

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, January 26, 2023 at 7:00 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

Members Present:

James Farnholz, Supervisor
David Paddock, Deputy Council
John Armitage, Council
John Johnson, Council
William Fox, Council

Absent:

Eric Stauffer – Highway Superintendent
Patricia A. Canfield, Town Clerk

Recording Secretary:

Mary Margaret Ripley – Deputy Clerk

Others Present:

Jeff Steinbrenner, Code Officer
Eileen Dries
Rebekha Hiler
Susan and Jerry Rathbun
Chris Stella
Sharon Brant
Linda and Kevin Ferguson
Stephen Jones
Andre Romei – Forefront Power, LLC
Christian Schlesinger – Forefront Power, LLC

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by the pledge to the flag. and approval of the minutes of the meeting of January 12, 2023 with the correction of Councilman Johnson being removed as absent in the notes. On **MOTION** by Councilman Johnson and seconded by Councilman Paddock the motion passed unanimously.

PUBLIC HEARING:

Major Solar Collection System (5MW and 2MW solar array) vacant farmland located on Lake Street Road-

Supervisor Farnholz read the following notice of Public Hearing:

PLEASE TAKE NOTICE, the Town Board of the Town of LeRoy will hold a public hearing on January 26, 2023 at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY 14482 to hear any and all comments regarding the proposed solar project application submitted by FFP NY LeRoy Project 1, LLC., 100 Montgomery St., #725, San Francisco, CA for two [2] projects:

- a) Major Solar Collection System (5MW solar array) vacant farmland located on Lake Street Road zoned I-2 [Light Industrial]; tax map no. 22.-1-37.1 and 25.-1-1.1 acres 52.37 for Ground-mounted solar tracking with gravel access road w regular maintenance vehicles following construction; and
- b) Major Solar Collection System (2MW solar array) vacant farmland located on Lake Street Road zoned I-2[Light Industrial]; tax map no. 25.-1-2.12 acres 26.5 for Ground-mounted solar tracking with gravel access road w regular maintenance vehicles following construction.

By Order of the Town Board, Patricia A. Canfield, Town Clerk

Public Hearing was open for comments:

Kevin Ferguson, 8522 Lake Street Rd – Asked about water runoff and flooding issues, whether transformer at the road would be changed out and if wiring would be underground, if there would be fencing and asked about the easement.

Chris Stella, 8572 Lake Street Rd – shared concerns about water runoff.

Jerry Rathbun, 8506 Lake Street Rd – asked to speak to solar reps after meeting. Mentioned the access is pure gravel.

Sharon Brandt - Lake Street Rd – stated she would need the current easement to stay free if she needs to sell some day. Also asked about sound, fencing, and if there will be cameras.

Christian Schlesinger – Forefront Power, LLC – stated that each project, there are two, would be fenced individually. The water issues will be figured out by the engineers of the projects. Currently there are no water controls in place because it is farmed land. If anything, the water issues will improve with these projects. There will be a landscaped buffer. No pesticides will be used. Site will be mowed. Company will have remote access to the panels for monitoring. There will be no cameras on site unless vandalism is experienced down the road.

Rebecca Hiler – 8508 Lake Street Road – Asked about traffic in and out and what does improvement to the easement mean?

Councilman Johnson – asked how wide the access will be? What is the weight limit? In the case of a fire, he stated the Fire Department will react and treat it differently than a structure fire, being that it is electrical in nature.

Steve Jones - 8564 Lake Street Rd – Concerns about water issues and asked about how many workers work on a project of this scale.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to close the Public Hearing at 7:41 PM.

OLD BUSINESS:

1. **Transfer Station Attendant – Transfer Station Attendant wage was not finalized last meeting.**
On **MOTION** by Supervisor Farnholz and seconded by Deputy Supervisor Paddock and passed unanimously with voting as follows: Supervisor Farnholz, Council Armitage, Johnson, Fox and Deputy Supervisor Paddock – aye the following **RESOLUTION:**

RESOLVED, the Town Board of the Town of LeRoy authorizes to increase hourly wage for Timothy Hogle, Transfer Station Attendant from \$14.19/hour to \$17.00/hour effective January 26, 2023 and retroactive increase to January 1, 2023.

Amendment to Transfer Station Rules – Supervisor Farnholz reported that per NYS the transfer station can no longer charge for computers and electronics including all types of TVs. Transfer station rules will be amended to reflect the change. The \$30 punch card is still required to enter the transfer station but will no longer be punched for electronics or TVs.

2. **MCWA - Authorization –**
On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Supervisor Farnholz, Council Armitage, Johnson and Fox and Deputy Supervisor Paddock – aye the following **RESOLUTION:**

RESOLVED, the Town Board of the Town of LeRoy approves Highway Supt to sign permit as provided by Section 149 of the Highway Law granting permission to Transfer A 1” service to the 8” Main per sketch; existing building; 4’ x 8’ pavement cut; MCWA Acct No. 163091 for the address of 8754 North Street Road, LeRoy NY.

NEW BUSINESS:

1. **Resolution – Batavia Daily Newspaper/Publication** – The Board discussed the issues with advertising legal ads only in a printed publication.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Supervisor Farnholz, Council Armitage, Johnson and Fox and Deputy Supervisor Paddock – aye the following **RESOLUTION:**

WHEREAS the Town of LeRoy has had ongoing issues with advertising in the Batavia Daily News and

WHEREAS the LeRoy Town Board believes that Johnson Newspaper Corporation/New York Press Service does not understand the legal ramifications of prompt advertising according to New York State Laws and deadlines and

WHEREAS the LeRoy Town Board believes that it is unfair to only allow advertising in a printed, paid publication because it limits notices to only those residents that pay for that service;
NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of LeRoy supports Assembly Bill A2040 Sponsored by **Assemblyman Steve Hawley which would allow for online publication of public notices.**

2. **Logical Controls – Annual Contract** – Annual contract for managing building heat and air conditioning.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Supervisor Farnholz, Council Armitage, Johnson and Fox and Deputy Supervisor Paddock – aye the following **RESOLUTION:**

RESOLVED, the Town Board of the Town of LeRoy approves the annual contract with Logical Control Solutions, 829 Phillips Rd, Victor for \$3337 for the Town Hall building heat and air conditioning management.

3. **Senior Citizen Tax Exemption Notification** – Assessor Jim Kirsch notified the Town Board that per NYS all homeowners over the age of 65 must be notified by mail of their eligibility for a senior citizen tax exemption. Jim Kirsch researched options for this notification and found that IMS, Inc of 245 Commerce Blvd, Liverpool, NY had the most cost-effective option with a postcard. The board reviewed the quote for \$652.73 for printing 1399 postcards and postage.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed unanimously with voting as follows: Supervisor Farnholz, Council Armitage, Johnson and Fox and Deputy Supervisor Paddock – aye the following **RESOLUTION:**

RESOLVED, the Town Board of the Town of LeRoy accepts the quote from IMS of 245 Commerce Blvd, Liverpool, NY for \$652.73 for printing 1399 senior citizen notification postcards including postage.

COMMITTEE REPORTS:

Code:

Discussion about building a duplex home in an R2 Zone.

Parks & Recreation:

Highway Superintendent Stauffer going to look into damage to the pool cover at Wildwood.

Building:

Councilman Fox updated on basement wall in the front of the building to be repaired soon.

Fire:

Councilman Johnson reported all officers were recently sworn in.

Ambulance:

Councilman Johnson reported a tentative meeting set for certificate of need to be reviewed by county.

GAM: Councilman Fox reported the need to get addresses of those that need broadband service. Phase 3 of the county water project is \$20,000,000 over budget.

Public Comment: Eileen Dries – large power surge on Vallance road during the Christmas winter storm that caused damage to meters and home appliances.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed unanimously to enter into Executive Session at 8:20 PM for employee discussion with Town Board and Deputy Town Clerk present.

On **MOTION** by Councilman Armitage and seconded by Deputy Supervisor Paddock and passed unanimously to come out of executive session at 8:37 PM with no action taken.

AUTHORIZATION TO PAY BILLS:

On **MOTION** by Councilman Johnson and seconded by Councilman Fox and passed unanimously the following bills [Voucher 60 & 61 Humphrey Electric held for payment] were presented for payment:

Abstract # 2	2022/2023	Voucher #
General Fund A, B, SL & Cap Proj H:	\$30,358.25	51-68[incl on-line pay]
Highway Fund DA & DB:	\$41,033.87	12-20

With no further business to come before the Board, on **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to adjourn at 8:38 PM.

Respectfully Submitted, Mary Margaret Ripley – Recording Secretary