**Town of Burns Regular Meeting**

**May 10th, 2023**

**Persons Present:** Supervisor Dianne Freiner, Councilman Richard Butler, Councilman William Mammosser, Councilman Daniel Duthoy, Councilman Jeramie Hurlbut, Clerk Stephanie Miller, Highway Superintendent Glenn Odell, CEO Samantha Testani, DCO John Owens, Attorney Dwight Kanyuck, Solar Coordinator Shawn Grasby, Tina France, Joe Miller, Staci Derrenbacher

**Call to Order & Pledge to the Flag: 7:00pm**

**Resolution on the four decommissioning agreements and approval for Supervisor to sign.**

Attorney Dwight Kanyuck explained the changes in the four agreements: there will be 18 megawatts per panel instead of 25; the estimate has been revised; the footprint shrank 4-5 acres per megawatt; if not operating in 12 months the Town can step in and will be provided funding through bonds set up by NSF in the amount of $608,000.

**Motion: Councilman Duthoy Second: Councilman Mammosser**

**Aye: Councilman Hurlbut Aye: Councilman Butler Carried**

**Resolution to adopt the Norbut Solar Farm host agreements for four sites and for Supervisor to sign.**

Attorney Dwight Kanyuck outlined the project agreements: Allegany County strives for the Town to get 50% of profits through the agreements. The Town will receive $2200/megawatt and $2500 on Pilot, averaging $45,000-$47,000/year. These figures are based on capacity not production. Councilman Duthoy questioned if Norbut leases the land to another company as they have on other projects what happens to these agreements; Dwight stated whatever company is running the facility must stay within these guidelines to operate.

**Motion: Councilman Mammosser Second: Councilman Butler**

**Aye: Councilman Hurlbut Aye: Councilman Duthoy Carried**

**Resolution to designate the Codes Enforcement Officer as the Flood Control Administrator**

The DEC contacted the Town advising them to update the Local Law from 1992 designating the CEO as the FCA going forward.

**Motion: Councilman Duthoy Second: Councilman Hurlbut**

**Aye: Councilman Butler Aye: Councilman Mammosser Carried**

**Adoption of Minutes of April 12th, 2023, Meeting:**

**Motion: Councilman Butler Second: Councilman Duthoy**

**Aye: Councilman Mammosser Aye: Councilman Hurlbut Carried**

**Audit Bills:**

**Account Vouchers Amounts**

|  |  |  |
| --- | --- | --- |
| **General Fund** | **65-76** | **$9,831.61** |
| **Highway Fund** | **55-68** | **$15,520.26** |

**Motion: Councilman Hurlbut Second: Councilman Butler**

**Aye: Councilman Duthoy Aye: Councilman Mammosser Carried**

**CEO Samantha Testani:** Quiet month, no new permits just wrapping up current ones. No updates on the cell tower.

**Highway Glenn Odell:** All potholes filled, took 5 tons of cold patch. Pipe installed at Peters Rd and Freiner Hill. There is a truck coming to auction, would like Board approval on maximum bid, will sell the International if this is purchased. *After some discussion the Board approved $45,000.* The doghouse must go, according to the Insurance Representative that inspected the building yesterday. North Hill is the next project, received 2 estimates from Dolomite: 1st is just repair and shim $86,118; 2nd is complete job with blacktop $109,968. Councilman Duthoy explained the process to the Board, stating the road needs to be cut down 18 inches before they repair it for it to last longer than a couple of years. The Board agreed to have Glenn get an estimate on how much more this would cost and discuss it next month.

**DCO John Owens:** April 20th had a call for a lost female Beagle with 3 pups. 3 days later someone else located the dogs. Spoke with Dwight about an incident last year that involved a hostile individual, looking for advice on carrying his firearm. Dwight explained the Town Insurance covers civil liability; he would not be the lawyer to handle such a case. *The Board advised John not to carry his gun on his person, but to instead walk away from the situation and contact the police.*

**Monthly Financial Statement:**

**Accounts Receipts Disbursements**

|  |  |  |
| --- | --- | --- |
| **General Fund Townwide** | **$3,145.80** | **$21,989.39** |
| **General Fund Outside Village** | **$39.78** | **$1,445.34** |
| **Highway Fund Townwide** | **$954.72** | **$22,186.69** |
| **Highway Fund Outside Village** | **$334.03** | **$12,733.61** |
| **Intervenor** |  | **$14,105.00** |

**Old Business:** Drazen from EDF said ORES is issuing the permit within the nest week. EDF has distributed money to various organizations in town including the library, cemetery, Garwoods Church, and the Legion. Councilman Mammosser priced key lock boxes at Lowes, the Board approved him spending $25 on one. Justice Gordon wrote an ATV Law for the Town and presented it to Supervisor Freiner, after some discussion the Board decided to law was unnecessary.

**New Business:** A Public Hearing will be held on May 25th at 7pm at the Town Hall by the County for the purpose of the NSF Pilot Agreement.

**Adjournment: 8:26pm**

**Motion: Councilman Duthoy Second: Councilman Mammosser**

**Aye: Councilman Hurlbut Aye: Councilman Butler Carried**