

Town Board Minutes
June 13, 2017

The monthly meeting of the Torrey Town Board was held on Tuesday June 13, 2017 at 56 Geneva St. Dresden New York and called to order by Supervisor Flynn at 7:30PM.

Present: Supervisor Patrick Flynn, Councilmen; Burge Morris, Colby Petersen, Peter Martini, Lawrence Martin

Others present: George Thompson, Dwight James- Code Officer, Tim Chambers- Hwy Supt., Grant & Linda Downs, Carolyn McCallister, Rohit & Grace Mirchandani, Terrence Robinson, Dave Granzin, District II Legislators- Jim Smith & Dr. Tim Dennis, Jim Riesenberger, Rick & Linda Kircher.

Mr. Flynn led the pledge of allegiance.

Mr. Flynn presented the abstract of vouchers for review.

Motion by Mr. Morris, 2nd Mr. Martini that the bills on the General A & B accounts in the amount of \$ 6,923.22 be paid, carried.

Motion by Mr. Petersen, 2nd d Mr. Martin, that the bills on the Highway DA & DB accounts, in the amount of \$ 6,412.53 be paid carried by all.

Mr. Flynn introduced an inter-municipal agreement with the Village of Dresden to obtain a water supply for the Perry Point Water District that is proposed in the Town of Torrey. The following resolution was offered by Mr. Flynn 2nd Mr. Morris to wit:

WHEREAS, the Village of Dresden (hereinafter referred to as “Dresden”) has heretofore entered into an Inter-municipal Agreement with the Village of Penn Yan (hereinafter referred to as “Penn Yan”), for the purpose of obtaining an adequate supply of potable water for Dresden, its residents and businesses, and

WHEREAS, pursuant to that Inter-Municipal Agreement Dresden is entitled to receive from Penn Yan up to 106,200 gallons of water per day (GPD), for its public uses, and

WHEREAS, Dresden has been receiving water from Penn Yan pursuant to that Inter-Municipal Agreement, but has been utilizing only a small percentage or portion of its guaranteed allocation of water from the Penn Yan water treatment facility, and

WHEREAS, Torrey (hereinafter referred to as “Torrey”) has approached Dresden about providing a portion of its water supply to the Perry Point Water District in the Town of Torrey, which portion would be taken from Dresden’s excess supply from Penn Yan, and

WHEREAS, Dresden has given serious consideration to this request and believes that it could be in the best interests of both Dresden and Torrey (and the Perry Point Water District) to enter into such an Inter-Municipal Agreement between the Town of Torrey and Village of Dresden, and

WHEREAS, Torrey now wishes to negotiate such an Inter-Municipal Agreement with Dresden, and wishes to authorize the Supervisor and Town Attorney to negotiate the terms of such an Inter-Municipal Agreement with Dresden,

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Torrey hereby authorizes its Supervisor and Town Attorney to enter into negotiations with the Board of Trustees or its duly appointed representative(s) for an Inter-Municipal Agreement related to the provision of a supply of potable water from the Dresden water supply to the Town of Torrey and Perry Point Water District, which supply shall not exceed the average daily amount of thirty thousand (30,000) gallons per day (GPD).
2. That the terms of any such Inter-Municipal Agreement shall be subject to final approval by the Board of Trustees of the Village of Dresden and Town Board of the Town of Torrey.
3. That the Town Board has been advised by the Board of Trustees of Dresden that it has been advised by its legal counsel that the 1995 Inter-Municipal Agreement between Dresden and Penn Yan does not require that Dresden obtain the approval or permission of Penn Yan to assign a portion of its guaranteed allocation of potable water from Penn Yan. That the Town Board is relying upon this representation by the Village of Dresden and its legal counsel in entering into these negotiations for an Inter-Municipal Agreement.
4. That Torrey intends to establish a Water District in the Perry Point area, subject to it being able to obtain an adequate and affordable supply of potable water for the proposed Perry Point Water District area. That the establishment of such a proposed Water District is contingent upon obtaining all necessary permits and approvals from the State Department of Environmental Protection, State Health Department, Office of the State Comptroller, and any other necessary state agencies.
5. That the Supervisor and legal counsel of Torrey are directed to report back to this Town Board as promptly as possible regarding the terms and conditions that are proposed for this Inter-Municipal Agreement for a Potable Water Supply.

Following discussion the foregoing resolution was put to a roll call vote that resulted as follows: Flynn –Aye, Petersen – Aye, Morris – Aye, Martin- Aye, Martini – Aye

5 Ayes 0 Nays

Supervisor Flynn thereupon declared the foregoing resolution to be duly adopted, and indicated that he and the Town Attorney would promptly commence negotiations with the Mayor or designated representatives of the Village of Dresden.

Town clean up days July 29th and 30, 8 am – 2:pm both days. Will contact YC Sweeps and community service for extra help. Town will provide lunch to help both days.

Tim Chambers, Highway Supt gave his monthly report. Highway crew is working on a major repair to East Leach Road. The bank is slipping creating large stress cracks in roadway. Yates County Soil & Water is advising on repair. Will be drilling test holes.

Paved Lone Oak and Long Point Beach

Shared services next week with Milo, Barrington and Starkey oil & stoning.

Shared services will oil and stone Long Point, Downey and Log Cabin on June 22.

Mower needed repairing. Bearings, turbo etc.

Tim has been looking at pricing on replacement tractor.

Tires on Gradall need replacing; he gave several price scenarios with different ply tires

He would like to purchase excavator tires, better quality longer road wear life.

Josh Wood, Doug DeKay and himself went to Cornell Roads school 3 days in Ithaca last week. Tim stated he "got a lot of good information."

Dwight James gave the Code report. 4 C of C Issued, 1 Steep Slope Permit, 3 site visits, 1 violation inspection, 20 building progress inspections, 8 fire inspections 1 sort term rental inspection, Mileage for May 10- June 13, 218 miles.

Carolyn McAllister appeared and presented a copy of a petition that will be passed in Town by members of the Committee to Preserve the Finger Lakes, appealing Judge Kochers decision on the Greenidge Plant SEQRA . The CPFL are asking for an adequate evaluation of the environmental impacts of the operations of the Greenidge Generation Station to protect Seneca Lake, and the people and animals that live in and around it.

Rohit & Grace Mirchandani 701 Rte 14 appeared before the board for a response to their request seeking reduction in the EDU assessed to their home and tasting room at 701 Rte 14. Appearing with them was Terrence Robinson, Esq.

A discussion on the water usage, Mrs. Mirchandani has records for purchase of water as proof of their usage. 4 EDUs have been assessed to this property as with all wineries in this district. She spoke to engineer at first public information meeting and gave him her contact info, but did not receive any calls to discuss this issue of water usage.

Mr. Mirchandani spoke of the financial strain for debt of service he will be burdened with if the 4 EDU assessment remains.

Jeremy DeLyser, engineer for Clark Patterson & Lee, stated that at both public information meetings water EDU were discussed. He had asked property owners that challenged EDU assessed to send him receipts of records for water, he needed proof.

Proof was never submitted to him until April 2017 after the water Districts were created.

With a quick calculation reducing the Mirchandani EDU assessment from 4-1 would change Debt of service charge per unit from 1152. To 1185. per year. This change would require that the water district process be started over.

A question if the winery has future plans for expansion, Mr. Robinson responded that there is no room to expand, and there is no agriculture on property.

George Thompson commented Monello is a small tasting room that does not compare with other wineries in the area.

Mr. Flynn inquired as to the cost of restarting the process again.

Mr. Delyser stated his oversight of not contact Mrs. Mirchandani regarding her EDU assessment review, following the first public hearing. He will recalculate with a lower EDU for the Mirchadani's to see if he can rework the numbers to avoid restarting the process over. This will come to no cost to the town as it was his error.

The Mirchandani's thanked the board for their consideration.

Being no further business before the board motion by Mr. Flynn to adjourn 2nd Mr. Martini carried at 8:50PM

Respectfully submitted,
Betty M Daggett