

**MINUTES – TOWN OF ALLEGANY
PUBLIC HEARING & REGULAR BOARD MEETING
TUESDAY, MAY 14, 2019 7:00 PM TOWN HALL**

PRESENT:

Supervisor Martin
Attorney Tuttle
Councilman Maguire
Councilman Koebelin
Comptroller D. Piccioli

Councilman Hitchcock
Town Clerk D. Pinney
Hwy. Superintendent Moshier
Councilman Parker

ABSENT:

ALSO PRESENT:

Don Sue, Helen Larson, Allyson Krieger, Stephanie Guthrie, Cody Guthrie, Dave Giardini (Giardini Bros. Construction), Sue Giardini, Bill Giardini (Giardini Bros. Construction), Paul Desnoyers, Joseph Mendelsohn (OMNI NAVITAS), Tom Stetz and Andy Cooper.

Salute to the Flag at 7:00PM opened the meeting

Public Hearing - Town of Allegany Solar Moratorium on Solar Facilities/Farms

1. Paul Desnoyers asked if there is a proposed resolution for the Solar Moratorium. Kathy Martin read aloud the proposed Local Law #1 of 2019 regarding the proposed Moratorium.
2. Dave Giardini, He and his Brother Bill own of Giardini Bros. Construction spoke of the benefits for his family of a Solar Installation at their properties of 106 & 80+ acres on Birch Run Road. They are working with OMNI NAVITAS to develop a solar farm. He stated that the installation is mostly hidden from view and would be much quieter than running a gravel pit at this location. At this point they are paying property taxes on the property that is not producing any income. He invited the Board member to come up and visit the site. They would like to submit an application for the solar farm as soon as they understand the rules & regulations. They are concerned about a moratorium affecting the project going to engineering and set-backs.
3. Joseph Mendelsohn, Project Manager for OMNI NAVITAS, solar energy development stated they convert clean unused property for solar energy development. They have been working with the Giardini Brothers to establish a solar farm on their land on Birch Run. He also stated that it would take to start the process. He was told at the planning Board meeting the night before that there would be a vote on the moratorium tonight. They are taking a piece of property that is relatively unused & clear and converting it into a solar generation farm. OMNI NAVITAS. It is his hope that the Solar Law that has been submitted by the Town Planning Board to the County Planning Board is passed and the Solar Moratorium becomes unnecessary.

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4. Dave Giardini detailed the location of the proposed solar farm and explained that it is virtually unseen by the public. He stated that the peace and tranquility of a solar farm would be much quieter than an operating gravel pit.
5. Joseph Mendelsohn (OMNI NAVITAS) handed his business cards to the board and urged them to contact him with any questions.
6. Councilman Hitchcock stated that a moratorium could be stopped at anytime or be extended if needed.
7. Supervisor Martin stated that we would be irresponsible as a board if we did not follow the process properly.
8. Mr. Desnoyers asked if a moratorium can be lifted. The Board and Attorney Tuttle responded yes at any time.
9. Supervisor Martin stated that if the Planning Board finished their work on the Solar Law first the moratorium will no longer be needed and can be lifted.
10. Mr. Desnoyers asked how the moratorium would affect residential solar & Supervisor Martin informed him that residential solar is exempt from the moratorium.
11. Mr. Mendelsohn asked if the Town had been contacted by other solar developers or if they had any applications to date. The board responded that there are not.
12. Supervisor Martin stated that the Planning Board is developing the local law for Solar in the Town of Allegany.

#109-MOTION TO CLOSE THE PUBLIC HEARING

Motion by Councilman Hitchcock to close the public hearing at 7:20PM. 2nd by Councilman Maguire. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#110-MOTION TO ACCEPT MINUTES FROM THE APRIL 23, 2019 REGULAR BOARD MEETING

Motion by Councilman Koebelin to accept the minutes from the April 23, 2019 Regular Board meeting as written. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

AUDITED CLAIMS

Gen A	\$ 63,185.53
Gen B	\$ 2,146.24
Hwy DA	\$ 46,527.13
Hwy DB	\$ 12,114.96
Spec Dist.	\$ 31,976.27

MONTHLY REPORTS

Town Clerk
Building & Zoning Depts.
Highway Dept.
Rec. Dept.
Cemetery

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Town Justice D. Porter – report for April 2019 – amount collected: \$ 7,060.00.
Town Justice A. Spears – report for April 2019 – amount collected: \$ 4,732.50.

CORRESPONDENCE - none

NEW BUSINESS

1. Approve Summer meeting schedule for 2019 as the 2nd Tuesday of the Month in June, July & August, resuming to the regular schedule in September.

#111-MOTION TO APPROVE THE SUMMER MEETING SCHEDULE FOR 2018

Motion by Councilman Maguire to approve the Summer meeting schedule for 2019 as the 2nd Tuesday of the Month in June, July & August, resuming to the regular schedule in September. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

2. Discuss Emergency Services contract with the Village

#112-MOTION TO DISCONTINUE THE EMERGENCY SERVICES WITH VILLAGE

Motion by Councilman Parker to discontinue the Emergency Services contract with the Village effective 6/30/2019. 2nd by Councilman Koebelin. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

3. Make Summer appointments – discussion

#113-MOTION TO APPOINT SUMMER RECREATION WORKERS FOR THE PLAYGROUND PROGRAM

Motion by Councilman Hitchcock to appoint Summer Rec. workers Nichole Caskey, Megan Williams, Dylan Talbot and Julianna Giannicchi at a rate of \$11.10 hr. and Summer Rec. Lifeguards Brooke Giardini and Jocelyn Decker at a rate of \$11.40 hr. 2nd by Councilman Maguire. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

4. Renew 90-day Special district CD #225056097 for \$6,081.32 for another 90 days.

#114-MOTION TO RENEW 90-DAY SPECIAL DISTRICT CD

Motion by Councilman Koebelin to renew the 90-day special district CD#225056097 for \$6,081.32 for 90 days at .29%. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

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5. Accept the resignation of Recreation Director Abbie Kalinowski

#115-MOTION TO ACCEPT RECREATION DIRECTOR RESIGNATION

Motion by Councilman Parker to accept the resignation of Recreation Director Abbie Kalinowski effective 5/10/2019. 2nd by Councilman Koebelin. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

6. Appoint interim Part-time Recreation Director Danielle Nugent

#116-MOTION TO APPOINT INTERIM RECREATION DIRECTOR

Motion by Councilman Parker to appoint Danielle Nugent as Interim Recreation Director at \$13.00 per hour up to 30 hours per week effective 5/10/2019. 2nd by Councilman Hitchcock. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

- Councilman Parker stated the he and Councilman Hitchcock visited the rec. dept. after school and Dani seemed to have everything under control.

7. Accept resignation of Planning Board Chairman Frank DeFiore

#117-MOTION TO ACCEPT PLANNING BOARD CHAIRMAN RESIGNATION

Motion by Councilman Koebelin to accept the resignation of Planning Board Chairman Frank DeFiore effective 5/14/2019 with regret. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

OLD BUSINESS

1. Allegany River Trail agreement – update
 - The Board discussed maintenance and equipment costs.
 - There were some questions with some of the language that needs to be clarified and should be ready to finalize by the next meeting. This will be tabled until a new draft is received from the City of Olean.
2. The board re-visited the solar discussion with the Giardinis.
3. Backhoe update – tabled until John Moshier is present
4. Update on water supply agreement with the Village from Supervisor Martin.
 - Supervisor Martin had a productive meeting with Attorney Tuttle, Don Lowe, Joe Miller (Atty. For the Village), Village Clerk Kim Roth & Mayor Pearl. They will meet again on 7/9/2019.

OTHER BUSINESS - none

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COMMITTEE REPORT

1. Councilman Parker reported on potential Town Hall renovation. He spoke with Levi Feeley (Clark, Patterson, Lee) and there may be another possible grant source through Municipal Solutions.
2. Councilman Parker reported that the work at Stayer Park has been completed. Stephanie Guthrie reported that they are working on finishing the press box building for the little league at Stayer Park.

FROM THE FLOOR

1. Tom Stetz asked the Board if it plans to fix the roads at the cemetery. They are in poor condition; and there are very large potholes. Stephanie reported that gravel will be put in the holes as soon as they dry. Councilman Hitchcock reported that we are looking into grant money to address the cemetery needs.
2. Helen Larson asked about the missing cement on the front of the building. It is already being taken care of.

Executive session legal

#120-MOTION TO ADJOURN TO EXECUTIVE SESSION FOR LEGAL REASONS.

Motion by Councilman Hitchcock to adjourn to executive session at 8:02 pm for legal reasons. 2nd by Councilman Koebelin. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#121- MOTION TO RETURN TO REGULAR SESSION.

Motion by Councilman Hitchcock to return to regular session at 8:35 pm. 2nd by Councilman Koebelin. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

#122- MOTION TO ADJOURN THE MEETING.

Motion by Councilman Maguire to adjourn the entire meeting at 8:36 pm. 2nd by Councilman Parker. Martin-aye, Koebelin-aye, Hitchcock-aye, Maguire-aye, Parker-aye. CARRIED

Respectfully submitted,

Deryle L. Pinney, Town Clerk
5/14/2019