

Town Board Minutes
October 13, 2020

The monthly meeting of the Torrey Town Board was held on October 13, 2020 in the Town Highway Garage at 56 Geneva Street, Dresden, New York was called to order by Supervisor Flynn at 7:30PM.

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

Others present: Dave Granzin, John Ghidiu, George Dowse, Linda Downs, George & Rosa Thompson, Robert Miller, Terry Button- Legislation, Richard Harper- Legislator, Beth Cain, Jacob Welch- SLPWA, Marian Kowalski, Chris Hansen, Abi Buddington, Ian Smith SLPWA, Ellen Campbell, Dwight James- Code, Highway- Tim Chambers, Dale Irwin- Greenidge

Mr. Flynn led the pledge of allegiance.

Jacob Welch President of Seneca Lake Pure Waters Association appeared before the board in regards to Greenidge Power Plant project. This project is before the Planning Board for a review of Site Plan for a Data Storage Center. The SEQRA filed for this project with DEC is presently under a 30-day comment period.

SLPWA is concerned with the thermal discharge into Seneca Lake from the power plant operations.

Mr. Welch presented a draft resolution model that the Town Board could use to request the planning board to reconsider its previous SEQRA findings and site plan approval.

He spoke on the criteria for governing thermal discharges. He presented a chart by Ian Smith of Seneca Watershed Intermunicipal Organization (SWIO)> Mr. Smith monitored temperatures in the Outlet and lake.

Mr. Welch then presented copy of Greenidge SPEDES permit and a thermal study dated 10/1/2017. No thermal study to date.

Letter dated September 2020 of Greenidge, show a revised schedule for the thermal study to be delivered in 2022.

Mr. Welch referenced the planning board's comment in September, that the thermal study is a DEC problem not theirs. He then read from Town Zoning Law Site Plan Review Criteria 98.105 2. *The proposed use will not adversely impact adjacent properties, existing infrastructure or environmentally sensitive features on or near the site such as a steep slope, Seneca Lake or other bodies of water, watercourses, the outlet trail, woodlands and wetlands.*

Mr. Welch presented the SEQRA Part 2 & 3 completed by Planning Board. He challenged the answers on question # 3 b,c,d.

The Town should complete the study in compliance with its own Zoning Code.

DEC does not seem to be concerned with the absence of the thermal study so town cannot depend on the DEC determination.

Mr. Welch spoke on Greenidge comment on the aging facility would need a large upgrade to accommodate a low cooling loop which would be a huge financial undertaking. Why not use daily revenues from the Bit Coin Mining operation to offset the cost of the low cooling loop project.

Mr. Welch discussed branches of power and the protection for town from liabilities and lawsuits.

Bob Miller inquired if SWIO thermal study was sent to DEC showing the range.

Dale Irwin of Greenidge stated he would like to clear up all the misinformation being shared at meetings.

Greenidge is not considered a new plant. The zoning code does not apply to the plant.

A thermal study was completed in 2012 for SPEDES permit. Have developed plans with engineers to be in compliance.

Legal issues were settled in Supreme Court ruling all permits were legitimate.

Discussion on Habs "Hazardous Blooms" along the lake. Habs have been found on Keuka and Canandaigua Lakes. A question asked "do they have power plants too?" Habs found in Penn Yan beaches closed parks.

Mr. Welch stated jobs around the lake are in critical jeopardy with a deteriorating lake.

Tim Chambers gave some background to the plant as he worked there. At one time there were 4 units running. Fishing was great. When the plant closed, the fish disappeared.

Bob Miller commented on the Planning Board review of the site plan. The nexus between the Site Plan and Greenidge Plant, should the plan Data Center Site be out of compliance the site would be shut down.

John Ghidui asked who has the final vote on the site plan review, Pat Flynn stated the Planning Board.

Discussion on who many gallons of water is drawn off and then discharged back into Seneca Lake.

Mr. Welch reminded the Town Board that they have jurisdiction up the Outlet.

Planning Board took position that the request was for 4 container site plan review, not the power plant.

Planning board has the authority over new construction and found a noise issue could be addressed.

Ellen Campbell stated she is a member of the planning board and voted no on the site plan approval. Her vote was no because of the original application approval was based on thermal study and wedge wire screen installation on intake pipes.

Mr. Welch urges the Town Board to seek more information or study results before a final decision is made.

Mr. Irwin presented a report on Greenidge operations. A fully compliant hybrid plant, that will remain in compliance as water withdrawal will not increase.

Discussion on Lockwood Ash site on Swarthout Rd. Completed overhaul on sediment ponds installation of new membrane liner and redesign of leachate system and flow meters to sample leachate.

Question if site is active, Mr. Irwin stated some coal ash was accepted from sister plant "Westover" but after Westover's closing nothing in 10 years. They have a permit to dispose of construction debris but would need to reopen the site then reseal it to be in compliance with DEC.

Mr. Ghidui asked if the plant is burning biomass with the gas, Mr. Irwin stated NO at the present time.

Regarding the noise issue from the site plan containers. Greenidge and Planning Board have a post construction monitoring plan in mind

Mr. Welch inquired as to what is wrong with installing the **Closed Loop System**.

Mr. Irwin stated the original plant system is not designed for closed loop system. Cost of a system would be @ 25 Million.

Discussion on steam released over Dresden from a closed loop system

DEC determined that the **CLS** is not the BTA "Best technology Available" and that the Wedge wire screen is.

Brief discussion on PILOT " Payment in Lieu of Taxes" for Greenidge.

Mr. Irwin states the Greenidge strives to be good neighbors and stewards of the earth.

Greenidge is a proud sponsor of Penn Yan Middle School's PLTW "Project Lead the Way" an Engineering and Biomedical Science Program providing enhanced curriculum since 2019.

Beth Cain is a resident of Arrowhead and is concerned about the environmental community of this area. The community will receive a pittance of revenues the bit coin mining will generate. Is the deterioration of the lake worth it.

Ian Smith- Steward of SWIO spoke on increasing membership of its organization. Presently have 24 out of 41 municipalities as members' Need support of present membership for a fair share financial support.

Torrey's share is \$ 2400. Fair share was based on shoreline, population and assessments.

Mr. Welch supports the 9-element plan Ian is working on. He stated SWIO is a very worthy investment to help protect the lake.\

Mr. Flynn asked how SWIO enforces violations found.

Mr. Smith stated no they do not. He is a grant writer, they seek more mitigation mechanisms. His past work experience with Chesapeake Bay gives him comprehensive knowledge for Seneca Lake and SWIO.

Motion by Mr. Downs 2nd Mr. Martin to add a line item on budget for membership with SWIO, voting: Martin-Aye, Martini-Aye, Downs-Aye, Flynn-Nay, Petersen-Nay, Motion carried 3-2.

Mr. Flynn presented abstracts of vouchers for audit.

Motion Mr. Petersen 2nd Mr. Martini that the bills on the General & B accounts in the amount of \$ 32,860.89 be paid carried by all.

Motion Mr. Martin 2nd Mr. Martini that the bills on the Highway DA & DB accounts in the amount of 339,574.04 be paid carried by all.

Motion Mr. Downs 2nd Mr. Martini approving the September minutes carried by all.

Councilman Martin and Councilman Downs gave a report on the Audit

performed on Judge George R. Thompson's September 1, 2019 to August 31, 2020 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 for September 1, 2019 to August 31, 2020 were found to be true and correct.

Mr. Flynn offered the following resolution, 2nd by Mr. Martini,

WHEREAS, the Town of Torrey Town Board on September 8, 2020 did request that the Torrey Justice Financial Records for the Year September 1, 2019- August 31, 2020 be audited and

WHEREAS, an audit was performed on October 7, 2020 on the Town of Torrey Justice Financial Records for the year September 1, 2019 - August 31, 2020, this audit took place in the Town Offices at 56 Geneva Street, Dresden, NY, and

THEREFOR BE IT RESOLVED, on October 13, 2020 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 1, 2019- August 31, 2020 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: Supervisor Flynn- Aye Councilmen: Martini - Aye Martin - Aye Petersen- Aye Downs -Aye (5 Ayes 0 Nays)

2021 Budget workshop October 22 2020 at 7pm

2021 Preliminary Budget public hearing October 27, 2020 at 7:30pm

KWIC Report: Mr. Petersen gave the 3rd quarter 2020 Watershed inspection report for Torrey and Dresden.

Code Report: Mr. James issued 5 permits, 3 C of C, 1 site plan review, 1 site visit, 1 inspection building progress inspections, 1 short term rental inspection, traveled 84 miles

Highway Report: Mr. Chambers reported ditching work on Jensen & Long Point roads. Past storm cut and cleaned up 3 trees.

Cost to replace septic tank at beach delivered tank \$ 830.

Third and final round roadside mowing. Replaced & repaired window and wiper problem on T-2. Replaced shaft & pump on tractor.

Closed Hopeton road for logger to avoid hazard. Picked up TV in ditch Extended driveway culvert on Perry Point road.

Water District 1: Clerk to send out letters reminding property owner to return easement paperwork. Delineation study completed.

No water cost from Dresden yet, for Perry Point Rd Water District

Motion by Mr. Martin 2nd Mr. Petersen to send a letter to Village of Dresden carried by all. This letter request copy of the Fire Dept

budget audit for 2019 and 2020. The 2021 budget request received for fire contract was 15% increase.

Motion to adjourn by Mr. Flynn 2nd Mr. Petersen carried at 9:15pm

Respectfully submitted,