

**A Town Board Meeting of the Town of Owasco was held on December 22, 2022
At 4:00 PM in the Owasco Town Hall with the following members present:**

**PRESENT: Supervisor Edward Wagner
Councilperson Fred Cornelius
Councilperson Gucciardi
Councilperson, Jeremy VeVone
Councilperson Mike Vitale**

**ABSENT:
OTHERS PRESENT: Riccardo Galbato**

CALL TO ORDER: 4:03 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 22-172 to approval of Town Board Agenda for December 22, 2022

Motion by Councilor Cornelius; Second Councilor Vitale

Roll call vote:	Councilor Cornelius	<u>Yes</u>	Councilor Gucciardi	<u>Yes</u>
	Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 22-173 to open the Public Hearing for Local Law No. 5 Chapter 50 Fire Prevention and Building Code Administration.

Motion by Councilor Cornelius; Second Councilor Vitale

Roll call vote:	Councilor Cornelius	<u>Yes</u>	Councilor Gucciardi	<u>Yes</u>
	Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

RESOLUTION 22-174 INTRODUCING LOCAL LAW No. 1 2023

“A LOCAL LAW TO EXTEND A TEMPORARY MORATORIUM ON COMMERCIAL WIND AND SOLAR ENERGY FACILITIES IN THE TOWN OF OWASCO”

WHEREAS, the Town Board of the Town of Owasco (“Town Board”) has found that it is necessary and prudent to adopt a new local law extending a moratorium on commercial wind and solar energy facilities for the purposes of allowing additional time for the Town to formulate appropriate regulations for commercial wind and solar development in the Town; and

WHEREAS, this proposed Local Law is a “Type II” action and is not an action reasonably anticipated to “affect the environment” pursuant to 6 NYCRR §617.5(c)(30) of the New York State Environmental Quality Review Act (SEQR), and thus is exempt from environmental review thereunder; and

WHEREAS, this action involves the adoption or amendment of a zoning ordinance or local law and is not subject to an Opt-Out Agreement between the Town and the Cayuga County Planning Board; therefore, this action may be subject to review by the Cayuga County Planning Board pursuant to General Municipal Law § 239-m(3)(ii); and

NOW, THEREFORE BE IT RESOLVED, that

1. The Town Board hereby introduces Proposed Local Law #1 of 2023 in the form annexed hereto for consideration and adoption.

2. The Town Board hereby finds and determines that the within action is a Type “II” action and not reasonably anticipated to “affect the environment” pursuant to 6 NYCRR §617.5(c)(30) of SEQR, and thus is exempt from environmental review thereunder.

3. The proposed Local Law #1 of 2023 is hereby referred to the Cayuga County Planning Board for review pursuant to General Municipal Law §239(l-m).

4. The Town Board will conduct a Public Hearing at the Town of Owasco Town Hall on **January 12, 2023, at 4:00 p.m.**, or as soon thereafter as the matter can be heard, for the purpose of taking public comment on, and giving due consideration to, the enactment of proposed Local Law #1 of 2023. De

The question of the foregoing Resolution was duly put to a vote and upon roll call was as follows:

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

RESOLUTION 22-175 to close the Public Hearing for Local Law No. 5 of 2022 Chapter 50 Fire Prevention and Building Code Administration.

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

RESOLUTION 22-176 to approve SEQR determination for Local Law No. 5 of 2022

A Resolution to Issue a Determination of Environmental Significance for Local Law No. 5 of 2022.

WHEREAS, the Owasco Town Board declares itself Lead Agency for the purpose of conducting the environmental review of said proposed action;

WHEREAS, the Owasco Town Board has determined that the proposed action for adoption of **Local Law No. 5 of 2022** is an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations;

WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-l, m & n Review Committee as it is not a zoning law;

WHEREAS, the Owasco Town Board hereby determines that the action does not involve any other agencies apart from the Owasco Town Board itself; and

WHEREAS, the Town Board caused a Short Environmental Assessment Form to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law.

BE IT RESOLVED, that the Owasco Town Board has determined that the adoption of the proposed **Local Law No. 5 of 2022** will not have a significant adverse impact on the environment and hereby issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.

Motion by Councilor Vitale; Second Councilor Gucciardi

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

RESOLUTION 22-177 A Resolution of the Town Board for the adoption and enactment of Local Law No. 5 of 2022 Chapter 50 Fire Prevention and Building Code Administration

WHEREAS, a Notice of Public Hearing with respect to said proposed Local Law was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town, on **December 11, 2022**, and proof of such publication has been filed with the Town Clerk;

WHEREAS, a Notice of Public Hearing with respect to such Local Law was duly posted on the sign board of the Owasco Town Hall;

WHEREAS, a Public Hearing upon said proposed Local Law was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York on this date, **December 21, 2022**, pursuant to such Notice and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed Local Law;

WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-1, m & n Review Committee as it is not a zoning law;

WHEREAS, the Owasco Town Board by Resolution on this date issued a Negative Declaration under SEQRA for **Local Law No. 5 of 2022**; and

WHEREAS, the Town Board has carefully considered the proposed Local Law, and after due deliberation, finds it is in the best interest of the Town of Owasco to adopt said Local Law.

NOW, THEREFORE, AFTER DUE CONSIDERATION, IT IS HEREBY,

RESOLVED, that the Town Board of the Town of Owasco hereby approves and enacts Local Law No. 5 of 2022 Chapter 50 Fire Prevention and Building Code Administration attached hereto and made a part hereof.

Motion by Councilor Vitale; Second Councilor Gucciardi

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

ADJOURNMENT:

RESOLUTION 22-178 to adjourn the meeting

Motion by Councilor Vitale; Second Councilor Gucciardi

Roll call vote:	Councilor Cornelius	<u>Yes</u>	Councilor Gucciardi	<u>Yes</u>
	Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

Meeting adjourned at 4:04 PM

Respectfully submitted,
Tammy M. Flaherty
Town Clerk