

# TOWN OF FLORIDA BOARD MEETING

November 16, 2020

7:00pm

The regular monthly meeting of the Town of Florida Town Board; was called to order at 7:00 pm by Supervisor Eric Mead. Also present for the meeting were Councilman Harold Alikonis, Councilman Matthew Gogis, Councilman Steve Rackowski, Attorney Deborah Slezak and Town Clerk Emily Staley. Councilman Guy Robataille was absent.

Councilman Alikonis led the salute to the flag.

**Motion** by Councilman Matthew Gogis and seconded by Councilman Harold Alikonis to amend the Agenda to add **RESOLUTION #64** to allow the Veteran's Park Committee to move and refurbish the cannon located on the corner of Langley Road and Route 30S in Minaville; and to place it at the Veteran's Memorial Park. All in favor and passed.

**Motion** by Councilman Harold Alikonis and seconded by Supervisor Eric Mead to accept the Agenda as amended; all in favor and passed.

**Motion** by Supervisor Mead and seconded by Councilman Harold Alikonis to approve and accept minutes of the November 5, 2020 Board Meeting with a corrections; all in favor and passed.

## Committee Reports:

### *Communications & Announcements:*

- Nothing at this time.

### *Assessor:*

- Lisa is doing field work.
- Working on Agricultural Exemptions.

### *Engineering:*

- Bid for the Fort Hunter park through NY Rising was accepted by Montgomery County. Work will start in March of 2021.

### *Attorney:*

- Attorney Slezak informed the Board that the Ahmed Shah Tax Certiorari case is ongoing. Mr. Shah is now cooperating with his attorney and the requests for information.
- Attorney Slezak sent a letter to the homeowner in Fort Hunter with the sewer leak in the neighbor's yard. No response received yet but it has only been one week; will wait another week and send one more letter.
- Spoke to the Board regarding the draft for Local Law #1 for the zone change of parcels on Route 5s and the addition of Wood Processing use and definition to the Zoning Ordinance. She read and explained each section. Councilman Alikonis asked about the setback language; why is it necessary in a C1 zone? Attorney Slezak explained that setback has to do with buildings on site not the processing itself and that those measurements need to be populated in the schedule A of the zoning ordinance. Rudy Horlbeck, from the Planning Board said that those measurements were taken from the C1 schedule in the current Zoning Ordinance and that they were standard setbacks. Attorney Slezak said when the setbacks were entered into the chart it would make more sense than seeing them in the draft. Supervisor Mead asked if everyone was happy with the language. Attorney Slezak mentioned that Amanda Bearcroft wanted the Board to consider 100' setbacks instead of 10' and 25' and the Town Board was in agreement that that is unreasonable and they are good with what is in the draft.

**Motion** by Councilman Steve Rackowski and seconded by Councilman Harold Alikonis to amend the Agenda to add **RESOLUTION #65** for the Town Board of the Town of Florida to declare itself Lead Agency in SEQRA process for the change of zoning for parcels located at 54.-1-6.111 and 54.-1-6.2 respectively from R1 to C1; and to add **RESOLUTION #66** to set the Public Hearing for Local Law #1 of 2020 to rezone parcels located at 54.-1-6.111 and 54.-1-6.2 respectively from R1 to C1 for December 21, 2020 at 6:45pm at 167 Fort Hunter Road; all in favor and passed.

#### *Planning and Zoning:*

- Rudy Horlbeck informed the Board that the NAPA project on Route 5S was approved by the Planning Board and Chuck Dumblewski can move forward with the start of construction.
- John Sampone stated that permits are slowing down. Has been a very busy year.

#### *Building Maintenance:*

- Steve Anderson told the Board that a skylight in the storage shed fell and broke and he would like to remove the rest of them and cover the holes with metal. There is lighting in the shed so skylights are not necessary.
- Supervisor Mead said that 10/2 wire is needed for the installation of the LED sign at the end of the drive to the municipal building. Rudy Horlbeck said that the Veteran's have an empty conduit tube from when they had the new water line run and the wiring for a new security camera that the wire could be run through so the parking lot does not need to be dug up. Supervisor Mead said he would work with Steve on this.

#### *Highway:*

- Attorney Slezak asked if the money Hodorowski Homes paid to the Town is sufficient for the top coat of the road. Steve reported that the retention pond still has no fence around it. Attorney Slezak said if the money is sufficient then she will ask for the release of mortgage. Rich List of LDM management owner of the lots said the fence should be a priority to be done before any ownership is transferred because the pond becomes the Town's liability. Supervisor Mead said he would stop over and speak to the foreman on site and see if he can't get an answer.
- Highway Superintendent Steve Anderson gave the Town Board 2 quotes for a new Truck. Both are comparable; difference in prices is in the plow price. Supervisor Mead said they money is available in the budget for this purchase and the Board was in agreement that Steve could go with the lowest bid and purchase a new truck with plow.
- Steve asked about getting a desktop computer because the tablet he is using is not sufficient for the paperwork he needs to complete. Supervisor Mead suggested he work with Emily to see what he could get and use the Buildings/Grounds equipment line.
- A new toolbox is needed in the shop and Steve will go to Home Depot and get one for approximately \$600.

#### *Water and Sewer:*

- Nothing at this time.

#### *Youth:*

- The Trunk or Treat event on October 31, 2020 was a huge success. Over 300 people attended. Nothing yet for Christmas.

#### *Veterans:*

- Veterans Day service on November 8<sup>th</sup> at 1pm was successful. Beautiful day and very well attended.
- Water line has been installed. Winding down with projects for the winter. Wanting to move the cannon off the point before the next winter season; the base is deteriorated and will not last many more winters.

#### *Old Business:*

- The Employee Policy was handed out and Supervisor Mead said that the Highway employees asked to have Columbus Day added as a paid holiday to keep with the County. A review of the Overtime and Comp Time accruals will be done as well, then at next meeting all changes will be reviewed and then passed to full-time employees for their review and then implementation by the Town Board after the first of the year.

#### *New Business:*

1. **RESOLUTION #63** sponsored by Councilman Harold Alikonis and seconded by Councilman Matthew Gogis authorizing the Town of Florida Deputy Supervisor, Steve Rackowski to sign the agreement for control of snow and ice on county highways with Montgomery County for the period beginning January 1, 2021 and ending December 31, 2021; All in favor and passed.
2. **RESOLUTION #64** sponsored by Councilman Steve Rackowski and seconded by Councilman Matthew Gogis to have the Town of Florida Town Board declare itself Lead Agency in the SEQRA review process on

the zone change on parcels 54.-1-6.111 and 54.-1-6.2 from R1 to C1 on the Route 5S corridor; All in favor and passed.

3. **RESOLUTION #66** sponsored by Councilman Steve Rackowski and seconded by Councilman Matthew Gogis to set the Public Hearing for the zone change from R1 to C1 for parcels 54.-1-6.111 and 54.-1-6.2 on the Route 5S corridor for Monday, December 21, 2020 at 6:45pm located at 167 Fort Hunter Road ; All in favor and passed.

*Public Comment:* Opened at 7:48pm

**Vijay Puran**, 859 Bullshead Road. Thanked the Town Board for supporting the citizens group with their fight against High River Energy Solar. Very grateful the Harold Alikonis attended the public comment hearing and spoke up. Multiple issues happening and the citizens group are very concerned about issues that have arisen in their research and review. Visual impact photos and research was not indicative of the actual line of sight from any homes on the road. A magnetic field study needs to be done still due to the proximity of the lines being run along the road and houses along the roads. This magnetic field has been shown to cause cancer in children and needs to be taken seriously. No road agreement between the Town and the County yet either. How are they going to run the transmission lines when there needs to be 10' between lines and they have 4 lines to run so that means 40' of space and there is not that much space in the right of way; will they declare eminent domain and take the front lawns of residents? During the last study they used a large plane to take pictures and the plane swooped neighbors who were outside and flew so low that windows on the houses rattled. The fire hazard is a big concern. They only plan to mow the fields 2x a season and then they will drop the cuttings in place which then become very dry. All surrounding landowners are very concerned and are wondering if the applicant has met with the fire department to discuss a fire plan. Fire detection goes through multiple channels before being reported to the local fire department unless a resident sees fire first. The residents would like to see a gravel buffer between the panels and their properties in the setback.

**Resident**, 1205 Touareuna Road, Amsterdam. Thanked the Town Board for their support. The views from the north side across the Thruway and Route 5s and Route 5 in the Town of Amsterdam will be ruined. A new house was recently built on McDougall Road in the Town of Florida and when the sun hits their windows in the afternoon there is significant glare. The glare from the solar panels would be worse.

**Dave Slezak**, 205 Mohr Road. Thanked Vijay for speaking up and reiterated that fire is a real concern. He has a barn full of hay and if there are high winds a fire would not take long to go from house to house.

**Renee McDonald**, 274 Swart Hill Road. Thanked Vijay for reaching out to the homeowners on Swart Hill and surrounding properties that will see these panels. Owns what used to be the Krutz Farm and the view will be ruined. They specifically bought the property because of the view and to restore the house and surrounding buildings to take advantage of the views. Even though High River Energy is saying the panels will face south glare and seeing the black on the landscape is a real concern. There are so many more places to put the panels instead of around homes and in other homeowner's sight lines.

**Carol Henderson**, Truax Road. Asked why no environmental groups are involved and is there no recourse for this project to be stopped?

Supervisor Mead explained how the Article 10 process works. That all approvals go through the Governor's office and the Town's involved have no real say and/or their objections are ignored.

*Public Comment:* Closed at 8:08pm.

**MOTION** by Councilman Steve Rackowski to audit and pay the monthly bills was seconded by Councilman Matthew Gogis; all in favor and passed.

**MOTION** by Councilman Harold Alikonis to approve the Supervisor's Report was seconded by Councilman Steve Rackowski; all in favor and passed.

**MOTION** by Councilman Matthew Gogis to adjourn was seconded by Supervisor Eric Mead; all in favor and passed. The meeting was adjourned at 8:27pm.

Respectfully Submitted  
Emily Staley - Town Clerk