

**PUBLIC HEARING ON ZONING UPDATES TO THE COMPREHENSIVE PLAN AT
6 PM**

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE
REGULAR TOWN BOARD MEETING**

November 14, 2016

AGENDA

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- October 24, 2016 Comprehensive Plan Committee Public Hearing on the Comprehensive Plan
- October 24, 2016 Public Hearing on the 2017 Preliminary Budget
- October 24, 2016 Town Board Work Meeting

Public Comment Period

Correspondence

New Business

- Resolution to Adopt the 2017 Budget
- Resolution to Enact Local Law No. 4 of 2016 entitled “Amending the Zoning Law of the Town of New Baltimore”
- Resolution Authorizing the Supervisor to Execute Agreement for Legal Counsel Services for the Mill Street Pump Station and Wastewater Treatment Plant Upgrade Project
- Resolution Adopting a Negative Declaration under SEQRA Regarding the Wastewater System Improvements
- Resolution Authorizing Supervisor to Execute Agreement with Greene County Emergency Medical Systems, Inc.
- Audit of Claims

Upcoming Meetings

- November 28, 2016 Town Board Work Meeting at 7 PM
- December 7, 2016 Town of New Baltimore Senior Activity Committee Christmas Party at Pegasus at 12 Noon, Reservations 756-8076 Required Before November 25
- December 7, 2016 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- December 8, 2016 Planning Board Meeting at 7 PM
- December 12, 2016 Town Board Regular Meeting at 7 PM
- December 26, 2016 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Adjournment

****** Agenda Subject to Change******

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 182-2016
NOVEMBER 14, 2016**

RESOLUTION TO ADOPT THE 2016 BUDGET

BE IT RESOLVED, that following a Public Hearing held on October 24, 2016 regarding the 2017 Preliminary Budget, the Town Board hereby adopts the 2017 Preliminary Budget as the 2017 Final Budget.

**Resolution
of the Town Board of the Town of New Baltimore**

Date: Monday, November 14, 2016

Resolution #: 183-2016

Matter: Enacting Local Law No. 4 of 2016 entitled “Amending the Zoning Law of the Town of New Baltimore”

Motion to adopt this resolution by:

Motion seconded by:

WHEREAS:

1. The Town Board of the Town of New Baltimore created a Comprehensive Plan Committee in or about 2005 to review, study and update, as needed, the Town Comprehensive Plan.
2. Pursuant to the recommendations of the Comprehensive Plan Committee’s recommendations the Town Board of the Town of New Baltimore (“Town Board”) adopted a Comprehensive Plan in or about 2007.
3. The Committee has remained and continued its work and continuous review since such time and recommended an update to the Comprehensive Plan, which the Town has adopted in accordance with the review and recommendation of a certified professional planner.
4. During on-going review and update of the Comprehensive Plan the Committee also drafted several proposed amendments to the Zoning Law and recommended same to the Town Board.
5. Utilizing such recommendation, the Town Board created a final draft of the proposed Zoning Law and Zoning Districts Map amendments.
6. On July 20, 2016, the Town Board referred the proposed Zoning Law to the Greene County Planning Board in accordance with the requirements of Section 239-l and m of the New York State General Municipal Law (GML).
7. On August 18, 2016, in response to the referral, the Greene County Planning Board recommended approval of the proposed Zoning Law with no comments.
8. The Town Board obtained a review and recommendation of a professional planner who also recommended approval of the Zoning Law amendments and new proposed map.
9. On October 24, 2016, the Town Board conducted its environmental review of the proposed Zoning Law in accordance with the requirements of the State Environmental Quality Review Act (SEQRA). Such review was associated with both the Comprehensive Plan amendments and the within zoning law amendments and was accomplished simultaneously in order to avoid segmentation. On that date, at a public meeting of the Town Board, the Town Board acted to:

- A. declare itself to be lead agency for the environmental review under SEQRA;
 - B. classify the proposed action as a Type I action; and
 - C. as the only body with approval power over the proposed action, declared that it would conduct an uncoordinated review.
10. On that same date, further in accordance with the applicable SEQRA regulations, the Town Board prepared an Environmental Assessment Form (EAF) and thereafter duly considered the contents of the EAF. The Town Board reviewed Part 1 of the EAF and upon due review and deliberation, authorized the Town Supervisor to sign the EAF.
11. Also at its meeting on October 24, 2016, after closing the public hearing regarding the Comprehensive Plan amendments, the Town Board, continued its environmental review of the proposed action. In doing so, the Town Board identified the relevant areas of environmental inquiry and took a “hard look” to determine whether the adoption of the proposed Zoning Law would have any significant potential adverse environmental impacts which would require further study and mitigation. The Town Board completed Parts 2 and 3 of the EAF and determined that the adoption of the proposed Zoning Law would not cause any significant potential adverse environmental impacts. In fact, it was noted that the adoption of the proposed Zoning Law would likely have a positive impact on the environment by providing protection of the Town environmental features and resources. The reasons and rationale in support of this determination are set forth in detail in Part 3 of the EAF, the content of which is incorporated by reference herein. The Town Board determined as a result of its hard look and findings set forth above to issue a Negative Declaration under SEQRA as its Determination of Significance, as part of this Resolution and issued a Negative Declaration as its Determination of Significance.
12. Further pursuant to SEQRA, the Town Board authorized the filing of the Negative Declaration (the completed Part 3 of the Full EAF) in the Environmental Notice Bulletin (ENB), according to Part 617 of the SEQRA regulations.
13. On November 14, 2016, the Town Board held a duly noticed and published public hearing held at the Town of New Baltimore Town Hall for the purpose of receiving public comment on the proposed local law amending the Town Zoning Law. During the course of that session of the public hearing, the Town Board did receive such comment from the citizens of New Baltimore and the public.
14. After due deliberation, the Town Board of the Town of New Baltimore determines that it is in the best interest of the Town to adopt the proposed Zoning Law and Map, and that the adoption of the proposed Zoning Law will help achieve the goals of the Town of New Baltimore Comprehensive Plan, protect the health, safety and general welfare of the citizens of the Town of New Baltimore, and will protect and preserve and enhance the lands and environmental resources within the Town.

NOW, THEREFORE BE IT RESOLVED, as follows:

- Section A. Based upon the facts and discussion in the record, upon the purposes set forth and described as part of the Zoning Law, and upon the statements above in this Resolution, the Town Board hereby adopts said Local Law No. 4 of 2015 entitled “*Amendments to the Zoning Law of the Town of New Baltimore*”, and the Zoning District Map included as part of that law.
- Section B. Local Law No. 4 of 2016 entitled “*Zoning Law of the Town of New Baltimore*” shall be become effective immediately upon filing with the Secretary of State and in accordance with the General Municipal Law.
- Section C. We direct the Town Clerk to do the following:
1. Enter the adopted local law and this Resolution in the minutes of this meeting;
 2. File a certified copy of the adopted local law in the Local Law Book of the Town of New Baltimore;
 3. File a copy of said adopted local law with the New York State Secretary of State within twenty (20) days of the date that this Resolution was passed;
 4. Publish a summary or abstract of the Zoning Law once in the official newspaper of the Town and the affidavits of publication shall be filed with the Town Clerk; and
 5. The Town Clerk shall maintain a separate file for each and every map adopted as part of the Zoning Law, or as part of any amendments thereto, and shall file therein the Zoning Map adopted as part of this Zoning Law as well as any maps hereafter adopted and such files shall be available at any time during regular business hours for public inspection.

The above Resolution was put to a Roll Call Vote as follows:

Vote:	AYE	NAY	ABSENT/OTHER
Supervisor Dellisanti	_____	_____	_____
Councilmember Briody	_____	_____	_____
Councilmember Irving	_____	_____	_____
Councilmember Ruso	_____	_____	_____
Councilmember VanEtten	_____	_____	_____

Result: Motion was passed by the following margin: _____

Whereupon, this Resolution was declared adopted by the Town Board of the Town of New Baltimore

Dated: November 14, 2016

Filing: A copy of this resolution was filed in the office of the Town Clerk of the Town of New Baltimore on November ____, 2016.

Barbara M. Finke, Town Clerk

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 184-2016
NOVEMBER 14, 2016**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
FOR LEGAL COUNSEL SERVICES FOR THE MILL STREET PUMP
STATION AND WASTEWATER TREATMENT PLANT UPGRADE PROJECT.**

RESOLVED that Tal G. Rappleyea is hereby retained to assist and provide legal advice, representation including the drafting of required documents in connection with all aspects of, including but not limited to the financing of the Mill Street Pump Station and Wastewater Treatment Plan Upgrade Project.

**Resolution #185-2016 New Baltimore Town Board
Adopted November 14, 2016**

**Wastewater System Improvements
SEQR Lead Agency, Classification and Determination of Significance**

WHEREAS, by resolution dated October 10 2016, the Town of New Baltimore Town Board declared its intention to act as Lead Agency for the conduct of the State Environmental Quality Review (SEQR) process and to undertake a Coordinated Review capital improvements to the wastewater system (hereafter, the "Project"); and

WHEREAS, each involved agency was notified by letter of the Town's intent to act as lead agency and provided with Part I of the Long Environmental Assessment Form (EAF); and

WHEREAS, no other agency has requested in writing to act as lead agency; NOW

THEREFORE, in consideration of the foregoing:

1. The Town Board is the lead agency for the environmental review of the Project.
2. The project is a Type I action under SEQR per 6 NYCRR Part 617.4(b)(9).
3. Review of Part II of the Long EAF results in the determination that the project will not have a significant negative effect on the environment and therefore, a Negative Declaration is hereby adopted along with Part II of the Long EAF as documented in the narrative attached hereto and part hereof.
4. Filing of this Negative Declaration is hereby ordered in accordance with 6 NYCRR Part 617.11.
5. This resolution will take effect immediately.

Motion offered by: _____

Motion seconded by: _____

Supervisor Nick Dellisanti:
Councilman Charles Irving:

Voting Aye_____
Voting Aye_____

Voting Nay_____
Voting Nay_____

Councilwoman Shelly VanEtten:
Councilman Scott Briody :
Councilman Jeff Ruso:

Voting Aye_____
Voting Aye_____
Voting Aye_____

Voting Nay_____
Voting Nay_____
Voting Nay_____

I certify that the above resolution adopted by the New Baltimore Town Board on November 14, 2016 is a true and correct transcript of the original now on file in this office.

Barbara M. Finke
New Baltimore Town Clerk

**NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF SIGNIFICANCE
State Environmental Quality Review (SEQR)**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (SEQR).

The Town of New Baltimore, as lead agency, has determined that the proposed Action described herein will not have a significant effect on the environment and that an Environmental Impact Statement will not be prepared.

DATE: November 14, 2016

NAME OF ACTION: Wastewater System Improvements

LOCATION: Town of New Baltimore, Greene County, New York

SEQR STATUS: Type I

LEAD AGENCY: Town of New Baltimore
3809 County Route 51
Hannacroix, New York 12087

DESCRIPTION OF ACTION:

The Town of New Baltimore intends to upgrade the Town Wastewater Treatment Plant (the “WWTP”) and the Mill Street Pump Station. The Mill Street Pump Station was improved in 2014 as a first phase of work to ensure the public safety and protect surface waters and the environment. The work at the Mill Street Pump Station was a Type II action under SEQR as it involved maintenance, repair and replacement interior to an existing structure without any ground disturbance. The WWTP is in need of improvements to ensure the public safety and protect surface waters and the environment. This work is scheduled to be completed by the end of 2017. A coordinated review has been completed.

Reasons Supporting This Determination:

The Town Board has reviewed the FEAF and the criteria contained in 6 NYCRR §617.7 and has determined that the wastewater improvement project will not have a significant impact on the environment for the following reasons:

As required by §617.7(b), the Town has:

- Considered the Action as defined in subdivisions 617.2(b) and 617.3(g).
- Reviewed the FEAF, the criteria identified in Subdivision (c) of this section and other documentation to identify relevant areas of environmental concern.
- Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
- Set forth herein its written Finding of No Significant Environmental Impact

The following indicators of significant adverse impacts on the environment, as listed in 617.7(c)(1), were considered:

1. Will the Proposed Action result in a physical change to the project site?
Small to moderate impact. Construction at the WWTP site will disturb less than 1 acre of land in an area which has previously been disturbed and filled with approximately 7 feet of fill. No ground was disturbed during the update of the Mill Street Pump Station as it was a repair/replacement project and all work was conducted inside the pump station building.
2. Will there be an effect to any unique or unusual land forms found on the site?
No impact. No such land forms exist in the project area.
3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)?
Small to moderate impact. Construction will take place within 300 feet of the Hudson River and NYSDEC and NWI wetlands. This stretch of the Hudson River, as well as associated flood plains, river banks, and wetlands, is considered a NYSDEC Environmental Remediation Site (546031) as a result of PCB contamination from GE in Fort Edward, NY. No waterbodies will be disturbed by the proposed WWTP project.

In accordance with applicable regulations, a Stormwater Pollution Prevention Plan (SWPP) may be prepared and implemented for the construction so as to mitigate potential impacts to surface water quality. Work will be completed under terms of DEC permits (if required) to mitigate the potential environmental impacts.
4. Will Proposed Action affect any non-protected existing or new body of water?
No impact has been identified.
5. Will Proposed Action affect surface or groundwater quality or quantity?
Small to moderate impact. The action is not expected to affect water quantity, but is expected to have a positive impact on the quality of surface water and groundwater within and downstream of the project area.
6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?
No impact has been identified.
7. Will Proposed Action affect air quality?
No impact has been identified.
8. Will Proposed Action affect any threatened or endangered species?
No impact. No rare or state-listed animals or plants, significant communities or other significant habitats are known to occur within the WWTP site.
9. Will Proposed Action substantially affect non-threatened or non-endangered species?
No impact has been identified.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 186-2016
NOVEMBER 14, 2016**

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT
WITH GREENE COUNTY EMERGENCY MEDICAL SYSTEMS, INC.**

RESOLVED that the Town Board does hereby authorize the Supervisor to execute an agreement with Greene County Emergency Medical Systems, Inc. for the period January 1, 2017-December 31, 2017 at a total cost of \$18,915.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

**RESOLUTION 187-2016
NOVEMBER 14, 2016**

RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS

WHEREAS the Town Clerk has presented claims to the Town Board for audit and review, and

WHEREAS the Town Board has audited claims 2016-11-01 to 2016-11-, it is

REVOLVED that the Supervisor is hereby authorized to pay claims 2016-11-01 to 2016-11-,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until December 31, 2016.