**REGULAR MONTHLY MEETING**

July 8, 2021

The regular monthly meeting was opened at 7:00 pm July 8, 2021 with the pledge of allegiance led by Supervisor Acton.

All Board members were present. Others in attendance included Kathleen Connolly of Bergmann Architects representing DRS Solar, Daniel Comptello, Local Developer for DRS and Cathy Spencer (Zoom) of LaBella, Bill Dailey, Kenn Burdick, Shawn Gasby, and representing the Village of Alfred, Jim Ninos. Attending via Zoom were Steve Longway and Dave Plante of Bergmann Architects, Fred Sinclair, Catherine Chambers, Mark Klingensmith, Becky Graves, Dick Lang, Katherine Klingensmith, and Christel Rodd. Representing Alfred University was Tim Heckman. Also present was Highway Superintendent Bob Halsey and Town Clerk Janice Burdick.

**Guests**: Cathy Spencer and Dan Comptello answered questions from the Town Board. Supervisor Acton stated that after consulting with Solar Consultant team, the Town is not ready to accept the application due to the line of site evaluation. A motion was made by Dan Acton to have the Town become lead agency for the SEQR for this project and was seconded by Wendy Dailey. Attorney Dwight Kanyuck will complete Part I of the EAF. Cathy Spencer stated that it is the responsibility of the Town Board to fill out Part II and III with the help of the consultant. There is no public hearing scheduled at this time. Fred Sinclair asked what the opportunity is for other providers to submit comments and Cathy Spencer responded

that any resident of the Town can submit any comments to the Town Board that will be forwarded to LaBella. Mr. Sinclair stated that he has concerns and wants to make sure that they are addressed.

The process for the Town:

* Town will declare to be lead agency and complete SEQR application.
* Information will then be sent to the ZBA.
* ZBA will review all information and schedule a Public Hearing.

A motion for agreement of payment to LaBella to be paid from escrow funds provided by DRS.

was made by Dan, seconded by Bill Cleveland and carried 5-0.

**Tim Heckman – Alfred University Mr.** Heckman explained to the Board that AU had received a grant from the Ralph Wilson Foundation to provide walking and exercise space for students and the community in conjunction with their cross-country trails on Jericho Hill. Mr. Heckman added that the cross-country path, which is a nice competitive track, has developed over the years making it a safe path. The new path will connect through and be 7-8’ wide and will add an additional 1200’ of path. It will be a gravel path and will be safe. There will be no lighting, just the lighting on the practice field. Contacted Roger McGraw to do the work and some small trees may be removed. The packet (Zoning Permit, site plan map and SEQR) will go to Steve Kilmer for approval. Becky Graves stated that this is a designated wetland and questioned if they could do this. Mr. Action commented that he spoke with Paul Vecchio of AU and if it disturbs more that 1 acre of land if goes under DEC jurisdiction which is outside the Towns authority. Mr. Heckman added that there is no wetlands designation in that area. Catherine Chambers asked about all the work that has been done there and how long the drain pipe that has been inserted be there? Mr. Heckman stated that they cleaned the ditch out along the road so it can drain properly. Becky Graves stated that it drains down to her driveway and on down Kenyon Road. Mr. Heckman responded that it now works properly. Mr. Heckman added that the trails can also be used has bike trails but not intended for 4 wheelers. Bill Dailey commented that when they started moving dirt and putting new drainage in they should have submitted a SEQR before starting.

Mr. Acton thanked Wendy and Bill Dailey for coming up with the flow chart for the Zoning procedure.

**Approval of Minutes**: The minutes of the June 10, 2021 meeting were approved with a motion by Fion MacCrea, seconded by Bill Cleveland and carried 5-0.

**Police Report –** Received after the meeting.

**Monthly Report –** Due to transition to BBS the monthly report was not completed.

**Correspondence -** Update on ARPA funding.

**General Abstract #7-2021-** Vouchers #55-63 in the amount of $2419.21 in the General A Fund; Voucher #10 in the amount of $3328.16 in the B Fund, #7 in the SF Fund in the amount of $3511.33 and #1 in the SM Fund in the amount of $352.00 were approved with a motion by Matthew Snyder, seconded by Bill Cleveland and carried 5-0.

**Highway Abstract #7 -2021** Vouchers #69-74 in the DA Highway Fund in the amount of $1780.46 and #18-22 in the DB Fund in the amount of $14961.46 were approved with a motion by Matthew Snyder, seconded by Bill Cleveland and carried 5-0.

**Highway Report:** The written Highway report was reviewed. Worked done on equipment. Mr. Halsey reported they did mowing on East Valley, helped Town of Almond, Andover Village of Alfred. Bill Cleveland asked update on Brine and Mr. Halsey stated that effective as of January no longer will be able to use it. The New York State Association of Highway Superintendents is asking all Towns to submit their usage each year to Senator Borrello. Mr. Acton added that this could be a budget breaker if the Town can’t use it. Jim Ninos stated that if use salt the run off is affecting water quality where brine tends to leach out better. John Perkins is still off with knee problems.

**Supervisor’s Report:**

Joining the meeting via Zoom was Attorney Dwight Kanyuck who asked if there were any concerns regarding the DRS project. Bill Dailey asked if Mr. Kanyuck was going to d a Road Use Policy and Mr. Kanyuck stated yes, separate from the Solar and is working on the Battery Storage Law.

Mr. Dailey announced that the Planning Board would be meeting Tuesday at 7:00 pm.

Mr. Acton asked about the % split for a PILOT agreement since Craig Clark told him it was based on the tax rate. Mr. Kanyuck stated that the Town would get 20%. The Allegany County IDA has a new policy for PILOTS for Solar projects and requires a Community Host Agreement. That is where Town’s get their major share of moneys. Mr. Acton asked when the final amount is determined in the PILOT does the Town have anything to say and Attorney Kanyuck responded yes and he will represent the Town in this negotiation.

Fion MacCrea reviewed the options to continue with Zoom meetings. New TV will be between $600- $800 with all the technology plus a camera with wide angle around $50.00. Zoom account will be $50.00/year. Will make it available for anyone to set up (Planning and Zoning Board of Appeals). Mr. MacCrea will upload it to YouTube.

Wendy Dailey discussed the new marijuana legislation and if decision to opt out Town has until 12/31/2021 to decide. It is subject to permissive referendum and need to start talking about it. Dan Acton commented that he heard for a medical dispensary the license fee is around $200,000. Wendy Dailey added that it can be regulated through Zoning. Fred Sinclair stated that he would be against having lounges. Kenn Burdick asked if bars will be prevented from getting onsite licenses for marijuana? Bill Cleveland stated a concern for additional Police and ambulance calls. Fion MacCrea commented to think back when Alfred was a dry Town and students and others drove to Hornell to get alcohol and drink. Wendy Dailey-need input from community. Dan Acton – public safety issue. If have a dispensary will there be more use. Bill Dailey- more expensive at dispensaries to may be busier on the black market. Fion MacCrea- be good to know what other Towns are thinking,

Supervisor Acton – lawsuit against the Solar Siting Commission – violates Home Rule.

The meeting was adjourned at 9:00 pm with a motion by Matthew Snyder, seconded by Fion MacCrea and carried 5-0.

Respectfully submitted,

Janice L. Burdick

Town Clerk