

MINUTES OF WORKSHOP MEETING OF THE TOWN BOARD OF THE TOWN OF HUNTER HELD ON TUESDAY, APRIL 27, 2021 AT 6:00 PM VIA ZOOM.

Present:	Daryl Legg	Supervisor
	David Kukle	Councilman
	Sean Mahoney	Councilman
	Dolph Semenza	Councilman
	Corina Pascucci	Town Clerk
	Lara Hamrah-Poladian	Secretary to the Supervisor
	John Farrell	Supt. of Highways
	Sgt Robert Haines	Hunter Police Dept.
	Marc Czermerys	Planning Board Chairman
	Larry Gardner	Town Attorney
	Marc Merrill	Paychex
	John Lyons	Grant & Lyons
	Kimberly Garrison	Grant & Lyons
	Rachel Haines, Betsy Gude, E. Reale, Robert Sheridan	

Absent: Raymond Legg Councilman

Supervisor Legg calls the meeting to order at 6PM with the Pledge of Allegiance to the Flag.

VERIZON

Supervisor Legg has contacted Verizon and issues of trees/limbs on phone lines on mountain road (23A) shall be remedied within two weeks.

PAYCHEX PROPOSAL

Dan from Paychex on the telephone and presentation by Marc Merrill of Paychex. Discussion on type of time clock to use from using a swipe card, finger id and facial scanning at a monthly cost between \$50-\$70 depending on which type of time clock is chosen. Town Board states there are to be three (Front offices, Highway Garage and Ambulance building) The proposal submitted also includes costs for time keeping. The title of Administrator needs to be determined for the Administrator Dashboard and the board must decide on policies an example being clocking in 15 minutes early or 15 minutes late. To be determined based on employee handbook. Department Heads will be required to go into the system, enter and approve time for their departments. Town Board to be in touch with Paychex.

SOLAR LAW

Supervisor Legg offers RESOLUTION #3 of 2021

**Resolution #3 of the Town of Hunter Town Board
Introducing Local Law No. P1 of 2021, establishing regulations for siting solar energy systems within the Town of Hunter.**

Resolution date: Tuesday, 27 April 2021

Whereas:

1. This resolution proposes new legislation in the form a proposed new Local Law for the Town of Hunter. The Local Law proposed would be called the “Town of Hunter Local Law Regulating Solar Energy Systems.” This new Local Law will establish regulations for the siting of solar energy systems in the Town of Hunter.
2. The new Local Law is proposed pursuant to the authority and power granted to the Town Board and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments.
3. On 30 May 2019, pursuant to the authority granted in New York State Town Law § 272-a, the Town of Hunter adopted a Comprehensive Plan. That Plan sets forth Hunter’s vision for its future, and the blueprint for how we should grow as a Town and how we should preserve the characteristics and qualities of the Town that we, the residents of the Town, love and cherish. The Comprehensive Plan consists of materials, written and/or graphic, including, but not limited to, maps, charts, studies, resolutions, reports, elements, appendices and other descriptive material. Section 272-a (11) of the Town Law requires, in relevant part, that all town land use laws must be in accordance with an adopted Comprehensive Plan.
4. In proposing Local Law No. P1 of 2021, it is our intention to adopt a Local Law which establishes regulations within the Town of Hunter for the sensible siting and development of solar energy systems to implement the goals of our Town Comprehensive Plan.
5. The Town of Hunter has determined that comprehensive regulations regarding the development of solar energy systems are necessary to protect the interests of the Town, its residents, and its businesses. This Local Law aims to accommodate solar energy systems while balancing the potential impacts on neighbors, preserving community character, and encouraging the rights of property owners to install and sensibly site solar energy systems.
6. The Town of Hunter is a mountainous community located within the Catskill Park and the Catskill Watershed that is rich in history, scenic resources, and recreational opportunities. The purpose of this Local Law is to encourage sensible siting for solar energy systems such that scenic viewsheds, overlays, and vistas are preserved and protected.
7. Solar energy is a renewable and clean energy resource that can prevent fossil fuel emissions and reduce a municipality's energy load and reliance on fossil fuel, thereby reducing the carbon footprint of Hunter. Energy generated from solar energy systems can be used to offset energy demand on the grid where excess solar power is generated. The use of solar energy equipment for the purpose of providing electricity and energy for heating and/or cooling is both a necessary and priority component of the Town of Hunter’s current and long-term sustainability agenda. It is also consistent with the commitment of Hunter to be a “climate smart” community. Because it is in the public interest to provide for and encourage renewable energy systems and a sustainable quality of life, the purpose of this Local Law is to facilitate the development and operation of renewable energy systems based on sunlight while minimizing adverse impacts on neighboring properties and scenic viewsheds so as to protect the public health, safety and welfare of the residents of the Town of Hunter.

8. Proposed Local Law No. P1 of 2021 is intended to promote the effective and efficient use of solar energy systems; set provisions for the sensible placement, design, construction and operation of such systems in such a way as to be consistent with the Town of Hunter Comprehensive Plan; to uphold the public health, safety and welfare; and to ensure that such systems will not have a significant adverse impact on the environment or on the aesthetic qualities and character of the Town.
9. It is not intended by this Local Law to abrogate or impair existing conditions previously made or permits previously issued relating to the use of buildings. Whenever this Local Law imposes a greater restriction upon the use of buildings or premises than is required by existing provisions of law, ordinance or regulations, the provisions of this Local Law shall control. More restriction is intended.
10. Since the process of developing this law first began in July of 2019, our Board conducted extensive research and consulted with both our land use attorneys and the members of the Town of Hunter Planning Board. The proposed Local Law was the result of much Town Board consideration and deliberation, and drafts of the proposed Local Law have been revised and changed many times during that deliberative process.
11. Looking ahead to the introduction of this proposed law, the Town Board directed Grant & Lyons, LLP, to prepare for the Town Board's review an Environmental Assessment Form (EAF), Part 1, pursuant to the State Environmental Quality Review Act (SEQRA). The EAF Part 1 has been prepared and presented to the Town Board for its review and consideration.
12. Pursuant to New York State Municipal Home Rule Law § 20, "Local Law No. P1 of 2021 proposing a new Local Law for the Town of Hunter" was received by each member of the Town Board prior on 18 March 2021 via email and that proposed Local Law shall be deemed to be on the desk of each member of that date.

NOW THEREFORE, BE IT RESOLVED,

- Section A. Pursuant to New York State Municipal Home Rule Law § 20, the Town Board hereby introduces a Proposed Town of Hunter Local Law No. P1 of 2021, entitled "Town of Hunter Local Law Regulating Solar Energy Systems." A copy of the proposed Local Law is attached as Exhibit A to this Resolution.
- Section B. Pursuant to provisions of SEQRA the Town Board hereby determines to classify the adoption of the proposed new Local Law (the "proposed action" in SEQRA parlance) as a Type I action [see, New York State Environmental Conservation Law (ECL), Article 8; 6 New York Code of Rules & Regulations (NYCRR), Part 617.4(b)(2)].
- Section C. Further pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA. The Town Board further identifies the Town of Hunter Planning Board and the Greene County Department of Economic Development, Tourism and Planning as interested agencies.
- Section D. The Town Board hereby accepts the SEQRA EAF Part 1 for the proposed action which has been prepared by Grant & Lyons, LLP.
- Section E. At the Town Board's earlier direction made at its meeting held on 23 February 2021, the proposed Local Law was referred to the Greene County Department of

Economic Development, Tourism and Planning for its review and for an advisory opinion pursuant to Section 239-m of the New York State General Municipal Law. The Town Board hereby ratifies that referral. The County Planning Board received the referral and has responded without substantive comment.

Section F. At the Town Board’s earlier direction made at its meeting of 23 February 2021, the proposed Local Law was referred to the Town of Hunter Planning Board for its review and for an advisory opinion. The Town Board hereby ratifies that referral.

Section G. In accordance New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a virtual Public Hearing on said Proposed Local Law for Tuesday, May 11, 2021, at 6:45 p.m. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements for same set forth in the New York State Municipal Home Rule Law, and directs the Town Clerk to cause publication of the an legal notice in the Town’s official newspaper not less than five (5) calendar days prior to the Public Hearing.

Section H. The Town Board also directs the Town Clerk to post a copy of the proposed Local Law on the Town’s web site, and to make a paper copy of the proposed Local Law available for review by the public at the Town of Hunter Town Hall, 5748 Route 23a, Tannersville, NY 12485.

Section I. The Town Board hereby directs the Town’s land use attorneys to prepare for the Town Board’s review at a later date a SEQRA EAF Part 2 for the Town Board’s review and consideration.

On a motion by: Supervisor Darryl Legg

And Seconded by: David Kukle

Roll Call Vote of Resolution:	Aye	Nay	Absent/Abstain
Darryl Legg, Supervisor	<u> X </u>	<u> </u>	<u> </u>
Raymond Legg	<u> </u>	<u> </u>	<u> X </u>
Dolph Semenza	<u> X </u>	<u> </u>	<u> </u>
David Kukle	<u> X </u>	<u> </u>	<u> </u>
Sean Mahoney	<u> X </u>	<u> </u>	<u> </u>

This resolution was filed in the office of the Town of Hunter Town Clerk on the 28th of April, 2021 by Corina Pascucci Town Clerk of the Town of Hunter.

Corina Pascucci, Town Clerk of the Town of Hunter

Annexed Documents:

Exhibit A: Town of Hunter Local Law No. P1 of 2021, entitled “Town of Hunter Local Law Regulating Solar Energy Systems.”

Exhibit B. SEQRA Environmental Assessment Form, Part 1, as prepared by Grant & Lyons, LLP, land use attorneys to the Town of Hunter Town Board.

Ayes -4- Noes -0- Absent -1- (Councilman Legg)

Supervisor Legg makes a MOTION to hold a PUBLIC HEARING at 6:45 PM on May 11, 2021 on Proposed Local Law #1 of 2021 – Regulating Solar Energy Systems. Seconded by Councilman Kukle.

Ayes -4-

Noes -0-

Absent -1- (Councilman Legg)

Councilman Kukle makes a MOTION to hire Nan Stolzenburg of Community Planning & Environmental Associates for assistance with the Environmental Assessment Form (EAF) Seconded by Councilman Mahoney.

Ayes -4-

Noes -0-

Absent -1- (Councilman Legg)

POLICE – PASSPORT

Discussion on Sgt. Haines conversation with Passport re: using the system in a different manner than originally pitched. Sgt Haines adds that the funds received could be processed through the court and then the town cuts a check to Passport for their back-end work. Discussion on user being able to pay court fees with a credit card.

L. Gardner to contact Passport re: circumstance surrounding non-payment of invoice.

23A MOUNTAIN ROAD AND PLATTE CLOVE MOUNTAIN ROAD PARKING

Discussion – towing companies shall charge an additional fee for towing vehicles from back mountain road as they will have to travel to the bottom of the mountain to be able to turn around after they have loaded the vehicle.

Supervisor Legg makes a MOTION that the tow charge for any tows east of Bolcek’s house to the top of Platte Clove Mountain Road shall be \$300.00. Seconded by Councilman Semenza.

Ayes -4-

Noes -0-

Absent -1- (Councilman Legg)

Councilman Mahoney to place notice on Town website that the back mountain road (Platte Clove) shall reopen on May 14, 2021. J. Farrell to add signage on the back mountain road re: All cars towed will incur a minimum tow fee of \$450.00.

IMPOUND LOT

Discussion on using a bonded security company who shall charge an hourly rate of approximately \$19.50 per hour, additional pay for Holidays. Security company employee shall operate the impound lot and accept/process payment for impound fees. A Town Police Officer shall only be needed to run a driver’s license when the vehicle is retrieved from the impound lot. Town Board to oversee the paperwork completed by the security company for accounting and auditing purposes with the assistance of Sgt Haines.

NEW POLICE VEHICLE

Supervisor Legg makes a MOTION to authorize the Town Attorney to bond \$35,000 over five (5) years, not callable for the purchase of a new police vehicle. Seconded by Councilman Mahoney.

Ayes -4-

Noes -0-

Absent -1- (Councilman Legg)

POLICE COMMUNITY RELATIONS

Supervisor Legg states that a meeting of the Police Community Relations Committee shall take place on June 3, 2021 at 6PM at the Town Hall.

SPECIAL MEETING – EMPLOYEE HANDBOOK

Supervisor Legg states that a Special Meeting (Executive Session) shall be held on May 6, 2021 at 6PM.

HIGHWAY- ROAD REGULATIONS

Discussion on adding wording for bonding. L. Gardner to review for the next meeting.

EXECUTIVE SESSION

Supervisor Legg makes a MOTION to go into Executive Session at 8PM to discuss employee matters(planning/payroll). Seconded by Councilman Mahoney.

Ayes -4- Noes -0- Absent -1- (Councilman Legg)

L. Hamrah-Poladian and C. Pascucci asked to attend and then asked to leave partway through. Councilman Kukle makes a MOTION to come out of Executive Session at 9:32 PM. Seconded by Councilman Mahoney.

Ayes -4- Noes -0- Absent -1- (Councilman Legg)

Councilman Kukle makes a MOTION to place an ad for a Full-Time employee as stated below. NOTICE IS HEREBY GIVEN; the Town Board of the Town of Hunter is seeking resumes for a Full-Time position as Payroll Clerk and Administrative Assistant for the Planning Board and as time allows to the Code Enforcement Office. The rate for this position is \$15/hour with benefits. Duties shall include attending Planning Board meetings, so some evening hours are required. Computer experience including Microsoft Office, filing and organizational skills required. Please submit your resume to the Town Clerk by 3:00 PM, Tuesday, May 11, 2021 via USPS, drop box located at the Town Hall or email.

Seconded by Councilman Mahoney.

Ayes -4- Noes -0- Absent -1- (Councilman Legg)

Supervisor Legg states that C. Pascucci and L. Hamrah-Poladian are to process the next payroll with no additional compensation.

Supervisor Legg makes a MOTION to adjourn at 9:33 PM. Seconded by Councilman Mahoney.

Ayes -4- Noes -0- Absent -1- (Councilman Legg)

Corina Pascucci, Town Clerk, RMC
Town of Hunter