

REGULAR MONTHLY MEETING

June 10, 2021

The regular monthly meeting was opened at 7:00 pm June 10, 2021 with the pledge of allegiance led by Supervisor Acton.

All Board members were present. Others in attendance included Kathleen Connolly and David Plante of Bergmann Architects representing DSL Solar, Bill Dailey, Nadine Hoover, Ly Keese, Kenn Burdick, Shawn Gasby, and representing the Village of Alfred, Jim Ninos. Attending via Zoom were Fred Sinclair, Fred Fredrickson and Christel Rodd. Also present was Highway Superintendent Bob Halsey and Town Clerk Janice Burdick.

Guests: Kathleen Connolly and David Plante, representing Bergmann Architects, engineering firm representing DRS (Delaware River Solar). They will be doing the design and electrical portion. They have submitted plans and all paperwork for this proposed project. It will be located at 5568 Jericho Hill Road and will be 5.0 MW.

Comments involving the project:

- Movable panels.
- 162 Acres
- 7' Ag. style fence in accordance with the Town of Alfred Solar Law.
- Project conforms to all setbacks and lot size. Access from Jericho Hill from existing farm road (Owned by owner of property) that will be made to meet NYS Fire Code with several turn arounds.
- Only 50% of panels can be on prime farmland – they are under that.
- Have done a full wetland assessment and there are no wetlands.
- Cutting thin line of trees.
- Host Community Agreement – DRS will negotiate directly with the Town.
- Timeline – 4 months from beginning to end. Probably won't start until spring.
- Panels track the sun every day so there very little glare.
- PILOT – will be addressed by DRS.
- Each bank of panels will move together.
- Many panels will come from overseas since the company in Buffalo cannot keep up with the demand.
- There is a maintenance plan and will use a pollinator friendly seed mix. Have a seed table that lists what they plan on using.
- Investors are 98.9% clean electricity – up to standard of any electricity going into the grid.
- Access Roads – will have to request a waiver to meet code. Fire Company will need to know how to get into area. Self-locking gate.
- Application needs to be reviewed to assure it is complete, Town to be lead agency.

Supervisor Acton explained that the Town has engaged in a legal firm, engineering firm and solar coordinator to represent the Town. Shawn Gasby stated that the Town has 30 days to notify DRS of intent to negotiate a PILOT. Noted that the entire package and Special Use Permit was sent to the County Planning Board as a courtesy.

Nadine Hoover noted that it only took about 36 hours to get approved and DRS was approved before Alfred Solar. Asked if DSL is going to pay for the upgrade and DSL stated they have paid 25% of it and will pay rest at end of cycle.

Approval of Minutes: The minutes of the May 12, 2021 meeting were approved with a motion by Wendy Dailey, seconded by Bill Cleveland and carried 5-0.

Declaration for SEQR for Palmer Gravel Mine Application: Dan Acton read the stipulations for granting the Special Use Permit established by the Zoning Board of Appeals. Bond to be \$5000 per acre and addressed in the stipulations. Mr. Acton stated that with this information the Town can make a negative declaration so the ZBA can approve. A motion was made by Dan Acton that for the purpose of SEQR and Town makes a negative declaration for this permit. Seconded by Wendy Dailey. Wendy Dailey asked if SEQR and the Special Use Permit stipulations were the same. Fred Fredrickson, Chairman of the ZBA, stated that he will attach things that will be mitigated through SEQR and can be used to come up with the stipulations of the Special Use Permit. This is a Declaration of No Impact and these are the conditions that apply because they are mitigating. The motion was passed 5-0. Supervisor Acton thanked Mr. Fredrickson and Mr. Sinclair and the entire ZBA for all their work on this.

Police Report – Reviewed written report. Donkeys on porch on Rt. 21 and horses running down the road.

Monthly Report – all ok.

Correspondence - Resignation from Jen Smith from the Zoning Board of Appeals. Motion by Dan Acton to accept with regret, seconded by Matthew Snyder and carried 5-0. Update on ARPA funding.

Agreement with Knauf Shaw, Attorneys at Law to represent the Town of Alfred in Solar projects. A letter of engagement was accepted with a motion by Dan Acton, seconded by Wendy Dailey and carried 5-0. A motion was then made by Wendy Dailey to request Attorney Dwight Kanyuck send a letter to DRS to establish an escrow account for all 3rd party services for this solar project. The motion was seconded by Dan Acton and carried 5-0. Mr. Gasby added that Attorney Kanyuck will send to DRS to set up an escrow and contract for Mr. Gasby. Fion MacCrea stated it is nice to be prepared for all of this. Bill Cleveland asked if it is written anywhere that describes what the smaller solar projects pay. Mr. Gasby stated that it is not written anywhere, agreement between the Town and the developer or IDA. Letter from Mr. Kanyuck puts developer on notice for a PILOT. Fred Sinclair stated that review of Town Law should be that Town is in control, Town can make PILOTS. Dan Acton asked if there is any risk that the IDA will negotiate a PILOT without Town approval and Mr. Gasby answered no, they will not do it without Town approval. Mr. Gasby added that the Host Agreement is where the Town gets the larger amount of money. Matthew Snyder asked if there should be a road use agreement for the DRS project? Mr. Gasby stated that the Alfred Oaks project, which is larger, will do a survey of the road's conditions before and after. That is different funding than the Host Community Agreement. Matthew Snyder stated that there is concern for Village Roads going up to Jericho Hill. Mr. Gasby stated that they have to show the route they are going to be using.

General Abstract #6-2021- Vouchers #49-54 in the amount of \$3364.30 in the General A Fund; Voucher #9 in the amount of \$3328.16 in the B Fund and #6 in the SF Fund in the amount of \$3511.33. A motion to approve the bills was made by Matthew Snyder, seconded by Wendy Dailey and carried 5-0.

Highway Abstract #6-2021 Vouchers #62-68 in the DA Highway Fund in the amount of \$4690.93 and #11-17 in the DB Fund in the amount of \$56552.40 were approved with a motion by Matthew Snyder, seconded by Wendy Dailey and carried 5-0. This included the joystick for the grader in the Da fund and CHIPS work in the DB fund.

Highway Report: The written Highway report was reviewed. Worked done on equipment. Mr. Halsey reported that they pulled shoulders on East Valley and milled 4" down on each side of road. Average width 20'. In July or August will oil and stone it. Next year will oil and stone from Fisher Road to Burdick.

Supervisor's Report:

An audit needs to be done of Town records – Supervisor and Town Clerk. Matthew Snyder will do it. Mr. Acton will follow up with Attorney Kanyuck regarding a Battery Storage Local Law. Mr. Acton asked the Board if they wanted to meet with the IDA on the PILOT or should the Town talk with the attorney 1st. Matthew Snyder felt the Board should be included in that. Matthew Snyder stated that the Town's Solar Law talks about foliage and blocking views. Bill Dailey explained that that has to do with putting up a visibility screen. Mr. Snyder stating that from above the DRS project looking down, be able to see the whole thing. Possibly planting trees on landowner property.

Zoom Equipment – considering having a permanent set up. Would require a 50-60" TV, additional microphone. May be able to Use COVID money for this. Fred Sinclair stated this is an invaluable resource for many people.

Letter of Resignation from Jan Burdick, Town Clerk, Tax Collector, Registrar of Vital Statistics and Bookkeeper. Accepted with regret with a motion by Dan Acton, seconded by Matthew Snyder and carried 5-0. Motion to appoint Jan Burdick Town Clerk, Tax Collector and Registrar of Vital Statistics on a part-time basis (12 hours per week) by Dan Acton, seconded by Fion MacCrea and carried 5-0.

Fred Sinclair asked what the process and time frame for DRS project was. Mr. Acton responded that it will depend on our consulting team. Solar consultant Shawn Gasby and Attorney Dwight Kanyuck will review everything. Mr. Acton stated that the ZBA and planning Board also provide input. Jim Ninos stated that the Town is so far ahead of many of the other Town's in regards to Solar projects.

Bank Statements – available at any time.

The meeting was adjourned at 8:45 pm with a motion by Dan Acton, seconded by Bill Cleveland and carried 5-0.

Respectfully submitted,
Janice L. Burdick
Town Clerk