

Supervisor
Dawn Pisciotti

Town Clerk
Terresa Vastbinder

Highway Supt.
Thomas Kuhlman

Code Enforcement Officer
Ed DeWolf, Jr.

Town of Arcadia

Office Building
201 Frey Street
Newark, NY 14513
315-331-1222

TOWN BOARD MEETING AGENDA

Councilpersons
Michael Diamond
David Greco
Joe Gerbig
Richard VanLaeken

Town Attorney
David Hou

**DATE: October 13, 2026
7:00 PM**

1. Call to Order
2. Pledge to flag
3. Roll Call
4. Approval of Minutes of Previous Meeting(s)
5. Reports of Town Officials
6. Communications:
7. Public Hearing:

7:05 PM Local Law Veterans Exemption Property Tax

8. Unfinished Business:

Resolution Local Law Veterans Exemption Property Tax

9. New Business:

Arcadia PV, LLC Solar Special Use Permit Extension Request

Highway – CAT Loader Trade In

Schedule Public Hearing – 2027 Budget

Chalifoux Law P.C. Invoice – Sharing of Tax Assessment Litigation Defense Cost
Between Town/County/Village/School

Resignation Previous Tax Assessor

10. Public Comments
11. Audit/Payment of Bills
12. Approval of Reports
13. Adjournment

TOWN OF ARCADIA

LOCAL LAW NO. __ OF THE YEAR 2026

**A LOCAL LAW PROVIDING FOR A FULL PROPERTY TAX
EXEMPTION FOR THE PRIMARY RESIDENCE OF QUALIFYING
SERIOUSLY DISABLED VETERANS PURSUANT TO NEW YORK
REAL PROPERTY TAX LAW § 458-a(11).**

Be it enacted by the Town Board of the Town of Arcadia as follows:

Section 1. Legislative Intent and Authority. New York Real Property Tax Law § 458-a(11) provides that the primary residence owned by a qualifying seriously disabled veteran, as defined therein, shall be fully exempt from taxation by the Town and special district charges, assessments, and special ad valorem levies upon adoption by the Town of a local law providing such exemption.

Section 2. Exemption for Qualifying Seriously Disabled Veterans.

Pursuant to New York Real Property Tax Law § 458-a(11), in addition to any other exemption from taxation on real property which may be allowed to veterans pursuant to the Real Property Tax Law, that the primary residence of any seriously disabled veteran shall be fully exempt from taxation and special district charges, assessments and special ad valorem levies, provided that such veteran has met the following criteria:

- a) (i) must have been discharged or released from active military, naval, space or air service, including army and air national guard service performed pursuant to federal orders under title 10 of the United States code, under honorable conditions; or
- (ii) must have a qualifying condition, as defined in section one of the veterans' services law, and must have received a discharge other than bad conduct or dishonorable from such service; or
- (iii) must be a discharged LGBT veteran, as defined in section one of the veterans' services law, and must have received a discharge other than bad conduct or dishonorable from such service;

And

- b) must be considered by the United States department of veterans affairs to be permanently and totally disabled as a result of military service, as evidenced by a letter, official form, or other document sent to such veteran from such department that specifically states such veteran is considered to be permanently and totally disabled as a result of such service.

In no case shall the taxable assessed value of the property of a qualifying veteran be reduced below zero. Nothing contained herein shall be construed to require or authorize the discontinuance of any exemption granted pursuant to Real Property Tax Law §§ 458(3).

Section 4. Severability. If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this Local Law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

DRAFT

At a Regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall at No. 201 Frey Street in the Village of Newark, Wayne County, New York, in said Town, on the 13th day of October, 2026 at 7:00 p.m.

PRESENT: Dawn L. Piscioti, Supervisor
Michael J. Diamond, Councilmember
Joseph W. Gerbig, Councilmember
David Greco, Councilmember
Richard D. VanLaeken, Councilmember

The following Resolution was offered by Councilmember _____, who moved its adoption, seconded by Councilmember _____, to wit:

RESOLUTION DATED _____, 2026

A RESOLUTION ADOPTING A PROPOSED LOCAL LAW PROVIDING FOR A FULL PROPERTY TAX EXEMPTION FOR THE PRIMARY RESIDENCE OF QUALIFYING SERIOUSLY DISABLED VETERANS PURSUANT TO NEW YORK REAL PROPERTY TAX LAW § 458-A(11).

WHEREAS, a Resolution was introduced proposing a Local Law for the year 2026 entitled “A Local Law Providing For A Full Property Tax Exemption For The Primary Residence of Qualifying Seriously Disabled Veterans Pursuant To New York Real Property Tax Law § 458-a(11)”; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, said Town Board has duly held a public hearing on the proposed Local Law on October 13, 2026, at which all interested persons had an opportunity to be heard; and

WHEREAS, said Town Board has determined that the adoption of said Local Law would promote the general welfare of the residents of said Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York, as follows:

Section 1. SEQRA Determination. The proposed Local Law is a “Type II” Action under the New York State Environmental Quality Review Act and therefore will not have a significant adverse environmental impact and no further environmental review is required.

Section 2. A proposed Local Law No. __ of the year 2026 entitled “A Local Law Providing For A Full Property Tax Exemption For The Primary Residence of Qualifying Seriously Disabled Veterans Pursuant To New York Real Property Tax Law § 458-a(11)” is hereby adopted in the form heretofore introduced before said Town Board by Resolution dated September 8, 2026.

Section 2. The Town Clerk is hereby directed to enter said Local Law in the Minutes of this meeting, to file a copy of this Local Law, and to give due notice of the adoption of said Local Law to the New York Secretary of State.

The question of the adoption of the foregoing **Resolution** was duly put to a vote on roll call, which resulted as follows:

Dawn L. Pisciotti	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Aye</u>
Joseph W. Gerbig	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Richard D. VanLaeken	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted on _____, 2026.

Arcadia PV, LLC
HQCA Energy Solutions, LLC, Its Sole Manager
300 Spectrum Drive, Suite 500
Irvine, CA 92618



qcells

COPY

October 8, 2026

Town of Arcadia Town Board
201 Frey Street,
Newark, NY 14513

RE: Extension Request of Special Use Permit for Arcadia PV, LLC

Dear Members of the Board:

On behalf of Arcadia PV, LLC, solely managed by HQCA Energy Solutions ("Qcells"), I am respectfully writing to formally request a six-month extension to May 13, 2027, for the Special Use Permit previously granted for above-referenced Tier 3 Solar project located on 3527 Route 88, Newark, within the Town of Arcadia (the "Project"). The current permit was granted through the adoption of a Town of Arcadia Town Board (the "Board") resolution on May 13, 2025, later revised on January 13, 2026. The Special Use Permit is scheduled to expire on November 13, 2026.

The entire Qcells team remains fully committed to bringing this Project to fruition; however, we have encountered unavoidable delays related to utility issues that are being reconciled. Factoring these delays while prioritizing the safety of our construction teams throughout the winter season, we now anticipate commencing construction in the Spring of 2027.

Qcells respectfully requests the Board's approval of this extension request, so that Qcells can preserve its current permit status and remain compliant throughout the process. Please be assured that granting this time extension does not bypass any siting requirements; we understand that we must still diligently fulfill conditions set forth in the Special Use Permit prior to applying for our building permits.

Despite these challenges, we continue to advance the Project diligently as we have achieved several critical milestones to date. A detailed summary of recent accomplishments and development progress can be found in Appendix A as attached to this letter.

We greatly appreciate the Board's ongoing time, support, and consideration of this extension request. Should you have any questions or require any additional documentation to process this request, please do not hesitate to contact the Project Developer, Justin Baniqued, directly as he is copied.

Sincerely,

Electronically signed by: HQCA
Energy Solutions, LLC
Reason: I agree to this
Date: Oct 8, 2026 08:43:31 PDT

Jin Han
Corporate Officer, Head of Distributed Energy (DE)

Cc:

Justin Baniqued, Project Developer, Qcells
(341) 345-9044
Justin.baniqued@qcells.com



Appendix A

(Project Milestones & Accomplishments)

To date, the project team has successfully completed or obtained the following critical development milestones:

- New York State Department of Environmental Conservation Freshwater Wetlands Permit and Water Quality Certification
- US Army Corps of Engineers National Water Permit 14 and Jurisdictional Determination
- Federal Aviation Administration Determination of No Hazard to Air Navigation
- Interconnection Agreement between NYSEG and Arcadia PV, LLC
- New York State Energy Research and Development Authority Statewide Solar For All Award
- State Environmental Quality Review Act Negative Declaration
- New York State Department of Agriculture and Markets Notice of Intent
- New York State Parks, Recreation and Historic Preservation Review
- Continued coordination with NYSEG

ChalifouxLaw Invoice # 2892

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Bill Amount	\$	20,017.90	Speedway	\$	30.00
			Market Noodle	\$	224.00
Bill	Div by 4 = C		Exempt amount	\$	254.00
\$ 20,017.90	\$	5,004.48			
Bill amount	\$	20,017.90	Speed / 3 + County		
			\$		84.67
Village	\$	5,025.64			
School	\$	5,025.64			
Town	\$	5,025.64			
County	\$	4,940.98			
Total	\$	20,017.90	bill-exempt	\$	19,763.90
			div by 4 = County	\$	4,940.98
Difference	\$	-	Bill / 3 = V, S, T	\$	5,025.64

At a Regular Meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall in Newark, New York, on the 13th day of October 2026, at 7:00 p.m.

PRESENT: Dawn L. Piscioti, Supervisor
Michael J. Diamond, Councilperson
Joseph W. Gerbig, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

The following Resolution was offered by Councilperson _____, who moved its adoption, seconded by Councilperson _____, to wit:

**A RESOLUTION ACCEPTING THE RESIGNATION OF STEPHANIE HOLTZ,
TAX ASSESSOR.**

WHEREAS, Stephanie Holtz was previously appointed as the Town Tax Assessor; and

WHEREAS, the Town Board has received written notice of her resignation, effective immediately;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, that the Town Board hereby accepts the resignation of Stephanie Holtz from the Tax Assessor position, effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Dawn L. Piscioti	VOTING	Aye
Michael J. Diamond	VOTING	Aye
Joseph W. Gerbig	VOTING	Aye
David Greco	VOTING	Aye
Richard D. VanLaeken	VOTING	Aye

The Resolution was thereupon declared duly adopted on October 13, 2026.