

5-9-24 Hadley Town Board Meeting Minutes

Supporting documents for this meeting are available in the Town Clerk's Office

5:30 p.m. The Town Board conducted interviews for the vacancy on Town Board.

6:45 p.m. Supervisor Wright called the Public Hearing to order & Public Hearing was held for Proposed **Local Law 1 of 2024 – An Ordinance Regulating the Siting of Solar Generation Facilities in the town of Hadley.**

- Presentation made by Robert Murphy of Barton & Loguidice – authors of proposed **Local Law 1 of 2024.**
- Public Comments;
 - o Doug Dutcher/Chairman of Hadley Planning Board voiced concerns
 - Will they provide Fire Company equipment if needed for access?
 - Will the Decommissioning Escrow fund cover costs?
 - Concern over NYS enacting tax breaks for the Solar Companies. How does that affect the town?
 - **Requested that it be added to the law that Utility Companies guarantee they are able to handle the solar power. Supervisor Wright added – can the planning board require a guarantee that utility company can handle the solar power?**
 - **Attorney Raeann Johnson stated that the proposed Law could be modified to include this request.**
- Councilman Charles Ovitt asked for life expectancy of Solar Facilities
 - o Robert Murphy stated the average is 20-30 years depending on factors but that wasn't his area of expertise.
- Councilman Tim Hilker asked what factors?
 - o Robert Murphy stated technology, but that also wasn't his area of expertise.

7:02 p.m. Supervisor Wright Closed the Public Hearing.

7:03 p.m. Supervisor Wright Called the Town Board Meeting to order and all cited the Pledge of Allegiance.

Members Present: Supervisor Arthur Wright, Highway Superintendent Andrew Gilbert, Attorney Raeann Johnson, Town Clerk Colleen DeMarsh, Board Members; Tim Hilker, James Brewster & Charles Ovitt

Budget Transfers

General

Transfer **\$72.76** from Code 1680.4 (Data Processing) to Code 1670.4 (Central Print)

Transfer **\$12.82** from Code 1620.4 (Buildings) to Code 7510.4 (Historian)

Motion made by Charles Ovitt. Second by James Brewster. All Ayes. Approved.

Approval of Pre-Paid:

General:	\$ 17,977.52	Highway:	\$ 8,785.32
Water 1:	\$ 652.65	Water 2:	\$ 819.66
Sewer:	\$ 442.31	Street Lighting:	\$ 3,670.79
Sewer Capital:	\$ 768.00	HO-23:	\$ 7,079.88

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

Approval of Paying Bills:

General:	\$ 13,947.04	Highway:	\$ 26,438.73
Water 1:	\$ 174.34	Water 2:	\$ 202.32
Sewer:	\$ 1,193.91		

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

Public Comments

- Sue Wilder thanked the town for supporting the Maple in April Festival. They had great weather and it was a huge success.
- She also invited all to support the upcoming Farmer's Markets that begins May 24th - August 30th every Friday at the Fowler Lot from 3-7 p.m.
- She also requested that the town apply grub control at the Fowler Lot.
 - o **Supervisor stated he will call Cleveland Bros.**

Provided in Folders – Minutes from 4/11/24 Town Board Meeting, Proposed Local Law 1 of 2024, Tax Collector's Seasonal Report, Inter-Municipal Agreements for Day & Lake Luzerne for Summer Youth Program, Revised Application Permit for Construction/Alteration of a Driveway (to include paving), Full Environmental Assessment Form Part 1- Project & Setting, Part 2 – Identification of Potential Project Impacts, & Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance.

Reports; April: Monthly Operating, Fuel, Code Enforcement, Senior Group, Town Clerk, DEC, Supervisor, Animal Control

Approval of April Supervisor's Report

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

Acceptance of 4/11/24 Town Board Meeting Minutes
Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

Highway Superintendent's Report

- Highway Superintendent Gilbert reported that there has been an ongoing issue when people install or refinish their driveways. At times the driveway is higher than the road and therefore damage to the driveway and plow can occur. He worked with Attorney Johnson to draft a Revised Application for Permit for Construction/Alteration of a Driveway. **The town board received copies of the revised application and will read it over so that it can be voted on at the June meeting. Councilman Ovitt requested that once the board approved the revised application that it be added in the next Newsletter.**
- He also reported that they will be paving Niblic Road & Eddy Road this summer.
- He also reported that they will be working in Sam Smead Memorial Park to remove some dead trees.

Supervisor's Report

- Supervisor Wright stated that after conducting interviews, he is requesting that the town board appoint Tina Ladd to the Town Board.

Resolution #38

Be it resolved that the Town Board of Hadley hereby appoints Tina Ladd to the Town Board to fill the vacancy from the resignation of Carl Lawrence. The term expires 12-31-2025.

Motion made by Charles Ovitt. Second by James Brewster. All Ayes. Approved.

- He also reported that we need to schedule a Special Meeting to vote on the proposed **Local Law 1 of 2024**. We are unable to vote on it until Saratoga County Planning Board meets for their meeting on May 16th. He requested that the meeting be **May 23rd, 2024 at 4:00 p.m. at Hadley Town Hall.**
Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.
- He also reported an update on Sam Smead Memorial Park Renovations;
 - o Tree work
 - o Replace decking on Bandstand
 - o Re-surfacing tennis and basketball courts & some fencing
 - o Create a pickle ball court
 - o
- He also reported that the town received the appraisal for the property on Stony Creek Road that Adirondack Adventures (Dane Morton) wishes to purchase.
 - o Attorney Johnson recommended that the town do their due diligence and obtain their own appraisal. She voiced concerns over the comparable sales and that they did not include waterfront property. Dane stated that he had trouble obtaining an appraiser due to the

limited amount of recent sales with waterfront property. He stated that he has a name of a company out of Northville that contacted him after he had already hired someone and he will share that information with the Town Attorney.

Resolution #39

Be it resolved that the town board of Hadley hereby approves obtaining an appraisal for the property on Stony Creek Road that Adirondack Adventures (Dane Morton) wishes to purchase.

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

- He also reported that Pam Wright is working on organizing the Cemetery and will keep the board updated with the progress.

Attorney's Report

- Attorney Johnson reported that as requested, she has written the Inter-municipal Agreements with Lake Luzerne & Day for Hadley's Summer Youth Program
- The town of Day agreement will be tabled until they agree to participate.
- She stated the agreement with Lake Luzerne is ready to vote on.

Resolution #40

Be it resolved that the town of Hadley enters into the Inter-Municipal Agreement as written, with the town of Lake Luzerne for Hadley's Summer Youth Program.

Motion made by Tim Hilker. Second by James Brewster. All Ayes. Approved.

- Attorney Johnson also reported that she has written a Right of Way Agreement with Ricky & Nicole McFarlane for a new turnaround location.
- Councilman Tim Hilker questioned why this was done. Superintendent Gilbert stated that the trucks (plows, recycling & garbage trucks etc.) have turned around in their driveway for years but the McFarlane's have requested the change due to spillage from the garbage truck ending up in their driveway and given permission for the town to use a different location on their property.

Resolution #41

Be it resolved that the town board of Hadley hereby approves the Grant of Right of Way and Easement agreement between the town of Hadley and Ricky J.

McFarlane, Jr. and Nicole A. McFarlane residing at 90 Hughes Road in Hadley.

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

- Attorney Johnson also completed a requirement, The SEQRA Environmental Impact Questionnaire for proposed Local Law 1 of 2024 – An Ordinance Regulating the Siting of Solar Generation Facilities in the town of Hadley. She Reviewed Full Environmental Assessment Form Part 1 – Project & Setting, Full Environmental Assessment Form Part 2 – Identification of Potential

Project Impacts, and Full Environmental Assessment Form Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance with the board and the board answered all the required questions and accept and declare a negative declaration SEQRA.

Motion made by Charles Ovitt. Second by Tim Hilker. All Ayes. Approved.

Tax Collector Report

- Tax Collector Pam Wright submitted her end of season financial report for tax collection to the board. She stated that all by 99 parcels were paid. Councilman Tim Hilker inquired when the county makes the town whole. She stated by this month (May).

Youth Director Report

- Youth Director Jean Cieslik requested permission to purchase totes & have shelving installed in basement of Senior/Community Center. She provided Supervisor Wright with pricing.
- **Supervisor Wright will review.**

Town Clerk's Report

- Town Clerk DeMarsh requested that we purchase a new flagpole for the lot across from Rockwell Falls General Store. She requested a larger, heavier duty pole that has a ball at the top to prevent the flags from catching and ripping. She also requested larger flags with lighting to make a statement that the town of Hadley supports our country and veterans.
- **Supervisor Wright will check into it.**
- She also inquired if we can purchase a dog waste station for the park.
- **Supervisor Wright stated will can try again even though vandalism was an issue when we tried it before.**

7:40 p.m. Supervisor Wright entertained a motion to adjourn.

Motion made by James Brewster. Second by Tim Hilker. All Ayes. Approved.

Upcoming Meetings:

5/23/24 4:00 p.m. Special Meeting to vote on Proposed Local Law 1 of 2024.

6/13/24 7:00 p.m. Regular Town Board Meeting