

REGULAR ARCADIA TOWN BOARD MEETING
November 12, 2024 – 7:00 PM
Town Hall
201 Frey St.
Newark, NY 14513

Supervisor Piscioti welcomed those in attendance followed by the gathering in the pledge of allegiance.

PRESENT: Supervisor Piscioti
Councilmembers: Diamond, Greco, Gerbig, VanLaeken
Highway Supt. Kuhlman
CEO DeWolf

ABSENT:

MINUTES: Motion made by Councilman Gerbig, seconded by Councilman Greco to approve the minutes of October 8, 2024 Regular Town Board meeting and the October 30, 2024 Special Town Board Meeting.
All voted Aye.

CODE ENFORCEMENT REPORT: CEO DeWolf read his report.

Town of Arcadia Code Enforcement Monthly Report For:	OCTOBER
Total Permits Issued for the Month	17
Total Cost of Permits	\$ 779.00
Inspections Done for the Month	25
Total C of C's Issued for the Month	3
Total C of O's Issued for the Month	1
Total Variances Processed for the Month	2

Total Complaints Received	0
Total of Violation Letters Sent	5
Total of Violations Resolved	0
Total of Appearance Tickets Issued	0

HIGHWAY REPORT: Highway Superintendent Kuhlman read his report.

November Town Board Meeting

The guys are currently helping the Village with Leaf Clean up; like we normally do every year. We, also have 6 of our trucks suited up with plows and sanders to make sure we can get out there when the first snowflakes comes down.

John Deer tractor w/boom mower will finish its third full summer and has approx. 2000+ hours on it. The unit is in very good shape still, but with many hours. There is a lot of wear and tear on hydraulic motors and hydraulic pumps which can be very costly when they go bad. John Deere and Diamond Mowers are on OGS Contract (state bid) this year and we can upgrade to a 2025 unit for \$ 163,460.43. I believe our current unit would bring around \$ 95,000. - \$ 105,000, at the RTI Auction in May.

There are also some changes coming with our Heavy duty Mack Trucks down the road. They are moving on to phase two emissions so the engines burn cleaner. Which is good for us and the environment but is bad for price of truck. These changes will increase cost of cab & chassis by 10% to 12% which will equal to about \$ 18,000 to \$ 20,000.

I have a truck that will be due for replacement right in the middle of all this changeover which scares me a little because there will be bugs and glitches in this new system. If we order the truck early and get a build slot, we are guaranteed a locked in price and would miss out on the new emissions increase and also 2 yearly increase for 2025 + 2026 that are usually 2-3%

each new make year. That being said, I believe that the Town could save close to \$ 30,000.00

Thomas Kuhlman
Highway Superintendent

Highway Superintendent Kuhlman answered questions from the Town Board regarding the John Deere Tractor. They wouldn't be getting it until May of 2025. They would be rolling some of the budget from this year and would surplus the current tractor next year.

Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve the purchase of 2025 Tractor for \$ 163,460.43 (OGS Contract (state bid).

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

The Town Board discussed the purchase of a new Mack Truck and the upcoming changes with the emissions so the engines burn cleaner. Highway Superintendent Kuhlman stated the Truck wouldn't be delivered until 2027; there are delays with the plow parts. This would be replacing a 2016 Mack Truck. He would need to send a letter of intent to get a build slot. This would give us a few more years before the required emissions change which will be costly.

Motion made by Councilman Greco, seconded by Councilman Diamond to approve the purchase of a new Mack Truck to get the build slot and send a letter of intent.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

COMMUNICATIONS: N/S

PUBLIC HEARING:

NY Arcadia Solar I, LLC

7:11 PM Moved by Councilman Diamond, seconded by Councilman Greco to close the regular scheduled meeting and open back up to the Public Hearing for NY Arcadia Solar I, LLC (6985 Old Lyons Rd.) request for Special Use Permit.

All voted aye.

Supervisor Piscioti read a statement sent from Lynn and Chuck Bacon regarding this. Letter attached.

Representatives from NY Arcadia Solar I, LLC answered the questions. They have been in business since 2016. The amount of farmland meets the threshold of the Town's Law. The panels are recyclable. There are companies that recycle them. They also reviewed the screening they use and what the setbacks would be. Supervisor Piscioti asked the Representatives to reach out to Lynn and Chuck about their concerns.

Supervisor Piscioti asked if there were any public comments. Jennifer Williams asked if there have been any studies or any data regarding the soil after a decommissioning of a Solar Farm. Also what about wild life and how is that affected. NY Arcadia Solar I, LLC Representatives explained their decommissioning plan covers the return of the soil back to the way it was. They'd be happy to do soil samples for this project and include that in the decommissioning plan.

Sherman Gittens, MRB Group spoke. They are still waiting on a few correspondences from NY Arcadia Solar I, LLC and a few items that need to be buttoned up.

Charlie Hill stated the County should have Soil Samples. Councilman VanLaeken responded it's more about the contamination of the soil as a base line and not the minerals in the soil.

Supervisor Piscioti asked if there were any more comments.

7:33 PM Moved by Councilman Greco, seconded by Councilman Diamond to leave the Public Hearing for NY Arcadia Solar I, LLC (6985 Old Lyons Rd.) open for the December 10, 2024 Town Board Meeting for further review and reopen to the Public Hearing for Arcadia PV, LLC's 3527 Rt. 88 N Wavier requests.

All voted aye.

Supervisor Piscioti asked Jeremy Kauffman, RIC Energy to give an overview of the waiver requests for Arcadia PV. The waiver they are requesting is for a 50ft. side fence line setback, minimum lot size of 40 acres, and to allow electric lines to be placed over wetlands until the hilltop then they would be underground. The Town Law does not restrict on separate parcels. If they don't get the waiver, it causes a gap.

Supervisor Piscioti asked if there were any comments. Hearing none she requested a motion to close this Public Hearing.

7:39 PM Motion made by Councilman Greco, seconded by Councilman VanLaeken to close the Public Hearing for Arcadia PV, LLC's 3527 Rt. 88 N Wavier requests and reopen to the Regular Town Board Meeting.
All voted Aye.

Motion made by Councilman Greco, seconded by Councilman Gerbig to approve the waiver for the 50ft. side fence line setback, minimum lot size of 40 acres, and to allow electric lines to be placed over wetlands until the hilltop then they would be underground.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

UNFINISHED BUSINESS:

Bike Rack: A discussion was had by the Town Board Members regarding a Bicycle Rack the Village of Newark had asked if the Town would be interested in purchasing one. The Town Board feels there isn't enough room at this property for one and it would be better to have one across the street at the softball field. Supervisor Piscioti will reach out to the Village of Newark regarding this.

NY Arcadia I, LLC SEQR Review and Determination: Sherman Gittens, MRB Group reviewed the SEQR Determination of Environmental Significance Part 2 and 3 for NY Arcadia Solar I, LLC 6985 and 6911 Old Lyons Rd.

Motion made by Councilman Diamond, seconded by Councilman VanLaeken to accept the findings in parts 2 and 3 of the Full EAF and approves Supervisor Piscioti to sign and date the Full EAF part 3.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Norbut Solar – Pilot Agreements and Certificate of Approval: Ashley Champion, Vice President and General Counsel for Norbut Solar Farm presented the PILOT and why they would like to go with this one instead of the County PILOT. There was a lengthy discussion between the Town Board Members, David Hou, Town Attorney and Ashley Champion regarding the different PILOT options. Councilman Diamond stated he would like the option of having Town Assessor doing a year to year value.

Moved by Councilman VanLaeken, seconded by Councilman Greco to to table the Pilot Agreements until the December 10, 2024 Regular Town Board meeting for more discussion with the Town Assessor and Town Attorney. All voted Aye.

Ashley Champion reviewed the Certificate of Understanding. There was no questions regarding that.

Moved by Councilman Gerbig, seconded by Councilman Greco to approve the Certificate of Understanding for NSF Arcadia Site 1, LLC and NSF Arcadia Site 2, LLC.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

NEW BUSINESS:

Final Form E and Letter to USDA Authorizing the De-obligation of any Unused funds for WD No. 15: The USDA requires that we de-obligate any grants funds that were not used in the project.

Moved by Councilman VanLaeken, seconded by Councilman Greco
Resolution for Water District No. 15 the De-Obligation of USDA Grant Funds.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Proposed Local Law for Parking Garage Amendment to Part 1203 Uniform Code Local Law – Schedule Public Hearing: David Hou, Town Attorney explained the proposed Law and why it came about. Requirement by NYS.

Moved by Councilman VanLaeken, seconded by Councilman Greco
a resolution introducing a proposed Local Law Amending Local Assessments of Parking Garages and providing a Public Hearing on December 10, 2024 at 7:10 PM at the Town of Arcadia Town Hall, 201 Frey St., Newark.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

SW Quadrant Benefit Area No. 3 Full EAF Part 1 and Resolution of Intent to be Lead Agency: Moved by Councilman Gerbig, seconded by Councilman Greco a SEQR Resolution for the Town of Arcadias Intent to be Lead Agency for SW Quadrant Benefit Area No. 3

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Schedule Public Hearing for Fire Contracts: Moved by Councilman Gerbig, seconded by Councilman Greco for a Public Hearing on Contracts For Town of Arcadia Fire Protection District No. 1 on December 10, 2024 at 7:15 PM at the Town of Arcadia Town Hall, 201 Frey St. Newark. All voted Aye.

Chalifoux Law Invoice: Moved by Councilman Gerbig, seconded by Councilman VanLaeken apportioning Invoice #2802 from Chalifoux Law, P.C. pertaining to Properties between the School, Town, Village and County. Total Invoice \$5,207.00, Split 4 ways \$1,301.75 each.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Reappoint Michael Greene to Board of Assessment Review:

Moved by Councilman Greco, seconded by Council Gerbig to reappoint Michael Greene to the Board of Assessment Review. (5 year term)

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

PUBLIC COMMMENTS:

Sue DeJohn asked how the Engineering Report was coming along for water on Snake Rd. Supervisor Piscioti stated they are now in the water testing part of the process. This whole water process takes a while.

Jeremy Kauffman, RIC and Charlie Hill just wanted to know what are the next steps for their Solar Project. David Hou, Town Attorney and Sherman Gittens explained what the next steps were going to be for them.

REPORTS OF TOWN OFFICIALS:

All Town Reports

Moved by Councilperson Greco, seconded by Councilperson Gerbig to accept the following reports: Town Clerk, Code Officer, Assessor, Supervisor and Highway reports.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General	#370-408	\$92,602.49
Highway	#246-272	\$157,991.28

Moved by Councilman Greco, seconded by Councilman Gerbig to authorize payment of the General and Highway bills.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

ADJOURNMENT:

8:26 PM Moved by Councilman Diamond, seconded by Councilman
Greco to adjourn the Town Board meeting.
All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk

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