

TOWN OF FLORIDA BOARD MEETING

December 21, 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, Councilman Guy Robataille, Attorney Deborah Slezak and Town Clerk Emily Staley.

Councilman Guy Robataille led the salute to the flag.

Motion by Councilman Guy Robataille and seconded by Councilman Harold Alikonis to accept the Agenda; all in favor and passed.

Motion by Councilman Harold Alikonis and seconded by Councilman Steve Rackowski to approve and accept minutes of the November 16, 2020 Board Meeting with a corrections; all in favor and passed.

Committee Reports:

Communications & Announcements:

- Bill VanGorder was present from NBT Insurance regarding our NYMIR renewal. Added and deleted equipment, added a building. Blanket coverage increases 2-3% each year to make sure coverage is up to date. Bill suggested adding a Law Enforcement Policy. If an officer is present for court and has to use deadly force the policy covers any claims that arise from that. Board agreed it should be added. Discussion over cyber security and policies that could be put in place to make sure the Town's on-line records are protected.

Assessor:

- Lisa will be available at home during remote learning. If remote learning continues could she have a Town cell phone for calls? Eric says that is possible and to let him know.

Engineering:

- Nothing at this time.

Attorney:

- Paul Slansky asked Attorney Slezak to contact Josephine Schaufelberg regarding the automobile repair shop being operated on her property on Langley Road. Attorney Slezak did write a letter and has not received a response yet. A response was received from Philomena Labate's Attorney.
- Ahmed Shah's Tax Certiorari case is ongoing. Attorney Slezak has asked Charles Swartz to have Mr. Shah call Dave Barnett.
- Supervisor Mead informed Deb that Target is going to file a quit claim deed for the land that the fire department wants to buy.

Planning and Zoning:

- Attorney Slezak spoke about the Public Comment regarding the zone change request on Route 5s. There was a comment that it is spot zoning and she explained what spot zoning was. She read from the Comprehensive Plan that talked about the need for future adjustment of the some of the property's zoning within that corridor due to the influx of businesses coming in and the residents that live there. She stated that spot zoning is to change one small parcel to a different zone than what the surrounding parcels are zoned. This request is more in keeping with the surrounding area and public purpose. The Henderson's did come with a petition from their neighbors and their immediate adjacent neighbor asked that her parcel be changed as well. Councilman Gogis said he looked back over maps and believes that this was an oversight by the County when the original zone change was done. The Town Board did discuss this issue at length and it was discussed at the Planning Board meeting and the ZBA meeting and it was agreed that it is not spot zoning and this will be as far as the zone for C1/IBP will go. All Town Board Councilman feel that due diligence was done in making this decision.
- John Sampone informed the Board that another home is being built in the Mohawk Hills subdivision. Councilman Alikonis asked John which home Mrs. Labate was referring to in her letter as being the issue instead of hers. John does not know. The houses are so close together but the failure of her septic has been witnessed by him, Skiba and Paul Unzer. It has been agreed between them that the trees that are planted as screening are part of the issue. Councilman

Alikonis said the fact that sewage is leaking is a big issue and a hazard. Paul Unzer, Skiba and John observed the site and came up with some solutions. Very tight area and the water table is high. Supervisor Mead said the Town is working with Barton and Loguidice to apply for grants to extend water/sewer to the village but that is going to take some time and the cost to run is 4 – 6 million.

Building Maintenance:

- Nothing at this time.

Highway:

- Plowing during the heavy snowfall went well. Two trucks needed to be towed but no major damage; cosmetic only.

Water and Sewer:

- Barton & Loguidice is working on coming up with an estimate for cleaning and disinfecting the water tank. An agitator needs to be installed to move the water. An RFP will need to be done.

Youth:

- Christmas with Santa was on the 20th. It was by appointment only. 50+ kids got gifts from Santa.

Veterans:

- Nothing at this time..

Old Business:

New Business:

1. **RESOLUTION #67** sponsored by Councilman Matthew Gogis and seconded by Councilman Guy Robataille to approve the passage of Local Law #1 of 2020; change of zone for parcels 54.-1-6.111 and 54.-1-6.2 from R-1(Residential) to C-1(Commercial) and update the Zoning Ordinance to include “Wood Processing” in the definitions and amend the Schedule A with the values listing in Local Law #1 Resolution. The Resolution was read into the record; All in favor and passed.

Adopted: __5__ Ayes __0__ Nays __0__ Abstentions

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

Local Law #1 of the Town of Florida

Section 1. The Town of Florida Town Board has the authority, pursuant to Article XIII, Section 57 of the Town of Florida Zoning Ordinance to “amend, supplement, repeal, or change...district boundaries; and the authority, pursuant to Municipal Home Rule to enact Local Laws.

Section 2. The Town of Florida Zoning Map and Zoning District located in the Town of Florida on Route 5-S at SBL # 54.-1-6.111 and 54.-1-6.2 is hereby amended, by changing the District from Residential (R-1) to commercial (C-1).

Section 3. Amendments:

- a. Article III, Section 4 of the Town of Florida Zoning Ordinance is hereby amended to add the following definition and schedule A shall be amended to have the following inserted:
Wood Processing: An operation that processes trees and timber from an offsite location into firewood for the intent to store, sell onsite and deliver offsite. May include the cutting, splitting, drying and bundling of wood and storage of raw materials. Scrap sawdust, shavings, and general debris shall not block any access roads or driveways.
- b. Amend the Schedule attached to the zoning ordinance, C-1 to include the wood processing use in the C-1 district, with the following values:
 - a. Min lot area shall 220,000 sf.
 - b. Width (or frontage) min 150 ft
 - c. Max lot coverage 20%
 - d. Min living area is n/a
 - e. Building stories 2
 - f. Bldg ht. 30 ft.

- g. Front setback 50 ft
 - h. Side setback (one side) 10 ft; (both sides) 25 ft.
 - i. Rear setback 30 ft.
- c. Amend Article V, Use Regulations, Section 10 to include Wood Processing as a Principal Permitted Use.

Section 4. Purpose and Intent: The purpose of this amendment is to keep the Town of Florida Zoning Ordinance current and responsive to the needs of its residents and to keep the zoning districts reflective of their proper usage.

Section 5. Applicability: Any wood processing facility in existence at the date of the adoption of this change to the Ordinance must come into compliance under this Ordinance by applying for a permit and undergoing site plan. All new wood processing facilities are subject to this Ordinance.

Section 6. Penalties for Offenses: Any violation of the above conditions, or other conditions which may be imposed are pursuant to this Ordinance and any fine for violation of the above conditions will be issued pursuant to this Ordinance or state law.

MOTION by Councilman Guy Robataille and seconded by Councilman Steve Rackowski to amend the Agenda to strike Elma Phillip's name from **RESOLUTION #68**; all in favor and passed. Councilman Matthew Gogis abstained.

MOTION by Councilman Guy Robataille and seconded by Councilman Steve Rackowski to accept the Agenda as amended; all in favor and passed.

2. **RESOLUTION #68** sponsored by Councilman Steve Rackowski and seconded by Councilman Harold Alikonis to accept the Justice Court Audit that was performed by Elma's Tax Service for the year 2020 from both Judge Brown and Judge Carleo; All in favor and passed. Councilman Matthew Gogis abstained.
3. **RESOLUTION #69** sponsored by Councilman Guy Robataille and seconded by Councilman Matthew Gogis to set the 2021 Organizational Meeting for Monday, January 4th, 2021 at 6:00pm located at 167 Fort Hunter Road; All in favor and passed.

Public Comment: No public comment.

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

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

MOTION by Councilman Matthew Gogis to adjourn was seconded by Councilman Guy Robataille; all in favor and passed. The meeting was adjourned at 8:41pm.

Respectfully Submitted
Emily Staley - Town Clerk