

MINUTES BOOKTOWN OF COEYMANS
April 23, 2020 – Town Board Meeting – 7:00pm**

A Town Board Meeting was held Thursday, April 23rd, 2020 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: George D. McHugh, Supervisor
Daniel D. Baker, Councilman
Kenneth C. Burns, Councilman
Zachary S. Collins, Councilman
Brandon L. LeFevre, Councilman

ALSO PRESENT: Cindy L. Rowzee, Town Clerk

PRESENT BY CONFERENCE CALL:
James Peluso, Attorney to the Town
John Cashin, Code Enforcement Officer
Daniel Contento, Police Chief
Nicole Ambrosio, Grant Writer

Supervisor McHugh opened the meeting at 7:00 after the Public Hearings on Proposed Local Law 3 of 2020. He stated that the department heads would be calling in on a conference line to give their reports.

Public Announcements

COVID-19 – Supervisor McHugh stated that they had been putting out updates on our webpage and Facebook. He stated that they are in discussions with County Executive McCoy regarding having a testing site in the Parking lot at Town Hall. The site would be available on a drive thru basis for any and all Coeymans residents. Supervisor McHugh did not have an exact date but stated he would get the information out to the public and keep the Town Board posted. Town Clerk Rowzee asked if it would be virus testing or antibody testing. Supervisor McHugh stated that it would be testing for the virus.

Supervisor’s Message – Supervisor McHugh read the April 2020 Supervisor’s Message that appeared in the Ravena News Herald that week and was also posted on Facebook.

Letter to Village Mayor – Supervisor McHugh stated that he had sent a letter to the Mayor in regards to looking into forming a joint commission to explore ways to help the Town and Village find efficiencies in local government. He is interested in finding ways to save time and money and not duplicate services. He stated that apart, the Town and Village were not self-sustaining but together they are.

Message from Assessor – Supervisor McHugh read a message from Assessor, Dawn DeRose, stating that as Town Hall would be closed to the public the 2020 Tentative Assessment Roll would be available on the Town website on May 1. Grievance Day is to be held on May 26 from

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10am to 8pm and to call the Assessor to set up a conference call with the Board of Assessment Review for that day. The Final Assessment Roll will be available on the Town website on July 1.

Supervisor McHugh stated that the Board of Assessment Review (BAR) would hold their meeting similar to how this meeting was being held with a speaker phone where people would call in. Residents can call the Assessor's Office for more information and help with the paperwork.

Approval of Minutes

Motion to Approve Minutes

Councilman LeFevre made a motion to accept the minutes as presented from the March 26, 2020 Town Board Meeting, seconded by Councilman Baker.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Motion to Approve Minutes

Councilman Burns made a motion to accept the minutes as presented from the April 9, 2020 Town Board Meeting, seconded by Councilman Collins.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT 0 – SO MOVED

Supervisor Report

Supervisor McHugh read the March 2020 Supervisor's Report.

Motion to Accept Report

Councilman Baker made a motion to accept the report, seconded by Councilman LeFevre.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Department Reports

Town Clerk Report – March 2020 Report read by Town Clerk Rowzee

Motion to Accept Report

Supervisor McHugh made a motion to accept the report as read, seconded by Councilman Collins. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Police Department Report – March 2020 Report read by Chief Contento by conference call

Motion to Accept Report

Councilman Collins made a motion to accept the report as read, seconded by Councilman Burns. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Councilman Baker stated that the Police are doing a great job and asked Chief Contento to continue monitoring the speed on Route 144 and by the Coeymans Post Office.

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Chief Contento stated that he would and that they had stopped writing tickets when COVID-19 broke out but have since resumed.

Building Department Report – March 2020 Report read by John Cashin by conference call

Motion to Accept Report

Councilman Baker made a motion to accept the report as read, seconded by Councilman LeFevre. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Councilman Baker stated that his heart went out to the families displaced in the fire on Main St. He asked Mr. Cashin if the building would be condemned. Mr. Cashin stated that it depended on the amount of damage but he did not know as the building is in the jurisdiction of the Village. He then offered to find out more from Mr. Burns at the Village.

Sewer Department Report – Keith Geraldson was not available by conference call. Supervisor McHugh stated that they would continue with the meeting and wait for the report if he was able to join.

Old Business

Broadband Survey Status – Councilman LeFevre stated that there had not been a lot of activity on the broadband survey since it was first announced. To this point only 16 people had taken the survey. He asked that more people fill out the survey and to share it with those who you know do not have access. He discussed a comment made by County Executive McCoy about wireless internet service in the hill towns. He spoke with Mike McLaughlin at the County regarding this and was informed that a company called Hudson Valley Wireless was going to be using the County cell towers to provide service to the hill towns. The company is exploring using cell towers as well.

Supervisor McHugh asked if there had been any mention of them using the County tower on Bill Biers property as it covers a lot of Coeymans. Councilman LeFevre stated that he would look into that possibility.

Comprehensive Plan Update – Supervisor McHugh stated that MJ Designs and our grant writer had spoken with the Town Board at the workshop the week before. We are currently applying for a Greenway Grant for \$10,000 to help with the cost of a comprehensive plan update. Jaclyn Hakes from MJ Design should be sending a proposal the next day on what it would cost to update the plan. The quote would be based on two public meetings and then primarily working with the Town Board and the Planning and Zoning Board. He stated that this would be a targeted update as they were not too concerned with some things that really haven't changed much. The Town Board will likely have another conference call with Ms. Hakes at the May workshop to discuss what the next step would be to move forward with this.

Sewer Department Report – As Keith Geraldson was not available Supervisor McHugh asked for a motion to accept the written report as presented.

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Motion to Accept Report

Councilman LeFevre made a motion to accept the report as printed, seconded by Councilman Baker. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

New Business

Request for Waiver from Summit Ridge Solar – Supervisor McHugh stated that they have had a letter from Cate Parker at Summit Ridge Solar requesting a waiver from Local Law 3 of 2020, the moratorium on solar, in regards to a solar farm to be installed on the property of Mr. Powell. Supervisor McHugh stated that he had suggested that they ask for a partial waiver that would allow the Planning Board/Zoning Board of Appeals to send the application to our engineering firm and an Attorney for review but that there would be no public hearing or decisions made until the moratorium was over.

Councilman Burns asked when the solar law would be ready. Supervisor McHugh stated that they should have a draft ready by the first meeting in May and it could be adopted by the last meeting in May if no changes need to be made. It should be ready by the end of June at the latest though.

Motion to Grant Partial Waiver to Summit Ridge Solar of Local Law 3 of 2020

Supervisor McHugh made a motion to grant a partial waiver to Summit Ridge Energy to allow the Planning and Zoning Board to move forward with their application for engineering and legal review only; it does not include going forward to public hearing or approvals, until such time as a solar law is in place, seconded by Councilman LeFevre.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

There was discussion about how some solar companies are better than others and how having a solar law will be good as it will give guidelines for these companies.

MOU – CVFD & CHVFD Communications (Gedney Hill Tower) – Supervisor McHugh stated that the Town no longer has any communications using the tower on Gedney Hill. The Coeymans Hollow Fire Department and Coeymans Fire Department still need the tower to talk to Medway-Grapeville and New Baltimore. The Town put their equipment back in and the Supervisor would like to do a Memorandum of Understanding or Agreement that the two fire companies would take over the maintenance of this equipment. Since the Town no longer needs it he does not feel it is right to ask the tax payers to pay for that maintenance. There was discussion about sending a thank you letter to Sheriff Apple and Mr. Dunican for the loaning of radios to the Highway Department for the past several months.

Motion to Authorize Supervisor and Attorney to Draft MOU

Supervisor McHugh made a motion to authorize himself and the Town Attorney to work on a draft MOU between the Town, Coeymans Volunteer Fire Department and Coeymans Hollow Volunteer Fire Department regarding the communications equipment at Gedney Hill Tower, seconded by Councilman Collins.

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APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

2020 Census – Supervisor McHugh stated that former Councilman Youmans had made a great recommendation on Facebook to remind everyone to please fill out their census. With COVID-19 there are many other things on our minds but the census is important. The amount of sales tax given to municipalities is based on census numbers. Supervisor McHugh asked everyone to fill out their census and thanked Mr. Youmans for the reminder. Councilman Baker stated how simple it was to go on-line and fill out.

Town Clerk Rowzee stated that the Town had about a 48% response rate at that time, which was about 11% less than in 2010. At some point they will start going door to door to get the people who did not respond on-line, by mail or phone.

Supervisor McHugh stated that he would make sure it was on the agenda as a public announcement for the next few meetings.

Resolutions

Resolution #094-20 – Accept Resignation of Seasonal Laborer - Burns

On motion of Councilman Collins, seconded by Councilman Burns, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, Zachary Burns has submitted his verbal resignation effective April 13, 2020 as seasonal laborer;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Coeymans does hereby accept the resignations of Zachary Burns effective April 13, 2020.

Resolution #095-20 – Budget Transfer

On motion of Councilman Burns, seconded by Councilman Baker, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Town of Coeymans has had unforeseen expenditures in the following 2020 accounts resulting in the depletion of those accounts: and

WHEREAS, the Chief Fiscal Officer is desirous of transferring funds to these accounts;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor George D. McHugh to transfer the following funds:

General Fund (A)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$2972.53	(A) 1990.4 Contingency	(A) 1010.4 Town Board Contractual
\$1234.34	(A) 1990.4 Contingency	(A) 1220.4 Supervisor Contractual

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\$ 79.96 (A) 1990.4 Contingency (A) 6410.4 Publicity Contractual

Resolution #096-20 – Budget Amendment – Leachate Repairs

On motion of Councilman Baker, seconded by Councilman LeFevre, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Department of Environmental Conservation has ordered the Town of Coeymans to make costly repairs to the old Landfill Leachate System, and:

WHEREAS, a Landfill Reserve Account has been established for this purpose, and:

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor George D. McHugh to amend the 2020 Budget as follows:

GENERAL FUND (A)

Increase Expenditures

(A)8090.2 Capital Outlay \$18,882.00

Increase Appropriated Reserve

(A)511 Appropriated Reserve- \$18,882.00

Landfill Capital Reserve

Councilman Collins asked about the repairs to the Leachate. Supervisor McHugh stated that there was an assessment report in their folders. According to the report there is a lot of black mold in the building which needs to be remediated. All of the sheetrock that is in the building needs to be removed. He stated that it was good news that there is this Capital Reserve in order to pay for something like this so we are prepared.

Resolution #097-20 – Budget Amendment – Parks Storage Structure at Highway

On motion of Supervisor McHugh, seconded by Councilman Baker, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, a Storage structure is needed to house machinery for the Community Beautification Department and;

WHEREAS, a storage structure will be purchased from Backyard Sheds for \$17,261.20 to house machinery and;

WHEREAS, additional funds will be needed for a cement slab, rebar, forms and an electrical service and;

WHEREAS, the Chief Fiscal Officer is desirous of amending the budget for the year 2020 as follows:

GENERAL FUND (A)

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Increase Expenditures

(A) 8510.2 Capital Outlay \$25,000.00

Increase Appropriated Fund Balance

(A) 599 \$25,000.00

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Coeymans does hereby authorize Supervisor George D. McHugh to amend the budget for the year 2020 as depicted above.

Councilman Baker asked what was going in this building. It was stated that it basically was for the Community Beautification equipment. Community Beautification would be pulled out of the Hamlet and located at the Highway in their own building.

Resolution #098-20 – Bond Resolution – Highway Truck

On motion of Supervisor McHugh, seconded by Councilman Baker, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF COEYMANS, ALBANY COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$190,884 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE ACQUISITION OF A HIGHWAY MAINTENANCE TRUCK, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

BE IT RESOLVED, by the Town Board of the Town of Coeymans, Albany County, New York (the "Town") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The acquisition of a 2020 International single axle truck with plow and wing for highway maintenance purposes is hereby authorized at an aggregate estimated maximum cost of \$190,884, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen years.

SECTION 2. It is hereby determined that the above purpose described above constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five years from the original date of issuance of such obligation.

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SECTION 4. The Town Board plans to finance the total cost of said purpose by the issuance of serial bonds of the Town in an amount not to exceed \$190,884, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, the power to determine to issue said bonds in the form of a statutory installment bond, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution

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and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The News Herald, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 12. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

George D. McHugh	VOTING - Aye
Daniel D. Baker	VOTING - Yes
Kenneth A. Burns	VOTING - Yes
Zachary S. Collins	VOTING - Yes
Brandon L. LeFevre	VOTING - Yes

The foregoing resolution was thereupon declared duly adopted.

Supervisor McHugh stated that they had met with the Superintendent of Highways and had gotten a copy of the truck he wanted to purchase to replace a 2000 truck. The \$190,000 that the Town is borrowing includes the bond attorney's fees which are usually a few thousand dollars. He also stated that the National Bank of Coxsackie had the lowest rate at 1.85%.

Councilman Baker asked if a 5-year purchase was coming due soon for Highway. Supervisor McHugh stated that it was and that the last payment on a large piece of equipment would be ending this year. This payment will not start until next year and is less than the current payment. Councilman Baker stated that this was part of the attempt of Mr. Searles and the previous Town Board to upgrade the Highway equipment.

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Resolution #099-20 – April 2020 Abstract of Claims

On motion of Councilman Collins, seconded by Councilman Burns, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

BE IT RESOLVED, that the Town Board has approved the payment of bills as presented in the Abstract for April 2020, as follows:

PRE-PAID VOUCHERS –180477 – 180562 & 2020-021 - 2020-027 for a total of
\$ 350,305.65

VOUCHER NUMBERS –180563– 180623 for a total of **\$ 32,959.86**

TOTAL FOR ALL FUNDS – **\$383,265.51**

Resolution #100-20 – Authorize Purchase of Track Loader

On motion of Councilman Burns, seconded by Councilman Baker for discussion, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, The Sewer Department is desirous of purchasing certain equipment to complete their daily tasks and;

WHEREAS, the Town of Coeymans has received a quote from Robert H. Finke & Sons Inc. pursuant to state contract for a T650 T4 Bobcat Compact Track Loader equipped with the A91 option package (see attached) and;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize the purchase of the T650 T4 Bobcat Track Loader for the Sewer Plant.

Councilman Baker stated that he wanted to make sure they received operator training on the new equipment, especially because of the quick attach attachments. Supervisor McHugh stated that he would call the next day to make sure the training was scheduled.

Resolution #101-20 – Adopt Local Law 3 of 2020

On motion of Councilman Baker, seconded by Councilman LeFevre for discussion, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS the Town Board of the Town of Coeymans has introduced a proposed Local Law No. 3 to authorize the establishment of a six (6) month moratorium to temporarily halt the processing and issuing of any applications, permits, certificates of occupancy, approvals, denials, determinations or interpretations for any land use relating to solar energy, including but not limited to solar farms, and

WHEREAS, a public hearing upon proper notice was held on April 23, 2020 and

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WHEREAS, the proposed adoption of the moratorium is a Type II action pursuant to SEQRA 6 N.Y.R.R. § 617.5 (c) (36) and therefore not subject to further review under SEQRA part 617

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby enact the proposed Local Law attached hereto and made a part hereof which shall be numbered Local Law #3 of the year 2020.

Councilman LeFevre stated that speaking for the Board that they did not foresee it taking six months to get a solar law in place and that hopefully they will have it up and running by the end of next month, if not sometime in June.

LOCAL LAW 3 OF 2020

SECTION 1. PURPOSE AND INTENT

The purpose of this Local Law is to protect the public health, safety and welfare of the residents of the Town of Coeymans and to maintain the status quo as to certain solar energy uses, as the present zoning regulations in the Town do not adequately address this type of use. The moratorium will stop the processing of applications for, and the issuance of any permits, certificates of occupancy and approvals for certain land uses relating to solar energy, including but not limited to solar farms. The moratorium is for a period of six (6) months, allowing the Town Board to analyze and determine potential appropriate revisions and amendments to the Town of Coeymans Zoning Code concerning this use.

SECTION 2. LEGISLATIVE FINDINGS.

The Town of Coeymans Town Board does hereby find that without a temporary halt on the processing, permitting, and approvals for certain solar land uses there is the potential that such uses could be located in unsuitable areas within the Town and/or on particular lots without adequate dimensional regulations in place. The potential for the unsuitable location of and lack of proper dimensional regulations for, such uses would have materially adverse and irreversible impacts on the Town.

The Town Board also finds that it is in need of time to perform the necessary analysis of the potential types of solar energy facilities that could be located in the Town. By maintaining the status quo regarding such uses the Town Board can provide for the planned orderly growth and development of the Town.

SECTION 3. MORATORIUM IMPOSED; APPLICABILITY

For a period of time of six (6) months following the effective date of the adoption of this Local Law no application may be processed, and no permits, certificates of occupancy, approvals, denials, determinations or interpretations may be issued or granted for any land uses relating to solar energy, including but not limited to solar farms.

The term "land uses relating to solar energy" shall be broadly construed to include any facility designed to generate electric power to be marketed, sold or used for other than the power demands of the improvements on the property on which such facility is located. Not included

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within the scope of this moratorium are solar energy facilities designed to generate electric power solely for the use of the improvements located on the same property.

The term "solar farm" shall mean "a collection of solar panels covering one-quarter (1/4) acres or more of land that are designed to capture sunlight and transform it into electricity. This definition includes freestanding and ground pole-mounted photovoltaic and parabolic solar installations. This definition does not include photovoltaic panels that are mounted on or affixed to residential dwellings for their use, or municipal buildings, or existing panels mounted on commercial or industrial buildings.

This Local Law shall be binding on the Town Board, Planning Board/Zoning Board of Appeals, Building Inspector, all Town officials and employees, and any applicant or real property owner in the Town desiring to apply for or receive a permit, certificate of occupancy or approval in the Town of Coeymans.

During the period of the moratorium, the Town Board shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the Town of Coeymans Code. During the period of the moratorium, no applications will be accepted, nor permits, certificates of occupancy or approvals issued, which would authorize development within the Town for land uses relating to solar energy as described above.

SECTION 4. TERM

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date.

This Local Law shall be subject to renewal for a cumulative period of up to an additional six (6) months, if necessary, by Resolution(s) of the Town Board.

SECTION 5. EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation, or parts thereof, are in conflict with the provisions of this Local Law, including all provisions of Article 16 of the New York State Town Law concerning special use permit, site plan, building permit and certificate of occupancy procedure and requirements, this Local Law shall control and supersede such law ordinance, rule or regulation.

SECTION 6. WAIVER

Owing to the limited scope and duration of this moratorium, there is no provision being made in this Local Law for any waivers to its applicability. However, the Town Board may, but is not obligated to, promulgate regulations by a Resolution of the Board authorizing a hardship waiver process to this moratorium.

SECTION 7. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force

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and effect.

SECTION 8. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with New York Municipal Home Rule Law.

Resolution #102-20 – Authorize BAR to Conduct Grievance Day via Phone

On motion of Councilman LeFevre, seconded by Supervisor McHugh, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, Due to the COVID-19 Pandemic, Governor Cuomo has issued Executive Order 202.22, which provides local governments with options related to tentative and final assessment rolls and grievance day and:

THEREFORE BE IT RESOLVED, for the 2020 Assessment Roll year only, the Tentative assessment roll will be posted on the Town website on May 1, 2020 and printed copies will not be available due to the building closure; and,

BE IT FURTHER RESLOVED, Grievance Day will be held on May 26, 2020, from 10:00a.m. to 8:00p.m.; and,

BE IT FURTHER RESOLVED, all grieving residents must contact the Assessor’s office to set up a telephone conference with the Board of Assessment Review, which will be recorded, per New York State Law; and,

BE IT FURTHER RSOLVED, the complaint form (RP-524) with all supporting documentation must be received before May 26, 2020 in the Assessor’s Office; and,

BE IT FURTHER RESOLVED, the final assessment roll will be posted on the Town website on July 1, 2020 and due to Town Hall closure there will be no access to the paper roll.

Supervisor McHugh stated that everyone would need to call in to the Assessor to make an appointment. He stated that the information would be put out on all our different mediums and the Board would continue to announce this at their meetings.

Additional Comments

Supervisor McHugh asked if anyone on the phone would like to address the Board.

Nicole Ambrosio, the grant writer, stated that she would like to thank Candace McHugh for her help with getting her the information to fill out forms. She spoke about a webinar she had attended in regards to solar and that the moratorium is a good thing. She stated that she would send her notes to the Board members. She also stated that she had been able to help a few businesses with their CARES Act applications.

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Ms. Ambrosio also spoke of the need to get letters of support from local businesses for the comprehensive plan. Supervisor McHugh stated that Candace was working on this. Ms. Ambrosio then stated that she believes we should ask for \$10,000 from the Greenway grant. She also stated that the webinar had mentioned Ag. & Markets and the compatibility with solar and making sure there is still farm land available. She said that the ag. grant would be \$25,000 to help pay for the comprehensive plan update. Ms. Ambrosio then mentioned that there is a new waste management and recycling grant that is coming up that could help with the cost for a transfer station. It was decided that she would be in contact with Supervisor McHugh regarding this. She stated that she is looking into some grants to help with the cost of a new Town Hall. She also stated that there may be grants to help with Chimney Top Park but that the Historic Preservation and Parks grants are not available yet. Supervisor McHugh asked her to keep an eye out for grants that would be of interest to places in town like the Senior Projects, food pantries or the VFW.

Summit Ridge Solar Waiver – Supervisor McHugh asked James Peluso, Attorney to the Town, if since the Board had done the motion to approve the waiver before passing the local law, should they do the motion again, now that the law has been passed? Mr. Peluso stated that they could amend that motion.

Motion to Grant Partial Waiver to Summit Ridge Solar of Local Law 3 of 2020

Supervisor McHugh made a motion to grant a partial waiver to Summit Ridge Energy to allow the Planning and Zoning Board to move forward with their application for engineering and legal review only; it does not include going forward to public hearing or approvals, until such time as a solar law is in place, seconded by Councilman Burns.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Councilman Burns and Supervisor McHugh thanked those who are working hard during this time, including the Rescue Squad and Town employees.

Upcoming Meetings and Workshops

- Planning Board/ZBA Meeting – May 11th at 7pm
- Town Board Meeting – May 14th at 7pm

Motion to Adjourn

On motion of Councilman Collins, seconded by Councilman LeFevre, the Town Board meeting was adjourned.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Time – 8:27pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk