

TOWN BOARD MEETING — AUGUST 12, 2020 • 6:00 PM

— COUNCIL MEMBERS PRESENT —

Supervisor Antony Lucenti, Councilwoman Bette Szesny, Councilmen: Rodney Dodge, Joe Juliano and Eric Kane.

Also present were Town Clerk Barbara J. Boulia, Superintendent of Highways Philip Johnson, Codes Enforcement Officer Philip Green, Assessor George Haskell, Chairman John Piseck, Herkimer County I.D.A., Supervisor's Assistant Jeffery Dingman, and Town residents Richard & Jean Finster, ZBA Chairman Ron Beach, Kevin & Lori Otis, Brian Swift, Harry Robbins, and Dale Dodge.

Supervisor Lucenti led the assembled people in the Pledge of Allegiance to the Flag.

Supervisor Lucenti said he wanted to thank Rodney Dodge for fixing the air conditioning at the office building. He said the Town paid for parts and Mr. Dodge donated the labor.

Supervisor Lucenti said he wanted to also thank Joe Juliano for all the work he has done on the Sewer Access Road Project, which has been completed.

— JOHN PISECK, DIRECTOR — HERKIMER COUNTY IDA PILOT PROGRAM —

Supervisor Lucenti introduced John Piseck from Herkimer County I.D.A regarding the Pilot program for the Schuyler Business Park.

John Piseck said he is here tonight because he needs a resolution regarding Pilot Tax Incremental Financing for the 188-acre expansion of the Schuyler Business Park. He said they have been working with the Frankfort Industrial Park, which in the process has created over 900 jobs. He said we need to bring infrastructure, including roads, water, gas and electric, into the parcel in order for the Park to be shovel-ready for development. The Herkimer County IDA asked to borrow funds from Herkimer County for the infrastructure improvement. He said he needs a resolution that would authorize the Chairman of the Legislature to sign an agreement allocating Pilot Payments between Herkimer County Industrial Development Agency, Herkimer County, Town of Schuyler and Frankfort Schuyler Central School District. Mr. Piseck said as businesses come into the park, the Pilot revenue would be split 50% to pay back the County and the other 50% would go to the school, Town and County. The PILOT-TIF would be in effect for all future tenants in the park until the \$900,000.00 is paid back to the County.

Motion by Szesny, second by Juliano authorizing Supervisor Lucenti to sign the above agreement between the Herkimer County IDA and the Town of Schuyler to enter an agreement with Pilot Tax Incremental Financing (Pilot-TIF) in the amount of \$900,000.00 for infrastructure development; all in favor.

— SOLAR PILOT PROGRAM: BY JOHN PISECK —

Mr. Piseck said the City & Town of Little Falls have entered into a Pilot agreement regarding a Solar program, and it has been working out very well for both the Town & Village.

— PAY BILLS —

Motion by Juliano, second by Kane, that the bills for the past month be paid as presented: General #194 to #240, and Highway #142 to #165; all in favor.

— MINUTES: JULY 8, 2020 & AUGUST 10, 2020 —

Motion by Dodge, second by Kane, that the minutes of July 8 and August 10, 2020 be approved as printed; all in favor.

— ASSESSOR'S REPORT: BY GEORGE HASKEL —

Assessor George Haskell said if there are residents who did not pay taxes in 2019, they will be removed from the STAR Program.

— CODES: BY PHILIP GREEN —

Codes Enforcement Officer Green said there are some issues with grass cutting that will be taken care of. He said he has had a couple of complaints.

— SUPERVISOR'S REPORT: BY ANTHONY LUCENTI —

- **INCOME SURVEY — EAST SCHUYLER:** Supervisor Lucenti said on the income survey, to date they have a 35% response on the mailing.
- **WEST SCHUYLER WATER UPDATE — USDA GRANT:** Supervisor Lucenti said they are still waiting for the USDA.

— UPDATE: WATKINS ROAD SOLAR FARM —

ZBA Chairman Ron Beach said he needs a resolution on an agreement for the Decommissioning of the SunEast Watkins Road Solar Project. He said this is a Municipal Cooperation Agreement between the Town of Herkimer and the Town of Schuyler, regarding decommissioning of the project by SunEast Watkins Road Solar, LLC..



Motion by Kane, second by Szesny to authorize the Town Schuyler Supervisor, Anthony Lucenti to enter into to a Municipal Cooperation Agreement between the Town of Herkimer and the Town of Schuyler regarding the decommissioning of the proposed SunEast Watkins Road Solar Project, LLC, for the sum of \$200,000, which SunEast shall provide to the town's financial security (the Decommissioning Assurance); all in favor.

— **C-T ZONING CHANGE OF DEFINITION** —

Supervisor Lucenti said the Planning Board will be reviewing the definition of C-T (Cellular Towers). He said there will be a public hearing on September 9, 2020 at 5:00 P.M.

Motion by Szesny, second by Juliano authorizing the Public Hearing on September 9, 2020 at 5:00 PM regarding C-T definition; all in favor.

— **RESOLUTION ON RECORD RETENTION** —

Supervisor Lucenti said he received a letter from NYS regarding a Model Resolution which states the Town, pursuant to Article 57-A of the Arts and Cultural Affairs Law, regarding legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein. It is further resolved, that in accordance with Article 57-A: Only those records will be disposed that are described in Retention and Disposition Schedule for N.Y. local Government Records (LGS-1) after they have met the minimum retention periods described therein; only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

Motion by Szesny, second by Dodge that the Town of Schuyler will adhere to the Model Resolution pertaining to Article 57-A regarding Retention of Records; all in favor.

— **RULES FOR PUBLIC HEARINGS** —

Supervisor Lucenti said the Planning Board and ZBA will put a time limit on public comment at Public Hearings. They are considering a limit of three minutes, per resident.

— **PLANNING BOARD REQUEST TO EXPLORE LED LIGHTING INCENTIVE** —

Supervisor Lucenti said the Planning Board wanted the Town Board to look into Street Smart LED lighting for the Town of Schuyler. The Town Clerk said National Grid has already said as the old lights need replacement they will be changed to LED Lightening. The Town Board said there is no need for the Town to explore the idea.

— **HIGHWAY REPORT: BY PHILIP JOHNSON, SUPERINTENDENT OF HIGHWAYS** —

- **SEWER ROAD MOWING, GATE CLOSURE & SIGN:** Superintendent of Highways Philip Johnson said in the next few weeks he will go with Joe Juliano and check into the mowing of the Sewer Project road.
- **GRATES AT TOWN BARN:** Superintendent of Highways Philip Johnson said they have been working on the grate system at the Town Barn. He said the Insurance Company said it needed to be fixed. He said they have ordered new grates, and will be working on the floor.

— **GRANT: STERLING CREEK REHABILITATION: BY JOE JULIANO** —

Councilman Joe Juliano with this Covid 19, it has slowed down the project, and they are waiting for an agreement.

— **REPORT BY PARK RANGER** —

The Town Clerk said the park has been booked. and things are okay at the Town Park.

— **WATER BOARD REPORT: BY BETTE SZESNY** —

Councilwoman Szesny said there is a meeting this coming Monday

— **PLANNING BOARD REPORT: BY BETTE SZESNY** —

Councilwoman Szesny they are going to be continuing their review of the Town laws and Zoning Ordinances, as well as a review of the HOCPP Recommendation for the proposed zoning change at their September meeting.

— **RESIDENT COMMENT** —

- Councilman Dodge said the Oneida-Herkimer Solid Waste Authority according to their letter has started a program to make available a demolition crew (including equipment) to demolish abandoned structures owned by a municipality. The Authority will not charge for the crew or equipment. He said if the Town wants anything demolished it must be done in December to March timeframe. He said there is an application that would have to be filled out.
- A town resident thanked Phil Johnson for doing a great job, with Highway.

— **ADJOURNMENT** —

There being no further business to come before the Town Board, the meeting was adjourned at 7:20 PM.

— *Barbara J. Bouliia, Town Clerk*

**SPECIAL MEETING RE: EAST WATER DISTRICT
AUGUST 19, 2020 — 6:00 PM
RE: SEPTEMBER 22, 2020 REFERENDUM — EAST WATER DISTRICT**

Council members present: Supervisor Anthony Lucenti, Councilwoman Bette Szesny, Councilmen: Rodney Dodge, Joe Juliano, and Eric Kane. Also present were: Town Clerk Barbara J. Boulia, Engineer Chris Lawton, ZBA Chairman Ron Beach, Supervisor Assistant Jeffery Dingman, Herkimer County Chairman Jim Bono, and Town Resident Victor Costanza.

Supervisor Lucenti led the assembled persons in the Pledge of Allegiance of the Flag.

Supervisor Lucenti said the purpose of this meeting is regarding the voting on Sept.22, 2020, for the formation of a water District. He said doing this does not lock us into any form of bonding. This is a vote for people who either want water or do not want water.

Herkimer County Legislature Chairman Jim Bono made the announcement that the Herkimer County IDA has received a grant for one million dollars from Northern Border Grant. He said this is to be used on the transmission line for the construction. He said Herkimer County was one of the top receivers for Grants.

Supervisor Lucenti said he spoke to Mr. Grasso (income survey), and Mr. Grasso said we may be able to get a better rate due to hardship financing.

Mr. Jim Bono said he is speaking as a business man rather than a representative from Herkimer County. He said he has a Mobile Home Park, and he wants to know if Pursuant to #233, Real Property Law, if the individual owners have the right to vote. He asked that the Town Board consult with the attorney.

Motion by Szesny and Seconded by Dodge to approve the following resolution; all in favor — motion carried

WHEREAS, the Town Board duly adopted a Resolution and Order on March 11, 2020 to approve formation of the East Schuyler Water District pursuant to Article 12 A of the Town Law; and,

WHEREAS, said Resolution and Order was adopted to a Mandatory Referendum; and,

WHEREAS, A Special Election to consider the Resolution and Order of the Town Board to approve the formation of said water district was previously scheduled for May 12, 2020 from 8:00 AM to 8:00 PM at the Town Hall; and,

WHEREAS, Due to the Covid-19/Corona virus pandemic and the Executive orders issued by Governor Cuomo, as a result, therefore, the date of the referendum was required to be postponed; and,

WHEREAS, Said Special Election to consider the Resolution and Order of the Town Board to approve the formation of said water district has been rescheduled for September 22, 2020 from 8:00 AM to 8:00 PM at the Town Hall, 2090 State Route 5, Utica, NY, and,

WHEREAS, the Town Board desires to adopt Rules for Voting for said Special Election consistent with applicable law,

NOW, THEREFORE BE IT RESOLVED AND ORDERED, that the Town Board hereby adopts the "Rules of Voting" for the September 22, 2020 Special Election on the proposed formation of the East Schuyler Water District, pursuant to Article 12A of the Town Law, and they will be mailed to all property owners.

— Barbara J. Boulia, Town Clerk
