

Town Board Minutes  
June 09, 2009

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

Present: Patrick Flynn, Councilmen; John H. Martini, Burge W. Morris, John R.

Ghidiu Absent: Councilwoman Linda K. Francisco

Others: George Thompson, Sam Selwood, Dave Granzin, Colby Peterson, Don House- District 3 Legislator, Steve Eskildsen, LouJane Johns, Mary Lilyea- Assessor, Linda Lefko, Dick Mashewske- Hwy Supt.

Mr. Flynn led the Pledge of Allegiance

Mr. Flynn presented the abstracts of vouchers for audit.

Motion by Mr. Morris, 2<sup>nd</sup> Mr. Martini, that the bills on the General A7B accounts in the amount of \$ 3,928.75 be paid, carried by all.

Motion by Mr. Martini, 2<sup>nd</sup> Mr. Morris, that the bills on the Highway DA & DB accounts in the amount of \$ 11,921.62 be paid carried by all.

Motion by Mr. Martini, 2<sup>nd</sup> Mr. Ghidiu, that the bills on the Watershed SD accounts in the amount of \$ 197.12 be paid, carried by all.

Motion by Mr. Martini, 2<sup>nd</sup> Mr. Morris, to approve the May minutes, carried by all.

Board reviewed draft of revised Code Chapter 98-49, " Fees". After a discussion, the changes were noted and will be forwarded to the Attorney.

Discussion regarding a fee schedule, Mr. Ghidiu and Mr. Martini will draft a revised and updated version. They will request copies of Village of Dresden and Town of Benton for comparison. The drafted copy will be then sent to the planning board and zoning revisions committee for review.

Mr. Flynn introduced the following resolution,

**A Resolution authorizing the Issuance of a Bond of Anticipation Note or Notes for the purchase of a Ten Wheel Heavy Duty Dump Truck with Snow Removal Attachments**

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 or bond anticipation notes of the Town of Torrey in an amount not exceeding one hundred sixty thousand dollars (\$134,600.00), at such rate of interest as the said Supervisor of the Town of Torrey shall prescribe. Said bond anticipation note or notes is or are being authorized in furtherance of a Bond Resolution adopted by the Town Board of the Town of Torrey on even date herewith 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.

Councilman Martini made the motion to adopt the foregoing resolution, 2<sup>nd</sup> by Supervisor. Flynn and Council members voting as follows  
Flynn – Aye Martini –Aye Morris – Aye Ghidiu- Aye  
Councilwoman Linda Francisco was absent  
Supervisor Flynn declared the resolution duly carried 4 Ayes 0 Nays

Mr. Flynn introduced the following resolution;

**A Resolution Authorizing the Issuance and Sale of the Serial Bonds for the Purchase of a 10-Wheel Heavy Duty Dump Truck with Snow Removal Attachments**

WHEREAS, this Board, by resolution has authorized the purchase of a 2008 Model 7600 International 10-wheel Heavy Duty Dump Truck with Snow Removal Attachments (hereinafter referred to as the “items”);

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Torrey, Yates County, New York, as follows:

Section 1. For the object or purpose of purchasing said new items, and to provide funds to defray, the cost thereof, the General Obligation Serial Bonds of the Town of Torrey, New York in the amount of \$134,600.00 shall be issued pursuant to the provisions of the Local Finance Law.

Section 2. \$134,600.00 is estimated as the maximum cost of said new items.

Section 3. The plan for the financing of the purchase of said new items consist of the issuance of General Obligation Serial Bonds of the Town in the principal sum of \$134,600.00, to be issued pursuant to the Local Finance Law and the sale of an old truck which will no longer be needed..

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid items is 5 years, pursuant to Subdivision 29 of Paragraph a of Section 11.00 of the Local Finance Law. It is further determined that the maximum maturity of the Serial Bonds herein authorized will not exceed two years.

Section 5. The faith and credit of said Town of Torrey, Yates County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 6. Subject to the provisions of the Local Finance Law, the Power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Serial Bonds herein authorized, including renewals of such notes is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds may be contested only if:

1. Such Bonds are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or
3. Such bonds are authorized in violation of the provisions of the Constitution

Section 8. This resolution shall take effect immediately.

Motion by Councilman Martini 2<sup>nd</sup> Councilman Morris to adopt the foregoing resolution, members voting as follows: Roll call vote

Flynn – Aye Martini – Aye Morris – Aye Ghidui – Aye

Councilwoman Linda Francisco was absent

Supervisor Flynn declared the resolution duly carried 4 Ayes 0 Nays

Highway Report:

\$ 50,071. of Chips roadway money has been awarded to the Town.

Supt. request to “top pave” Serenity Rd from tracks to Rte 14, and to oil and stone – Jensen, Carlsen, Crowsnest, Larzalere roads.

Motion by Mr. Morris 2<sup>nd</sup> Mr. Martini to authorizing the Highway Dept. to for this road work expenditures, carried by all.

Had back town barn roof, and soffets repaired for \$1350.

Water Project: Village of Dresden is pursuing extending the permissive area for water districts from the DEC.

Steep Slopes draft was discussed. A question if the board was going to take action, Board asks that the planning board review this draft and offer recommendation.

Colby Peterson recommends that the draft should have fines in place and be a stand alone law.

Steve Eskildsen inquired why the town and county get together to set one zoning fee and fines, this would save the town on attorney fees.

George Thompson suggested the town put together a booklet of information to help property owners file grievance on tax assessments.

Mary Lilyea informed the board there is a booklet supplied by the ORPS office she gives property owners to file with.

There being no further business before the board a motion to adjourn was made by Mr. Flynn, 2<sup>nd</sup> Mr. Martini carried at 8:35 PM

Respectfully submitted,

Betty M. Daggett

Town Clerk