

MINUTES  
TOWN OF WARSAW  
AUGUST 12, 2020  
PUBLIC HEARINGS  
BATTERY STORAGE AND FIRE CONTRACT

Supervisor Rebecca Ryan calls the meeting to order at 6:00 p.m. at the Warsaw Town Office located at 83 Center Street Warsaw, NY 14569 at which time and place the following were:

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Kevin Zeches
Councilwoman:	Shani Jones
Councilman:	Chris Lonneville
Councilman:	David Mateer

ALSO, PRESENT:

Town Clerk:	Cathy Smith
T. Attorney:	David DiMatteo
Hwy. Super:	Jeff Royce
Historian:	Sally Smith
Zoning Officer:	Bob Martin
George & Swede:	Frank Baumgardner
Res. & DV Advocate:	Katy Kibler
Fire Chief:	Ken Smith

Pledge of Allegiance

Town Supervisor Rebecca Ryan calls the meeting to order at 6:00 p.m.

Supervisor Ryan opens the Public Hearing for Proposed Local Law 2 of 2020 "Regulation of Battery Storage Systems" in the Town of Warsaw. Will remain open for public comment later in the meeting.

Supervisor Ryan opens the Public Hearing for the 3 Year Fire Contract with the Village of Warsaw. Will remain open for public comment later in the meeting.

Frank Baumgardner from George & Swede addressed the board regarding the Drott excavator. Parts are failing and cost more to repair. A trade in of \$10,000 was offered towards a new one that retails for \$174,000.

Highway Superintendent Jeff Royce has a quote to purchase or lease. Dave Mateer said that the options were explained very well. The town can obtain a loan from Hyundai or finance it independently.

The unit has a 3-year 3,000-hour full machine warranty. If the Town leases it, they would be responsible for only the fluids. The town could refinance it at the end of the lease or buy it outright. An additional warranty can be purchased up to 30 days prior to the lease expiring. Warranty would be for 2,500 hours annually.

A 60-month lease would cost \$2,044 monthly. Supervisor Ryan asked about delivery time. Mr. Baumgardner answered 90-120 days.

Chris Lonneville asked Jeff Royce for contracts or quotes including the warranty information. Supervisor Ryan stated that this was perfect timing as the Town is working on the budget.

Library events were reviewed. Library is open. Finishing the summer reading program. Computer use is limited to h hour and there is curbside pick-up.

A motion was made by Dave Mateer and seconded by Chris Lonneville to approve the Airport vouchers. Carried: AIF

A motion was made by Dave Mateer and seconded by Shani Jones to approve the minutes of June 10, 2020. Carried: AIF

A motion was made by Chris Lonneville and seconded by Dave Mateer to approve the Public Hearing minutes of July 15, 2020. Carried: AIF

A motion was made by Chris Lonneville and seconded by Shani Jones to approve the Monthly Budget report. Carried: AIF

A motion was made by Chris Lonneville and seconded by Shani Jones to approve the Supervisors report. Carried: AIF

Last month General voucher 108 was pulled pending more information. Director Jim Kirsch has resigned. Supervisor Ryan noted that there will be interviews for the Directors position on Monday. Jim Kirsch has a per diem position as Real Property Coordinator. Mr. Kirsch will help to get the school tax bills out. The position pays \$45 per hour and will end December 31, 2020.

Nick Grover is eligible to train the new Assessor as he is a certified trainer.

Dave Mateer added that the Wyoming County Real Property Assessor should have a no compete clause.

There are 5 towns that are with the County wide program. Chris Lonneville added that there has been a significant change in personnel. The Town was sold on Jim Kirsch and Mary Kern and would be paying for someone other than who we contracted with.

Attorney DiMatteo noted that the Assessor position is a 6-year term and the Town is due for a re-val. The municipal appointment of an assessor is provisional to fill the balance of the term.

Chris Lonneville stated that it has been 30 days since our last meeting, and we do not have a new contract. How we can entrust the new employee to fill the agreement. Supervisor Ryan said that when the new Director is hired, we can have them come in to talk to us.

A motion was made by Shani Jones and seconded by Chris Lonneville to approve payment in the amount of \$10, 126.88 to Wyoming County Real Property Tax Services for an amended amount to the General Account for a total of \$1 1 ,416.43.  
Carried: AIF

Cemetery report was given by Sally Smith. The grape vines are overtaking a tree. Jeff Royce trimmed and removed the brush. Ms. Smith believes that the stones on the edges of the driveway have been moved and or broken. Ms. Smith believes the damage is being done by cars. Ms. Smith is re-cataloguing the graves as it has not been done in 10 years

Historian report given by Sally Smith. Sally had a female visitor from Pa that was trying to locate her birth mother as she was adopted by Dr. Martin of

Warsaw, NY at her birth in 1940. With much research Sally was able to locate her grandmother. She is 99 years old and resides in Rochester. Unfortunately, her biological mother has passed.

Judge Trall and Lorish's pictures have been restored and are back at the County Historians Office. Judge Mohun would like them displayed in the courthouse.

A motion was made by Shani Jones and seconded by Dave Mateer to approve the Clerks report. Carried: AIF

Airport report was given by Dave Mateer. The new tables have arrived. Ken Moses would like to upgrade the security and fuel systems. Warsaw Highway Superintendent Jeff Royce and Perry Highway Superintendent Mike Post trimmed trees. On August 1 there was a remote-control event with 18 campers and 40 people attending. The trees on the east side of the property are on private property. A private firm would need to point out the trees that need to be cut down. New trees will be planted. There are 3 deer in the fenced in area. \$30,000 in Care Act Money. The grant is still in the works. There are lighting and security issues. Brush has been removed from the west end of the property.

Perry Supervisor Jim Brick and Becky Ryan met with a consultant regarding the grant and getting letters of support. Priority 1, it is more favorable to remove the old fuel tank and replace it for an amount of \$425,000. Priority 2 is to upgrade the card system, gates, fence repair and cameras for an amount of \$200,000. Chris Lonneville asked if the 10% would be divided between the 2 towns and was there grant money for revenue producing hangars. Supervisor Ryan added that the FAA will not give grant money for hangars, the airport needs to fix what it has.

Zoning report given by Bob Martin. Permits issued are: a new \$150,000 home on Oatka Road, a sign and a shed. There are 4 perspective new houses

Sewer update: the price from Koester has changed. Easements are within the easement area. Will let Wal-Mart know.

Town Attorney Dave DiMatteo asked if the Town planned on borrowing from itself. Supervisor Ryan said that we can but she would like to speak further with Baldwins. Attorney DiMatteo offered his services if needed.

Dunkin update: The Village wants drawings on the building. Dave Mateer noted that traffic at that intersection is already bad but will be a nightmare with the additional traffic.

Chris Lonneville inquired if Steve Perkins was still working on the grant. Becky Ryan answered that he was but things were pushed back due to Covid.

The Planning Board discussed Gebels property on Rte. 20A East. This is the home that burned. Bob Martin was told that they have a year permit to fix. The contents of the property on Rte. 20A West have taken over the driveway. Bob Martin was told that the left side belonged to the owners and the right side was for their sale. Mr. Martin feels they need to move the stuff and this is a property maintenance issue. Attorney DeMatteo disagrees.

Highway report was given by Jeff Royce. Have been busy helping other towns. Mr. Royce obtained a quote from the Village of Warsaw for a 2" water line to the shop. The quote is a year old and is for \$5,373.82. The Town will need to purchase a meter, the Village will install it and assist in getting the line behind the shop. The Highway Department has been using the Village water to clean their trucks. Bob martin asked about a tap and a shut off and where is the Village on progress.

Supervisor Ryan noted that there was a Buck Road resident that was concerned about the additional traffic and speed due to the Liberty Street repairs. Jeff Royce said that it was supposed to be a 5-week project. Ms. Ryan asked if a tempormy speed limit sign could be placed. Attorney DiMatteo stated that it can be posted but also needs to be enforced.

Supervisor Ryan read an offer from Elan City regarding solar powered speed signs. A 2-pack cost \$4,999. Attorney DiMatteo added that the best location for placement would be Blackhouse and Buck Road as they are big thoroughfares.

Mr. Royce addressed the excavator. He indicated that he did not like what was offered as a trade in and would like to keep the old unit as a backup. Dave Mateer noted that our unit is a 2002. The Town purchased it in 2005 with 1,288 hours. It now has \$4,417 hours. It seems impractical to lease.

Chris Lonneville stated that he would like to see 3 quotes and warranty details. Jeff Royce will get them for the next meeting. Shani Jones asked why would we keep the old excavator when we are paying for a new one. As previously said repairs are more expensive and parts are harder to find for older equipment. Dave Mateer noted that the Town could finance through Hyundai for 4.2% to 4.5% or go with an independent financial institute for 1.56%. To be further discussed at the September 09, 2020 meeting

Attorney DiMatteo will be meeting with Spectrum on Monday at 1:00 and invited Supervisor Ryan to attend. Spectrum claims they are going to build out Silver Springs, Oatka, Mungers Mill, Fisher, Canaway, Bauer and Burk Hill Roads. They have already built out Middlebury, Dale Road, Saltvale, 20A in Orangeville and Buffalo Road. They want 17 serviceable houses per mile.

Supervisor Ryan added that with the COVID the kids have had to do remote learning. There are many families that don't have service or good service. Telemed services aren't always available.

TABLED until the September 09, 2020 meeting is the Village Agreement

TABLED until the September 09, 2020 meeting is the Justice Audit

Supervisor Ryan opens the floor for comment for Regulating Battery Energy Storage Systems. Attorney DiMatteo adds that everyone should be aware of the changes that have been made. Pages 7,8,9,10 and 11 are for a heightened level of protection.

Supervisor Ryan asks Cathy Smith if there were any written comments. Ms. Smith answered there were none.

The SEQR was done at the last meeting. It was noted that the date had been corrected from the 11<sup>th</sup> to the 12<sup>th</sup>. Chris Lonneville motioned to close the Public Hearing, seconded by Kevin Zeches. Carried: AIF.

A motion to adopt Local Law 2 of 2020 Regulation of Energy Storage Systems was made by Dave Mateer and seconded by Chris Lonneville. Carried: AIF.  
ROLL CALL: 5 AYES - Rebecca Ryan, Kevin Zeches, Shani Jones, Chris Lonneville, Dave Mateer.

Supervisor Ryan opens the floor for comment for the Fire Agreement with the Village of Warsaw. Attorney DiMatteo stated that historically the increase has

been 2% annually. Dave Mateer added that an automatic 2% increase is arbitrary and opposes it.

Warsaw Fire Chief Ken Smith stated that equipment prices are going up. A new fire engine with nothing on it would cost \$400,000 an aerial truck would cost over a million. Mr. Smith has encouraged people to donate the amount of money they would have spent at the carnival.

A motion to close the Public Hearing for the Fire Agreement with the Village of Warsaw was made by Dave Mateer and seconded by Chris Lonneville.

A motion was made by Chris Lonneville and seconded by Shani Jones to approve the agreement with the Village. Carried: Ayes: 4, Nays: 1-Dave Mateer.

Mr. Mateer said that the 2% increase was based on historical data. Chris Lonneville stated that it can be difficult in going through an entity that does not share.

Attorney Dimatteo asked where did we stand with Calamar. Supervisor Ryan answered that she will talk to him on Monday.

Ken Smith added that there have been 550 calls for the year. The 2019 AFG grant has been extended. They were declined \$100,000 but are getting \$9,900. Looking into the reason why.

Ken Smith asked about the Dunkin plans as he has not signed off. Bob Martin answered that the site plan was approved by the Planning Board and the County approved the building. Supervisor Ryan will reach out to Don Roberts and suggest that Ken Smith do so as well.

Cheryl Volk is doing a fundraiser for the Fire Department with a goal of \$10,000

A motion was made by Dave Mateer and seconded by Shani Jones to adjourn at