

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

**JANUARY 10, 2022
AGENDA**

Please turn off all cell phones and electronic devices.

Pledge of Allegiance

Approval of Minutes

- December 27, 2021 Public Hearing on Local Law 2
- December 27, 2021 Town Board Work Meeting
- January 1, 2022 Town Board Organizational Meeting

Public Comment Period

New Business

- Resolution to Adopt Provisions of Executive Order 11 Suspending the Requirements of Renewal Applications for Senior Citizens and Individuals with Disabilities and Limited Income as a Condition to Granting Exemptions Under Section 459-C and 467 of the Real Property Tax Law
- Resolution Setting Public Hearing for a Proposed Local Law to Impose a Moratorium on the Processing of Applications for, and the Issuance of any Permits, Certificates of Occupancy and Approvals for Certain Lane Uses Relating to Solar Energy, Including but not Limited to Solar Farms
- Resolution to Establish Water District #2 Use Charges for 2022
- Resolution to Establish Water District #3 Use Charges for 2022
- Audit of Claims

Upcoming Meetings

- January 13, 2022 Planning Board Meeting at 7 PM
- January 17, 2022 Town Offices Closed for Martin Luther King Day
- January 24, 2022 Town Board Work Meeting at 7 PM
- February 2, 2022 Zoning Board of Appeals Meeting at 7:30 PM (If Needed)
- February 10, 2022 Planning Board Meeting at 7 PM
- February 14, 2022 Town Board Regular Meeting at 7 PM
- February 21, 2022 Town Offices Closed for President' Day
- February 28, 2022 Town Board Work Meeting at 7 PM

Public Comment Period/Community Events

Adjournment

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

GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.
5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

This policy will be amended by Majority vote of the Town Board.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 38-2022

JANUARY 10, 2022

**RESOLUTION TO ADOPT PROVISIONS OF EXECUTIVE ORDER 11
SUSPENDING THE REQUIREMENTS OF RENEWAL APPLICATIONS
FOR SENIOR CITIZENS AND INDIVIDUALS WITH DISABILITIES AND LIMITED
INCOME AS A CONDITION TO GRANTING EXEMPTIONS UNDER
SECTION 459-C AND 467 OF THE REAL PROPERTY TAX LAW**

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of New Baltimore and rendered senior citizens and individuals with disabilities residing in the Town of New Baltimore homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of New Baltimore) to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e, senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such person to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if he or she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of New Baltimore wishes to adopt such Resolution directing the Town Assessor of the Town of New Baltimore to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of New Baltimore the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of new Baltimore hereby directs the Town Assessor of the Town of New Baltimore to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;
2. The Town Assessor may, in her sole discretion, require a renewal application to be timely filed with her office if she has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, she shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor's office, 3809 County Route 51, Hannacroix, NY 12087.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 39-2022

JANUARY 10, 2022

**RESOLUTION SETTING PUBLIC HEARING FOR A PROPOSED LOCAL LAW
TO IMPOSE A MORATORIUM ON 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**

BE IT RESOLVED, that the Town Board of the Town of New Baltimore will hold a Public Hearing on Monday, January 24, 2022 at 6:30 PM at the Town Hall, 3809 County Route 51, Hannacroix, New York to hear those members of the public who wish to be heard regarding proposed Local Law 1 of 2022, a Local Law to Impose a Moratorium on 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

PROPOSED LOCAL LAW 1 OF 2022

**A LOCAL LAW TO IMPOSE A MORATORIUM ON 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**

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 New Baltimore 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 New Baltimore Zoning Code concerning this use.

SECTION 2. LEGISLATIVE FINDINGS

The Town of New Baltimore 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 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 New Baltimore.

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 New Baltimore 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 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.

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 40-2022

JANUARY 10, 2022

RESOLUTION TO ESTABLISH WATER DISTRICT #2

USE CHARGES FOR 2022

BE IT RESOLVED that the Town Board hereby establishes the following fees in accordance with the 2022 Budget for Water District #2:

Water Usage	As Per Meter
Debt Payment	\$157.00 Quarterly
Repair Reserve	\$20 Quarterly

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 41-2022

JANUARY 10, 2022

**RESOLUTION TO ESTABLISH WATER DISTRICT #3
USE CHARGES FOR 2022**

BE IT RESOLVED that the Town Board hereby establishes the following fees in accordance with the 2022 Budget for Water District #3:

Operation and Maintenance \$300 Annually/\$75 Quarterly

TOWN OF NEW BALTIMORE, COUNTY OF GREENE

RESOLUTION 42-2022

JANUARY 10, 2022

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 2022-01-01 to 2022-01-, it is

RESOLVED that the Supervisor is hereby authorized to pay claims 2022-01-01 to 2022-01-,

BE IT FURTHER RESOLVED that the Town Clerk will prepare an Abstract and hold it for public review until February 28, 2022