

# HAGUE TOWN BOARD REGULAR MEETING

August 8, 2017

The regular meeting of The Hague town board was held Tuesday August 8,2017 at The Hague Community Center at 6:00pm with the following members present:

Present:

Supervisor Frasier  
M. Fitzgerald II  
G. Kuenzel

M. Cherubini  
S. Ramant

Others present: Janet Hanna- Town Clerk, Cathy Clark- ZEO

A motion made by S. Ramant, seconded by M. Cherubini to open the meeting at 6:00pm to audit bills. All voted aye. Motion carried.

Pledge of Allegiance.

The public hearing was opened. Supervisor Frasier read the public notice.

S. Rust stated that she was for the moratorium and she had given the board a letter at the June meeting.

A motion made by M. Cherubini seconded by G. Kuenzel to close the public meeting at 6:07pm. All voted aye. Motion carried.

On motion made by S. Ramant, seconded by M. Fitzgerald II, IT IS RESOLVED, that the minutes of July 11,2017 be accepted. All voted aye. Motion carried.

## **Welcome Guests/ Privilege of the floor:**

Gene Moran, Pine Orchard, questioned the brevity of the minutes.

Michele Denno, Split Rock Rd., questioned what was happening to the speed limit on Split Rock Road as the petition had been turned in many months ago. S. Ramant was instructed to contact DOT in Warrensburg to get the update.

## **Resolution # 100 Pay Bills**

Resolution introduced by G. Kuenzel and seconded by M. Fitzgerald II.

IT IS RESOLVED, to pay the following warrants as outlined in # 8 -17 for a total of \$24,716.51.

AYES: Supv. Frasier, M. Fitzgerald II, M. Cherubini, S. Ramant, G. Kuenzel

NAYS: None

Carried 5-0

General	\$15,092.87	Sewer	\$2,495.06
Highway	\$4,506.28	Other	\$418.94

**Regular Committee Reports:**

1. Assessor & Justice: (Fitzgerald/Kuenzel)
2. Buildings & Grounds/Community Center/Enhancement: (Fitzgerald/ Cherubini)
  - Screens being made by Aubuchon nearly done.
  - Accurate Seamless Gutters to do the front gutters on the Community Center.
  - Working on replacing the structure around the electrical box, which is rotting, next to the basketball court
  - Checking into replacing the split rail fence and installing new lights for next year.
3. Finance & Insurance: (Ramant/Cherubini)  
No Report
4. Highway: (Fitzgerald/Ramant)  
Letter of appreciation was read from Mr. Sullivan in Sabbath Day Point regarding the work done by highway to stabilize the road.
5. Museum & Historian: (Kuenzel/Ramant)  
Reported that The Hague Historical Society held a program on August 6, 2017 by Chuck D’Imperio about famous graves in upstate New York. They decided that Sunday afternoons were not good for programs as attendance was low.
6. Personnel: (Cherubini/Kuenzel)  
Work is being done to update the Employee Guide.
7. Planning/Zoning/Storm water: (Cherubini/ Kuenzel)  
ZEO Cathy Clark gave the following report:  
Permit Activity

	Month	YTD
• Land Use Development	4	27
• Site Plan Review	0	5
• Subdivisions	0	1
• Variance	0	8
• Wastewater	1	5
• Wastewater Variances	0	0
• <u>Planning Board</u> : July 13, 2017 Chairman Dick Frasier and Board members: Dan Belden, Judy Gourley, Pam Peterson, Bob Whitaker and Martin Fitzgerald were present. One vacancy.		
• The Board made recommendation for denial to the ZBA on two after-the-fact Variances.		
• <u>Zoning Board</u> : meeting of July 11, 2017 Board members: Robert Goetsch, Jon Hanna, Ray Snyder, Chris Navitsky, Maureen Cherubini, Chairman and Linda Mury. Lindsay Mydlarz was absent.		

1. D’ANTONIO (60.5-1-9) 7 Pine Cove Rd. (TR1) VAR 05-17

The ZBA denied this application after-the-fact application for a deck and ordered the existing construction be removed within a reasonable time frame.

2. KOSSBIEL (12.14-1-21) 9651 Lakeshore Drive (OCI) VAR 08-17

The Board felt that they couldn't approve the after-the-fact Variance for a 7' high fence because there were other apparent violations on the property and the neighbors.

A motioned was made to table this application until all violations on this property are investigated and corrected.

- Moratoriums for new solar installations. Public Hearing: the August Town Board meeting.
  - Comprehensive Plan 20/20 vision is now available on the Town's web site and comment period is almost over and a finished document should be ready for the Board review/comments for the Sept. Town Board meeting.
  - The Code Committee met on August 3<sup>rd</sup>. They listed some Codes that they felt needed to be reviewed and went on to discuss and review other town's Solar Codes. The ZEO will contact the state for their assistance and guidance.
8. Recreation & Promotion & Youth: (Ramant/Cherubini)  
Flippancy Fest has given \$500.00 to the town to go towards the Silver Bay Camp.  
S. Ramant is requesting a meeting with Beth Hill from Fort Ticonderoga regarding the fee for Hague residents and why it has changed from past years.
9. Sewer District # 1 & 2: (Frasier/Kuenzel)  
Staff is working with Asset Management Committee identifying parcels that are not connected to the system/ and do not have sewer permits on file.
10. Town Park & Beautification: (Ramant/ Frasier)  
No Report

#### **UNFINISHED BUSINESS:**

Casella contract: Supervisor Frasier and M. Cherubini to look into extending contract to the end of the year so the board can look into other options.

#### **COMMUNICATIONS & PETITION**

##### **NEW BUSINESS:**

#### **RESOLUTION # 98 OF 2017**

#### **LOCAL ORDINANCE 1 OF 2017 ESTABLISHING OF A MORATORIUM ON SOLAR PANELS IN THE TOWN OF HAGUE**

RESOLUTION introduced by M. Fitzgerald II and seconded by G. Kuenzel.

NOW, THEREFORE, BE IT ENACTED BY THE HAGUE TOWN BOARD AS FOLLOWS:

**1. Title and Authority** – This Local Ordinance shall be known as the Town of Hague Solar Panels Moratorium Ordinance. It is adopted pursuant to Municipal Home Rule Law §10.

**2. Purpose** – The Town Board recognizes that solar energy may offer benefits for energy conservation and reduction of reliance on fossil fuels. However, the installation of solar panels may have impacts on neighboring properties including visual impacts and clearing of trees. The Town Board believes that this moratorium is necessary in order to allow the Code Committee and Planning Board time to investigate the relevant issues and adopt a Local Ordinance

regulating solar panels consistent with the development objectives of the Town. It is the intent of the Town Board to adopt a Local Law to address the installation of solar panels in general.

**3. Definitions** – “Solar Panel” means a device that produces electricity from sunlight using photovoltaic cells or other technology and any related equipment and accessories for use in an associated building or buildings or for offsite sale and/or consumption.

**4. Moratorium** – The Town of Hague hereby imposes a moratorium on the construction, installation, review or approval of any solar panels or applications for solar panels commencing ten days after the publication of the new ordinance in the town’s official newspaper and terminated six months after that date. The provisions of this Local Ordinance shall be applicable to any construction, installation, review or approval of any solar panels or applications for solar panels, including any applications which are currently pending, unless all necessary approvals have been obtained and actual physical construction or installation has been substantially commenced as of August 8, 2017. For the purpose of this Local Ordinance, construction, installation, review or approval shall include undertaking of any new or expanded solar panels, issuance of a building permit, application of review standards, conducting a Public Hearing or rendering a final decision or any approval which would in any way authorize the construction, installation or use of solar panels.

**5. Extensions** – This moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Hague.

**6. Variance Procedure** – The Town Board shall have the power, after a Public Hearing, to vary or modify the application of any provision of this Local Ordinance upon its determination that strict application of this Local Ordinance would impose extraordinary hardship upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town. Any request for a variance shall be filed with the Town Clerk. If the Town Board, in its sole discretion, determines to consider the variance application, the Town Board shall conduct a Public Hearing on at least five (5) days’ public notice and make its decision within thirty (30) days after the close of the Public Hearing.

**7. Termination** – This moratorium shall be terminated upon adoption of a Local Law or Ordinance governing the siting, installation, construction and/or use of solar panels in the Town of Hague.

**8. Severability** – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

**9. Effective Date** – This Local ordinance shall take effect after adoption by the Town Board and ten days after the publication of the new ordinance in the town’s official newspaper.

**DULY ADOPTED BY THE FOLLOWING VOTE:**

**AYES:** Supv. Frasier, M. Fitzgerald II, M. Cherubini, S. Ramant, G. Kuenzel

**NAYS** None

Carried 5-0

**RESOLUTION 101 OF 2017 LA Group**

IT IS RESOLVED, that the Supervisor to contract with LA Group to administer the grant for the improvement of our docks.

Resolution introduced by G. Kuenzel, seconded by M. Fitzgerald II.

**DULY ADOPTED BY THE FOLLOWING VOTE:**

**AYES** Supv. Frasier, M. Fitzgerald II, M. Cherubini, S. Ramant, G. Kuenzel

**NAYS** None

Carried 5-0

**RESOLUTION 102 OF 2017**

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH WARREN COUNTY FOR SNOW & ICE REMOVAL, AND SWEEPING.**

Resolution introduced by M. Cherubini, seconded by S. Ramant.

**WHEREAS,** the County of Warren will pay the Town of Hague \$87,507.60 per the attached rate schedule commencing January 1, 2018

**NOW THEREFORE BE IT RESOLVED,** that the Supervisor is hereby authorized to enter into an Amendment Agreement with the County of Warren for Snow & Ice Control on the paved County Roads in the Town of Hague for fiscal year 2018.

**DULY ADOPTED BY THE FOLLOWING VOTE:**

**AYES** Supv. Frasier, M. Fitzgerald II, M. Cherubini, S. Ramant, G. Kuenzel

**NAYS** None

Carried 5-0

**SUPERVISORS REPORT & COUNTY REPORTS:** None

On motion by G. Kuenzel, seconded by M. Cherubini. IT IS RESOLVED, to adjourn the town board meeting at 7:10 PM. All vote aye. Motion carried.

Respectfully submitted,

Janet M. Hanna  
Town Clerk