

REGULAR MEETING OF THE HANCOCK VILLAGE BOARD,
TUESDAY, OCTOBER 12, 2016 7:00 PM
HANCOCK VILLAGE HALL, 85 EAST FRONT STREET, HANCOCK, NEW YORK

The Regular Meeting was called to order at 7:03 P.M. by Mayor Eugene D. Morgan. Roll call was taken by Clerk/Treasurer Falsetta.

Present: Mayor Eugene D. Morgan
Deputy Mayor William Schoonmaker
Trustee Charlene Caramore
Trustee Dawn Gotthardt
Trustee Shaun Shannon

Also Present: Phyllis Falsetta, Clerk/Treasurer
Nathan D. VanWhy, Attorney for the Village

A MOTION was made by Trustee Gotthardt, seconded by Trustee Caramore, voted and carried to approve the September 12, 2016 Meeting Minutes. *2016-612
Minutes Approval*

A MOTION was made by Deputy Mayor Schoonmaker, seconded by Trustee Shannon, Voted and carried to approve the Abstract of Vouchers in the amount of \$15,536.75. *2016-613
Abstract of Vouchers*

The re-zoning of properties on West Main Street Tax ID# 428.20-1-7.1 and 428.20-1-7.2 from Industrial to General Business was discussed. The Board completed a SEQRA as required for a zoning amendment.

A MOTION was made by Trustee Gotthardt, seconded by Deputy Mayor Schoonmaker, voted and carried with the exception of Mayor Morgan who was opposed, to resolve the following: *2016-614
Re-Zoning Resolution*

**VILLAGE OF HANCOCK
A RESOLUTION APPROVING LOCAL LAW 3 OF 2016**

WHEREAS, the Village of Hancock scheduled a public hearing for September 26, 2016 at 6:45 p.m. for Local Law No. 3 of the Year 2016 entitled "A LOCAL LAW RE-ZONING TAX MAP NUMBER 428.20-1-7.1 AND TAX MAP NUMBER 428.20-1-7.2 TO THE GENERAL BUSINESS DISTRICT"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk's sign board; and

WHEREAS, said public hearing was duly held at the Hancock Village Hall, 85 East Front Street, Hancock, New York on the 26th day of September, 2016 at 6:45 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Delaware County Planning Department has reviewed the Local Law and has recommended approval; and

WHEREAS, the Village of Hancock Planning Board has reviewed the Local Law and has not raised any objections thereto; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Hancock that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; and

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Law No. 3 of the Year 2016 entitled "A LOCAL LAW RE-ZONING TAX MAP NUMBER 428.20-1-7.1 AND TAX MAP NUMBER 428.20-1-7.2 TO THE GENERAL BUSINESS DISTRICT", a copy of which is attached hereto and made a part hereof, and

RESOLVED, the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State.

RESOLVED, that this resolution shall take effect immediately.

The 2015 Annual Court Audit was conducted on October 12, 2016 by Deputy Mayor Schoonmaker and Trustee Gotthardt. They noted that Judge Buckley's financial records were very orderly and accurate.

A MOTION was made by Trustee Shannon, seconded by Deputy Mayor Schoonmaker, voted and carried with regret to accept Tom O'Boyles's resignation from the Planning Board effective December 31, 2016 unless a replacement is found sooner.

2016-615

*T O'Boyle Resignation
From Planning Board*

Roger Ostrander was present to request that the pot holes on Peas Eddy Road be patched before the onset of winter. There was a brief discussion on future plans for Peas Eddy Road.

A MOTION was made by Trustee Gotthardt, seconded by Trustee Shannon, voted and carried to celebrate Halloween on Monday, October 31, 2016.

2016-616

Halloween

A MOTION was made by Trustee Gotthardt, seconded by Trustee Caramore, voted and carried to enter into executive session at 7:49 P.M. to discuss:

2016-617

Executive Session

- Matters which, if disclosed, will imperil the public safety
- Matters which may disclose the identity of a law enforcement agent or informer

- Information regarding current or future investigations or prosecutions of a criminal offense which would imperil effective law enforcement if disclosed
- Discussion proposed, pending or current litigation
- Collective negotiations pursuant to the Taylor Law
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation
- The preparation, grading, or administration of examinations
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by the public body, but only when publicity would substantially affect the value thereof

The Regular Meeting was reconvened at 8:35 P.M. with no action taken.

A MOTION was made by Trustee Shannon, seconded by Trustee Gotthardt, voted and carried to extend P Falsetta’s vacation to November 30, 2016.

2016-618

P Falsetta Vacation Extensi

A MOTION was made by Trustee Shannon, seconded by Trustee Gotthardt, voted and carried to resolve the following:

2016-619

Linden Easement

RESOLUTION REGARDING A DETERMINATION OF TYPE OF ACTION AND SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE PROPOSED SALE OF AN EASEMENT, DECLARING EASEMENT AREA SURPLUS AND AUTHORIZING SALE OF THE SAME

WHEREAS, the Village of Hancock is the owner of that certain parcel of land known as 277 Sands Creek Road, tax map no. 428.16-1-1 (the “Property”); and

WHEREAS, Linden Energy Services Partners, LP, a Delaware limited partnership, has offered to purchase an easement over the Property as more accurately described in the easement agreement attached hereto and made a part hereof (the “Easement”), for purposes of constructing natural gas gathering pipelines; and

WHEREAS, actual construction of the proposed pipelines will be regulated by the New York State Department of Environmental Conservation and the New York State Public Service Commission (the “Agencies”); and

WHEREAS, the Agencies, in regulating the proposed pipelines, will conduct an environmental review that includes consideration of all environmental impacts of the pipelines both within and without the Easement, and such environmental determination will be binding upon the Village, such that only review of the Easement’s sale, and not review of the pipeline construction, is required of the Village; and

WHEREAS, pursuant to the State Environmental Quality Review Act and its accompanying regulations, the Board has considered the significance of the potential environmental impacts of the sale by using the criteria specified in Section 617.7 of the regulations, and examined the Short Environmental Assessment Form prepared herewith, together with other available supporting information, to identify the relevant areas of environmental concern, and thoroughly analyzing the identified areas of relevant environmental concern; and

WHEREAS, the Village Board, after due deliberation and inquiry as to value, has determined that the Easement area, as described in the agreement, is not needed for Village purposes and the consideration offered is more than fair market value;

NOW THEREFORE, BE IT RESOLVED, the Board hereby declares itself lead agency pursuant to SEQRA for this action, finds and concludes that the proposed action is an Unlisted actions within the meaning of 6 NYCRR 617.2(ak) and is therefore are subject to review under SEQRA and the regulations there under, and determines that the review will be not be a coordinated review; and

RESOLVED, based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Board's knowledge of the area surrounding the Unlisted action and such further investigation of the sale and its respective potential environmental impacts as the Board has deemed appropriate, the Board finds and determines that no significant adverse environmental impacts are noted in the EAF for the sale of the Easement and none are known to the Board and, therefore, the sale will not have a significant adverse environmental impact. This resolution shall serve as the Negative Declaration; and

RESOLVED, that sale of the Easement to Linden Energy Services Partners, LP for \$30,000.00 and such other and further consideration as more fully described in the attached agreement, is approved; and

RESOLVED, that the Mayor and Clerk/Treasurer of the Village of Hancock are hereby authorized to take all actions and execute all documents customary and necessary to finalize the transaction authorized herein.

RESOLVED, this resolution shall take effect immediately.

The meeting was adjourned at 8:43 P.M.

Respectfully Submitted by:

Phyllis Falsetta, Clerk/Treasurer