

Town Board Minutes
January 14, 2020

The reorganizational meeting of the Torrey Town Board was held on January 14, 2020 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 & Rosa Thompson, Linda Downs, Robert Miller Dave Granzin, Al Gulvin, Jim Riesenberger, Dwight James- Code Officer, Tim Chambers- Hwy Supt., John Christensen, Jeremy Delyser

Mr. Flynn led the pledge of allegiance.

Jeremy Delyser of Clark Patterson Lee, Engineer for Water District #1 appeared before the board to present resolutions for adoption and permit applications. Discussion on Valves and hydrants, Pipes used under railroad, discussion on Preliminary applications for NYS DOT, NYSDEC, NYSDOH, NYS Ag & Markets -Notice of Intent, Norfolk Southern Railroad. An application fee of \$ 2500. Must be sent in Norfolk Southern application, Motion by Mr. Martini 2nd Mr. Downs to pay the \$ 2500. application fee carried by all.

Lateral Restriction Resolution 1-2020

Mr. Martini offered the following resolution

WHEREAS, the Town Board of the Town of Torrey has created the Town of Torrey Water District NO 1 pursuant to Town Law for the express purpose of providing public water supply to residents along portions of NYS Route 14, Carlsen Road, Serenity Road, Serenity Beach Road, Albany Road, Albany Beach Road and Davy Road; and

WHEREAS, part of the land area within Water District No 1 is also Yates County Agricultural District No 1: and

WHEREAS, the Town Board is filing a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within the Agricultural District No 1;

WHEREAS, THE New York State Department of Agriculture and Markets ("Department") may express concern about the potential adverse impact of providing that said public water supply is likely to have on agriculture within the Agricultural District, and will likely request an adoption of its Lateral Restrictions policy to avoid potential adverse impacts to the Agricultural District;

NOW THEREFORE BE IT RESOLVED, that the Town Board, in recognition of the concerns that may be raised, hereby resolves to adopt the "Lateral Restrictions- Conditions on Future Service" specified by the New York State Department of Agriculture and Markets as follows:

The Town of Torrey imposes the following conditions, as warranted or recommended on the management of water/sewer lines located in Water District No.1, within an agricultural district:

- (1) The only land and / or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.
- (5) Hydrants and valve boxes must not be placed directly in agricultural fields. Councilman Peterson seconded the resolution which was adopted by roll call vote: Supervisor Flynn -Aye Councilman Martini -Aye Councilman Peterson -Aye Councilman Downs -Aye Councilman Martin -Aye

5 Ayes 0 Nays 0 absent Adopted

RESOLUTION NO. 02-2020

RESOLUTION REGARDING WATER MAIN AND APPURTENANCE STANDARDIZATION IN THE TOWN OF TORREY

Offered by Councilman Martini

WHEREAS, the Town of Torrey (Town) has entered into an Agreement with Town of Benton for the operation and maintenance of Town of Torrey Water District No. 1;

WHEREAS, The Town of Benton has specific material requirements for water main and appurtenances that are operated and maintained by the Town of Benton. The material requirements are outlined in the attached:

- Resolution 9-16 Resolution To Standardize Water Service Fittings, Water Valves And Hydrants In The Town Of Benton, and
- Resolution 10-16 Resolution To Standardize Water Meters In The Town Of Benton;

WHEREAS, the Town of Benton requires that all proposed water facilities within Water District No. 1 and or it's extensions utilize the materials outlined in Resolution 9-16 Resolution To Standardize Water Service Fittings, Water Valves And Hydrants In The Town Of Benton and Resolution 10-16 Resolution To Standardize Water Meters In The Town Of Benton, and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Torrey shall standardize on the material requirements as outlined in Resolution 9-16 Resolution To Standardize Water Service Fittings, Water Valves And Hydrants In The Town Of Benton and Resolution 10-16 Resolution To Standardize Water Meters In The Town Of Benton for all proposed work within Town of Torrey Water District No. 1 and any extensions.

Seconded by Councilman Downs - Roll call Vote:

Supervisor Flynn - Aye Councilmen: Martini -Aye Peterson-Aye Downs -Aye Martin -Aye **5 Ayes 0 Nays Adopted.**

RESOLUTION NO. 3-2020

RESOLUTION TO STANDARDIZE WATER SERVICE FITTINGS, WATER VALVES AND HYDRANTS IN THE TOWN OF TORREY

WHEREAS, the Town of Torrey has been and is engaged in a substantial water line construction program which will involve the installation of a substantial quantity of water service fittings, water valves and hydrants, and

WHEREAS, for reasons of efficiency and economy there is a need for standardization upon a particular brand of water service fittings, water valves and hydrants as hereinafter explained, and

WHEREAS, this Board after investigation and consultation with the Town Engineer has selected Kennedy water valves and hydrants as the standardized equipment for the Town of Torrey,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey does hereby standardize water hydrants, guard valves, and main line valves (in ground) shall be Kennedy for the following reasons:

1. All existing valves and hydrants are the same brand;
2. Ease of repair;
3. Less inventory to maintain and stock;
4. Compatible with existing Town of Torrey valves and hydrants;
5. Good history of reliability;
6. Same valves and hydrants as neighboring communities, which will help assure availability of parts.

WHEREAS, this Board after investigation and consultation with the Town Engineer has also selected Mueller water service fittings as the standardized equipment for the Town of Torrey,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey does hereby standardize that all brass fittings (in ground) shall be Mueller for the following reasons:

1. All brass fittings are the same brand;
2. Ease of repair;
3. Less inventory to maintain and stock;
4. Compatible with existing Town of Torrey brass fittings;
5. Good history of reliability;
6. Same brass fittings as neighboring communities, which will help assure availability of parts.

Offered by Councilman Martini who moved its adoption.

Seconded by Councilman Downs

Supervisor Flynn - Aye Councilman Martini -Aye

Councilman Petersen -Aye Councilman Downs -Aye

Councilman Martin -Aye **Adopted 5 Ayes 0 Nays 0 absent**

RESOLUTION NO. 4-2020

RESOLUTION TO STANDARDIZE WATER METERS IN THE TOWN OF TORREY

WHEREAS, the Town of Torrey has been and is engaged in a substantial water line construction program which will involve the installation of a substantial quantity of water meters, and

WHEREAS, for reasons of efficiency and economy there is a need for standardization upon a particular brand of water meter as hereinafter explained, and

WHEREAS, this Board after investigation and consultation with the Town Engineer has selected the Badger water meter as the standardized equipment for the Town of Torrey,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey does hereby standardize water meters to be installed in the Town of Torrey as the Badger water meter for the following reasons:

1. Complete automated meter reading from "touch pad" to billing;
2. No "plug" reading;
3. Direct digital reading of meter;
4. hand-held "interrogator" will read accounts in any order;
5. Easily adaptable to telephone or radio-controlled system;
6. All existing meters are the same brand;
7. Ease of repair;
8. Less inventory to maintain and stock;
9. Compatible with existing Town of Torrey water meters;
10. Good history of reliability;
11. Same water meters as neighboring communities, which will help assure availability of parts.

Offered by Councilman Martini who moved its adoption.

Seconded by Councilman Downs

Supervisor Flynn - Aye Councilman Martini -Aye

Councilman Petersen -Aye Councilman Downs -Aye

Councilman Martin -Aye **Adopted 5 Ayes 0 Nays 0 absent**

Discussion on operation plan, flushing cost, Water Committee will meet to set water rates

The board thanked Mr. Delyser for his update on the WD 1 progress.

Mr. Flynn presented the abstracts of vouchers for review.

Motion by Mr. Martini, 2nd Mr. Martin that the bills on the General A & B accounts in the amount of \$ 40,703.72 be paid, carried

Motion by Mr. Martin 2nd Mr. Petersen, that the bills on the Hwy DA & DB accounts in the amount of \$ 6,109.63 be paid, carried.

MINUTES

Motion by Mr. Flynn 2nd Mr. Martini to approve December minutes, carried.

Motion by Mr. Downs 2nd Mr. Petersen authorizing the Supervisor to sign Intermunicipal Agreement cost sharing with Yates County for Pictometry for 2020 carried.

NYSEG EXCAVATION PERMIT Mr. Flynn presented the 2020 Excavation agreement with NYSEG This allows NYSEG to excavate on Town Right of ways if needed for the year 2020. Motion by Mr. Martini 2nd Mr. Martin authorizing the Supervisor to sign contract carried by all.

REGISTRAR Appt

Motion by Mr. Flynn 2nd Mr. Petersen appointing Betty Daggett as Registrar for the term to 2024 and Darlene Conley as Deputy Registrar, 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 2nd Tuesday of the month at 7:30PM
- ❖ Community Bank NA official bank of Deposit for Health District, Town Clerk/ Tax Coll. and NYSDEC
- ❖ Community Bank NA, Lyons National -official banks of deposit for Gen. A & B, Highway DA & DB, Fire Protection, Trust Agency
- ❖ Code Officer - Dwight James \$ 16,890. / year & mileage
- ❖ Setting mileage reimbursement for . 57 ½ per mile.
- ❖ Deputy Supervisor-Colby Petersen \$ 500./year
- ❖ Deputy Highway Supt. - Dave Bond \$ 2000./year
- ❖ Deputy Town Clerks- Darlene Conley, Helga Poreda \$ 11.80/hr
- ❖ Supervisors Bookkeeper- Betty Daggett \$ 15./hr
- ❖ Justice Data Entry Clerk - Betty Daggett \$ 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 - \$19.77/hr - \$ 21.85/hr with medical benefits and OT
- ❖ Highway Plow P/T \$ 18./hr, No benefits
- ❖ Highway Laborer part time - \$ 11.80/hr no benefits or OT
- ❖ Lifeguards/ Rec. Leaders- \$12.80/hr no benefits
- ❖ Beach/ Rec. aides- \$ 11.80/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. Downs 2nd Mr. Martini to approve the slate as presented, carried by all.

RESIGNATION

It was with regret the board accepts Martin Gibson resignation, from the Zoning Board of Appeal effective January 2019
Clerk will send a letter of appreciation for his 15 years of service.

HIGHWAY REPORT

Mr. Chambers stated that the new 2021 Dump truck is ordering will be automatic instead of standard transmission will come in at a cost of \$192,188.39 lower than previously reported.

NYS DOT has not done the speed survey for Log Cabin Rd yet. Yates County has lost the resolution sent up in March 19 asking for a review, He will resubmit the resolution.

Leach Road has no change.

CODE REPORT

Dwight Janes gave his report. 3 permits issued, 2 C of C, 1 Special Use app. 8 building inspections, 1 special incident, traveled 73 Miles.

Discussion on Water District 1, Mr. Downs suggested at last town meeting to draft a letter to a resident, who opposes the water district. Majority of the board agreed that this letter is not necessary. The resident has been approached several times but states no interest in the water district. Motion to send out Mr. Downs letter did not carry, with Flynn, Petersen and Martini voting no.

Correspondence Yates County Democratic Committee sent a letter inquiring to use the town meeting room in March or April for a informal meeting.

Medical letter regarding employee- will hold for executive session.

Rosa Thompson inquired if any information will be sent to Water District 1 property owners updating the progress of the district.

After a brief discussion, a letter will be sent out to property owners in WD #1.

John Ghidiu thanked Jeremy Delyser for his update and information. Mr. Ghidiu suggests the need to develop a communication plan for stakeholders to keep them appraised of the process and progress of project.

Discussion on Perry Point Water District.

Dave Granzin has spoken with Jeff Smith of Municipal Solutions about Perry Point WD no response back from Dresden what cost will be to Town. Village submitted a Cost letter December 10, 2019

There being no further business before the board Mr. Downs made a motion to move into executive session at 9:30

No action was taken in executive session, entering into regular meeting, Mr. Flynn made a motion to adjourn, 2nd Mr. Petersen, carried 9:40pm

Respectfully submitted

Betty M Daggett
Town Clerk