

TOWN OF FLORIDA BOARD MEETING

March 18, 2019

Public Hearing for Local Law #1 Amending the Town of Florida's zoning law by adding provisions relating to solar energy systems was called to order at 6:32pm by Supervisor Mead. Also present were Councilman Robataille, Councilman Phillips, Councilman Alikonis, Attorney Slezak, Attorney Crowe and Clerk Staley. Councilman Rackowski was absent.

Ed Berry, Church Street, Fort Hunter NY asked what the specific changes were to the zoning law. Supervisor Mead stated that a copy of the law in its entirety could be provided for review.

No other comments or questions asked and the Public Hearing was closed at 6:35pm with a **Motion** by Councilman Robataille and a second by Councilman Alikonis; all in favor and passed.

The regular monthly meeting of the Town of Florida Town Board was called to order at 7:03 pm by Supervisor Eric Mead. Also present for the meeting were Councilman Alikonis Councilman Phillips, Councilman Robataille, Attorney Deborah Slezak, Attorney Michael Crowe, and Town Clerk Staley. Councilman Rackowski was absent.

Councilman Alikonis led the salute to the flag.

Motion by Councilman Phillips and seconded by Councilman Alikonis to adopt the Agenda; all in favor and passed.

Motion by Supervisor Mead and seconded by Councilman Alikonis to approve and accept minutes of February 18, 2019 Board Meeting; all in favor and passed.

Committee Reports:

Communications & Announcements:

- Supervisor Mead has been in contact with the coach from the Duaneburg Cyclones softball team. They will be using the softball field for the entire season. This includes Friday, Saturday and Sunday and possible a few evening games. They will handle all maintenance of the field and equipment. The league has their own insurance etc. Attorney Slezak will work on drafting a contract regarding the use and maintenance between the Board and the league.

Legislative:

- Dan Wilson congratulated Steve Anderson on a great job keeping the roads clear in the Town.

Engineering:

- Nothing at this time.

Attorney:

- Progressing on the Francisco property maintenance issue.
- Cushing Stone and Cranesville Block court proceedings regarding their revaluation cases are moving forward. Trial date for June.

Planning and Zoning:

- County prints zoning books. Clerk Staley will add in new zoning changes and send the revised ordinance to Casey for printing. \$5 charge per book.
- Paul Slansky informed the board that Francis Danyla, 1910 St Hwy 5S passed away and his property is abandoned. Paul will contact his brother about cleaning up the property.
- Mike Taylor, Planning Board Chairman reported to the board that two (2) subdivision applications came before the PB for approval. There is a Public Hearing for Gaugler and then a second Public Hearing will be scheduled for the Baker subdivision application.

Building Maintenance:

- Steve Anderson picked up 8 tables and 160 from Sam's Club.

Highway:

- Tried out the CASE loaders and were not happy. Going to go with CAT.

- Steve brought quotes for a plasma cutter for carbide blades on the plow wings. The carbides are \$680 each and will last two (2) years. They need to be cut at an angle for the wings.
- The 1 Ton is in. Waiting for the box to go on. Sending the old one to auction that ends April 12th then the board can decide to accept the bids.
- Would like to order a mini excavator. If Steve wanted a Kubota it would be available in ten (10) days. Supervisor Mead said water/sewer funds could be used. Supervisor Mead and Steve will look at prices and brands and bring back to the board.

Water and Sewer:

- Nothing at this time.

Youth:

- Easter Egg Hunt April 13, 2019 at 1pm at the Ron Mead park.

Veterans:

- Q.C. Concrete will be doing the work for the installation of the flag poles in the center of the Veteran’s Park. The sign is in for the helicopter and will be installed before Memorial Day.

Old Business:

- Nothing at this time.

New Business:

RESOLUTION #45 TOWN BOARD OF THE TOWN OF FLORIDA

COUNTY OF MONTGOMERY, STATE OF NEW YORK

Resolution No. 45 of 2019

Adopted March 18, 2019

Introduced by: Councilman Harold Alikonis

who moved its adoption.

Seconded by: Councilman Ronald Phillips

RESOLUTION ADOPTING PROPOSED LOCAL LAW

NO. 1 OF 2019 TITLED: A LOCAL LAW AMENDING THE TOWN OF

FLORIDA ZONING ORDINANCE BY AMENDING PROVISIONS

RELATING TO SOLAR ENERGY SYSTEMS

WHEREAS, pursuant to Article 16 of Town Law and Section 10 of Municipal Home Rule Law, the Town Board of the Town of Florida (the “Town”) has the authority to adopt local laws concerning regulating and controlling land use within the Town and to protect the health, safety and welfare of its residents; and

WHEREAS, The Town supports the responsible development of sustainable renewable energy sources such as solar energy; and

WHEREAS, The Town acknowledges that solar energy systems have an impact on the community and neighboring properties; and

WHEREAS, The Town seeks to mitigate the impacts of solar energy systems so as not to adversely affect the Town’s unique character or contradict the Town’s comprehensive plan; and

WHEREAS, in order to accomplish the above, the Town desires a process that welcomes responsible use of solar energy systems while maintaining the necessary level of oversight and control; and

WHEREAS, after due deliberation the Town developed the proposed Local Law to repeal and replace the Article VIII Section 45.5 of the Town of Florida Zoning Ordinance; and

WHEREAS, pursuant to Article XIII section 58, of the Town’s Zoning Ordinance, the Town referred the proposed Amended Zoning Ordinance to the Planning Board for review and recommendation; and

WHEREAS, on March 4, 2019 the Planning Board reviewed, deliberated, offered comments, and recommended approval of the Town’s proposed Amended Solar Ordinance; and

WHEREAS, on March 6, 2019 the Town Board held a workshop with the Planning Board to review the Planning Board’s recommendations; and

WHEREAS, the Town finds and determines that this Local Law is necessary to protect the health, safety and welfare of its citizens; and

WHEREAS, the Town scheduled a public hearing to be held before the Town Board on March 18, 2019 p.m. at the Offices of the Town of Florida, 214 Fort Hunter Road, Amsterdam, New York, to hear all interested parties regarding the adoption of a proposed Local Law titled A local law amending the Town of Florida Zoning Ordinance by amending provisions relating to solar energy systems; and

WHEREAS, notice of said public hearing was duly posted and then published in *The Recorder* the official newspaper of the Town, on March 8, 2019, pursuant to and in conformance with Section 20 of the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law; and

WHEREAS, the Town declared that this action is an unlisted action under SEQRA, and declared itself to be lead agency for SEQRA review of the action and a Short Environmental Assessment Form for this proposed Local Law has been prepared.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Florida as follows:

Section 1. The Town Board has taken a hard look at the potential adverse environmental impacts of the proposed action and has issued a negative declaration in connection with its findings pursuant to the State Environmental Quality Review Act (“SEQRA”), as codified under 6 NYCRR Part 617 et. seq., relative to the adoption of the proposed Local Law, whereby the adoption thereof constitutes an Unlisted Action that will not have any significant adverse impact upon the environment.

Section 2. The Town Board, upon due deliberation of the proposed Local Law and the comments presented at the public hearing, finds that the adoption of the same shall be in the best interests of the Town.

Section 3. The proposed Local Law is hereby adopted, copies of which are attached hereto and made a part hereof. The Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Section 4. The clerk is hereby instructed to file a certified copy of the Local Law with the Secretary of State.

Section 5. This resolution shall take effect immediately.

Adopted: __ 4 __ Ayes __ 0 __ Nays __ 0 __ Abstentions

Roll Call Vote: Supervisor Mead - Aye
 Councilman Alikonis – Aye
 Councilman Rackowski – Absent
 Councilman Robataille – Aye
 Councilman Phillips – Aye

1. **RESOLUTION #46** was sponsored by Councilman Robataille and seconded by Councilman Phillips authorizing the Supervisor to make budget amendments to increase A1620.4 by ninety five thousand dollars (\$95000) for the completion of Town Hall Renovations. Revenues are to be used from the general fund balance. All in favor and passed.
2. **RESOLUTION #47** that the Town Board of the Town of Florida finds a determination of significance pursuant to the New York State Environmental Quality Review Act (SEQRA) that the Annexation Petition of Dr. Pervaz M. Choudry, dated August 15, 2018 may result in one or more significant adverse impacts on the environment.

Adopted: __4__ Ayes __0__ Nays __0__ Abstentions

Roll Call Vote: Supervisor Mead - Aye
 Councilman Alikonis – Aye
 Councilman Rackowski – Absent
 Councilman Robataille – Aye
 Councilman Phillips – Aye

Public Comment opened at 8:09pm.

Ed Berry, 131 West Church Street, Fort Hunter NY questioned Scott McKay speaking in the middle of the meeting. Supervisor Mead explained that Scott is ZBA Chairman and the Board welcomes his input on matters to do with zoning.

Public Comment closed at 8:10pm

MOTION by Councilman Robataille to audit and pay the monthly bills was seconded by Councilman Phillips; all in favor and passed.

MOTION by Councilman Robataille to approve the Supervisor’s Report was seconded by Councilman Phillips; all in favor and passed.

MOTION by Councilman Phillips to adjourn was seconded by Supervisor Mead; all in favor and passed. The meeting was adjourned at 8:31pm.

Respectfully Submitted,

Emily Staley
 Town Clerk