

HAGUE TOWN BOARD REGULAR MEETING
March 13, 2018

The regular meeting of The Hague Town Board was held Tuesday, March 13, 2018 at The Hague Community Center at 6:00pm with the following members present:

Present:

Supervisor Frasier
J. Patchett

M. Cherubini
S. Ramant

Absent: M. Fitzgerald II

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

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

After the Pledge of Allegiance a moment of silence was held for Peter Spencer, Fred Klingler, Robin Wells, Bob Diaz, and Carol Feibusch

Public Hearing Solar Panel Moratorium

A motion to open the public hearing was made by M. Cherubini, seconded by J. Patchett at 6:15pm. All vote aye. Motion carried.

Supervisor Frasier read the public notice.

No one spoke for or against this ordinance. Edna explained that the committee is very close to finishing the coding, after which it will be presented to the APA and the board. There will be another public hearing later on.

A motion to close the public hearing was made by S. Ramant, seconded by M. Cherubini at 6:17pm. All vote aye. Motion carried.

Public Hearing Chapter 4: Comprehensive Plan

A motion to open the public hearing was made by M. Cherubini, seconded by J. Patchett at 6:18pm. All vote aye. Motion carried.

Supervisor Frasier read the public notice.

No one spoke for or against the Comprehensive Plan.

A motion to close the public hearing was made by M. Cherubini, seconded by S. Ramant at 6:19pm. All vote aye. Motion carried.

Welcome Guests/ Privilege of the floor:

Ginger Kuenzel suggested that a committee be formed to look into banners. Edna said she would do that.

Minutes

On motion made by M. Cherubini, seconded by J. Patchett:

IT IS RESOLVED, that the minutes of February 13, 2018 be accepted. All voted aye. Motion carried.

Resolution # 58 Pay Bills

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

IT IS RESOLVED, to pay the following warrants as outlined in # 3-18 for a total of \$174,210.72.

General	\$7,980.73	Sewer	\$16,919.91
Highway	\$52,169.51	Other	\$97,140.51

Duly adopted by the following vote:

Ayes: Supv. Frasier, M. Cherubini, S. Ramant, J. Patchett

Nays: None

Absent: M.Fitzgerald II

Carried 4-0

Regular Committee Reports:

- Assessor & Justice: (Fitzgerald/Patchett)No report
- Building & Grounds/Community Center/Enhancement: (Fitzgerald /Patchett)
Edna stated that quotes were received for generator repairs and she bought a refrigerator to replace the one in the kitchen.
- Finance & Insurance: (Ramant/Patchett) No report
- Highway: (Fitzgerald/Ramant)
Working on snow removal as we all know.
- Museum & Historian: (Patchett/Ramant)
- They are working on walking tour, developing a brochure, and have ordered signs for town and Sabbath Day Point.
- Personnel: (Cherubini/Fitzgerald)
Mike is working on Employee Manual.
- Planning/Zoning/Storm water: (Cherubini Patchett)
ZEO Report

Permits Activity

	Month	YTD
• Land Use Development	1	7
• Site Plan Review	0	0
• Subdivisions	1	6
• Variance	0	2
• Wastewater	0	0
• Wastewater Variances	0	0

- Planning Board: meeting of March 1, 2018 Chairman Dick Frasier and Board members: Martin Fitzgerald, Dan Belden, Bob Whitaker, Pam Peterson, and Meg Haskell were all present. Judy Gourley was absent.
- Applications in front of the Board:
 1. HASKELL-LAUNDREE-WELLS (26.17-2-42.12) 9110 Lakeshore Dr. (Hamlet) SUB 03-18. A hearing is scheduled for the PB meeting of 4-5-18.
 2. SANTANIELLO (59.20-1-25 & 26) 8417 Lakeshore Dr. (OCIR) SUB 04-18 Lot line change approved without conditions.
 3. UMBRELLA HOUSE/LEDGETOP, LLC (76.8-1-6.1 & 7.1) 8382 Lakeshore Dr. (Hamlet Sec.) SUB 05-18. Lot line change approved without conditions.
 4. SANDMAN (43.5-2-36 & 37) 9 & 11 Streeter Hill (Hamlet/OCI) SUB 06-18 Lot line change approved without conditions.
 5. MOUNTAIN MOTOR RESORATION (25.4-1-15.2) 9663 Graphite Mountain Rd. (OCI) SP 02-17. Modification for an additional 50 boat storage approved.
Referral to the ZBA:
 6. RYTHER (60.5-1-14) 31 Pine Cove Rd (TRI) VAR 02-18
No referral was giving.
- Zoning Board: meeting of February 22, 2018 Acting Chair Jon Hanna and Board members: Ray Snyder, Chris Navitsky, Maureen Cherubini, Linda Mury, and Lindsay Mydlarz. Robert Goetsch was absent.
- Applications in front of the Board:
The board held hearings and approved the following Variance for lot size requests:
 1. MURY (25.4-1-31) 11 Sunset Hill Rd. Var. for a lot line change,
Also in front of the Board:
 1. RYTHER (60.5-1-14) 31 Pine Cove Rd (TRI) VAR 02-18
The applicant is applying for an after-the-fact variance. Zoning issues: 160-50 B. Shoreline & 160-23 A. sideline. The board scheduled a hearing for their March meeting and a Site Visit.
- Recreation & Promotion: (Ramant /Cherubini)
Received a goose permit. Terri Davis will be holding Lifeguard Classes again.
- Sewer District 1&2: (Frasier/Kuenzel)
Letter was sent out to all homeowners not hooked up yet.
- Town Park & Beautification: (Ramant/Frasier)
Music in the park schedule has been finalized and will be on the website.

UNFINISHED BUSINESS:

- An Update on the road resolution. Sam said it will not be paved until 2019, but there is a new engineer in Warrensburg. He has been invited to drive the road. Steve is also going to contact local TV stations.

RESOLUTION # 59 OF 2018

LOCAL ORDINANCE 1 OF 2018 EXTENDING THE MORATORIUM FOR SIX MONTHS ON THE SOLAR PANELS IN THE TOWN OF HAGUE.

RESOLUTION introduced by M. Cherubini and seconded J. Patchett.

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. Cherubini, S. Ramant, J. Patchett

Nays: None

Absent: M. Fitzgerald II

Carried 4-0

RESOLUTION #60 OF 2018 Adopting the Town of Hague Comprehensive Plan

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

WHEREAS, after much deliberation and public input the Committee presented the Town Board with a draft Comprehensive Plan in; and

WHEREAS, the Town Board has carefully considered the comments made by the public and reviewing agencies; and

WHEREAS, the Town Board submitted the draft Comprehensive Plan in December, 2017 and set the hearing on March 13, 2018; and

WHEREAS, the amendments include revisions to, Chapter 4: Goals, Objectives and Recommendations, and

WHEREAS, the Town Board has carefully considered the comments made by the public and reviewing agencies; and

WHEREAS, the Town Board has declared itself Lead Agency pursuant to the State Environmental Quality Review Act and issued a Negative Declaration for adoption of the Comprehensive Plan, and

WHEREAS, the Town Board has carefully considered the comments made by the public and reviewing agencies; and NOW THEREFORE BE IT

RESOLVED, that The Hague Town Board hereby adopts the proposed revisions to the Town of Hague Comprehensive Plan and BE IT FURTHER

RESOLVED, that if adopted, the revised Plan will be sent to Regional Planning Department.

Duly adopted by the following vote:

Ayes: Supv. Frasier, M. Cherubini, S. Ramant, J. Patchett

Nays: None

Absent: M.Fitzgerald II

Carried 4-0

COMMUNICATIONS & PETITIONS:

- Janet Hanna will be attending training by the NYSTCA in Lake George March 19, 2018.

NEW BUSINESS:

RESOLUTION #61 OF 2018 Opposition to Taxable NYS Owned Land Conversion to Pilot

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

WHEREAS, State owned lands are currently assessed by the local municipality where Stated owned land is located, and

WHEREAS, Governor Andrew Cuomo is proposing to convert local assessment of taxable State owned land unto a Payment in Lieu of Taxes(PILOT) program based on existing tax amounts to be increase each year by the allowable levy growth factor, and

WHEREAS, said payment change will result in loss of local assessment of taxable state owned land as well as loss in tax revenue to local municipalities due to changes in value not reflected in a PILOT agreement,

NOW, THEREFORE, BE IT RESOLVED, by the town Board of the Town of Hague that the assessments of Taxable State owned land should remain under the control of the local municipality where such property is located and is hereby opposed to the New York State converting the assessment of the Taxable State owned land into a Payment in Lieu of Taxes, and

BE IT FURTHER RESOLVED, THAT THE Clerk of the Board is hereby authorized to forward a copy of said Resolution to the following persons:

Governor Andrew Cuomo

NYS Senator Elizabeth Little

NYS Assemblyman Daniel Stec

Duly adopted by the following vote:

Ayes: Supv. Frasier, M. Cherubini, S. Ramant, J. Patchett

Nays: None

Absent: M.Fitzgerald II

Carried 4-0

RESOLUTION #62 OF 2018 General Fund Budget

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

RESOLVED, that the Town Board amend the Town Budget for fiscal year 2018 by increasing revenues by \$250 in A00-2771 for scholarship monies received from Town Clerks' association to be used for town clerk training and by increasing the town clerks 2018 appropriations by \$250.00 in A00-1410-400 Town Clerk's contractual expenses

Duly adopted by the following vote:

Ayes: Supv. Frasier, M. Cherubini, S. Ramant, J. Patchett

Nays: None

Absent: M.Fitzgerald II

Carried 4-0

On motion by J. Patchett, seconded by S. Ramant town board, Planning and Zoning Board members are approved to attend Adirondack Park Local Government Day in Lake Placid on April 18, 19, 2018.

Since we did not get any responses from our ad for bids on sand and gravel Edna contacted Pat Armstrong Excavating. They will give us 2-year contract at the same cost as last year. S.Ramant made a motion to accept this contract, J.Patchett seconded. All vote aye. Motion carried.

Addendum

- Received a quote from Westport Marina to do repairs to CC generator.
- Our video from Luzerne Productions on the town is now complete and it is on the website.
- Boat Dock update – Marty and Edna met with Tracey Clothier of LA Group. Mike from Waterfront Solutions needs to do additional surveying now that the ice is gone. Tracey Clothier is getting the needed permits. They plan to hold a Public Informational meeting at the end of April.
- A purchase order for Waterfront Solutions is not in today's warrant we need a motion to write a check for \$2000.00 to Waterfront Solutions. Motion made by S.Ramant, seconded by J.Patchett. All vote aye. Motion carried.

SUPERVISORS REPORT & COUNTY REPORTS: None

On motion by S. Ramant, seconded by M. Cherubini. IT IS RESOLVED, to adjourn the town board meeting at 7:05PM. All vote aye. Motion carried.

Respectfully submitted,

Janet M. Hanna
Town Clerk