

MINUTES
TOWN BOARD
May 13, 2020

The Town of Manlius Town Board live streaming from their homes, with Supervisor Edmond Theobald presiding and the following Board members present:

Karen Green, Councilor
Sara Bollinger, Councilor
Elaine Denton, Councilor
John Deer, Councilor
Heather Waters, Councilor
Katelyn M. Kriesel, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Mike Crowell, Police Chief
Doug Miller, Town Engineer
Randy Capriotti, Director of Codes
Allison A. Weber, Town Clerk
Rob Cushing, Highway Superintendent
Ann Oot, Town Manager

Introduction of Zoom Attendees: Drazen Gasic, LaBella Associates. Andrew Day, Source Renewables. Don Hoefler, LaBella Associates. Jodi Hunt, Tetra Tech. Teddy Epstein, Falk Renewables. Chris Carrick, CNYRPDB. Josh Stack, NY Stretch Presenter. Kevin Stack, NY Stretch Presenter.

The Pledge of Allegiance

The Town Board recited the Pledge of Allegiance. Supervisor Theobald, called the meeting to order at 6:30 pm.

Approval of Abstract # 9

Councilor Deer made a motion, seconded by Councilor Green, to approve Abstract # 9 as submitted by Town Clerk Weber.

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 9 - 2020	
A	General Fund Townwide	\$ 206,000.07
B	General Fund Town	\$ 5,865.23
DA	Highway Fund Townwide	\$ 16,934.17
DB	Highway Fund Town	\$ 27,962.51
SL1	Overhead Lighting	\$ 1,512.61
SL2	Underground Lighting	\$ 2,202.02
SL3	Entry Lighting	\$ 97.64
SL4	Garden Park Lighting	\$ 614.05
SL5	Ratnaur Bridge Lighting	\$ 2,515.51
SR1	Manlius Trash District	\$ 168.44
SR2	Manlius Res Brush District	\$ 168.44
SS1	Manlius Con Sewer District	\$ 907.69
TA2	Trust & Agency - Other	420.00

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Approval of Minutes – April 8, 2020

Councilor Green made a motion, seconded by Councilor Denton, to approve the minutes of April 8, 2020 as submitted by Town Clerk Weber.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Approval of Minutes – April 22, 2020

Councilor Denton made a motion, seconded by Councilor Bollinger, to approve the minutes of April 22, 2020 as submitted by Town Clerk Weber.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Supervisor Theobald gave an update on Covid-19 Pandemic:

- The Town of Manlius has 64 covid case and 49 recoveries.
- The 2020 Memorial Day Parades have been cancelled and each village will have a private service and laying of the wreath.
- The Village of Manlius has cancelled the 2020 4th of July celebration and is hopeful that maybe a fall festival may be scheduled.

Ann Oot, Town Manager gave a review of the phased opening for town hall based on the Federal, State and County guidelines for restarting. The town has designated a COVID Response Team and a restart checklist will be made public when it is finalized.

Continuation of the Public Hearing for Local Law 2020-2 Amending Chapter 139 Entitled “Vehicles & Traffic” of the Code of the Town of Manlius to install Stop Signs on Quarterhorse Run, Strawmount Trail & Harness Hook Lane

Supervisor Theobald reviewed the information for the continuation of the public hearing for stops signs on Quarterhorse Run, Strawmount Trail & Harness Hook Lane.

Town Clerk Weber stated that she has not received any new comments or concerns from residents concerning the proposed local law.

Councilor Waters made a motion, seconded by Councilor Deer, to close the public hearing regarding proposed Local Law 2020-2 Amending Chapter 139 Entitled “Vehicles & Traffic” of the Code of the Town of Manlius to install Stop Signs on Quarterhorse Run, Strawmount Trail & Harness Hook Lane at 6:41 PM.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Denton, to enact Local Law 2020-2 Amending Chapter 139 Entitled “Vehicles & Traffic” of the Code of the Town of Manlius to install Stop Signs on Quarterhorse Run, Strawmount Trail & Harness Hook Lane

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

Public Hearing – Special Permit – Taft Road Solar, LLC, Taft Rd., E. Syracuse

Drazen Gasic, LaBella Associates reviewed the special permit application and discussed the proposed changes.

Special Permit – Taft Road Solar Project Overview:

- 4.35-megawatt solar array.
- Single access tracker to protect the wetlands on site with 7-foot intervals between.
- Security Fencing part of the Site Plan.
- Pervious access roads on site.
- Single battery storage location.

Mr. Gasic Stated that the proposed changes will minimize the carbon footprint.

Councilor Bollinger asked further information on the single access tracker. Mr. Gasic stated the single access tracker would be aligned on a north south axis and the panels would pivot along a single point facing east to west as the sun crosses the horizon. Mr. Gasic stated that the equipment will be following the sun.

Councilor Bollinger ask if the panels move and does that require more maintenance? Mr. Gasic stated it does require maintenance of the material.

Supervisor Theobald asked why they changed from a fixed tracker to a single access tracker. Mr. Gasic stated the NYS DEC took jurisdiction of the wetlands and imposed a 100-foot buffer with no construction of solar equipment within that buffer. Mr. Gasic stated that the original footprint will be reduced by about a quarter.

Andrew Day, Source Renewables, discussed the benefit of trackers.

There was a further discussion about the different types of panels and the cost and maintenance for each.

The Town Board also discussed the potential sound that is made by the tracker and what that would sound is like for the entire array.

Councilor Denton asked if there was a time restriction on when an application can build a solar array from the time the permit is granted.

Attorney Frateschi answered the permit lasts for 7 years from the date it is approved by the board. If the project is not built in the 7-year period, then the special permit expires. Attorney Frateschi stated the Town Board can put a provision in the special permit that if a building permit is not obtained within 1 year, the special permit would then lapse.

Councilor Bollinger made a motion, seconded by Councilor Green, to waive the reading of the public notice in the matter of the Special Permit by Taft Road Solar, LLC, to construct a solar array at 6996 Taft Rd., E. Syracuse.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to open the public hearing at 6:58 pm in the matter of the application for a Special Permit by Taft Road Solar, LLC, to construct a solar array at 6996 Taft Rd., E. Syracuse.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Facebook Attendee: Debra DeSocio stated Sustainable energy is important to our future in the Town of Manlius. This will allow us to take a part in a contribution to reduce climate change.

Town Engineer Miller stated the town code may require an additional 25-foot buffer in addition to the DEC 100 foot buffer.

Councilor Bollinger stated that the public hearing would be held open until recommendations are received from the Town Planning Board and County Planning Board.

Facebook Attendee: Steven Winschelhaus: How many solar panels are going to be installed and is this a commercial application and is it appropriate for a residential area?

Mr. Gasic answered 11,060 modules (panels). The application would be for community solar purposes. For residents and businesses to share solar power allowing them to purchase solar power.

Mr. Day stated he believes that participants would receive a 10% credit applied to their power bill if they participate.

Facebook Attendee: Renee Bennett What happens if somebody else within that one-mile rule wants to put in a solar farm?

Attorney Frateschi stated the 1-mile rule (limiting solar farms within 1-mile of each other) was put in the code because the Town was concerned there could be a saturation of these facilities in one neighborhood.

Facebook Attendee: William Towsley: I wanted to know if the contractor is going to use local labor, they filled out an application with OCEBA and on page 16 they did not answer yes or no.

Mr. Gasic stated it is hard to determine what type of labor is going to be used, weather is will be an electrical or a civil portion. Mr. Gasic stated that the preference is to use local labor.

Facebook Attendee: Steven Winschelhaus asked, Are there other more appropriate areas in the town for the placement? This is directly in front of my home on Townsend Road, will this negatively impact the value of my home? Is the company a commercial company or is it owned by residents?

Mr. Gasic answered that the Source Renewables is a local company Andrew Day the representative lives in New York.

Facebook Attendee: Renee Bennett asked if a better more private spot could be ruled out if this gets approved. Many people are being contacted that have land on power lines some are much more private.

Supervisor Theobald asked if Source Renewables owns the property. Mr. Day answered that Source Renewables has an option agreement with the current owner of the property. Mr. Day stated that the company to close on the property when the permits and approvals are in place.

There being no comment from the public, Councilor Bolling made a motion, seconded by Councilor Kriesel, to adjourn the public hearing in the matter of the proposed local law to Amend Sections of Local Law 2016-8 Regarding Solar Photovoltaic Systems until May 27, 2020.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

Falck Renewables – Solar Array – 8507 Green Lakes Road, Fayetteville NY 13066 (tax map # 082.-02-15.1) – Special Permit Application

Teddy Epstein, Development Director at Falk Renewables North America introduced the proposed solar array. Mr. Epstein also stated that Falck Renewables develops, manufactures, builds, and operates solar farms.

Jodie Hunt, Tetra Tech, presented the proposed special permit application and discussed the previous application that was approved in 2017. Ms. Hunt reviewed the changes that have been made to the original plan.

Ms. Hunt gave an overview of the proposed solar farm project for 8507 Green Lakes Rd., Fayetteville NY which is owned by Chuck Hafner's Farm and is 147.43 acres. Ms. Hunt reviewed the following:

- The 3-step process Tetra Tech undertakes for a site selection.
- The proposed solar array would be 23.4 acres and would be a community solar farm.
- The prior project was going to be a Distributed Generation Solar Farm which means it would not be for public use of the community. The power produced would have gone to Anheuser-Busch which is no longer the case.
- There will be a permeable access road which will meet New York State DOT and Town standards.
- The project will have fixed tilt solar panels that don't move.
- The project will use string invertors – which puts the invertor on the back of the panel and takes up less ground space.
- There will be a security Fence.
- Stormwater Pollution Prevention Plan (SWPPP) was submitted with the application.
- Reviewed the Viewshed/Line-of-Sight (LoS) Analysis.
- Reviewed the Glare Analysis & FAA Screening.
- The company will be using local labor when possible.

Attorney Frateschi stated that because the project has been increased by about 1/3, the special permit issued by the Town in 2017 would need to be amended. Attorney Frateschi stated that a public hearing would be needed for the amended Special Use Permit.

Councilor Bollinger made a motion, seconded by Councilor Green, to refer the application by Falck Renewable to construct a Solar Array at 8507 Green Lakes Road, Fayetteville NY 13066 (tax map # 082.-02-15.1) Planning Board for its recommendation.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

Discussion ensued regarding how the new special permit application differs from the special permit application in 2017.

Falck Renewables – Solar Array – 5062 North Eagle Village Road, Manlius NY 13104 – Special Permit Application

Jodie Hunt, Tetra Tech gave an overview of the proposed solar project for 5062 N. Eagle Village Rd., Manlius NY, with a property size of 44.71 acres.

- Proposed Solar Facility would be on 21.3 acres.
- Stationary tracking system solar panels.
- String invertors.
- Permeable access road which will meet State DOT and Town standards.
- Existing vegetative screening which is almost covers the entire space except for the frontage on N. Eagle Village Rd.
- Glare Analysis & FAA Screening.
- Viewshed/Line-of-sight (LoS) Analysis.

Supervisor Theobald asked how close the solar array would be to the road. Ms. Hunt stated at minimum about 200 feet from the property boundary and about 500 feet to the center line of Townsend Dr.

Councilor Bollinger asked if the vision analysis was done from the homes on Townsend Rd. that sit up on a hill?

Ms. Hunt stated that the project will be visible from certain locations and further explained that the panels do blend in but are not invisible.

Supervisor Theobald asked if this will be a community solar project? Ms. Hunt answered yes, anybody that is connected to National Grid can participate.

Councilor Waters asked if residents beyond 1000 feet of the project can be notified. Town Clerk Weber reviewed the procedure for notifications.

Councilor Waters stated she would like to have the board discuss reviewing the notification process in the future.

Councilor Green asked if the company would be leasing the properties on Green Lakes Rd. and N. Eagle Village Rd? Mr. Epstein answered that both properties would be leased for 35 years and will have scheduled maintenance.

Discussion ensued regarding the site selection process for solar arrays.

Director Capriotti asked if the well on the property would be near the solar farm? Ms. Hunt responded that the well is closer to the house and not the open field where the solar panels would be.

Councilor Bollinger made a motion, seconded by Councilor Green, to refer the application by Falck Renewables to construct a Solar Array at 5062 North Eagle Village Road, Manlius NY 13104 (tax map # 098.-01-15.0) Planning Board for its recommendation.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Central New York Regional Planning and Development Board – Inter-Municipal Agreement for Solarize CNY Initiative

Chris Carrick, CNYRPDB gave a presentation on the proposed inter-municipal agreement.

Mr. Carrick discussed the following:

- Mr. Carrick gave an overview of the company Abundant Solar Power Inc., based in Canada
- Abundant Solar through a bid process with CNYRPDB was selected as the preferred developer of solar projects on municipally owned sites.
- There will be 13 acres of disturbed land.
- The solar array will be a ballasted poured in place or concrete blocks laid on top.
- Stormwater SWPPP will be prepared.
- Solar built on landfills is considered a Type II action, with the town as lead agency.
- 4 mega-watt ac array.
- Mr. Carrick reviewed the financials of the proposed lease agreement with the town.
- This would be a community solar project.
- The project is projected to be completed by Spring 2021.

Councilor Bollinger asked if they could include a line of site study for the house located on Clark Hill. Mr. Carrick answered that a LoS study would be completed.

Supervisor Theobald asked how much larger DeWitt's project is compared to this project? Mr. Carrick stated the Manlius project would be about twice the size of DeWitt's.

Councilor Denton asked if there would be a savings on the energy bill for the town? Mr. Carrick stated the town (town facilities) could subscribe and get about a 10 % saving on the power bill.

Supervisor Theobald asked if the Town of Manlius could hook onto the Town of DeWitt's array? Mr. Carrick explained that the DeWitt project is only for the town facilities and is not open to the community.

Councilor Denton asked about the projected timeline for this project? Mr. Carrick stated at this point it depends on how quickly we receive approval from the town.

Attorney Frateschi asked if any parts of the project can move forward before the inter-municipal agreement is executed? Mr. Carrick answered no, nothing can proceed until the agreement is accepted.

Mr. Carrick stated that the agreement does have a provision to release the town from the agreement by giving a 30-day notice.

The board discussed the pros and cons of doing more research before signing the Inter-Municipal Agreement for Solarize CNY Initiative.

Councilor Kriesel made a motion, seconded by Councilor Deer, to sign the Central New York Regional Planning and Development Board – Inter-Municipal Agreement for Solarize CNY Initiative.

Ayes: Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: Supervisor Theobald, Councilor Green, Councilor Bollinger

Motion Carries. 4-3

The Board appointed Councilor Kriesel and Town Engineer Miller to be town representatives as required by the agreement.

New York State Stretch Code, Josh Stack presented information about the New York Stretch Code.

- NY Stretch Code is a more efficient and readily available energy code. More efficient than the 2020 code that just went into effect on May 12. This is an overlay of the 2018 International Energy code. The NY Stretch Code would modify certain sections of the International Energy Code.
- NY Stretch enhances human health in buildings.
- 3rd Party verified performance testing.
- Financial Incentives to builders for plan review, inspection & performance testing.

B) Planning & Development

- Work is picking up in the department
- Director Capriotti stated he had received the ISO (Insurance Services Office) report for his office and they gave a change in the rating from 9 (with 10 being the worst) to a current rate of 3.

Town Engineer Miller stated that the MS4 semi-annual report was completed.

A Public Meeting for the MS4 Stormwater report will be held on Zoom on May 28, 2020 at 12:00 PM.

C) Town Clerk – No New Business

D) Police Chief

- All employees at Police Department are healthy.
- ESM has requested to have both SIRO's back for a limited time right now.
- Court in the Village of Manlius is operating in a limited capacity.
- The Police Department will have a 4-phase reopening plan.
- Temporary Office Trailer has been ordered.
- Worked on cost estimates for IT to move operations to trailer.

E) Town Board

Councilor Green congratulated the High School seniors of 2020.

Councilor Bollinger stated that the Fayetteville Senior Center is providing meals on Fridays that are take home for the weekend as a supplement what the Manlius Senior Center is doing Monday through Friday.

Councilor Waters wanted people to know:

- Mary Ellen Letterman has resigned as co-chair of the Town of Manlius Tree Commission.
- The comprehensive planning committee is getting ready to apply for money for the comprehensive plan.
- The report on the Muirfield Drainage Study will be provided soon.
- A thank you to the Recreation Department for their work during this time and planning for virtual programs.

Councilor Denton stated they will no longer be using pesticides at town hall for landscaping purposes.

Councilor Kriesel reported:

- She is working with the Village of Manlius on a new park with the Village of Manlius and progress is being made.
- Councilor Kriesel congratulated Randy and Lisa in the Planning and Development Department for lowering their ISO (Insurance Services Office) score from 9 to 3.

F) Supervisor

Supervisor Theobald read part of the U. S Department of Justice proclamation for Police Week.

There being no further business to come before the Board, upon motion duly made by Councilor Kriesel and seconded by Councilor Green the Board voted unanimously to adjourn regular session at 10:24 PM to enter executive session to discuss the potential employment of an individual or corporation.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk

EXECUTIVE SESSION MEETING MINUTES

**Executive Session
May 13, 2020**

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Kriesel, the Board unanimously voted to adjourn the executive session at 10:35 PM.:

Councilor Bollinger made a motion, seconded by Councilor Denton, to engage the services of Barton and Loguidice for a specific project to form a water district, not to exceed \$16,500.

Ayes: Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: Councilor Green

Abstained: Supervisor Theobald

Motion Carries.

Upon motion duly made by Councilor Green and seconded by Councilor Kriesel, the Board unanimously agreed to adjourn at 10:36 PM.

Submitted by:
Town Clerk
Allison Weber

Additional Comments made on Facebook:

Facebook Attendee: Cheryl Matt Renewable energy projects are smart projects for the Town to support. Solar energy has so many positives for the community. Thank you.

Facebook Attendee: Mark Lavine: What are the safety issues. Such as poor installation, fire hazards etc.! What agency is responsible for inspections? Is this the best time to invest in this project. Are there infrastructure issues in the town that are a priority. Are there ongoing budgets that have deadlines to be discussed? At what cost will this be for the town. Including study time and implementation? What is the projected implementation date for this project. Thank you, Kaitlyn.

Facebook Attendee: Ingrid Gonzalez-McCurdy, thank you for making this possible. Chris Carrick – thanks for you presentation.

Facebook Attendee, RuthAnn Winschel: From my parents' house on Townsend Road I would be able to see the solar panels very well.

Facebook Attendee: Andrea DeBernardis, when was the landfill site leased to Abundant Solar? AC Power has worked to propose a Community Solar project for the site since about August 2019

offering about double Abundant's proposal in the agenda minutes. Unfortunately, we have reached out to CNY in the past but they were not considering any new developers for their RFP process. Is the Board still open to review our proposal.

Councilor Kriesel Response: Mark – Would you like to give me a call tomorrow and I can help to answer your questions? I'd be happy to discuss this with you further. You've got several great questions!

Facebook Attendee: Steven Winschelhaus: Sounds like an appropriate approach. Look for landfills etc. to place these projects. Very little screening in front of our home on Townsend Road. I support Solar Energy! No one ever stopped at my home or the neighbors! I can see all of the project!

Facebook Attendee: Brad Sauve, Nice presentation, Jodi. It helped my understanding tremendously. Community solar sounds great!