

REGULAR MONTHLY MEETING MAY 10TH 2022

The regular monthly meeting of the Mayfield Town Board was held on May 10th 2022 at the Mayfield Municipal Complex, 28 N. School St. Mayfield NY 12117 at 6:30 PM. The meeting was opened by Supervisor Richard Argotsinger with the Pledge of Allegiance.

PRESENT: Supervisor Richard Argotsinger
Councilman Ralph Desiderio
Councilwoman Melissa Mazzarelli
Councilman Jack Putman
Councilman Thomas Ruliffson

ALSO PRESENT: CEO/BI Damon Curley, Highway Superintendent Jeff Martin, Fulton County Planning Director Scott Henze, Lance Winney, Tina Winney, Rachele Winney, Christine Goossens, Jon Close, Eric Close, Bobbi Ricciardi, John Canary, Tim Canary, Todd Montanye, Bob Murphy, Peter Stearns, Marilyn Salvione, Nathan Matthews

PUBLIC COMMENT: Bob Murphy stated his driveway did not wash out.

DEPARTMENT REPORTS:

CEO/BI Damon Curley submitted his report stating 21 reports were issued, the planning board reviewed a zoning change request and recommended the Town Board do not grant the change. The planning board will meet on the 18th to review a proposed storage facility and re-convene the public hearing on the Woods Hollow area campground. 5 Violation letters were sent out.

DEMOLITION PERMITS: NSYDOL requires asbestos surveys to be performed on ANY structure being demolished or materials being removed. We now need to require a building permit and asbestos survey in order to remove existing roofing materials.

No open burning until May 15th.

Gov. Kathy Hochul signed two pieces of legislation to expand transparency in government and ensure an open process at the state and local levels, including significant amendment to the states' Open Meetings Law. The measures Hochul signed into law require documents that will be discussed at open meeting to be made available at least 24 hours beforehand. Documents that will be discussed at all public municipal meetings, and any proposed resolution, law, rule, regulation, policy or amendment must be made available to the public on request or posted on the government entity's website at least 24 hours in advance of the start of the meeting, according to the law. The state Open Meetings Law requires meeting document be posted online "to the extent practicable".

HIGHWAY SUPERINTENDENT Jeff Martin submitted his report stating that one of the Town Trucks was damaged by a falling tree during the last storm, tree limbs are still being chipped from that storm. OSHA had training with 3 other towns at the Town Barn. The beach road has been graded and we are ready to mow. The garbage day for the Village is now on Mondays and we are working to make garbage collection a 3 day collection schedule. Town

wide cleanup days are this weekend. We will start 10 hour days next week. Putting in culverts to get ready for paving. Gray Rd is waiting for the culvert pipe.

Lengthy paving discussion: budget amendment as follows:

RES #86 On motion by Councilman Ruliffson, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves a motion to amend the 2022 budget by Department of Transportation (CHIPS) State Aid Funds being granted and carried forward as follows:

Increase appropriations by line item DB5112.2 – Capital Improvement – CHIPS - \$398,750 (total line-\$518,750)

Increase revenues by line item DB 3501 – State Aid – Transportation – Consolidated Hwy Aid - \$318,750 (total line - \$518,750)

RES #87 On motion by Councilman Putman, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the bid from Empire Paving for the 2022 paving with bids as follows:

Empire Paving	\$78.42 per ton
Callanan Paving	\$88.54 per ton
Peter Luizzi	approx. \$100.00 per ton

Scott Henze from the Fulton County Planning Department went over all the necessary steps for completing a State Environmental Quality Review (SEQR).

RES #88 On motion by Councilman Desiderio, seconded by Supervisor Argotsinger the following resolution was adopted 3 AYES (Argotsinger, Desiderio, Ruliffson) 2 NOES (Mazzarelli, Putman)

RESOLVED that the Mayfield Town Board adopts a
RESOLUTION CLASSIFYING THE PROPOSED ADOPTION OF LOCAL LAW #1 OF 2022 TO AMEND THE TOWN OF MAYFIELD ZONING LAW AS IT PERTAINS TO SOLAR FARM PROVISIONS AS A TYPE 1 ACTION UNDER 6 NYCRR PART 617 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) AND TO DECLARE THAT THE TOWN BOARD ACT AS THE SEQR LEAD AGENCY FOR THE PURPOSE OF ISSUING A DETERMINATION OF SIGNIFICANCE

WHEREAS, the Town Board of the Town of Mayfield is proposing to make minor amendments to the Town's Zoning Regulations as it pertains to solar farm provisions, including several text changes to Article V, Section 508-3 and Article III Table 301: Zoning Uses of the Town of Mayfield Zoning Law, and

WHEREAS, said recommendations were made by the Town of Mayfield Planning Board and forwarded to the Town Board via letter correspondence dated October 23, 2020, and

WHEREAS, a Full Environmental Assessment Form for the proposed action has been prepared and no other agency has been identified having involvement with this proposed action;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board declares itself as the Lead Agency with no other involved agency being identified.

OPEN PUBLIC HEARING FOR Local Law No.1 of 2022 at 7:00 PM

PUBLIC COMMENTS:

John Canary spoke against the Local Law stating he should be allowed to do what he wants to with his property, and the setbacks in the Local Law are unreasonable, and will shut his project down. Jon Close stated that his solar plan is over 25 megawatts and out of any Town Control. Christine Goossens spoke in favor of solar development. Jon Close also stated that people complain about the view of solar farms, and that farmers are not paid to provide a view.

At this time the Town resumed normal Town Business and the Public Hearing remained open. SUPERVISOR Richard Argotsinger gave his report stating that sales tax is up for this quarter, and the County Plowing and Salting contract should be increased from \$5000 a mile to \$10,000 per mile for plowing and salting County Hwy 123 and County Hwy 146.

BEACH DIRECTOR Parris Beach submitted to the Town Board a proposal from Fulton County Department of Public Health for the installation of Sun Screen dispensers at the Town Beach, with the Town purchasing the sunscreen from the Department of Public Health.

RES #89 On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Boards declines the installation of Sun Screen Dispensers at the Town Beach

SET OPENING AND CLOSING OF TOWN BEACH

RES #90 On motion by Councilman Desiderio, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Beach will open June 26th 2022 and Close August 28th 2022 with the possibility of remaining open until September 5th if there are lifeguards available.

Councilman Ruliffson stated that he is having a new beach sign made and Councilman Putman stated that the Town of Broadalbin is not opening their beach and we may have access to their beach equipment. Councilman Putman also stated he will contact HRBRRD in regards to a work permit for tree removal and concrete for anchors for the picnic tables.

NYMIR completed their audit and stated that the Town Clerk has a book for "Notice of Defects", and the Town Barn should have a sprinkler system installed. Discussion followed and sprinklers will be discussed again at budget time.

ASSESSOR Connie Henry stated that the Tentative Roll has been filed and Grievance day is Tuesday, May 24th from 1pm to 3pm and 6pm to 8pm. Also, on April 29th 2022, a New York State Supreme Court Justice issued a temporary restraining order against implementation of the state's final wind and solar appraisal model.

OLD BUSINESS

Short Term Rentals is being put into final form by Town Attorney Carmel Greco.

2 Zoning requests were received

RES # 91 On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board will Table any decisions until further review.
Records storage was tabled until June meeting.

Bookkeeper has updated his software and does not have to wait until Budget time.

RES #92 On motion by Councilwoman Mazzarelli, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board accepts the proposal from Harris Local Government for the software updates.

CLOSE PUBLIC HEARING

On motion by Councilman Putman, seconded by Councilwoman Mazzarelli the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board closed the Public Hearing on Local Law No. 1 of 2022 at 8:03 PM

Scott Henze from the Fulton County Planning Department went over the completed SEQR.

RES #93 On motion by Councilman Desiderio, seconded by Supervisor Argotsinger the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board adopts a

RESOLUTION TO ISSUE A NEGATIVE DECLARATION UNDER 6 NYCRR PART 617 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR THE PROPOSED ADOPTION OF LOCAL LAW NO. 1 OF 2022 TO AMEND THE TOWN OF MAYFIELD ZONING LAW AS IT PERTAINS TO SOLAR FARM PROVISIONS

WHEREAS, the Town board of the Town of Mayfield is proposing to make minor amendments to the Town's Zoning Regulations as it pertains to solar farm provisions, includes several text changes to Article V, Section 508-3 and Article III Table 301: Zoning Uses of the Town of Mayfield Zoning Law, and

WHEREAS, said recommendations were made by the Town of Mayfield Planning Board and forwarded to the Town Board via letter correspondence dated October 23, 2020, and

WHEREAS, a Full Environmental Assessment Form for the proposed action has been prepared and no other agency has been identified having involvement with said proposed action; and

WHEREAS, the Town board, acting as the Lead Agency classified the proposed amendments to the Town's Zoning Regulation as it pertains to solar farm provisions, including several text changes to Article V, Section 508-3 and Article III Table 301: Zoning Uses of the Town of Mayfield Zoning Law as Type 1 Action as per Section 617.4 (b)(2) "the adoption of changes in allowable uses within any zoning district, affecting 25 or more acres of the district, and

WHEREAS, the Town Board conducted the required Public Hearing on the proposed amendments on May 10, 2022, and

WHEREAS, the Town Board, as the Lead Agency has completed and reviewed Part 2 of the full Environmental Assessment Form,

NOW, THEREFORE, BE IT

RESOLVED, that upon review of the completed Part 1 and II of the Full Environmental Assessment Forms, the Town Board, acting as the Lead Agency, hereby has determined that the adoption of Local Law #1 of 2022 amending the Town's Zoning Regulations as it pertains to solar farm provisions, including several text changes to Article V, Section 508-3 and Article III Table 301: Zoning Uses of the Town of Mayfield Zoning Law will not create any significant adverse environmental impacts, and be it further

RESOLVED, that the Town Board, acting as the Lead Agency, issues a Negative Declaration for said action and authorizes that Negative Declaration be filed in accordance with Section 617.12 "Document Preparation, Filing, Publication and Distribution of the SEQR Regulations as they pertain to Type 1 actions.

RES #94 On motion by Councilman Desiderio, seconded by Councilman Ruliffson the following Local Law was brought before the Board for a Roll Call Vote as follows:

Argotsinger	AYE
Desiderio	AYE
Mazzarelli	NOE
Putman	NOE
Ruliffson	AYE

RESOLVED that the Mayfield Town Board approves the adoption of Local Law No.1 of 2022 as follows:

A local Law Amending the Zoning Law of the Town of Mayfield as it Pertains to Solar Farm Construction and Development.

Be it enacted by the Town Board of the Town of Mayfield as follows:

The text of this Local Law is annexed hereto.

Section 1: **Legislative History**

In July, 2019, the Mayfield Town Board adopted a moratorium on solar farm construction and development in the Town of Mayfield.

Said moratorium was enacted at a time when solar Farm project Proposals were increasing at a rapid rate throughout the county of Fulton. The Town Board of the Town of Mayfield subsequently Requested the Town of Mayfield planning Board to examine the Zoning Law of the Town of Mayfield provisions pertaining to Solar farms and to advise as to any revisions which it deemed to be necessary under present circumstances - The said moratorium was twice extended due to limitations which were imposed on account of the prevailing. COVID-19 pandemic.

The Town of Mayfield Planning Board acknowledged that the Town's residents, in particular farmers, should be afforded the opportunity to lease or sell portions of their property to solar Farm developers in order to generate needed revenue. The Board recognized that Solar Farm developers are typically looking for large tracts of land that are easily accessible and in fairly close proximity to National Grid infrastructure. The planning

Board also agreed that, from the community's standpoint, solar Farm projects can have adverse visual impacts and that these types of projects should not be located along major traffic thoroughfares, where they cannot be effectively screened.. The amendments set forth herein are the amendments which have been recommended by the Town of Mayfield planning Board to the Mayfield Town Board and are hereby adopted in accordance with said recommendation.

Section 2: Amendments

Article V, section 508-3, paragraph J of the Zoning Law of the Town of Mayfield is hereby amended to read as follows:

J. All solar energy system components shall have a 500 foot setback, unless abutting residential uses, whereby it shall be located a minimum of 800 feet from property lines.

Article V, Section 508-3 is further amended by adding an additional paragraph (p.) which shall read as follows:

P. No solar farm equipment shall be located or installed on any soils labeled as "Prime Agricultural Land" and whenever possible, soils "of State Importance" should be avoided. In addition to the foregoing amendments, Table 301 as contained in Article III (Zoning Uses) of said Zoning Law is hereby amended as shown on the attachment annexed and hereto and made a part hereof

Section 3: Repealer

Any and all prior Resolutions, Local Laws, rules and regulations of the Town of Mayfield which may be inconsistent or conflict with the provisions of this Local Law are hereby repealed to the extent of such conflict or inconsistency.

Section 4: Effective Date

This Law shall be effective immediately upon filing with the Secretary of State.

(Table 301 cont.)	Residential-1	Residential-2	Agricultural-1	Agricultural-2	Mixed Use-1	Mixed Use-2	Commercial	Business	Lake Area -1	Lake Area-2	Resource Hub	Recreation	Public	NYS Wild Forest
COMMERCIAL USES-2														
Office	N	N	N	N	SR	SR	SR	SR	N	N	SR	N	P	NA
Parking lot	N	N	N	N	SR	SR	SR	SR	N	SR	SR	SR	P	NA
Research and development facility	N	N	N	N	SR	N	SR	SR	N	N	SR	N	NA	NA
Retail or service establishment	N	N	N	SU	SR	SU	SR	SR	N	N	SR	SU	NA	NA
Riding Academy	N	N	SR	SR	SR	SR	SR	SR	N	N	N	SU	NA	NA
Shooting range	N	N	N	N	N	N	SU	SU	N	N	N	SU	NA	NA
Private storage structure	P	P	P	P	P	P	P	P	P	P	SR	P	NA	NA
Veterinary office	N	N	SR	SR	SR	SR	SR	SR	N	N	SR	N	NA	NA
Warehouse	N	N	N	N	N	N	SU	SR	N	N	N	N	P	NA
Wind Systems Large & Solar Farms	N	N	SU	SU	SU	SU	N	N	N	N	N	N	N	NA

TRANSFERS

RES #95 On motion by Councilwoman Mazzarelli, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the transfers in the following accounts:

\$11,250 To: A1220.4- Supervisor – Contractual
From: A1990.4 Contingent

-To cover upgrade to accounting software

\$5,000 To: A5132.4- Highway Garage – Contractual
From: A1990.4- Contingent

-To cover increased heating expenses

\$25,000 To: DA5142.4- Highway Snow Removal – Contractual
From: DA9901.91- Highway Interfund Transfer Equipment

-To cover increased snow removal expenses (salt/fuel)

CLERKS REPORT – The clerks report was submitted with fees collected in the A account of \$3,260.00 and the B account of \$1,380.00

APPROVAL OF MINUTES – APRIL 12 AND APRIL 26

RES #96 On motion by Councilman Putman, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the minutes from April 12, 2022 and April 26, 2022.

APPROVAL OF VOUCHERS

RES #97 On motion by Councilman Desiderio, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the payment of vouchers in the following accounts for Abstract #5 of 2022.

A	GENERAL TOWNWIDE	\$28,876.05
B	GENERAL OUTSIDE VILLAGE	\$ 2,621.87
DA	HIGHWAY TOWNWIDE	\$26,124.26
DB	HIGHWAY OUTSIDE VILLAGE	\$ 1,363.81

EXECUTIVE SESSION – Employment History/Litigation

RES #98 On motion by Councilman Ruliffson, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board entered Executive Session at 8:36 pm

RES #99 On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board exited Executive Session at 9:00 pm

RES #100 On motion by Councilwoman Mazzarelli, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board authorizes the Town Attorney Carmel Greco to settle the case of NRH Property Management against the Town of Mayfield for the amount agreed upon in Executive Session.

RES # 101 On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board appoints Jennifer Barner as Court Clerk for the Town of Mayfield.

RES #102 On motion by Councilman Ruliffson, seconded by Councilwoman Mazzarelli, the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board will have a Workshop Meeting on May 25th at 12:00 noon to make appointment for a Code Enforcement Clerk.

ADJOURNMENT

On motion by Councilman Desiderio, seconded by Councilman Ruliffson the meeting was adjourned at 9:10 PM.

Nancy Parker

Town Clerk/RMO