

Town of Burns
Regular Meeting
July 13, 2022

Persons Present: Supervisor Dianne Freiner, Councilman Richard Butler, Councilman Daniel Duthoy, Councilman Jeramie Hurlbut, Councilman William Mammosser, Clerk Stephanie Miller, Highway Superintendent Glenn Odell, DCO John Owens, CEO Samantha Testani, Attorney Dwight Kanyuck, Solar Coordinator Shawn Grasby, Dustin Gordon, Staci Derrenbacher, Kimberle Duthoy, James Neary, Marie Hoffman, Maxine D., Leath DeRitter, Tom Hoffman, Karla Orgek, and Representatives from Norbut Solar: Scott Winner, Victor Ciaccia, and David Norbut

Call to Order: 7:00pm

Pledge to the Flag

Norbut Solar: Project will be located at 1132 State Rte 70, tying into the Moraine substation across the road. 130 Acres, 540 Watt bifacial panel-single axis that follows the sun. No battery storage. Seeking some changes from current town law: height restrictions from 15ft to 16ft, and 200ft setback from residential. Questions from the board:

Councilman Hurlbut: Control Glare?

Norbut: Glare will be minimal, a study is being conducted for the board report.

Councilman Duthoy: Any environmental studies?

Norbut: These have already been done, it is a requirement for SEQR.

Councilman Duthoy: Do trackers make noise? Run off electric?

Norbut: No they do not. Yes powered by electricity.

Councilman Mammosser: Are the panels AC or DC?

Norbut: Will find out.

Councilman Duthoy: Can you see panels from other locations such as Freiner Hill, N Church St, etc?

Norbut: Yes but it will not overpower the view. If there are specific locations the board has in mind to look into instead they can.

Councilman Hurlbut: Do they go over or around conversion ditches?

Norbut: The construction drawings will have those details, they try to go with the topography of the land. The current drawings are preliminary.

Attorney Dwight Kanyuck: The application has been submitted, the board needs to review SEQR, local law, and special requests. Type 1 SEQR submitted-Town, DEC, DOT, and Engineers have jurisdiction over the project. Dwight drafted a resolution for the board to approve to send out a notice to the other agencies involved so the town can become the lead agency. Councilman Butler asked if the panels could be altered so that the law would not need to be changed. Norbut stated it would be difficult to change the brackets the panels go in.

A motion was made to accept the Resolution drafted by Attorney Dwight Kanyuck.

Motion: Councilman Butler Second: Councilman Mammosser

Aye: Councilman Hurlbut Aye: Councilman Duthoy

Carried

Adoption of Minutes from June 8th:

Motion: Councilman Duthoy Second: Councilman Hurlbut

Aye: Councilman Butler Recuse: Concilman Mammosser

Carried

Audit Bills:

Abstract	Vouchers	Amounts
General	78-90	\$11,793.35
Highway	70-84	\$35,195.66
Fire	25-29	\$22,049.22
NY Main St	6	\$573.75
Intervenor	1	\$9,095.00

Motion: Councilman Mammosser Second: Councilman Duthoy

Aye: Councilman Hurlbut Aye: Councilman Butler

Carried

CEO Samantha Testani: Burns trailer is progressing-waiting on certification of manufactured home. Addressed complaint by individual. Asked the board for a tablet and data to access code manuals only available online. Councilman Butler wants more information on data cost-Supervisor Freiner will look into Verizon, Armstrong, and Southern Tier Wireless.

Highway Superintendent Glenn Odell: August 10th Sikes and Peters roads will be oil and stoned. Intersections at Sikes and Tildon Hill are being blacktopped, funded through pave NY. Fuel tank crossover will be repaired by the county. Tom Hoffman asked if Sikes road could have a posted speed limit. Glenn will look into it.

DCO John Owens: June 11th 2 dogs on 961F were taken to the Humane Society, and were there 5 days. July 6th North St a husky was loose without tags, police were called, and a ticket was given for a court appearance. There is a new procedure for complaints for court, he requested forms from the State Police. July 9th County Rte 13c dog was caught and returned to owner. July 12th North St no complaint filed.

Motion was made to extend the Humane Society Contract:

Motion: Councilman Mammosser Second: Councilman Hurlbut

Aye: Councilman Butler Aye: Councilman Duthoy

Supervisor Report:

Accounts	Receipts	Disbursements
General Townwide	\$410.72	\$40,392.27
General Outside	\$100.04	\$2,824.38
Highway Townwide	\$4.18	\$8,845.81
Highway Outside	\$1.15 (Grant \$9,095.00)	\$10,643.10
Fire		\$14,678.76

NY Main St		\$892.50
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Clerk Report-Stephanie Miller: 1 building permit, 21 death certificates, 1 dog license totaling \$389.32. \$3 went to the state, check written to Supervisor for \$386.32

Approve Brittany Driesbach to be paid bi-weekly rather than monthly:

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

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

Equipment purchase vote for new DelMorino mower, old mowers to be put in paper for sealed bids:

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

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

Approve expenditure to repair pickup truck: Maple City Dodge \$1,306; Smiths Collision \$1,181

Maple City Dodge approved

Motion: Councilman Hurlbut **Second:** Councilman Mammosser

Aye: Councilman Duthoy **Aye:** Councilman Butler **Carried**

Communications: Shawn Grasby, Samantha Testani, James George, Dwight Kanyuck, NYSEG regional management, Post Office Officials, Vicky Johnson from insurance, and Steve Mullen regarding truck accident from 2 years ago: Vicky gave a list of 3 accidents with the 2021 pickup and 3 accidents with the 2019 pickup.

New Business: NYSEG regional manager will have an informational training for the board at August meeting at 6pm. There will be a Q&A for the board and public on how they work with Solar. BBS meeting on budget for board set for August 24th at 9am. Open House and celebration for retirees set for Fall Festival weekend September 17th. Hover network proposal: Dianne and Stephanie presented the Hover agreement and benefits of using VPN phones. A motion was made to switch from Spectrum to Hover at the package price of \$217.96/month

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

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

Public Comment:

James Neary: Would like public to be able to comment when Solar company is present.

Supervisor Freiner: The public hearing is for public comments

Leath DeRitter: Cannot believe Norbut Solar has not discussed with the neighbors about the solar coming in next to them. Asked if it is cheaper to go through the SPCA rather than Humane Society. John Owens stated it is not.

Marie Hoffman: Public questions help the board get more information.

Karla Orgek: Is the so-called Dollar General going to have to go through the Town as well as the Village?

Supervisor Freiner: No-they are separate municipalities.

Executive Session: Personnel, legal 9:25pm

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

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

Executive Session ends 10:17pm

Motion: Councilman Mammosser Second: Councilman Hurlbut

Aye: Councilman Duthoy Aye: Councilman Butler

Carried

Approve Village Snow Removal and Ice Contract at \$12,000 for the 2022/2023 season

Motion: Councilman Hurlbut Second: Councilman Mammosser

Aye: Councilman Duthoy Aye: Councilman Butler

Carried

Adjournment: 10:20pm

Motion: Councilman Butler Second: Councilman Mammosser

Aye: Councilman Duthoy Aye: Councilman Hurlbut

Carried