

**MINUTES
PUBLIC HEARING
REGULAR TOWN BOARD MEETING
OCTOBER 28, 2019**

PRESENT:

Supervisor Don Trout, Councilman Mike Pfeiffer, Tyrone Thomas, Howard Strader and Bob Lotz.

ALSO PRESENT:

Town Attorney, Dennis Benjamin, Highway Superintendent, Joe Mull, Assessor, Jim Cleere, MRB Representative's , Mr. Pat Nicoletta and Mr. Shaun Logue, NEXERA Solar Representative, Mr. David Boxold and the attached list of attendees.

PLEDGE OF ALLEGIANCE:

Supervisor Trout led everyone in the Pledge of Allegiance.

FIRE EXITS:

Supervisor Trout indicated where the fire exits were located.

2019-092

Councilman Pfeiffer made the motion to open the Public Hearing at 7:00 PM on the 2020 Preliminary Budget. Councilman Thomas seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Thomas
Councilman Strader
Councilman Lotz

NAE

The motion was carried.

Mr. Kyle Black addressed the board and asked for a copy of the budget.
No other comments were made by the attendees.

2019-093

Councilman Thomas made a motion to close the Public Hearing at 7:02 PM. Councilman Lotz seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Thomas
Councilman Strader
Councilman Lotz

NAE

The motion was carried.

PETITIONERS OF THE FLOOR:

Mr. David Boxold, Project Manager for NextEra Energy Resources addressed the board gave an update on the Solar Energy Project. He said they anticipate they will use approximately 450 acres of land for the installation of solar panels. He said he is confident this solar project will bring significant community benefits to the town. He said the project will employ up to 150 people as well as other benefits to service industries. Mr. Boxold said as elected members of the Town Board they want to keep us informed of the progression of the project and to assure everyone that they are listening to any and all concerns that are raised by members of the community.

Mr. Boxold said since he addressed the board meeting in August, they have had two very successful open house meetings.

Mr. Boxold presented the town board copies of the Preliminary Scoping Statement that

that they filed with the State on October 10th. He said people can access the PSS free on the State website and at various locations in the area. Mr. Boxold said he realizes many people have concerns about the visual impact of the solar panels. He also said they are very early in the process and many answers residents want won't be available until the spring of 2020, after the Preliminary Scoping Statement is completed.

Ms. Karen Deacon addressed the board and Mr. Boxold and said her concern is the visual impact of the solar panels, the negative impact of property values of their homes, hazmat concerns and the decommissioning of the project. Ms. Deacon doesn't see where these issues are addressed in the Preliminary Scoping Statement.

Mr. Boxold said that trees and shrubs will be planted and will serve as a barrier for the homeowners and he also addressed what happens when the project is completed.

Mr. David Guerreri also commented and said he has talked to several local realtors and they have told him that living near a large solar farm could have a negative impact on the property value of their homes.

Mrs. Rita Cook also asked what happens to the land after 30 years when the project is completed

Ms. Ann Heinzman of the Seneca Farm Bureau said private property rights are very important and if the property owner wants to help support his agricultural venture by leasing land for the solar panels, they should not be discouraged.

Mrs. Theresa McCutcheon questioned whether property owners will see any benefits from the project. She said the only benefit she can see is for the property owners who lease their land. She said it won't lower their taxes or their electric bill.

Supervisor Trout said that there could be benefits to the town, but it's hard to say at this time. He also said that its very hard to say "no" to renewable energy but we also understand the concerns of our town residents.

Councilman Mike Pfeiffer said we need to get more answers and if we need a moratorium after getting the answers, then the town would consider a moratorium on solar farms. Councilman Pfeiffer said tonight is to give residents an opportunity to ask questions and get answers to their questions.

Supervisor Trout said that NextEra Energy has brought attorneys to the meeting tonight so everyone will have the opportunity to ask any questions they may have concerning the solar project.

Supervisor Trout also told everyone that there will be a resolution tonight to hire the MRB Engineering Firm as a consultant for the 80-megawatt solar project. He said the MRB Engineering Firm will advise the town board and its lawyers on the Article 10 review process and the application phase of the project.

Mr. Patrick Nicoletta, MRB Representative explained the scope of services his firm will provide. He said much of the cost will be covered by money that NextEra is required to make available for consultants. Mr. Nicoletta said his firm will ask for \$350.00 per megawatt hour for the pre-application phase and \$5,000 per megawatt hour for once the actual application is submitted.

The scope of services are as follows:

1. Attendance of the future open house meetings.
2. Review of Preliminary Scoping Statement
3. Attend Preliminary Scoping Meeting.
4. Prepare comment letter for the town's consideration

5. Assist Town's Legal consultant with the Notice of Intent to be a Party to the Certification Proceedings.
6. At final application, review all applicable documents.
7. Provide detailed comment letters to the Board for review during all stages.
8. Attend meetings with the applicant, town and consulting team to discuss the project.
9. Provide routine support to the members of the Board and Staff, assisting with Preparation for meeting, providing recommendations concerning review Considerations, and assist the legal counsel to ensure compliance with regulated review processes.

2019-094

Councilman Pfeiffer made the motion to accept the proposal from the MRB Group, for the proposal for Professional Services, and Engineering and Planning Review Services for the Trelina Solar Energy Center Project. Councilman Thomas seconded the motion.

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| <u>AYE</u> | <u>NAE</u> |
| Supervisor Trout | |
| Councilman Pfeiffer | |
| Councilman Thomas | |
| Councilman Strader | |
| Councilman Lotz | |

The motion was carried.

INFORMATIONAL MEETING ON THE WATER MAIN PROJECT:

Supervisor Trout said this meeting is being held for residents who are interested in the possibility of receiving municipal water. The area of interest is the properties north of where the current supply ends on Pre-Emption Street and will enter approximately 2,500 feet to the north.

Supervisor Trout asked MRB Representative Mr. Patrick Nicoletta to give an update on the water project. Mr. Nicoletta gave the board, and anyone interested a fact sheet on the proposed water project. There were two options:

OPTION 1:

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|--|----------------------------|
| Length of Water Main | 2,500 feet |
| Size of Main and Material | 8" Main, PVC SDR 18 |
| Connection to Existing Supply | Pre-Emption Street 6" Main |
| Project Cost | \$143.249 |
| (Above cost includes Materials and Labor) | |
| Labor: | Town Forces |
| Loan Term and Rate: | 40-year Loan @ 4% |
| Debt Cost (Capital Improvement) | \$517.00 |
| Commodity Charge | \$418.00 |
| Total cost (Typical Residential Home) | \$935.00 |

Based on 14 Equivalent Dwelling Units (EDU)
 Vacant Parcel without Ag Exemption will be charged 0.5 EDU
 Does not provide Fire Protection as flow is not adequate at connection point.
 Health Department will need to approve only services for these residential homes.
 Dead End Main requires flushing.
 Comptroller Approval is not required.
 Cost for right of way to House is at Owner's Expense.

OPTION 2:

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|----------------------|------------|
| Length of Water Main | 7,000 Feet |
|----------------------|------------|

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|---|---|
| Size of Main and Material Connection to Existing supply: | 8" Main, PVC SDR 18 Pre Emption Street – 6" Main And Packwood Road 12" Main \$298,150.00 |
| Project Cost (Above Cost includes Materials And Labor) | |
| Labor: | Town Forces |
| Loan Term and Rate | 40-year Loan @ 4.0% |
| Debt Cost (Capital Improvement) | \$669.00 |
| Commodity Charge | \$418.00* |

Commodity charge includes water use of 50,000 Gallons/Year and O&M

TOTAL COST (TYPICAL RESIDENTIAL HOME) \$1,087.00

** Based on 22.5 Equivalent Dwelling Unit (EDU)>
 Vacant Parcel without Ag Exemption will be charged 0.5 EDU.
 Full Fire Protection (Possible reduction on Fire Insurance)
 Loop system will not require routing flushing (Water stays fresher).
 Comptroller Approval is required (Exceeds Threshold of \$966-2019 ceiling)
 Cost from right-of-way to House is at Owners' Expense.

Mr. Nicoletta said from an Engineering standpoint and not looking at the cost, he feels Option 2 is the best option. Pat said option 2 would provide basic water and full fire protection, which could result in savings on fire insurance.
 Pat also said he feels that we have a bigger chance of getting funding especially if we can prove homeowner's wells are contaminated.

Supervisor Trout said tonight's informational meeting is a chance for everyone to see the presentation and the two options being considered. Supervisor Trout also said that he spoke with Pat Nicoletta earlier in the week, and the town is going to start testing selective wells for contamination soon. He said after the well testing is done, the town will move forward with the project. If they find contaminated wells, he is hopeful that the town will have a greater chance of funding for the project.

Supervisor Trout assured everyone that they will be informed on the progress of the project and other informational meetings will be scheduled as needed.

2019-095

Councilman Thomas made the motion to approve the Consent Agenda as follows: Councilman Lotz seconded the motion.

- Approval of Minutes – Regular Town Board Meeting – September 23, 2019
- Approval of the Town Clerk's Monthly Report
- Approval of the Canine Report

Approval of Bills:

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|-----------------------------|-------------|
| GENERAL FUND – TOWNWIDE | \$29,207.96 |
| GENERAL – PART TOWN | 932.76 |
| HIGHWAY TOWNWIDE | 7,496.35 |
| HIGHWAY – PART TOWN | 4,654.34 |
| BORDER CITY LIGHT DISTRICT | 2,079.16 |
| WATER SEWER DISTRICT #1 | 1,949.35 |
| 5 AND 20 SEWER DISTRICT | 31,439.33 |
| BURGESS ROAD WATER DISTRICT | 26,890.90 |

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|---|--------------|
| BORDER CTIY WATER DISTRICT | 11,495.31 |
| POWDERLY ROAD WATER DISTRICT | 255.82 |
| BREWER ROAD SOUTH | 1,405.46 |
| RTE 96, REED, HECKER, MILLS, KINGS WD 5 | 473.17 |
| TOTAL | \$118,279.91 |
| WATER IMPROVEMENT PROJECT #1 | 1,607.00 |
| TOTAL | \$119,886.91 |

2019-096

Councilman Lotz made the motion to accept the Second Amendment to the Intermunicipal Agreement, Effective June 5th, 2017 among the Towns of Geneva, Junius, Phelps and the Town of Waterloo, relative to shared services in the creation of certain Water Districts and a Water Improvement Area and to the shared Water Service among Special Districts. Councilman Pfeiffer seconded the motion.

AYE

Supervisor Trout
 Councilman Pfeiffer
 Councilman Thomas
 Councilman Strader
 Councilman Lotz

NAE

The motion was carried.

2019-097

Councilman Strader made the motion to authorize Supervisor Trout to sign the letter from Bernard P. Donegan, Inc., to apply for initial borrowing and/or renewal of a Bond Anticipation Note. Councilman Thomas seconded the motion.

AYE

Supervisor Trout
 Councilman Pfeiffer
 Councilman Thomas
 Councilman Strader
 Councilman Lotz

NAE

The motion was carried.

2019-098

Councilman Pfeiffer made the motion to accept the Preliminary Budget for 2020. Councilman Strader seconded the motion.

AYE

Supervisor Trout
 Councilman Pfeiffer
 Councilman Thomas
 Councilman Strader
 Councilman Lotz

NAE

The motion was carried.

2019-099

Councilman Strader made the motion to schedule a Public Hearing for the Community Development Block Grant for November 25th, 2019. Councilman Lotz seconded the motion.

AYE

Supervisor Trout
 Councilman Pfeiffer
 Councilman Thomas
 Councilman Strader
 Councilman Lotz

NAE

The motion was carried.

DEPARTMENT REPORTS:

Assessor/Code Enforcement Officer, Jim Cleere said they currently have an applicant for the next meeting of the Zoning Board for an area variance and two applicants before the Planning Board.

Jim said his office is working on one property maintenance complaint and four zoning permits. Jim also said he has been out on the road looking at permits so they can be closed out by the end of the year.

Jim also said they will be mailing letters to homeowners for renewable exemptions for their assessments, the deadline is March 1st. 2020.

2019-100

Councilman Pfeiffer made the motion to enter Executive Session at 8:08 PM. Councilman Thomas seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Thomas
Councilman Strader
Councilman Lotz

NAE

The motion was carried.

2019-101

Councilman Pfeiffer made the motion to come out of Executive Session at 8:55 PM. Councilman Pfeiffer seconded the motion.

AYE

Supervisor Trout
Councilman Pfeiffer
Councilman Thomas
Councilman Strader
Councilman Lotz

NAE

The motion was carried.

Respectfully Submitted,

Sandra L. Ridley
Town Clerk

**NEXT TOWN BOARD MEETING
NOVEMBER 25, 2019**

