

**REGULAR ARCADIA TOWN BOARD MEETING**  
**June 13, 2023 – 7:00 PM**  
**Town Hall**  
**201 Frey St.**  
**Newark, NY 14513**

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

**PRESENT:** Supervisor VanLaeken  
Councilmembers: Greco, Piscioti, Gerbig  
CEO DeWolf

Brenda Westcott

**ABSENT:** Councilmember Diamond  
Highway Supt Kuhlman

**MINUTES:** Motion made by Councilperson Gerbig, Seconded by Councilperson Piscioti to approve the minutes of May 9, 2023 regular Town Board meeting.  
All voted Aye.

Motion made by Councilperson Piscioti, Seconded by Councilperson Gerbig to approve the minutes of May 18, 2023 Special Town Board Meeting.  
All voted Aye.

**HIGHWAY REPORT:** In Highway Supt Kuhlman's absence Brenda Westcott read the Highway Report. Highway crew working on Henkle Rd. and Snake Rd. getting ready to pave and widening the shoulders on Snake Rd. before paving. Both Paving Jobs should be done by end of July. Also gave a reminder the Highway Department will have their annual shut down the week of July 3, 2023.

**CODE ENFORCEMENT REPORT:** Ed Dewolf ,Code Enforcement Officer is working with Pole Cole about the Drive In. The Planning Board is reviewing the site plan at the June Meeting.

Discussion about problems at properties at 5837 and 5851 Clark Rd. that have been going on 4/5 years now.

Motion made by Councilperson Gerbig, Seconded by Councilperson Greco to authorize Ed DeWolf, Code Enforcement Officer to contact Town Attorney and start the process to revoke the SUP Permit. All voted Aye.

**COMMUNICATIONS:** No communications at this time.

**PUBLIC HEARING – 1589 Welcher Rd. Storage Containers**

**7:15 PM** Motion made by Councilperson Piscioti, Seconded by Councilperson Gerbig to close the Regular Town Board meeting and open the Public Hearing for the Proposed Special Use Permit for 1589 Welcher Rd. Storage Containers. All voted Aye.

Richard Clark adding 6 more shipping containers to rent out. (Four 40' and Two 20') Waiting for the DEC report. Richard Clark has spoken to them and the report is about 60 days out.

**7:20 PM** Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to close the Public Hearing for Welcher Rd. Storage Containers and reopen the Regular Town Board Meeting. All voted Aye

Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to approve the SUP for Storage Containers pending positive Results from DEC. With same conditions as previous permits.

Roll Call:

Councilman Greco

Aye

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

## **UNFINISHED BUSINESS:**

**Community Solar Project Update** – Supervisor VanLaeken stated it is currently under construction. The project is moving forward.

**Water District 15 Update** – There was a pre-construction meeting last week, June 8, 2023. Construction started on Monday, June 12, 2023.

**Sleight Rd. Solar Project Update** – No Updates

**Bids for 2024 Chevrolet Silverado 3500HD 4WD Crew Cab 159” Custom (2)-For Highway Department that is replacing the 2013 truck.**

Bob Johnson Fleet submitted a bid for \$56,880.00  
No other bids were submitted

Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to accept Bid from Bob Johnson Fleet.

### **Roll Call:**

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

## **1303 N. Main St. Purchase Offer**

Perkins Holdings has offered \$35,000.00 for the property.

Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to approve the sale of 1303 N. Main St. for \$35,000.00. Subject to permissive referendum.

Roll Call:

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

**NEW BUSINESS:**

**Marbletown Fire Department new member:**

Motion made by Councilperson Piscioti, Seconded by Councilperson Gerbig to approve the following member to the Marbletown

Fire Department:

Robert Kniest

All voted Aye.

**Cybersecurity Password Policy:**

Tabled at this time for further review.

**NYMIR Insurance Renewal:**

NYMIR insurance for buildings and equipment. Gencap insurance for Cyber.

Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to approve Supervisor VanLaeken to sign for NYMIR Insurance and Jencap (million dollar policy).

Roll Call:

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

**Memorandum of Understanding for NYS:**

Steps that are for the revaluation of properties. Paul Smith, Assessor has reviewed this.

Motion made by Councilperson Piscioti, Seconded by Councilperson Gerbig to approve Supervisor VanLaeken to sign the Memorandum Of Understanding for NYS.

**Roll Call:**

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

Supervisor VanLaeken asked hat 5 temporary positions be added to the Board of Assessment Review to help with grievance day next year. To be discussed at the next Regular Town Board meeting.

**PUBLIC HEARING – Local Law to Implement a Six-Month Moratorium**

**7:15 PM** Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to close the Regular Town Board Meeting and open the Public Hearing for Six-Month Moratorium related to solar energy systems And large scale battery energy storage systems in the Town of Arcadia. All voted Aye.

Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to waive the legal reading of the Local Law.  
All voted Aye.

Brian Donnelly read a statement he prepared in response to the proposed Moratorium.

Deb Lockner voiced her concerns as to how many Solar Farms are going in on agricultural ground.

**7:55 PM** Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to close the Public Hearing and reopen the Regular Town Board Meeting.

Motion made by Councilperson Gerbig, Seconded by Councilperson Greco to adopt Local Law No. 2 to implement a Six-Month Moratorium related to solar energy systems and large scale battery energy systems in the Town of Arcadia.

Roll Call:

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

Supervisor VanLaeken read the Wayne County Planning Board Recommendation: approval with comments and considerations for Norbut Solar Farm.

**PUBLIC HEARING-Norbut Solar Farm**

**8:00 PM** Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to close the Regular Town Board Meeting and continue the Public Hearing from April 11, 2023 for Norbut Solar Farm.  
All voted Aye.

Decommission was discussed between Sherman Gitten, MRB And Victor Ciaccia and David Norbut of Norbut Solar.

**8:20 PM** Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to close the Public Hearing for Norbut Solar Farm and reopen the Regular Town Board Meeting.  
All voted Aye.

**Resolution Designating Town of Arcadia Board as SEQR – Designating Lead Agency**

Motion made by Councilperson Greco, Seconded by Councilperson Gerbig to designate Town of Arcadia the Lead Agency for the action identified in attached resolution.

Roll Call:

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

**EAF for Norbut Solar**

Sherman Gittens, MRB reviewed the EAF (environmental assessment form) Part 2 and Part 3.

**Resolution for SEQR – Determination of Environmental Significance**

Motion made by Councilperson Greco, Seconded by Councilperson Piscioti to make a Determination of Non-Significance on said action, and Supervisor VanLaeken is directed to Issue the Negative Declaration as evidence of the Town Board Determination of environmental non-significance.

Roll Call:

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

**PUBLIC COMMENTS:** No further 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 Greco	Aye
Councilwoman Piscioti	Aye
Councilman Gerbig	Aye
Supervisor VanLaeken	Aye
Councilman Diamond	Absent

**AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:**

General	#175-226	\$172,712.79
Highway	#103-126	\$123,196.93



Moved by Councilperson Greco, seconded by Councilperson Gerbig to authorize payment of the General and highway bills.

Roll Call:

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

**ADJOURNMENT**

**9:05 PM** Moved by Councilperson Greco, Seconded by Councilperson Gerbig to adjourn the Town Board meeting.  
All Voted Aye

Respectfully Submitted,  
Terresa Vastbinder  
Deputy Town Clerk