

A Public Hearing on proposed Local Law # 1 of 2017 “ A local law amending the Zoning Law of the Town of Livingston in relation to Solar Energy uses.” was held at 6:45 pm prior to the regular town board and organizational meetings.

Present:

Supervisor James Guzzi

Deputy Supervisor Will Yandik

Councilperson William Bender

Councilperson Phil Massaro

Councilperson Kelly McDonald

The town clerk read aloud the public notice for the hearing.

Supervisor Guzzi gave a brief description of what the law’s intended purpose was. As the law stands now solar systems are permitted in all zones for residential and small businesses. Roof mounts need a building permit and ground mounts need to go thru the Planning Board for site plan and public hearing. What is being added is for large scale solar energy systems. They will be allowed in the C-1 zone only, by special use permit. The supervisor then opened the public hearing for discussion.

A question was raised by a representative of a solar company on why only the C-1 area and that it limits their areas that they are able to put the solar farms in and Supervisor Guzzi responded that they are taking into consideration the rural and agricultural nature of the town and the wish to keep it like that.

Fire Chief Paul Jahns said that it’s a good idea that they should be limited to the C-1 areas and not agricultural ones

Another representative of a solar company that had submitted an application previously asked that their application still be considered. Supervisor Guzzi responded that the application had been rejected before. It’s not a pending application.

There being no further comment, the public hearing was closed.

Resolution # 30

Motion to close the public hearing

A motion was made by Councilperson Massaro, seconded by Councilperson McDonald, to close the public hearing. It was closed at 7:02 pm

Votes

5 Aye, 0 No

An organizational meeting, followed by the regular monthly meeting, of the Town Board of the Town of Livingston, County of Columbia, and the State of New York was held at the town hall, 119 County Route 19, Livingston, NY on the 12<sup>th</sup> day of January, 2017.

A silent prayer was said for Judge Moore who is going through some health issues.

Supervisor Guzzi opened the meeting with the pledge to the flag, at 7:03 p.m.

Resolution # 31

Motion to amend the organizational resolutions to correct resolution #2-17 and replace the name First Niagara Bank with the name Key bank and to remove the word "interim" from resolution #3-17 for the appointment of Theodore Hilscher as attorney for the planning and zoning boards

A motion to amend the organizational resolutions as stated above was made by Deputy Supervisor Yandik, seconded by Councilperson Massaro

Votes

5 Aye, 0 No

Resolution # 32

Motion to approve Resolutions 1-17thru 29-17 (attached to these minutes)

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Bender to approve resolutions 1-29.

Votes: 5 Ayes- 0 No

Councilperson McDonald voted Aye except to resolutions #4, #22 and #23

Committees as presented in the attached document were also formed.

Resolution# 33

Motion to close the organizational meeting

A motion was made by Councilperson Bender, seconded by Councilperson Massaro, to close the organizational meeting.

Votes: 5 Ayes

Supervisor Guzzi opened the regular meeting of the Town Board

Resolution # 34

Motion to approve the monthly and year end minutes

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Massaro, to approve the minutes of the December monthly town board meeting and the year end meeting.

Votes: 4 Ayes, 0 No

Councilperson McDonald abstained due to absence from last meeting

Communications: The town clerk read a letter from the Association of Towns in regards to the upcoming meeting in NYC February 19-22, 2017

#### Supervisor's Report

The following reports were read by Supervisor Guzzi:

Town Supervisor

Town Clerk- Total local shares remitted to town of \$1422.62 for December

Highway- cut brush and trees, serviced loader and trucks and plowed, sanded roads for storms

Building Dept- no report

Dog Control- 3 calls in December

Assessor- no report

#### Resolution # 35

##### Motion to approve the monthly reports as read

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Massaro to approve the monthly reports as read.

Votes 5 Ayes

#### New Business

There was discussion on the proposed solar law.

#### Resolution # 36

##### Motion to adopt a negative declaration for the SEQUR for the proposed solar law

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson McDonald for the town board to adopt a negative SEQUR for the proposed solar law.

Votes 5 Ayes

#### Resolution # 37

Motion to adopt Local Law # 1 of the year 2017, amending the Zoning Law of the Town of Livingston in relation to solar energy uses.



A motion was made by Councilperson McDonald, seconded by Councilperson Bender, to adopt Local Law # 1 of 2017, amending the zoning law of the town of Livingston in relation to solar energy uses.

Votes 5 Ayes, 0 No

The town board discussed accessory dwelling units that are used as a temporary structure for care givers. The discussion was to gauge the feeling of the board members on the topic. Most likely it would be allowed by special use permit. Floating zones would not really work for the town. Deputy Supervisor Yandik was going to get more information on the subject.

Committee Reports

Buildings- no report

Citizens Advisory- no report

Senior Council- no report

Planning and zoning- no report

Ethics- no report

Highway- as per the supervisor's report

Communications- no report

Office Support- no report

Historian- no report

County Environmental Management- no report

Emergency Management- no report

Special Projects- no report

Twin Lakes: no report

Audit Committee:

Resolution # 38

Motion to pay bills

A motion was made by Councilperson Massaro, seconded by Councilperson McDonald, to pay the bills as presented.

# 1-5 Highway

# 1-24 General

---

Vote 5 Ayes, 0 No

Public Comment

None

Resolution # 39

Motion to enter into executive session to discuss pending litigation

A motion was made by Councilperson Bender, seconded by Councilperson Massaro, to enter into executive session

Votes 5 Aye

The board exited the executive session at 8:45 pm

Resolution # 40

Motion to adjourn the meeting

A motion was made by Councilperson Bender, seconded by Councilperson Massaro to adjourn the meeting.

The meeting was adjourned at 8:46 pm

Respectfully Submitted,

Tammy Molinski

Town Clerk

January 12, 2017

**RESOLUTION #1-17**  
**MOTION TO DESIGNATE OFFICIAL NEWSPAPER**

Pursuant to Section 64 of the Town Law, the Hudson Register Star and the Daily Freeman are hereby designated as the official newspapers for the Town of Livingston.

**RESOLUTION #2-17**  
**MOTION TO DESIGNATE DEPOSITORIES**

Pursuant to Section 64 of the Town Law, Key Bank and the Bank of Greene County are hereby designated as the approved depositories in which the Supervisor, Town Clerk, Town Justice and Tax Collector shall deposit all monies coming into their hands by virtue of their office.

**RESOLUTION #3-17**  
**MOTION TO APPOINT ATTORNEY FOR THE TOWN AND**  
**ATTORNEY FOR THE TOWN FOR PLANNING AND ZONING**

Rob Fitzsimmons shall be appointed as attorney for the town for a one-year term expiring Dec. 31, 2017. Theodore Hilscher shall be appointed attorney for the town for planning and zoning as needed.

**RESOLUTION #4-17**  
**MOTION TO APPOINT ENGINEER FOR THE TOWN**

Crawford and Associates shall be appointed engineer for the town for a one-year term expiring Dec. 31, 2017.

**RESOLUTION #5-17**  
**MOTION TO APPOINT DOG SHELTER**

That the Town will contract with Col.-Greene Humane Society as the primary shelter and Pine Plains Veterinarian as a secondary shelter for seized dogs in 2017.

**RESOLUTION #6-17**  
**MOTION TO APPOINT DOG CONTROL OFFICER**

That Martin Palumbo be hereby appointed Dog Control Officer for the year ending December 31, 2017.

**RESOLUTION #7-17**  
**MOTION TO AUTHORIZE PURCHASE UNDER \$500**

That the Town Superintendent of Highways be authorized to purchase tools, equipment, tires and miscellaneous items without action of the Town Board in the amount not to exceed Five Hundred Dollars (\$500.00) per purchase. All purchases made by any representatives of the Town of Livingston must receive approval by the auditing committee by way of a request form. All purchases must be subject to Procurement Policy.

**RESOLUTION #8-17**  
**MOTION TO SET RATE OF TRAVEL**

The rate of travel on official business in a personally owned vehicle is hereby set at the Federal employee General Services Administration reimbursement rate. The current rate is fifty-three and one half cents per mile (\$0.535).

**RESOLUTION #9-17**  
**MOTION TO HIRE COURT STENOGRAPHER**

That Town Justices be authorized to hire a court stenographer as necessary for a record of testimony in cases before the Court at a rate to be determined.

**RESOLUTION #10-17**  
**MOTION TO AUTHORIZE USE OF STENOGRAPHER**

That the Supervisor and Town Clerk be authorized to use the services of a stenographer when required by law at a rate to be determined.

**RESOLUTION #11-17**  
**MOTION TO SET REGULAR TOWN BOARD MEETINGS**

That the regular monthly meeting of the Town Board be held on the second Thursday of each month at 7:00 pm in the Town Hall, County Route 19, Livingston.

**RESOLUTION #12-17**  
**MOTION TO DESIGNATE DELEGATE FOR ASSOCIATION OF TOWNS**

That Tammy Molinski be designated delegate and James Guzzi alternate delegate, respectively, at the Annual Association of Towns meeting in February 2017.

**RESOLUTION #13-17**  
**MOTION TO APPOINT BUDGET OFFICER**

That James Guzzi, Supervisor, is hereby appointed Budget Officer for the year 2017.



**RESOLUTION #14-17**  
**MOTION TO APPOINT DEPUTY SUPERVISOR**

That Will Yandik is hereby appointed as Deputy Supervisor for the term expiring December 31, 2017.

**RESOLUTION #15-17**  
**MOTION TO APPOINT REGISTRAR**

That Tammy Molinski be appointed Registrar of Vital Statistics for the Town of Livingston, year ending December 31, 2017.

**RESOLUTION #16-17**  
**MOTION TO APPOINT DEPUTY TOWN CLERK**

That Lydia LeMay be appointed Deputy Town Clerk as needed at the hourly rate of \$17.33.

**RESOLUTION #17-17**  
**MOTION TO FIX SALARIES**

That this Town Board does hereby fix the salaries and wages of the various officers and employees for the fiscal year beginning January 1, 2017 in the amount stated:

<b><u>TITLES OF POSITIONS</u></b>	<b><u>AMOUNTS</u></b>	<b><u>PAYABLE</u></b>
Supervisor	\$8,766	Yearly
Deputy Supervisor	\$1,608	Yearly
Town Justice Moore	\$15,468	Yearly
Town Justice Weaver	\$10,736	Yearly
Town Clerk/Collector	\$29,616	Yearly
Sole Assessor	\$25,235	Yearly
Councilman (4)	\$3,032	Yearly
Budget Officer	\$1,040	Yearly
Dog Control Officer	\$5,855	Yearly
Part Time Dog Control Officer	\$1,102	Yearly
Hall Custodian	\$4,217	Yearly
Reg. of Vital Statistics	\$3,705	Yearly
Historian	\$1,834	Yearly
Deputy Historian	\$ 798	Yearly
Zoning Enforcement Officer/Bldg. Insp.	\$15,000	Yearly
Assessment Review Board	\$100 (per meet)	Yearly
Planning & Zoning Board Members	\$55 (per meet)	Yearly



<u>TITLES OF POSITIONS</u>	<u>AMOUNTS</u>	<u>PAYABLE</u>
Planning & Zoning Board Chairman	\$100	per attendance
Hourly Worker-Town Hall	\$17.33	per hr.
Court Clerk	\$17.63	per hr.
Deputy Court Clerk	\$17.33	per hr.
Bookkeeper	\$19.68	per hr.
Recorder of Fixed Assets	\$250	Yearly
CEO	\$12.75	per hr.

### **HIGHWAY DEPARTMENT**

<u>TITLES OF POSITIONS</u>	<u>AMOUNTS</u>	<u>PAYABLE</u>
Highway Superintendent	\$52,842	Yearly
Deputy Highway Superintendent	\$700	Yearly
Machine Operator	\$19.80	per hr.
Sr. Machine Operator 1	\$19.51	per hr.
Sr. Machine Operator 2	\$19.08	per hr.
New Worker	\$16.99	per hr.
Part Time New Worker	\$14.09	per hr.
Mechanic	\$.60/hr differential	

-(All highway workers receive hospitalization and retirement as per employee policy)  
 -\$1,500 Insurance buy out at year-end-must provide documents showing other insurance.

### VACATION FOR HIGHWAY EMPLOYEES

1 Year	1 Week
2 Years	2 Weeks
7 Years	3 Weeks

HOLIDAYS FOR 2017- Same as County – See pay schedule

### **RESOLUTION #18-17**

### **MOTION TO AUTHORIZE DEPUTY SUPERVISOR TO SIGN CHECKS**

That Will Yandik, Deputy Supervisor, is hereby authorized to sign checks in the absence of Supervisor James Guzzi.

### **RESOLUTION #19-17**

### **MOTION TO APPOINT CHAIRMAN TO THE PLANNING BOARD**

That Phil Schmidt be appointed Chairman of the Planning Board for the Town of Livingston for the year ending December 31, 2017.

**RESOLUTION #20-17**  
**MOTION TO APPOINT CHAIRMAN TO THE ZONING BOARD OF APPEALS**

That Thomas Alveraz be appointed Chairman to the Zoning Board of Appeals for the Town of Livingston for the year ending December 31, 2017.

**RESOLUTION #21-17**  
**MOTION TO TO APPOINT BOOKKEEPER**

That Donna Lynk Campion working in conjunction with Karp, Ackerman, Skabowski, C.P.A. be appointed as bookkeepers for the Town of Livingston for a term expiring Dec. 31, 2017.

**RESOLUTION #22-17**  
**MOTION TO APPOINT BUILDING INSPECTOR and ZONING ADMINISTRATOR**

That Jay Trapp be appointed Building Inspector and Zoning Administrator for the year ending December 31, 2017.

**RESOLUTION #23-17**  
**MOTION TO APPOINT CODE ENFORCEMENT OFFICER**

That Jay Trapp be appointed Code Enforcement Officer for the year ending December 31, 2017.

**RESOLUTION #24-17**  
**MOTION TO APPOINT MARRIAGE OFFICER**

That Michael Kaufman be re-appointed Marriage Officer for 2017.

**RESOLUTION #25-17**  
**MOTION TO APPOINT FIXED ASSETS OFFICER**

That Patricia Schroeder be re-appointed Fixed Assets Officer for 2017.

**RESOLUTION #26-17**  
**MOTION TO APPOINT SENIOR NUTRITION SITE COORDINATOR**

That Judy Harp be re-appointed the Coordinator of the Livingston Senior Nutrition Program for 2017.

**RESOLUTION #27-17**  
**MOTION TO APPOINT TOWN HISTORIAN**

That Joseph Gatti be re-appointed Town Historian for 2017.

**RESOLUTION #28-17**  
**MOTION TO APPOINT DEPUTY TOWN HISTORIAN**

That Vincent Dicks be appointed Deputy Town Historian for 2017.

**RESOLUTION #29-17**  
**MOTION TO APPOINT DEPUTY HIGHWAY SUPERINTENDENT**

That Earl Lyons be appointed Deputy Highway Superintendent for 2017.

**RESOLUTION #30-17**  
**MOTION TO ACCEPT RESOLUTIONS #1-17 - #29-17**

A motion was made and seconded to accept and authorize Resolutions #1-29 as presented

Vote – Aye \_\_\_\_\_ Nays \_\_\_\_\_

**THE SUPERVISOR APPOINTED THE FOLLOWING COMMITTEES**

**AUDITS**

BENDER, GUZZI, MASSARO, MCDONALD, YANDIK

Oversee the accuracy and completion of all yearly audits and formulate corrective action plans to address deficiencies.

**BUILDINGS**

BENDER, MASSARO

Oversee the repair and upkeep of the town hall, history barn, rec park, and town highway buildings, including but not limited to to the physical structure of the exterior, roof, windows, heating and lighting systems, electrical systems, interior floors and walls, keys, locks, and furniture. Ensure that all capital projects are properly put out for bid. Manage the Town Handyman and conduct annual performance reviews.



---

## **COMMUNICATIONS**

YANDIK, MOLINKSI

Manage the town's website, post notices to the newspaper for meetings and public hearings, manage the town's newsletter, draft important letters to public and private agencies, and manage media relations on behalf of the Town Board.

## **ETHICS**

MASSARO, MCDONALD

Receive allegations of breach of ethics, direct claims to the County Board of Ethics, and follow such claims as they are deliberated.

## **HIGHWAY**

GUZZI, YANDIK

Oversee and foster cooperation between the Town Board and Highway Superintendent on budgetary, staffing, equipment, and structural issues to ensure that the Highway Department has the support and services they need to perform their duties.

## **OFFICE SUPPORT**

MCDONALD

Oversee all purchasing, upgrading, and maintenance of computers, fax, telephone, answering machine and call prompt systems, copy machine, software, BAS systems, software and data backups, alarm and security systems for all town staff, departments, and town properties.

## **PLANNING AND ZONING**

BENDER, MASSARO, MCDONALD

Oversee the Planning and Zoning Boards, ensuring that both boards have the support they need to consistently apply the town's zoning law and master plan. Receive and follow up concerns from both board members and residents regarding the zoning law and the application of that law. Interview new candidates for vacancies on both boards. Oversee the offices of code enforcement, zoning enforcement, and the building inspector to ensure the proper application of law. Address and follow up with resident concerns related to permitting and enforcement of all applicable laws and zoning codes.

## **SPECIAL PROJECTS**

BENDER, GUZZI, MASSARO, MCDONALD, YANDIK

The Supervisor will appoint committees as needed and stand as follows:

**HIGH-VOLTAGE TRANSMISSION**  
GUZZI, YANDIK

*Brief the board on developments regarding utility proposals to construct 345-kv transmission lines on two routes through the Town as part of the NY. Energy Highway Plan, work with local advocacy groups and the Public Service Commission to represent the Town's interests.*

**TWIN LAKES**  
MASSARO, YANDIK

*Convene Town meetings to explore management options, improvements, or sale of lakeside property in Elizaville that Town previously purchased and remediated. Seek and organize community input on the matter and develop plan of action with full Town Board.*

**The Supervisor Appointed the Following Citizens to Committees:**

**CITIZEN SPECIAL PROJECTS COMMITTEE**

Joe Leto

The Supervisor will assemble special projects committees to address issues as necessary

**COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL**  
VACANT

**COUNTY SENIOR CITIZEN ADVISORY COUNCIL**

Arlene Sweeney, Pauline Czajka  
Juan Torres – Alternate.

**COUNTY TRAFFIC SAFETY BOARD**

Joe Leto

**COUNTY YOUTH BOARD**

VACANT

**NUTRITION/SENIOR PROJECTS**

Kevin McDonald

Support the Senior Nutrition Center on behalf of the Town Board and develop local events and programming to engage and support our senior citizens.

**PARKS AND RECREATION**

Kevin McDonald, Judy Bender

Brief the Town Board on the upkeep and functions of the Town Recreation Park, including all organized recreational and youth programming.

**THE SUPERVISOR APPOINTED THE FOLLOWING:**

Eileen Yandik	Planning Board Secretary
Eileen Yandik	Zoning Board Secretary
Donna Campion	Bookkeeper
Judy Bender	Assessor Secretary
Gwen Thorpe	Bldg. Inspector/CEO Secretary
Eileen Yandik	Court Clerk
Tammy Spampinato, Robert Brenzel	Deputy Court Clerks
Isidora Schultz, Kendra McCrae, Susan Waters-Baker	Dep. Court Clerks to fill in as needed

**MEMBERS AND TERMS OF VARIOUS BOARDS**

**Planning Board (7 Year term expires 12/31 of last year)**

Philip Schmidt (Chair)	2013-2019
Robert Bellinger	2014-2020
James McFarland	2012-2018
John Ross	2011-2017
Bernard Stickle	2017-2023
Albert Keil	2016-2022
Stephen Thibeault	2013-2019

**Zoning Board of Appeals (5 Year term expires 12/31 of last year)**

Thomas Alvarez (Chair)	2017-2021
Sarah Price	2016-2020
Charles Dickens	2015-2019
Stan Yarien	2014-2018
Charles Schneider	2013-2017
Robert Fleming (Alternate)	2013-2017

**Assessor – Kenneth Leggett** 2013-2019  
(6 Year term expires 9/30 of last year)

**Assessment Board of Review (5 Year term expires 9/30 of last year)**

Michael Boote	2015-2019
Ben Scroden	2013-2018
Charles Schneider	2013-2018