

Town Board Minutes  
August 12, 2014

The monthly meeting of the Torrey Town Board held on August 12, 2014 at 56 Geneva St and called to order by Supervisor Flynn at 7:30PM.

Present: Patrick H. Flynn, Burge W. Morris, Colby J. Petersen, John H. Martini

Excused: Linda K. Francisco,

Others present: Jeff Finger- Highway Supt., Robert Clark District II Legislator, George Thompson, Dwight James Code Officer, Mike Williams, John & Eileen Moreland, Dave Granzin, Elaine Thiesmeyer, Linda Lefko, Jack Hessney, Ken Campbell, Tom Eskildsen- YC S&W, Mary Lilyea-Assessor, Alice Anthony, Sam Selwood, John Ghidiu, Sue Davie, Darlene Bordwell, Grant & Linda Downs, Ken & Wendy Philbrick

Mr. Flynn led the pledge of allegiance.

Mr. Flynn presented the abstracts of vouchers for audit.

Motion by Mr. Morris 2<sup>nd</sup> Mr. Petersen, that the bills on the General A & B funds in the amount of \$ 10784.18 be paid, carried.

Motion by Mr. Martini, 2<sup>nd</sup> Mr. Morris that the bills on the Highway DA & DB funds in the amount of \$ 106,994.05 to be paid, carried.

Mr. Flynn introduce the following resolution, a Local Law # 4-14 too "Override the Tax Levy Limit" which would permit the Town Board to adopt a budget for the 2015 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**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 September 9, 2014, 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.

Mr. Flynn presented proposed changes to amending zoning law is to address Solar Farms, Woodworking shop, Cottage Industry, Mini Storage and Alternate Energy regulation, Cottage industry, as recommended by the planning board. Calling for a public hearing on the proposed zoning changes.

Motion by Mr. Petersen 2<sup>nd</sup> Mr. Morris to hold a public hearing to amend zoning law on September 9, 2014 at 7:40pm in the town meeting room carried.

Motion by Mr. Morris 2<sup>nd</sup> Mr. Petersen to accept the minutes of the July meeting as written carried.

Highway report- Mr. Finger is completing applications and forms for FEMA money to help defray the cost of the Hopeton, Long Point, Hewett, Roy and Townline Roads that were damaged during May flooding. He has oil & stoned the roads and sent in for the chips payment. Hewitt pipes are now installed. Hopeton is about 1/3 complete.

Wendy Philbrick 1293 Arrowhead Beach stated that to stop erosion on their property, they had to invest a lot of money into a culvert.

Grant Downs 1250 Arrowhead Beach Rd, appeared before the board on a sinkhole that has appeared on his property. He feels that the town 30" culvert pipe under the road feeding into 20" pipes running across his lawn is causing the erosion. He feels the Town cannot dictate how he addresses his drainage issue. There was work on Anthony Rd replacing culvert pipes. They may have installed larger pipes causing an increase in the volume of water running west to east.

Mr. Flynn replied that homeowners did not want a gully running through their property, as this is private property the owners purchased and installed the pipes which increase their lawn size and rid their property of the gully.

Mr. Downs inquired why the pipe connecting to the Town was only 20", this would definitely increase the viscosity of the water into the lake. Mr. Flynn stated that is the size the owners purchased.

Mike Williams 1281 Arrowhead Beach stated he believes that the 6 new culvert pipes installed on Anthony Rd is causing a higher volume of water runoff to the east. He suggest that the Town of County invest in water retention ponds. The railroad culverts may be blocked.

Darlene Bordwell 1245 Arrowhead Beach Rd is having issues with her septic system backing up due to excess surface water. All the water coming down ditches and road surface are running across her property. The climate seems to be changing she urges the Town to consider solutions to address higher volume due to rainy climate. If the additional surface runoff is due to the County changing culvert pipes and redirection of flow, why should she as a taxpayer pay for the problems created by others.

Sue Davie 1269 Arrowhead Beach Rd stated her driveway has washed out twice due to heavy rain and runoff from road surface, and she has had to repair it both times.

John Martini suggested building Lagunas up in the fields to catch the flow of water before it reaches Arrowhead. He stated his disappointment in the boards little response to questions.

Eileen Moreland 1292 Arrowhead stated the condition of Seneca Lake is critical. It is deteriorating at a rapid rate. The Town Comprehensive plan that she helped develop addressed ponds and runoff.

Linda Downs 1250 Arrowhead Beach Rd stated that the towns residents must help stop the lakes destruction. Drinking water is drawn from this lake and is very much in jeopardy.

John Moreland 1292 Arrowhead Beach Rd asked who is responsible for the culvert water issue that the County created when they changed the pipes. He inquired if the Town Board even cared about the taxpayers concerns??

Colby Petersen stated he works for the Yates County Soil & Water, before the culverts were replaced YCS&W did an inventory on all road culvert pipes in Yates County along with a hydro study which charted flows before any pipes were replaced. Old metal pipes were removed and replaced with heavy plastic pipes.

Jeff Finger Hwy Supt. explained the roadwork completed in 1987 to resolve water problems along Arrowhead. Properties were flooding from surface runoff during heavy storms.

Pat Flynn stated the Town has a file on this from 1986.

Arrowhead Beach Rd property owners having flooding issues in 1984 informed by letter the town board of minor and major drainage issues. The letter from Arrowhead Beach Association requested the Town have a hydraulic study of Arrowhead to make recommendations to correct these problems. Yates County Soil & Water completed the study in 1984. Its finding was substantial expenditure to property owners to correct these issues.

1986 additional hydraulic study was done by YCS&W showing new alternatives of various degrees of construction. The town presented the property owners four (4) alternate road ditch modification plans which required a 20' easement. The Arrowhead Beach Association responded that no easement would be granted for the ditchwork.

Mr. Downs inquired as to why the road pipe is 30" and the pipe connected on his property is 20". It is the property owner's decision as to what size pipe installed on his property.

Ken Campbell 1278 Arrowhead Beach Rd reported he had drainage problems and called the highway dept. The ditch and culvert were cleaned out and he has had no problems since. He suggests that all the ditches be cleaned out to avoid over spill.

Jeff Finger stated that many septic lines run under roadway under ditch to the fields west of the road. They can only clean the ditches to a certain depth. They cleaned the ditches out earlier this spring but due to flood damaged roads they have not been back.

John Martini asked if the highway could clean out the remaining ditches. Jeff stated yes.

Tom Eskildsen- YCS&W Tech reported that Seneca Lake was taken off the DEC impacted lakes.  
Professor John Halfman presented his findings on Seneca Lakes deteriorating quality to DEC to no success.

Ken Philbrick 1293 Arrowhead Beach Rd stated there is a 48" pipe under the road that is in need of attention. Runoff flows from this pipe across his property to the lake. He maintains the pipe running across his property. The runoff from road surface is undermining his driveway.

Why is that the ditch draining acres of property that end up flowing onto his property, his alone responsibility for the maintenance thereof.

Colby stated there has been little development in the uplands. The land to the west is still agriculture so the contour has not changed to produce higher volume of runoff.

Eileen Moreland asked if anyone knew what size pipe was replaced and with what size pipe. Jeff stated Yates County Highway would know.

Discussion went back to lagunas,

Darlene Bordwell asked what type of help she can expect from the Town or County?

Colby Petersen stated the YCS & W can offer technical support for construction of water retention ponds, the ponds would need to be dug out after a while with all the silt it would filter, but on a positive note, the silt would not reach the lake. Soil type would determinethe type of retention pond (Laguna) and size needed.

Code Report- Mr. James issued 9 building permits, 2 certificate of compliance, 1 Temp Coc.  
1 Area Variance 1 special use modification, 2 site visits, 20 building progress inspections,  
12 meetings. Traveled 166 miles

Mary Lilyea- Assessor reported that she will be reassessing in 2015.

George Thompson of 867 Serenity Rd reported that he has been in contact with Town of Benton to hook up to their system for a water district. There is a 12 " pipe at the North Town line from Beattie Point. The new district would supply to Anthony Rd.

Wineries; Kemmeter and Redtail Ridge have their own water systems in place.

District Legislator Robert Clark stated he is very pleased with Yates Co S & W. They are a tremendous help. When he was Supervisor in Benton the town approached property owners about a water district extension. Petitions were filed, grant funding was secured.

Needed 51 % total participants support. Plans were engineered that the extension was large enough to fee north end of Torrey. Angus Pt property owners opted out on the idea

Therefore the project stalled.

The Benton town board is once again pursuing the extension, grant money is available.

He suggested District Leg. Jim Smith is asked to help with the water ext. project for Torrey.

Being no further business before the board, motion to adjourn by Mr. Flynn at 9:00pm carried.

Emergency Board meeting was held on August 14, present was Flynn, Martini, Morris, Francisco and Hwy Supt. Jeff Finger

A discussion on two proposals for road guide rail on Hopeton Rd. Accepted was Phelps Guide Rail Inc. for \$ 24,566.80. Jeff will order the guide rail.

Respectfully,

Betty M. Daggett  
Town Clerk