

**TOWN OF LEICESTER**  
**REGULAR BOARD MEETING**  
**TUESDAY, MAY 16, 2023, AT 7:00 P.M.**

The Regular/Public Hearing Meeting of the Leicester Town Board was held on Tuesday, May 16, 2023, at 7:00 p.m. at the Leicester Town Hall.

**Present:** David Fanaro, Supervisor; Jason Yasso, Matthew Durbin, Karen Roffe, Gerald Hull, Councilmembers; Russell Page, Highway Superintendent; Sean Sullivan, Code Enforcement Officer; James Campbell, Town Attorney; Amy Neumann, Town Clerk.

**Others:** Dan Christiano, Rich Neumann, Rob Semmell, Lisa Semmell, Renee Fanaro, James Kane, Rich White, and John Yasso, and one person unable to read signature.

**Minutes:** March 21, 2023, April 11, 2023, April 18, 2023: A Motion was made to approve meeting minutes by Councilmember, Jason Yasso, and Seconded by Councilmember, Gerald Hull. Motion carried. Ayes 5, Noes 0.

**Highway Report:**

**HIGHWAY SUPT. REPORT**

**MAY 2023**

- Equipment service and repair includes finished taking the snow and ice removal equipment off the trucks, preparing the tractor and mowers for roadside mowing and to start honing the dirt roads.
- Purchased and placed the last two parking bumpers for the parking lot behind the Town Hall.
- Filled the potholes at the cemetery.
- Hauling in some #2CR stone to replenish the stockpile.
- Repaired the hole in the wall at the Town Hall where the air conditioning unit was. (Will follow up with some painting inside).
- Made a pass around the Town locating and cleaning tile and weep outlets.
- Cleaned the ditches on Kingston Road.
- Hauling in gravel to use on the dirt roads.

**“WATER BUSINESS”**

- Routine daily/monthly water check and testing.
- Topsoiled and seeded the sights of the frost-free water meter pits installed last fall.
- Had a water committee meeting on April 24<sup>th</sup> and another on May 15<sup>th</sup>.
- Replaced the rod in the fire hydrant on High Street that was leaking.

- Tied the dead end of the Caledonia water main into the water system so the water is circulating.
- Guys attended a water class put on by the Livingston County Health Dept.
- Found and exposed a water service curb box at 2965 Chestnut Street.
- Replaced the water pipe on the water tank that feeds the water irrigation unit.
- Water services, valves & water main documenting and mapping paperwork being filed for records.
- Replaced the curb box at Ron Beardsley's, 2750 Cuylerville Road.

**Highway Superintendents Subjects:** List of proposed Road Projects, State budget has not passed yet, and Brine person retired.

### **Code Enforcement Report:**

Code Enforcement Report 3/22/2023 – 4/18/2023

#### Pendergast lot line adjustment request and variance hearing.

The Pendergast variance hearing has been scheduled for May 8<sup>th</sup> at 6pm. I spoke to Dean and informed him about the time and date for the hearing. After speaking and emailing at length with Heather Ferrero I have determined that this request for a lot line adjustment does not require County Planning board approval. A statement will be read into the record that at our hearing that this request for the lot line adjustment falls under #4 in the towns agreement with the county and is exempt from county planning board review (per Heather Ferrero)

I spoke with the Livingston County Health Department regarding the need to ensure that the septic system will not be closer than 10' from the new lot line. This appears to be the case. Also, if the septic has to be replaced at some future time there is ample room on the adjusted property to install a compliant septic system.

#### Inspections

Andy Cutting's new home construction is located at 2702 Peoria Road. 1. Foundation inspection. (Passed), Framing inspection. (Failed) pending corrections, roofing inspection. (Passed)

Salvator DioGuardi's addition to an existing structure located at 1 Junk Lane, Cuylerville. I met with Salvator informing him of what is needed for a building permit for the construction of an addition to an existing structure. He returned with a set of plans approved by a New York State Licensed Design Professional and various other documents needed. I have inspected: Footing and basement walls prior to backfill, (Passed), Framing. (Passed), Roofing (Passed).

Issued a permit for a rooftop solar installation located at 4890 York Road. The installation will be completed by CIR Electrical Construction Corporation located on Grand Island, New York.

Town Attorney, James Campbell spoke to the Town Board about the several problem properties in the Town and explained to the Town Board the different avenues that may be taken and the outcomes that could happen. James Campbell suggests issuing appearance tickets.

Supervisor Fanaro asked the Town Board how they would like to proceed with these problem properties in the Town of Leicester. Councilmember Jason Yasso, Councilmember Karen Roffe, agrees with appearance tickets and Councilmember Matthew Durbin as well.

## Leicester Fire Department Report:

Village board meeting 5/15/2023  
Meeting 5/16/2023

## Leicester Fire Dept. Report

Town Board

### 1. Activities

Number of calls in the past month (April 17 – May 15) \_4\_ calls.

- 1) 4-21-23 Mutual aid to Perry Center for a house fire on Simmons Road
- 2) 4-22-23 Shed fire @ 5364 Upper Mt. Morris Road
- 3) 4-24-23 Smell of something Burning @ 7 Argenna Park
- 4) 5-06-23 Mutual aid to York for a house fire on Tuttle Road

May monthly training – Pump operation and drafting

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### 2. TRUCKS:

#### 2017 Pumper Truck 135 – OK

3-20-23 Service truck came to Firehall to replace primer motor and “T” handle control for the primer. Replace 2 gauges on pump panel

#### 2006 Pumper Truck 134 - OK

10-22-22 Bob Floyd came and installed new Battery charger.

#### 2006 Mini Pumper 133 - Ok

5-01-23 Took truck to Gorman’s for new part installed for Pump to operate

5-08-23 Took truck to Diesel Shop for Engine service ( no power) and Oil change / filters maintenance

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### 3. Fire hall:

1. Back Roof needs to have repairs - Leaks - Contractor to provide a quote – on Hold
2. Backup Generator?? – Wait Till Fire and EMS study is completed

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### 4. Equipment

- A) Need to order 2 more sets of gear for next budget year 2023-24. 7-9 months delivery time – Estm. \$5500.00
- B) Ordered equipment for the Forestry Grant (\$3000) \$1500 / \$1500 match

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### 5. Other items

- A) Application for 2022 FEMA grant is submitted. Total \$190,884 for 16 air packs and spare cylinders
- B) Subcommittee for Fire and EMS consolidation- on Tuesday 4-4-23 met with reps from DOS  
DOS has to get grant final approval. Study can start after that.
- C) Local Gov Efficiency - Fire and EMS study grant approved for \$19,500 at Feb. meetings Town and Village. Total for the study is \$39,000.00

Supervisor Fanaro asked if there were any questions, but there were none.

## Cuylerville Fire Department Reports & contract:

Monthly report Cuylerville fire dept

Sent from [Mail](#) for Windows.

Date	type	members
5-13	fill in York	4
5-15	grass fire	7
5-20	mvc	9

5-22	controlled burn 1	
5-22	fire alarm	4
5-23	controlled burn 1	
5-24	grass fire	4
5-24	controlled burn 1	
5-27	controlled burn 1	
5-28	controlled burn 1	

Total fire calls for May 2023 10 calls

Total Ems calls for May 2023 23 calls.

Total calls for the year to date 132 calls

From frank Radesi Cuylerville fire dept

Additional items that need to be done

3- sets of gear	\$10,000.00
Replace fire hose	\$4000.00
Repair and paint truck bay floors	\$2000.00
Paint outside of truck bays	\$500.00
Replace outside lighting with led lights	\$1000.00
Insulate ceiling in truck bays	\$1500.00
New rear dump for tanker	\$7000.00

Total	\$26,000.00
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We had 11 fire calls for April and 17 Ems calls.

The supervisor asked if there were any questions and there were none. They tabled any questions about reports and things needing to be done till the next work meeting.

**Old Business:** None Highway Superintendent asked if the lanes have been reviewed and they have not. Also, Highway Superintendent Russ Page has been asked to keep track of the Water Labor bills that are on hold to be paid and have not been and total so far is \$15,597.00.

**New Business:**

**Resolution Establishing and Requiring Building Permit Fee for Large scale solar energy systems for \$5,000.00:**

**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 16<sup>th</sup> day of May 2023.

**WHEREAS**, the Town of Leicester (hereafter “Town”) has certain zoning regulations that permit the development of large-scale solar energy systems within the Town; and

**WHEREAS** the Town anticipates that large-scale solar energy systems will be developed within the jurisdictional boundaries of the Town in the near future; and

**WHEREAS**, and the Town Board deems it necessary and in the best interest of the residents of the Town to establish a Building Permit fee specifically for large-scale solar energy systems within the Town; and

**WHEREAS** the purpose of such Building Permit fee for large-scale solar is intended to off-set all administrative costs of the Town associated with such projects, which are anticipated to have a life expectancy of greater than thirty (30) years. Such administrative costs may include, but are not limited to, annual or more frequent inspections of the project infrastructure and site, review of performance data, review of and ensuring proper renewal of annual bonding and other forms of surety (including any annual escalations of coverage amount for inflation) related to decommissioning obligations, review of and ensuring proper renewal of any Payment In Lieu of Tax agreement and any necessary enforcement required to ensure compliance with all approvals granted and ongoing code compliance obligations; and

**WHEREAS**, the Town has determined that a Building Permit fee for large-scale solar energy systems shall be established at the rate of Five Thousand Dollars (\$5,000.000) per megawatt AC (or pro rata portion thereof) of intended nameplate capacity, as established in any approvals granted for a project.

**NOW, THEREFORE**, upon motion by Councilperson Karen Roffe, seconded by Councilperson Matthew Durbin, it is hereby:

**RESOLVED**, that effective with the date of adoption of this Resolution, the Town of Leicester does hereby establish and require a Building Permit fee for large-scale solar energy systems within the Town and such fee shall be Five Thousand Dollars (\$5,000.000) per megawatt AC (or pro rata portion thereof) of intended nameplate capacity, as established in any approvals granted for a project (hereafter “Solar Project Building Permit Fee”); and be it further

**RESOLVED**, that all Solar Project Building Permit Fees shall be paid fully to the Town as a condition precedent to issuance of a Building Permit for a solar energy system project; and be it further.

**RESOLVED**, that the Town’s fee schedule is hereby amended to include the Solar Project Building Permit Fee established hereby and such Solar Project Building Permit fee may be modified from time to time by the Town Board of the Town of Leicester by resolution modifying the Town’s fee schedule.

DATED: May 16, 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

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Amy Neumann - Town Clerk

**Share evening and youth board information:** Renee Fanaro updated the public and Town Board regarding the Teen Recognition gathering. 3 Local Teens were recognized from Leicester. Morgan Hanna Nathan Nearhood Abigail Reed. It was a nice evening and interaction.

**Tarpon Tower request:** Tarpon has asked if the Town would exempt the tower from the typical zoning review process (site plan) that is conducted for similar projects on private property. Because the project will be built on municipally owned property, the Town could waive or exempt the project from such review processes. Most municipalities will waive such review processes for towers or facilities built on municipal property, so long as the tower is not excessive regarding height. This avoids the time delay and costs associated with the review process.

**Village request for town participation with Veterans Monument:** Supervisor Fanaro stated he has met with Village Mayor Briffa, and they would like to share the expense of the upkeep of the monument in the Village Park with the Town of Leicester. One Hour Laborer. Split in half with the Village.

**Financial Reports:** A Motion to accept the Town Clerk Report and Monthly Receipt Sheet Reports was made by Councilmember Jason Yasso and Seconded by Councilmember Matthew Durbin. Motion carried. Ayes 5, Noes 0.

**Audit Abstract of Claims:** A Motion was made to audit the bills and pay bills by Councilmember Karen Roffe and Seconded by Councilmember Jason Yasso.

ARPA	\$ 0.00
Prepaid	\$ 4,608.86
Regular	\$ 11,409.58
Total	\$ 16,018.44

Motion carried. Ayes 5, Noes 0.

Town Clerk/Comptroller Signature  
Amy L. Neumann

**Executive Session:**

Supervisor Fanaro asked for an Executive Session regarding Acquisition to Sell at 8:02 pm with Just Town Board. Everyone was excused except the Town Board and Supervisor and Attorney, James Campbell.

**Regular Session:** 9:19pm

**Adjournment:** A Motion was made to adjourn the meeting at 9:20 p.m. by Councilmember Karen Roffe, and Seconded by Councilmember, Gerald Hull. Motion carried. Ayes 5, Noes 0.

Respectfully Submitted,  
Amy Neumann, Town Clerk