

**Town of Burns**  
**Public Informational Meeting/Regular Meeting**  
**August 10, 2022**

**Persons Present:** Supervisor Dianne Freiner, Councilman Richard Butler, Councilman Daniel Duthoy, Councilman Jeramie Hurlbut, Councilman William Mammosser (arrived late, 7:16pm), Clerk Stephanie Miller, Highway Superintendent Glenn Odell, CEO Samantha Testani, DCO John Owens, Historian Holley Spencer, Attorney Dwight Kanyuck, NYSEG Regional Manager Brian Spoth, Shawn Grasby, Scott Winter (Norbut Solar), Steve (Norbut), Jeff Wilson (TY LIN), Steve McLott (Fisher Associates), Fran Hoffman, Tom Hoffman, Jim Neary, Marie Hoffman, Leath DeRitter, Staci Derrenbacher, Kym Duthoy, Jim Freiner, Darlene Clancy, Dustin Gordon

**Public Informational Meeting: 6:00pm presentation from NYSEG with Brian Spoth**

Brian Spoth began the meeting by explaining the process NYSEG uses when beginning a Solar project:

The Developers come to NYSEG with a potential location. A project is generally 5mw, a conception is made and submitted. NYSEG provides feedback to the company with a cost estimate, detailed engineering plan on how to update infrastructure. Once NYSEG receives payment they begin to move forward. They look into reconducting, regulations on the distribution system, and equipment costs. The substation is checked for reverse power flow, sometimes transformers have to be changed. Criteria: Commissioning- inverters are required to go offline when NYSEG's system does, this is tested, as well as when they come back online, systems must be synced with NYSEG's within 2-5 minutes. NYSEG makes sure the power quality is sound with no fluctuations and power harmonics within acceptable range. They will be taken offline until problems are corrected.

**Public Questions/Comments:**

Supervisor Freiner: At a previous hearing some experienced power outages and thought the Brightfield Solar caused them, and appliances to be damaged as a result.

Brian: There were recent power surges, and one was caused by the developer. They had equipment fail, and NYSEG equipment that was supposed to sense that did not function correctly. The equipment has been programmed correctly now so this should not happen again. A separate outage was due to a Recloser failure -a NYSEG problem.

Supervisor Freiner: Comments have been made that the Grid cannot handle the Solar.

Brian: This is part of the detailed engineering; it takes about a year for the plans to be finalized.

Councilman Hurlbut: When does the plan start?

Brian: They give NYSEG a conceptual design, NYSEG then develops a cost estimate, and when that is paid it takes at least a year.

Marie Hoffman: What if we have an appliance that dies from a power surge? Is it customer responsibility or NYSEG?

Brian: It depends on what the cause was, some instances homeowners would be responsible. You can file a claim on the NYSEG website to have it investigated. If it has not been metered or captured, they will not know about it.

Fran Hoffman: Heard some transformers in Jasper Troupsberg blew out from solar.

Brain: Knows about the situation. There are 2 solar farms there, and one was turned on that was not supposed to be yet. It crested a reverse power flow.

Leath DeRitter: Hearing conflicting stories from different sources, is there a number to call to find out about failures?

Brain: There is no number to call and ask about other communities.

John Owens: Are satellite dishes affected by solar?

Brian: Does not know.

Councilman Duthoy: What is your opinion on the Solar? Who pays for the upgrades?

Brain: They do not do a whole lot for us, what they generate is more of a nuisance to NYSEG but they are obligated to take the energy. Sometimes the infrastructure has to be rebuilt, it does pose problems with the protection systems. The solar company pays for all upgrades.

Citizen: The charge on NYSEG bill, is that an incentive or reimbursement for Solar?

Brian: They are subsidized, does not know much about it.

Dwight Kanyuck: Battery Storage experience?

Brian: We have been working with Tesla.

Councilman Hurlbut: Where does all the power for this area come from now?

Brian: It comes from all over, some from Niagara (hydro). It is a very large grid.

### **Norbut Solar Q&A with Scott Winner**

John Owens: Are Satellites affected by Solar, and do Solar Flares have any effect?

Scott: Not aware of any issues with either.

Leath DeRitter: Where are you in the process of development?

Scott: Just made the initial formal submission to Shawn Grasby within the past couple weeks. Also submitted to TY LIN, Allegany County, and the Town Attorney. Next they will respond to comments. The official submission will be 2 weeks before the Public Hearing on the 14<sup>th</sup> of September.

Leath DeRitter: Will the neighbors property line be changed?

Scott: The redesign has changed the setback, the setback does not need to be changed in the law now.

Jim Neary: Who does Shawn work for?

Scott: He works for the Town, his fees are paid by us through an Escrow account.

John Owens: Will this be a 15-20 year project?

Scott: No, most panels still operate at 80% capacity 30 years later.

Marie Hoffman: What check did the Town receive?

Scott: The Escrow check.

Leath DeRitter: Do you ever spend money on a project and it doesn't work out?

Scott: Not typically, we have a good team.

Marie Hoffman: Any money set aside for the community?

Scott: Yes, sometimes it is a Host Agreement, an IDA, or a Pilot Agreement. There's a "pot" of money that gets divided between the Town, County, and School usually.

Councilman Duthoy: What happens in a few years, will you sell to EDF?

Scott: We will always own the land.

**Call to Order: 6:57pm**

**Pledge to the Flag**

Shawn Grasby: The application has been reviewed with TY LIN. We will meet with the Fire Chief to discuss. Public Hearing is set for September 14<sup>th</sup> at 6pm. Scott Winner said comments will be back within 7 days, notice goes to adjacent property owners within 500ft.

**Public Hearing Date set for September 14<sup>th</sup> 2022**

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

**Aye: Councilman Butler Absent: Councilman Mammosser**

**Carried**

**Oath of Office performed for Councilman Duthoy**

**Adoption of the Minutes of July 13<sup>th</sup>**

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

**Aye: Councilman Hurlbut Absent: Councilman Mammosser**

**Carried**

**Audit Bills**

Account	Vouchers	Amount
General	91-104	\$6,450.87
Highway	85-101	\$44,733.33
Norbut Escrow	1-2	\$4,103.37
NY Main St	7	\$425

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

**Aye: Councilman Butler Absent: Councilman Mammosser**

**Carried**

**Highway Report Superintendent Glenn Odell:** Sikes and Peters Rd will be closed tomorrow for topping. CHIPS through Pave Our Potholes will cover Sikes and Peters, a lot of time has been spent on these roads. Peters has been damaged by a 4-wheeler. All roads except seasonal have been graded. Councilman Hurlbut requested shoulders done on Tildon Hill Rd. Needs some kind of security for the fuel tank, as some was stolen.

**Historian Holley Spencer:** Had a couple of calls. One wanted information from early 1800s, most records burned in 1870 fire. The jail continues to be popular, some discussion was had with Clinton Brown of ways to fix the jail.

**Councilman Mammosser arrived at 7:16pm**

**Dog Control John Owens:** Monday came to see the judge with complaint paperwork/deposition. Tuesday July 12<sup>th</sup> dogs barking and aggressive. July 17<sup>th</sup> 2am dog barking-referred to State Troopers. July 20<sup>th</sup> dog taken to the Humane Society, it is still there. August 10<sup>th</sup> loose dog called in, was gone by the time he got there. Passed State Inspection this month. Stated Judge Trickler gave him permission to shoot dogs if he deems them a threat. He asked if the Town would give him permission to continue this practice. Supervisor Freiner mentioned setting an impoundment fee for dogs John has to take to the Humane Society, the board decided on \$125/dog.

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

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

**Carried**

**Monthly Financial Report Supervisor Freiner:** \$92,000 from Insurance will go back into the CD-worked 2 months to get it. Also receiving around \$6,000 reimbursement from the trailer rentals.

<b>Account</b>	<b>Receipts</b>	<b>Disbursements</b>
<b>General Fund Townwide</b>	<b>\$30,615.76</b>	<b>\$21,173.01</b>
<b>General Fund Outside Village</b>	<b>\$513.51</b>	<b>\$1,412.19</b>
<b>Intervenor</b>		<b>\$9,095.00</b>
<b>Highway Fund Townwide</b>	<b>\$4.09</b>	<b>\$27,036.87</b>
<b>Highway Fund Outside Village</b>	<b>\$1.11</b>	<b>\$21,204.57</b>
<b>Fire</b>		<b>\$21,209.22</b>
<b>Main St Grant</b>		<b>\$573.75</b>

**Clerk Report Stephanie Miller:** 1 Marriage License, 2 Hunting Licenses, 2 dog Licenses, 3 Miscellaneous copies. Total Revenue \$150.50-\$3.00 to NYS Ag & Markets, \$47.24 to DEC, \$22.20 to NYS Health Dept, \$77.76 to Supervisor.

**CEO Samantha Testani:** A couple Building Permits came in. She would like to send out a letter to towns people informing them of the new fee schedule. Updated Local Law with Dwight. Supervisor Freiner researched tablets, Spectrum quoted \$14/month for data, tablet is \$45.99. Samantha needs remote access, as she must login online to access the codes, there is no PDF to download. A motion was made to purchase a 24 month contract through Spectrum.

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

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

**Carried**

**Communications:** Received a compliment on the cemetery from Claudia Runge Prutsman.

**Old Business:** Budget Planning at Baldwins September 14<sup>th</sup> at 3pm, Supervisor Freiner will see if another time is available due to the Public Hearing. The Cemetery Association Meeting was well attended, two state representatives were present: Michael Katina and Cindy Craig. The state officials would prefer the association to stay active. Tina Karnes and Tina France are willing to take it over. Next meeting will be September 6<sup>th</sup> at the Town Hall.

**New Business:** Develop a resolution for public notification of meetings. In addition to the newspaper and the website, a motion was made to establish a Town of Burns Facebook page with no public comment.

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

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

**Executive Session-personnel: 8:37pm**

**Executive Session end: 9:10pm**

**Meeting adjourned: 9:12pm**

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

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