

Town Board Minutes  
January 8, 2019

The reorganizational meeting of the Torrey Town Board was held on January 8, 2019 at 56 Geneva St. Dresden New York and called to order by Supervisor Flynn at 7:30PM.

Present: Supervisor Patrick Flynn, Councilman; Colby Petersen, Peter Martini, Lawrence Martin, Grant Downs

Others present: George Thompson, Dave Granzin, Dwight James- Code Officer, Tim Chambers- Hwy Supt. Hon Matthew Conlon- PY Village Justice

Mr. Flynn led the pledge of allegiance.

Mr. Flynn presented the abstracts of vouchers for review.

Motion by Mr. Martini, 2<sup>nd</sup> Mr. Martin that the bills on the General A & B accounts in the amount of \$ 10, 804.43 be paid, carried

Motion by Mr. Petersen 2<sup>nd</sup> Mr. Martini, that the bills on the Hwy DA & DB accounts in the amount of \$ 4,441.23 be paid, carried.

### **MINUTES**

Motion by Mr. Martini 2<sup>nd</sup> Mr. Downs to approve December minutes, with the end of the year bills added in for December total of \$ 40,156.75 carried.

### **2019 APPOINTMENTS AND COMPENSATIONS**

Mr. Flynn read the slate of appointments and compensations

- ❖ Any town official /employee, board members to attend training sponsored by the Association of Towns & local trainings during the year, at the Towns expense.
- ❖ Finger Lakes Times, Chronicle Express as official newspaper of the Town
- ❖ Town Board Meeting date 2<sup>nd</sup> Tuesday of the month at 7:30PM
- ❖ Community Bank NA official bank of Deposit for Health District, Town Clerk/ Tax Coll. and DEC
- ❖ Community Bank NA, Lyons National -official banks of deposit for General A & B, Highway DA & DB, Watershed, Fire Protection, Trust & Agency
- ❖ Code Officer - Dwight James \$ 16,560. / year & mileage
- ❖ Setting mileage reimbursement for . 58 per mile.
- ❖ Deputy Supervisor-Colby Petersen \$ 500./year

- ❖ Deputy Highway Supt. - Dave Bond \$ 2000./year
- ❖ Deputy Town Clerks Darlene Conley, Helga Poreda \$ 11.25/hr
- ❖ Supervisors Bookkeeper- Betty Daggett \$ 15./hr
- ❖ Justice Data Entry Clerk - vacant 15./hr
- ❖ Town Attorney - Jeff Graff at 150./hr
- ❖ Make necessary Inter fund transfers of money on overdrawn accts for General or Highway
- ❖ Highway HEO Fulltime - \$19.38/hr - \$ 21.42/hr with medical benefits and OT
- ❖ Highway Plow P/T \$ 18./hr, No benefits
- ❖ Highway Laborer part time - \$ 11.50/hr no benefits or OT
- ❖ Lifeguards/ Rec. Leaders- \$12./hr no benefits
- ❖ Beach/ Rec. aides- \$ 11.25/hr no benefits
- ❖ Zoning/Planning Board Chairmen - each \$ 150./year
- ❖ ZBA /Planning Board Sec. each - \$ 150./year
- ❖ ZBA /Planning members each - \$ 100./year
- ❖ Historian \$ 150./year
- ❖ Janitor \$ 20./hr
- ❖ Board of Review ( Assessment Grievance) \$ 50./ year, additional reviews \$ 10./hr

Motion by Mr. Martini 2<sup>nd</sup> Mr. Downs to approve the slate as presented, carried by all.

### **RESIGNATION**

It was with regret the board accepts Judge Jean Mashewske's resignation, effective January 2, 2019

Mr. Flynn offered the following resolution to honor Judge Mashewske's service,

**WHEREAS**, Hon. Jean K. Mashewske has faithfully served the Town of Torrey as a Town Justice for Thirty Five years, and

**WHEREAS**, Hon. Mashewske served her position as Town Justice in a dedicated and professional manner, in the fulfillment of her duties, and

**WHEREAS**, she has earned the admiration of those with whom she came into contact and the affection of her fellow public servants, who are proud to call her **friend**,

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Torrey, and on behalf of its citizens, hereby express our sincere appreciation and thanks to Hon. Jean K. Mashewske, for her distinguished career and service to our community, and

highly commend her for the manner in which she carried out her duties and responsibilities.

Adopted by unanimous vote of the Town of Torrey Officials.

Motion by Mr. Flynn 2<sup>nd</sup> Mr. Petersen to send letter of appreciation to Michael Mashewske for his service to the Town clerking for the Judge.

Judge Matthew Conlon appeared before the board to introduce himself as the interim Judge for the Town of Torrey appointed by District # 7 Judge Craig Doran for a term of 1/2/19 to 4/30/19

**PERMANENT JUSTICE APPT.**

Discussion on appointment of permanent Justice, who will finish out this year term for Judge Mashewske and run for the position in November elections.

After a brief discussion Mr. Martini offered the following resolution 2<sup>nd</sup> by Mr. Flynn was adopted

RESOLVED, that the Town Board hereby accepts accept the resignation of Jean K Mashewske as the Town Justice, effective January 2, 2019; and it is further

RESOLVED, the Town Board hereby appoints Matthew Conlon, the Village Justice of the Village Penn Yan, to serve as the interim town justice in the Town of Torrey, having all the powers and authority of that position, until a new town justice is qualified to serve in that position; and, it is further

RESOLVED, that the Town shall pay Justice Conlon for his service in this interim position at a salary 1500. per month and during his service he shall be accorded all other privileges accompanying such position; and, it is further

RESOLVED, that the Town Board shall request an assignment order from Hon. Craig J. Doran, administrative judge of the Seventh Judicial District, to implement this temporary appointment and upon receipt of such order shall file it in the books and records of the Town; and, it is further

RESOLVED, that George R Thompson is hereby appointed to the permanent position of town justice, effective upon completion of the required judicial education courses and certification of completion of such courses to the Town, such appointment to last until the next election as required by law; and, it is further,

RESOLVED, that upon the qualification of George R Thompson to serve as the town justice for the Town of Torrey and upon written notification from the town, the interim appointment of Justice Conlon to serve in that position shall expire and his services on behalf of the Town shall be terminated.

#### **INTERIM COURT CLERK SALARY**

After a discussion with Judge Conlon and  
On a motion of Mr. Flynn 2<sup>nd</sup> Mr. Martini the following was  
ADOPTED

Resolved the salary for the interim Court Clerk to be appointed by interim Justice Matthew Conlon be set at \$ 17./ per hour.

#### **2020 TAX CAP LOCAL LAW**

Mr. Flynn introduced the 2020 Tax Cap over ride law with the following resolution setting public hearing for February 12, 2019

**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 attached hereto as Exhibit "1" 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 February 12, 2019 at 7:30 p.m. at the Torrey Town Hall, 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 Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; 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 for its consideration; and be it further

**RESOLVED,** that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

Flynn Aye, Petersen Aye, Martini Aye, Martin Aye, Downs Aye  
5 Ayes - 0 Nays

## **ORDER CREATING WATER DISTRICT 1**

In the matter of Creating of Water District 1

**WHEREAS**, the Town Board, has upon Resolution adopted on February 14, 2017, approved the establishment of Water District No. 1, pursuant to Article 12 of the Town Law, said District having been approved in accordance with the details in a map, plan and report dated November 2015, prepared by Clark Patterson Lee, having been filed with the Town Clerk of the Town of Torrey; and

**WHEREAS**, by Order dated December 17, 2018, the New York State Comptroller's Office has approved the creation of Water District No. 1.

**THEREFORE, BE IT ORDERED** that the establishment of Water District No. 1, as set forth in said map, plan and report, be approved in accordance with the provisions of the Resolution attached hereto as Exhibit A and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of this Order in the Office of the Clerk of the County of Yates and a certified copy thereof with the State Comptroller, within ten (10) days after the adoption of this Order.

Flynn Aye, Petersen Aye, Martini Aye, Martin Aye, Downs Aye  
5 Ayes - 0 Nays

## **ANIMAL CONTROL CONTRACT**

Mr. Flynn presented the 2019 Animal Control contract with Yates County

Motion by Mr. Downs, 2<sup>nd</sup> Mr. Petersen to authorize the Supervisor to sign contract, carried by all

## **NYSEG EXCAVATION PERMIT**

Mr. Flynn presented the 2019 Excavation agreement with NYSEG

This allows NYSEG to excavate on Town Right of ways if needed for the year 2019.

Motion by Mr. Martini 2<sup>nd</sup> Mr. Martin authorizing the Supervisor to sign contract carried by all.

## **Contract for Yates County 85G Excavator Use**

Motion by Mr. Petersen 2<sup>nd</sup> Mr. Downs to authorize Supervisor to sign indemnification contract with Yates County for use of 85G Compact Excavator, carried by all.

## **Justice Audit 2018**

Councilman Martin and Councilman Downs gave a report on the Audit performed on Judge Mashewske's September 2017 to December 31, 2018 reports and financial records. The Councilmen both concurred, all records were found in good order, and to the best of their knowledge and ability, the Justice Financial Records were found to be true and correct.

Mr. Flynn offered the following resolution, 2<sup>nd</sup> by Mr. Martini, and was adopted

**WHEREAS**, the Town of Torrey Town Board on December 11, 2018 did request that the Torrey Justice Financial Records for the Year September 2017- November 2018 be audited and

**WHEREAS**, an audit was performed on January 9 ,2019 on the Town of Torrey Justice Financial Records for the year September 2017 - December 31, 2018, this audit took place in the Town Offices at 56 Geneva Street, Dresden, NY, and

**WHEREAS**, Judge Mashewske due to relocation outside the Town of Torrey, tendered her resignation effective January 2, 2019 and upon presenting the Town Supervisor with a check of the remaining balance in the Justice checking account, the account is now closed,

**THEREFOR BE IT RESOLVED**, on January 8, 2019 the Town of Torrey Town Board did receive and approve the audit report on the Town of Torrey Justice Financial Records for the year September 2017- December 2018 as presented by Councilmen Martin & Downs, who's findings were, that to the best of their knowledge, these Torrey Justice Financial Records to be true and correct. Roll Call Vote:  
Flynn-Aye Petersen-Aye Martini-Aye Martin-Aye Downs -Aye  
Vote carried 5 Ayes 0 Nays

### **BOARD OF ELECTIONS**

Mr. Downs attended a meeting with the board of Elections, he noted changes such as early voting, consolidated primaries, Cyber security changes, getting information to voters. Petition passing for offices begins February 26, 2019 instead of June.

### **APPOINTMENTS**

Motion by Mr. Flynn 2<sup>nd</sup> Mr. Downs appointing Ellen Campbell to Planning Board term to 2023, carried.

Discussion: Need alternate on the Zoning Board of Appeal. Due to no quorum, public hearings have been rescheduled.

Motion by Mr. Petersen 2<sup>nd</sup> Mr. Downs appointing Planning Board member George Dowse to serve as an alternate Zoning Board member term to 2023. Carried by all

### **RESIGNATION**

Ron Merritt submitted his resignation from the Board of Assessment Review. Effective immediately, due to health issues.

### **SURPLUS EQUIPMENT**

Auctions International received bid of \$ 42,100 from Town of Centerville on the 2008 International 10 wheeler and \$ 6,700 from the Town of Cairo on 1992 Gradall.

Motion by Mr. Petersen, 2nd Mr. Martini to accept these bids, carried BY all.

### **HIGHWAY REPORT**

Mr. Chambers reported overtime worked.

Leach Road still having road siding issues. Movement follows rainstorms. Will contact engineer for advice.

Installed driveway on Nutt Rd.

Installed new parking area for the Village.

He was asked if the Village reciprocates with shared services.

Mr. Chambers listed the Cemeteries and Public beach maintenance done by the Village of Dresden. He will make a list of all the shared service projects and time donated by this highway for the board.

Mr. Chambers would like to have Engineer Chris Hunt to come in and certify weight load upstairs and chain fall for \$ 900.00

Mr. Chambers would like to add new LED lighting in the shop.

Board would like Highway to replace cost effective route. Either by replacing bulbs or fixture in entirety.

### **CODE REPORT**

1 Special Use app, 1 sub division app, 3 building inspections, 7 meetings, 1 short term inspections, 1 complaint resolved 159 miles.

### **DEC MEETING**

Linda Downs reported a meeting with Sen Tom O'Mara, DEC and Village of Penn Yan regarding the Keuka Outlet. This meeting is open to public and will be held at Village Office January 17, 2019 at 3:00PM.

There being no further business before the board Mr. Downs made a motion to adjourn 2<sup>nd</sup> Mr. Martin carried at 9:25PM

Respectfully submitted

Betty M Daggett  
Town Clerk

DRAFT