

SPECIAL TOWN BOARD MEETING

FEBRUARY 23, 2017

The Pleasant Valley Town Board held a Special Town Board Meeting on Thursday, February 23, 2017 at 6:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

PRESENT: Steve Albrecht Councilman
Janet Gross Councilwoman
Jon Nicholson Councilman
Mark Figliozi Supervisor

ABSENT: Nick Becker Councilman

PRESIDING OFFICER: Mark Figliozi, Supervisor

RECORDING SECRETARY: Margaret Hart, Town Clerk

Item # 1 – Introduce Local Law No. X of 2017 “Entitled Solar Energy Systems”:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 72/2017

RE: INTRODUCING LOCAL LAW NO. ____ OF THE YEAR 2017, “A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, DUTCHESS COUNTY, NEW YORK TO AMEND CHAPTER 98, ZONING, OF THE PLEASANT VALLEY TOWN CODE TO ADD A NEW SECTION 98 - _____ ENTITLED SOLAR ENERGY SYSTEMS.”

WHEREAS, in recent years there has been a substantial increase in interest in the installation of Solar Energy Systems in the Town of Pleasant Valley; and

WHEREAS, there are currently no provisions in the Town of Pleasant Valley Zoning Code to control the placement of Solar Energy Systems in the Town of Pleasant Valley; and

WHEREAS, solar energy is a renewable energy resource that can prevent fossil fuel emissions and reduce the demand for the production and transmission of electricity from large scale power plants; and

WHEREAS, the installation of solar energy systems can reduce the energy bills of the property owner; and

WHEREAS, the Town Board is considering the adoption of Local Law No. X of the Year 2017 which would create zoning provisions for the regulation of Solar Energy Systems; and

WHEREAS, the Town Board has determined that the proposed action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the proposed local law is an action for which there are no other involved agencies and that the Town Board is therefore the Lead Agency for this action; now, therefore, be it

RESOLVED, that the Town Board hereby introduces for adoption Local Law No. X of the Year 2017 in the form annexed hereto; and be it further

RESOLVED, that the Town Board is the only agency having approval authority for the adoption of this local law and is therefore Lead Agency for the purpose of SEQRA; and be it further

RESOLVED, that the Town Board determines that the enactment of the aforementioned Local Law is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and be it further

RESOLVED, that the Town Board hereby schedules a Public Hearing on the proposed adoption of Local Law No. X of the Year 2017 to be held at Town Hall, 1554 Main Street, Pleasant Valley, New York on the 8th day of March, 2017, at 7:00 p.m., and the Town Clerk is directed to post the Notice of the

Public Hearing in the form annexed hereto and to publish same in the Poughkeepsie Journal as required by law; and be it further

RESOLVED, that the Town Board further directs the Town Clerk to act as follows with respect to the proposed Local Law:

a. To serve a copy of this Resolution, the annexed proposed Local Law, Part 1 of the Full Environmental Assessment Form and the Public Hearing Notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing.

b. To serve a copy of this Resolution and the annexed proposed Local Law and Part 1 of the Full Environmental Assessment Form to the Dutchess County Department of Planning and Development for Advisory Review in accordance with §239-m. of the General Municipal Law; and

c. To serve a copy of this Resolution and the annexed proposed Local Law, Part 1 of the Full Environmental Assessment Form, and the Public Hearing Notice to the Town of Pleasant Valley Planning Board for its review and recommendation pursuant to § 98-101 of the Zoning Code.

d. To serve a copy of the proposed Local Law to the Department of Agriculture and Markets for review pursuant to § 305-a of the New York State Agriculture and Markets Law.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilwoman Gross

DATED: February 23, 2017

ROLL CALL:	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Albrecht	X		

Councilman Becker		X
Councilwoman Gross	X	
Councilman Nicholson	X	
Supervisor Figliozi	X	

Carried.

DISCUSSION:

Supervisor Figliozi stated that he and Rebecca Seaman, Chairwoman, Pleasant Valley Planning Board have reviewed the proposed Local Law.

Councilman Nicholson would like to see it noted in the local law that the solar systems can't be placed over any septic systems.

Town Attorney, Scott Volkman stated if appropriate it can be added to the local law after the Public Hearing. The plan is to adopt it at the April 12, 2017 Regular Town Board Meeting but if we have to have a continuation into April the Town Board would still be able to adopt it by May before the moratorium expires and the building season begins.

Item # 2 – Adoption of Town Hall Art Display Policy:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 73/2017

RE: ADOPTION OF TOWN HALL ART DISPLAY POLICY

WHEREAS, in accordance with the Town of Pleasant Valley Town Hall Use Policy the Town Board of the Town of Pleasant Valley recognizes that the Town Hall is a community asset which would be available for various community activities and to benefit the quality of life in Pleasant Valley; and

WHEREAS, art is deemed to confer a public benefit; and

WHEREAS, recognizing the value that art work, general and local artists in particular, bring to the community the Town Board is interested in allowing local artists to showcase their work in Town Hall;

and

WHEREAS, in order to accommodate the potential for art work displays the Town Board has determined that the establishment of a Town Hall Art Display Policy would be necessary and appropriate; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts the Town of Pleasant Valley Town Hall Art Display Policy as annexed hereto; and be it further

RESOLVED, that the policy shall form the basis for an agreement to be executed by the Supervisor on behalf of the Town Board and the artist or their parent or guardian in substantially the same form as annexed hereto.

MOTIONED BY: Councilwoman Gross

SECONDED BY: Councilman Albrecht

DATED: February 23, 2017

ROLL CALL:	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Albrecht	X		
Councilman Becker			X
Councilwoman Gross	X		
Councilman Nicholson	X		
Supervisor Figliozi	X		
Carried.			

DISCUSSION:

The Town Board had discussion on the art work and insurance coverage.

Item # 3 – Appoint Board of Ethics Member:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 74/2017

RE: APPOINTMENT TO THE BOARD OF ETHICS

WHEREAS, there now exists on the Town of Pleasant Valley Board of Ethics a vacancy due to the resignation Jo Ann Feigenheimer; and

WHEREAS, Penny Hickman has expressed an interest in being appointed to a position on the Board of Ethics; now, therefore be it

RESOLVED, that the Town Board of the Town of Pleasant Valley does hereby designate and appoint Penny Hickman to the Board of Ethics, to fill the unexpired term effective immediately as follows:

<u>Appointment</u>	<u>Term Expires</u>
Penny Hickman	December 31, 2019

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilwoman Gross

DATED: February 23, 2017

ROLL CALL:	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Albrecht	X		
Councilman Becker			X
Councilwoman Gross	X		
Councilman Nicholson	X		
Supervisor Figliozi	X		

Carried.

ADJOURN:

Motion by Supervisor Figliozi, seconded by Councilman Nicholson the Town Board adjourned the meeting at 6:36PM, carried.

Respectfully Submitted,

Margaret Hart, Town Clerk