

Hamburg Town Board Special Meeting Minutes
Catherine A. Rybczynski, RMC, Town Clerk
June 29, 2020

1.

Roll Call

Members Present:

James M. Shaw	Supervisor
Shawn Connolly	Councilman
Elizabeth Farrell	Councilwoman
Michael Petrie	Councilman
Karen Hoak	Councilwoman

Also Present: Catherine A. Rybczynski, Town Clerk; Walter Rooth III, Town Attorney; Mark Walling, Deputy Town Attorney; Samantha Tarczynski, Finance Director; Jennifer Robertson, IT Director;

RESOLVED, that the Town Board does hereby open the Special Meeting at 5:30 PM. On a motion of Supervisor Shaw, seconded by Councilmember Connolly, the following resolution was

ADOPTED 5 – 0

Supervisor Shaw	(Aye)
Councilmember Connolly	(Aye)
Councilmember Farrell	(Aye)
Councilmember Hoak	(Aye)
Councilmember Petrie	(Aye)

2.

Pledge of Allegiance – Supervisor Shaw lead the recitation of the Pledge of Allegiance.

3.

Agenda

The Special Meeting of the Hamburg Town Board was called to discuss the topics as detailed below in an email from Tara Rinaldi, Assistant to the Supervisor, and titled “Special Meeting Notice” on 6.23.2020. The topics for the special meeting are as follows:

- 1. Town operating budget deficits with impact operations for the calendar year 2020 and further impact budget preparations for the tax year 2021.**
- 2. Financing Alternatives for the LED project.**
- 3. Debt issuance over and above debt financing to establish a Town-wide LED system as it relates to other capital projects, which shall include the extent of additional indebtedness and a tentative enumeration of projects to be considered.**

Supervisor Shaw requested Samantha Tarczynski, Finance Director, review and go over the documents pertaining to the projected budget deficit (approximately \$2.7 million) she produced and from Drescher & Malecki.

A break in the meeting occurred as a result of audio technical difficulties at 5:36 PM.

The meeting resumed at approximately 6:16 PM.

Supervisor Shaw informed the board that the deficit for the town currently totals \$2,676,547. He then asked Samantha Tarczynski, Finance Director, to provide a detailed analysis of the current financial situation the town is facing as a result of the COVID-19 Global Pandemic. Ms. Tarczynski discussed the document included below and answered questions posed by the Hamburg Town Board Members.

Departments are required to cut their budget by 10%.

The information below provided by Ms. Tarczynski includes the documents as follows:

1. "Budget Monitoring Report"
2. "Remaining Deficit"
3. "Debt Issuance Committee"
4. "Draft" – General Fund

Town of Hamburg
 2020 Budget Transfer due to COVID-19 Projected Deficit

Projected Shortfalls through 5/31/20 Budget Monitoring Report

			Less Below Adjustments:
A Fund:	\$	1,265,191.00	\$ (560,458.00)
B/DB Fund:	\$	1,411,356.00	\$ (131,750.00)
Total Projected Deficit:	\$	2,676,547.00	\$ (692,208.00)

Account Number	Account Name	Adopted Budget
A.1110.102	Town Justice Part Time	\$ 65,210.00
A.1110.492	Town Justice Seminars	\$ 6,000.00
A.1310.492	Finance & Admin Seminars	\$ 1,500.00
A.1345.422	Central Purchasing Heat, Light & Power	\$ 425,200.00
A.1355.102	Assessing Part Time	\$ 23,231.00
A.1410.101	Town Clerk Overtime	\$ 7,016.00
A.1410.492	Town Clerk Seminars	\$ 1,600.00
A.1420.101	Law Overtime	\$ 900.00
A.1420.492	Law Seminars	\$ 1,500.00
A.1440.101	Engineering Overtime	\$ 5,000.00
A.1440.492	Engineering Seminars	\$ 1,500.00
A.1640.403	Central Garage Gas & Oil	\$ 160,000.00
A.1690.492	Information Technology Seminars	\$ 4,250.00
A.1970.492	Special Items Seminars	\$ 4,500.00
A.3121.492	Youth Bureau Seminars	\$ 3,300.00
A.3620.492	Safety Inspection Seminars	\$ 2,550.00
A.3630.481	Defensive Driving Course	\$ 4,000.00
A.5010.101	Superintendent of Highways Overtime	\$ 3,000.00
A.5010.492	Superintendent of Highways Seminars	\$ 2,500.00
A.6772.102	Programs for Aging Part Time	\$ 279,835.00
A.6780.102	Adult Day (Rec) Part Time	\$ 115,802.00
A.7020.101	Recreation Administration Overtime	\$ 6,222.00
A.7020.472	Recreation Admin Special Events	\$ 10,000.00
A.7020.492	Recreation Admin Seminars	\$ 3,700.00
A.7140.101	Playgrounds & Rec (B & G) Overtime	\$ 146,000.00
A.7140.102	Playgrounds & Rec (B & G) Part Time	\$ 200,000.00
A.7140.413	Playgrounds & Rec (B & G) Repair & Maint.	\$ 125,000.00
A.7180.102	Town Park Operations (Rec) Part Time	\$ 127,371.00
A.7250.102	Town Park Maintenance Part Time	\$ 30,249.00
B.3120.202	Police Vehicles	\$ 169,575.00
B.3120.207	Police Computer System	\$ 43,000.00
B.3120.403	Police Gas & Oil	\$ 190,000.00
B.3120.411	Police Supplies	\$ 124,000.00

B. 3120.460	Police Repairs & Maintenance	\$	120,000.00
B. 3120.492	Police Seminars	\$	15,000.00
B. 8160.435	Refuse Collection Advertising	\$	2,500.00
ER.7250.102	Golf Course Maintenance Part Time	\$	90,887.00
ER.72501.102	Golf Course Operations (Rec) Part Time	\$	103,350.00

Total A + ER Funds Budget Reductions

Total B Fund Budget Reductions

Total Budget Reductions

Remaining Deficit:
 \$ 704,733.00
 \$ 1,279,606.00
 \$ 1,984,339.00

Spent through 5/31	Budget Adjustment	New Budget	Remaining Funds
\$ 16,560.00	\$ (15,000.00)	\$ 50,210.00	\$ 33,650.00
\$ -	\$ (4,071.00)	\$ 1,929.00	\$ 1,929.00
\$ 392.00	\$ (1,108.00)	\$ 392.00	\$ -
\$ 114,399.00	\$ (100,000.00)	\$ 325,200.00	\$ 210,801.00
\$ 5,744.00	\$ (5,000.00)	\$ 18,231.00	\$ 12,487.00
\$ 1,955.00	\$ (3,000.00)	\$ 4,016.00	\$ 2,061.00
\$ -	\$ (1,600.00)	\$ -	\$ -
\$ -	\$ (450.00)	\$ 450.00	\$ 450.00
\$ -	\$ (1,500.00)	\$ -	\$ -
\$ -	\$ (2,500.00)	\$ 2,500.00	\$ 2,500.00
\$ -	\$ (1,500.00)	\$ -	\$ -
\$ 26,514.00	\$ (60,000.00)	\$ 100,000.00	\$ 73,486.00
\$ -	\$ (4,250.00)	\$ -	\$ -
\$ 125.00	\$ (4,375.00)	\$ 125.00	\$ -
\$ -	\$ (3,300.00)	\$ -	\$ -
\$ 1,890.00	\$ (660.00)	\$ 1,890.00	\$ -
\$ 1,311.00	\$ (2,500.00)	\$ 1,500.00	\$ 189.00
\$ 30.00	\$ (2,000.00)	\$ 1,000.00	\$ 970.00
\$ 1,509.00	\$ (991.00)	\$ 1,509.00	\$ -
\$ 103,364.00	\$ (75,000.00)	\$ 204,835.00	\$ 101,471.00
\$ 48,393.00	\$ (20,000.00)	\$ 95,802.00	\$ 47,409.00
\$ -	\$ (3,000.00)	\$ 3,222.00	\$ 3,222.00
\$ -	\$ (5,000.00)	\$ 5,000.00	\$ 5,000.00
\$ 47.00	\$ (3,653.00)	\$ 47.00	\$ -
\$ 39,039.00	\$ (50,000.00)	\$ 96,000.00	\$ 56,961.00
\$ 51,124.00	\$ (75,000.00)	\$ 125,000.00	\$ 73,876.00
\$ 22,085.00	\$ (25,000.00)	\$ 100,000.00	\$ 77,915.00
\$ 20,095.00	\$ (40,000.00)	\$ 87,371.00	\$ 67,276.00
\$ 7,653.00	\$ (10,000.00)	\$ 20,249.00	\$ 12,596.00
\$ 114,559.00	\$ (2,500.00)	\$ 167,075.00	\$ 52,516.00
\$ 15,988.00	\$ (13,000.00)	\$ 30,000.00	\$ 14,012.00
\$ 36,639.00	\$ (50,000.00)	\$ 140,000.00	\$ 103,361.00
\$ 31,560.00	\$ (30,000.00)	\$ 94,000.00	\$ 62,440.00

\$	36,032.00	\$	(20,000.00)	\$	100,000.00	\$	63,968.00
\$	-	\$	(15,000.00)	\$	-	\$	-
\$	-	\$	(1,250.00)	\$	1,250.00	\$	1,250.00
\$	2,979.00	\$	(20,000.00)	\$	70,887.00	\$	67,908.00
\$	3,919.00	\$	<u>(20,000.00)</u>	\$	83,350.00	\$	79,431.00
		\$	(560,458.00)				
		\$	(131,750.00)				
		\$	<u>(692,208.00)</u>				

Town of Hamburg
Debt Issuance Committee
Meeting June 19, 2020

Key Facts and Figures prepared by Sam Tarczynski, Director of Finance

- Moody’s Debt Rating received 6/16/19 Aa2 (Same as prior issuances despite extraordinary circumstances)
- BAN to bond conversion of July debt – Net interest rate received .7579%
This is a historical low for the Town. We will save \$9,000 annually in debt issuance costs plus the difference between future year’s interest rates over the .7579% we have secured.
- Cost of LED project: \$6,052,617 (conservatively high)
- LED Lighting Annual Cost Savings Estimate: \$521,276
- Estimated Bond Payments for LED issuance plus potential other projects:

	Estimated Annual Bond Payments (P+I):	Bond Term		
		Bond Amount	10 years	15 years
LED Project Cost	\$6,052,617	\$651,405	\$455,063	\$361,459
LED Project Plus \$1M	\$7,000,000		\$518,831	
LED Project Plus \$2M	\$8,000,000		\$595,764	

Looking at the 15 year borrowing, we can borrow an additional \$1M based on the projected LED energy savings without any change to the tax rate. To borrow \$2M the Town must increase the levy by \$76,933. In the General Fund this equates to a tax increase of 0.67% or in the Part Town/Highway Fund base 0.71%.

- Timeline for LED Issuance: Board resolutions must be adopted 2 months before funds are needed. If the projects have a PPU of more than 5 years, they are subject to both a permissive referendum period (30 days) and estoppel (another 20 days) which require that the Town post certain public notices after the Resolutions are adopted by the Town Board.

If the LED project is looking to begin on October 1, we should have resolutions adopted by the end of July or early August to allow time for the permissive referendum and estoppel. With that being said, we should provide bond counsel with project details to have the resolutions drafted in July. This will allow for the projects to be presented to the board on the July 20th meeting (or August 3).

** DRAFT **

Town of Hamburg, New York - General Fund

Revenue Assumptions:

Mortgage Tax [General Fund]: There is limited information to assess expected revenues. A general lack of real estate activity is expected. However, such slowdown could be offset by refinancings. Any impact from commercial sales has not been considered at this time. The Town estimates a 20% decrease from the prior year, which amounts to a 2020 funding deficit of \$314k.

Fines and Forfeitures [General Fund]: During NYS on pause the Courts were closed and there was much less traffic in the Town, the initial estimate assumes similar collections as prior year without approximately 3 months of collections.

Senior/Aging Programs [General Fund]: Currently, with the exception of emergency van transportation, senior services are not being provided by the Town. Since potential freezes could extend throughout the year, the Town expects that 25% of the remaining year's budget (approximately 7/12) will be realized.

Culture and Recreation [General Fund]: Currently, all youth and recreation programs are not being provided by the Town. Since potential freezes could extend throughout the year, as of today the Town assumes a decrease of about 45% in fees collected related to culture and recreation. Additionally to date the Town's has collected \$55k from Town Park fitness club and boat launch fees. If these trends continued the Town expected to realized the budgeted amount of \$74k.

Licenses and Permits [General Fund]: The Town assumes that receipts will remain consistent to year to date collections throughout the year. Annual receipts have been projected based on collections recorded through the end of May.

VLT/State Aid [General Fund]: There is limited information to assess expected revenues. VLT revenue (\$866k) and AIMaid (\$229k) was approved in the State Budget however these are subject to potential cuts from the State. A 20% decrease to State Aid would amount to a budget shortfall of \$282k.

Expenditure Assumptions:

Senior/Aging Programs [General Fund]: The Town's senior and aging programs include budgeted contractual costs of approximately \$198k. If the Town plans to continue to freeze overtime and closures and delays of programs continue, PT/seasonal wages are expected to decrease 50% from the prior year. Total potential budgetary variation is estimated at \$306k.

Youth/Culture and Recreation Programs [General Fund]: The Town's youth and culture and recreation included budgeted part-time costs of \$596. It is expected that these costs will be reduced due to closed/delayed programs and, if overtime is expected to be limited to essential items, a potential budgetary variance of \$575k could be realized if cost reductions are carried throughout the year.

Utilities and Gasoline

All Other Departments [General Fund] - The 2020 budget permits \$493k of utilities and gasoline purchases in the General Fund. Gasoline purchases are expected to decrease from the prior year. Utilities are expected to slightly decrease. Assume a total of 10% decrease for a potential budget variation of a approximately \$120k.

Golf Course Transfer [General Fund]: The Town's Golf Course reopened to limited capacity in mid-May. There is limited league play and tee times are limited. As a result, revenues are expected to be reduced from last year be about 25% and could underperform budget by approximately \$211k or more. Upkeep and maintenance of golf course will be required to keep course open in limited capacity some savings from P/T labor is expected to mimic revenue trends. Additional savings of a approximately could occur if there are spending restrictions to contractual expense. Currently, the Town expects the Golf Course to required additional funding of approximately \$116k from the General Fund.

Ice Arena Transfer [General Fund]: The Town's Ice Arena closed mid-March for all activity, the Town is anticipating a Fall opening. If that occurs the Town expects a 20% decrease in revenue from last year, therefore currently expects revenues to underperform budget by \$226k. Expenditures are expected to occur as planned with budget. Currently, the Town expects the Ice Arena to require additional funding of approximately \$124k from the General Fund.

Financing Options for the LED Project

A discussion about the financing options for the LED project occurred led by Ms. Tarczynski. Details were discussed regarding the total cost (\$6 million), savings (variable depending on rates), term of bond, annual cost of bond, alternatives, current debt service, BAN options, etc.

Estimated cost of bond annually \$455K vs. LED cost savings of \$521K

Ms. Tarczynski asked the Board for direction concerning the projects they may want to fund in a bond.

Board Member Priority Projects for Bonding

- Councilman Petrie – Beach Bathrooms, Roads, Drainage
- Supervisor Shaw – ADA Compliance at the Beach and Town Hall
- Councilwoman Farrell – Town wide drainage study

Christopher Hull, Director of Community Development, indicated that he has \$150K set aside for ADA compliance projects.

- Thurston Road and Olympic Ave drainage issue discussed. Camie Jarrell, Town Engineer, suggested placing an additional drainage ditch and berm on the other side of Olympic.
- Smith Road drainage issue possible solution discussed.
- Councilman Petrie asked if the Highway Department could do the work. Supervisor Shaw answered that they have the machinery and the knowledge, but he does not know if they have the time or if Highway would make it a priority. Councilman Petrie asked if an estimate can be solicited from private contractors for the Smith Road project. Supervisor Shaw stated he would ask Highway Superintendent Ted Casey and ask for a definitive yes or no as to whether or not the members of the Highway Department would be directed to perform the work. The Board agreed that offering relief to the residents in the areas discussed is of critical importance and a solution is needed soon. Supervisor Shaw also noted that the Smith Road Creek needs to be cleaned out.
- Twin Willows drainage pipe broken and clogged in many places and causing flooding, erosion, etc. Supervisor Shaw stated that it would be an \$80K - \$90K project.
- Need \$75K for asbestos abatement of old Police area.
- Ms. Robertson suggested converting the room across from the court entrance into a handicap accessible bathroom.

-Supervisor Shaw stated that he would speak with Mark Malewski, Grant Writer, and NYS Assemblyman Sean Ryan about utilization of funding he offered regarding what purposes particular funding could be used for.

Councilman Connolly spoke on a wide variety of topics affecting the town. He stated that the town should be careful and avoid continuing to take a “Band-aid” approach to fixing problems. Councilman Connolly further cautioned against being “penny-wise and pound foolish” and emphasized that the town was in the midst of a “perfect storm” with a great deal of items that were previously ignored and now need to be addressed. In addition the town currently enjoys an excellent bond rating and percentage rates on borrowed money are at or near historic lows. All of these factors combined create a very enticing environment for borrowing. He encouraged his fellow members to approach the situation with an eye toward the long term rather than short term remedies while reminding everyone that the board should take into account whether a request for funds represents a “need” or a “want” for a department.

Councilman Connolly stated that the “Nike Base” facility, which includes baseball diamonds, softball fields, lacrosse field, BMX track, ice arena, soccer fields, basketball court, playground equipment, and Recreation Department camps, activities, and classes, seemed to be a central component or hub for many of the groups he spoke with. He continued by praising all of the hard work Mr. Rick Nowak, Buildings & Grounds (B&G) Deputy Director, has done for the Nike Base along with the phenomenal results he has achieved. He also commended Martin Denecke, Director of Recreation, Senior and Youth Services, and Pat Ryan, Director of B&G, for their ability to achieve a lot with very little to keep the Nike Base an attractive place for children and their families.

Councilman Connolly introduced the requests for improvements stating that it would take \$1.3 million to bring the Nike Facility, including the grounds & arena, up to date. He gave examples of needed improvements such as separate locker room facilities for female hockey players. The absence of accessible bathroom facilities nearby the baseball and/or softball diamonds is a glaring deficiency, especially during tournaments. Councilman Connolly said that he is unable to think of any other outdoor facility in Western New York that lacks bathroom facilities and volume is too high to only have port-a-johns. The area is very difficult for handicapped persons to navigate (port-a-johns, parking lot, lack of walkways). Councilman Petrie added that in comparison to other areas and states that the facilities in the Town of Hamburg are embarrassing. The Town is missing out on out of area spending because of the poor condition of the facilities.

At the close of the meeting the Town Board summarized the projects brought forward for consideration for funding via bond, grant, or other means. Those items are as follows:

1. Americans with Disabilities Act improvements to the Beach, particularly the bathrooms, and Town Hall
2. Drainage for a few of the hardest hit areas currently being damaged
3. Drainage Study
4. Recreation Needs
 - a. Nike Base – ice arena, bathroom facility, baseball and softball diamonds, parking lots
 - b. Golf course
 - c. Play grounds
5. Paving of town owned lots
6. Information & Technology – equipment, security, software, etc.

A discussion took place about playgrounds centering around identifying particular needs of neighborhoods, converting them to greenspace, or other uses to cater to the needs of the community.

Highway Superintendent Ted Casey spoke about the needs of the Highway Department prior to the close of the meeting.

Drew Reilly of Wendel provided updates for the Board, a copy of which is provided below in its entirety.

The following is an update to the Town Board on Planning Department's projects/activities. Please reach out to me, if you have any questions concerning any of these items.

Rezoning Items:

JSEK Hamburg, LLC - Requesting a rezoning of a portion of 4535 Southwestern Boulevard from C-1 to C-2 in order to construct a car wash facility. The application has been referred by the Town Board to the Planning Board and the Planning Board has been reviewing the application over the last couple of meetings (a traffic impact study has now been submitted). Once the Planning Board finishes their reviews and provides their input to the Town Board, the Town Board can set a public hearing and ultimately make a decision (SEQR and Rezoning) on the application. At the Planning Board's 4/9/20, the Planning Board tabled this item to put together their formal recommendation to the Town Board. The Planning Board made their formal recommendation (voted to recommend denial of the rezoning) at their 4/22/20 meeting and have worked on finalizing their report to the Town Board. The applicant would like the public hearing to occur at a "live" public meeting. Tonight, the Town Board is setting a public hearing for 7/20/20

Monckton Family Trust – Requesting a rezoning at 2819 Lakeview road from C-2 to RA or RE, for the subdivision of the lot into 3 lots for the construction of a single family home. The applicant has withdrawn this request.

Briarwood PUD - potential rezoning for multi-family (applicant requesting C-1 to PUD).

Site to the east of the old Wal-Mart building request for a rezoning from C-1 to R-3 for multi-family housing

Planning Board Meetings:

The Planning Board held their last meetings on 7/1/20. Agenda items included; a site plan request for a coffee shop and co-working space at 4900 Lakeshore road, a two-lot subdivision on Beetow drive, and the Moncton 3 lot subdivision.

Based on the Planning Board's issuance of a SEQR Positive Declaration last year on the AL asphalt plant project, the applicant has submitted a "Draft Scoping Document" dated March 6, 2020. The Planning Board, to meet the deadline of issuing a Final Scoping document, held a special meeting on 4/29/20 to finalize the document. The Final Scope was issued and it has been filed and noticed in accordance with the SEQR law (copy available on the Town's website). We now await the applicant's submittal of a Draft EIS.

Code review committee

- The committee met on 6/24/20, and the following was discussed; Briarwood area rezoning (C-1 to R-3), property to the east of the old Wal-Mart site (C-1 to R-3 for multi-family), the proposed solar law, and other outstanding code items.
- The Committee will meet if any rezoning applications are received or at the request of the Supervisor's office. Some rezoning requests are being considered by a sub-group of the committee.
- The Town Board may want to review the outstanding Code issues and provide direction to the Code Review Committee on prioritizations for 2020. It is also my understanding that the Planning Board is working on a "mixed use zoning district".

I am requesting a meeting with the Town Board in 2020 to discuss Department activities, how we can improve our services to the Town, and what planning issues need our attention in 2020.

Resolutions/Actions/Public Hearings:

There is a public hearing on the proposed solar law tonight.

There is a resolution resetting the public hearing on the "car wash rezoning", and a resolution referring the Open Development Area request to the Planning Board. There is

also a resolution filed on behalf of the Building department to set a public hearing on various code amendments.

A future public hearing will need to be set on a proposed Battery storage law

Other Planning Department activities:

We continue to work with the Comprehensive Plan Committee in preparing for the completion of an update to the Comprehensive Plan. Proposals were received by the Town on May 27.

The Town has been selected for a grant to complete an update to the Town's Waterfront Revitalization Program, LWRP (update and addition of 18 Mile Creek). This effort will need to be coordinated with the Comprehensive Plan Update. The completion of the update to the LWRP could allow for access to other monies to help the Town with the waterfront issues and problems. There are matching funds needed for this grant.

Wendel has been contacted by the County concerning a potential 100% grant financing (EPA) for the construction of the Hamburg Town Park Green Infrastructure project that Wendel completed a feasibility study on in 2018.

We are keeping an eye on the redevelopments of the Eastern Hills and Boulevard Malls with an eye towards what can be done for the McKinley Mall area (before and after receivership issues are resolved). This will be an issue to be addressed in the Comprehensive Plan.

The Conservation Advisory Board is interested in completing an Agricultural Protection Plan and I have provided information to them about this.

Based on last year's Code Review Committee meetings, I am creating a list of Code revisions and issues to be considered by the Town Board and to utilize in the Comprehensive Plan Update.

There is activity and interest in the LECC site, and we have been providing information and input to perspective developers.

I would like to report that Matt Bowling of our office, who has been assisting me with Town of Hamburg Planning work, has been "called up" by the Coast Guard Reserve and will not be available for assistance until at least August.

Finally, there has been great communication between the departments and the Planning Board through this "uncharted territory" and I thank everyone for keeping things moving under these trying conditions. Wendel's staff of 280 design professionals continue to work remotely and stand ready to assist the Town.

MEMO #2

The following memo provides a summary of the Hamburg Solar Law to be presented at the 7/6/20 public hearing:

History/Process

Received Code Committee input in 2018 and 2019

Town Attorney input received in 2019 and 2020

Decided on utilizing the NYSERDA Model Solar Law and adding Hamburg input received

This allowed the Law to be consistent with NYS guidance and with other municipalities, but adding specific Hamburg requirements

Solar Law Summary

Statement of Purpose section

Definitions section

- Defined 3 tiers of solar projects
- Tier 1; Roof mounted and building integrated
- Tier 2; Ground mounted – up to 2000 sf, but not more than 110% of power used
- Tier 3; everything else (up to very large systems)

Summary of procedural and technical requirement for each Tier

Tier 1

- Building permit
- Requirements/restrictions; height, setback, other code issues, glare, fire safety, notifications

Tier 2

- Accessory use by site plan approval in all districts
- Requirements/restrictions; glare, 30 setbacks, height (12'), screening, building code requirements, emergency services, minimize tree removal

Tier 3

- Allowed in Agricultural, Commercial and Industrial zoning districts by SUP/site plan approval.
- Host Community Agreement may be required
- Long list of specific requirements
- Decommissioning, Security, Maintenance Plan
- Solar sky space is applicant's responsibility
- SUP standards

- Greater than 5 acres, more requirements
- Ag impact requirements
- No hazardous substances
- Insurance requirements

Comments Received to Date:

1. Tier 2 Tree Removal; No tree removal should be allowed or 2 for 1 mitigation
2. Screening and Visibility (Tier 2) – too ambiguous; need standards
3. Noise; expert needed, who pays for
4. Safety Plan – emergency service providers need to input on safety issues (can they?)
5. Insurance – Need higher figures
6. Definitions – some confusion about building integrated.
7. Array size in Section XXX-6 a. iii. (array only 150 feet in any direction, in roof and building mounted).

4.

RESOLVED, that the Town Board does hereby adjourn the Special Session at 8:36 PM.

On a motion of Supervisor Shaw, seconded by Councilmember Farrell, the following resolution was ADOPTED 5 - 0

Supervisor Shaw	(Aye)
Councilmember Connolly	(Aye)
Councilmember Farrell	(Aye)
Councilmember Hoak	(Aye)
Councilmember Petrie	(Aye)

Meeting Adjourned at 8:36 PM

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Catherine A. Rybczynski, R.M.C.
Town Clerk