

TOWN OF LEICESTER
REGULAR BOARD MEETING
TUESDAY, DECEMBER 19, 2023, AT 7:00 P.M.

The Regular/Public Hearing Meeting of the Leicester Town Board was held on Tuesday, December 19, 2023, at 7:00 p.m. at the Leicester Town Hall.

Present: David Fanaro, Town Supervisor; Jason Yasso; Karen Roffe, Gerald Hull, Matthew Durbin, Councilmembers; Russell Page, Highway Superintendent; Amy Neumann, Town Clerk.

Others: John Yasso, Frank Radesi, Jennifer Johnson, Rich Neumann, Lisa Semmel, Rob Semmel, Todd Lubanski, James Kane, Renee Fanaro, Rich White

Pledge to the Flag: Deputy Supervisor, Jason Yasso led the Pledge to the Flag.

Presentation white Creek Solar, Dwight Kanyuck:

Minutes: A Motion was Made to table the Meeting Minutes for Nov 8, 2023, Special Board Meeting Minutes and November 14, 2023, Work Meeting Minutes and November 21, 2023, Regular Board Meeting Minutes by Councilmember Karen Roffe, and Seconded by Councilmember Jason Yasso. Motion carried. Ayes 5, Noes 0.

Highway Superintendent, Russell Page: No questions. Jason Molino, Livingston County Water and Sewer would like to use Councilmember, Gerald Hulls Back Flow Equipment. Councilmember Gerald Hull agreed.

HIGHWAY SUPT. REPORT
DECEMBER 2023

- Five days out of the past twenty-eight, had snow and or ice removal.
- Finished cleaning ditch on Cone Road.
- Finished preparing/servicing equipment for winter snow and ice removal.
- Hauled in 200 tons of salt to replenish the stockpile.
- Hauled in a couple loads of ice control sand to have on hand for the winter.
- Had a few random potholes to fill on Upper Peoria Road and Cone Road.
- Cleaned a portion of ditch, took out a unwanted driveway pipe and replaced a driveway pipe at 1789 Bush Road.
- Cleaned a portion of ditch and installed a driveway pipe on Starr Road for Thornapple Farms.
- Servicing the spare HARDER sanders.
- Helped Chris Young install a check valve at the Village of Leicester pump station.
- Cleaned a portion of ditch on Jones Bridge Road between South Street and Pleasant Street.
- Started cleaning up the gravel pile at the shop and taking it to the stockpile at the gravel pit.

Code Enforcement Report: No Questions. Supervisor Fanaro wants to have Code Enforcer follow up on the enforcement of properties.

Leicester Fire Dept. Report: John Yasso. Report was sent to the Town Board for review. No questions. CRG Fire Study meeting will happen Thursday December 21, 2023, at 5:30 p.m. at the Leicester Town Hall. Councilmember Jason Yasso and Councilmember Karen Roffe will be in attendance.

Cuylerville Fire Dept. Report: Frank Radesi, 12 EMS 9 Fire Calls, Last Sunday had Christmas Parade.

Old Business:

Negative Water Balance: A Motion to table and wait until February expenses was made by Councilmember Jason Yasso and Seconded by Councilmember Karen Roffe.

Motion carried. Ayes 5, Noes 0.

New Business:

Cemetery Grave Request to sell back to Town: No Deed found. Would like to sell it back to town for the cost of purchase in 1996 \$225.00. The Town Board would like a letter typed, regarding no deed, and looking into with Town Attorney. The new cost of a cemetery plot is \$850.00.

MRB Group Proposal for professional Service, White Creek Solar: A Motion to accept Proposal for professional services was made by Councilmember Matthew Durbin and Seconded by Councilmember Karen Roffe.

Motion carried. Ayes 5, Noes 0.

December 15, 2023

Supervisor David Fanaro
Town of Leicester, NY
132 Main Street
Leicester, NY 14481

Supervisor Gerald Deming
Town of York
2668 Main Street
York, New York 14592

**RE: TOWN OF LEICESTER AND YORK
PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES
WHITE CREEK SOLAR - SUPPORT THROUGH SECTION 94-C PROCEEDINGS**

Dear Supervisors Fanaro and Deming,

MRB Group is pleased to provide this proposal for engineering and planning review services to assist the Town of Leicester and York with support through the Section 94-c proceedings associated with the White Creek Solar Project. Please note that MRB Group has extensive experience with assisting clients through 94-c proceedings in the past, including projects in the Towns of Caledonia, Mount Morris and Rose.

I. Understanding

Based upon the information provided, we understand that the Town is looking for a technical consultant to support them throughout the Section 94-c process, helping Town officials and Town residents understand environmental and engineering issues associated with the proposed solar energy project. The review of the Section 94-c application will focus on issues of local concern and areas where the proposed project may be inconsistent with the Town codes. Civil and planning teams will perform a review of the site plans, planning and environmental aspects of the project.

II. Scope of Services

The following represents our proposal to provide support services for the project:

- Attend and participate in Applicant presentations to Town officials and the public to discuss the application Section 94-c review.
- General technical support to the Town regarding Section 94-c process. Preparation of written summaries and memoranda as needed.

- Review and analysis of the Section 94-c Application and the studies contained within the Appendices to assess the civil (drainage, roads, water supply, wastewater, etc.), environmental and visual impacts the Project would have on the Town. The review will focus on the Application exhibits related to issues of local law compliance.
- Attending meetings of municipal boards and assisting local officials and members of the public in understanding potential issues, impacts and risks.
- Coordinating with the Town Highway Superintendents to review proposed intersection improvements, roadway modifications, access road locations, and transportation or traffic control plans included in the Application. Assisting the Highway Superintendents with identifying issues and concerns or proposing mitigation measures.
- Reviewing emergency response and access issues with the local emergency response and fire officials
- Proposing mitigating measures or alternatives that would avoid or reduce the risk of a significant adverse impact.
- Review and analysis of the draft Permit and Certificate Conditions issued by ORES and how such conditions affect the primary issues of local concern.
- Assisting Town attorneys in preparing the Municipal Statement of Compliance with Local Law and necessary submittals in support of identifying substantive and substantial issues for adjudication, if any, in the Issues Determination process.
- Assisting Town attorneys and Town officials in identifying issues that are significant and substantive for possible adjudication.
- Participating in the Adjudicatory Hearing, if any, including providing expert opinion and testimony, assisting with briefs, and other analysis as needed.
- Review and prepare comments on pre-construction filings to ensure compliance of final design, facility maintenance and management plan, vegetation management plan, environmental and agricultural monitoring plan, traffic control plan, emergency response plan, and complaint management plan with local laws and to finalize decommissioning plans and financial assurance agreements between the Towns and applicant.

III. Compensation

The cost figures shown below represent our estimated fees. Any additional work beyond this fee and outside the scope of this proposal would be reviewed with the Client. MRB Group shall submit monthly statements for services rendered during each invoicing period based on the efforts performed during that period. MRB Group Standard Rates are subject to annual adjustment.



Estimated Compensation (hourly)..... \$40,200.00

IV. Additional Services

The following items, not included in the above services can be provided on a personnel time-charge basis but would only be performed upon receipt of your authorization.

1. Additional meetings, site visits, or resolutions beyond those anticipated or above the hourly fee.
2. Hiring expert consultants for reviewing special aspects of the project.
3. Laboratory Testing.
4. Intervenor Fund Administration Services.
5. Geotechnical investigation.
6. Draft environmental Impact Statement (DEIS).
7. Archeological investigation.
8. Wetland/biological investigation.
9. Hazardous Material Survey.
10. Regulatory permitting.
11. Special Inspections.

V. Commencement of Work

Upon receipt of the signed proposal, MRB Group will begin providing services to the Town.

VI. Standard Terms and Conditions

Attached hereto and made part of this Agreement is MRB Group's *Standard Terms and Conditions*.

If this proposal is acceptable to you, please sign where indicated and return one copy to our office. We have included an additional copy for your records. Thank you for your continued consideration of our firm. We look forward to working with you on this project.

Sincerely,

John Paul Schepp, P.E.
Senior Project Manager

James J. Oberst, P.E., LEED AP
Executive Vice President/C.O.O.

Enclosure

PROPOSAL ACCEPTED FOR THE TOWN OF LEICESTER BY:		
<u><i>Mark Sanchez</i></u>	<u><i>Supervisor</i></u>	<u><i>12-19-23</i></u>
Signature	Title	Date
PROPOSAL ACCEPTED FOR THE TOWN OF YORK BY:		
_____	_____	_____
Signature	Title	Date

[https://mrbgrou365.sharepoint.com/sites/Proposals/Shared Documents/New York/Leicester & York, Town/2023 Leicester & York/jps - \(1\) Leicester & York - White Creek Solar.doc](https://mrbgrou365.sharepoint.com/sites/Proposals/Shared Documents/New York/Leicester & York, Town/2023 Leicester & York/jps - (1) Leicester & York - White Creek Solar.doc)

Financial Reports: A Motion was made to approve by Councilmember Jason Yasso and Seconded by Councilmember Gerald Hull.
 Motion carried. Ayes 5, Noes 0.

Audit Abstract of Claims: A Motion was made to audit and pay Abstract of Claims in the amount of \$22,927.98 (Total for the month is \$118,663.92), by Councilmember Jason Yasso and Seconded by Councilmember Matthew Durbin.
 Motion carried. Ayes 5, Noes 0.

Budget Line Transfers:
 A Motion was made to approve the Budget Line Transfers as follows By Councilmember Karen Roffe and Seconded by Councilmember Jason Yasso.

TOWN OF LEICESTER
 12/19/23

GENERAL FUND -TOWN WIDE

		<u>Budget Line Transfer</u>		
<i>Transfer From:</i>	AA.1680.402	Central Data Processing, Contr Expense	\$	2,429.00
	AA.8810.400	Cemetery, Contr Expend	\$	9,693.00
	AA.1990.400	Contingency	\$	2,926.00
	AA.9055.800	Disability Insurance, Empl Bnfts	\$	1,990.00
			\$	17,038.00
<i>Transfer To:</i>	AA.1220.400	Supervisor, Contr Expend	\$	114.00
	AA.1315.400	Comptroller, Contr Expend	\$	10,970.00
	AA.1330.400	Tax Collector, Contr Expend	\$	31.00
	AA.1680.400	Central Data Processing, Contr Expense	\$	2,316.00
	AA.1920.400	Municipal Assn Dues, Contr Expend	\$	699.00
	AA.6410.400	Publicity, Contr Expend	\$	618.00
	AA.7110.400	Parks, Contr Expend	\$	1,093.00
	AA.8160.400	Refuse & Garbage, Contr Expend	\$	427.00
	AA.8810.100	Cemetery, Pers Serv	\$	530.00
	AA.9060.800	Hospital & Medical Ins, Empl Bnfts	\$	240.00
			\$	17,038.00

GENERAL FUND - TOWN WIDE

		<u>Budget Amendment</u>		
<i>Transfer From:</i>	AA.5999.000	Unassigned Fund Balance	\$	35,862.00
			\$	<u>35,862.00</u>
<i>Transfer To:</i>	AA.1420.400	Law, Contr Expend	\$	16,482.00
	AA1440.400	Engineer, Contr Expend	\$	19,380.00
			\$	<u>35,862.00</u>

GENERAL FUND - OUTSIDE VILLAGE

		<u>Budget Line Transfer</u>		
<i>Transfer From:</i>	BB.8020.100	Planning, Per Service	\$	299.00
			\$	<u>299.00</u>
<i>Transfer To:</i>	BB.8020.400	Planning, Contr Expend	\$	225.00
	BB.9030.800	State Retirement, Empl Bnfts	\$	74.00
			\$	<u>299.00</u>

Motion carried. Ayes 5, Noes 0.

Town Board Recognition: Deputy Supervisor/Councilmember Jason Yasso spoke on the Town Boards behalf in the recognition of Town Supervisor, David Fanaro serving this Town as a Councilmember, Deputy Supervisor, and Town Supervisor for 11 years of service.

Adjournment: A Motion was made to adjourn the meeting at 7:48 p.m. by Councilmember Jason Yasso and Seconded by Councilmember Karen Roffe.

Motion carried. Ayes 5, Noes 0.

Respectfully Submitted,
Amy Neumann, Town Clerk