

TOWN OF LEICESTER
REGULAR BOARD MEETING
PUBLIC HEARINGS
TUESDAY, AUGUST 20, 2019
7:00 P.M.

The Regular Meeting of the Leicester Town Board was held on Tuesday, August 20, 2019 at 7:00 p.m. at Leicester Town Hall. The Pledge to the Flag was led by Supervisor Fanaro.

Present: David Fanaro, Town Supervisor; Karen Roffe, Matt Durbin, Gerald Hull, Joni Santucci, Council Members; Russell Page, Highway Superintendent; James Campbell, Town Attorney; Amy Neumann, Town Clerk.

Others: Carol Griffen, and Paul Griffen.

Opening of Public Hearing for Proposed Local Law # 3 of 2019 Establishing Temporary Land Use Moratorium Prohibiting Large Scale Battery Energy Storage System Installation within the Town of Leicester at 7:01 p.m.: Public Notice was read by Town Attorney, James Campbell.

Opening of Public Hearing for Proposed Local Law # 4 of 2019 to Amend the Boundaries of a Certain Portion of the Industrial Use District and to Change a Portion of Such Area by Extending the Boundaries of the Agricultural Use District of the Town of Leicester, Livingston County, New York at 7:02 p.m.: Public Notice was read by Town Attorney, James Campbell.

Supervisor Fanaro, asked if there are any comments. Town Attorney, James Campbell stated that in the Proposed Local Law the area defined for the rezoning from Industrial to Agricultural Use has a tax identified number. Supervisor Fanaro, asked if there were any other questions or comments from the Board. There were none. Supervisor Fanaro will keep the Public Hearings open for one half hour.

Minutes: A motion was made to adopt minutes from June 18, 2019, Regular Board Meeting, July 9, 2019, Work Meeting, and July 16, 2019, Regular Board Meeting by Karen Roffe, and Seconded by Matt Durbin. Motion carried. Ayes 5, Noes 0.

Financial Reports: A Motion was made to accept the Financial Reports by Joni Santucci, and Seconded by Gerald Hull. Motion carried. Ayes 5, Noes 0.

HIGHWAY SUPT. REPORT
AUGUST 2019

- Hauled in the balance of surface treating stone need for chip sealing the roads.
- The ½ Ton Chevy Pickup is ordered and due in mid to late September.

- Helped the T/O Mt. Morris shim blacktop on various roads.
- Prepared and chip sealed Brian Rd. from Dunkley to Bush Rd., each end of Starr Rd., Perry Rd. From Rte. 36 to River Rd., Brown Rd., and Caledonia Rd. from Peoria Rd. to the York line with Suite-Kote.
- Prepared and chip sealed the throw fair of the Town barn property, the macadam of the Cemetery, Dunkley Rd., Bush Rd. and Cone Rd. between Coverdale Rd. and Bush Road with Midland Asphalt.
- Made a pass around town mowing roadsides.
- Helped the County Hwy. Dept. apply shoulders on Rock Springs Rd. in West Sparta.
- Set up and took down the tables and chairs for the York/Leicester Seniors at Starr Park for their Annual Chicken BBQ Fundraiser.
- Cleaned up some loose stone on Dunkley Road.
- Helped the T/O York shim blacktop on Cowan Road and back up the shoulders with gravel.
- In the process of changing cross pipes on New Rd. between Covington Rd. and the Perry line.
- Helped the T/O Nunda haul stone to Fox Hill Road.
- Helped the T/O Mt. Morris haul add stone to Ridge Rd. for grinding project.

“WATER BUSINESS”

- Installed a water meter pit at 5203 South Street.
- Repaired a water main break Main St. @ North St. for the Village.

Highway Superintendent, Russell Page discussed Board of Supervisors for County approved the Rock Salt bid \$42.00 a ton.

Town Attorney, James Campbell:

Resolution to accept Map Plan and Report in regards to the Formation of Route 36 Water District and Construction of Water Facilities. A Motion was made to accept the Map Plan and Report by Matt Durbin, and Seconded by Joni Santucci.

Vote of the Board

Karen Roffe -Aye

Matt Durbin -Aye

Gerald Hull -Aye

Joni Santucci -Aye

David Fanaro -Aye

Motion Carried. Ayes 5, Noes 0.

Resolution and Order calling for a Public Hearing to be held on September 17, 2019 at 7:00 p.m. with regard to the Establishment of the Route 36 Water District. A Motion was made to accept by Karen Roffe, and Seconded by Matt Durbin.

Vote of the Board
Karen Roffe - Aye
Matt Durbin -Aye
Gerald Hull- Aye
Joni Santucci-Aye
David Fanaro -Aye
Motion Carried. Ayes 5, Noes 0.

Town Attorney, James Campbell explained the next steps in the process and timeline to the Board and residents for the formation of the Route 36 Water District.

Proposed Draft Local Solar Law: Attorney, James Campbell presented the Proposed Draft Local Solar Law to the Town Board and residents on behalf of the Solar Committee. Attorney Campbell reviewed the revisions that were made by the Solar Committee.

Resolution in regard to the Proposed Draft Local Solar Law: A Motion was made to authorize Attorney, James Campbell to make a referral of the Proposed Draft Local Solar Law to the County Planning Board for its review as well as set the Public Hearing for September 17, 2019 made by Matt Durbin, and Seconded by Joni Santucci.

Vote of the Board
Karen Roffe -Aye
Matt Durbin -Aye
Gerald Hull -Aye
Vote of the Board continued
Joni Santucci -Aye
David Fanaro -Aye
Motion carried. Ayes 5, Noes 0.

Supervisor Fanaro asked if there were any more comments on the two Public Hearings that are currently open. The Moratoria and the Rezoning. No comments and or questions. Supervisor Fanaro declared the Public Hearings Closed at 7:44 p.m.

The Moratoria is a Type 2 Action. A Motion to approve the Moratorium Prohibiting Large Scale Battery Energy Storage was made by Karen Roffe, and Seconded by Gerald Hull.
Motion carried. Ayes 5, Noes 0.

Attorney Campbell informed the Town Board that the County Planning Board on Battery Storage Moratorium recommended approval. A Letter was received from the County Planning Board on the referral for the Rezoning and they recommended approval with the following advisory comments, Boyd and Parker Town Park is identified on the National Register of Historic Places, which is adjacent to the proposed rezoning. Any proposal for development on the property should be prepared to consider this culturally sensitive area.

SEQR: Rezoning which changes the district boundaries and changes the zoning map and as a result of this it is an unlisted action. It affects slightly less than 25 acres. No need to do a coordinated review with anyone else.

Part One of SEQR: This has been prepared by Attorney Campbell and will be part of the Record.

Part Two of SEQR:

#1 No	#10 No
#2 No	#11 No
#3 No	#12 No
#4 No	#13 No
#5 No	#14 No
#6 No	#15 No
#7 No	#16 No
#8 No	#17 No
#9 No	#18 No

Resolution to adopt the answers on Part 2 of the SEQR. A Motion was made to adopt the answers on Part 2 as the formal findings was made by Matt Durbin, and Seconded by Karen Roffe.

Motion carried. Ayes 5, Noes 0.

Resolution to Adopt and Issue a Negative Declaration. A Motion was made to Adopt and Issue a Negative Declaration was made by Karen Roffe, and Seconded by Joni Santucci.

Motion carried. Ayes 5, Noes 0.

Resolution to authorize the Supervisor to sign SEQR documents. A Motion was made to authorize Supervisor Fanaro to sign the SEQR documents made by Joni Santucci, Seconded by Gerald Hull.

Motion carried. Ayes 5, Noes 0.

SEQR was presented to Town Clerk for the file. This is an unlisted action and does not need to be filed with the environmental notice bulletin.

A Motion was made to adopt the Proposed # 4 of 2019 Local Law Amending the Boundaries of a Certain Portion of the Industrial Use District and to Change a Portion of Such Area by Extending the Boundaries of Agricultural Use District of the Town of Leicester, Livingston County, New York was made by Matt Durbin, and Seconded by Karen Roffe. Motion carried. Ayes 5, Noes 0.

Old Business:

Town Code: Attorney Campbell, is encouraging the Board to take action to move forward and advance the New Zoning Code. Discussion with Supervisor Fanaro and Town Board agrees to go through pages 1 through 30 for review at next Work meeting.

New Business:

Appointment of Town Assessor Gregg Torrey for a 6 year term. October 1, 2019 to September 30, 2025.

A Motion was made to appoint Gregg Torrey as Town of Leicester Assessor for a 6 year term was made by Gerald Hull, and Seconded by Matt Durbin. Motion carried. Ayes 5, Noes 0.

NY CLASS: Supervisor Fanaro discussed wanting Attorney Campbell to look into our NY CLASS. Supervisor Fanaro would like to table this just a little longer. Supervisor Fanaro stated we can make a decision at the Board meeting.

Part Time Snow Plow Discussion: Supervisor Fanaro and Highway Superintendent Page will set up interviews. Pay will be based on experience. Hoping to have something to present at the Regular Board Meeting.

Communications: Town Clerk Neumann, read the Acceptance Letter from USDA and Funding.

Audit Bills: A Motion was made by Joni Santucci, and Seconded by Gerald Hull to pay the following bills as audited:

General Fund A	Claim #	\$ 14,452.89
General Fund B	Claim #	\$ 24.21
Highway DA	Claim #	\$ 3,507.83
Highway DB	Claim #	\$ 144,348.72
Street Lighting 1	Claim #	\$ 154.22
Street Lighting 2	Claim #	\$ 268.00
OLCWD	Claim #	\$ 5,260.41
Total		\$ 168,016.28

Motion carried. Ayes 5, Noes 0.

Supervisor Fanaro asked if there was anything more to come before the Board. Paul Griffen wanted to Thank the Highway Department for the help setting up the Senior Chicken BBQ tables.

Adjournment: A Motion was made by Karen Roffe, and Seconded by Joni Santucci to adjourn the meeting at 8:51 p.m. Motion carried. Ayes 5, Noes 0.

Respectfully Submitted by,
Amy Neumann, Town Clerk