

**Town of Caledonia  
Regular Monthly Board Meeting  
October 10, 2019**

The Regular Monthly Meeting of the Town Board of the Town of Caledonia was held October 10, 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.

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

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

**ATTORNEY:** Dwight Kanyuck.

**ATTENDEES FROM SIGN IN SHEET:**

Cindy Kellen, Megan Kellen, John Kellen Jr, Susan & Bill Stevens, Dan Welch, Keith Stein, Cathy Stollevy, Dusty Preston, Kate Millar.

**APPROVAL OF MINUTES**

**RESOLUTION 118– 2019**

**SEPTEMBER 12, 2019 MINUTES**

On motion of Councilman Bickford seconded by Councilwoman Rychlicki the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Anderson, Bickford Nay- 0 Absent-0  
RESOLVED, that the minutes of September 12, 2019 be approved as presented.

**RESOLUTION 119– 2019**

**SEPTEMBER 26, 2019 MINUTES**

On motion of Councilman Rothrock seconded by Councilman Anderson the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Anderson, Bickford Nay- 0 Absent-0  
RESOLVED, that the minutes of September 26, 2019 be approved as presented.

**OPEN FORUM**

**Megan Kellen -3853 CALEDONIA AVON ROAD**

**HORSESHOE SOLAR CONCERNS**

Megan Kellen addressed the Town Board and those present with concerns over the expansion of the original Horseshoe solar Project. A copy of Megan’s comments that she gave to the board are on file at the Town Hall.

Some of Megan’s concerns expressed to the Board were:

- That new plan submitted by Horseshoe Solar will completely surround her home on Route 5.
- She feels that it is inappropriate to surround any residential home with a commercial solar field and it’s the Town Boards responsibility to help protect residents from encroachment.
- She would like her letter kept as part of the record.
- Formally requests that lot number 14.-1-14.2 on the tax map be excluded from use in the new proposed plan.
- Feels that residents deserve protection from the Town to avoid such encroachment on wellbeing, destruction of views and protection of property values.

- Concerns that the new plan incorporates a large portion of the Route 5 corridor which is full of historical significance with the MacNaughton House and the newly restored Wells Barn and the grave of the Unknown Soldier from the War of 1812.
- Would like the Town to consider a historical overlay of this section of Route 5 to protect the Genesee Valley view shed and historic significance of the area.
- Concerns that the Horseshoe Project poses serious ecological concerns with the location of the panels.
- Would like the current code amended to adapt to the commercial use of solar farms to prevent any future inappropriate placement of solar farms in the community and would like the code amended to a 500 ft buffer for residential properties.
- Feels that Invenergy is secretive and deceptive. Upset with Invenergy's changes to the layout plan and is concerned that they are going to expedite the expansion and submit their formal application by the end of the year.
- Would like the Board to slow this process down to allow for more public input.
- Would like the Board to pass a moratorium on solar battery power storage as soon as possible.

Supervisor Pangrazio thanked Megan Kellen for bringing her concerns to the Board and suggested to Megan that she file her concerns and comments on the DPS website for the project. Supervisor Pangrazio told Megan that the Attorneys are in the process of reviewing a Law on Battery Storage . Our existing Solar Law states that a vegetated perimeter buffer is required to provide year-round screening . Currently when a Solar Project comes before the Planning Board, per the existing Code, the Planning Board and Town Engineer examine the proposed location on a case-by-case basis ensuring that the potential impact to residents, business and or traffic are not a detriment to the neighbors and characteristics and topography.

**Kate Millar -INVENERGY**  
**HORSESHOE SOLAR PROJECT**

Kate Millar Project Manager for Invenergy on the Horseshoe Solar Project updated the Board that Horseshoe Solar has submitted changes to the Preliminary Scoping Statement and showed the updated maps to the Town Board. A few key points are as follows:

- They have leased new land from local farmers which has changed the buildable area from the local farmers to be included in the preliminary study area.
- No change has been made to the overall size of the project and the buildable acreage has not changed.
- Horseshoe Solar has noted that the Town's position is out of site out of mind with appropriate setbacks to protect the existing property owners.
- Invenergy will be opening a local office in the Village very soon where the community can look at maps, ask questions and review the project.

**Bill Stevens – LOWERY ROAD**

Mr. Stevens stated that he has concerns about more Solar Farms coming to area and if the map that Kate Millar showed the Board was the same map that the residents on Route 5 saw. Kate Millar stated that it was the same map.

**Dan Welch – OAK KNOLLS MANOR**

Mr. Welch asked about the map updates and if any other and changes were proposed. Kate Millar stated that at this time no further updates or changes to the map.

**Cindy Kellen**

Cindy Kellen asked if the Board could enact a Solar Moratorium on Route 5 for no new solar projects.

**Supervisor Pangrazio** stated that the he and the Board are adamant that a very important aspect of this project is that Property Owners must by all means be protected from unsightly views and he does not want Caledonia to be known as the Solar Capital of Livingston County. Supervisor Pangrazio stated to those present that with guidance from our Environmental Attorney Dwight Kanyuck, Town Attorney Peter Skivington, and Town Engineer JP Schepp from MRB that they have submitted comments to the Siting Board about the project and the Boards concerns with the project and requiring Vegetative Screening and setbacks. Supervisor Pangrazio stated that our Environmental Attorney along with Livingston County IDA are working on a Pilot Agreement and a Host benefits Agreement for the community if the project

is given approval. Supervisor Pangrazio stated that the Article 10 Process is a long regulatory process and that the approval decision for the project is made by the State Siting Board. Local Boards such as the Town Board, Planning & Zoning Board have no approval or authority over the project other than submitting comments and concerns to the Siting Board and DPS about the project. The Town has submitted its comments and concerns on the DPS site as part of the process for the Article 10.

**Councilman Rothrock** asked Kate Millar how many acres of additional land was leased and why was Horseshoe not able to use the land on River Road.

Kate Millar stated that an additional 300 acres had been leased from 5 local farmers in Caledonia. One of the reasons is that the Board wanted the project to be out of sight as much as possible and also that a large portion of the original Preliminary Buildable area near the Street Farm on River Road had to be removed due to the flood plain.

### **ANNOUNCEMENTS/COMMUNICATIONS**

Supervisor Pangrazio updated the Board on the following communications:

- Fall Training workshop will be held in November for training credits for Planning and Zoning Members.
- A copy of the Livingston County Planning Board Agenda.
- Resumes have been sent to the Assembly for the Article 10 Project for two Caledonia members to be placed on the Siting Board for the Horseshoe Solar Project. Four names had been previously submitted. Two members backed out due to family obligations and due to a conflict of interest with signing with Horseshoe Solar. One resume was submitted by the Town of Rush to be put on the Siting Board.
- LT Disposal is now signed over to Casella Waste Management of N.Y.
- The DEC is now accepting applications for Urban Forestry Projects for grant funding for tree planting, maintenance, tree inventory, community forest management plans and for educating those who care for public trees.
- Livingston County Ag Tour will be held Friday November 1<sup>st</sup>.

### **DEPARTMENTS/COMMITTEES**

#### **PETER SKIVINGTON/DWIGHT KANYUCK – TOWN ATTORNEY**

Attorney Peter Skivington was not able to attend but is working on items for the Town. Attorney Dwight Kanyuck was present.

#### **TOM PERKINS – CODE ENFORCEMENT OFFICER**

Code Enforcement Officer Tom Perkins told the Board that three new homes are being built in the Town.

#### **COUNCILWOMAN PAM RYCHLICKI – PLANNING BOARD LIASON**

Councilwoman Pam Rychlicki was unable to attend the Planning Board meeting.

#### **MARK SCHROEDER -HIGHWAY DEPARTMENT**

Highway Superintendent Mark Schroeder updated the Board on the following activities that the Highway Department has been working on for the month:

- Highway Department has been finishing up the school project.
- Helped the town of York with River Road.
- Plow frames and sanders are ready for winter.
- Will be helping the Village of Caledonia with Lehigh Street paving.
- A grant for replacing the Culvert on Quarry Road was applied for this past spring and hopefully the Town should hear if they will be awarded the grant in December.
- The Town of Canadice is still waiting for its new truck which should be in in December. The Town has not completed this purchase as we are still waiting for reimbursement from the Shared Services Grant money.
- Disposed of the excess tires, scrap and refrigerators at the Transfer Station.
- Highway Superintendent Schroeder stated that he is purchasing through State bid a Zero turn 72-inch mower with the money that was left in his budget. He replaced the mower due to the age of the current mower they are using. The current mower is over fourteen years old.

**LAURIE SATTORA- TOWN CLERK**

**TOWN CLERK'S MONTHLY REPORT**

<b>Town of Caledonia Town Clerk's Monthly Report</b>					
<b>September 01, 2019 - September 30, 2019</b>					
<b>Account#</b>	<b>Account Description</b>	<b>Fee Description</b>	<b>Qty</b>	<b>Local Share</b>	
A1255	Conservation	Conservation	19	240.11	
	Marriage Lic.	MARRIAGE LICENSE FEE	3	52.50	
			<b>Sub-Total:</b>	<b>\$292.61</b>	
A1603	MISCELLANEOUS CASH	Death Certificates	5	50.00	
			<b>Sub-Total:</b>	<b>\$50.00</b>	
A2130	MISCELLANEOUS CASH	Landfill - \$10.00	165	1,650.00	
			<b>Sub-Total:</b>	<b>\$1,650.00</b>	
A2544	Dog Licensing	Female, Spayed	19	114.00	
		Male, Neutered	28	168.00	
		Male, Unneutered	6	72.00	
	Late Fee	Late Fee	7	35.00	
			<b>Sub-Total:</b>	<b>\$389.00</b>	
B2110	Final Site Plan	Final Site Plan Review	1	400.00	
	PLANNING/ZONING	Building Permits	9	898.00	
			<b>Sub-Total:</b>	<b>\$1,298.00</b>	
				<b>Total Local Shares Remitted:</b>	<b>\$3,679.61</b>
Amount paid to:	NYS Ag. & Markets Animal Population Control Fund			65.00	
Amount paid to:	NYS Environmental Conservation			4,418.89	
Amount paid to:	State Health Dept. For Marriage Licenses			67.50	
<b>Total State, County &amp; Local Revenues:</b>		<b>\$8,231.00</b>	<b>Total Non-Local Revenues:</b>		<b>\$4,551.39</b>

**RESOLUTION 120-2019**

**ACCEPT TOWN CLERK'S MONTHLY REPORT**

On motion of Councilwoman Rychlicki seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Anderson, Bickford Nay- 0 Absent-0  
RESOLVED, that the monthly Town Clerk's Report be accepted as submitted.

**BUDGET DISCUSSION**

The Board discussed the proposed 2020 Budget. Councilman Bickford stated that he feels that the Supervisor should not leave his pay at the proposed salary with no raise. He feels that if all Town employees received a raise then the Supervisor should also receive a raise.

**RESOLUTION 121 -2019**

**RAISE TO INCREASE SUPERVISOR'S SALARY FOR 2020 BUDGET**

On motion of Councilman Rothrock seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Anderson, Bickford Nay- 0 Absent-0  
RESOLVED, that the Budget be amended to increase the Supervisor's 2020 Salary.

**NEW BUSINESS**

**RESOLUTION 122- 2019**

**MEMORIAL RESOLUTION -GIL SMITH**

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 the Board does hereby adopt the following memorial resolution in honor of Gil Smith

**TOWN OF CALEDONIA  
MEMORIAL RESOLUTION**

Therefore, Let It Be resolved that the Town Board and Staff of the Town of Caledonia honor the life and career of  
**Gilbert Smith**

Gil passed away September 29, 2019 surrounded by his loving family. The Town of Caledonia has lost an outstanding public servant and citizen in the recent passing of Gil Smith. Gil served the Town of Caledonia as Town Justice for several years. Gil was highly respected and well known throughout Livingston County. His colleagues will remember him as a compassionate person who readily gave of his time and talents to all who knew him. He served the Town of Caledonia and his community with thoughtfulness, exemplary dedication and conscientious devotion of which his family and friends can be very proud. Now therefore, to record our esteem for our late public employee, we the members of the Town Board of the Town of Caledonia do hereby express our deep sorrow and sympathy in the recent death of Gil Smith. The Town of Caledonia extends its deepest condolences to his family and friends.

**RESOLUTION 123– 2019**

**ACCEPT TENTATIVE BUDGET WITH CHANGES AS PRELIMINARY BUDGET FOR 2020**

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

RESOLVED, that the Tentative Budget for 2020 be accepted with changes and that it is to become the Preliminary Budget for 2020.

**RESOLUTION 124-2019**

**2020 BUDGET HEARING NOVEMBER 7, 2019 7:15 P.M.**

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

WHEREAS, the Tentative Budget for 2020 has been prepared and presented to the Town Board, and  
WHEREAS, the Town Board has reviewed such Tentative Budget and adopted it as the Preliminary Budget,  
therefore be it

RESOLVED, that the Town Board meet and review the Preliminary Budget for the year 2020 and hold a Public Hearing thereon at the Town Hall, 3109 Main Street, Caledonia, NY, at 7:15 P.M., on November 7, 2019 and that the Clerk shall give due notice of such public hearing in the manner as provided in Section 108 of Town Law.

**RESOLUTION 125-2019**

**WAIVER OF MARRIAGE LICENSE FEES FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES ON ACTIVE DUTY**

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

WHEREAS, on August 20, 2019, New York Governor Andrew Cuomo signed legislation waiving the State Fee on Marriage Licenses for active duty members of the Armed Forces (S.3756/A.55) (“legislation”); and

WHEREAS, the legislation also gives local governments the freedom to waive the fees that they charge for marriage licenses; and

WHEREAS, the Town of Caledonia wishes to waive the fees charged for marriage licenses to active duty members of the Armed Forces;

NOW, THEREFORE BE IT RESOLVED, that the Town of Caledonia hereby formally waives the fees to be charged for Marriage Licenses for active duty members of the Armed Forces who present proof of current service in accordance with New York State Law.

**RESOLUTION 126 -2019**

**BUDGETARY AMENDMENTS**

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

RESOLVED, that the Supervisor is authorized and directed to make the following Budgetary Amendments to the DB Accounts for the Town’s portion of Chips funding received and Pave NY Extreme Weather.

DEBIT DB3501(CONSOKLIDATED HIGHWAY AID)	\$45,609.80
CREDIT DB5110.400(GENERAL REPAIRS CONTRACTUAL	\$45,609.80
DEBIT DB2770 (UNCLASSIFIED REVENUE)	\$23,476.98
CREDIT DB5110.400 (GENERAL REPAIRS CONTRACTUAL)	\$23,476.98

A copy of these Budget Journal Amendments is on file with the 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 127-2019**

**PAYMENT OF BILLS**

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

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

GENERAL FUND A – Voucher #'s 289-295,297-298, 300-317, 319-321	\$ 14,035.70
GENERAL FUND B – Voucher # 296,299,318	\$ 333.98
HIGHWAY FUND DB – Voucher #'s 130-145	\$ 94,973.55
GRAND TOTALS	\$ 109,343.23

Motion to adjourn was made by Councilman Rothrock seconded by Councilwoman Rychlicki and carried by all, the board meeting was adjourned.

Respectfully Submitted,

Laurie Sattora  
Town Clerk