

REGULAR ARCADIA TOWN BOARD MEETING
December 10, 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
Highway Supt. Kuhlman
CEO DeWolf
Deputy Town Clerk Vacchetto

ABSENT: Councilmember VanLaeken

MINUTES: Motion made by Councilman Gerbig, seconded by Councilman Greco to approve the minutes of November 12, 2024 Regular Town Board Meeting.
All voted Aye.

CODE ENFORCEMENT REPORT: CEO DeWolf read his report.

Town of Arcadia Code Enforcement Monthly Report For: November 2024

Total Permits Issued for the Month	8
Total Cost of Permits	\$ 608.00
Inspections Done for the Month	17
Total C of C's Issued for the Month	10
Total C of O's Issued for the Month	0
Total Variances Processed for the Month	2
Total Complaints Received	1
Total of Violation Letters Sent	2
	1

Total of Violations Resolved 0

Total of Appearance Tickets Issued 0

CEO DeWolf has spoken to Doug Parkinson regarding property at 1619 1629 Rt. 88 N. There is a buildup of misc. items and he is working on cleaning it up.

HIGHWAY REPORT: Highway Superintendent Kuhlman read his report.
ARCADIA TOWN BOARD MEETING 12/10/2024

Through most of November the guys were working with the village getting leaves picked up, the first week of December came in with some lake snows and much colder temperatures we ended up making 10 plow trips that week. Now we're fixing mailboxes and making repairs and maintenance on truck fleet.

Thank you;
Thomas Kuhlman/Highway Superintendent

COMMUNICATIONS: Supervisor Piscioti reviewed letter received from Department of Transportation regarding the Bauer Van Wickle Rd. (County Rd. 236) speed reduction request from March of 2024. It was determined a reduction of the speed limit is not warranted at this time. (Letter Attached) Councilman Diamond stated that very few reductions are allowed by them.

NAVA was unable to attend meeting. Supervisor Piscioti read a letter from Chief Timothy Wood thanking the all the Town of Arcadia Board Members for the continued support of their agency and mission. They look forward to the support for the year 2025. Operations are doing well. They continue to achieve their goal of over 85% call coverage. (Nov. was 87%) They also said Alicia Catalano seat as the representative for EMS Advisory Committee is up for our appointment. They continue to support Alicia being the Town's representative.

Moved by Councilman Greco, seconded by Councilman Gerbig to appoint Alicia Catalano as the representative for the EMS Advisory Committee on behalf of the Town of Arcadia for the year 2025.

All voted Aye.

Norbut Solar – Pilot Agreements: Moved by Councilman Gerbig, seconded by Councilman Greco resolution adopting Pilot agreements (set payment schedule) for Norbut Solar Farm Project relating to premises located at 694 Rt. 88 N. (tax map parcel number 68113-00-690342.1 and 68113-00-690342.2)
Pilot Agreements attached.

Roll Call:

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

Chalifoux Law Invoice: Wayne County has requested this be submitted with a Resolution via Wayne County Resolution No. 524-17.

Moved by Councilman Greco, seconded by Councilman Diamond resolution sharing of tax assessment litigation defense costs in connection with Invoice #2802 from Chalifoux Law, P.C. Total Invoice \$5,207.00, Split 4 ways between Town of Arcadia, Newark Central School District, Village of Newark and Wayne County \$1,301.75 each

Roll Call:

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

Elavaon Converge Gateway Credit Card Program for Payment of Taxes:

Supervisor Piscioti explained the Credit Card Program that is associated with Community Bank (the Town of Arcadia’s Bank). This would only be used for credit card payments for payment of Taxes. All fees associated with this program are charged to the individual’s card that go to Elavaon. There is no fees for the Town and equipment is free. It would be told ahead of time and posted that there is a 2.75% fee. Would like to do this as a trial and hoping to start for January 2025.

Moved by Councilman Gerbig, seconded by Councilman Greco to approve the use of Elavaon Converge Gateway Credit Card Program for Payment of Taxes.

Roll Call:

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

PUBLIC HEARING: Fire Contracts for the Town of Arcadia Fire Protection District No. 1:

7:10 PM Moved by Councilman Greco, seconded by Councilman Diamond to close the Regular Town Board Meeting and open to the Public Hearing for the Fire contracts for the Town of Arcadia Fire Protection District No. 1. All Voted Aye.

Moved by Councilman Gerbig, seconded by Councilman Diamond to waive the reading of the public notice for the Fire Contracts for the Town of Arcadia Protection District No. 1. All voted Aye.

Town Attorney David Saracino gave an overview of the contracts for each Fire Department. Noting each Councilperson needs to sign the contracts and must be notarized.

Supervisor Piscioti asked if there were any comments. Casey Carpenter wanted to know if each Fire District gets same amount. Attorney Saracino explained it is in the Budget as 1 total and that total is split between the Fire Departments \$65,280.00 each for the year 2025.

Hearing no more comments Supervisor Piscioti asked to close the Public Hearing for the Fire contracts.

7:15 PM Moved by Councilman Gerbig, seconded by Councilman Greco to close the Public Hearing for Fire Contracts for the Town of Arcadia Fire Protection and open to the **Public Hearing for Proposed Local Law for Parking Garage Amendment to Part 1203 Uniform Code Local Law.** All voted Aye.

Moved by Councilman Gerbig, seconded by Councilman Greco to waive the reading of the public notice for Proposed Local Law for Parking Garage Amendment to Part 1203 Uniform Code Local Law.
All voted Aye.

Supervisor Piscioti asked CEO DeWolf to give a description of the proposed Parking Garage Amendment. A few years ago we updated Town Code and parking garages were not included; we don't have any. NYS requires we have Code for parking garages.

Supervisor Piscioti asked if there were any comments regarding this proposed local law. Hearing none Supervisor Piscioti asked for a motion to close the Public Hearing.

7:15PM Moved by Councilman Gerbig, seconded by Councilman Diamond to close the Public Hearing for Proposed Local Law for Parking Garage Amendment to Part 1203 Code Local Law open the Regular Town Board Meeting.
All voted Aye.

Proposed Local Law for Parking Garage Amendment to Part 1203 Uniform Code Local Law: Moved by Councilman Greco, seconded by Councilman Gerbig to adopt Local Law No. 5 for 2024 for Parking Garage amendment to Part 1203 Uniform code Local Law. Local Law Attached.

Roll Call:

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

Fire Contracts: Moved by Councilman Diamond, seconded by Councilman Greco to approve Fairville Volunteer Fire Department, Inc., Marletown Volunteer Fire Department, Inc. and the Village of Newark Fire Department contracts for \$65,280.00 each for the year 2025.

Roll Call:

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

SW Water Improvement Benefit Area No. 3 Intent to File Application

With USDA and Conflict of Interest Form: Supervisor Piscioti explained MRB in anticipation of submitting the USDA application for the SW WIBA No. 3 we would need to sign a conflict of interest form and SF-424 Form; this needed to be pre-signed and returned before the meeting. We will need to publish a Public Notice for Intent to file an application with USDA, Rural Development, Rural Utilities. Councilman Gerbig asked why the Conflict of Interest form is needed. Town Attorney David Hou explained it is a federal procurement standard.

Moved by Councilman Diamond, seconded by Councilman Greco to approve Supervisor Piscioti and Town Clerk Vastbinder to sign the Identifying and Addressing Conflict of Interest for Southwest Quadrant WIBA No. 3 Project and post Public Notice for Intent to File an Application with USDA, Rural Development, Rural Utilities Services.

Roll Call:

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

CEO DeWolf said the WCWSA has collected water samples for the SW Water Improvement District. Now we are reaching out to residents in Water District No. 18 to ask if WCWSA would be able get water samples.

PUBLIC HEARING:

NY Arcadia Solar I, LLC 6985 Old Lyons Rd. SUP

7:20 PM Moved by Councilman Greco, seconded by Councilman Diamond to close the Regular Town Board Meeting and reopen back up to the Public Hearing for NY Arcadia Solar I, LLC continued from November 12, 2024 meeting.

All voted Aye.

Matt Mihaly, Delaware River spoke they have submitted response letter to MRB for Site Plan and Special Use Permit Review. They would like time to review #5, 17, 2. They have also reached out to Lynn and Chuck Bacon regarding the letter received last month regarding the view they'd have and let them know they'd be happy to work with them to accommodate them. They have not heard back from Lynn and Chuck. Matt requested the Town Board also consider the Town Assessor to do a yearly assessment of the property.

Matt requested the Town Board close this Public Hearing. Town Attorney David Hou said it is ok to close the Public Hearing and not vote on anything at this time.

7:30 PM Moved by Councilman Gerbig, seconded by Councilman Diamond to close the Public Hearing for NY Arcadia Solar I, LLC 6985 Old Lyons Rd. SUP. All voted Aye.

7:30 PM Moved by Councilman Greco, seconded by Councilman Gerbig to open the Regular Town Board Meeting. All voted Aye.

UNFINISHED BUSINESS: Done after communications.

NEW BUSINESS:

Schedule End of Year Clean Up Meeting: Moved by Councilman Greco, seconded by Councilman Gerbig to schedule End of Year Clean Up Meeting for December 30, 2024 at 4:00 PM at the Town of Arcadia Town Hall, 201 Frey St., Newark. All voted Aye.

Schedule Organizational Meeting for 2025: Moved by Councilman Diamond, seconded by Councilman Greco to schedule the Organizational Meeting for the Year 2025 for January 2, 2025 at 4:00 PM at the Town of Arcadia Town Hall, 201 Frey St., Newark. All voted Aye.

Transfer of Funds for Highway: Highway Superintendent Tom Kuhlman asked to transfer funds to Reserve from 2024 Budget:
DA-5130.2 (New Equipment) - \$227,674.56
DA-2665 (Sales of Equipment) - \$96,225.00

Moved by Councilman Greco, seconded by Councilman Gerbig to approve the transfer of funds to the Reserve Account from 2024 Budget Accounts for new vehicle coming in 2025.
See attached sheet.

Roll Call:

Councilman VanLaeken	Absent
Councilman Greco	Aye
Councilman Gerbig	Aye

Councilman Diamond Aye
Supervisor Piscioti Aye

Arcadia PV, LLC Solar FEAF Part 1 Town of Arcadia Intent to be Lead Agency: Moved by Councilman Greco, seconded by Councilman Gerbig resolution declaring the Town of Arcadia Intent to Be Lead Agency for Arcadia PV, LLC Solar 3527 – 3569 NY St. Rt. 88.

Roll Call:

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

Moved by Councilman Diamond, seconded by Councilman Greco to schedule a Public Hearing for Arcadia PV, LLC Solar - 3527 – 3569 NY St. Rt. 88 for February 11, 2025 at 7:10 PM at the Arcadia Town Hall, 201 Frey St. Newark. All voted Aye.

Local Law No. 1 for 2025 Tax Levy Limit – Schedule Public Hearing:

Moved by Councilman Diamond, seconded by Councilman Greco Resolution introducing Proposed Local Law to override the tax levy limit and schedule a public hearing on January 14, 2025 at 7:15 PM at the Town of Arcadia Town Hall, 201 Frey St.

All voted Aye.

GAR Contract – Computer Software for 2025: The Town Assessor would like to get PROS software. This will help with uploading in the field, entering data in the field, keep current records. This is a yearly fee. There is money in the Assessor’s budget for this.

Moved by Councilman Greco, seconded by Councilman Gerbig to approve the GAR Contract for the use of the PROS computer software for 2025. Cost is \$3,700.00.

Roll Call:

Councilman VanLaeken Absent
Councilman Greco Aye
Councilman Gerbig Aye

Councilman Diamond Aye
Supervisor Piscioti Aye

PUBLIC COMMENTS: Sue DeJohn inquired about water update for Snake Rd. CEO DeWolf said they have been making calls to residents for that area to see if the WCWSA could take water samples.

No other Public comments.

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 Absent
Councilman Greco Aye
Councilman Gerbig Aye
Councilman Diamond Aye
Supervisor Piscioti Aye

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General #409-453 \$251,073.48
Highway #273-311 \$132,385.38

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

Roll Call:

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

ADJOURNMENT:

7:47 PM Moved by Councilman Greco, seconded by Councilman Gerbig to adjourn the Town Board meeting.
All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk