



Minutes

Town of Cairo

Monday Aug. 3rd, 2020

Town Board Meeting @ 7:00 pm

Location: Cairo Town Hall (Open to the Public)

The Town Board of the Town of Cairo met for a Town Board Meeting on Monday August 3rd, 2020. Supervisor Coyne called the meeting to order @ 7:05 and asked the attendees to Pledge Allegiance to the Flag.

Attendance: Supervisor Coyne, Council Member Kralovich, Council Member Powers, Council Member Watts.

Absent: Council Member Cords

Review and Approval of Minutes:

July 6th, 2020: Offered by Council Member Kralovich and seconded by Council Member Powers.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

July 15th, 2020: Offered by Supervisor Coyne and seconded by Council Member Powers.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Report of Committees:

John Coyne-

Emergency Planning;

- Nothing to Report

Greene County EMS;

- Nothing to Report

Water/Sewer;

- The Town has been using a large amount of water/the sewer plants is operating well.

Stephen Kralovich-

Court;

- Nothing to report/court clerks continue to catch up on old and new work.

Highway Department;

- Walkway improvements/Polly's Rock Bridge now needs to be inspected and then discuss replacement of the bridge/continue paving/finishing up items for the auction for the town.

Police Department;

- Continuing patrols and safety of residents.

Mary Jo Cords-

Assessor;

- Nothing to report-absent

Insurance/Health Insurance;

- Nothing to report-absent

Library;

- Nothing to report-absent

Timothy Powers-

Ambulance;

- 88 calls, 59 transports, \$58,500 dollars billed/new A/C unit is working well/purchased a new vacuum.

Animal Control;

- 19 calls/no violations/use personal vehicle for one call

Festivals/Parades/Youth Fair;

- Nothing to Report

Jason Watts (Absent)-

Code/Building/Zoning;

- 14 building permits/0 C.O.'s/60 inspections/18 municipal searches/5 violations/9 court cases pending/11 certifications.

Planning Board;

- Went over the County Planning Board Report which can be found online.

Existing Business:

1. Andrew Zampariolo – Twin Bridge Solutions Telephone Proposal
 - a. Nothing to report, was not at meeting.
2. Capital Energy Partners
 - a. They will conduct a lighting audit for the Town/continue with project bids/submit RFP's then continue with the steps/the Town will get a report from the group and they will continue to the next step.
3. Jim Freeman/Dorothy True/Barbara Spohler – Library
 - a. Would like an updated on the HVAC, the contract is signed and the original company will be coming to look and fix any problems and will be doing yearly maintenance on the HVAC.
 - b. Dorothy True expressed her concerns to the Board about the communication between the Library Board and the Town Board and that the problems that need to be addressed and fixed.
4. Work Order Review
 - a. Going well and running smoothly.
5. Employee Handbook Review

- a. Marianne will take the ideas of the Board and update the handbook and the Board will continue with looking over the handbook.
- 6. Town of Cairo Solar RFP Draft
 - a. The Town Board will sign the document and send over an electronic copy.

New Business:

- 1. Set up September Board Meeting Date
 - a. There will be one meeting in September 2020. The meeting will be on Monday Sept. 14th, 2020 @ 7PM.
- 2. SEQRA Review
 - a. Nothing to Report

Correspondence:

- 1. Stop the Bleed Program
 - a. Will not be participating in the program.

Public Comments:

- 1. Rita Young
 - a. Requesting a new culvert on Lincoln Drive, would like to be fixed and/or addressed as soon as possible/also to address the hole in the road/Art will look at it on Friday the 7th.
- 2. Comments on the bridge in town
 - a. Bridge completion by the county should be finished in about 6 weeks.
- 3. Sidewalk
 - a. Sidewalk project will start in Aug. the Town will discuss with business and home owners on Mains Street what will be going on and what they should expect.
- 4. Hearts Content
 - a. The road will be having work done to it to widen the road and add a Fire Hydrant, this will take 4-6 weeks to complete.

Resolution No. 2020-120 “Increase Hourly Rate for Highway Employee”

Offered by Council Member Powers and seconded by Council Member Kralovich.

WHEREAS, The Highway Superintendent is requesting an increase in pay from \$13.53 to \$15.00 for a current part-time employee, Robert Agostonini. They will be hiring a new part-time employee.

BE IT RESOLVED, that the pay rate for Robert Agostononi will be increased from \$13.53 to \$15.00 per hour.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-121 “Appointment of Part-Time Highway Employee”

Offered by Council Member Kralovich and seconded by Council Member Watts.

WHEREAS, there is an opening for a part-time employee in the Highway Department. Therefore;

BE IT RESOLVED that William Hunter has been hired effective August 4, 2020 at a rate of \$15.00 per hour with the Town of Cairo Highway Department.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-122 “Acra Building Supply to Hook up to Water System”

Offered by Supervisor Coyne and seconded by Council Member Powers.

BE IT RESOLVED that the Cairo Town Board has authorized Acra Building Supply to hook up to the Town of Cairo water system. This will be done with the guidance of the Water Department. Acra Building will provide the contractor at their cost for construction and materials.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-123 “Moratorium on Approvals Regarding Batter Energy Storage System”

Tabled until next Workshop Meeting, Wednesday August 19, 2020.

Resolution No. 2020-124 “Unsafe Buildings” on hold

Offered by Council Member Kralovich and seconded by Council Member Watts.

WHEREAS, The Town Board of the Town of Cairo is concerned with the proliferation of battery energy storage systems and

WHEREAS, The Town Board of the Town of Cairo acknowledges that the Town Zoning Law does not address this newly created use and deems it necessary to have time to properly study the issue and create appropriate and well-reasoned regulation of such use.

NOW THEREFORE, IT IS HEREBY

RESOLVED that the Town Board of the Town of Cairo shall and hereby does adopt a local law establishing a 6-month moratorium on the review and/or approval of Battery Energy Storage Systems within in accordance with the local law set forth below.

MOTION BY COUNCILPERSON _____,

SECONDED COUNCILPERSON _____,

COUNCILPERSON CORDS	AYE	<u>ABSENT</u>
COUNCILPERSON POWERS	<u>AYE</u>	NAY
COUNCILPERSON WATTS	<u>AYE</u>	NAY
COUNCILPERSON KRALOVICH	<u>AYE</u>	NAY
SUPERVISOR COYNE	<u>AYE</u>	NAY

Carried by a vote of to be it enacted by the Town Board of the Town of Cairo as follows:

Section 1. Title.

This Local Law shall be referred to as the “Local Law Imposing a Six Month Moratorium on Approvals Regarding Battery Energy Storage System”

Section 2. Purpose and Intent.

Pursuant to the statutory powers vested in the Town of Cairo by the Municipal Home Rule Law of the State of New York, to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a six (6) month moratorium on approval of any application related to the construction, establishment or creation of a Battery Energy Storage System as that term is defined in herein.

The Town Board finds and determines that many residents within the Town have been approached by developers to purchase or obtain long-term leases on real property within the town which may lead to undesirable and/or inappropriate land development results and that the Town has no local regulation for the siting, approval and construction of Battery Energy Storage System. The Town Board further finds and determines that it needs the period of time covered by the moratorium imposed herein in order to carefully review and study whether regulation of Battery Energy Storage System is necessary and if so, to complete the enactment of the necessary statutory and other tools to implement the same, including but not limited to, drafting proposed amendments to existing Town Local Laws, schedule and hold the required public hearing on

either amendments to existing Local Laws or the enactment of new Local Laws, perform the appropriate environmental reviews thereof, comply with applicable provisions of law, adopt the Local Law(s), and file the same with the Secretary of State of the State of New York.

Section 3. Scope of Controls.

A. During the effective period of this Local Law:

1. The Town Board and/or any other municipal body shall not grant any approvals which would have as the result the construction, establishment or development of a Battery Energy Storage System or any new subdivision, site plan review, building permits or other municipal approvals within the Town related to or involving same.
2. The Building Inspector and/or Code Enforcement Officer of the Town shall not issue any building permit or other permit which would result in the construction, establishment or development of a Battery Energy Storage System or any new subdivision, site plan review, building permits or other municipal approvals within the Town related to or involving same.

B. The Town Board reserves the right to direct the Town Building and Code Inspector to revoke or rescind any Building Permits or Certificates of Occupancy issued in violation of this Local Law.

C. This moratorium shall not be applicable such projects which are to be located on State, County or Town-owned real property.

D. Definitions. For the purposes of this local law the following terms shall mean:

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.

Section 4. No Consideration of New Applications.

No applications for the construction, establishment or development of a Battery Energy Storage System in the Town. Additionally, no pending request for approval of a site plan, a site plan review, building permits or other municipal approvals, a variance, or other permits relating to same shall be considered by any board, officer or agency of the Town while the moratorium imposed by this Local Law is in effect. This moratorium shall not be applicable such projects which are to be located on State, County or Town-owned real property.

Section 5. Term.

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law. The Town Board reserves the right to enact subsequent short-term periodic moratoria in the future, in the event it determines that such subsequent local laws or extensions are necessary and in the public's interest.

Section 6. Penalties.

Any person, firm or corporation that shall establish or develop any new subdivision, use that would require a site plan review, building permits or other municipal approvals for the construction, establishment or approval of a Battery Energy Storage System in the Town in violation of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided for in the Town's Zoning Law and by applicable local laws, ordinances, rules, regulations of the Town for violations; and
- B. Injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law.

Section 7. Validity.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law which can be given effect without such invalid provision.

Section 8. Variances

Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board of the Town Cairo in writing for a variance from the strict compliance with this Local Law upon the submission of proof of such unnecessary hardship. For the purpose of this Local Law, unnecessary hardship shall not be mere delay in being permitted to make application or waiting for a decision on the application for a subdivision, variance, special use permit, site plan, site plan review, building permits, other municipal approvals or permits during the period the moratorium imposed by this Local Law.

Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variance of this Local law, the Town Board of the Town of Cairo shall, within sixty (60) days of receipt of such application, schedule a public hearing on said application upon five (5) days written in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have opportunity to be heard, and the Town Board shall, within thirty (30) days of the close of the Public Hearing, render its decision in writing, either granting or denying the application for a variance from the strict requirements of this Local Law. In the event that the Town Board determines that the property owner shall suffer an unnecessary hardship, the applicant shall then be referred to the Town Board, Planning Board, Building Inspector and/or Code Enforcement Officer for a full review of the proposed project in accordance with the then enacted subdivision, site plan review, building permits or other municipal approvals laws, rules and regulations in the Town of Cairo and the State of New York.

Section 9. Authority and Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law. This Local Law is enacted in accordance with the supersession powers granted to municipalities pursuant to Section 10 of the Municipal Home Rule Law.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-125 “Move Highway Employee from Part-Time to Full-Time”

Offered by Supervisor Coyne and seconded by Council Member Powers.

WHEREAS, Dalton Ebeling passed his CDL, and there is an operational need for an additional full time employee as well as an opening, and,

WHEREAS, Dalton Ebeling is currently employed by the Town of Cairo Highway Department as a part time employee at a rate of pay of 13.01. Therefore;

BE IT RESOLVED, that the Town Board of the Town of Cairo authorizes the change in employment status for Dalton Ebeling from part time to full time at a rate of \$17.15 per hour effective August 4, 2020.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-126 “Appointment of Part-Time Highway Employee”

Offered by Supervisor Coyne and seconded by Council Member Kralovich.

WHEREAS, there is an opening for a part-time employee in the Highway Department. Therefore;

BE IT RESOLVED that William Hull has been hired effective August 4, 2020 at a rate of \$15.00 per hour with the Town of Cairo Highway Department.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-127 “Hippos Camera System Proposal”

Offered by Supervisor Coyne and seconded by Council Member Powers.

WHEREAS, The Town Board requested approved the acceptance of a HIPPO’s camera proposal at the Town Board meeting on July 6, 2020, and

WHEREAS, The Town Board went back to HIPPOs and requested a different payment plan than the one proposed. HIPPOs

THEREFORE, BE IT RESOLVED, the Town Board does hereby accept:

Camera System-Option 1 at a cost of \$15,713.52 X

(Includes IC Realtime NVR-MX08POE-1U4K1-3TB)

50% upon acceptance

50% upon completion

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-128 “Hiring TRANE for Cairo Library HVAC System Review”

Offered by Council Member Watts and seconded by Council Member Kralovich.

WHEREAS, The Cairo Town Library has a need for maintenance and repairs on their HVAC system.

WHEREAS, TRANE came in to do a review of the system and submitted a proposal. The Scope of Service – Building Management System:

- Connect to Building Management System (BMS) and review current software codes
- Upgrade (BMS) software to latest code
- Review BMS System for deficiencies, if they can be fixed quickly on site in the time allotted they will be addressed
- Upgrade UC600 controllers to latest code and verify operations
- Operator Workstation Inspection
- System Controller Inspection
- Verify System Software Programming
- System BackUp
- Provide list of deficiencies and separate proposal for repairs
- Customer Review – 30 Minutes

BE IT RESOLVED, The Cairo Town Board does hereby accept the proposal from TRANE

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-129 “Receipt of Monthly Supervisor’s Report”

Offered by Council Member Kralovich and seconded by Council Member Powers.

WHEREAS, Town Law, Section 125 commands a detailed statement from the Supervisor’s office to be rendered to the town board of all money received and disbursed and a copy filed in the office of the Town Clerk; therefore, be it

RESOLVED, that the Town Board Members accept the Revenue/Appropriation Analysis report for January through July 31, 2020.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-130 “Authorization of Supervisor to Sign Solomon RFP

Offered by Council Member Kralovich and seconded by Council Member Watts.

WHEREAS, On June 1, 2020 the Cairo Town Board authorized Solomon Energy to issue an RFP for a Community Solar Program within the Town of Cairo. Solomon Energy has submitted an RFP to the Cairo Town Board for review, therefore;

BE IT RESOLVED, that the Town Board Members accept the hereby authorize the Town Supervisor to sign the RFP as submitted.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-131 “Budget Amendments and Payment of Bills on Abstract #308”

Offered by Supervisor Coyne and seconded by Council Member Powers.

WHEREAS, The Town of Cairo is considering the adoption of the NYSERDA Law regulating Battery Energy Storage Facilities, and

WHEREAS, a public hearing is necessary prior to the adoption of any Local Law or Ordinance, now, therefore;

BE IT RESOLVED, that on August 19, 2020 at 7:00 pm, at the Cairo Town Hall, the Cairo Town Board shall hold a Public Hearing on the adoption of a Local Law regulating Battery Energy Storage Facilities.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-132 “Eliminating the Construction of the Ambulance Building”

Offered by Council Member Watts and seconded by Council Member Powers.

WHEREAS, In Resolution 2020-052, authorization was given to bid out the Ambulance Project in Three Phases. Phase 1 for Asbestos Removal at 25 Railroad Avenue, Phase 2 for Demolition of 25 Railroad Avenue and Phase 3 for Construction of the Ambulance Building at 25 Railroad Avenue.

WHEREAS, In Resolution 2020-084, authorization was given to award the Phase 1, and Phase 2 of the Ambulance Building Project. Phase 3 had no acceptable bids for the building of the Ambulance Building. Therefore;

BE IT RESOLVED that the Town Board did hereby decide to eliminate the construction of the Ambulance Building.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-133 “Appoint Rise Engineering for an Energy Audit”

Offered by Council Member Watts and seconded by Council Member Kralovich.

BE IT RESOLVED that the Town Board does hereby appoint Rise Engineering to do an Energy Audit for the Town of Cairo.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Resolution No. 2020-134 “Authorization to Hold a Public Hearing to Adopt the NYSERDA Law Regulating Battery Storage”

Offered by Council Member Kralovich and seconded by Council Member Powers.

WHEREAS, The Town of Cairo is considering the adoption of the NYSERDA Law regulating Battery Energy Storage Facilities, and

WHEREAS, a public hearing is necessary prior to the adoption of any Local Law or Ordinance, now, therefore;

BE IT RESOLVED, that on August 19, 2020 at 7:00 pm, at the Cairo Town Hall, the Cairo Town Board shall hold a Public Hearing on the adoption of a Local Law regulating Battery Energy Storage Facilities.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Enter Executive Session @ 8:10PM

Offered by Council Member Kralovich and seconded by Supervisor Coyne.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Exit Executive Session @ 8:45PM

Offered by Council Member Kralovich and seconded by Council Member Powers.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Adjourn Board Meeting @ 8:46PM

Offered by Council Member Kralovich and seconded by Council Member Powers.

Supervisor Coyne – Aye, Council Member Cords – Absent, Council Member Kralovich – Aye, Council Member Powers – Aye, Council Member Watts – Aye. Motion Carried.

Respectfully Submitted

Kayla L. Warner
Town Clerk