

Town Board Minutes
Local Law 1-2024
Override Tax Cap Levy Limit
February 13, 2024

The monthly town board meeting held on February 13, 2024 at 56 Geneva St. Dresden New York was called to order by Supervisor Peter Martini at 7:30PM.

Present: Supervisor Pete Martini, Councilmen; Colby Petersen Grant Downs, Bruce Henderson
Excused: Kathleen McGrath

Others present: George Dowse, Gary McIntee, Tim Chambers, Bill Hall, Beth Cain, Ken Campbell, Linda Downs, Peter & Mary Beth Gamba, Jeremy DeLyser, Dwight James

Mr. Martini led the pledge of allegiance.

Supervisor opened the public hearing on the local law 01-24 entitled "Tax Cap Levy Limit Override" with no one desiring to speak on the law, Mr. Martini went on with business.

Jeremy Delyser of CPL Engineering gave a progress update on Water District 1.

There is an amendment to the contract which includes material for Boston & Caton Roads due to change of plans caused by rock issues.

Earlier railroad permits contractor changed from AECOM to Railpros along with this change was increase of costs with monitor and flagman fees.

Jeremy is working with Railpros to negotiate overcharges on invoices received.

There was a discrepancy with the railroad property lines which shifted causing increase of casing pipe needed for across the railroad.

Bid pricing from 2021 materials cost increased.

Serenity drill went 100' Albany drill failed.

Municipal Solutions are researching grant to help defray the additional cost.

Water will go into pipes tomorrow for pressure testing.

Grant stated if a water leak concern who to contact. Jeremy stated Rural Water a statewide service.

Test holes on Davy Rd reached 7'

Gary McIntee questioned the use of smaller pipe on east side of railroad, what impact will this have on fire hydrants. Hydrants will not be impacted; they are on the west side of railway.

Tim Chambers questioned cleanup/restoration, there are a few areas that are real bad shape. Jeremy stated they will be cleaning up the rough areas as they go.

Contract Amendment- Motion by Mr. Petersen, 2nd Mr. Downs, to authorize the Supervisor to sign the WD # 1 contract Amendment with Nardozzi Contractors, carried by all.

Abstract of vouchers - Mr. Martini presented the abstracts. Motion by Mr. Downs, 2nd Mr. Henderson, the bills on the General A & B Accounts in the amount of \$ 36,882.82 be paid, carried by all.

Motion by Mr. Henderson, 2nd Mr. Petersen, the bills on the Highway DA & DB Accounts in the amount of \$ 42,894.21 be paid, carried.

January minutes Motion by Mr. Downs to approve 2nd Mr. Henderson carried by all.

2024 (3 year) Fire Contract Mr. Martini presented the 2024 Fire Contract with the Village of Dresden. Meeting with Mayor and Fire Chief clarified the questions on contract. Fire Dept will send in reports.

Motion by Mr. Henderson 2nd Mr. Petersen authorizing the Supervisor to sign the 3 Year Fire Contract, amount for 2024 \$ 106,775., for 2025 \$ 109,978.25 and for 2026 \$ 113,277.60 carried by all.

Abstract for Fire Contract Motion by Mr. Downs 2nd Mr. Petersen to pay the first installment on the 2024 fire contract in the amount of \$ 35,591.30, carried by all

Short term Rental Law Mr. Martini introduced the Short term Law drafted by the Planning Board with the following resolution:

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 entitled "A Local Law to Amend the Town of Torrey Zoning Law Regarding Short-Term Rentals"; 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 March 12, 2024, 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 newspaper 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. The Town will hold a public hearing of this law in March 12, 2024 at 7:30PM in the town meeting room. Clerk will have copy of proposed law available on the website and in her office.

Motion by Mr. Downs 2nd Mr. Petersen to hold public hearing on Short Term Rental Law

Roll Call Vote: Martini-Aye Petersen-Aye Downs-Aye
Henderson-Aye (4 Ayes 0 Nays) Adopted

Water Law Clerk will contact Chairman Robert Miller for final draft.

Supervisor presented the following

Letter of support resolution for Yates County (LGRMIF)

Motion to adopt Mr. Downs 2nd Mr. Henderson,

WHEREAS, Yates County intends to apply for a Local Government Records Management Improvement Fund (LGRMIF) from the NYS Archives, through the New York State Department of Education, for monies to continue its efforts to increase efficiencies in delivery of local services and through shared services and support related to records management systems; and **WHEREAS**, THE Town Board of the Town of Torrey supports Yates County in pursuing funding through LGRMIF and looks forward to the opportunity for shared services and inter-municipal cooperation which results in savings and record

availability for its constituents and,

WHEREAS, the Town of Torrey anticipates cooperation with and joining in future shared services offered and or supported by Yates County whenever feasible.

NOW THEREFORE BE IT RESOLVED, that the Town of Torrey does hereby fully support Yates County in its pursuit and application for funding for shared services through the LGRMIF grant.

Roll call vote: Martini-Aye Petersen-Aye Downs-Aye Henderson-Aye (4 Ayes 0 Nays) Adopted

Supervisor presented the following resolution

**Local Governments Schedule -1 (LGS-1) Resolution
Retention and Disposition Schedule for NYSLG Records**

RESOLVED, By the TOWN BOARD of TOWN OF TORREY that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein. FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Roll call vote: Martini-Aye Petersen-Aye Downs-Aye Henderson - Aye (4 Ayes 0 Nays) Adopt

WD 1 Pay App # 9 Motion by Mr. Petersen 2nd Mr. Henderson to approve Water District 1 pay app # 9 for \$ 96,598.56 to Nardozzi, carried by all.

Highway Report Installed oil separator for garage, installed new septic tank and lines.

Dug test holes end of Davy and Carlsen Roads

Helped Dresden with the grinding debris and hauled wood chips away for the village.

Discussion on tracking shared services performed for other government entities. The Town board has no need for the tracking information as it is a great program, and benefit to the town.

Request an operating statement again like the former Supervisors software printed off to help him track highway spending.

Reported Ricelli Trucking is hauling gravel out of a pit on Downey Road, Town has a road bond from them.

Discussion on old mowing tractor. Is it time to sell?

Mr. Chambers stated he would like to keep for another year as back up.

Highway has ordered new pickup does not know delivery date.

Code Report submitted- 3 permits, issued 3 C of C's, 1 sub division application, 2 Special Use Apps, 3 site visits, 9 building progress inspections, 9 other inspections, traveled 126 miles.

Question on Greenidge and AI partnership future buildings
Has not received any plans for expansion. Presently Greenidge is sending all their equipment to outside state projects. Dale Irwin is traveling out of state to other plants regularly. There is no more space to house more computers on site.

Working with Cross County Fillup (formally Torrey Station) for Site Plan.

Discussion of Adjustments to fee schedule for 2024.

Residential Construction \$.25/sqft

Accessory Structure \$.20/sqft \$ 50. minimum

Basements and uninhabitable space attics, unfinished basements \$.10 /sqft

Commercial and Industrial Construction \$.30 /sqft

Agricultural buildings \$.10 /sqft \$ 50. Min, \$ 250. Max

Roofing Permit \$ 50.

Permit renewal - original permit fee each year for up to 4 years max.

Short Term rental Initial \$ 500. Bi annual renewal \$250.

Short term renewals will be every 2 years.

Motion by Mr. Downs 2nd Mr. Henderson approving the new 2024 fees carried by all.

Lastly the town does not have a wind power Law. Town will ask the Planning Board to research and draft this law.

Assessor Report 6 sales for December, Submitting assessment rolls to state for one more review. The state will be assisting with the impact notices. These notices show property owners the potential impact the new assessment will have on their taxes. It is a requirement by the state that these notices be sent out this year. Typical assessment increases could be 50% or more especially lake front properties- this due to the sales that have occurred here since 2019. Assessment notices will be mailed out March 1st. Informal meetings will be conducted March April May. Grievance day is May 23rd.

Supervisor asked if anyone was interested in commenting on the Local Law 1/2024 before them. With no one in audience or the board members desiring to speak, the public hearing was closed at 9:02PM

Supervisor read the following resolution, Motion to approve by Mr. Downs 2nd Mr. Henderson,

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF TORREY OF LOCAL LAW NO. 1 OF 2024

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Torrey for a public hearing to be held by said Town Board on February 13th, 2024, at 7:30 p.m. at Torrey Town Hall, 56 Geneva Street, Dresden, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and **WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Torrey, on February 7th, 2024, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 13th, 2024, at 7:30 p.m. at the Torrey Town Hall, 56 Geneva Street, Dresden, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and **WHEREAS**, the Town Board of the Town of Torrey, after due deliberation, finds it in the best interest of the Town of Torrey to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey hereby adopts said Local Law No. 1 of 2024,

entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Torrey, and to give due notice of the adoption of said local law to the Secretary of State of New York.

Roll call vote: Martini - Aye Petersen - Aye Downs -Aye Henderson - Aye (4 Ayes 0 Nays) Adopt

Supervisor introduced and read the following resolution

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF TORREY OF LOCAL LAW NO. 1 OF 2024 SPECIAL DISTRICTS AND/OR FIRE PROTECTION DISTRICTS

WHEREAS, the Town Board of the Town of Torrey is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; an

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Torrey, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Torrey, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey, County of Yates, is hereby authorized to adopt a budget for the fiscal year 2025 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

This by Roll call vote: Martini - Aye Petersen - Aye Downs -Aye Henderson - Aye (4 Ayes 0 Nays) Adopt

Village of Dresden Mayor William Hall reported 4 grants the Village was awarded will purchase generators for Fire House and for water tower. Fire fighting equipment such as air bottles.

They use Hunt Engineering for their grant writing.

Discussion on infra structure grant they received will be used on 2" larger water line down Main Street and Charles Street. Larger pipe will be an added benefit to supply Perry Point Water.

Beth Cain Arrowhead Beach Rd inquired if Arrowhead Water District is being considered with the new water mains installation

Gary McIntee inquired about income-based grants for Perry Point. What was used for Water District 1.

Discussion on water cost when 1997 engineering @ \$ 500 per EDU.

He stated if Dresden completes the new water line it will definitely help Perry Point pursuit. If Perry point goes ahead with a district will the Town hire a project manager. There is a need for more geo technical information for this project.

Supervisor stated the board agrees that CPL has done a great job with Water District 1 and that they are the project manager.

Abi Buddington of Arrowhead Beach Rd presented a petition against the Seneca Meadows Landfill Expansion.

She inquired about Greenidge new partnership with AI, will they need to go through the permitting process for more buildings.

Code has not received any new applications from Greenidge.

The Town has the authority to regulate Land Use.

Ms. Buddington asked if they could build the remaining two structure on the original building permit. They applied for 4 structures and built only two.

Mr. James stated the original site plan has expired.

If Greenidge wanted to build they would go through the normal application process.

Beth Cain presented the board members with articles on Greenidge new partnership and equity swap. She encouraged

the board members to read the articles. Preserving the lake and protecting the residents should be a priority of the Town.

Mr. Downs spoke with George Lawson, Supervisor of Starkey Who reported Starkey received a NYSEDA Grant to install solar panels and geo thermal on the Town Garage. They purchased an electric car for the Code Officer to use.

Mr. Petersen announced Torrey Ag District meeting to be held at Floyd Hoover home February 14, 2024 on Ridge Road.

There being no further business, motion by Mr. Downs 2nd Mr. Henderson to adjourn carried at 8:46pm

Respectfully submitted,

Betty Daggett