

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE  
REGULAR TOWN BOARD MEETING**

**NOVEMBER 14, 2022  
AGENDA**

*Please turn off all cell phones and electronic devices.*

**Pledge of Allegiance**

**Approval of Minutes**

- October 24, 2022 Public Hearing on the 2023 Preliminary Budget
- October 24, 2022 Town Board Work Meeting

**Public Comment Period**

**New Business**

- Resolution to Adopt the 2023 Budget
- Resolution to Increase Rate of Pay for Highway Department Employee
- Resolution to Approve Emergency Purchase by the Highway Department
- Resolution to Approve Emergency Purchase by the Highway Department
- Resolution to Place Advertisement for Members of the Planning Board and Zoning Board of Appeals
- Resolution to Approve Town of New Baltimore Take Home Vehicle Policy
- Resolution to Approve Greene County Septic Cleaners, Inc. Monthly Fuel Surcharge
- Resolution to Reappoint Board of Assessment Review Member
- Resolution to Approve Local Law 4 of 2022 Revising Town of New Baltimore Solar Law and Rescinds Local Law 1 of 2022 to Impose a Moratorium on the Processing of Applications for, and the Issuance of any Permits, Certificates of Occupancy and Approvals for Certain Land Uses Relating to Solar Energy, Including But Not Limited to Solar Farms
- Audit of Claims

**Upcoming Meetings**

- November 2, 2022 Zoning Board of Appeals at 7:30 PM (If Needed)
- November 10, 2022 Planning Board Meeting at 7 PM
- November 14, 2022 Town Board Regular Meeting at 7 PM
- November 24-25, 2022 Town Hall Closed for Thanksgiving
- November 28, 2022 Town Board Work Meeting at 7 PM

**Public Comment Period/Community Events**

**Adjournment**

**\*\*\* Agenda Subject to Change\*\*\*\***

## **GUIDELINES FOR PUBLIC CONDUCT DURING TOWN BOARD MEETINGS**

1. The Supervisor shall preside at the meetings of the Town Board. In the absence of the Supervisor, the Deputy Supervisor shall be the acting Supervisor. In the event both the Supervisor and the Deputy Supervisor are absent, the other members shall designate one of their members to act as temporary chairman. A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. Town residents who wish to speak shall fill out a card at the entrances of the meeting room listing their name, contact information, and the subject matter in which they would like to speak. These cards will be collected prior to the beginning of the Town Board meeting and given to the Town Supervisor or Deputy Supervisor in the absence of the Supervisor.
3. Speakers must be recognized by the presiding officer and then proceed to the lectern and state their name and address. They must limit their remarks on official town business to up to three minutes on a given topic and may not yield any remaining time to another speaker. They must address their remarks to the Board as a body and not to any member thereof and not to other members of the audience in the form of a debate.
4. Speakers should present their remarks in a courteous manner and may not make disparaging remarks or personal comments about public officials, town residents, or others. All speakers will observe the commonly accepted rules of courtesy, decorum, dignity, and good taste with no cursing, swearing, clapping, booing, finger pointing, bullying, whispering, or talking that disrupts the proceedings of the business of the Town Board.
5. Any speaker who disregards the directives of the presiding officer in enforcing the rules, disturbs the peace at a meeting, makes impertinent or slanderous remarks, or generally conducts themselves in an inappropriate manner shall be barred from further participation and will forfeit any balance of time remaining for their comments.
6. After a final warning, if a speaker willfully refuses to step down, the Town Supervisor shall contact the appropriate authorities to remove the speaker from the meeting room and to restore order.
7. The Town Supervisor, or in their absence the Deputy Supervisor, shall ensure compliance with these rules.

**This policy will be amended by Majority vote of the Town Board.**

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 142-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO ADOPT 2023 BUDGET**

**BE IT RESOLVED** that following a Public Hearing held on October 24, 2022 regarding the 2023 Preliminary Budget, the Town Board hereby adopts the 2023 Preliminary Budget as the 2023 Final Budget.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 143-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO INCREASE RATE OF PAY FOR  
HIGHWAY DEPARTMENT EMPLOYEE**

**WHEREAS** Joseph A. Woelfersheim has successfully completed a six-month probationary period with the Highway Department.

**RESOLVED** at the request of the Highway Superintendent, his pay rate will increase to \$18.31 per hour.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 144-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO APPROVE EMERGENCY PURCHASE  
BY THE HIGHWAY DEPARTMENT**

**WHEREAS** the Town Board adopted a Procurement Policy on January 1, 2022 concerning the procurement of goods and services.

**WHEREAS** it was determined that the EGR Cooler and Engine Oil Cooler on the 2006 F-350 needed to be replaced as it is used on a daily basis for Highway work activities.

**WHEREAS** due to the emergency condition of this purchase and according to Procurement Policy 6 b, Section 103(4) of the General Municipal Law, this repair had to be performed immediately and an alternative proposal might threaten the life, health, safety or welfare of the residents.

**BI IT RESOLVED** that the Town Board of the Town of New Baltimore approves said emergency repair by Crossroads Ford for \$3,699.88, Purchase Order H-2022-208, and Voucher No. 2022-11-39

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 145-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO APPROVE EMERGENCY PURCHASE  
BY THE HIGHWAY DEPARTMENT**

**WHEREAS** the Town Board adopted a Procurement Policy on January 1, 2022 concerning the procurement of goods and services.

**WHEREAS** it was determined that the damaged transmission on the 1996 International dump truck should be removed and replaced as it is used on a daily basis for Highway work activities.

**WHEREAS** due to the emergency condition of this purchase and according to Procurement Policy 6 b, Section 103(4) of the General Municipal Law, this repair had to be performed immediately and an alternative proposal might threaten the life, health, safety or welfare of the residents.

**BI IT RESOLVED** that the Town Board of the Town of New Baltimore approves said emergency repair by Heavy Duty Automatics, Inc. for \$7,511, Purchase Orders H-2022-182 and H-2022-188, Voucher No. 2022b-10-17 and Voucher 2022b-10-18.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 146-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO PLACE ADVERTISEMENT FOR MEMBERS OF  
PLANNING BOARD AND ZONING BOARD OF APPEALS**

**WHEREAS** an advertisement will be placed in *The Daily Mail* for positions that are currently unfilled or whose term of office will expire on December 31, 2022.

**RESOLVED** that the Town Clerk will place the following advertisement, approved by the Attorney for the Town, in *The Daily Mail* for 7 days.

The Town of New Baltimore is seeking applicants who are residents of the Town for the Planning Board and Zoning Board of Appeals where annual training is required. Please send letter of interest or resume outlining experience to Supervisor Jeff Ruso, 3809 County Route 51, Hannacroix, NY 12087, [jruso@townofnewbaltimore.org](mailto:jruso@townofnewbaltimore.org), or call (518)756-6671 Ext. 7 for information by December 20, 2022.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 147-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO APPROVE TOWN OF NEW BALTIMORE  
TAKE HOME VEHICLE POLICY**

*WHEREAS* the Town Board of the Town of New Baltimore recognized the need for an official Board approved "Take Home Vehicle Policy, and

*WHEREAS* the proposed policy was developed with the input of the Town Highway Superintendent and the Town's Labor Attorney,

*THEREFORE, BE IT RESOLVED* the Town Board of the Town of New Baltimore approves the proposed "Take-Home Vehicle Policy".

**Town of New Baltimore  
Take Home Vehicle Policy**

The Town of New Baltimore may authorize employees to take home Town vehicles where necessary and appropriate for their position. Currently, two positions, the Town Highway Superintendent and Deputy Superintendent, are authorized to take home Town vehicles as they both may be required to respond to after-hour emergency calls.

Take home Town vehicles may only be used for Town business, including using such vehicle to drive to and from work. Take home vehicles are not to be used for any personal or non-Town business-related reason. Use of Town vehicles for personal or non-Town business purposes may result in (i) the employee being required to reimburse the Town for the cost of the use of the Town vehicle for personal or non-Town business-related purposes, or (ii) revocation of the authorization to take home a Town vehicle. In addition, use of Town vehicle for non-Town business may require the employee to report the cost of that use as taxable income. The fuel for said take home vehicles shall be provided by the Town and logged as with any other Town-owned vehicles, including the date of fill up, number of gallons pumped, and the mileage of the vehicle being filled. Employees also must separately log in the mileage for any non-Town business use of the vehicle. Failure to accurately do so may result in disciplinary action.

The authorization for employees to take home Town vehicles may be revoked by the Town Board at any time, in its discretion.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 148-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO APPROVE GREENE COUNTY SEPTIC  
CLEANERS, INC. MONTHLY FUEL SURCHARGE**

**WHEREAS** the Town Board of the Town of New Baltimore approved Resolution 87-2022 regarding portable standard toilets at Cornell Park, Wyche Park, Cecil C. Hallock Park, Silver Lake Park, and AgFest.

**RESOLVED** that due to the high cost of fuel, the Town Board approves the additional surcharge of \$5 monthly.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 149-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO REAPPOINT  
BOARD OF ASSESSMENT REVIEW MEMBER**

**WHEREAS** the Town Board of the Town of New Baltimore appointed Bernard Jones to the Board of Assessment Review on September 26, 2022 and he was unable to file an Oath of Office within thirty days.

**RESOLVED** the Town Board reappoints Bernard Jones to the Board of Assessment Review until September 30, 2027 upon the filing of an Oath of Office within thirty days.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 150-2022  
NOVEMBER 14, 2022**

**RESOLUTION TO APPROVE LOCAL LAW 4 OF 2022 REVISING  
TOWN OF NEW BALTIMORE SOLAR LAW AND RESCINDS  
LOCAL LAW 1 OF 2022 TO IMPOSE A MORATORIUM  
ON THE PROCESSING OF APPLICATIONS FOR, AND THE ISSUANCE  
OF ANY PERMITS, CERTIFICATES OF OCCUPANCY AND APPROVALS  
FOR CERTAIN LAND USES RELATING TO SOLAR ENERGY,  
INCLUDING BUT NOT LIMITED TO SOLAR FARMS**

**WHEREAS** the Town of New Baltimore established a Solar Law Review Committee in June of 2022 to review and/or revise existing Town Solar Law, and

**WHEREAS**, said Solar Law Review Committee met seven times, reviewing Town of New Baltimore Solar Laws, Solar Laws of other municipalities, state regulations, and other written documentation; and

**WHEREAS**, upon completion of the last version of the proposed Solar Law that version was sent to the Town Attorney for legal review; and

**WHEREAS**, given that the attached Solar Law has met the approval of both the Solar Law Review Committee and the Town Attorney.

**WHEREAS** the Town of New Baltimore held a public hearing regarding the proposed local law to hear the input of the public and edits were made to the proposed Solar Law as a result;

**NOW THEREFORE BE IT RESOLVED**, The Town of New Baltimore hereby adopts Local Law #4 of 2022 titled 'Town of New Baltimore Solar Law,' replacing all prior Town Solar Laws, and,

**BE IT FURTHER RESOLVED** that The Town of New Baltimore hereby rescinds Local Law #1 of 2022 imposing a moratorium on the processing of applications for the issuance of any permits, certificates of occupancy and approvals for certain land uses relating to solar energy, including but not limited to solar farms.

**TOWN OF NEW BALTIMORE, COUNTY OF GREENE**

**RESOLUTION 150-2022**

**NOVEMBER 14, 2022**

**RESOLUTION TO AUTHORIZE SUPERVISOR TO PAY AUDITED CLAIMS**

***WHEREAS*** the Town Clerk has presented claims to the Town Board for audit and review, and

***WHEREAS*** the Town Board has audited claims 2022-11-01 to 2022-11-, it is

***RESOLVED*** that the Supervisor is hereby authorized to pay claims 2022-11-01 to 2022-11-,

***BE IT FURTHER RESOLVED*** that the Town Clerk will prepare an Abstract and hold it for public review until December 31, 2022.



Town of New Baltimore  
3809 CR51, Hannacroix, NY 12087  
518-756-2078 fax 518-756-3078

Highway Voucher

Suppliers

Crossroads Ford  
Po Box 190  
Ravena, NY 12143

Date Rcv'd

Vcher 2022

Acct	Amount
	5
DA5130.4	3699.88
	8
	3699.88
Total	
Date Paid	Check #

Date	Quantity - Description of Materials/Services	Amount
10/26/22	Invoice # 12155	
	Emergency Repairs to 2006 F-350	
	UNIT # 10	
	Total Cost	3699.88

CLAIMANT'S CERTIFICATION

I certify that the above is true and correct. The items, services, and disbursements charged were rendered to or for the municipality on the dates stated; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

Date

Signature

Title

DEPARTMENTAL APPROVAL

The services/materials above were rendered or furnished to the municipality on the date stated and charges are correct.

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

Date

Auditing Board

**PO # H-2022-208**

**(518)756-8880 FAX**

Vendor Classroads Inc

Ship to 3809 County Rt. 51

~~Hannacroix, NY 12087~~

Date \_\_\_\_\_

Department Any

Quantity	Item #	Item Description	Unit Cost	Amount
		Parts and Labor to Remove and Replace EGR Cooler And Engine oil Cooler on 2006 F350 UNIT # 10		3699.88-
		* Replaced 2 Batteries		
		2006 F-350		
		Total		\$ 3699.88-

**AUTHORIZED SIGNATURE**

**Signature of Town Supervisor if oy**

*J. P. ...*

Town of New Baltimore  
Emergency Purchase Request

Date: 9/28/22

Department: Highway

Description of Project: Replacement of EGR Cooler and  
Engine oil Cooler on 2006 F-350 Truck #10

Description of Repair: Remove and Replace EGR Cooler, and  
engine oil Cooler on 2006 F-350 Truck #10 All Parts and  
estimated 12-13 hours labor

Estimated Cost: ~~3332.95~~ 3699.88

Company Completing Repair: Crossroads Ford

I certify that this project is an Emergency Purchase according to the Town of New Baltimore Procurement Policy 6b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a

9/28/22  
Date

Town Supervisor

Date Received

\* This Truck is used on a daily basis for highway work activities.

CROSSROADS FORD  
2351 RT 9W PO BOX 190  
RAVENA, NY 12143  
(518) 756-4000  
FACILITY #7091610

12155 TOW

TOWN OF NEW BALTIMORE 3809 COUNTY ROUTE 51 HANNACROIX, NY 12087		VEHICLE ID		MILES IN	MILES OUT	DATE/TIME IN	DATE OUT	INVOICE NO.
		1FDWF37P56EC49687		86987	86999	09/27/22 08:51	10/26/22	12155
		VEHICLE DESCRIPTION		TAG NO.		STATUS		
2006 FORD F350 SUPER (WH)						COMPLETE		
CONTROL NO.	LICENSE PLATE NO.	CUST. LABOR RATE	PROD. DATE	IN-SERV. DATE	DELIV. DATE	DELIV. MILES	TERMS	
13042				01/09/09	01/09/09	20458	Charge	
HOME	WORK	CELL	STOCK NO.	SERV. ADV.		ENGINE/TRANS		
(518) 756-6671	(800) 421-1220	(518) 756-8880	U5638T	SEAN RADLIFF (608)				

[ ] CASH [ ] CK# [ ] AMEX  
[ ] MC/VISA [ ] DISCOVER [ ] CHARGE  
[ ] OTHER

Line	Op-Code	Fail Code	Tech	Hours	Type	Amount																																			
A			AJM		Customer	\$2,020.00																																			
Concern	CUSTOMER STATES THERE IS COOLANT DRIPPING OUT OF THE EXHAUST. CHECK AND ADVISE.																																								
Cause	TECHNICIAN CHECKED AND CONFIRMED CUSTOMER CONCERN. TECHNICIAN FOUND COOLANT IN THE EXHAUST. TECHNICIAN PERFORMED COOLING SYSTEM PRESSURE/LEAK TEST. TECHNICIAN FOUND THE EGR COOLER IS LEAKING INTERNALLY. TECHNICIAN RECOMMENDS TO REPLACE THE EGR COOLER AND OIL COOLER IN ORDER TO CORRECT CUSTOMER CONCERN. CUSTOMER APPROVED.																																								
Correction	TECHNICIAN REPLACED THE EGR COOLER AND OIL COOLER. CHANGED THE OIL AND FILTER AND PERFORMED A COOLANT FLUSH. TECHNICIAN RECHECKED AFTER REPAIRS. TEST DROVE 12 MILES AND RETESTED. ALL OK AT THIS TIME.																																								
<table border="1"> <thead> <tr> <th>Part Number</th> <th>Description</th> <th>Qty.</th> <th>Unit Price</th> <th>Ext. Price</th> </tr> </thead> <tbody> <tr> <td>4C3Z 9P456 AJ</td> <td>COOLER - EGR</td> <td>1</td> <td>\$438.33</td> <td>\$438.33</td> </tr> <tr> <td>3C3Z 9439 AA</td> <td>GASKET - INTAK</td> <td>2</td> <td>\$13.08</td> <td>\$26.16</td> </tr> <tr> <td>3C3Z 6A642 CA</td> <td>KIT</td> <td>1</td> <td>\$373.86</td> <td>\$373.86</td> </tr> <tr> <td>3C3Z 9J469 AA</td> <td>GASKET</td> <td>1</td> <td>\$3.65</td> <td>\$3.65</td> </tr> <tr> <td colspan="4">Parts Total...</td> <td>\$842.00</td> </tr> <tr> <td colspan="4">Line Total...</td> <td>\$2,862.00</td> </tr> </tbody> </table>							Part Number	Description	Qty.	Unit Price	Ext. Price	4C3Z 9P456 AJ	COOLER - EGR	1	\$438.33	\$438.33	3C3Z 9439 AA	GASKET - INTAK	2	\$13.08	\$26.16	3C3Z 6A642 CA	KIT	1	\$373.86	\$373.86	3C3Z 9J469 AA	GASKET	1	\$3.65	\$3.65	Parts Total...				\$842.00	Line Total...				\$2,862.00
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B +	DOLF		AJM		Customer	\$45.00																																			
Concern	PERFORM DIESEL OIL AND FILTER SERVICE DRAIN WATER SEPERATOR,CHECK ALL FLUID LEVELS,RESET TIRE PRESSURES																																								
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		VEHICLE DESCRIPTION					TAG NO.	STATUS
		2006 FORD F350 SUPER (WH)						COMPLETE

CONTROL NO.	LICENSE PLATE NO.	CUST. LABOR RATE	PROD. DATE	IN-SERV. DATE	DELIV. DATE	DELIV. MILES	TERMS
13042				01/09/09	01/09/09	20458	Charge
HOME	WORK	CELL	STOCK NO.	SERV. ADV.		ENGINE/TRANS	
(518) 756-6671	(800) 421-1220	(518) 756-8880	U5638T	SEAN RADLIFF (608)			

Line	Op-Code	Fail Code	Tech	Hours	Type	Amount
B +	Continued					
<b>Line Total...</b>						<b>\$166.36</b>

<b>C +</b>	AJM	Customer				<b>\$142.36</b>																				
<p>Concern PERFORM COOLING SYSTEM SERVICE</p> <p>Correction PERFORM BG POWER FLUSH ON COOLING SYSTEM, ADD LUBRICANTS AND RESET COOLANT TO -35 DEGREES</p>																										
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<b>D +</b>	AJM	Customer				<b>\$170.00</b>																														
<p>Concern TECHNICIAN FOUND WHEN TRYING TO PULL INTO SHOP TO DO THE WORK THE TRUCK IS NOT STRATING. TECHNICIAN TRIED TO JUMP THE VEHICLE AND FOUND THE JUMP PACK FAILED. TECHNICIAN TESTED BATTERY AND FOUND BOTH BATTERIES LOW. TECHNICIAN RECOMMENDS TO REPLACE BOTH BATTERIES AND CHECK FROM THERE.</p> <p>Correction TECHNICIAN REPLACED BOTH BATTERIES AND RECHECKED. FOUND NO ISSUES AFTER REPAIRS.</p>																																				
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Warranty Claim Type: F	Authorization Code:	Service Cont No:

TOWN OF NEW BALTIMORE 3809 COUNTY ROUTE 51 HANNACROIX, NY 12087		VEHICLE ID		MILES IN	MILES OUT	DATE/TIME IN	DATE OUT	INVOICE NO.	
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HOME	WORK	CELL	STOCK NO.	SERV. ADV.			ENGINE/TRANS		
(518) 756-6671	(800) 421-1220	(518) 756-8880	U5638T	SEAN RADLIFF (608)					

Totals	
	Amount
Labor	\$2,377.36
Parts	\$1,233.27
Parts-Other	\$89.25
Total Amount Due	\$3,699.88
Charge Account	\$3,699.88
CTRL#13042	--

# STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

On behalf of servicing dealer, I hereby certify that the information contained hereon is accurate unless otherwise shown. Warranty services described were performed at no charge to owner. There was no indication from the appearance of the vehicle or otherwise, that any part repaired or replaced under this claim had been connected in any way with any accident, negligence, or misuse. Records supporting this claim are available for (1) year from the date of payment notification at the servicing dealer for inspection by manufacturer's representative.

CUSTOMER SIGNATURE

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

Town of New Baltimore  
3809 CR51, Hannacroix, NY 12087  
518-756-6671 fax 518-756-8880  
HIGHWAY VOUCHER

Suppliers  
Name and  
Address

HEAVY DUTY AUTOMATICS, INC.  
P.O. Box 60  
Hannacroix, NY 12087

Date Rcv'd		Voucher # 26226-10-18	
Acct to be charged		Amount	
DA 5732 9		4250.00	
Total		4250.00	
Date Paid 10/21		Check # 2607	

Detailed invoices may be attached and total entered on this voucher. Claimant's Certification must be signed.

Date	Quantity - Description of Materials/Services	Amount
8-22-22	INVOICE # 7701	
	REFS TRUCK # 8	
1	1363932 PS140-9A Series Trans	4250.00
TOTAL COST		4250.00

#### CLAIMANT'S CERTIFICATION

I certify that the above is true and correct. The items, services, and disbursements charged were rendered to or for the municipality on the dates stated; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

8/22/22  
Date

President  
Title

#### DEPARTMENTAL APPROVAL

The services/materials above were rendered or furnished to the municipality on the dates stated and charges are correct.

Date Authorized Official

#### APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

Accounting Board

# HEAVY DUTY AUTOMATICS, INC

P.O. Box 60 - Hannacroix, New York 12087

(518) 756-9660 - Repair Shop # 7038323

HEAVY DUTY AUTOMATICS, INC  
P.O. Box 60  
Hannacroix, NY 12087

TOWN OF NEW BALTIMORE

3809 CR 51

HANNACROIX

NY 12087

756-2078

W & W TRUCK TRANSMISSION REPAIR, INC.  
(518) 756-9666 08/22/22 INVOICE 7701

MAKE:

MILES:

1

MODEL:

LICENSE: NEWBALT

YEAR:

BY: JCA

--SHOP LABOR DESCRIPTION-----MECH-----AMOUNT--

P.O. # VERBAL ---ALAN

REF: TRANS FOR TRUCK# 8

UNIT TO BE INSTALLED AT A LATER DATE

REBUILDING OF ALLISON  
AUTOMATICS...

GENUINE ALLISON PARTS

REBUILDING OF

CONSTRUCTION AND

OFF ROAD AUTOMATICS.

COMPLETE DRIVELINE

SERVICE.

DRIVELINES CUSTOM

MADE TO ORDER.

FLYWHEELS RESURFACED

QTY PART NUMBER  
1 1363932

-----PARTS-----  
NAME OF PART

PS140-9A SERIES TRANSMISSION

PRICE  
4250.00

I hereby authorize the above repair work to be done along with the necessary materials. You and your employees may operate the above vehicle for the purposes of testing, inspection, or delivery at my own risk. An express mechanics lien is acknowledged on the above vehicle to secure the amounts of repairs thereto. It is also understood that you will be responsible for loss or damage to the vehicle, or articles left in the vehicle in case of fire, theft or any other cause beyond your control. It is further understood that a storage charge of \$20.00 per day will be assessed against the above vehicle not reclaimed within 24 hours of completed services, estimate or towing.

LABOR TOTAL .00  
OTHER CHARGES .00  
PARTS TOTAL 4250.00  
SALES TAX .00  
PD IN ADVANCE .00  
CHARGED 4250.00



Town of New Baltimore  
Emergency Purchase Request

Date: 8/9/22

Department: Highway

Description of Project: Remove + Replacement of Damaged Transmission on 1996 International 10-wheel Dump Truck.

Description of Repair: Remove damaged transmission from 1996 International Dump Truck and replace with new.

Estimated Cost: Total Cost Approx. 8500.00 Transmission 9250.00  
Labor + Related Costs 542.50.00

Company Completing Repair:

W&W Truck Transmission Repair  
Heavy Duty Automatics

I certify that this project is an Emergency Purchase according to the Town of New Baltimore Procurement Policy 6b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate arrangements may threaten the life, health, safety or welfare of the residents.

8/22/22  
Date

Date Received

\* Transmission and labor will be billed on  
Separate Invoices

~~X~~ This Transmission is much to large for us to  
do in house.

**Town of New Baltimore  
Proposed Solar Energy Local Law  
Proposed Local Law #**

**1. Authority**

This Solar Energy Local Law is adopted pursuant to New York State Town Law, and 2 and Municipal Home Rule Law of the State of New York, which authorize the Town of New Baltimore to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and, in accordance with the Town of New Baltimore law of New York State, "to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefor."

**2. Statement of Purpose**

A. This Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of New Baltimore by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives:

- 1) To take advantage of a safe, abundant, renewable and non-polluting energy resource;
- 2) To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;
- 3) To increase employment and business development in the Town of New Baltimore, to the extent reasonably practical, by furthering the installation of Solar Energy Systems;
- 4) To mitigate the impacts of Solar Energy Systems on environmental resources and;
- 5) To create synergy between solar and other stated goals of the community pursuant to its Comprehensive Plan.

**3. Definitions**

**BUILDING-INTEGRATED SOLAR ENERGY SYSTEM:** A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

**GLARE:** The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

**GROUND-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System that is anchored to the ground via a pole or other mounting system, detached from any other structure that generates electricity for onsite or offsite consumption.

**NATIVE PERENNIAL VEGETATION:** native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

**POLLINATOR:** bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

**ROOF-MOUNTED SOLAR ENERGY SYSTEM:** A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite or offsite consumption.

**SOLAR ACCESS:** Space open to the sun and clear of overhangs or shade so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

**SOLAR ENERGY EQUIPMENT:** Electrical material, hardware, inverters, conduit, storage devices, or other electrical and photovoltaic equipment associated with the production of electricity.

**SOLAR ENERGY SYSTEM:** The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. The area of a Solar Energy System includes all the land inside the perimeter of the Solar Energy System, which extends to any interconnection equipment. A Solar Energy System is classified as a Tier 1, Tier 2, or Tier 3 Solar Energy System as follows.

A. Tier 1 Solar Energy Systems include the following:

- a. Roof-Mounted Solar Energy Systems
- b. Building-Integrated Solar Energy Systems

B. Tier 2 Solar Energy Systems include Ground-Mounted Solar Energy Systems with system capacity up to 25 kW AC and that generate no more than 110% of the electricity consumed on the site over the previous 12 months.

C. Tier 3 Solar Energy Systems are systems that are not included in the list for Tier 1 and Tier 2 Solar Energy Systems.

**SOLAR PANEL:** A photovoltaic device capable of collecting and converting solar energy into electricity.

**STORAGE BATTERY:** A device that stores energy and makes it available in an electrical form.

#### **4. Applicability**

A. The requirements of this Local Law shall apply to all Solar Energy Systems permitted, installed, or modified in Town of New Baltimore after the effective date of this Local Law, excluding general maintenance and repair.

B. Solar Energy Systems constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law.

C. Modifications to an existing Solar Energy System that increase the Solar Energy System area by more than 5% of the original area of the Solar Energy System (exclusive of moving any fencing) shall be subject to this Local Law.

D. All Solar Energy Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards.

#### **5. General Requirements**

A. A Building permit shall be required for installation of all Solar Energy Systems. The Town Code Enforcement Officer will be notified by the Town Supervisor that all requirements of the decommissioning plan and the PILOT and/or CHA have been satisfied and the project is eligible for a building permit.

B. Local land use boards are encouraged to condition their approval of proposed developments on sites adjacent to Solar Energy Systems so as to protect their access to sufficient sunlight to remain economically feasible over time.

C. Issuance of permits and approvals by the Coeymans Planning Board/Zoning Board of Appeals shall include review pursuant to the State Environmental Quality Review Act ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 ("SEQRA").

#### **6. Permitting Requirements for Tier 1 Solar Energy Systems**

All Tier 1 Solar Energy Systems shall be permitted in all zoning districts and shall be exempt from site plan review under the local zoning code or other land use regulation, subject to the following conditions for each type of Solar Energy Systems:

##### **A. Roof-Mounted Solar Energy Systems**

1) Roof-Mounted Solar Energy Systems shall incorporate, when feasible, the following design requirements:

- a. Solar Panels on pitched roofs shall be mounted with a maximum distance of 8 inches between the roof surface the highest edge of the system.
- b. Solar Panels on pitched roofs shall be installed parallel to the roof surface on which they are mounted or attached.

- c. Solar Panels on pitched roofs shall not extend higher than the highest point of the roof surface on which they are mounted or attached.
  - d. Solar Panels on flat roofs shall not extend above the top of the surrounding parapet, or more than 24 inches above the flat surface of the roof, whichever is higher.
- 2) Glare: All Solar Panels shall have anti-reflective coating(s).
- 3) Height: All Roof-Mounted Solar Energy Systems shall comply with the height limitations in Appendix 3.

B. Building-Integrated Solar Energy Systems shall be shown on the plans submitted for the building permit application for the building containing the system.

## **7. Permitting Requirements for Tier 2 Solar Energy Systems**

All Tier 2 Solar Energy Systems shall be permitted in all zoning districts as accessory structures and shall be exempt from site plan review under the local zoning code or other land use regulations, subject to the following conditions:

- A. Glare: All Solar Panels shall have anti-reflective coating(s).
- B. Setbacks: Tier 2 Solar Energy Systems shall be subject to the setback regulations specified for the accessory structures within the underlying zoning district. All Ground-Mounted Solar Energy Systems shall only be installed in the side or rear yards in residential districts.
- C. Height: Tier 2 Solar Energy Systems shall be subject to the height limitations specified for accessory structures within the underlying zoning district.
- D. Screening and Visibility.
  - 1) All Tier 2 Solar Energy Systems shall have views minimized from adjacent properties to the extent reasonably practicable.
  - 2) Solar Energy Equipment shall be located in a manner to reasonably avoid and/or minimize blockage of views from surrounding properties and shading of property to the north, while still providing adequate solar access.
- E. Lot Size: Tier 2 Solar Energy Systems shall comply with the existing lot size requirement specified for accessory structures within the underlying zoning district.

## **8. Permitting requirements for Tier 3 Solar Energy Systems**

All Tier 3 Solar Energy Systems are permitted through the issuance of a special use permit within the Residential/Agricultural, Planned Residential, General Business, Industrial and Planned Industrial zoning districts, and subject to site plan application requirements set forth in this Section.

A. Applications for the installation of Tier 3 Solar Energy System shall be:

- 1) reviewed by the Code Enforcement Officer for completeness. Applicants shall be advised within 10 business days of the completeness of their application or any deficiencies that must be addressed prior to substantive review.
- 2) subject to a public hearing to hear all comments for and against the application. The Planning Board/Zoning Board of Appeals of the Town of New Baltimore shall have a notice printed in a newspaper of general circulation in the Town of New Baltimore at least 5 days in advance of such hearing. Applicants shall have delivered the notice by first class mail to adjoining landowners or landowners within 1000 feet of the property at least 10 days prior to such a hearing. Proof of mailing shall be provided to the Planning Board/Zoning Board of Appeals at the public hearing.
- 3) referred to the Greene County Planning Board pursuant to General Municipal Law § 239-m if required.
- 4) upon closing of the public hearing, the Planning Board/Zoning Board of Appeals shall take action on the application within 62 days of the public hearing, which can include approval, approval with conditions, or denial. The 62-day period may be extended upon consent by both the Planning Board/Zoning Board of Appeals and applicant.

B. Underground Requirements. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

C. Vehicular Paths. Vehicular paths within the site shall be designed to minimize the extent of impervious materials and soil compaction.

D. Signage.

- 1) No signage or graphic content shall be displayed on the Solar Energy Systems except the manufacturer's name, equipment specification information, safety information, and 24-hour emergency contact information. Said information shall be depicted within an area no more than 8 square feet. To the extent required by safety, signs can be larger, subject to the review and approval of the Planning Board/Zoning Board of Appeals.

- 2) As required by National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

E. Glare. All Solar Panels shall have anti-reflective coating(s).

F. Lighting. Lighting of the Solar Energy Systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

G. Thin-film panels will require initial soil testing as well as at decommissioning. Cost of sampling and any needed remediation shall be at the expense of the operator/property owner.

H. Tree-cutting. Removal of existing trees larger than 6 inches in diameter should be minimized to the extent possible but in no case should removal of existing trees exceed 50% of current forested coverage.

I. Decommissioning.

- 1) Solar Energy Systems that have been abandoned and/or not producing electricity for a period of 1 year shall be removed at the Owner and/or Operators expense, which at the Owner's option may come from any security made with the Town of New Baltimore as set forth in Section 10(b) herein.

- 2) A decommissioning plan (see Appendix 4) signed by the owner and/or operator of the Solar Energy System shall be submitted by the applicant, addressing the following:

- a. The cost of removing the Solar Energy System.
- b. The time required to decommission and remove the Solar Energy System any ancillary structures.
- c. The time required to repair any damage caused to the property by the installation and removal of the Solar Energy System.

- 3) Security.

- a. The deposit, executions, or filing with the Town of New Baltimore Town Clerk a bond, or other form of security reasonably acceptable to the Town of New Baltimore Town attorney and/or engineer, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. The amount of the bond or security shall be 125% of the cost of removal of the Tier 3 Solar Energy System and restoration of the property with an escalator of 2% annually for the life of the Solar Energy System. The decommissioning

amount shall be reduced by 50% of the estimated salvage value of the Solar Energy System. That bond shall be reviewed on the following schedule:

- a. Every 5 years for the 1<sup>st</sup> 15 years
  - b. Every 3 years thereafter.
- b. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the cash deposit, bond, or security shall be forfeited to the Town of New Baltimore, which shall be entitled to maintain an action thereon. The cash deposit, bond, or security shall remain in full force and effect until restoration of the property as set forth in the decommissioning plan is completed.
  - c. In the event of default or abandonment of the Solar Energy System, the system shall be decommissioned as set forth in Section 10(b) and 10(c) herein.

I. Site plan application. For any Solar Energy system requiring a Special Use Permit, site plan approval shall be required. Any site plan application shall include the following information:

- 1) Property lines and physical features, including roads, for the project site
- 2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures
- 3) A one- or three-line electrical diagram detailing the Solar Energy System layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
- 4) A preliminary equipment specification sheet that documents all proposed solar panels, significant components, mounting systems, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- 5) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- 6) Name, address, phone number, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
- 7) Zoning district designation for the parcel(s) of land comprising the project site.
- 8) Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.



- 9) Erosion and sediment control and storm water management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Planning Board.
- 10) Prior to the issuance of the building permit or final approval by the Planning Board/Zoning Board of Appeals, but not required as part of the application, engineering documents must be signed and sealed by a New York State (NYS) Licensed Professional Engineer or NYS Registered Architect.

J. Special Use Permit Standards.

1) Lot size

- a. The property on which the Tier 3 Solar Energy System is placed shall meet the lot size requirements in Appendix 1.

2) Setbacks

- a. The Tier 3 Solar Energy Systems shall meet the setback requirements in Appendix 2.

3) Height

- a. The Tier 3 Solar Energy Systems shall comply with the height limitations in Appendix 3 depending on the underlying zoning district.

4) Lot coverage

- a. The following components of a Tier 3 Solar Energy System shall be considered included in the calculations for lot coverage requirements:
  - I. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
  - II. All mechanical equipment of the Solar Energy System, including any pad mounted structure for batteries, switchboard, transformers, or storage cells.
  - III. Paved access roads servicing the Solar Energy System.
- b. Lot coverage of the Solar Energy System, as defined above, shall be calculated on the aggregate of all lots affected rather than by individual lot.

- 5) Fencing Requirements. All mechanical equipment, including any structure for storage batteries, shall be enclosed by a fence that is 7 to 8 foot tall, as required by NEC, with a self-locking gate to prevent unauthorized access.

6) Screening and Visibility.

a. Solar Energy Systems shall be required to:

- I. Conduct a visual assessment of the visual impacts of the Solar Energy System on public roadways and adjacent properties. At a minimum, a line-of-sight profile analysis shall be provided. Depending upon the scope and potential significance of the visual impacts, additional impact analyses, including for example a digital viewshed report, shall be required to be submitted by the applicant.
- II. Submit a screening & landscaping plan to show adequate measures to screen through landscaping, grading, or other means so that views of Solar Panels and Solar Energy Equipment shall be minimized as reasonably practical from public roadways and adjacent properties to the extent feasible.
- III. The screening & landscaping plan shall specify the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping, and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system, following the applicable rules and standards established by the Planning Board/Zoning Board of Appeals.

K. Ownership Changes. If the owner or operator of the Solar Energy System changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the Solar Energy System shall notify the zoning enforcement officer and the Town Supervisor of such change in ownership or operator within 30 days of the ownership change. **Failure to notify both parties in the appropriate time frames may result in suspension of the special use permit.**

9. Safety

A. Solar Energy Systems and Solar Energy Equipment shall be certified under the applicable electrical and/or building codes as required.

B. Solar Energy Systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local fire department and, if the Tier 3 Solar Energy System is located in an ambulance district, the local ambulance corps.

C. If Storage Batteries are included as part of the Solar Energy System, they shall meet the requirements of any applicable fire prevention and building code when in use and, when no longer used, shall be disposed of in accordance with the laws and regulations of the Town of New Baltimore and any applicable federal, state, or county laws or regulations.

## **10. Permit Time Frame and Abandonment**

A. The Special Use Permit and site plan approval for a Solar Energy System shall be valid for a period of 18 months, provided that a building permit is issued for construction. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Planning Board/Zoning Board of Appeals, within 18 months after approval, or the Town of New Baltimore may extend the time to complete construction for 180 days. If the owner and/or operator fails to perform substantial construction after 24 months as evaluated by the Town of New Baltimore Code Enforcement Officer, the approvals shall expire, and applicant/owner will need to reapply.

B. Upon cessation of electricity generation of a Solar Energy System on a continuous basis for 12 months, the Town of New Baltimore may notify and instruct the owner and/or operator of the Solar Energy System to implement the decommissioning plan. The decommissioning plan must be completed within 360 days of notification.

C. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the Town of New Baltimore may, at its discretion, utilize the bond and/or security for the removal of the Solar Energy System and restoration of the site in accordance with the decommissioning plan.

## **11. Enforcement**

Any violation of this Solar Energy Law shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the zoning or land use regulations of the Town of New Baltimore.

## **12. Severability**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

## APPENDIX 1: LOT SIZE REQUIREMENTS

The following table displays the size requirements of the lot for Ground-Mounted Solar Energy Systems to be permitted.

**Table 1: Lot Size Requirements**

<b>Zoning District</b>	<b>Tier 3 Solar Energy Systems</b>
Residential/Agricultural (RA/RA-1)	≥ 5 acres
Planned Residential (R-4)	≥ 5 acres
General Business (B-1)	≥ 5 acres
Residential (R-1/R-2/R-3)	≥ 2 acres
Industrial (I-1/I-2)	N/A
Planned Industrial (I-3P)	N/A

**Key:**  
N/A: Not Applicable

## APPENDIX 2: PARCEL LINE SETBACKS

The following table provides parcel line setback requirements for Ground-Mounted Solar Energy Systems. Fencing, access roads and landscaping may occur within the setback.

**Table 2: Parcel Line Setback Requirements**

Zoning District	Tier 3 Ground-Mounted		
	Front	Side	Rear
Residential/Agricultural (RA/RA-1)	30'	20'	25'
Planned Residential (R-4)	30'	20'	25'
General Business (B-1)	30'	15'	25'
Residential (R-1/R-2/R-3)	50'	40'	45'
Industrial (I-1/I-2)	30'	20'	25'
Planned Industrial (I-3P)	30'	20'	25'

### APPENDIX 3: HEIGHT LIMITS

The following table displays height limits for each type of Solar Energy Systems. The height of systems will be measured from the highest natural grade below each solar panel.

**Table 3: Height Limits**

	<b>Tier 1 Roof-Mounted</b>	<b>Tier 2</b>	<b>Tier 3</b>
<b>Zoning District</b>			
Residential/Agricultural (RA/RA-1)	2' above roof	15'	20'
Planned Residential (R-4)	2' above roof	15'	20'
General Business (B-1)	4' above roof	15'	20'
Residential (R-1/R-2/R-3)	2' above roof	10'	--
Industrial	4' above roof	15'	20'
Planned Industrial	4' above roof	15'	20'

**Key:**

--: Not Allowed

#### APPENDIX 4: EXAMPLE DECOMMISSIONING PLAN

Date: [Date]

Decommissioning Plan for [Solar Project Name], located at:  
[Solar Project Address]

Prepared and Submitted by [Solar Developer Name], the owner of [Solar Farm Name]

As required by the Town of New Baltimore, [Solar Developer Name] presents this decommissioning plan for [Solar Project Name] (the "Facility").

Decommissioning will occur as a result of any of the following conditions:

1. The land lease, if any, ends
2. The system does not produce power for 12 months
3. The system is damaged and will not be repaired or replaced

The owner of the Facility, as provided for in its lease with the landowner, shall restore the property to its condition as it existed before the Facility was installed, pursuant to which may include the following:

1. Removal of all operator-owned equipment, concrete, conduits, structures, fencing, and foundations to a depth of 36 inches below the soil surface.
2. Removal of any solid and hazardous waste caused by the Facility in accordance with local, state and federal waste disposal regulations.
3. Removal of all graveled areas and access roads unless the landowner requests in writing for it to remain.

All said removal and decommissioning shall occur within 12 months of the Facility ceasing to produce power for sale.

The owner of the Facility, currently [Solar Developer Name], is responsible for this decommissioning.

Facility Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_