

Town Board Minutes  
December 13, 2016

The monthly meeting of the Torrey Town Board was held on December 13, 2016 at 56 Geneva St. Dresden New York and called to order by Supervisor Flynn at 7:30PM.

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

Others present: George Thompson, Dwight James- Code Officer, Grant & Linda Downs, Bill & Jane Crumlish, Dave Granzin, Linda Lefko, Mary Lilyea- Assessor, Jim Riesenberger, Jim Smith District Legislator

Mr. Flynn led the pledge of allegiance.

Mr. Flynn presented the abstracts of vouchers for review.

Motion by Mr. Morris, 2<sup>nd</sup> Mr. Martini, that the bills on the General A & B accounts in the amount of \$ 29,185.62 be paid, carried

Motion by Mr. Petersen, 2<sup>nd</sup> Mr. Morris, that the bills on the Hwy DA & DB accounts in the amount of \$9,949.13 be paid, carried.

Mr. Flynn presented 2017 Animal Control Contract with Yates County. This contract is for the Animal Control Officer coverage with the town. Motion by Mr. Morris, 2<sup>nd</sup> Mr. Martini authorizing the Supervisor to sign contract, carried.

Mr. Flynn presented the 2017 NYSEG Excavation Permit, this permit allows NYSEG to excavate on town right of ways. Motion by Mr. Petersen, 2<sup>nd</sup> Mr. Martini, authorizing the Supervisor to sign the agreement with NYSEG, carried.

**Mr. Flynn presented the following resolution regarding authorizing scheduling a public hearing on proposed Water District 1,**

**WHEREAS**, by written Petition last dated December 8, 2016, submitted in due form by Petitioners, containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Torrey, Yates County, New York, for the proposed Water District 1 ("District") to serve the several lots and parcels of land within the proposed District; and

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town of Torrey to pursue the District, pursuant to a Map, Plan and Report made by Clark Patterson Lee last dated November 2015, and filed with the Town Clerk on November 2015 (See Exhibit 1 attached hereto and made a part hereof.)

**NOW, THEREFORE, BE IT RESOLVED**

That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Torrey and published, posted and entered into the Minutes in accordance with **Section 193 of the Town Law**, and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned District.

This by roll call vote: Patrick Flynn- Aye Colby Petersen- Aye, Burge Morris- Aye Peter Martini- Aye Lawrence Martin- Aye ( 5 Ayes 0 Nays)

**Mr. Flynn introduced the following Order Calling for a public hearing on the creation of Water District # 1 in the Town of Torrey, County of Yates, New York**

**WHEREAS**, a written Petition, last dated December 13, 2016, submitted in due form by Petitioners, containing the required signatures, has been presented and filed with the Town Clerk of the Town of Torrey, Yates County, New York, for the proposed Water District 1 ("District") to serve the several lots and parcels of land within the proposed District; and

**WHEREAS**, Clark Patterson Lee has prepared a map, plan and report dated November 2016, which the Town Board of the Town of Torrey, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

**WHEREAS**, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Torrey, New York, and is available for public inspection thereat; and

**WHEREAS**, the boundaries of the proposed water district are set forth in Exhibit 1, attached hereto and made a part hereof; and

**WHEREAS**, the improvements proposed are part of a water project involving the Town of Torrey with water to be supplied by the Town of Benton and consist of the construction and maintenance of distribution mains with associated appurtenances to serve the proposed Water District 1 along with a pump station to accommodate fire flows and appropriate pressure to all areas in the water project, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

**WHEREAS**, the maximum amount proposed to be expended for the improvements necessary for distribution to the customers in the proposed District referenced herein, is \$1,605,000., said amount to be financed and repaid by the owners of property within the proposed District; and

**WHEREAS**, after considering the benefits of State and/or Federal aid to assist with payment of the project costs, [here we have to state if any State or Federal aid will be used to pay any part of the costs of the District]; and

**WHEREAS**, the estimated costs of the District to the typical property or one-family or two-family home is \$714. for debt service and 438. for water usage, operation and maintenance for a total cost of \$1,152. The cost of constructing the improvements shall be assessed, levied and collected from the several lots and parcels of land within the district pursuant to a benefit basis calculation; and

**WHEREAS**, a hook up fee will not be charged if connected within the first year as such service will be included in the cost of the project for all improved properties (house or building requiring water). A hook up fee, to be determined by the Town Board, but estimated to be \$1,000., will be charged for hooking up after the first year. Finally, the service line from the curb stop (at the right-of-way) to the connection at the house/building is the responsibility of the property owner (Estimated Cost \$10.-\$ 20. per foot depending on the private contractor selected and on pipe material used); and

**WHEREAS**, the proposed method of payment of the \$ 1,605,000., pursuant to the map, plan and report, shall be through the issuance of a Bond by the Town of Torrey, which will be paid on an amortized basis through charges to the property owners in the said water district.; and

**NOW, THEREFORE**, be it **ORDERED**, that a public hearing of the Town Board of the Town of Torrey will be held at the Torrey Town Hall, 56 Geneva Street, Dresden, New York, on

January 12, 2017, at 7:30 p.m. on said day, to consider creation of said District, including the environmental significance thereof, and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

**BE IT FURTHER ORDERED**, that this Order Calling for a Public Hearing shall be published and posted as required by law.

**Mr. Flynn presented the following resolution regarding authorizing scheduling a public hearing on proposed Perry Point**

**WHEREAS**, by written Petition last dated November 7, 2016, submitted in due form by Petitioners, containing the required signatures, which has been presented and filed with the Town Clerk of the Town of Torrey, Yates County, New York, for the Proposed Perry Point Water District ( "District") to serve the several lots and parcels of land within the proposed District; and

**WHEREAS**, the Town Board deems it to be in the best interests of the residents of the Town of Torrey to pursue the District, pursuant to a Map, Plan and Report made by Clark Patterson Lee last dated August 2016, and filed with the Town Clerk on August 8, 2016, (See Exhibit 1 attached hereto and made a part hereof.)

**NOW, THEREFORE, BE IT RESOLVED**

That the Order Calling for Public Hearing, attached hereto, shall be signed by the members of the Town Board of the Town of Torrey and published, posted and entered into the Minutes in accordance with **Section 193 of the Town Law**, and the Town Clerk and/or Counsel to the Town are hereby authorized to take any and all further measures necessary to comply with the Town Law in preparation for the final adoption of the aforementioned District.

This aforementioned adopted by roll call vote Patrick Flynn- Aye, Colby Petersen – Aye Burge Morris –Aye, Peter Martini,-Aye Lawrence Martin – Aye ( 5 Ayes 0 Nays)

**Mr. Flynn introduced the Order calling for a public hearing on proposed Perry Point Water District:**

**WHEREAS**, a written Petition, last dated November 7, 2016 in due form by Petitioners, containing the required signatures, has been presented and filed with the Town Clerk of the Town of Torrey, Yates County, New York, for the proposed Perry Point Water District 1 ("District") to serve the several lots and parcels of land within the proposed District; and

**WHEREAS**, Clark Patterson Lee has prepared a map, plan and report dated August 2016, which the Town Board of the Town of Torrey, New York has determined was prepared in such manner and detail as the Town Board has required relating to the creation of the District; and

**WHEREAS**, such map, plan and report has been duly filed in the office of the Town Clerk of the Town of Torrey, New York, and is available for public inspection thereat; and

**WHEREAS**, the boundaries of the proposed water district are set forth in Exhibit 1, attached hereto and made a part hereof; and

**WHEREAS**, the improvements proposed are part of a water project involving the Town of Torrey with water to be supplied by the Villages of Penn Yan and Dresden and consist of the construction and maintenance of distribution mains with associated appurtenances to serve the proposed Perry Point Water District along with a pump station to accommodate fire flows and appropriate pressure to all areas in the water project, in accordance with the aforementioned map, plan and report now on file in the office of the Town Clerk of said Town; and

**WHEREAS**, the maximum amount proposed to be expended for the improvements necessary for distribution to the customers in the proposed District referenced herein, is \$1,389,000., said amount to be financed and repaid by the owners of property within the proposed District; and

**WHEREAS**, after considering the benefits of State and/or Federal aid to assist with payment of the project costs, [here we have to state if any State or Federal aid will be used to pay any part of the costs of the District]; and

**WHEREAS**, the estimated costs of the District to the typical property or one-family or two-family home is \$708. for debt service and 585. for water usage, operation and maintenance for a total cost of \$1,293. The cost of constructing the improvements shall be assessed, levied and collected from the several lots and parcels of land within the district pursuant to a benefit basis calculation; and

**WHEREAS**, a hook up fee will not be charged if connected within the first year as such service will be included in the cost of the project for all improved properties (house or building requiring water). A hook up fee, to be determined by the Town Board, will be charged for hooking up after the first year. Finally, the service line from the curb stop (at the right-of-way) to the connection at the house/building is the responsibility of the property owner (Estimated Cost \$10.-\$ 20. per foot depending on the private contractor selected and on pipe material used); and

**WHEREAS**, the proposed method of payment of the \$ 1,386,000., pursuant to the map, plan and report, shall be through the issuance of a Bond by the Town of Torrey, which will be paid on an amortized basis through charges to the property owners in the said water district.; and

**NOW, THEREFORE**, be it **ORDERED**, that a public hearing of the Town Board of the Town of Torrey will be held at the Torrey Town Hall, 56 Geneva Street, Dresden, New York, on January 12, 2017, at 7:30 p.m. on said day, to consider creation of said District, including the environmental significance thereof, and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

**BE IT FURTHER ORDERED**, that this Order Calling for a Public Hearing shall be published and posted as required by law.

This aforementioned adopted by roll call vote Patrick Flynn- Aye, Colby Petersen – Aye Burge Morris –Aye, Peter Martini,-Aye Lawrence Martin – Aye ( 5 Ayes 0 Nays)

Motion by Mr. Martini, 2nd Mr. Morris to approve November minutes, carried.

Mr. James gave the code report. Issued 4 permits, , 1 SUP Mod application, 15 site visits, 10 building progress visits, 193 miles traveled.

Mr. Chambers Highway Supt. is out on medical. Village of Dresden sent a letter of appreciation for the loan of manpower help during the Village DPW Supt. Medical leave.

Mr. Martin inquired about equipment sharing with Village any updates? He asked if further information was received on culvert project on Kings Hill Rd. Due to Mr. Chambers absence these questions were not answered.

Mr. Martin reported he and Dave Granzin, Chairman of both Yates Co and Torrey Planning Boards attended a workshop on Article 10 Law in Batavia. This State Law enacted in 2013 can override any local law in regards to renewable energy. It is predicted that by the year 2030 - 50% of energy will be renewable.

Mr. James reported that Town of Benton has a law on windpower, and if a contractor so desired they could come in and challenge that law with Article 10.

Discussion followed on areas in town where renewable energy projects could be constructed and state laws restrictions in general.

Motion by Mr. Flynn 2<sup>nd</sup> Mr. Petersen to adjourn at 8:20 pm carried.

Respectfully yours,

Betty M Daggett