

**Regular Monthly Meeting
Caledonia Town Board
February 7, 2019**

The Regular Monthly Meeting of the Town Board of the Town of Caledonia was held February 7, 2019 at 7:00 P.M., at the Town Hall, 3109 Main Street, Caledonia, NY.

Supervisor Pangrazio called the meeting or order and led in the Pledge of Allegiance.

<u>PRESENT:</u>	Supervisor	Daniel Pangrazio
	Councilman	Mark Rothrock
	Councilman	Tim Anderson
	Councilwoman	Pam Rychlicki
	Councilman	Todd Bickford
	Town Clerk	Laurie Sattora

OTHERS: Highway Superintendent Mark Schroeder, Annie Chwiecko Community Representative for Senator Pat Gallivan, Ryan Callan, Michael Howlett, Jay Swede, Brad MacCauley, and Jason Zimmerman.

RESOLUTION 47– 2019

JANUARY 10, 2019 MINUTES

On motion of Councilman Anderson, seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Anderson, Bickford Absent –0 Nay-0
RESOLVED, the minutes of January 10, 2019 be approved as presented.

OPEN FORUM

ANNIE CHWIECKO – COMMUNITY REPRESENTATIVE FOR SENATOR PAT GALLIVAN

Annie Chwiecko Community Representative for Senator Pat Gallivan updated the Board on what is going on in the New York Senate. Senator Gallivan represents the 59th Senate District which comprises of four Western New York counties, including Erie, Wyoming, Livingston and Monroe. Communities include West Seneca, Lancaster, Warsaw, Geneseo and Henrietta. Senator Gallivan is very concerned about the loss of AIM monies for Towns and Villages. Supervisor Pangrazio stated that the Town it is almost \$17,000.00 for the upcoming 2019 Budget year. This will have a great impact on the already adopted budget and Supervisor Pangrazio and the Board will have to look at where they will have to cut or reduce different budget lines to make up for the deficit. Annie talked about how the New York Senate just approved a series of gun control bills. Senator Gallivan voted against these bills because much of this legislation will do little to keep residents safe. Annie commented that NY already has some of the toughest gun laws in the country and Senator Galvin is as a supporter of the 2nd Amendment rights. Annie stated that Senator Gallivan presented a comprehensive school safety package and discussed it on the floor of the Senate. Unfortunately, the Senate majority rejected these proposals. Annie stated that she or Senator Gallivan are always available to his constituents for concerns and assistance.

ANNOUNCEMENT/COMMUNICATIONS

Supervisor Pangrazio reviewed the following communications with the Board:

- Teen Recognition nominations due soon.
- Each Board Member received a letter from Planning Board Chairman Robert Sturm dated January 23, 2019 in reference to the existing Solar Zoning Code.
- Letter from Livingston County Board of Elections on Election Reform Changes. These changes resulted in only one Primary each year. The date this year will be June 25, 2019. Also included was a copy of the 2019 Political Calendar.

- Letter dated January 17th from Senator Pat Gallivan about the reduction of State AIM money.
- Email from Association of Towns on Governor’s proposal to gut AIM (Aid and Incentives to Municipalities) program funding to Towns and Villages in the tune of \$59 million dollars. The Town of Caledonia will lose

\$16,719.00. The Governor's reasoning behind this is because of the growth of reserve funds in towns and villages. If the cuts go through 91% if towns will permanently lose their AIM funding.

- Letter received from Livingston County Development congratulating Gary Larzelere for completing the Livingston County Sign and Façade Program for Bellisimo at 3127 Main Street.
- Email dated January 17th received from Marguerite Wells, Manager for Invenergy that she will be giving a short presentation at the February Planning Board Meeting on the Horseshoe Solar Project.
- Flyer received from Livingston County Environmental Management Council seeking nominations for the 21st Earth Day Award.
- A copy of the Semi -Annual report from the Livingston County Dog Control.
- On January 10, 2019 the Stipulation Settlement with 5 Star Bank vs Town of Caledonia was filed at the Livingston County Clerk's Office.
- Email received from Reg Allen (CHS) that LeRoy Ambulance has reached out to CHS for consideration to join the CHS family for a possible merger.
- The Emergency Police Agreement with the Village Police Department for 2019 has been signed by both Supervisor Pangrazio and Mayor DiLiberto.

DEPARTMENTS/COMMITTEES

ATTORNEY-PETER SKIVINGTON

Attorney Skivington was not required to attend tonight's meeting.

CODE ENFORCEMENT OFFICER – TOM PERKINS

Code Enforcement Officer Perkins was not required to attend tonight's meeting.

PLANNING BOARD – COUNCILWOMAN PAM RYCHLICKI

Councilwoman Rychlicki updated the Board on the January Planning Board meeting and stated that Horseshoe Solar would be attending the February Planning Board Meeting.

SUPERVISOR PANGRAZIO – ARTICLE 10 PROPOSED SOLAR PROJECT

Supervisor Pangrazio stated that the proposed Solar Horseshoe Project is a proposed project over 25 MW and will fall under the New York State's Article 10 Law. All Major electric generating facilities larger than 25 MW are governed by New York State's Article 10 law. The Article 10 law empowers the New York State Board on Electric Generation Siting and the Environment (Siting Board) to issue Certificates of Environmental Compatibility and Public Need (certificate) authorizing the construction and operation of major electric generating facilities. Supervisor Pangrazio stated that two ad hoc members will be appointed for the special purpose of providing a local voice in each proceeding conducted to consider specific individual applications for certificates.

QUESTIONS AND ANSWERS FROM THE NYS PUBLIC WEBSITE ON ELECTRIC GENERATION SITING AND ENVIRONMENT

▼ Q. What is Article 10?

A. "Article 10" was enacted in 2011 to be a portion of the New York State Public Service Law. It is a general state law that is applicable in all of New York State. Article 10 empowers the New York State Board on Electric Generation Siting and the Environment (Siting Board) to issue Certificates of Environmental Compatibility and Public Need (certificate) authorizing the construction and operation of major electric generating facilities.

▼ Q. What is meant by the term "siting"?

A. "Siting" is a process consisting of a series of steps conducted by a regulatory agency in determining whether to allow a facility to be located and operated on a site.

▼ Q. What is meant by the term "major"?

A. An electric generating facility is deemed to be "major" if it has the capacity to generate 25,000 kilowatts (25 megawatts) or more of electricity. The 25 megawatt threshold is roughly equivalent to the average electric power needs

of 30,000 households in New York State.

▼ **Q. What is meant by the term "electric generating"?**

A. Conventional electric generation occurs when mechanical energy is converted to electrical energy. Generally, when a coil of wire is mechanically rotated through a magnetic field, an electric charge gets created and is forced to flow through the wire as an electric current. Solar electric generation occurs when rays of sunshine strike a solar panel, they give some of the electrons inside the solar panel more energy, a process that also creates an electric current.

▼ **Q. What is meant by the term "facility"?**

A. A "facility" includes all the components of a power plant located on the site and may also include new interconnecting electric power lines and natural gas fuel pipelines. For example, a natural gas-fired facility would include a natural gas pipeline to bring fuel to the facility; a boiler to create steam; a turbine to be rotated by the steam; an electric generator to be turned by the turbine; a cooling system; exhaust stacks; various buildings to house the components; employee areas; back-up fuel storage tanks; ancillary equipment, parking and storage areas; an electric substation including transformers; and a transmission line to carry the electricity out to the grid. A wind-power facility would include wind turbines on towers with integrated electric generators; electric collection lines; access roads; an electric switchyard and substation including transformers; meteorological towers; and a transmission line to carry the electricity out to the grid.

▼ **Q. What is meant by the term "certificate"?**

A. A "certificate" is a legal document issued by the Siting Board to an applicant if the Siting Board determines that the applicant's proposal to construct and operate a major electric generating facility satisfies the statutory standards set forth in Article 10 of the Public Service Law. The certificate authorizes the applicant to construct and operate the proposed facility. The certificate must be in the form of a written decision and opinion, must include explicit findings and determinations required by the statute, and must state the reasons of the Siting Board for the action taken.

THE SITING BOARD

▼ **Q. What is the "Siting Board"?**

A. The Siting Board is a governmental entity of New York State organized within the New York State Department of Public Service. The Siting Board was established primarily to review applications and to issue or deny certificates authorizing the construction and operation of major electric generating facilities. When the Siting Board is reviewing an original application for a certificate, it consists of five permanent members and two ad hoc public members. The five permanent members of the Siting Board also have additional responsibilities to promulgate regulations for the implementation of Article 10, and they have jurisdiction with respect to the amendment, suspension or revocation of a certificate.

▼ **Q. Who are the permanent members of the Siting Board?**

A. The five permanent members of the Siting Board are the Chairman of the Department of Public Service who serves as chairperson of the Siting Board; the Commissioner of the Department of Environmental Conservation; the Commissioner of the Department of Health; the Chairperson of the New York State Energy Research and Development Authority; and the Commissioner of Economic Development. The permanent members may designate an alternate to serve instead of the member with respect to all proceedings provided that such designation is in writing and filed with the chairperson.

▼ **Q. What is meant by the term "ad hoc"?**

A. "Ad hoc" is a Latin term meaning "for this special purpose". Two ad hoc members will be appointed for the special purpose of providing a local voice in each proceeding conducted to consider specific individual applications for certificates. Each facility application will have its own associated ad hoc members.

▼ **Q. Do ad hoc public members receive any compensation for their service on the Siting Board?**

A. Yes. The ad hoc appointees shall receive the sum of two hundred dollars for each day in which they are actually engaged in the performance of their duties plus actual and necessary expenses incurred by them in the performance of such duties.

▼ **Q. What are the qualifications to be an ad hoc public member?**

A. To be eligible to be an ad hoc public member, the person must:

- (a) be eighteen years of age or older,
- (b) be a citizen of the United States;
- (c) be a resident of New York State;
- (d) be a resident of the municipality in which the facility is proposed to be located (if such facility is proposed to be located within the City of New York, the person must also be a resident of the community district in which the facility is proposed to be located);
- (e) not hold another state or local office; and
- (f) not retain or hold any official relation to, or any securities of an electric utility corporation operating in the state or proposed for operation in the state, any affiliate thereof or any other company, firm, partnership, corporation, association or joint-stock association that may appear before the Siting Board, nor shall the person have been a director, officer or, within the previous ten years, an employee thereof.

▼ **Q. How are the two ad hoc public members designated to serve on the Siting Board?**

A. One is appointed by the President Pro Tem (Majority Leader) of the New York State Senate and one is appointed by the Speaker of the New York State Assembly from a list of candidates submitted to them. The list of candidates is to be submitted within fifteen days of receipt of notification of the pre-application preliminary scoping statement. In the event that the President Pro Tem of the Senate or the Speaker of the Assembly does not appoint one of the candidates within thirty days of receiving the list, the Governor shall appoint the ad hoc member(s) from the list of candidates. In the event that one or both of the ad hoc public members have not been appointed within forty-five days, a majority of persons named to the Siting Board shall constitute a quorum.

▼ **Q. How is the list of ad hoc public member candidates established?**

A. There is a different procedure depending on whether the facility is proposed to be located (a) in the City of New York; (b) in a town outside of any villages or in a city other than the City of New York; or (c) in a village.

▼ **Q. How is the list of candidates established in the City of New York?**

A. If such facility is proposed to be located in the City of New York, the chairperson of the community board, the borough president, and the mayor shall each nominate four candidates for consideration. The list of candidates is to be submitted to the President Pro Tem of the Senate or the Speaker of the Assembly within fifteen days of receipt of notification of the pre-application preliminary scoping statement.

▼ **Q. How is the list of candidates established in a town outside of any villages or in a city other than the City of New York?**

A. If such facility is proposed to be located in a town outside of any villages or in a city other than the City of New York, the chief executive officer representing the municipality shall nominate four candidates and the chief executive officer representing the county shall nominate four candidates for consideration. The list of candidates is to be submitted to the President Pro Tem of the Senate or the Speaker of the Assembly within fifteen days of receipt of notification of the pre-application preliminary scoping statement.

▼ **Q. How is the list of candidates established in a village?**

A. If such facility is proposed to be located in a village, the chief executive officer representing the town shall nominate four candidates, the chief executive officer representing the county shall nominate four candidates, and the chief executive officer representing the village shall nominate four candidates for consideration. The list of candidates is to be submitted to the President Pro Tem of the Senate or the Speaker of the Assembly within fifteen days of receipt of notification of the pre-application preliminary scoping statement.

▼ **Q. How is the list of candidates established if the facility is to be built on parcels of land located in more than one municipality?**

A. Candidates from each affected municipality will be nominated.

▼ **Q. What resources are available to assist the Siting Board?**

A. The Department of Public Service provides a presiding examiner and whatever legal, technological, scientific, engineering and other services that may be required. The Department of Environmental Conservation provides an associate examiner. The Secretary and the General Counsel to the Public Service Commission serve as Secretary and the General Counsel to the Siting Board.

SOLAR QUESTIONS FROM RESIDENTS

A couple residents in attendance spoke up during the Board Meeting while Supervisor Pangrazio explained the Article 10 Process regarding how the community is to be able to interject their opinions for or against the Solar Project and a direct contact to do this is through NYS Ag & Markets. They also expressed concerns with the use of prime soils for Solar.

Councilman Rothrock suggested that they were more than welcome to contact the Town Clerk to be placed on the Agenda for an upcoming meeting or to set up a meeting with the Town Supervisor with questions or concerns.

BUILDINGS/GROUNDS – SUPERVISOR PANGRAZIO

Supervisor Pangrazio updated the Board that he had contacted Rochester Colonial and Steele Contracting to come out and look at the Town Hall windows and submit a quote. Recently, the front door had been slamming due to a closer problem. Rochester Colonial was the original installer of the front door and the closer on the door to the Town Hall has lost its seal so it will need to be replaced.

HIGHWAY -MARK SCHROEDER

Highway Superintendent Mark Schroeder updated the Town Board on the projects that the Highway Department has been working on over the past month.

- The new truck is completed but no delivery date is scheduled yet.
- From January 18th – January 31st the Highway Department plowed snow and salted the roads due to the weather.
- Trees and brush have been removed from Fletcher’s Lane.
- A meeting will be held at the Highway Department on February 13th at noon with Senator Pat Gallivan and Assembly Woman Marjorie Byrnes and Senator Catherine Young.
- The Highway Department has been awarded the upcoming school project.
- Complaints have been received about the potential hazardous debris on Lacey Road from farm equipment. These debris left on the roads could be considered an environmental hazard and cause an environmental accident or spill which would cause a direct environmental impact on the Town and the residents that travel Lacey Road. Highway Superintendent Schroeder will contact Callan Farms about this since they farm the lands surrounding Lacey Road.
- Waiting to hear total costs for the Shared Services Grant that has been awarded.

MCINTYRE ROAD DRAINAGE EASEMENT PROJECT MOVING FORWARD – This project was initiated originally in 2016 when the Town Board and Highway Department were working on a project in conjunction with Chatfield Engineering to ease drainage issues on McIntyre Road. The project was put on hold until all landowners who owned the surrounding properties involved agreed to the best way to proceed with the drainage project. In 2018 Supervisor Pangrazio had been contacted by one of the landowners to see if the Town could once again look at this project. Currently JP Schepp, Town Engineer with MRB Group (formerly known as Chatfield Engineers) is updating the drainage and Attorney Skivington is drafting up the easement agreement so the project will move forward.

TRAFFIC SAFETY – COUNCILMAN TIM ANDERSON

Councilman Tim Anderson attended the most recent Traffic Safety meeting held on February 6, 2019 since Highway Superintendent Mark Schroeder was unable to attend. The Board received a copy of the November 7, 2018 minutes for review.

TOWN CLERK- LAURIE SATTORA

Town Clerk’s Monthly Report

JANUARY 1 – JANUARY 31, 2019

A1255	Conservation	Conservation	3	3.04
	Marriage Lic.	MARRIAGE LICENSE FEE	1	17.50
	MISCELLANEOUS	Return Check Fee	<u>1</u>	<u>20.00</u>
		Sub-Total:		\$40.54
A1603	MISCELLANEOUS CASH	Death Certificates	<u>9</u>	<u>90.00</u>
		Sub-Total:		\$90.00
A2130	MISCELLANEOUS CASH	Landfill - \$10.00	<u>88</u>	<u>880.00</u>
		Sub-Total:		\$880.00
A2544	Dog Licensing	Female, Spayed	22	132.00
		Male, Neutered	30	180.00
		Male, Unneutered	5	60.00
	Late Fee	Late Fee	<u>9</u>	<u>45.00</u>
		Sub-Total:		\$417.00
B2110	Final Site Plan	Final Site Plan Review	1	400.00
	PLANNING/ZONING	Building Permits	4	130.00
		Electrical Inspector	1	50.00
		Minor Subdivision	2	300.00
		Mobile Home Park	3	1520.00
		Sub-Total:		\$2,400.00
			Total Local Shares Remitted: \$3,827.54	
Amount paid to:	NYS Ag. & Markets Animal Population Control Fund			67.00
Amount paid to:	NYS Environmental Conservation			51.96
Amount paid to:	State Health Dept. For Marriage Licenses			22.50
Total State, County & Local Revenues:	\$3,969.00		Total Non-Local Revenues:	\$141.46

RESOLUTION -2019

ACCEPT JANUARY 2019 TOWN CLERK’S MONTHLY REPORT

On motion of Councilwoman Rychlicki seconded by Councilman Bickford the following resolution was

ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0

RESOLVED, that the Town Clerk’s monthly report is approved as presented.

OLD BUSINESS

LT DISPOSAL

LT Disposal has contacted Supervisor Pangrazio and they will be able to start a repayment plan in agreement with the Host Agreement starting in May 2019. This repayment plan will also include all past due payments from the Host Agreement.

CALEDONIA RURAL CEMETERY

Supervisor Pangrazio will have Attorney Skivington work on a 20 ft Right of Way Easement to access the Caledonia Rural Cemetery with the current owner of the former Hardware property which is currently for sale. The Town currently uses the Hardware property to access the cemetery for the mowing season.

NEW BUSINESS

RESOLUTION 49-2019

AUTHORIZATION TO SPEND HIGHWAY FUNDS FOR 2019

On motion of Councilman Rothrock seconded by Councilman Bickford the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Rychlicki, Bickford Nay-0 Absent – 0

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law, the Highway Superintendent and Town Board agrees that moneys levied and collected for the repair and improvement of highways and received from the state for the repair and improvement of highways, shall be expended for 2019. The sum of \$228,422.00 may be expended for general repairs upon 44.87 miles of Town Highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

RESOLUTION 50-2019

INVESTMENT POLICY

On motion of Councilman Anderson, seconded by Councilwoman Rychlicki the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent – 0 Nay-0

RESOLVED, that the Town's Investment Policy has been updated and reviewed.

RESOLUTION 51-2019

APPROVAL OF IN -HOUSE AUDIT OF TOWN COURT BOOKS

On motion of Councilman Rothrock, seconded by Councilman Bickford, the following resolution was

ADOPTED- Aye- Pangrazio, Rothrock, Bickford, Anderson Abstain –Rychlicki Absent –0 Nay-0

RESOLVED, that the Town Board accepts Councilwoman Rychlicki's audit report of the books for the Town of Caledonia Town Court for the year 2018.

RESOLUTION 52 -2019

ACCEPT RESIGNATION OF SUPERVISOR'S SECRETARY MARGARET DONEGAN

On motion of Councilman Anderson, seconded by Councilman Rothrock the following resolution was

ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent – 0 Nay-0

RESOLVED, that Margaret Donegan has submitted her letter of resignation as Supervisor's Secretary for the purposes of a new position. Margaret's last day of employment will be Friday, February 15, 2019. It is with great appreciation for Margaret's 4 and 1/2 years of service as the Supervisor's Secretary that the Town Board accepts with regret her letter of resignation and wishes her well in her new position as Court Clerk.

RESOLUTION 53-2019

ACCEPT RESIGNATION OF TOWN COURT CLERK JULIE MOLISANI

On motion of Councilman Rothrock seconded by Councilwoman Rychlicki the following resolution was

ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0

RESOLVED, that Julie Molisani has submitted her letter of resignation as Town Court Clerk for the purposes of obtaining a new position as Court Clerk for the Town of Geneseo. Julie's last day of employment will be Friday, March 8, 2019. It is with great appreciation for all of Julie's years of service to the Town as Court Clerk that the Town Board accepts with regret her letter of resignation.

RESOLUTION 54-2019

COURT CLERK SALARY

On motion of Councilman Anderson seconded by Councilman Rothrock the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0
RESOLVED, that the Court Clerk salary be set to \$8200.00 for 12 months.

RESOLUTION 55-2019

APPOINTING MARGARET DONEGAN COURT CLERK

On motion of Councilman Anderson seconded by Councilman Rothrock the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0
RESOLVED, that Margaret Donegan be appointed as Court Clerk for the Town of Caledonia at a yearly salary of \$8200.00.

RESOLUTION 56-2019

APPOINTING SETH GRAHAM AS SUPERVISOR’S CLERK

On motion of Councilwoman Rychlicki seconded by Councilman Bickford the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0
RESOLVED, that Seth Graham be appointed as Supervisor’s Clerk for the Town of Caledonia at a salary of \$17,500.00 for the remainder of the year.

PAYROLL DISCUSSION AND ACCOUNTING SUPPORT-WILLIAMSON LAW

Supervisor Pangrazio updated the Board that Williamson Law will assist Seth Graham with payroll and accounting during his transition period in learning the job as Supervisor’s Clerk.

RESOLUTION 57-2019

SOFTWARE AND PAYROLL SUPPORT

On motion of Councilman Anderson seconded by Councilman Rothrock the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Anderson, Bickford, Rychlicki Nay-0 Absent –0
RESOLVED, that Supervisor Pangrazio is authorized to sign the agreement with Williamson Law for additional software and payroll support as Seth Graham transitions into learning the position as Supervisor’s Clerk.

REVIEW OF SUPERVISORS REPORT

All Board Members have received via e-mail prior to the board meeting copies of the Monthly Supervisor’s Report which includes up to date Trial Balances and Budget to Actual revenues and expenditures and trial balances. All Board Members signed off on all the reports.

AUDIT OF ABSTRACT OF PAID VOUCHERS AND TRIAL BALANCES

The Board audited the Abstract of paid Vouchers and trial balances.

RESOLUTION 58-2019

PAYMENT OF BILLS

On motion of Councilman Anderson seconded by Councilwoman Rychlicki the following resolution was ADOPTED- Aye- Pangrazio, Anderson, Rothrock, Rychlicki, Bickford Nay- 0 Absent-0
RESOLVED, that the bills be paid in the following amounts:

GENERAL FUND A – Voucher #'s 30-35,37,39-43,45,47-51,53-65	\$	90,886.76
GENERAL FUND B – Voucher # 36,38,44,46,52	\$	7.170.10
HIGHWAY FUND DB – Voucher #'s 12-26	\$	12,748.06
GRAND TOTALS	\$	110,804.92

On motion to adjourn by Councilwoman Rychlicki seconded by Councilman Anderson and carried by all, the board meeting was adjourned.

Respectfully Submitted,

Laurie Sattora
Town Clerk