

Town Board Minutes  
June 8, 2010

unapproved

The regular March meeting of the Town Board held at 56 Geneva St. Dresden, was called to order at 7:30 PM by Supervisor Flynn.

Present: Supervisor Patrick Flynn, Council members; Burge W. Morris, Linda K. Francisco, Colby Petersen John Martini

Others present: Ron Kenville- Code Officer, George Thompson, Ward Lampman, Sam Selwood, Alson Garman, Steve Eskildsen, Barry Hayes, Lynn & Jim Lawrence, Elaine Thiesmeyer, Linda Lefko, John Ghidiu, Suzamie J. Farnsworth, Peter Baker, Dick Mashewske- Hwy. Supt.

Mr. Flynn led the pledge of allegiance.

Motion by Mr. Martini, 2<sup>nd</sup> M. Morris, that the bills on the Gen A & Gen B accounts in the amount of \$ 6,092.82 be paid, carried by all.

Motion by Mrs. Francisco, 2<sup>nd</sup> Mr. Martini, that the bills on the Highway DA & DB accounts in the amount of \$ 81,706.48 be paid, carried by all.

Motion by Mr. Morris, 2<sup>nd</sup> Mr. Petersen, that the bills on the Watershed SD account, in the amount of \$ 646.21 be paid, carried by all.

Motion by Mr. Martini 2<sup>nd</sup> Mr. Petersen, authorizing inter fund transfer of \$ 1088.02 in the Highway Fund to cover interest and BAN on 2008 International truck Carried by all.

Mr Flynn introduced a resolution authorizing the issuance of a Bond of anticipation Note or Notes.

WHEREAS, On June 11, 2009 the Town Board of the Town of Torrey resolved to issue Serial Bonds for the purchase of a 2008 Model 7600 International 10-wheel Heavy Duty Dump Truck with Snow Removal Attachments, and

WHEREAS, pursuant to said resolution the Town Board authorized the Supervisor to issue and sell a Bond Anticipation note in the amount of one hundred sixty thousand dollars (\$160,000.00) for the same purpose, and

WHEREAS, thereafter the Supervisor issued a Bond Anticipation Note in such amount and sold same to Five Star Bank on June 11, 2009, and

WHEREAS, has paid or is about to pay to Five Star Bank the sum of ninety-three thousand dollars (\$93,000.00) on account of said Bond Anticipation Note which moneys are not derived from the sale of bonds, and

WHEREAS, upon making such payment there will remain sixty-seven thousand dollars (\$67,000.00) unpaid of said original amount, and

WHEREAS, two years have not elapsed since the original issue date,

NOW THEREFORE, the Town Board of the Town of Torrey, duly convened in regular session, does hereby resolve as follows:

1. Pursuant to, and in accordance with the provisions of the New York Local Finance Law, the Supervisor of the Town of Torrey be and he hereby is authorized and empowered to issue and sell, in the manner provided by the Local Finance Law, a bond anticipation note of the Town of Torrey in an amount not exceeding sixty-seven thousand dollars (\$67,000.00), at such rate of interest as the said Supervisor of the Town of Torrey shall prescribe. Said bond anticipation note is being authorized in furtherance of a Bond Resolution adopted by the Town Board of the Town of Torrey on June 11, 2009 in connection with the purchase of a 2008 Model 7600 International 10-wheel Heavy Duty Dump Truck with Snow Removal Attachments.
2. This Resolution shall take effect immediately.

Motion by Mr. Martini 2<sup>nd</sup> Mr. Morris to accept and approve resolution – Flynn-Aye, Francisco- Aye, Martini – Aye, Morris-Aye Petersen- Aye, 5 Ayes 0 Nays carried by all.

Motion by Mr. Martini, seconded Mrs. Francisco, appointing Elaine Lewis as 2010 dog enumerator, carried by all.

Highway report submitted to board.

Code/Watershed report submitted to board.

Motion by Mr. Morris 2<sup>nd</sup> Mr. Petersen approving the May 11, 2010 minutes, carried by all.

Barry Hayes- 52 Margaret Street appeared before the board with his concerns over the noise nuisance being generated from AES wood grinding process. He states that the noise is 7 days per week. It starts at 6:00 am and presently being heard during this meeting at 8:00 PM .He has contacted AES plant manager Doug Roll, about this noise complaint, he said he was told the grinding is contracted. AES has no control over the grinder's schedule. He feels this noise would discourage property sales and depreciate his property value. Has spoken with many residents in the village who state they can hear the grinder. Certain times the noise is very loud and obtrusive, this is usually when the grinder is moved to different areas. Board advised him to contact the sheriff.

He also was concerned that the insects that are being brought into the Town in the logs being delivered. DEC does have a law about moving wood and transfer of insects into different regions.

After grinding the logs, the chips are being stockpiled outside on AES property for future use.

Clerk gave Mr. Hayes, NYS DEC Forestry Agent Bruce June's contact number.

Board advised Mr. Hayes to inquire with DEC if there are permits issued for this project and if there are requirements with the logs used.

Jim Lawrence 1736 Log Cabin Rd, appeared before the board with an ongoing issue at the property next door to his. Harold Schrock property 1734. Mr. Schrock excavated a roadway to his beach @ July 2009. Since then there have been erosion control issues which are impacting the properties on each side of Schrock's. Mr. Lawrence emailed the clerk to distribute to Town boards, copies of letters from YC Soil & Water, Fisher Engineering addressing the Schrock issue. Mr. Lawrence main concern is for the safety of his family and his shore well. He stated Mr. Schrock placed hay bales and silt fence at the lower site of road as erosion control last August.

Mr. Lawrence stated these have been removed and now several bags of concrete have been placed above his shore well, also a string running at a 45\* angle along the roadway.

Feels Mr. Schrock is planning to bring in fill to build up roadway. Inquired if plans, engineering or other, along with an application has been submitted to Town. Ron Kenville replied no.

Attorney Peter Baker representing the Lawrence's asked if the Steep Slopes law applies to Schrock's project.

Mr. Flynn stated when the project began in July the law was not in place,(it was received at the State and effective 8/28/09) but any disturbance now would. Mr. Baker requested that the board issue a Cease and Desist order, prohibiting any further work by Mr. Schrock on his property.

Lynn Lawrence asked if this further work on at Schrock's project require a Steep Slopes Permit, Mr. Flynn asked Code Officer who replied Mr. Schrock would be required to apply with a steep slopes application and it would go to the Planning Board for review and recommendation if a Steep Slopes permit is needed.

Atty. Baker asked if there would be restrictions applied by the Town or would Mr. Schrock be allowed to continue without fear of consequences. The Lawrence's are seeking assistance from the Town.

Mr. Petersen stated the 1<sup>st</sup> priority at the Schrock project is stabilization.

Motion by Mr. Martini 2<sup>nd</sup> Mr. Morris, instructing the Code Officer to issue a stop all work order on the Schrock property until a Steep Slopes Permit is issued, carried by all.

Mrs. Lawrence inquired "what is their next step/or action if Mr. Schrock decides not to apply for a permit or do any remediation to this erosion issue"

Mr. Flynn replied, then it would be a civil issue.

Mr. Flynn presented a letter from Judith Van Lare - property at 1733 Log Cabin Rd next door to Schrock's, impacted by the erosion control issue.

Suzamie J. Farnsworth- 75 Charles St appeared before the Board to offer her apologies for removing a large tree on the Town property at the public beach. A response from the letter sent to her, instructing no further contractual work is to be done on town property. The Board thanked her for appearing.

Hwy Supt reported attending a meeting on Hazmat Remediation sponsored by the County Emergency Management and FEMA. FEMA encourages culvert areas to be mapped and inventoried for preparedness. If the Towns culverts are inspected, prioritized and documented, FEMA will Offer assistance with replacements. This will help avoid potential dangerous situations when large storms hit. Mr. Morris offered his help inventorying the Town culvert/pipes with Hwy Supt. Mr. Petersen stated YCSW would keep a spreadsheet of the inventory information when completed.

Mr. Flynn announced a meeting with representatives of General Code regarding the cost for the codification of the new Zoning draft. This meeting will be June 14, 2010 at 10:00am. Committee members are John Ghidiu, Dave Granzin, Linda Lefko, Betty Daggett.

Mr. Flynn asked board members about draft comments, he directed comments to be emailed to clerk and she will forward them to the revisions committee.

There being no further business before the board motion to adjourn by Mr. Flynn, 2<sup>nd</sup> Mr. Morris  
Carried at 8:17 PM

Respectfully submitted,