

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

The Town of Columbia Town Board held a regular meeting **March 14, 2024**, 6:30 P.M. at the town building

MEMBERS PRESENT: Nathan Seamon – Supervisor
Ryan Fagan – Councilperson
Bruce Learned – Councilperson
H. Ed Reed – Councilperson
Jim Cotton – Councilperson

OTHERS PRESENT: Therese Winchester – Town Clerk
R. Mark Buddle – Superintendent of Highways
3 Community Members

Supervisor Seamon called the meeting to order at 6:30 P.M., which was followed with the Pledge of Allegiance and Prayer Invocation

A motion was made by Councilperson Reed, seconded by Councilperson Cotton, to accept the minutes of the February 8th, 2024 Regular Monthly Town Meeting

ADOPTED VOTE: Ayes 5 Seamon, Fagan, Learned, Reed, Cotton
Nays 0
Absent 0

Supervisor Monthly Report: Monies have been moved into NYCLASS accounts – including General and Highway Fund monies. Interest rates have been around 5.25%.

Bookkeeper Alyssa Hoke is working on pulling together the Annual Financial Report (AFR) [formerly known as the AUD] and is including Town assets (buildings, vehicles, equipment, etc.) in the AFR, along with including Town Asset lines on the monthly financial statements.

Town Clerk Monthly Report: A building permit was refunded for the amount of \$103.00 (Ck# 1682). January and February months have been paid (combined total of \$106.76) to the General Fund.

Other Reports (as necessary):

- a. Highway Department: 550 sold at Auctions International for \$62,900. Mack plow truck in from Tenco – currently at Utica

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

Mack. Cold patch in house as was done last year. Local roads being patched. CHIPS advocacy day had the largest turnout ever lobbying in Albany. Parking lot needs drainage work. Trash Day is slated for May 4, 2024. Paint is not accepted at Trash Day, however can be taken to Aubuchon Hardware in Richfield Springs.

- b. Town Clerk: A drop box is needed for the Town Clerk's Office for people to drop off information or documents when Clerk's Office is not open. There should be signage to help inform people that the Clerk's Office is located in the Town Building. Board minutes moving forward will include Town resolutions. Cleaning of the office has commenced and will continue bi-weekly. The Petrie Brown Hall will be cleaned once per month, after the Planning Board Meeting.
- c. Codes Enforcement: Commercial Building is planned to go up on State Route 28 and Hoffman Road. Solar panels for home usage are also planned. A new childcare center is being designed and is planned to be erected in Ilion, NY. Sales tax is up so far this year. There is training next month for required annual certification.
- d. Tax Collector: Approximately 15 erroneous letters went out to town residents stating the residents haven't paid their taxes, however according to Town records their taxes have been paid. Tax Collector made efforts to call said residents to inform them to disregard the erroneous letters.
- e. Planning Board: Nothing of significance to report.
- f. Dog Control - Letters were mailed out to approximately 64 residents. Annual inspection from Ag and markets is occurring. Working with Town Clerk to update Town's dog license system.

Correspondence:

- a. New York State Deferred Comp - Supervisor will work with

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

agent Christine Harvey to set-up employees who wish to contribute to their own account retirement account in the coming months.

- b. Unified Court Systems - Requesting the information and proof that the board has audited the Courts books. The UCS form has been completed and e-mailed back along with the Town Board minutes to confirm the Court books were accepted by the Town Board.

Consideration of Unfinished Business and New Business:

- a. The NYS Archives unit will come to Town Building later this year and look at what the Town will need to get all department files in order. The Town anticipates applying for the grant that will include the whole scope of needs for records management at a later date.
- b. Solar Energy Working Group: Solar Energy Facility Local Law has been completed by the Working Group and is prepared for attorney review. The draft local law is expected to be introduced to the Town Board in its entirety prior to or during the April Town Board Meeting, which will start the process of enacting a local law.

A motion was made for Supervisor Seamon and Deputy Supervisor Reed to move forward with attorney review with Attorney Ben Wisniewski. The motion was made by Councilperson Learned, seconded by Councilperson Cotton.

ADOPTED VOTE:

Ayes	5	Seamon, Fagan, Learned, Reed, Cotton
Nays	0	
Absent	0	

Board Discussion:

- a. HR One Payroll Services - April 4, 2024 is the first pay period slated to be executed by HR One Payroll Services, which includes a direct deposit option for employees.

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

Resolution #2024-08:

**Town of Columbia Resolution #2024-8 presented by Council Member
Reed , **seconded by Council Member** Fagan .**

Resolution Opposing Part O of the Governor's 2025 Article VII
Revenue Bill Regarding the Siting of Major Electric Transmission
Facilities, also known as the "RAPID" Act

Whereas, New York Governor Hochul has released the Executive Budget Proposal for Fiscal Year 2025, which includes Part O of the Transportation, Economic Development, and Environmental Conservation budget bill entitled the Renewable Action through Project Interconnect and Deployment ("RAPID") Act; and

Whereas, the RAPID Act seeks to move the Office of Renewable Energy Siting ("ORES") from the Department of State to the Department of Public Service, and seeks to consolidate and expedite permitting procedures for major renewable energy and electric transmission facilities under a new Article VIII of the Public Service Law; and

Whereas, if passed, the RAPID Act will undermine sound environmental review of major electric transmission facilities by requiring ORES to render a permit decision within a single year, otherwise the facility shall be automatically approved regardless of project size or impact on private property or conservation lands; and

Whereas, if passed, the RAPID Act will constitute a significant deprivation of Private Property Rights by extending the power of Eminent Domain to the construction of major electric transmission facilities by large-scale solar and wind developers, said power being currently limited to regulated utilities granted a certificate of environmental compatibility and public need; and

Whereas, if passed, the RAPID Act will undermine the protection of natural resources by allowing conservation easements to be extinguished anywhere in the state—including the Adirondack Park and Catskill Park—for the construction of major electric transmission facilities by large-scale solar and wind

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

developers, said authority being currently limited to regulated utilities granted a certificate of environmental compatibility and public need; and

Whereas, if passed, the RAPID Act will further erode home rule and local decision-making enshrined in the New York State Constitution, Local Government Bill of Rights, Statute of Local Governments, and Municipal Home Rule law, usurping the rights of local governments to determine how communities and property within their jurisdictions develop, and contravening the purpose of comprehensive planning outlined in Section 272-A of Town Law; now therefore be it

Resolved, that the Town of Columbia strongly opposes the passage of Part O contained in the Governor's Article VII Revenue Bill relating to the expedited siting of major electric transmission facilities, the use of Eminent Domain, and the extinguishing of conservation easements, and be it further

Resolved, that the Town of Columbia calls on the Governor of New York, members of the State Senate, and members of the State Assembly to ensure that Part O be excluded from the New York State budget or any other legislation, and be it further

Resolved that the Town of Columbia opposes state or federal action that would weaken or eliminate New York's long-standing tradition of home rule and local government authority.

By the order of the Town Council of the Town of Columbia, New York.

ADOPTED VOTE: Ayes 5 Seamon, Fagan, Learned, Reed, Cotton
 Nays 0
 Absent 0

Resolution #2024-09:

Town of Columbia Resolution #2024-9 presented by Council Member Reed, seconded by Council Member Cotton .

POLICY REGARDING OPENING INVOCATIONS BEFORE MEETINGS OF THE TOWN BOARD OF THE TOWN OF COLUMBIA

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

WHEREAS, the Town Board of the Town of Columbia ("the Town Board") is an elected legislative and deliberative public body, serving the citizens of Columbia, New York; and

WHEREAS, the Town Board wishes to solemnize its proceedings by allowing for an opening invocation before each meeting, for the benefit and blessing of the Town Board; and

WHEREAS, the Town Board now desires to adopt this formal, written policy to clarify and codify its invocation practices; and

WHEREAS, our country's Founders recognized that we possess certain rights that cannot be awarded, surrendered, not corrupted by human power, and the Founders explicitly attributed the origin of these, our inalienable rights, to a Creator. These rights ultimately ensure the self-government manifest in our deliberative bodies, upon which we desire to invoke divine guidance and blessing; and

WHEREAS, the Town Board desires to avail itself of the Supreme Court's recognition that it is constitutionally permissible for a public body to "invoke divine guidance" on its work. (Marsh v. Chambers, 463 U.S. 783 (1983) 792)

WHEREAS, the Supreme Court has clarified that the opening invocations are "meant to lend gravity to the occasion and reflect values long part of the Nation's heritage" and should not show over time "that the invocations denigrate nonbelievers or religious minorities, threaten damnation, or preach conversions." (Town of Greece v. Galloway, NO. 12-696, 2014 WL 1757828, at *11); and

WHEREAS, in Town of Greece the Supreme Court rejected a challenge based on the religious content of the prayers and cautioned against government officials acting as "supervisors and censors of religious speech" by requiring that prayers be "generic" or "nonsectarian," noting that "[t]he law and the Court could not require ministers to set aside their nuanced and deeply personal beliefs for vague and artificial ones." Id. at *10 *11. Further, the Court stated: "once it invites prayer into the public sphere, the government must permit a prayer giver to

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

address his or her own God or gods as conscience dictates." Id. at *11; and

WHEREAS, this Town Board is not establishing a policy that defines the constitutional limits for permissible public invocations; rather, this Town Board intends to adopt guidelines that are consistent with the guidance provided by several courts that have considered the validity of the public invocations; and

WHEREAS, the Town Board intends to adopt a policy that does not proselytize or advance any particular faith, or show an purposeful preference of one religious view to the exclusion of Town of Columbia - 2024 Regular Monthly Meeting, Thursday, March 14th, 2024 others; and

WHEREAS, the Town Board accepts as binding the applicability of general principles of law and all the rights and obligations afforded under the United States and New York State Constitutions and statutes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Columbia, New York, that the Town Board hereby adopts the following written policy regarding opening invocations/prayers before meetings of the Town Board, to wit:

Town of Columbia Prayer Policy

Introduction

The Town of Columbia recognizes the importance of religion and spirituality to many of its residents. The tradition of opening legislative meetings in prayer is a practice that began with the first United States Congress and has continued without interruption since the First Congress drafted the First Amendment. A similar practice has continued in states, like New York, and local Towns, like Columbia, across the country for more than a century. This policy is intended to strike a balance between respecting the right to free exercise of religion and ensuring inclusivity for all residents attending Town meetings.

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

Policy Guidelines

- 1) Non-Discriminatory: Prayers offered at Town meetings, if any, should be non-discriminatory and avoid promoting any specific religion or faith.
- 2) Opt-Out: Attendees are not obligated to participate in any prayer or moment of silence.
- 3) Inclusivity: The Town encourages clergy from different faiths to participate in opening ceremonies if they are willing. This demonstrates the Town's respect for the diversity of religious beliefs in the community.
- 4) Invitation: Those offering prayer must either be a current resident of the Town of Columbia or Clergy invited by a current resident of the Town of Columbia.
- 5) No Coercion: There will be no pressure on attendees to participate in any religious activity.
- 6) Purpose: Prayer should primarily be for the purpose of solemnizing the work of the Town Board, seeking divine wisdom, and asking for blessing on the Town and her residents.

Implementation

- 1) The Town of Columbia designee will be responsible for implementing this policy and scheduling.
- 2) This policy will be reviewed periodically to ensure it remains consistent with legal guidelines and the needs of the community.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon adoption by the Town Board.

ADOPTED VOTE: Ayes 5 Seamon, Fagan, Learned, Cotton, Reed
 Nays 0
 Absent 0

**TOWN OF COLUMBIA
REGULAR TOWN BOARD MEETING
March 14, 2024**

Town Warrants are:

General Fund \$ 7,043.69
Highway Fund \$130,228.94

A motion was made to approve the Warrants.

ADOPTED VOTE: Ayes 5 Seamon, Fagan, Learned, Reed, Cotton
 Nays 0
 Absent 0

The next Town Board meeting will occur April 11, 2024 at 6:30 P.M.

A **motion** was made by Council Member Fagan, seconded by Council Member Learned, to adjourn. The meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Supervisor

Town Clerk

Council Member

Council Member

Council Member

Council Member