

## REGULAR MONTHLY MEETING

January 13, 2022

The regular monthly meeting was opened at 7:00 pm by Supervisor Dan Acton. All Board members were present in person. Also present were Highway Superintendent Bob Halsey and Town Clerk Jan Burdick. Attending via ZOOM: Kathy Spencer and Mary Steblein of LaBella, Shawn Grasby, Daniel Comptello, Kathleen Connolly, Fred Sinclair, Johnny Molyneaux, Bill Dailey, K. Klingensmith, Jud and Mary Stearns, and Christel Rodd. Representing the Village of Alfred was Jim Ninos.

**Approval of minutes:** The minutes of December 9, 2021 and January 4, 2022 were approved with a motion by Kenn Burdick, seconded by Fion MacCrea and carried 5-0.

**Police Report** – Written report was reviewed.

**Code Enforcement's Monthly Report** – Reviewed written report. Did a final inspection at the Old Mill and issued permit for Buffalo Solar. Supervisor Acton asked Mr. Kilmer to check out a couple of houses that are a concern of the fire department.

**Supervisor's Monthly Financial Report** was reviewed. Online banking is now all set up. BBS just waiting for approval from bank to sign on.

**Correspondence** – Information from Allegany County showing salaries of all Town Officials and equalization rates.

Information from the Association of Towns – 2022 Legislative concerns including allowing Towns to deposit in Credit Unions and to set their own speed limits. Information on APR monies. Mr. Acton suggested forming a subcommittee of the Board to determine the best way to spend those funds. Matthew Snyder, Fion MacCrea and Highway Superintendent Bob Halsey will work on this.

**General Abstract #1-2022** Vouchers #1-13 in the amount of \$33549.82 in the General A Fund; Voucher #1 in the amount of \$3394.75 in the B Fund, #1 in the SF Fund in the amount of \$3581.58 approved with a motion by Matthew Snyder, seconded by Wendy Dailey and carried 5-0.

**Highway Abstract #1 -2022** Vouchers #1-15 in the DA Highway Fund in the amount of \$20650.34, and Vouchers #1 in DB in the amount of \$ 29608.89 were approved with a motion by Dan Acton, seconded by Matthew Snyder and carried 5-0.

**Solar Escrow Account Abstract #1-2022**, Vouchers #1 in the amount of in the amount of 4242.00 was approved with a motion by Fion MacCrea, seconded by Kenn Burdick and carried 5-0. This is contingent on receiving additional funding from DRS.

**Highway Report:** The written Highway report was reviewed. New brake chamber and new seals in 2014 Mack. Mr. Acton commented that the 2014 Mack is the only truck the Town bought new. Brake shoes on Sterling. Sanded and plowed, and routine maintenance. Took Sexual Harassment training class. Mr. Halsey helped the Village of Alfred on a water line break.

### **Supervisor's Report:**

Mullen's Carpet for carpeting in Board room will be installed January 28<sup>th</sup>. Discussed an annual Special Use Permit fee for solar projects or anything that requires an annual inspection. Fion MacCrea asked if our Solar Law requires annual inspections and wondering about the smaller one on Randolph Road.

Mr. MacCrea reported that he would like to set up back up on the Clerk's computer and set up a folder in Google Drive that information could be dropped into with a link to the website.

Village Board meeting representatives: February – Kenn Burdick; March – Wendy Dailey; April – Fion MacCrea; May – Dan Acton and June Matthew Snyder.

At 8:10 pm Attorney Dwight Kanyuck joined the ZOOM meeting. Supervisor Acton updated him on issues addressed previously in the meeting.

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**NYS Deferred Compensation Plan:** This would be available to any employee. A motion was made by Dan Acton, seconded by Wendy Dailey and carried 5-0.

**Allegany County Highway Association Mutual Aide Agreement:** Motion to accept by Fion MacCrea, seconded by Matthew Snyder and carried 5-0,

**Old Business:** The minutes of the ZBA were reviewed allowing DRS to process the Special Use Permit under the new Solar Law that gives that authority to the Town Board. This way the ZBA won't have to repeat everything the Town Board has already done. DRS agreed to this. The Town Board passed a resolution to apply the new requirements of the Solar Law for the DRS project granting approval to the Town Board with a motion by Dan Acton seconded by Matthew Snyder and carried 5-0.

**Guests:** Mary Stearns asked for an update on the sidewalk project. Stated that they are still not interested in having the sidewalk in front of their property. Mr. Acton informed her that they are waiting for the DOT to acquire easement right of ways then will move forward with final designs. Mrs. Stearns stated that she walks to ServU and is concerned on how it is going to be maintained and plowed, doesn't see how it is going to be any safer and feels there is no need for it.

At 7:50 pm Attorney Dwight Kanyuck joined the ZOOM meeting.

Delaware River Resolution: The attached Resolution resolved that the Special Use Permit and Site Plan Approval requested in the Application are approved, subject to the conditions listed in Exhibit "A" annexed hereto. Mr. Kanyuck added that there are 21 conditions that they must meet and if at anytime they don't meet them the Town can stop the project. Also stated that he has reviewed the resolution and believes that all the issues have been resolved and standards to meet for approval have been met. Matthew Snyder commented that he feels it does impact potential development of Snyder Road due to the view now. Mr. Snyder stated that he is considering trees to block the view (of the Solar Panels) and DRS has agreed to do this. Attorney Kanyuck added that the Town has issued a Negative Declaration- no potential negative impacts. Exhibit A has 21 conditions. By granting approval the conditions can be enforced by the Special Use Permit and the Town would continue to have authority to review. Conditions include stormwater with annual inspections. Supervisor would have final sign off and the Board would not have to take any further action. The Supervisor would have to sign the final site plan and that determination would be made by LaBella, Shawn and Dan Acton and all of them will also have to sign off on it. Fion MacCrea asked about the timing of the PILOT and Mr. Kanyuck explained that DRS has to submit to the County IDA. IDA has a standard PILOT distribution for Solar PILOTS and the PILOT starts once they are up and running. Mr. Acton asked Bill Dailey is the Planning Board was satisfied and Mr. Dailey stated that all concerns have been addressed. Main concern is continued maintenance after construction is completed and the entire life of the project. Mr. Dailey asked if the strength of the road had been resolved. Mary Steblein of LaBella stated that the developer has provided information and Shawn Gasby has agreed that it will need geotextile. Fred Sinclair added that the developer has done due diligence and the consultants have answered most of his questions. There are other gray areas in regards to the design that are addressed in the conditions in Exhibit A. Maintenance and decommissioning plans haven't been seen yet but feels they have come to a reasonable resolve in terms of SEQR. Dwight Kanyuck stated that part of Shawn Gasby's job is to be sure the construction conforms to the approved plans. A motion was made by Dan Acton. Seconded by Kenn Burdick and carried 5-0 to approve the attached resolution. Dan Comptello of DRS thanked everyone for all the work put into this to get it approved.

The meeting was adjourned at 8:19 pm with a motion by Dan Acton, seconded by Wendy Dailey and carried 5-0. Respectfully submitted, Janice L. Burdick Town Clerk

