# **DECEMBER 7, 2022 REGULAR MEETING OF THE BOARD OF TRUSTEES**

# **CALL TO ORDER**

Mayor Harter will call the meeting to order with the Pledge to the Flag at 7:30pm.

Board Members Present: *Mayor Harter,* *Trustee Werner-Jahrling,*

*Trustee Roach*

Board Members Absent: *Trustee Fuller, Trustee Olejniczak*

Also Present: *Clerk Wierzbicki, Treasurer Geller, Attorney*

*Cassidy, Engineer Hoffman*

Approximate Number in Audience: **5**

**II. MINUTES**

Motion made by Trustee *Werner-Jahrling* seconded by Trustee *Roach*

to approve the minutes of the November 2nd Regular meeting

**VOTE:**  **YES 3 NO 0 2 Absent**

##### **III. FINANCIAL REPORTS**

1. **Treasurer’s Report**

Motion made by Trustee *Roach* seconded by Trustee *Werner-Jahrling* to accept the Treasurer’s report for November 2022 as submitted.

**VOTE: YES 3 NO 0 2 Absent**

**2. Payment of Vouchers**

Motion made by *Trustee Werner-Jahrling* by Trustee *Roach* seconded by Trustee to approve payment of the vouchers as audited.

**VOTE: YES 3 NO 0 2 Absent**

1. **Transfers**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
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| **Transfers for Fiscal Year 5/31/23 - Dec 7**    **General Fund Expenditures**  ***Account Description* from To**  **Justice Bailiff Salaries 200.00**  **Judicial Equipment and Supplies 200.00**  **(East Tek Security Systems)**    **Garage Heat and Electric 400.00**  **Garage Maintenance 400.00**  **(JM Electric - Compressor)**    **General Fund Contingency 11,400.00**  **Employee State Retirement Contributions 6,800.00**  **Police Retirement Contributions 4,600.00**  **(Higher invoice from NYS than estimate)**  **Building Dept Computer Equipment and Services 400.00**  **Building Dept School Expenditures 400.00**  **(Annual Conference TriCounty NYBOC)**    **Parks Salaries - Other 2,000.00**  **Parks Maintenance 2,000.00**  **(Ice Rink Electric)**    **Mapes and Seward Property Maintenance 1,500.00**  **Parks Equipment and Supplies 1,500.00**  **(Playground Mulch)**    **Water Fund Expenditures**  ***Account Description* from To**    **Plant Maintenance and Repairs 100.00**  **Glenmere Lake Permits 100.00**  **(No budget for Lake Permits - NYS DEC)**    **Sewer Fund**  ***No Sewer Transfers*** |  |  |  | |  | | | |  |
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|  |  |  |  | |  | | | |  |
| Motion by *Trustee Werner-Jahrling* seconded by Trustee *Roach* to approve transfers as presented  **VOTE: YES 3 NO 0 2 Absent** |  |  |  | |  | | | |  |
|  | | | |  | |  |  |

**IV. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS**

1. **FEMA submitted a letter regarding worksheet 1189.**
2. **NYS Office of Homeland Security submitted a Small Project closeout letter regarding FEMA grant 4480DR COVID.**
3. **NYS Deferred Compensation sent a letter regarding a former employee.**
4. **NYSDOT sent a notice regarding 2022-2023 CHIPS PAVE EWR and POP funding.**
5. **Orange County Transportation Council sent notice regarding terms on policy boards.**
6. **NYDOH sent a letter regarding approved specs for the tank cleaning and mixer installation.**
7. **The Village of Monroe sent a fully executed contract for the IMA Weed Harvester.**
8. **The Florida Fire Department sent a letter requesting financial assistance for the Halloween parade.**
9. **Slack Chemical Company sent a price increase for Slack Poly 50.**
10. **NY Rural Water sent a notice announcing an increase in membership dues.**
11. **NYSDOT sent a notice regarding the BRIDGE NY program.**
12. **The First Presbyterian Church submitted a fully executed copy of an agreement regarding 1 North Main St property.**
13. **Vulcan Materials sent a 15% price increase notice on quarries, sand and gravel.**
14. **OCDOH sent a backflow notice for Hearthstone Senior Housing.**
15. **Florida Union Free School District sent a fully executed Sewer contract for 2023.**
16. **Town of Warwick sent a copy of Introductory Local 8 of 2022.**
17. **Roy Rysinger of JCO sent a rate sheet for water testing.**
18. **NYSDOT sent a letter regarding BRIDGE NY.**
19. **Town of Chester sent a copy of Introductory Local Law 4**
20. **Orange County sent over November tax receipts.**
21. **NY State Parks Recreation and Historic Preservation sent a letter regarding the Wastewater Treatment Plant UV system**
22. **The Rug Store sent an estimate of $4590.00 for carpet for the State Police Barracks.**

**V. REPORTS OF THE TRUSTEES/ASSIGNMENTS**

**1. Thomas Fuller – Police, Justice, Emergency Management**

**2. Craig Olejniczak – Recreation & Parks, Animal Control, Buildings/Grounds**

**3. Alyssa Jahrling – DPW, Sewer/ Water, Chamber of Commerce**

**4. Matthew Roach – Building & Planning, Historical**

**There was a brief discussion regarding each department and monthly totals for November.**

**VI. PUBLIC COMMENT – AGENDA ITEMS ONLY**

This opportunity is provided for members of the audience to comment on **any item listed** on the agenda. Please address the Board and limit your comments to five minutes.

Patricia Rotella of Jayne St asked about the BRIDGE NY letter received.

Eng Hoffman stated that there was a grant announcement for 2023 with $150,000,000.00 in funding for bridges with spans greater than 20 feet. Minimum project of $100,000.00. Last year there were 16 awards in New York and none went to Villages. Unfortunately, he does not feel Jayne St would qualify for this grant.

Mayor Harter stated that he has reminded Supervisor Sweeton and he is waiting for FEMA funding.

Greg Kmiecik asked who Vulcan Materials was

Clerk Wierzbicki looked it up and they are out of Vernon.

**VII. UNFINISHED BUSINESS**

1. **Menorah Lighting**

**Motion made by** *Trustee Werner-Jahrling*  **seconded by** *Trustee Roach*  **to approve the scheduling of the annual lighting of the Village Menorah for Tuesday December 20, 2022 at 4:00 PM**

**VOTE: YES 3 NO 0 2 Absent**

**VIII. NEW BUSINESS**

1. **Elections**
2. **No Village Registration Day**

**Motion by *Trustee Roach* seconded by** ***Trustee Werner-Jahrling* to resolve that the Village will not hold a registration day for upcoming elections.**

**VOTE: YES 3 NO 0 2 Absent**

1. **Polling Place**

**Motion by*****Trustee Roach* seconded by** ***Trustee Werner-Jahrling* to hold Village Election at the Senior Center on Cohen Circle between the hours of 12PM-9PM on Tuesday March 21, 2023.**

**VOTE: YES 3 NO 0 2 Absent**

1. **Election Inspectors**

**Motion** **by Trustee *Werner-Jahrling* seconded by Trustee *Roach* to appoint the following Inspectors for March 21, 2023 Election at the rate of $15.00/hour**

**Denise Thibault Machine Operator**

**Evelyne Bottorf Machine Operator**

**Nancy Scott Inspector**

**VOTE: YES 3 NO 0 2 Absent**

1. **Grievance Day**

**Motion by Trustee *Werner-Jahrling* seconded by *Trustee Roach* to approve the scheduling of Property Tax grievance Day for Wednesday February 22, 2022 from 4-8 PM.** **All Grievances must be presented in person or in writing by such time.**

**VOTE: YES 3 NO 0 2 Absent**

1. **H2O Testing Proposal**

**Motion made by *Trustee Roach* seconded by *Trustee Werner-Jahrling* to approve the proposal for water testing by H2O (formerly JCO) to consolidate billing and save funds.**

**VOTE: YES 3 NO 0 2 Absent**

1. **State Police Barracks Carpet Quote**

**Motion by Trustee *Werner-Jahrling* second by Trustee *Roach* to approve quote in the amount of $4590.50 by**

**The Rug Store**

**Route 17M**

**Monroe, NY 10949**

**For the supply and installation of carpet and 4inch vinyl cove**

**VOTE: YES 3 NO 0 2 Absent**

1. **Comprehensive Plan Draft Approval**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO INTRODUCE DRAFT COMPREHENSIVE PLAN**

**WHEREAS, the Village Board of Trustees established a Comprehensive Plan Committee (“Committee”) for the purposes identifying the needs of the Village of Florida to develop a Comprehensive Plan pursuant to § 7-722 of New York State Village Law;**

**WHEREAS, the Village retained the services of Nelson Pope and Voorhies (“NPV”) for the purpose of preparing a draft Comprehensive Plan and Comprehensive Zoning amendments; and**

**WHEREAS, the Committee met on numerous occasions evaluating the needs and goals of the Village and solicited public input. The Committee’s efforts were then utilized by Nelson Pope and Voorhis to develop a draft Comprehensive Plan and Zoning Amendments.**

**NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby introduces the draft Comprehensive Plan to be considered simultaneously with the draft zoning law amendments.**

**BE IT FURTHER RESOLVED that the Draft Comprehensive Plan shall be referred to the Orange County Department of Planning for review pursuant to § 239-m of the General Municipal Law;**

**BE IT FURTHER RESOLVED that a public hearing shall be held on** **February 1st 2023 at 7:30 p.m. or as soon thereafter as may be heard in Village Hall, 33 South Main Street, Florida, NY 10921. The Village Clerk is directed to cause notice to published in the official newspaper at least 10 days in advance of the hearing.**

**Motion by *Trustee Roach* seconded by *Trustee Werner-Jahrling***

**VOTE: YES 3 NO 0 ABSENT 2**

1. **Zoning Local Law**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO INTRODUCE LOCAL LAW 4 OF 2022, A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 119 OF THE VILLAGE OF FLORIDA CODE, ENTITLED “ZONING.”**

**WHEREAS, the Village of Florida has undergone a multi-year comprehensive planning process which included the development of a draft comprehensive plan together with a draft zoning law to implement the goals of the comprehensive plan;**

**WHEREAS, the Village of Florida Comprehensive Plan Committee has provided valuable input toward the development of the draft Comprehensive Plan**

**WHEREAS, the Village Board of Trustees desires to consider the zoning simultaneously with the comprehensive plan to ensure the zoning is consistent with a newly adopted comprehensive plan and to streamline environmental review;**

**NOW THEREFORE BE IT RESOLVED, that Introductory Local Law 4 of 2022, entitled A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 119 OF THE VILLAGE OF FLORIDA CODE, ENTITLED “ZONING” is hereby introduced before the Board of Trustees of the Village of Florida;**

**BE IT FURTHER RESOLVED that said local law, together with the accompanying environmental review shall be referred to the Village of Florida Planning Board in accordance with § 119-35 for its review and written recommendation;**

**BE IT FURTHER RESOLVED that said local law, together with the draft comprehensive plan and accompanying environmental review shall be referred to the Orange County Department of Planning, in accordance with General Municipal Law § 239 et seq.;**

**BE IT FURTHER RESOLVED that a public hearing shall be held on February 1st 2023 at 7:30 p.m. or as soon thereafter as may be heard in Village Hall, 33 South Main Street, Florida, NY 10921**

**BE IT FURTHER RESOLVED that the Village Clerk – Treasurer shall cause public notice to be published in the official newspaper of the Village at least 10 days prior to the hearing date in accordance with § 119-35(C).**

**Motion by Trustee Roach seconded by Trustee Werner-Jahrling**

**VOTE: YES 3 NO 0 ABSENT3**

1. **SEQRA**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO DECLARE LEAD AGENCY PURSUANT TO**

**THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

**WHEREAS, the Village of Florida identified a need to prepare a comprehensive plan and corresponding zoning law to properly plan for growth and development in the Village;**

**WHEREAS, the Village of Florida established a Comprehensive Plan Committee for purposes of facilitating such task;**

**WHEREAS, the Village Board is initiating the adoption process for the Comprehensive Plan pursuant to Village Law 7-722 and the draft zoning law;**

**WHEREAS, the adoption of a comprehensive plan and Village wide zoning amendment is a Type I action pursuant to the State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and**

**WHEREAS, the proposed action will not require permits and approvals from any other local, regional, State or Federal agencies prior to adoption and coordinated SEQR review is not required;**

**NOW THEREFORE BE IT RESOLVED, that the Village Board hereby declares itself as Lead Agency pursuant to SEQR and further declares that the proposed comprehensive plan and zoning amendments constitute a Type I action; and**

**BE IT FURTHER RESOLVED, that the Village Board of Trustees hereby authorizes the circulation of the Full Environmental Assessment Form pursuant to the requirements set forth in SEQR 6 NYCRR Part 617.**

**Motion by Trustee Werner-Jahrling seconded by Trustee Roach**

**VOTE: YES 3 NO 0 ABSENT 2**

1. **Local Law for Battery Storage**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO INTRODUCE LOCAL LAW 5 OF 2022**

**A LOCAL LAW TO REGULATE THE INSTALLATION AND USE OF BATTERY ENERGY STORAGE SYSTEMS AND EQUIPMENT.**

**WHEREAS, there are increasing efforts to install and utilize battery energy storage systems in the region; and**

**WHEREAS, the Village of Florida desires to regulate the installation and use of such systems for the health, safety and welfare of Village of Florida residents;**

**NOW THEREFORE BE IT RESOLVED, that Introductory Local Law 5 of 2022, entitled A LOCAL LAW TO REGULATE THE INSTALLATION AND USE OF BATTERY ENERGY STORAGE SYSTEMS AND EQUIPMENT is hereby introduced before the Board of Trustees of the Village of Florida;**

**BE IT FURTHER RESOLVED that said introductory local law shall be laid upon the desk of each member of the Board; and**

**BE IT FURTHER RESOLVED that a public hearing shall be held on February 1st 2023 at 7:30 p.m. or as soon thereafter as may be heard at the Village of Florida, Village Hall, 33 South Main Street, Florida, NY 10921;**

**BE IT FURTHER RESOLVED that the Village Clerk shall cause to be published public notice in the official newspaper as is required by law.**

**Motion by Trustee Werner-Jahrling seconded by Trustee Roach**

**VOTE: YES 3 NO 0 ABSENT**

1. **Local Law Solar Energy Systems**

**VILLAGE OF FLORIDA**

**VILLAGE BOARD OF TRUSTEES**

**RESOLUTION TO INTRODUCE LOCAL LAW 6 OF 2022**

**A LOCAL LAW TO REGULATE THE INSTALLATION AND USE OF SOLAR ENERGY SYSTEMS**

**WHEREAS, the Village of Florida desires to regulate the installation and use of solar systems the health, safety and welfare of Village of Florida residents and to promote the use of solar energy.**

**NOW THEREFORE BE IT RESOLVED, that Introductory Local Law 6 of 2022, entitled A LOCAL LAW TO REGULATE SOLAR ENERGY SYSTEMS is hereby introduced before the Board of Trustees of the Village of Florida;**

**BE IT FURTHER RESOLVED that said introductory local law shall be laid upon the desk of each member of the Board; and**

**BE IT FURTHER RESOLVED that a public hearing shall be held on February 1st, 2023 at 7:30 p.m. or as soon thereafter as may be heard at the Village of Florida, Village Hall, 33 South Main Street, Florida, NY 10921;**

**BE IT FURTHER RESOLVED that the Village Clerk shall cause to be published public notice in the official newspaper as is required by law.**

**Motion by Trustee Roach seconded by Trustee Werner-Jahrling**

**VOTE: YES 3 NO 0 ABSENT**

1. **Meeting Schedule**

December 21st, 2022 9:30 AM Work Session

January 4th, 2023 9:30 AM Work Session 7:30 PM General Meeting

January 18th, 2023 9:30 AM Work Session

February 1st, 2023 9:30 PM Work Session 7:30 PM General Meeting

February 22, 2023 4:00-8:00 PM Grievance/Budget-General Work Session

1. **PUBLIC COMMENT**

**Greg Kmiecik- what are the Solar and battery Public Hearings referring to? What exactly is the law?**

**Mayor Harter stated that the Village is trying to remain ahead of the curve**

**GK-what are the regulations currently?**

**Attorney Cassidy-There is nothing in the Village code so we have two issues 1. Larger scale projects and 2. Battery storage systems. We based the proposed Local Laws on the New York State Model Local Law.**

**GK-Where is the Comp plan?**

**MH-Ready to be introduced Chairman Scott?**

**BS- Not approved, worked on**

**EC- Initiated the review process to the public certainly subject to change**

**BS-I believe there is a time frame for approval of 45 days**

**EC-cannot vote before 60 days, 30 days for county planning.**

**BS-Is there anything being addressed regarding a moratorium on building?**

**EC-No no moratorium was introduced, not planned or deemed necessary.**

1. **ADJOURNMENT**

**Motion made by Trustee Roach seconded by Trustee Werner-Jahrling to adjourn the meeting at 8:20 PM**

**VOTE:** **YES 3 NO 0 2 Absent**