

COUNTY OF GREENE
TOWN OF NEW BALTIMORE
TOWN BOARD WORK MEETING
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Supervisor Louis called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was said. Also attending were: Councilwoman McKeon, Councilmen Kuenster, Norris, and Byas, Highway Superintendent Jordan, Town Clerk Brooks, Tax Collector Stuart, and 12 members of the public.

Supervisor Louis stated that there were a few items for the evening and agenda items would be set. **Greene IDA Executive Director Alexander "Sandy" Mathes** had been invited for this meeting to give the Town Board an update for the **Exit 21B Destination Multi-Use Park** development project.

Sandy Mathes: Four important public meetings; IDA (Industrial Development Agency) board voted last week to authorize a **supplemental Generic Environmental Impact Statement (GEIS)** in lieu of the current GEIS that's taking place on the proposed development that the IDA would like to undertake. Based on what that supplemental will do is look at several other alternatives to downsize the project and look at several versions of that based on related traffic flows and what traffic improvements would need to be made. So the first proposal we put out there included a relocation of the current Exit 21B. The alternatives will look at not doing a new exit, doing simply a flyover utilizing the current exit, expanding that to the maximum that it can be,...not doing any flyover, and utilizing the current entrance to **Kalkberg Commerce Park** as an exit point. So it gave us another gamut of transportation alternatives and then, based on what that traffic is, what then can be accommodated inside the park to maintain the level A service of transportation. Equates to downsizing the project. Current project has about 2.2 million square feet of space; first alternative goes to 1.4 million, then one about 1 million square feet again different mixtures of use, retail drives the biggest amount of traffic so that percentage of retail could be significantly different. Then we'll look at Kalkberg only, that will be including just the **Warren** piece of property that would be developed and then there'll be a look at what if somebody decided to put housing there. We want to see what that would do...First meeting February 12, 7 p.m., public presentation of the alternative site plans, here's how we're going to deal with the traffic on those and then **Elan (Planning and Design)** will present its secondary growth study and their analysis that they've been doing for four months now on what does this mean to (Route) 9W, what does this mean to residential growth and then questions will be answered. An informal educational session so people have what the new look and feel is going to be. Then two additional sessions, February 27 and March 1, **community workshops**. Hired **Mediation Matters** to come down and actually run issue-based discussion groups on issues ranging from traffic, environmental, secondary growth, site plans/look and feel, infrastructure including visual impacts. Coxsackie and New Baltimore residents invited to participate. That will give the community a real opportunity to debate issues. Our consultant on each of those topic areas will be there as well so they'll be able to throw out ideas, ask why certain things were designed the way they were and get answers directly back as to why...At that point we'll take all that information and come out with an adjusted plan of what we feel is the preferred alternative based on economics, traffic, community impact, all those issues, then we'll go to a formal public hearing for the supplemental portion of the GEIS and that will be April 7. Then we need to finish the original GEIS process which is to answer all those questions and concerns that were expressed, the same with the supplemental questions and concerns, and put that out again for one final version in which people will have another...period to comment. So there's still a great deal of public participation to take place and we feel it should hopefully give both communities adequate opportunity to be heard. We hope that this process will take us to about the end of May. Close out the **SEQR (State Environmental Quality Review)** process and end the supplemental and GEIS about the same time, at which time, if we're in good shape and we have an end user and somebody that actually wants to go there we would start the process with the town on your **PDD (Planned Development District)** process... So that's our time frame. We're prepared, as always, to meet with any group and discuss any

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issues. I'm as eager as everyone is to hear what the supplemental results will be, what the different sizes will be. I've got to figure out what the economics are for the cost of infrastructure. Can we still do positive public projects as part of that? That will be flushed out over the next couple of weeks...

Councilwoman McKeon: All are getting cards now and on town website, as get closer to the dates will IDA be posting information, via a link or will there be maps or any other data available?

Sandy Mathes: Our website has a resource for that. Once there's something publicly to be released it will be posted under supplemental GEIS icon. All the mapping, density charts, any of the studies that have been made available, Elan's work on secondary growth, would all be posted on the website as a minimum and if we need to have something bigger we would have links to other sites. If we can't have it on ours we'd have a link to it so it would be available on our website.

Supervisor Louis: I'm trying to understand the relationship between these two processes, the one that's ongoing and the supplemental process. Specifically, we've heard a number of comments made during the original generic process, some of which related to visual impacts and the timing of the visual impact analysis that was done. Another comment that I recall pertained to a broader look at traffic impacts which might carry a bit further north along Route 9W. I guess what I'm trying to get at is your supplemental process is geared toward taking a look at some of the impacts that were questioned in terms of the depth of analysis during the original generic process or is that still something you're going to follow even further into the future after there's specific end users for this project?

Sandy Mathes: I wouldn't say they're directly related, David, but we committed to doing them anyway, particularly on the visual. We committed that we would do that as a normal process of the GEIS, but because we decided to go to a supplemental and study some different alternatives that's included in that, but it's not because of the supplemental. No matter what alternative, whether it's the largest version or the smaller version, we still wanted to see what the visual restrictions would be so we wouldn't impact that so that is included. On the traffic, again, because we're looking at smaller that didn't kick in an additional analysis of traffic. What we did ask **Clough Harbour** to do is to look at in great detail on the **Route 144** area. We have not decided to pull any additional analysis further into the hamlet. We feel it was sufficient and it was the decision we made. We're enhancing our look at a 9W with Elan, they've looked at traffic. Clough Harbour is working with them on that, so we'll really see the bookends of where we're looking at as 144 to the north and **Flint Mine (Road)** where it comes out by the HiWay Drive In to the south because that's where we think the impact on 9W will be. We're also looking a little bit at the village of Cocksackie, what might happen if a great number of people decided they wanted to take a look at the river?

Supervisor Louis: In the current GEIS that was made public and hearings were held on and evaluated a preferred alternative and one other alternative and I believe what I've heard you say is that there are three additional alternatives that are going to be studied in the supplemental. My question is, does that mean that ultimately we're dealing with a set of five alternatives or are we only now dealing with the latter three that are being studied in the supplemental?

Sandy Mathes: There will be four additional, even though one will really only be just a housing one. More of a process of which is currently zoned, how many housing units could be thrown in there. It's more of a process to see what would happen. So you'll have three different alternatives that will come out of it. The first process came up with two projects--it came up with the large version, the 2.2 million square feet, the new exit, and

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then the very lowest, and I think that was kind of our mistake because we didn't do it in a broad scope of alternatives on it. That was Kalkberg only, no retail, more light manufacturing and commercial. So at the end when the dust settles you will have five potential site plans for three new alternatives and your two existing. So you will have five and then we will make a recommendation as part of the end process which is the preferred alternative. But the process and the studies will have accumulated information adequate enough to support all five as to what the impacts would be. The alternative that would be the preferred alternative would be when we go to that next level, here are the impacts, and how are we going to mitigate those impacts. But you're still going to have those other alternatives that could be brought to the town board at some point... It could even, theoretically, be an expansion proposal 10 years from now and it will outline. Say hypothetically that you decided to do something in the middle of the road, that's not to say that 10 years from now, somebody couldn't say, so what if we decided to do a new exit we'd like to come back to the Town Board and expand the site plan now that we can handle the traffic. It could be any five of those. We're studying the widest gamut of options, the biggest build out and the lowest build out, but in the end we will recommend a preferred alternative.

Supervisor Louis: Do you have some sense of what criteria you'll use in terms of getting to your preferred alternative?

Sandy Mathes: Yes. It will be a balance of a lot of things. The economics will probably be the driver of that. Ultimately if the money doesn't make sense to what the cost to do the infrastructure is and what the value of the development is, that's got to be relatively close. Also we always envisioned a big part of this was the community impact, whether it be host community, whether it was being able to establish an open space fund, it was community projects within the projects like the green center, the agricultural component, community recreation. We haven't abandoned those even though we're going to be looking at downsizing the project but there's a big cost to that and there's got to be a revenue side that supports that. So we're going to try to maximize the biggest and best community impact that can be afforded. And I think that will be flushed out for sure.

Supervisor Louis: How do you envision the public workshops and public information meeting as helping to shape your work as it's completed in the form of a draft?

Sandy Mathes: The public information session will really be a sharing of information. We'll explain the three site plans, each expert then explains what happens, i.e. traffic on 9W. Then we'll take questions and talk informally. It's really meant to educate the community as to what are the different alternatives and options. The community workshops are going to be much more direct about diving into the information. General concept with Mediation Matters been discussed, won't tell them how to run. Believe structure will be such that there are five subject areas: traffic, secondary growth, site plans/look and feel, environmental and infrastructure (the latter includes water, sewer, visuals, sort of a catchall of everything else). We will have our consultant available for each of those subject groups for those two days and there'll be a mediator for each of those groups as well. As people arrive there will be five colors, everyone gets a different color. Mediation Matters will explain the process then there will be five breakout groups assigned to colors. Then rotate. Allows people to ask questions or make suggestions and be told why or why not can or can't happen. It provides for a much more detailed interaction of the community directly with the consultant in a very mediated, very organized way. At the end Mediation Matters give us a summary of issues and opinions and whether there was anything there that we should include in further deliberations before we finalize the project. It's meant to be very interactive.

Supervisor Louis: You mentioned April 7 is the hearing on the supplemental. Do you have a target for release of the document?

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Sandy Mathes: Right now, target for IDA to adopt a supplemental draft GEIS would be March 29, so we're giving ourselves 19 days from the last community workshop to formulate, incorporate and finalize that supplemental draft for the IDA for its consideration. IDA then has to adopt and have a supplemental hearing. Adoption by the IDA kick starts a 30-day comment period as well.

Supervisor Louis: When this process has come through the draft and then hearing and comment period that it's likely, not necessarily for the adoption of the generic but for the purposes of a formal application before the town that there may be subsequent study work that would be necessary? Discussed a lot in original generic process that end users and the economics of an end user being committed into the area may be what's needed in the way of a funding source to satisfy some of the residual concerns that maybe where you don't have the resources at this point in time to address that.

Sandy Mathes: I don't know. I think our intention here is to cover a wide enough range of issues that we can initiate that process. Ultimately, until you know exactly who your end user is and you can be much more specific on what is their customer base, what kind of demographics, what is their traffic like. It would be my hope that we've covered it. Clearly if we haven't then we're going to have to supplement it again. Ultimately you don't know until you have real information there. I know one thing that would definitely be updated would be the economics because our economic advisers that are doing this, looking at level of sales and property taxes, jobs. That can't be definitive until we know who we're talking about. They've done more of their analysis based on some generic information based on use, whether it's commercial, retail. There's a big difference in the local retailers in the amount of traffic and per square foot sales. Also county has exempted sales tax on clothes under \$110; like to be able to buy clothes, but certainly don't want all the businesses to do so because lose sales tax. So we want some related and balanced retail.

Supervisor Louis: You mentioned economics before. In the original generic that came out on the basis of the footprint that was being proposed for the impact analysis, there was an economic analysis associated with that study. Is a similar economic analysis going to be ascribed to the other alternatives that are now going to come forward in this supplemental?

Sandy Mathes: Yes.

Supervisor Louis: There seems to be a great deal of debate and controversy regarding the validity of the statistics and I know that that caused in and of itself quite a discussion about the ability of the local job market to fill what the labor requirements would be. I just have not only a concern for the basis of the credibility of the data, but hopefully that it can be refined for these new alternatives so we're dealing with some real world numbers.

Sandy Mathes: We were unhappy. We thought the job numbers were unrealistic the first time we saw them too. I've highlighted that to them that they need to take a really much closer look at that and if that meant being a little bit more detailed than the original contract then we need to pay for that and they've agreed to do that. On top of that, Elan, as part of the secondary growth analysis, has done some job creation numbers so I think they're much closely related to what I think is reality on that. I hope they come together on the end results.

Supervisor Louis: From the standpoint of visual impacts we talked about that earlier in terms of the seasonal nature of what was done. Now we're in a "leaves off" situation. There also were a couple of comments made maybe about the science or methodology. Is it your intent to reach out to locals who have more of a knowledge and understanding of

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this so that they'll have some participation in this part of the process so we know that we're going to come up with a credible result?

Sandy Mathes: Yes. I think our consultant has the expertise in this. The **LA Group**, that's what they do. There was some concern that the leaves were still on the trees so it's more the time of the year. Being pushed by Delaware Engineering to pull the trigger on this and get it done now. **Alta (Turner)** and **Lee (Davis)** wanted feel of how done, will get call from **MaryBeth (Bianconi)** from **Delaware (Engineering)**. Community members will be notified when tests done and welcome to join us. I would venture a guess, weather permitting, that it will be done in the next 30 days. When we sell the land, how it's going to be developed goes with that sale. Greater detail comes when get to the local approval process. Until we get through SEQR process at end of May there will be a vision of what it will look like. We are not going to lose control over how it looks, what's gonna be built there. If 125,000 square foot building doesn't happen, what happens then? So long as stay within overall amount of retail square footage they can move things around. But ultimately your site plan is going to be the restrictive element.

Supervisor Louis: I would argue that the PDD process would probably lock that in as well.

Sandy Mathes: In discussions we're having with the developer we've made it very clear we will not be doing a deal with you unless you agree to the density, you agree to the look and feel, we're gonna have the PDD done. The local concerns and commitments and vision will be established. You won't be changing that. You need to do your development within those parameters. They have the flexibility to choose who they let in.

Councilman Kuenster: And the type of usage?

Sandy Mathes: Your PDD would have to provide for a hotel/water park recreation space of a certain square footage. If it doesn't, they can't bring it.

Councilman Byas: Original plan had room for a farmer's market and performing arts center. Will the smaller ones have the same thing?

Sandy Mathes: Yes. We're not abandoning that no. I told the site plan guys, play with what you have to downsize in the retail and the light industrial and the commercial to accommodate that. We are not losing **Greene Center**, with a performing arts area and the interpretive center or marketing area for the rest of the county, golf, skiing and that stuff, nor the agricultural area which we view as a multifaceted agricultural attraction linked to this will stick. What we don't know is how much resources we're going to have at the end of public money to invest in that. That is what's going to get tight.

Councilman Kuenster: Won't that be a requirement of the tenant?

Sandy Mathes: Sure, but ultimately the pro forma of the end user has got to work.

Councilman Kuenster: Is it set for us to decide how much is going to be required by an end user to spend on the Greene Center or the agricultural center?

Sandy Mathes: The end user isn't doing that. That was never the vision of the end user. The project's funding that, the IDA has the vision of making that happen and then entering into that. Could we ultimately say to the end user that as part of this deal that you have to build this? We still want public space, but what's going to shake out of this is a pro forma that works. They're not gonna come in and break even. So as you shrink up the property...as long as your infrastructure costs shrink up equally you should be okay. IDA looked to keep a substantial lot of open space, that vision was aggressive, more challenging.

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Supervisor Louis: I would offer this in response to what Kevin said, the town still maintains the control of the development of that project through the PDD process. As

realistic or unrealistic as it may seem to you as the project sponsor if we insist on a certain level of publicly- or IDA-funded activities on that property I believe it's within our rights to mandate it as part of the PDD approval process.

Sandy Mathes: You can mandate anything you want knowing that it may not happen.

Supervisor Louis: I understand that.

Sandy Mathes: I can tell you that no deal will close with us until they are through your process. Nobody's gonna close a deal with us. What we're delivering at the end is all permits in place, infrastructure to the place and the PDD process approved. That's what they'll know what they're buying then. They'll know how much square footage they're buying, they'll know what kind of public obligations they're buying. That's all part of a happy family. We're all going to get together and do the right thing and drive as much public positive out of this as we can.

Councilman Kuenster: Can you speak to what's going to be done to support local businesses and try to bring them in too?

Sandy Mathes: We've been trying to find a way to find opportunities for local business community at a competitive rate. I think what we're focusing is 9W. Elan is working on that for us, part of the secondary growth analysis, they're going to flush out it could be some development or business space that would either be maintained by the IDA or become public space in some way to provide them with some access to that. Still be flushed out of the bigger vision. We'll have a better perspective when they're done with their process.

Councilman Byas: We'll still have final say of approval, right?

Sandy Mathes: I suspect we'll be negotiating that together. Without your final PDD, your final site plan approved nothing's going to happen. We're going to push this as far as we can, we don't want to lose any of the good stuff from the original plan. But there may have to be some choices made, we'll make those choices with you.

With no more from the Board, questions were taken from those attending. Discussion ensued.

Supervisor stated that an advertisement had been placed to back up the current operator at the Wastewater Treatment Plant. He read.

**RESOLUTION
JANUARY 28, 2008**

**RESOLUTION APPOINTING TEMPORARY
PART TIME WASTEWATER TREATMENT PLANT OPERATOR**

RESOLVED, that Louis Betke is hereby appointed as a Temporary Part Time Wastewater Treatment Plant Operator, effective January 22, 2008, at a salary rate of \$12.50 per hour.

Councilwoman McKeon moved, seconded by Councilman Byas. No discussion.

Adopted Ayes-5 Kuenster, McKeon, Louis, Norris, Byas
Nays-0

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Supervisor stated a request had been received from the Town Clerk to continue the inactive **records inventory**. Another \$2000 is in the budget for 2008.

**RESOLUTION
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**RESOLUTION TO REAUTHORIZE THE TOWN CLERK TO HIRE AN
EMPLOYEE FOR INVENTORY OF TOWN RECORDS**

RESOLVED, that the Town Board hereby authorizes the Town Clerk to re-hire **Diane Jordan** to perform a records inventory under the supervision of the Town Clerk at a salary rate of \$10.00 per hour.

Councilman Kuenster moved to adopt, seconded by Councilwoman McKeon.

Adopted **Ayes-5 Kuenster, McKeon, Louis, Norris, Byas**
 Nays-0

Several agenda items for the February 12 Regular Town Board Meeting were set. A public hearing on proposed Local Law 2 of 2008 Regarding the Real Property Tax Exemption for Home Improvements will be held at 7:15 pm, prior to the meeting. Councilwoman McKeon and Councilman Byas will review an annual contract for animal control with Hudson- Mohawk Humane Society, Councilman Norris will review the contract with Emergency Medical Systems of Greene County, Councilman Byas will bring a sewer line situation recommendation to the Board, and a referral from the Building Inspector regarding a situation and the possible waiver of a permit fee. Also on the agenda are funding sources for Water District No. 4; the loan opportunity with New York State Environmental Facilities Corporation expires the end of June 2008, Supervisor doesn't believe that the Town can proceed and intends to say, "not be proceeding". U.S. Rural Development Authority requires a similar letter to express intentions. Councilwoman McKeon will make a recommendation regarding mowing of the Town's parks. Question was asked about the Animal Control Officer's phone number, whether it was working.

With no more from the Board or the public, Councilwoman McKeon moved to adjourn, seconded by Councilman Byas.

Motion Carried **Ayes-5 McKeon, Kuenster, Louis, Norris, Byas**
 Nays-0

The meeting was adjourned at 8:37 p.m.

Respectfully,

Janet A. Brooks
Town Clerk