

April 16, 2018

A public hearing was held by the Town Board of the Town of Greenville on Monday, April 16, 2018 at 6:15 pm in Pioneer Town Hall, to consider adoption of Local Law #1 of 2018: Imposing a Temporary Town-Wide Moratorium on the Installation of certain Solar Energy Systems.

Present: Supervisor Paul Macko
Councilman Richard Bear
Councilman John Bensen
Councilman Greg Davis
Councilman Travis Richards

Recording Secretary: Clerk-Collector Jackie Park

Attorney: Tal Rapplelea

Department Heads Present: Greenville Rescue Squad Chief Brian Tumey
Zoning and Code Enforcement Officer Mark Overbaugh
Planning Board Chair and Historian Don Teator

Other: Planner Kevin Schwenzfeier and employee Tucker Lewis, of Delaware
Engineering
and 20 guests

Supervisor Macko opened the meeting with the Pledge of Allegiance. Appropriate notice of this hearing was published in an official newspaper, the Catskill Daily Mail, on Saturday, March 31, 2018, and posted on the official signboard at Town Hall as required.

Mr. Davis moved, seconded by Mr. Bensen, to open this public hearing at 6:15 pm.
Carried 5 ayes

Mr. Macko reviewed details on this project. A six month moratorium is being considered to allow the Town Board and interested community members time to review the solar law, and revise as appropriate. His belief is that the town's general consensus is, "too much, too fast".

The following interested persons desired to be heard: Mr. Jim Weeks inquired as to the possibility of an additional time extension of 6 months, to which **Supervisor Macko** replied, "Yes, it can be extended for 6 months". Ms. Barbara Valicenti thanked the Town Board for their efforts and review of this issue. No other comments were received.

Mr. Davis moved to close the public hearing at 6:18 pm, seconded by Mr. Bear.
Carried 5 ayes

The Board heard the monthly Greenville Rescue Squad report from Mr. Brian Tumey.

A second public hearing was held following the first, at 6:30 pm regarding the establishment of an Additional 2018 Extension and Improvements to Greenville SEWER District No. 1. All Board members continued in attendance, as well as the previously documented Department Heads and 17 guests.

Appropriate notice of this hearing was published in an official newspaper, the Catskill Daily Mail, on Saturday, March 31, 2018, and posted on the official signboard at Town Hall as required.

Mr. Davis moved, seconded by Mr. Bensen, to open this public hearing at 6:30 pm.
Carried 5 ayes

Mr. Kevin Schwenzfeier and Mr. Tucker Lewis, of Delaware Engineering, reviewed details on this project. Approximately 20 customers will be affected with an additional 2,000 feet of water line

extending up State Route 81, and north on State Route 32 to include Tractor Supply. Supervisor Macko reported the total cost for the extension and upgrades is 7.2 million, with 1.6 million received in grants to result in a maximum cost of 5.6 million. Delaware Engineering has been applying for additional grant funding in the hope to further decrease the cost.

The following interested persons desired to be heard: Mrs. Anita Zibura questioned the cost to reside within the sewer and water districts. Mr. Macko noted quarterly user costs as well as the annual tax levy line. Mr. Wayne Myhre questioned if it was mandatory to connect to the sewer extension. Mr. Macko noted exceptions were made under certain conditions with the last expansion; if the system is 10 years old or less, and certified as in good working order, connections can wait. Mr. Myhre asked who pays, if pumping became necessary due to elevation. Mr. Macko replied that there are several grinder pumps in the system now, which are town-owned. Monthly electric costs are paid by the town if more than one user is on the grinder pump. Councilman Bensen clarified that if only one user was on a pump, it would be hooked onto that user’s electric. Mrs. Zibura asked if those within a district but not using the system would still pay a minimal usage fee. Mr. Macko said he would have to do research, but reiterated that would require documentation that showed systems were certified and approved. Mr. Bensen stressed that if a user was connected to the sewer system, they must be connected to the water system as well. No other comments were received.

Mr. Bensen moved to close the public hearing at 6:45 pm, seconded by Mr. Davis.
Carried 5 ayes

This was followed by the regular monthly meeting of the Town Board of the Town of Greenville.

Attorney Rapplelea reviewed Parts 2 and 3 of the Environmental Assessment Form (EAF) as required. Mr. Bear moved, seconded by Mr. Bensen, to adopt the negative declaration resolution; attached.
Carried 5 ayes

Mr. Bensen moved, seconded by Mr. Bear, to allow Supervisor Macko to sign the negative declaration on the SEQR EAF.
Carried 5 ayes

Mr. Bensen moved, seconded by Mr. Bear, to approve the resolution for the establishment of additional 2018 extension and improvements to Greenville Sewer District #1, pursuant to Section 209-d of Town Law, subject to permissive referendum; attached.

Roll call requested;
Supervisor Macko aye
Councilman Bear aye
Councilman Bensen aye
Councilman Davis aye
Councilman Richards aye Carried 5 ayes

Mr. Davis moved to accept the Clerk’s minutes of March 19, 2018, March 26, 2018, and April 9, 2018, seconded by Mr. Bensen.
Carried 5 ayes

Oral and/or written reports were received from the Rescue Squad, Buildings and Grounds, Code, Clerk/Tax, Dog Control, Sewer and Water departments, and the Planning Board. Supervisor Macko provided the following department reports: he noted that the Highway department had been busy with downed limbs. The sewer plant has been meeting all parameters and tests. There are approximately 30 houses which have not yet hooked on to the last sewer extension, and it was reported that they are working on compliance. Testing within the extended water district area

will be worked on this week, and the results will be provided to the homeowners. Beautification Committee is just starting up again, and talk of banners has been discussed. Code Enforcement Officer Overbaugh reported on his department: the initial meeting occurred with Tractor Supply recently. They will soon break-ground and completion is expected by mid-August. Councilman Bear reported on the Recycling Center ~ no issues or problems have been reported. Attorney Rappleyea reported on Grievance Day, to be scheduled on May 22nd. **Clarified with the Assessor's Department the following day: Grievance Day is scheduled on the 5th Tuesday of May, and will be held here on May 29, 2018, between 4 pm – 8 pm.*

Maintenance and Water Superintendent P. Leroy Bear arrived at 7:01 pm. Building & Grounds, Sewer and Water reports received: The Building and Grounds department has been busy repairing damage from the winter. The water plant has been working well with the upgrades. They have been working with Delaware Engineering on the extension. Some water testing was done today; coordination is needed with the homeowners to obtain samples. He requested approval from the Board to schedule appointments with residents between 5:00 pm – 7:00 pm one evening to accomplish this.

Mr. Macko moved, seconded by Mr. Bear, to allow Mr. Leroy Bear and Ms. Hamilton to work 2-3 hours on an evening to collect these water samples.

Carried 5 ayes

The public hearing addressing Local Law #1 of the year 2018: Imposing a Temporary Town-Wide Moratorium on the Installation of certain Solar Energy Systems, has been closed. Attorney Rappleyea reviewed that no environmental review is required to enact a moratorium, and a referral for review has already been made to the Greene County Planning Board.

Mr. Davis moved, seconded by Mr. Bensen, moved to accept Local Law #1 of 2018: Imposing a Temporary Town-Wide Moratorium on the Installation of certain Solar Energy Systems; attached.

Roll call requested;

Supervisor Macko	aye
Councilman Bear	aye
Councilman Bensen	aye
Councilman Davis	aye

Councilman Richards aye Carried 5 ayes

Councilman Bear and Supervisor Macko will seek out community members interested in participating on a committee to review the solar law. Mr. Overbaugh suggested a committee comprised of 2 Town Board members, 2 Planning Board members, and a few residents; this will be readdressed at our next meeting on April 23rd.

Supervisor Macko regretfully announced that a letter of resignation has been received from Judge Jens Lobb, effective April 30, 2018. Judge Lobb has moved out of the town of Greenville and is unable to continue serving in this capacity. Mr. Macko thanked him for his service; Attorney Rappleyea noted it was his honor to appear several times before him, and that he served this town well. As his term was to end on December 31, 2019, this resignation has created a vacancy in office. Mrs. Audrey Matott inquired as to if his position would be filled. Should another individual be appointed to fill the vacancy, they would serve until December 31, 2018 and then, after the general election on November 2018, a candidate will be elected to serve. The education required for the Justice position (unless the Judge is an Attorney) is only offered once per year; should someone be appointed now, they would not be able to render decisions until after the education was obtained next year.

Supervisor Macko updated those in attendance about speed evaluations requested by the Town upon the NYS DOT. A letter has been sent by Clerk Park requesting follow up on the 5 outstanding requests submitted. Updates will be provided once received.

Sealed bids were received last month for the Prevost Hall stained glass repair project. After review of the bid specifications with a consultant who specializes in stained glass, as well as with the Beautification Committee, it was suggested the Town hire Bovard Studios. The two lowest bids did not include certain stipulations that were requested; Attorney Rappleyea noted although Bovard was the 3rd highest bidder, the lower two bids did not answer all the specifications requested. The Town must award to a reasonable bid, not necessarily the lowest bid. Fundraising will continue, as the deed stipulated that the stained glass must be maintained. A grant has been received through Senator Amedore's office to convert Prevost Hall into a Community Center. Supervisor Macko believes this will certainly happen, although he estimates it will take 5 -10 years to complete. Mr. Billy VonAtzingen of Community Partners noted these 2 windows were in the worst condition; the others will take less to repair and likely cost much less.

Mr. Bear moved, seconded by Mr. Bensen, to award the bid for repair on the first two stained glass windows at Prevost Hall to Bovard Studios in the amount of \$29,875.

Carried 5 ayes

Dog Control Officer Melissa Rosa arrived at 7:28 pm. DCO report received: Mrs. Rosa addressed missing signage at Vanderbilt Park, as well as concerns with the currently designated off-leash areas. These topics will need to be further evaluated and will be addressed in a future meeting. Additional areas of concern reported were related to application of the law per Local Law #3 of 2015 as managed by the court, pertaining to unlicensed and delinquently licensed dogs. Supervisor Macko noted that there has been defacing and vandalizing of property and signage at the park, and urged people to say something if they've seen something. Also noted some issues at the library where the police have been called, and vandalism of the gazebo. Mr. Macko offered to address these concerns with Mrs. Rosa and Judge Kraker.

Supervisor Macko addressed concerns raised by Mr. Brian Mulligan, of State Route 32, who reports bags of litter which come onto his property since brush was removed to install the last sewer line extension. Previously, the shrubbery had 'trapped' the litter and prevented it from ending up on his land; now, it is far in on the land and in the creek. Mr. Mulligan requests the town replace some screening or shrubbery where it was removed, to correct this issue. Mr. Macko noted we promised Hill Street residents we would do work in the vicinity of the new station; thought it was time to contact Mr. Ken Thompson of Story's Nursery to offer some ideas of correction for these areas impacted after the sewer work was done. No motions were made although all seemed to be in agreement.

Supervisor Macko opened the meeting for public comments and questions at 7:58 pm:

Mrs. Anita Zibura requested clarification on permissive referendums, as well as inquired how to arrange for water testing after 5:30 pm? Mrs. Ann O'Reilly expressed concern about a neighbor's property and requested the town evaluate it for violations. Mr. Macko said it would be looked in to.

After audit, Mr. Davis moved, seconded by Mr. Bear, to pay the following bills:

Bills 119 - 157 on General abstract #4 for \$101,679.87
 Bills 80 - 97 on Highway abstract #4 for \$35,118.88
 Bills 30 - 42 on Sewer abstract #4 for \$12,555.34
 Bills 37 - 45 on Water abstract #4 for \$4,727.27
 Bill 5 on Tractor Supply escrow account abstract #3 for \$31.25
 Bill 5 on Freehold Solar, LLC, escrow abstract #2 for \$1,156.25
 Bill 3 on Amberjack Solar, LLC, escrow abstract #2 for \$312.50
 Bill 1 on Locust Cemetery abstract #1 for \$20,000.00

Carried 5 ayes

After review, Mr. Davis made a motion to accept the Supervisor's report for March, seconded by Mr. Bear.

Carried 5 ayes

There being no further business, Mr. Macko moved to adjourn at 8:38 pm.

Jackie Park, Town Clerk-Collector

SUPERVISOR MACKO

MR. BEAR

MR. BENSEN

MR. DAVIS

MR. RICHARDS

DRAFT