

June 11, 2021

Minutes of the Regular Meeting of the Town Board of the Town of Smithfield held **June 8, 2021** at the Smithfield Community Center Commencing at 7:00 p.m.

Present:

Supervisor	Thomas J Stokes
Councilperson	James Corpin
Councilperson	Brenda Goff
Councilperson	Richard Looft
Councilperson	Nell Ziegler
Highway Superintendent	Dan Davis
Town Clerk	Janice Sebring

Others Present: Town Attorney James Stokes, Representatives from Liberty Renewables, Dorothy Willsey
President of the National Hall of Fame
-The meeting was called to order by Thomas Stokes, Supervisor.
-Pledge of Allegiance

Resolution # 49 – 2021

APPROVAL OF MINUTES of May 11, 2021

On a motion of Councilperson James Corpin seconded by Councilperson Richard Looft

Resolution #49-2021 was

ADOPTED: Ayes 5- Supervisor Stokes Councilperson, Richard Looft, James Corpin, Brenda Goff and Nell Ziegler
Nays 0

Resolution #50-2021

--Supervisor's Monthly Report – of Receipts and Payments for May2021 was read and filed. General Fund Revenues totaled \$8,424.92 with expenditures of \$16,934.63

Streetlight expenditures totaled \$ 237.16

Highway fund revenues totaled \$.17 Expenditures, of \$9,483.28 Profit and Loss Budget vs. Actual was, presented for both General and Highway Funds for January-May 2021.

On a motion of Councilperson James Corpin seconded by Councilperson Brenda Goff

Resolution #50-2021 was

ADOPTED Ayes5-, Supervisor Thomas J Stokes Councilperson, Richard Looft, Brenda Goff, Nell Ziegler and James Corpin
Nays 0

Resolution #51-2021

Town Clerk's Monthly Report -

- Receipts and payments for May2021 read and filed. Gross receipts totaled \$1,067.00 Town retained \$882.21

On a motion of Supervisor Stokes seconded by Councilperson James Corpin

Resolution #51-2021 was

ADOPTED Ayes 5-, Supervisor Thomas J Stokes Councilperson, Richard Looft, Brenda Goff, Nell Ziegler and James Corpin
Nays 0

-Codes Enforcement Report – Report was read and filed.

-Planning Board – Nothing to report

-Zoning Board – Nothing to report

-Highway– Superintendent Davis: Reviewed the allocation of the CHIPS money.

Public Courtesy of the Floor:

Ms. Willsey, requested the lock at the door to the main room at the Community Center be changed. Supervisor Stokes agreed, and recommended she contact the Building Superintendent. Ms. Willsey also stated that the lift to the National Hall of Fame on the second story of the Community Center was serviced and found in good condition.

The representative from the Liberty Renewables came to introduce themselves and talk a little about the Liberty Renewables company

New Business: - None

Old Business:

Hamlet Improvements- Councilperson Ziegler Presented to the board the final proposed locations of sidewalks in the Hamlet.

NYS Clean Energy Communities Program; Regarding the Vehicle Charging station's, an energy company along with an electrician, will be evaluating the electrical distribution of the electrical panels.

Resolutions:

Resolution #52 Authorizes the Highway Department to remove the Hedge located at Peterboro United Methodist Church, 5240 Pleasant Valley Rd

On a Motion of Councilperson Ziegler seconded by Supervisor Stokes resolution #52 was

Adopted: Ayes 5-, Supervisor Thomas J Stokes Councilperson, Richard Loft, Brenda Goff, Nell Ziegler and James Corpin

Nays 0

Resolution #53 Establishing an Interim Moratorium on Commercial Wind Energy Facilities and Ground Solar Energy Facilities Within the Town of Smithfield

WHEREAS, proposed legislation of the Town of Smithfield, entitled "A local law imposing a moratorium on the establishment of commercial wind energy facilities and ground solar energy facilities within the Town of Smithfield", has been duly introduced before this Board, and

WHEREAS, upon notice duly published and posed as required, a public hearing on the adoption of this proposed local law as held by this Town Board on May 11, 2021, which public hearing has been, or is here by closed, and

WHEREAS, pursuant to a referral duly made pursuant to the provisions of Section 239-m of the General Municipal Law, the Madison County Planning Agency has reviewed this proposed local law and has made its recommendation that this matter be returned to this Board for Local Determination, and

WHEREAS, the enactment of this proposed legislation of the Town of Smithfield is a Type II Action as defined by section 617.5 (c) (36) of the implementing regulations of the New York Environmental Quality Review Act.

NOW, THEREFORE, IT IS HEREBY RESOLVED, after due deliberation, that this Board makes the following legislative determinations and findings:

A. Authority and Intent. This Local Law is intended to be consistent with, and is adopted pursuant to the authority granted to the Town of Smithfield under applicable provisions of the New York State Constitution, and the Laws of the State of New York, including but not necessarily limited to the Municipal Home Rule Law, the Statute of Local Governments and the Town Law.

This Law is a police power and use regulation. This Law is intended and is hereby declared the address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive "incidental control" of a zoning law and land use law that is concerned with the broad area of land use planning and the physical use of land and property within the Town, including the physical externalities associated with certain land uses and there potential deleterious impacts on the community.

B. Findings of Fact

1. Smithfield is a community in the central portion of Madison County that takes great pride in, and assigns great value to its rural residential character, small-town atmosphere farms and scenic and other natural resources.

2. The preservation of the Town's irreplaceable scenic vistas, and rural agricultural character is of significant value to the inhabitants of the Town and to Those who visit here

3. Agriculture has long been a staple of the Town's economy and tax base. Farms and agricultural Land are valuable assets that create a sense of identity and well-being for residents of the Town. Preserving and protecting agricultural lands along with the scenic, recreational, and other natural Resources of the Town is important for both a healthy environment and vibrant economy

4. Allowing the activities defined in Section 4 and prohibited under Section 6 of this Local Law to occur without appropriate regulations and safeguards would impair the existing character of the Town, because by their very nature such activities have the potential to produce negative impacts upon the environment, particularly with respect to its rural character and agricultural heritage.

C. Purposes. The purpose of this Local Law is to enable the Town of Smithfield to stay the construction, operation, and establishment of and the submission and processing of applications for zoning amendments, permits, zoning permits, special permits, zoning variance, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary, certificates, and other Town-level approvals respecting, the activities defined in Section 4 and prohibited under Section 6 of the Local Law, for a reasonable time. So as to allow the Town time to study the impacts, effects and possible controls over such activities and to consider amendments to the Town's zoning laws to address the same. The Town Board finds that a moratorium of one(1) year in duration (with the option of two extensions of 180 days each), coupled with a mechanism for an 'unnecessary hardship' variance procedure, will achieve and appropriate balancing of interests between , on the one hand, the public need to safeguard the character and other resources of the Town of Smithfield and the health, safety and general welfare of its residents, and, on the other hand, the rights of individual property owners and businesses desiring to conduct such activities during such period.

AND IT IS HEREBY FURTHER RESOLVED that the Town Board of the Town of Smithfield finds it in the best interest of the Town of Smithfield and its residents to adopt this proposed legislation of the Town of Smithfield, entitled "A local law imposing a moratorium on the establishment of commercial wind energy facilities and ground solar energy facilities within the Town of Smithfield", and further finds the proposed local law to be in accordance with the comprehensive plan for the Town of Smithfield, and does hereby adopt and enact this local law as present. The Town Clerk is hereby directed to enter said local law in the minutes of this meeting and in the Local Law Book of the Town of Smithfield, and to give due notice of the adoption of said local law to the Secretary of State.

Dated: June 8, 2021

Resolution #54-2021 Payment of Claims

On a motion of Richard Looft seconded by Brenda Goff
Resolution #54-2021 was

ADOPTED: Ayes 5 Supervisor Thomas J Stokes, Councilpersons, Richard Looft, Brenda Goff, Nell Ziegler and James Corpin

Nays 0

Resolved that the bills be paid on Abstract #6 in the following amounts:

General Fund 97-116 in the amount of \$ 7,266.59

Highway Fund 47-52 in the amount of \$ 7,961.07

Notes and Communication:

With no further business, on a motion made by Councilperson James Corpin seconded by Councilperson Richard Looft the meeting was adjourned at 7:50 pm. Carried unanimously.

Respectfully Submitted

**Janice Sebring,
Town Clerk**