town of Torrey; and

WHEREAS, the Town Board has reviewed the Application and makes this resolution for purposes of complying with 2 NYCREE Chapter III, Part 85.3(b) (1).

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Town Board believes the contents of the Application to be accurate;

2. The Town Board has determined that the increase of the maximum amount to be expended for the improvements of the district, as detailed in the Application, are in the public interest and will not constitute an undue burden on the property which will bear the cost thereof;

3. All of the property owners within the proposed District to be assessed for the cost of the proposed improvements to the district are benefited thereby;

4. All of the property owners to be benefited by the improvements within the district are included within the limits of the district:

5. The application is approved and the Town Supervisor is authorized to sign the Application and cause it to be submitted to the New York State Comptroller and to take all further and necessary steps to comply with the Comptrollers' requirements in regards to this Application.

Motion by Mr. Petersen 2nd Mr. Henderson authorizing the Supervisor to sign this Application to the New York State Comptroller in regards to Water District No.1 carried, this by roll call vote:

Supervisor Martini- Aye

Councilman Petersen- Aye

Councilman Martin- Aye

Councilman Henderson- Aye

4- Ayes 0 - Nays

Councilman Downs Absent.

Mr. Martin presented the Village of Dresden Contract for Water Supply for Water District No. 2.

Bond Schoeneck & King LLP Attorney for the Town, Charles Greico reviewed the contract and offered his edits and opinion. Upon review the final draft, the board concurred with his edits. The termination clause was in question

Motion by Mr. Martin 2nd Mr. Petersen, authorizing Supervisor to sign contract for water supply for Water District No. 2 with Village of Dresden carried this by roll call vote:

Supervisor Martini- Aye

Councilman Petersen- Aye

Councilman Martin- Aye

Councilman Henderson- Aye

4- Ayes 0 - Nays

Councilman Downs Absent.

Route 14 Corridor Study; Supervisor reported on meeting on the Route 14 Corridor Water Feasibility study. CPL Engineers have compiled and the Towns will distribute a fact sheet surveying the property owners along the NYS Route 14 corridor to determine favor or opposition of public water.

2022 Intermunicipal Agreement with Yates County Highway.

Supervisor introduced the 2022 MOU with Yates County. Motion by Mr. Martin 2nd Mr. Henderson authorizing the Supervisor to sign contract with Yates County carried by all.

Torrey Station: Code Officer reported no response to his letters to Daniel Higgins, therefore he will begin the legal process to revoke special use permit.

Yates County Natural and Recreational Resources Grant

Supervisor announced the YC Natural & Recreational Grant awarded for the public beach project in the amount of \$ 12,747, Motion by Mr. Martin 2nd Mr. Petersen authorizing the Supervisor to accept the grant. Clerk will send a letter acknowledging the Towns acceptance of the award.

Highway report submitted: The loader has been repaired and is running well. The injector pump needed rebuilding. Around \$1900.

We had the air conditioner compressor belt burn up on the excavator yesterday. We haven't had a chance to see what caused the problem yet. Waiting for a rainy day to work on it. Since the excavator still works and unfortunately, we don't need the air conditioner yet we are still using it,

I have submitted to the OGS for 200 ton of salt for our 2022-23 winter season salt contract.

We picked up 50 ft. of 24" double wall plastic pipe to replace the rusted-out crossover pipe on Hazzard RD. Hopefully the guys will get this changed next week.

We have been doing some ditching work in the town the past week or so.

I have put in the order for the 80 ft. of 42" pipe for the repair of the crossover pipe on Antony Beach RD. that is rusted out.

We have been trucking stone to our stockpile for the past few weeks, for our upcoming projects.

Still working on drain problem on Perry Point RD.

Started working on beach project.

Code Report: Issued 2 C of C, 5 permits, 2 site plan review, 2 site visits, 29 Short term renewals to date, , traveled 352 miles, also completed annual training school in Rochester.

Water District No. 1 Caton Road railroad crossing permits and fees have been paid to Norfolk Southern in the amount of \$ 9,800. Contractors still holding bids for construction.

Benton is hiring a new water/ hwy person for Districts.

Emergency Plan Mr. Henderson reported he and Mr. Downs re working with Diane Caves of the County Emergency Management to develop an emergency plan for the town. Yates County Hazardous Mitigation Plan is in process of being updated.

Mr. James stated that having an emergency plan in place will help with receiving State and Federal funds following an event.

Donald "Skip" Jensen appeared before the board to update on Article 78 lawsuit filed against Greenidge and Town of Torrey. This past week New York State Supreme Court Justice Doyle dismissed the lawsuit.

Mr. Jensen stated on behalf of Greenidge, his appreciation of the Town Planning Board for all the hard work and effort on the application and SEQR review

He stated NYS DEC decision on Greenidge Air Permits application has been postponed until June 30th.

Greenidge maintains their commitment on protecting Seneca Lake.

Rosa Thompson attended a contractor's meeting at Benton for a new water district. Jeremy Delyser of CPL was the engineer who arranged the meeting. It was very well organized. Mr. Delyser asked the contractors questions and answered questions on his part. He was the right man for the job.

Nancy Sarver inquired about Memorial Day, in her position as Town Historian if she had a role in the planning and has offered her help.

Terry Button reported that the Towns can piggyback off the county's bid for road materials, also Yates County owns a mini excavator that can be loaned out to the Towns. Brief discussion on the proposed new highway buildings. The new building will be 204' x 250' The old offices will be new location of Emergency Management, Public Health.

Richard Harper stated that there will be a land use forum April 25th 5:00pm to 8:00pm at the County building.

Motion to adjourn by Mr. Martini 2nd Mr. Petersen carried at 9:29PM

Respectfully submitted,

Betty M. Daggett