

**Regular Monthly Meeting
Caledonia Town Board
May 9, 2019**

The Regular Monthly Meeting of the Town Board of the Town of Caledonia was held May 9, 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
	Councilwoman	Pam Rychlicki
	Councilman	Todd Bickford
	Councilman	Tim Anderson
	Town Clerk	Laurie Sattora

ATTORNEY: Peter Skivington, Dwight Kanyuck.

ABSENT: No One.

OTHERS: Code Enforcement Officer Tom Perkins, Highway Superintendent Mark Schroeder

ATTENDEES FROM SIGN IN SHEET: Seth Graham, Meghan Carpenter, Jennifer Schamberger, Rick Riggi, Colin Callan, Ryan Callan, Mark Callan.

APPROVAL OF MINUTES

RESOLUTION 73– 2019

APRIL 11, 2019 MINUTES

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

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

RESOLVED, that the minutes of April 11, 2019 be approved as presented.

OPEN FORUM – No one requested for privilege of the floor prior to the meeting. Resident Ryan Callan approached the Board and addressed the Board. Public comment to the Board was given by Residents Ryan and Mark Callan, Rick and Sue Riggi.

Some of the concerns that were expressed by Ryan Callan :

- Not happy with how he was treated at the February Town Board Meeting.
- He is a taxpayer and should be able to speak at any meeting.
- The taxpayers have control over the proposed solar project and there are things the Town can do that they aren't.
- Suggested that the Board look up Article 487 Tax Law.
- Concerns about the Article 10 process and the pilot agreement for the project.
- Amending the towns existing Solar Law.
- Why the town couldn't enact a moratorium.
- That three town positions are up for election and the possibility that those currently in office will go out and not be re-elected because of the project.
- He wants this as part of the record and that the minutes be published.

Concern expressed by Mark Callan:

- That the Planning Board sent a letter to the Town Board in the Fall about implementing a moratorium and why the Board did not enact the moratorium.

Supervisor Pangrazio stated that with the existing Solar Law in place and that the Article 10 process had been started the Town Board could not enact a moratorium on Solar based on recommendation from counsel and NYSERDA due to the possibility of a lawsuit against the Town.

Concerns expressed by Rick Riggi:

- Thanked the Board for the opportunity to speak.
- Realizes it is very early in the process.
- Concerns about solar profits and subsidies from Government.
- The loss of Prime Farmland.
- The developer will sell their rights off once the project is completed.
- Environmental concerns from the solar panels.
- No Pilot agreement equals no project.
- What type of Tax payments will the Town get if the project is approved?
- Counsel for the Town on the project and if they are familiar with the Article 10 Process.

Councilman Bickford stated that the Board is still learning about the aspects of the Project and to please send a letter to the Board with questions and concerns so that their voices can be heard.

Councilman Rothrock also stated on behalf of the Board that the Board is open to share any comments and concerns regarding the proposed project.

Supervisor Pangrazio stated that if anyone has any questions or comments to submit them in writing. Residents are also able to go to the Town website and click the link for Horseshoe Solar and the Department of Public Service website for Horseshoe Solar and submit comments. The Board wants to hear their concerns and that they are very open to share any thoughts and concerns they have about the project.

ANNOUNCEMENTS/COMMUNICATIONS

Supervisor Pangrazio reviewed the following communications with the Board:

- Grievance Day will be May 28, 2019.
- Seniorama will be held on May 11, 2019 at York High School.
- A copy of the Agenda for the Livingston County Planning Board Meeting.
- Miscellaneous handouts.

DEPARTMENTS/COMMITTEES

ATTORNEY-PETER SKIVINGTON

Attorney Skivington addressed those present and stated that he was very unhappy with some of the comments made by the public. Attorney Skivington said it is not fair for those in attendance to come after the Board and threaten their positions as Board members and criticize them about this proposed project. This project is an Article 10 Project which is governed by New York State Department of Public Service. Procedures are set in place and the Town is doing nothing in secret in relation to the project. The Town Board's job is to abide by the laws and protect the citizens. The Town has hired special counsel Knauf and Shaw and engineering firm MRB Associates to represent the Town through the Article 10 proceeding.

ATTORNEY -DWIGHT KANYUCK

Attorney Dwight Kanyuck reviewed the Article 10 process with the Town Board and the public that was present.

Mr. Kanyuck gave a brief presentation to those in attendance that they are the environmental and energy co-counsel for the Town for the Public Service Law Article 10 proceeding for the Invenergy Horseshoe Solar project. Knauf Shaw will

guide the Town through the review and approval processes, represent the Town for Intervenor funding and land use matters. The proposed project is to construct and operate a 180-megawatt solar energy project in the Town of Caledonia. Knauf Shaw has participated in Article 10 and other Public Service Commission proceedings and has represented numerous municipalities as environmental co-counsel for project reviews and is currently representing the Town of Barre on an application for a 200MW Wind Energy project. The Governor has aggressive goals and would like 50% of our energy to come from Solar & Wind. Since 2011 when the Article 10 process was implemented only one project has received approval. The developer is now at the PSS stage (Preliminary Scoping Stage) and this is the first opportunity for the Town to become involved with comments and input on the proposed project. Today a meeting was held for Intervenor Funding before two Judges to decide how the involved parties will receive funding to cover Attorney and Engineering Costs that the Town will incur because of the location of the project. The two judges decided that \$21,000 was awarded to the Town of Rush, \$21,000 was awarded to the Town of Caledonia, and \$21,000 was awarded to a group called Residents United to Save Our Hometown.

A chart of the Article 10 Process is on the Town of Caledonia Website.

Attorney Kanyuck offered to take questions from those present on the Article 10 proceeding for Horseshoe Solar: A few of the questions asked by Rick and Sue Riggi were as follows:

- What are his credentials and how many Article 10 proceedings has he worked on?
 - Attorney Kanyuck stated that this is the third Article 10 project he has worked on.
- Have any of the Towns he has represented stated they are not for the projects?
 - Attorney Kanyuck stated that Towns should stay neutral and cannot oppose the project. The State takes control of the approvals and it is out of the Town's control.
- Where can information on this project be found?
 - The Town's website provides links to the project.

CODE ENFORCEMENT OFFICER – TOM PERKINS

Code Enforcement Officer Perkins updated the Board on the following projects:

- C of O has been given to the Oak Knolls Wedding Barn.
- Tractor Supply project is ahead of schedule.
- New home is being built on Neale Road.

PLANNING BOARD – NO MEETING

Supervisor Pangrazio stated that no meeting was held.

BUILDINGS/GROUNDS -SUPERVISOR PANGRAZIO

Supervisor Pangrazio updated the Board that students from Government class helped Assemblywoman Marjorie Byrnes clean up the Caledonia Rural Cemetery. The window repair at the Town Hall will take place in the next few weeks depending on the weather.

HIGHWAY DEPARTMENT-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.

TRAFFIC SAFETY – MARK SCHROEDER

Highway Superintendent Mark Schroeder updated the Board on the most recent Traffic Safety Meeting.

TOWN CLERK'S MONTHLY REPORT

APRIL 2019

Town of Caledonia Town Clerk's Monthly Report				
April 01, 2019 - April 30, 2019				
<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
A1255	Conservation	Conservation	9	11.60
	Marriage Lic.	MARRIAGE LICENSE FEE	3	52.50
		Sub-Total:		\$64.10
A1603	MISCELLANEOUS CASH	Birth Certificates	1	10.00
		Death Certificates	8	80.00
		Sub-Total:		\$90.00
A2130	MISCELLANEOUS CASH	Landfill Tickets- \$10.00	216	2,160.00
		Sub-Total:		\$2,160.00
A2544	Dog Licensing	Female, Spayed	18	108.00
		Female, Unspayed	2	24.00
		Male, Neutered	21	126.00
		Male, Unneutered	2	24.00
	Late Fee	Late Fee	2	10.00
		Sub-Total:		\$292.00
B2110	PLANNING/ZONING	Building Permits	5	1,381.00
Sub-Total:				\$1,381.00
Total Local Shares Remitted:				\$3,987.10
Amount paid to: NYS Ag. & Markets Animal Population Control Fund				51.00
Amount paid to: NYS Environmental Conservation				198.40
Amount paid to: State Health Dept. For Marriage Licenses				67.50
Total State, County & Local Revenues:				\$4,304.00
Total Non-Local Revenues:				\$316.90

RESOLUTION 74- 2019

CLERKS MONTHLY REPORT

On motion of Councilman Rothrock seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Rothrock, Rychlicki, Bickford, Anderson Nay- 0 Absent-0
RESOLVED, that the Clerk's monthly report is approved as presented.

OLD BUSINESS

No old business.

NEW BUSINESS

RESOLUTION 75-2019

NEW POSITION DUTIES STATEMENT TITLES FOR TOWN HIGHWAY POSITIONS FOR LIVINGSTON COUNTY PERSONNEL CIVIL SERVICE LAW REQUIREMENTS

On motion of Councilman Anderson seconded by Councilwoman Rychlicki the following resolution was ADOPTED- Aye- Pangrazio, Rothrock, Rychlicki, Bickford, Anderson Nay- 0 Absent-0
RESOLVED, that the Town shall change the position titles of Part-time Laborer Seasonal positions to MEO Part-time for Livingston County Personnel Civil Service Law Requirements.

RESOLUTION 76-2019

CHANGING ANDREW PANGRAZIO'S POSITION TITLE

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

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

RESOLVED, that Andrew Pangrazio original hire date was April 13, 2018 as a Laborer Seasonal. For Livingston County Personnel Civil Service Law Requirements, the Town of Caledonia shall change the position title from Part-time Laborer Seasonal position to MEO Part-time.

RESOLUTION 77 – 2019

CHANGING RONALD GRATAN'S POSITION TITLE

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

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

RESOLVED, that Ronald Grattan original hire date for 2018 was May 22, 2018 as a Laborer Seasonal. For Livingston County Personnel Civil Service Law Requirements, the Town of Caledonia shall change the position title from Part-time Laborer Seasonal position to MEO Part-time.

RESOLUTION 78– 2019

CHANGING JOHN LOUIS MURRAY V POSITION TITLE

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

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

RESOLVED, that John Louis Murray V's original hire date for 2019 was January 24, 2019 as a Laborer Seasonal. For Livingston County Personnel Civil Service Law Requirements, the Town of Caledonia shall change the position title from Part-time Laborer Seasonal position to MEO Part-time.

RESOLUTION 79-2019

AMENDING RESOLUTION 62-2019

On Motion of Councilman Bickford seconded by Councilman Anderson the following resolution was amended due to a typographical error.

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

RESOLVED, that the following paragraph be amended as follows due to a typographical error:

WHEREAS, based on the total cost of \$413,690.03 for the equipment to be purchased and shared, the grant money awarded is in the amount of \$301,578.00. The total of each Towns Share upfront is \$137,896.68 The final cost to each of the Towns of Geneseo, Caledonia and York after receiving reimbursement from the State would be \$37,370.68 for equipment for road repair and rehabilitation projects within the Towns of Geneseo, Caledonia and York.

RESOLUTION 80– 2019

BUDGETARY AMENDMENT SHARED SERVICES EQUIPMENT GRANT

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

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

RESOLVED, that Supervisor Pangrazio is authorized to make the following budgetary adjustments:

INCREASE REVENUES	DB3089 (SHARED SERVICES GRANT)	\$105,197.14
INCREASE APPROPRIATION	DB5130.200 (EQUIPMENT)	\$105,197.14

RESOLUTION 81-2019

PAYMENT FOR SHARED SERVICES GRANT EQUIPMENT

On motion of Councilman Anderson seconded by Councilman Bickford the following resolution was

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

RESOLVED, that the Supervisor is authorized to expend payment for the Shared Services Equipment Grant and that the Supervisor is further authorized to expend payment of the remaining balance of \$32,699.54 when the remaining piece of equipment comes in.

RESOLUTION 82– 2019

PAYMENT FOR TOWN HALL WINDOW REPLACEMENT

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

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

RESOLVED, that the Supervisor is authorized to expend payment for the Town Hall Window Replacement.

RESOLUTION 83– 2019

AUTHORIZATION TO SIGN AND SUBMIT PAYMENT FOR 2019 DOWNTOWN PARTNERSHIP PROGRAM

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

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

RESOLVED, that Supervisor Pangrazio is authorized to sign and submit payment for the 2019 Downtown Partnership Program in the amount of \$2000.00.

DECOMMISSIONING BOND-LIVINGSTON 4 SOLAR

Attorney Skivington advised Supervisor Pangrazio to hold off on signing the Decommissioning Bond for Livingston 4 Solar until the renegotiated Pilot Agreement has taken place with Livingston County Industrial Development Agency.

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 84 -2019

PAYMENT OF BILLS

On motion of Councilman Anderson seconded by Councilman Bickford the following resolution was

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

RESOLVED, that the bills be paid in the following amounts:

GENERAL FUND A – Voucher #'s 134-143,145-159	\$ 17,534.11
GENERAL FUND B – Voucher # 144	\$ 40.36
HIGHWAY FUND DB – Voucher #'s 56-68	\$ 124,911.74
GRAND TOTALS	\$ 142,486.21

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

