

**TOWN BOARD WORKSHOP MEETING  
February 7, 2024  
11:00 AM**

Supervisor Holdridge opened the meeting at 11:00am.

**Attendance Rollcall:**

Supervisor Holdridge	Present <u>  x  </u>	Absent <u>      </u>
Council Member Ardisana	Present <u>      </u>	Absent <u>  x  </u>
Council Member Becker	Present <u>  x  </u>	Absent <u>      </u>
Council Member Courtenay	Present <u>  x  </u>	Absent <u>      </u>
Council Member Dysinger	Present <u>      </u>	Absent <u>  x  </u>

**Also Present:** Elizabeth Cassidy, Esq.

**Determination of Quorum:** Yes   X   No

**Pledge of Allegiance**

**BUILDING MORATORIUM INTRODUCTORY LOCAL LAW**

Attorney Cassidy circulated a memo on the existing local law which we had a public hearing at our last meeting.

Some of the comments with respect to the SEQRA the type one versus type two has been taken care of but there are a couple of amendments needed.

Right now it reads as if the comprehensive plan has already been adopted. It has not. So she recommended changing that to reflect that we're in a "comprehensive planning status".

Where she asked guidance from the Town Board is the moratorium as crafted is only limited to developments of five or more units. She asked if the board wishes to be broader to include warehousing and commercial. Timing has a short extension period. She recommends extending the time to really allow the comprehensive plan committee to get their work done. Supervisor Holdridge said the committee is active and they are they are making progress. The consensus was six months with two extensions would be sufficient.

Ms. Cassidy explained there is no waiver provision. She said to include an escape valve where an applicant can come to the Board and present a request thereby exhausting all remedy before either granting a waiver and allowing that application to proceed or not granting the waiver.

The biggest question was whether we are keeping the current residential only or including warehouses. We have three or four that have already been approved or basically close to being approved. Supervisor Holdridge explained the residents are not going to be happy with the amount of warehouses that are already coming in that we can do nothing about and for us to be able to say we are serious about preserving open space and the character of our community and we are doing something to make sure of that. Council Member Becker added we don't want to negatively impact business either because that's where our tax dollars come from. The consensus was the three or four are going to be exempted because they're already too far along in the process. Anything that comes now would have to conform to whatever the comprehensive plan determines.

The consensus was to include the current 5+ residential, commercial including warehouses and solar farms.

Ms. Cassidy said she would have an amendment by the 28th with a copy to Don Serotta and Dave Donovan.

## **LOCAL LAWS FOR BUILDING AND CODE ENFORCEMENT**

Supervisor Holdridge explained we are behind in updating the code enforcement law since 1991. John Hand was involved with the ensuing discussion.

The purpose of this local law is to implement the New York Uniform Building and Fire Codes that regulate construction. The State does have a model law but requires direction with regard to exemptions of building or operating permits for uses with combustible materials. It would give the code enforcement officer authority for stop work orders, remedies, update property maintenance code, etc.

Big ticket items:

- Time limits on building permits with reasonable 12-month extensions.
- No remote inspections.
- Update unsafe building and structures with sheetrock inspections.
- Operating permits would be issued for fire permits, manufacturing, storing handling hazardous materials, combustible dust producing operations, flammable finishes, fruit and crop ripening facility or conducting a fruit ripening process using ethylene gas, fumigation company and special event structures.
- Allow for more frequent inspections – possibly 1 per year. State fire inspections can be accepted.
- Fees to be set and adjusted by Board resolution.

Final draft to be circulated and introduced by February 28, 2024.

## **KINGS HIGHWAY WEIGHT LIMIT LOCAL LAW**

The Sugarloaf Hamlet corridor has to provide an outlet for trucks turning up Pine Hill Road or Bellvale Road. Exemption for local deliveries.

Draft Introductory Local Law to be prepared by February 14, 2024 and circulated to P.D.

## **ETHICS REFORM**

Discussed procedure for complaints. They should go straight to the Ethics Board. Complaint to be received by Town Clerk and delivered to Ethics Board. Questions arose as to conflicts of interest, who implements the penalties and what they would be, and why complaints to Town Clerk versus attorney.

Attorney Cassidy to circulate a red line with some comments, questions and suggestions by the last meeting in February or the first meeting in March.

## **ZOMBIE POLES**

Attorney Cassidy to draft a law based on model from Town of Wallkill by February 28, 2024.

## **SENIOR TAX EXEMPTION**

Current law does not define inclusions in income of social security or IRA. Assessor Schuler provided samples from neighboring Towns and the State's definition of income and options to adopt and or not adopt. If this is going to be a local law change, we need to have a public hearing and adopt by March 1. John Schuler to continue exemptions as is.

## **COMPTROLLER AND BUILDING INSPECTOR**

Positions created by State need to be Town residents. Town Law 23 speaks to non-residents. Legislature to be asked for statute.

## **OVERTIME POLICY**

Supervisor Holdridge said we need a written policy which provides for requests for overtime and comp time. Council Member Courtenay commented that a part-timer was hired to compensate for overtime at theater. Walter is to provide a report. Supervisor Holdridge to review existing policy.

## **HIGHLANDS REGION EXPANSION**

Supervisor Holdridge said we will be drafting a resolution to enter into the geographical region between New Jersey and New York where we're basically opening ourselves up for more grant funding and other opportunities for environmental concerns and open space concerns.

## **485B OPT-OUT RESOLUTION**

Towns in Orange County and throughout the State have been opting out of 485b tax incentive or business investment exemption that allows for property tax exemptions on development projects over a 10-year period. In just the last 5 years alone 485b property tax abatements totaled nearly \$240 million in lost tax revenue that have been granted across our Senate District. For a period of one year tax is based on 50% of the increase in assessed value, so if you have a \$100,000 lot and it turns into a million dollar property you get 50% of the 900,000 and for the additional nine years it ticks down 5% each year sort of like a PILOT except it's based on the actual assessment of residential or commercial.

## **NOISE ORDINANCE**

Supervisor Holdridge said the law needs to spell out the levels for weekends versus weekdays. He would like to open the discussion up to another public hearing to debate the commercial exemption with parameters put around it where it could be spelled out a little bit more. Currently we have 85 decibels and in the comprehensive plan we have 65 so we're going against our comprehensive plan right now. Council Member Courtenay said we wrote the local law and put it in place and now if we change the exemption of the commercial district it will open ourselves up to litigation. The need for a decibel meter for the Police Department was discussed.

## **WARD SYSTEM**

Supervisor Holdridge has an outstanding question with AOT with regard to the Wards; whether or not the permissive referendum is still valid since the referendum was done in 2018 because it's been so long, is it stale? We need to look into whether we could implement the ward system, then there might be some sort of legal challenge at a very inconvenient time during an election. If we decide it's been too long there's nothing, we can do about it other than getting another one on the ballot so we can have a fresh vote on it where we have more of a standing. Since the Ward system reverts to two years, if we need to ballot, we could essentially have the two questions on the same ballot to include expansion of terms to four years.

**PUBLIC COMMENT**

Donna Anne commented that outside bands playing causes her not to enjoy her home.

The meeting adjourned at 12:45pm.

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2024-02-07