

AGENDA

REGULAR BOARD MEETING

TUESDAY, JANUARY 23, 2024, 7 :00 P.M.

OPEN MEETING: Pledge to the Flag

PRESENTATION: Leicester Fire Department (John Yasso)

Minutes: December 12th Work Meeting and December 19th Regular Meeting

HIGHWAY SUPT. REPORT: Russ Page

CODE ENFORCEMENT REPORT: Sean Sullivan

LEICESTER FIRE DEPARTMENT REPORTS; John Yasso

CUYLerville FIRE DEPT. REPORTS: Frank Radesi

OLD BUSINESS: Mayor Briffa - Open Contracts

Highway Equipment Information Requested: Should have it by next meeting.

The phone system design should be here by the next meeting.

Working with LCWSA on water bills.

Working on a solution for Town of York water customers.

Cemetery Grave Request - Update

NEW BUSINESS: Mine Permit needs to be renewed by 6/24

Court Audit: Appoint Two Town Board Members to Audit Court Records for Feb 2024

Financial Reports: Supervisors Monthly Report, Town Clerk Report, Record of Receipts

AUDIT ABSTRACT OF CLAIMS: _____.

BUDGET TRANSFERS: None

EXECUTIVE SESSION: Discuss Village Contracts

Employee Benefits / Union Contract

ADJOURNMENT:

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AUDIT ABSTRACT OF CLAIMS: _____.

BUDGET TRANSFERS: None

EXECUTIVE SESSION: Discuss Village Contracts

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ADJOURNMENT:

1. Activities

Number of calls in the past month (Dec 18 – Jan 21) 4 calls.

- 1) 12/19/23 – Haz Mat call – odor of gas 4892 York Road (Town)
- 2) 12/20/23 – Service call – tree down in the road 2843 Cuylerville Road Rt 39 (Town)
- 3) 01/15/24 – EMS call – Assist – 39 Market St. (Village)
- 4) 01/17/24 – Haz Mat call – odor of gas 5502 Mt Morris Road, Mint Trailer Park (Town)

December monthly training – Driver training

2. TRUCKS:

2017 Pumper Truck 135 – OK

2006 Pumper Truck 134 - OK

2006 Mini Pumper 133 – OK (was back in for service)

3. Fire hall:

1. Back Roof needs to have repairs:

* Quote approved at Board meeting 10-16-23. Job is scheduled with JJM Roofing

* *12/18/23 New Roofing has been completed.*

* *1/18/2024 New Gutters installed. Job is now completed*

2. Backup Generator?? – Wait Till Fire and EMS study is completed

4. Equipment

A) Need to order 2 more sets of gear for next budget year 2023-24. 7-9 months delivery time – Estm. \$6000.00

B) Application for 2023 Forestry grant has been submitted.

** Grant turned down

5. Other items

A) Local Gov Efficiency - Fire and EMS study grant approved for \$19,500 at Feb. 2023 Town and Village meetings. Total for the study is \$39,000.00

** *12/21/23 First draft review and vision meeting with each fire dept. At Town hall 5:30 pm for Cuylerville and 7:00 pm for Leicester. Meeting went well.*

Final Presentations to the public should be in February 2024.

B) Contract with Town for Fire Protection is *pending negotiations between both boards. Fire protection service to continue.*

12 16 controlled burn

12 19 natural gas call. 4 members

12 20 mvc. 5 members

8 ems calls

334 calls for 2023

HIGHWAY SUPT. REPORT

JANUARY, 2024

- Twelve days out of the past thirty-five, we have had some form of snow and or ice removal.
- Finished cleaning up the gravel pile at the shop and took it to the stockpile at the gravel pit.
- A fair amount of service and repair to the trucks and snow/ice removal equipment.
- Extended a driveway pipe at 4592 Caledonia Road.
- Did some cleaning, sorting, reorganizing items in the old wooden town barn to include checking sign inventory and fabricated a storage rack for signs.
- Met with Ken Estes from Cornell Cooperative Extension and Josh Galiley from J. Galiley Arbor Consulting at Boyd and Parker Park. Josh ran a couple tests on the Torture Tree and will be giving a report at the February board work meeting.
- Documented street light outages and submitted for repair.
- Hauled in 200 ton of salt to replenish the stockpile.
- Created some scrap steel from all the cleaning and took it to Multi-Metal Recycling.
- Unloaded two tree planter pots that were delivered to the shop for the Village. Put one in storage, set the other in front of the Ayers building on Main Street.
- Have done inspections and created a list of signs to replace or install along the roads and are working on that list.
- Started making a pass around town cutting brush with the brush cutter on the excavator.

Code Enforcement report 12/19/2023 - 01/23/2024

No new permits for this period

Inspections.

1. Conditional final inspection for a pole barn at 4833 Covington Road. Passed pending final electrical inspection.
2. Final inspection for Andrew Cutting's new home located at 4702 Peoria Road. Passed, issuing Certificate of Occupancy
3. Preliminary framing inspection for Eric Butler's new home at 1789 Bush Road. Passed with exceptions. (Documentation for the windows that are required to have safety glass R308.4.3 Glazing in windows.)

Other work

I received a call asking what the process is to open a licensed cannabis dispensary in the town of Leicester. I will follow up with Jim Campbell to get some guidance.

I have developed a list of all the old permits that have not been closed and have started calling the applicants for updates on their projects.

Please don't hesitate to contact me with any questions.

Sean Sullivan

Code Enforcement Officer

Leicester, New York

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Sean Sullivan

Code Enforcement Officer

Leicester, New York

TOWN OF LEICESTER
SPECIAL BOARD MEETING
NOVEMBER 8, 2023, AT 7:00 P.M.

The Regular/Public Hearing Meeting of the Leicester Town Board was held on Tuesday, November 8, 2023, at 7:00 p.m. at the Leicester Town Hall.

Present: David Fanaro, Supervisor; Matthew Durbin, Karen Roffe, Gerald Hull, Jason Yasso Councilmembers; Amy Neumann, Town Clerk; James Campbell, Town Attorney.

Others: Dan Christiano, Rich Neumann, Lisa Semmell, Renee Fanaro, James Kane, John Yasso

Public Hearings, Tax Cap, and Town Budget 2024

Open Both Public Hearings on Tax Cap and Town Budget 2024: Supervisor Fanaro opened both of Public Hearing at 7:01 p.m. Modifications from Accountant late coming in for the Town Budget and encouraged the Town Board to look them over. Supervisor Fanaro said we will explain the changes, take comments, and leave the public hearings open on both hearings and tax cap is mute due to not even coming close. Supervisor Fanaro said there were a couple mistakes and typos. Supervisor Fanaro directed Deputy Supervisor Yasso to talk about the mistake he found.

Town Board Comments: Councilmember Yasso, said there is supposed to be a 4% increase across the board and there was a clerical error on the Supervisor line at \$16,000.00 and is a 60% raise, amended on new sheet she just gave us to \$11,896.00 besides the contractual obligations with the highway, Councilmember Yasso said he saw no other glaring errors. Councilmember Karen Roffe said they had all been corrected. Councilmember Roffe stated there was an error in the Historians Personal Service and that they have all been taken care of.

Russ Page, Highway Superintendent asked the question History of DB5110.1 is it an error of going back in amount as compared to recent years in past? Councilmember Roffe started to answer, and Supervisor Fanaro said the trend with the new accountant is she is taking actual numbers of where we have ended up and that is making a projection for 2024. Highway Superintendent pointed out that the numbers he gave were actual what was spent.

Amy Neumann, Town Clerk pointed out that this budget was sent to her last minute before this board meeting and encouraged the Town Board to look at the budget lines individually before passing. James Campbell brought up that the payment to the Village coming up in a Month to the Village.

Public Comment: Comments from public included Lisa Semmel, John Yasso, Dan Christiano.

Close Public Hearings: Supervisor Fanaro Closed the Tax Cap Hearing at 7:30 p.m. Supervisor Fanaro Closed the Budget Hearing for 2024 at 7:59 p.m.

Special Board Meeting Business

Water Relevy Resolution: A Motion was made to Relevy those owing money for water bills by Councilmember Karen Roffe and Seconded by Councilmember Matthew Durbin.
Motion carried. Ayes 5, Noes 0.

Proposed Local Law to Exceed Tax Cap: Supervisor Fanaro asked if there were any comments from the Board or the Public. There was none. A Motion was made to table by Councilmember Matthew Durbin, and Seconded by Councilmember Gerald Hull, No Action taken.

Resolution: Payment to the Village of Leicester: James Campbell, Town Attorney. This was not on Agenda. A Motion made to adopt the Resolution by Town Councilmember Karen Roffe and Seconded by Councilmember Jason Yasso.
Motion carried. Ayes 5, Noes 0.

**TOWN BOARD
TOWN OF LEICESTER
COUNTY OF LIVINGSTON**

RESOLUTION

At a meeting of the Town Board of the Town of Leicester,
Livingston County, State of New York, held at the Leicester Town
Hall on the 8th day of November 2023.

WHEREAS, the Town of Leicester (“Town”) has previously entered into a Settlement Agreement (“Settlement Agreement”) with the Village of Leicester (“Village”) to settle a Village claim with respect to metered water on such terms as the Town Board has duly determined are just, reasonable and to the interest of the Town; and

WHEREAS, the Settlement Agreement calls for the payment by the Town of One Hundred Eighty Thousand and NO/100ths Dollars (\$180,00.00) to the Village in four equal annual installments of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) (“Annual Debt Payments”) without interest, each such payment being due on or before December 15th, with the first such Annual Debt Payment having been made on or about December 14, 2022; and

WHEREAS, the Town previously authorized the borrowing of such funds as may be necessary to accomplish such Annual Debt Payments by Bond Resolution adopted on August 16, 2022; and

WHEREAS, the Town has determined that it is in the best interest of the Town to perform a “self-borrow” from Town funds available in the Highway Department Equipment Reserve Fund, and that such self-borrow will significantly reduce the cost of financing the repayment of the Annual Debt Payments, which the Town otherwise does not have adequate liquid funds to repay; and

WHEREAS, the Town has further determined that it is in the best interest of the Town to borrow the sum of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) from the Town of Leicester Highway Department Equipment Reserve Fund, which shall be repayable over a five (5) year term, at an annual interest rate of three per cent (3.00%) and which such borrowed funds will be used in their entirety to pay the Annual Debt Payment that is due on or before December 15, 2023; and

WHEREAS, the Town has determined that no additional public hearing is required to approve such self-borrowing as the same is authorized pursuant to the Bond Resolution adopted August 16, 2022; and

WHEREAS, the Town has determined that the proposed action authorizing the self-borrowing constitutes a Type 2 Action under the New York State Environmental Quality Review Act 6 NYCRR 617.5.

NOW, THEREFORE, upon motion by Councilperson Karen Roff, seconded by Councilperson Jason Yasso, it is hereby:

RESOLVED, that Town shall borrow the sum of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) from the Town of Leicester Highway Department Equipment Reserve Fund, which shall be repayable to the Town of Leicester Highway Department Equipment Reserve Fund over a five (5) year term at an annual interest rate of three per cent (3.00%) and which such borrowed funds will be used in their entirety to pay the Annual Debt Payment that is due on or before December 15, 2023; and be it further

RESOLVED, that the prior self-borrowing for the Annual Debt Payment made on December 14, 2022, is hereby ratified by this resolution.

DATED: November 8, 2023

VOTE OF THE BOARD:

The vote duly taken resulted as follows:

Dave Fanaro, Supervisor	_Aye_
Matt Durbin	_Aye_
Gerald Hull	_Aye_
Karen Roffe	_Aye_
Jason Yasso	_Aye_

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LEICESTER

Amy Neumann - Town Clerk

2024 Preliminary Budget: A Motion was made to adopt the Preliminary Budget to Final Budget for the 2024 year as amended with the changes from accountant by Councilmember Karen Roffe, and Seconded by Councilmember, Matt Durbin
Motion carried. Ayes 5, Noes 0. Adopted

Tarpon Towers: Jim Campbell, Town Attorney: Town Attorney, James Campbell describing the Lease of \$180,000.00 Lump Sum and asking Town Board if they want him to continue to negotiate. The Town Board wants the Town Attorney to negotiate more.

Adjournment: A Motion made to adjourn the meeting at 8:12 p.m. by Councilmember Karen Roffe, and Seconded by Councilmember, Jason Yasso.
Motion carried. Ayes 5, Noes 0.

Respectfully Submitted,
Amy Neumann, Town Clerk

**TOWN OF LEICESTER
WORK BOARD MEETING
TUESDAY, NOVEMBER 14, 2023
6:00PM**

The Work Meeting of the Leicester Town Board was held on Tuesday, November 14, 2023, at 6:00pm at the Leicester Town Hall located at 132 Main Street, Leicester NY 14481.

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

Absent: Matthew Durbin

Others: Renee Fanaro, Rich Neuman, Rich White, Lisa Semmel

The meeting opened at 6pm and the Pledge to the Flag was led by Supervisor Fanaro

Supervisor Fanaro Congratulated Supervisor Elect, Rich White. Supervisor Fanaro encouraged Rich White to call him so he could speak with him about Town Topics.

Old Business:

None

New Business:

None

Supervisors Subjects:

White Creek Solar: The Solar Company has accepted the second proposal which the Town Board has seen, this will be finalized by the end of the year. They want to proceed with option 2 from the original email which will entail \$3000.00 per megawatt as host benefit agreement with escalator of 1% while the PILOT would begin at 2000 megawatt with another escalator. When the Town of Leicester took this \$15,000.00 escrow account.

Water Fund Account, SW Fund: The Town Board has big decisions to make to move forward with the water fund balance. We have anticipated some opportunities to use the ARPA funds, but you must by state law, whether anyone agrees with Supervisor Fanaro or not, there is no accounting error, period. You also have a decision to make now or decide later, in my opinion equity in assets should go towards that fund balance. Councilmember Gerald Hull asked if a letter should be sent to the Village regarding the water. The supervisor said this is a decision the Town Board must make because we can't be responsible for someone else's water. Needs to be in the Inter Municipal Agreement.

THM Removal system: Disabled for the year. Gerald Hull let the town use it. Jason Molino would be interested in monitoring it. Gerald Hull originally purchased, and Town has taken care of it and Gerald Hull would like use of it if he needed it. Meter in Town Highway water sales to be metered, maybe a decision can be made.

Councilmember Yasso would like to have a meeting with Supervisor Elect, Rich White, and town Supervisor Fanaro for a smooth transition for the Town with the three people. It will be in the best interest for the Town and Supervisor Elect to speak about the Organizational Meeting Date to be January 2, 2024, at 10:00am and the Town Board agreed. It will be advertised as such.

Meeting dates being the second Tuesday and Third Tuesday of the Month. Supervisor Fanaro explained why that was done and it was discussed to go to Second Tuesday and Fourth Tuesday of the Month. The Town Board agreed. The Town Board agreed they were too close together. Supervisor Elect, Rich White suggested thinking about it and deciding.

Abstract of Claims for Prepays \$9,378.03:

A Motion was made to approve the Pre-Paid Abstract of Claims by Councilmember Jason Yasso and Seconded by Councilmember Hull.

Motion carried. Ayes 4, Noes 0.

Adjournment: A Motion was made by Councilmember Karen Roffe and Seconded by Councilmember Gerald Hull at 6:33pm.

Motion carried. Ayes 4, Noes 0.

Respectfully Submitted by
Amy Neumann, Town Clerk

TOWN OF LEICESTER
REGULAR BOARD MEETING
TUESDAY, NOVEMBER 21, 2023, AT 7:00 P.M.

The Regular/Public Hearing Meeting of the Leicester Town Board was held on Tuesday, November 21, 2023, at 7:00 p.m. at the Leicester Town Hall.

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

Absent: David Fanaro, Town Supervisor

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.

Minutes: A Motion was Made to Adopt the Meeting Minutes for October 10, 2023, and October 17, 2023, by Councilmember Karen Roffe, and Seconded by Councilmember Gerald Hull.
Motion carried. Ayes 4, Noes 0.

Highway Superintendent, Russell Page: No questions no additions.

Code Enforcement Report: Deputy Supervisor pointed out #3 for a request from Code Enforcement Officer, Sean Sullivan to request to have Court Clerk enter old permits into the system when he needs her to and pay her out of his contractual line in Budget. No Action taken.

Leicester Fire Dept. Report: John Yasso, CRG will be sending a draft to show both Town and Village Board before the December Regular meeting. Final copy of report expected in January.

Cuylerville Fire Dept. Report: Frank Radesi, 13 EMS 12 Fire Calls, 4 people trained to install car seats, 40-hour course. Fitting station for the car seat installations. Open CPR classes. 12 people registered for the next event.

Old Business:

Tarpon Towers: Information only.

SW Fund: Negative Fund Balance Discussion/ARPA Funds: no action

Surplus Buyout of Backhoe and water crew truck: Deputy Supervisor Yasso would like to find out where equipment was purchased out of and would like at next meeting.

Village Fire Contract, Deputy Supervisor, Jason Yasso: \$40,000 - \$26,000: Discussion only No action

New Business:

Appointment for Board of Assessment Review for Jason Yasso Term 10/1/2023 to 9/30/2028: A Motion was made to appoint Jason Yasso to BAR by Councilmember Matthew Durbin and Seconded by Councilmember Gerald Hull.

Motion Carried Ayes 4, Noes 0.

Financial Reports: A Motion was made to approve by Councilmember Karen Roffe and Seconded by Councilmember Matthew Durbin.

Motion carried. Ayes 4, Noes 0.

Audit Abstract of Claims: A Motion was made to audit and pay Abstract of Claims in the amount of \$64,982.31, by Councilmember Karen Roffe and Seconded by Councilmember Gerald Hull.

Motion carried. Ayes 4, Noes 0.

Adjournment: A Motion was made to adjourn the meeting at 7:37 p.m. by Councilmember Matthew Durbin and Seconded by Councilmember Karen Roffe.

Motion carried. Ayes 4, Noes 0.

Respectfully Submitted,
Amy Neumann, Town Clerk

**TOWN OF LEICESTER
WORK BOARD MEETING
TUESDAY, DECEMBER 12, 2023
6:00PM**

The Work Meeting of the Leicester Town Board was held on Tuesday, December 12, 2023, at 6:00pm at the Leicester Town Hall located at 132 Main Street, Leicester NY 14481.

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

Others: John Yasso, Renee Fanaro, Todd Lubanski, Rich Neumann, Lisa Lubanski, Rich White.

The meeting opened at 6pm and the Pledge to the Flag was led by Supervisor Fanaro

Old Business:

Tarpon Towers Update: Work has started, and we have received a rent Commencement Letter.

White Creek Solar Update: Presentation next Tuesday December 19, 2023, with Dwight Kanyuck. Shawn Grasby from Garsby consulting will be present. Mr. Grasby is working on funds for Fire Department needs.

Board Decision on Negative Water Fund Balance: No action taken, place on next agenda.

CRG Update for Consolidation of Fire Departments, John Yasso: There will be a visionary meeting held here at the Leicester Town Hall, December 21, 2023, at 5:30 p.m. Councilmember Jason Yasso and Councilmember Karen Roffe would like to be in attendance.

New Business:

Meeting Dates Discussion: All the dates look good except for December 24th, 2024, the meeting will be moved to one week earlier on December 17, 2024, at 7:00p.m. Whole Town Board in agreement. These meeting dates will be advertised for the Town of Leicester Town Board Official Meeting Dates in Livingston County Newspaper.

IMA with County Highway Dept Ext.: A Motion was made by Councilmember Matthew Durbin, and Seconded by Councilmember Gerald Hull to approve the Intermunicipal Agreement with County Highway Department Extension:



LIVINGSTON COUNTY HIGHWAY DEPARTMENT

Jason Wolfanger Superintendent	Shannon Rice Deputy Superintendent	Elaine D. Szoczei Admin. Manager	4389 Gypsy Lane Mt. Morris, NY 14510 Phone (585) 243-6700 Fax (585) 243-6715
Zac Cracknell Deputy Superintendent	Shaun Metcalfe Deputy Superintendent		

**Letter of Agreement to Extend the Intermunicipal Agreement
For Equipment, Machinery, Tools, and Services Sharing
(January 1, 2024 – December 31, 2024)**

November 20, 2023

Town of Leicester
132 Main Street
P.O. Box 197
Leicester, New York 14481

The parties hereto agree to extend the terms of the Intermunicipal Agreement originally made effective January 1, 2023, for an additional term of one (1) year to terminate on December 31, 2024. This is the first of five renewal options being exercised under the originally executed Agreement. For this renewal year, the parties agree to follow the equipment and wage schedules attached hereto and made a part hereof. The parties further agree that pricing for equipment, machinery, and tools shall be modified as specified in the attached schedule (reflects a 10% increase). All other terms and conditions of the original Agreement, not otherwise modified by this Letter of Agreement, shall remain in full force and effect.

COUNTY OF LIVINGSTON
By: David L. LeFeber, as Board Chairman

TOWN OF LEICESTER
By: David Panaro, Supervisor



Letter of Support for Grant to Fund Sidewalks near York School: Town Board does not object in this letter of Support. All in agreement.



Town of Leicester

132 Main Street P.O. Box 197 Leicester, NY 14481

Phone: 585-382-3231 Fax: 585-382-9766

www.townofleicester.org Hours: Monday – Thursday 8am – 4 pm

*Town Supervisor, David Fanaro Deputy Supervisor, Jason Yasso
Town Council Gerald Hull, Karen Roffe, Matthew Durbin,
Town Clerk/Tax Collector, Amy Neumann Court Clerk, Kimberly Reitz
Justices, Henry Smith, Wayne Scofield Assessor, Gregg Torrey
Highway Superintendent, Russell Page Code Officer, Sean Sullivan*

December 12, 2023

Mr. Craig Ekstrom
Regional Local Project Liaison
NYSDOT – Region 4
1530 Jefferson Road
Rochester, NY 14623

Dear Mr. Ekstrom,

On behalf of the Town of Leicester, please accept this letter as demonstration of our support for the Hamlet of Greigsville Safety Improvements Project in the Town of York. The design and construction activities completed through this project will greatly enhance the pedestrian environment of the Hamlet, introducing sidewalks, crosswalks, and other accommodations where none currently exist.

The Town of Leicester is part of the York Central School District, therefore ensuring the safety of the students and staff is of utmost importance. The York Central School District is the largest trip generator in Greigsville. The school also serves as the primary community facility and is utilized not only for education during the typical school year, but also for evening events year-round and in the summer months for sports, meetings, summer school, recreation, training courses, and other community events.

The project will be transformative to the community, including the York Central School District. It is our understanding that NYSDOT Transportation Alternatives Program funding is critical to the completion of the project scope, and we highly recommended your full consideration of the Town of York's proposal.

We thank you for taking the time to consider the Town's application and considering this letter of support.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Fanaro".

Abstract of Claims for Prepays \$95,735.94:

A Motion was made to approve the Pre-Paid Abstract of Claims by Councilmember Jason Yasso and Seconded by Councilmember Karen Roffe.

Motion carried. Ayes 5, Noes 0.

Supervisors Subjects: Village Check payment for Water to Village signed at meeting. Town Clerk will deliver to Village Clerk and receive receipt.

Highway Superintendent, Russell Page spoke about the Torture Tree maintenance and that the tree has been cabled in the past. He has been instructed to investigate the resources. For the History of the Tree and advice from Ken Estis, a Tree Arborist. Supervisor Fanaro shared there might be ARPA funds that can be used for this cost, Councilmember Jason Yasso would like to know cost of services. Russell Page has also reached out to Terry Tree Service and John Hanson Tree Service.

Adjournment: A Motion was made by Councilmember Jason Yasso and Seconded by Councilmember Karen Roffe at 6:21pm.

Motion carried. Ayes 4, Noes 0.

Respectfully Submitted by
Amy Neumann, Town Clerk

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