

**Regular March Meeting
April 17, 2024**

ROLL CALL

Supervisor Johnson opened the Regular Town Board Meeting at 6:00 PM with the Pledge of Allegiance to the Flag.

Supervisor called roll with the following results:

Present in person: Councilmen Meyhew, Mallette, Swisher and Olmstead with Clerk Gunn and Superintendent Alfano.

Also attending were Attorney Gilbert, and Zoning Officer Patterson and ZBA Member Aaron Hunziker

MINUTES From Last Meeting

Supervisor Johnson called for a motion from the Board to accept the minutes from the two March Town Board Meetings. These minutes have been emailed in advance to the Council members.

Motion 24-04-01 made by Councilman Mallette, Seconded by Meyhew

Accept the March 2024 Regular Meeting Minutes and the March Special Meeting Minutes.

Motion approved.

BOARD REPORTS

Zoning Officer Patterson: 7 Zoning Permits and 1 Special Use Solar Application on Otter Creek Rd. This was required because the solar units could be viewed from the Road.

Supervisor Johnson reported on communication he had with the Attorney representing the owner of the land within the Sands Cemetery subdivision. She is preparing the legal documents to turn over the land being used as a road to the Town. Acceptance will be made by the Greig Highway Superintendent and the County Superintendent following the easement creation

ATTORNEY REPORT

Mr. Gilbert reported the Court case has produced the agreement documentation. Zoning Officer Patterson said he has received the documents and will be reviewing them with the Town Attorney. They are expected to reply to the Court with comments when complete.

Mr. Gilbert has created a document that could be used as the basis for a “short term rental” law for the Town. He crafted it following the law being used in the Town of Webb. Much discussion was held and decided this should be the topic at a future meeting. Board members were encouraged to work on fine tuning the document prior to any future discussion.

PUBLIC SPEAKS

Aaron Hunziker, representing the Town Zoning Board of Appeals, spoke about a problem the ZBA has when investigating an Appeal of a Zoning Denial. Denials are most often made because a construction will not meet defined Zoning distance allowances. The ZBA Members visit the site, but have no means to identify where the property lines are unless there are surveyor markings. The ZBA feels it should be a requirement for

the appeal petitioner to have the site pre-marked with legal markings. This would make the process of examination and decision easier, without complications and further delays.

The Board discussed how to achieve the results requested. It could be accomplished by having the Zoning Officer notify each person being denied the zoning permit that it is a requirement that the line in question be verified with surveyor markings. Attorney Gilbert says the Town needs to wordsmith the zoning law and vote it as a revised law. Mr. Gilbert indicated he can convert the current digitized document into a word document and start the process for Board review.

OLD/ NEW BUSINESS

Supervisor Johnson discussed the Town Policy for Use of Town Owned buildings and Parks. He has revised the original policy to include the Parks because of scheduling conflicts for use of the Ball Diamond at the Park. In recent years the Ball Diamond was only being used for a softball league. Mr. Hunziker was the person responsible for the use of the field and the schedule of games. This year a Little League Team sought a reserved time for practice. They requested it for practice only, with regular games being played at other fields. Discussion about equipment, storage and use was held. It might be a requirement to have the holes at each base position filled with a plug for safety needs. Mr. Hunziker will look into this.

Mr. Johnson discussed a possible sign at the Green Dump that would inform each user “They Must Stop For Inspection”. This would make it easier for the attendant to accomplish his required duty to insure no unwanted materials are included in the load to be dumped.

Mr. Johnson used a power point discussion tool to elicit comments about the fees being collected by the town for the various permits and services. . The current fee for a service, along with a comparison to other towns in Lewis County for the same service, was displayed. Following changes being decided upon, it was determined that the specific fee be removed from each application form and placed in a single table which will be filed and placed on the Town Website. This will eliminate printed forms being filed with the wrong dollar charge for the service being requested.

Motion 24-04-02 made by Councilman Meyhew, Seconded by Olmstead
Accept the listing of fees for Town of Greig Services
Motion approved.

Fees for Town Permits and Board Appearances

Service	Fee
ZP Principal Structure	\$50
ZP Multi Family	\$50 + \$15 per
ZP Ag Structures & New Additions	\$50
ZP Assessor y Structures/Additions	\$50
Action Requiring Special Board Meeting	\$25
ZP Sign Permit	\$50
ZP Change of Use	\$70
ZP Outdoor Boiler	\$80
PB Lot Line Adjustment	\$70
ZBA Use or Variance	\$150
PB Minor Subdivision	\$50 + \$25 per

PB Major Subdivision	\$250 + \$25 per
PB Special Use	\$70
PB Special Use Renewal	\$70

Supervisor Johnson recommends we remove dollar amounts from each form and post the fee schedule on the website. This would reduce the problem of having the wrong fee paid for any service expected.

Supervisor Johnson requested a motion to create a six month extension of the moratorium – Local Law 2023-7 – halting permits for solar energy collection and battery storage systems.

**Resolution NO. 4 of 2024
Extend The Local Law 7 of 2023 for Six More Months**

On a motion by Councilman Mallette, second by Councilman Swisher, the following resolution was ADOPED Extend Local Law 2023-7 for Six Months. Law will expire on September 30, 2024

Ayes 4 Olmstead, Mayhew, Swisher, Mallette

Nays 0

Extend Greig Local Law #7 of 2023 for Six Months to end on September 30, 2024

TOWN OF GREIG

LOCAL LAW 7 OF 2023

A LOCAL LAW TO impose a moratorium on the acceptance or approval of applications for permits authorizing the construction or emplacement of certain solar energy collectors or generators and battery storage facilities as non-accessory uses in all zoning districts.

Be it enacted by the Town Board of the Town of GREIG as follows: Section 1. Title

This local law shall be referred to as the "local law imposing a moratorium on the acceptance or approval of applications for permits authorizing the construction or emplacement of certain solar energy collectors, generators or battery storage facilities as non-accessory uses in all zoning districts.

Section 2. Definitions

SOLAR ENERGY GENERATOR OR COLLECTOR -For purposes of this Local Law, the term "solar energy generator or collector" shall mean the activity of creating electricity as an alternate energy source from sunlight. As used in this law the term includes all of the infrastructure, equipment and accessories used in the processing and battery storage of sunlight into useable power with a capacity of 25 kilowatts (kw) to 24.99 megawatts (MW). The term does not include solar energy generation or collection as an accessory use to an existing residential, commercial or industrial structure; or installations up to 24.99 kw.

PERSON - For the purposes of this local law, the term "person" shall include an individual, society, club, firm,

partnership, joint venture, corporation, or the association of persons, and the singular shall include the plural number.

TOWN - For the purposes of this local law, the term "Town" shall mean the Town of GREIG.

TOWN BOARD, PLANNING BOARD, and ZONING BOARD OF APPEALS - For the purposes of this local law, the term "Town Board", "Planning Board", and "Zoning Board of Appeals" shall refer to the respective boards established in and for the Town of Greig.

Section 3. Purpose and Intent

Pursuant to the statutory powers vested in the Town of Greig to regulate and control land use and to protect the health, safety, and welfare of its residents, the Town Board of the Town of Greig declares a six month moratorium on the acceptance or approval of applications for permits authorizing the construction or emplacement of solar energy collectors or generators as non-accessory uses in all zoning districts, as well as a moratorium on any activity associated therewith or intending to support such process including the establishment, implementation, placement, or construction of associated infrastructure or similar activity in the Town of Greig

Section 4. Legislative Findings

- A. The Town finds that there may be an increase in the demand for this type of solar energy generator or collector in the Town and that it may receive a number of new applications for, and inquiries about, the establishment or enlargement of energy producing activity within the Town.
- B. The question of integrating such energy production facilities of within the Town's existing pattern of
- C. predominately residential and agricultural land use emphasizes the need for suitable siting, land use standards with reference to energy production facilities, consistent with applicable provisions of law.
- D. The Town Board of the Town of Greig desires to address, in a careful manner, this integration question on a comprehensive Town-wide basis, rather than on an ad hoc basis, and to adopt Local Law provisions to properly regulate the same.

Section 5. Scope and Controls

- A. For the period of six months following the effective date of this local law, no permits requesting approval for non-accessory solar energy generators or collectors as herein defined shall be accepted or approved by any officer or board of the Town of Greig.
- B. During the effective period of this Local Law:
 - 1. The Town Planning Board shall not consider and/or approve any site plan, approve any special use permit or other permit authorizing the construction or emplacement of solar energy collectors or generators as herein defined in all zoning districts within the Town.

2. The Town Zoning Board of Appeals shall not consider and/or grant any variance, special use permit or other permit authorizing the construction or emplacement of solar energy collectors or generators as herein defined in all zoning districts within the Town.
 3. The Zoning or Codes Enforcement Officer of the Town shall not consider or issue any building permit or other permit authorizing the construction or emplacement of solar energy collectors or generators as herein defined in all zoning districts within the Town.
- C. If, within six months, the Town Board adopts a local law relating to the construction or emplacement of solar energy collectors or generators as herein defined, the moratorium imposed by this local law shall expire immediately on the date the local law relating to the construction or emplacement of solar energy collectors or generators as non-accessory uses takes effect in accordance with Section 27 of the Municipal Home Rule Law.

Section 6. Exceptions

This local law shall not apply to applications for permits or approvals of solar energy generators or collectors of capacity below 25 kw, or to be installed as any accessory use or structure to an existing residence or commercial or industrial structure.

Section 7. Term

This moratorium shall be in effect for a period of 6 months from the date of this Resolution

Section 8. Violations

Any person violating any of the provisions of this local law shall be guilty of an offense and upon a conviction thereof, be given a civil penalty of no less than \$500.00 and no more than \$1,000.00 per day for this violation. Each day's violation shall constitute a separate and additional violation. An action may be commenced in a court of competent jurisdiction to recover such penalty. In addition, thereto, violations of this local law shall be subject to being restrained by injunctive relief.

Section 9. Conflict with Other Laws

This Local Law is enacted pursuant to the provision of the Town Law and the Municipal Home Rule Law of the State of New York. During the duration of times that this Law is in effect, it shall take precedence over and shall be considered controlling over contrary laws, ordinances and provisions including, but not limited to, the statutes set forth in the New York Town Law related to zoning and subdivision.

Section 10. Severability

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 11. When Effective

RESOLVED, the Clerk of the Town of Greig be authorized to certify this action.

Supervisor Johnson reported completion of the audit of the Clerk/Collector. One task remains. Collector must provide a copy of his personal tax bill as proof of payment and also verify regular payments were made to the County for collected taxes.

Resolution NO. 5 of 2024
AUDIT OF BOOKS

On a motion by Councilman Olmstead, second by Councilman Meyhew, the following resolution was
ADOPEd Ayes 4 Olmstead, Mayhew, Swisher, Mallette Nays 0

RESOLVED, that the Town Board of the Town of Greig, Lewis County did audit and approve the books of accounts for the Clerk – Tax Collector for the 2023 year and found them to be in good order, correct and true, and be it further

RESOLVED the Clerk of the Town of Greig be authorized to certify this action.

Mr. Johnson requested the Board change the date of the regular Town Board Meeting scheduled for June 18, 2024 to June 12, 2024.

Motion 24-04-03 made by Councilman Mallette, Seconded by Swisher

Change the date for the regular Town Board Meeting for June 2024 to June 12th 2024 at 6:00PM. Clerk will advertise new meeting date and time.

Motion approved.

Supervisor Johnson has reviewed fees currently being charged for the software we are using to manage the Cemetery data. It is an annual charge of \$1100. He wants the Board to decide if it is worth the cost. Discussion discovered we have a computer tablet that was purchased as a tool for the sexton to use as well as a laptop. The tablet is missing. We will continue to search for it. The remaining question was if the software is being used. Councilman Meyhew has been working with the sexton and will continue to try to get the computer into more use.

Supervisor Johnson has also reviewed charges for perpetual care at the cemeteries. He feels that any urn being placed at the cemetery without the need of excavation should require a charge of \$450 based on the effort to maintain the cemetery.

Councilman Swisher was excused from the meeting.

Motion 24-04-04 made by Councilman Olmstead, Seconded by Mallette

Set a charge of \$450 for the placement of an urn in the Cemeteries of Greig without requirement of excavation.

Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No

Motion Approved

Supervisor Johnson reports on research of “Port-a-Potties” as a possible solution to the Town Park Bathroom issue. The rental is \$140 per month per device. Mr. Johnson has purchased magnetic door locks, which are automatically set on and off by a clock. This will insure the rooms are secure during the hours the park is closed.

Supervisor Johnson has had trouble finding a contractor to provide a quote for preparing the surface beneath the playground equipment that meets Insurance Company requests and State Guidelines for proper depth and material to provide a safe cushion for users. Also we need to have a new equipment piece installed. Councilman Olmstead said he would find some people interested in doing the work. Councilman Olmstead also commented on the surface of the slide as needing repair or replacement.

Supervisor Johnson is requesting a motion moving money from the Contingency Account and placing it into the Highway Superintend Account to cover unexpected money connected with Ken Kirkbride expense from last year.

Motion 24-04-05 made by Councilman Mallette, Seconded by Olmstead
Transfer \$1796 from the A1990.4 Contingency Account into the into A5010.4 Supt of Highway Account
Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No
Motion Approved

Supervisor Johnson requests a resolution to move money from the Building Reserve Fund into the Capital Equipment Reserve Fund

Resolution NO. 6 of 2024
TRANSFER MONEY BETWEEN FUNDS

On a motion by Councilman Mallette, second by Councilman Olmstead, the following resolution was
ADOPEd Ayes 3 Olmstead, Mayhew, Mallette Nays1 Absent Swisher

RESOLVED, that the Town Board of the Town of Greig, Lewis County did receive a request from Supervisor Johnson to transfer twelve thousand seven hundred ten and 00/100 dollars from the A962 Building Reserve Fund to the A1640.2 Central Garage Expense Account to meet unexpected expense demands, and be it further

RESOLVED the Clerk of the Town of Greig be authorized to certify this action.

SUPERINTENDENT REPORT

Superintendent Alfano reported:

His department has started to sweep the sand from the roads.

His department has started work preparing S. Chases Lake Road for the planned work this summer.

There was an accident where one of the Town Trucks backed over a York Rake. The rake has been damaged beyond repair. It was suggested Mr. Alfano place an insurance claim to see if the item would be covered by town insurance. The replacement cost is \$8900. Superintend Alfano stated the rake was critical to the work the men are doing.

Motion 24-04-06 made by Councilman Mallette, Seconded by Olmstead
Authorize Superintend Alfano to place an order for a replacement York Rake.
Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No
Motion Approved

CLERKS REPORT

Clerk Gunn distributed the March 2024 report by email to Board Members. Report contained details of the following financial actions:

There were general fund collections of:

3 Dog Licenses	\$ 12.00
7 Zoning Permits	\$ 350.00
10 Certified Copies	\$ 100.00
Total Collections:	\$ 462.00

The expenditures were:

Town Supervisor as Revenue	\$ 459.00
State Ag & Mkts	\$ 3.00
Total Payments	\$ 462.00

Tax Tax Collections

Total Collections March 2024	\$ 64,160.85
Total Payments March 2024	\$ 0.00
Bank Balance end of March 2024	\$ 195,001.54

Motion 24-04-07: made by Councilman Mallette, Seconded by Mayhew
Approve Clerk's financial report as presented.

Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No

Motion Approved

SUPERVISORS REPORT

Mr. Johnson reports he sent March Financial Report via email to Town Board Members. He then reviewed important aspects of the financial information using a projected copy of the report

Motion 24-04-08 Made by Councilman Mallette, Seconded by Mayhew
Approve Supervisor Johnson's presentation and report.

Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No

Motion approved.

VOUCHER REPORT

March 2024 Abstracts containing to be paid vouchers were reviewed by the Board.

Totals expended by fund were:

General Fund	13,922.54
Highway Fund	17,131.83
Trust & Agency	1,327.37
Total paid in March 2024 Abstracts =	\$32,381.74

Motion 24-04-09: made by Councilman Olmstead, Seconded by Mallette
Approve Vouchers

Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No

Motion Approved

Being no further business brought forward,

Motion 24-04-10 made by Councilman Mallette, Seconded by Mayhew

Motion to adjourn 09:18PM

Vote: Olmstead, Meyhew and Mallette Yes Absent Swisher No

Motion approved.

Respectfully submitted

Thomas Gunn, Clerk