

A Work Session of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Complex Court Room located at 6380 Route 21, Suite II, at 7:00 PM on Tuesday, May 26, 2015. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Michael Bixby
Councilman Thomas D. Watson

ABSENT: None

The Board reviewed bills for payment.

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to enter into Executive Session to discuss real property and a personnel matter on a particular employee at 7:10 PM. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to return to Open Session at 7:15 PM. The motion was carried.

Councilman Bixby arriving at 7:20 PM made a motion, seconded by Councilman Watson, to enter into Executive Session to discuss a personnel matter on a particular employee at 7:21 PM. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Watson, to return to Open Session at 7:24 PM. The motion was carried.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Complex Court Room located at 6380 Route 21, Suite II, following the Worksession at 7:30 PM on Tuesday, May 26, 2015, by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Michael Bixby
Councilman Thomas D. Watson

ABSENT: None

Ram Shrivastava, P.E.; Larsen Engineers, Robyn M. Reynolds, Community Engagement Manager; Robin DeRue, and undersigned Town Clerk was also present.

A notice having been published for a Public Hearing regarding proposed Local Law #2015-2, to amend Chapter 178, "Zoning". Supervisor Hoffman read the rules of a Public Hearing. He declared the Hearing open at 7:31 PM. Supervisor Hoffman explained the changes and the additions to the Local Law. As no one wished to comment or ask questions, the Public Hearing was closed at 7:33 PM with a motion made by Councilman Verno, seconded by Councilman Watson. The motion was carried.

Robyn M. Reynolds, Community Engagement Manager for Climate Action Associates, LLC and is an independent contractor for NYSERDA. Ms. Reynolds gave a presentation on “The Climate Smart Communities Program: NYS Support For Climate Action.” The program is a state and local partnership to meet the economic, social and environmental challenges of climate change. There is no fee to join, no cost to receive support from the Climate Smart Communities Coordinators. There is free tech support available in doing this program. The Climate Smart Community goals are to reduce greenhouse gas emissions, adapt to a changing climate, save tax payer dollars and advance community goals. There are 152 Climate Smart Communities across New York State. The ten (10) Climate Smart Communities Pledge Elements are as follows:

1. Pledge to combat climate change by becoming a “Climate Smart Community”
2. Set goals, inventory emissions and move to action
3. Decrease energy demand for local government operations
4. Encourage renewable energy for local government operations
5. Realize benefits of recycling and other climate smart solid waste management practices
6. Promote climate protection through community land use tools
7. Plan for adaptation to unavoidable climate change
8. Support a green innovation economy
9. Inform and inspire the public
10. Commit to an evolving process

Ms. Reynolds gave several examples of climate smart communities activities in which other communities were doing. She encouraged the Town of Williamson to join. Ram Shrivastava also encourage the Board to join and stated joining would make the Town more acceptable for more grant opportunities.

Public Comment: Robin DeRue stated she was very confused regarding the purpose of this meetings public hearing. She thought it was for changing any parts of the Zoning Code. She explained that the web site was not clear on exactly what the public hearing was for.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to accept and/or file the letters and other forms of communication.

Annual Report from Thatcher Company of New York

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to accept the Consent Agenda containing the following items:

- a. previous minutes: May 12, 2015, May 19, 2015
- b. pay the Library bills as audited by the Library Board of Trustees:
vouchers 15-687 to 15-698 total \$3,622.20
- c. approve the following budgetary transfers

<u>From:</u>	<u>Amount:</u>	<u>To:</u>
Highway Fund		
DA5130.400 Machin Cont	\$37,157.24	DA9785.600 Installment Purchase Prin.
	\$ 795.29	DA9785.700 Installment Purchase Int.

The motion was carried.

Councilman Orbaker presented the following Resolution and moved its adoption. It was seconded by Councilman Watson.

WHEREAS: Genesee Land Trust, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park or trail project to be located on north side of Lake Road in the hamlet of Pultneyville, in the Town of Williamson, a site located within the territorial jurisdiction of this Board; and

WHEREAS: As a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

WHEREAS: Although the Cornwall Family has owned property in Pultneyville for over 200 years that has an important impact on the community, however the family no longer lives in the area and desires to sell the property; and

WHEREAS: The Cornwall property is a key buffer to the historic district in the hamlet of Pultneyville, the Lakeview Cemetery and to Lake Ontario providing important migratory bird habitat and open space; and

WHEREAS: The Genesee Land Trust has entered into a purchase agreement to purchase 74-acres (with 2/3 mile of lakefront) of the property to protect it from development while ensuring public access; and

WHEREAS: Objective 4 of the Town Comprehensive Plan is to "Preserve and protect the Town's unique natural and environmental resources" and lists "working with the Genesee Land Trust to assist in preserving and protecting natural resources, open space, and farmland in the Town"; and

WHEREAS: Genesee Land Trust is not seeking funding from Wayne County, but is applying to New York State and/or Federal preservation grant programs;

NOW, THEREFORE: Be it resolved by this august body that the Board of the Town of Williamson hereby does approve and endorse the application of Genesee Land Trust, Inc. for a grant under the Environmental Protection Fund for a park project known as the Cornwall Lakeside Preservation Project and located within this community.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Michael Bixby
Councilman Thomas D. Watson

NAYES: None

The Resolution was declared adopted.

Councilman Bixby made a motion, seconded by Councilman Verno, to approve the Town Assessor to attend an Assessing Agricultural Property seminar to be held June 24th and 25th, 2015 at Silver Lake, New York. The registration fee is \$175.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to approve the Town Assessor to attend a Valuation of Marinas Seminar on June 5th, 2015 at Crowne Plaza in Lake Placid, New York. The registration fee is \$110.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to approve the Town Assessor's clerk to attend a seminar on Appraising Application to be held July 12th through July 17th, 2015 at Cornell University in Ithaca, New York. The registration fee is \$520.00 with all other necessary and actual expenses to be a Town charge. The motion was carried.

Supervisor Hoffman presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: The Town Clerk's office receives payments for water bills and taxes by way of cash or checks due to the fact that payment by credit card is not available, and

WHEREAS: Some customers wish to make payments using a credit card rather than with a check or money,

NOW THEREFORE, BE IT RESOLVED: That pursuant to and in accordance with the provisions of section 5 of the General Municipal Law, the Town Board of the Town of Williamson agrees to enter into an agreement with Merchant Card Services dated May 14, 2015 for the payment of water bills, taxes, fees, charges and other amounts owing to the Town of Williamson by way of credit card pursuant to the terms and conditions set forth therein, and

BE IT FURTHER RESOLVED: That customers utilizing payment by credit card will be liable for all fees associated with such service.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Michael Bixby
Councilman Thomas D. Watson

NAYES: None

The Resolution was declared adopted.

Councilman Watson presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: The Town of Williamson is undertaking an update to their existing Zoning Ordinance document, and

WHEREAS: The Town Board has reviewed the Environmental Assessment Form submitted for this project, and

WHEREAS: The Project has been identified as a listed, Type I Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has expressed its desire to act as lead agency for SEQRA review purposes, and

WHEREAS: All other potentially involved agencies have been contacted by letter and none have objected to the Town Board of the Town of Williamson acting as lead agency, and

WHEREAS: The Town Board has duly reviewed the EAF, as well as any public comments and any correspondence from interested or involved agencies, and has duly considered the impacts that may be expected from the proposed action and compared the same with the criteria set forth in the applicable SEQRA regulations,

NOW, THEREFORE, BE IT RESOLVED: by the Town Board of the Town of Williamson, Wayne County, New York, as follows:

1. The Town Board hereby declares that it is acting as lead agency for the purpose of SEQRA review concerning the Project and all actions related thereto.
2. Based upon its review and consideration of the EAF and other necessary criteria, the

Town Board hereby finds that (a) the proposed project does constitute a "Type I Action" and that (b) the object of the above-referenced action, therefore will result in no major adverse impacts and, therefore, is not an action which "may have a significant effect on the environment" and that since said action will not have a "significant effect on the environment", no "environmental impact statement" need be prepared, as such quoted terms are defined in the applicable SEQRA Regulations.

3. By reason of the foregoing, the Town Board hereby authorizes and directs the Supervisor to execute and file a Negative Declaration in the form attached hereto and to sign the first page of the Full Environmental Assessment Form designating that the Project and all actions related thereto will not have a significant impact on the environment.
4. The Town Board hereby authorizes the Supervisor to forward, upon request copies of this Resolution and the Negative Declaration to all appropriate agencies.
5. The Town Clerk is hereby directed to maintain for public inspection a file containing a copy of this Resolution, the Negative Declaration and all submissions to date concerning the Environmental Review of this project and all actions related thereto.
6. This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
 Councilman Gary Orbaker
 Councilman Anthony Verno
 Councilman Michael Bixby
 Councilman Thomas D. Watson

NAYES: None

The Resolution was declared adopted.

Councilman Watson made a motion, seconded by Councilman Verno, to adopt proposed Local Law #2, 2015 – to amend Chapter §178, Williamson Town Zoning Code.

The following amendments were added:

- *Article II Zoning Districts Established.*
§178-9. A-1 Agriculture. B. Permitted Uses. Added: (13) Photovoltaic (PV) System – Small and (14) Photovoltaic (PV) System – Large

The following amendments were removed:

- *Article II Zoning Districts Established.*
§178-9. A-1 Agriculture. C. Uses requiring a special use permit. Removed: (20) Photovoltaic (PV) System – Small and (21) Photovoltaic (PV) System – Large

§178-10. Bulk & Use Table for the A-1 Agriculture District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
			<u>Front</u>	<u>side</u>	<u>rear</u>		
Photovoltaic System - Large	2 acres	200	40	20	40	25	35
Photovoltaic System - Small	1 acre	150	40	20	40	25	35

The following amendments were added:

§178-11. L-R Lakefront Residential. B. Permitted Uses. Added: (12) Photovoltaic System – Small

The following amendments were removed:

§178-11. L-R Lakefront Residential. C. Uses requiring a special use permit. Removed: (10) Photovoltaic System – Small

§178-12. Bulk & Use Table for the L-R Lakefront Residential District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
Photovoltaic System - Small	1 acre	100	40	15	40	25	35

The following amendments were added:

§178-13. Residential. B. Permitted Uses. Added: (13) Photovoltaic System – Small

The following amendments were removed:

§178-13. Residential. C. Uses requiring a special use permit. Removed: (12) Photovoltaic System – Small

§178-14. Bulk & Use Table for the Residential District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
Photovoltaic System - Small	.34 acre	100	40	15	40	25	35

The following amendments were added:

§178-15. MU-1 Mixed-Use. B. Permitted Uses. Added: (24) Photovoltaic System – Small

The following amendments were removed:

§178-15. MU-1 Mixed-Use. C. Uses requiring a special use permit. Removed: (16) Photovoltaic System – Small

§178-16. Bulk & Use Table for the MU-1 Mixed-Use District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
Photovoltaic System - Small	5,000 sq. Ft.	30	0-15	15	20	75	35

The following amendments were added:

§178-17. MU-2 Pultneyville Mixed-Use District. B. Permitted Uses. Added: (22) Photovoltaic System – Small

The following amendments were removed:

§178-17. MU-2 Pultneyville Mixed-Use District. C. Uses requiring a special use permit. Removed: (13) Photovoltaic System – Small

§178-18. Bulk & Use Table for the MU-2 Pultneyville Mixed-Use District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
			<u>Front</u>	<u>side</u>	<u>rear</u>		
Photovoltaic System - Small	5,000 sq. Ft.	30	0-15	15	20	75	35

The following amendments were added:

§178-19. C-1 Commercial District. B. Permitted Uses. Added: (9) Photovoltaic System – Small

The following amendments were removed:

§178-19. C-1 Commercial District. C. Uses requiring a special use permit. Removed: (13) Photovoltaic System – Small

§178-20 Bulk & Use Table for the C-1 Commercial District District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
			<u>Front</u>	<u>side</u>	<u>rear</u>		
Photovoltaic System - Small	20,000 sq. Ft.	60	50	15	30	50	35

The following amendments were added:

§178-21. C-2 Transitional Commercial District. B. Permitted Uses. Added: (24) Photovoltaic System – Large & (25) Photovoltaic System – Small

The following amendments were removed:

§178-21. C-2 Transitional Commercial District. C. Uses requiring a special use permit. Removed: (13) Photovoltaic System – Large & (14) Photovoltaic System – Small

§178-22 Bulk & Use Table for the C-2 Transitional Commercial District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
			<u>Front</u>	<u>side</u>	<u>rear</u>		
Photovoltaic System - Large	1 Acre	100	50	20	30	50	35
Photovoltaic System - Small	1 Acre	100	50	20	30	50	35

The following amendments were added:

§178-23. I-1 Industrial District. B. Permitted Uses. Added: (22) Photovoltaic System – Large & (23) Photovoltaic System – Small

The following amendments were removed:

§178-23. I-1 Industrial District. C. Uses requiring a special use permit. Removed: (12) Photovoltaic System – Large & (13) Photovoltaic System – Small

§178-24 Bulk & Use Table for the I-1 Industrial District. Added under “Permitted Accessory Uses” and Removed under “Uses Requiring a Special Use Permit” :

<u>Uses</u>	<u>Min Lot Size</u>	<u>Min Lot Width</u>	<u>Min Set-back(ft.)</u>			<u>Max. Impervious Surface</u>	<u>Max Bldg Ht.</u>
Photovoltaic System - Large	3 Acres	100	50	20	30	50	35
Photovoltaic System - Small	1 Acre	100	50	20	30	50	35

- *Article III Regulations Applicable to All Districts.*

§178-25. Accessory uses and structures. A. General. Added:

1. A photovoltaic system intended to be installed on a property, on which there exists a permitted primary use, be a considered a permitted accessory use.
2. A photovoltaic system as a permitted accessory use, may be installed as either a rooftop mount or within current setbacks as a ground mount.
3. A photovoltaic system installed on vacant land, in other words such that the system be the primary use, require a special use permit.
4. A pre-existing non-conforming lot may install a roof mount photovoltaic system as an accessory permitted use.

§178-57. Photovoltaic Systems. A. Requirements for Application Submittal:

Permit Review and Inspection Timeline: Changed:

Permit determinations will be issued within ~~21 days~~ 14 days upon receipt of complete and accurate applications. The Town will provide feedback within 7 days of receiving incomplete or inaccurate applications. If an inspection is required, a single inspection should be sufficient and will be provided within 14 days of inspection request.

The motion was carried.

Councilman Orbaker presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: A report has been submitted to the Town Board detailing the unsafe condition of bags of garbage and rats, located at 6542 Lake Avenue, Tax ID #65117-08-951981 at a home belonging to Brett A. Griffith, and

WHEREAS: The Town Board of the Town of Williamson has reviewed said report and determined that the conditions at said property are unsafe and/or dangerous, and is a public nuisance, and

NOW, THEREFORE, BE IT RESOLVED: That the Town Board shall hold a Public Hearing on June 23, 2015 at 7:30 PM in accordance with Section 135-7 of the Property Nuisance Abatement Code, and

BE IT FURTHER RESOLVED: That the Town Clerk is ordered to advertise in the appropriate papers the week of June 8th, 2015 for said public hearing, and

BE IT FURTHER RESOLVED: That the Town Board instructs the Town Supervisor to serve a notice to the owners of said property, Brett A. Griffith, 6542 Lake Avenue, Williamson, New York in accordance with Section 135-7, that they will be required to attend the Public Hearing and that they have to commence the amelioration of the code violations sited in the code officers report and that those repairs must be made no later than 60 days upon service of notice.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
 Councilman Gary Orbaker
 Councilman Anthony Verno

Councilman Michael Bixby
Councilman Thomas D. Watson

NAYES: None

The Resolution was declared adopted.

Councilman Verno presented the following Resolution and moved its adoption. It was seconded by Councilman Orbaker.

WHEREAS: The Town of Williamson is proposing to replace watermain on Ridge Road (from Locust to the Williamson Medical Center), Locust Street, Sherman Avenue, Congdon Road (from Locust Street to 4400 Congdon Road), Willow Drive, and Old Ridge Road to be known as the Watermain Replacement Project (the "Project"),

WHEREAS: In order to aid the Town Board in determining whether such project and financing and other related actions of the Town in connection therewith (the "Action") may have a significant effect on the environment, the Town Board has caused to be prepared the appropriate Environmental Assessment Form (EAF), and

WHEREAS: The Project has been identified as an unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has expressed its desire to act as lead agency for SEQRA review purposes, and

WHEREAS: All other potentially involved agencies have been contacted by letter and none have objected to the Town Board of the Town of Williamson acting as lead agency, and

WHEREAS: The Town Board has duly reviewed the EAF, as well as any public comments and any correspondence from interested or involved agencies, and has duly considered the impacts that may be expected from the proposed action and compared the same with the criteria set forth in the applicable SEQRA regulations,

NOW, THEREFORE, BE IT RESOLVED: By the Town Board of the Town of Williamson, Wayne County, New York, as follows:

1. The Town Board hereby declares that it is acting as lead agency for the purpose of SEQRA review concerning the Project and all actions related thereto.
2. Based upon its review and consideration of the EAF and other necessary criteria, the Town Board hereby finds that (a) the proposed project does constitute an "Unlisted Action" and that (b) the object of the above-referenced action, therefore will result in no major adverse impacts and, therefore, is not an action which "may have a significant effect on the environment" and that since said action will not have a "significant effect on the environment", no "environmental impact statement" need be prepared, as such quoted terms are defined in the applicable SEQRA Regulations
3. By reason of the foregoing, the Town Board hereby authorizes and directs the Supervisor to execute and file a Negative Declaration in the form attached hereto and to sign the first page of the Full Environmental Assessment Form designating that the Project and all actions related thereto will not have a significant impact on the environment.
4. The Town Board hereby authorizes the Supervisor to forward, upon request copies of this Resolution and the Negative Declaration to all appropriate agencies.
5. The Town Clerk is hereby directed to maintain for public inspection a file containing a copy of this Resolution, the Negative Declaration and all submissions to date concerning the Environmental Review of this project and all actions related thereto.
6. This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman Michael Bixby
Councilman Thomas D. Watson

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Watson, to direct the Town Clerk to advertise in the official town papers the week of June 1st, 2015, an informational meeting will be held on Saturday, June 6, 2015 at 10:00 am, to inform the residents and businesses about the Solarize Williamson Program. The meeting was initially scheduled for May 23, 2015 but had to be rescheduled. The meeting will be held in the Town Complex Court Room. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to sign an engineering agreement with MRB Associates at a cost of \$17,800.00. The engineering services will be to determine if the 7.5 million reservoir on Route 21 should

be decommissioned, and prepare a report that summarizes the analysis, the alternatives reviewed, a recommendation regarding the need/or not to replace the tank, what tank size and location if replacement is needed. Councilman Bixby made a motion, seconded by Councilman Watson to amend the motion to correct the size of the reservoir to read .75 million. The amended motion was carried.

Public Comment: Robin DeRue asked if the solar project was supplying all the electric to the Town facilities and how much money the solar projects were saving money the Town. She also asked if the Town went out for RFPs on all Town project and if not, why not. The Board responded to her questions.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to pay the following bills as audited:

Abstract Number: # 10
Voucher #s: 15-699 – 15-764

GENERAL FUND	\$ 38,842.31
HIGHWAY	\$ 22,233.22
WATER	\$ 20,795.24
SEWER	\$ 9,364.65
DRAINAGE DISTRICT	\$ 21.61
<u>LIGHTING DIST.</u>	<u>\$ 2,628.98</u>
GRAND TOTAL:	\$ 93,886.01

The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 8:20 P.M. The motion was carried.

Respectfully Submitted,



Town Clerk