

*The Town of Orleans Board Meeting
July 14, 2022*

The Town of Orleans Town Board Held a regular scheduled board meeting on July 14, 2022 at 7:00PM at the municipal building in LaFargeville.

Members Present: Kevin Rarick, Peter Wilson, Gwen Kirkby and Thomas Johnston

Others Present: Tammy Donnelly, Jim Burrows, Pam McDowell, Rob Company, Mike Curtiss, Manny Jerome, and John Piper.

Supervisor Rarick called meeting to order at 7:03pm

1. Approval of minutes- A motion was made Peter Wilson and seconded by Mary Ford Waterman to accept June 2022 minutes as read

Kevin Rarick, Aye

Peter Wilson, Aye

Thomas Johnston, Aye

Mary Ford-Waterman, Aye

Gwen Kirkby, Aye

2. Financial Report

3. Public Hearing on amendments to solar energy law – Hearing was opened at 7:10PM, No public comment. A motion was made by Mary Ford Waterman and seconded by Gwen Kirkby to close public hearing. Hearing was closed at 7:15pm.

Full environmental Assessment form was accepted as offered by Jim Burrows.

Resolution #8 – Negative Declaration for amendments to solar energy law. (As follows)

Town of Orleans
PO Box 103
LaFargeville, New York 13656

"This institution is an equal opportunity provider and employer"

Supervisor
Kevin Rarick 658-4411
Town Clerk
Tammy Donnelly 658-9950
**Highway
Superintendent**
Brian Kirkby 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shimel 658-2057

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

RESOLUTION #8
**NEGATIVE DECLARATION (SEQR) FOR
AMENDMENTS TO SOLAR ENERGY LAW**

WHEREAS, the Town Board for the Town of Orleans, New York has considered the adoption of Legislation in the Town of Orleans in connection with amending the Solar Energy Laws; and

WHEREAS, the adoption of Legislation constitutes an "action under 6 NYCRR §617.2(b)(3); and

WHEREAS, the Town Board of the Town of Orleans has reviewed a Long Form Environmental Assessment Form for the purpose of assisting the Town Board in making a determination of significance in respect to the Legislation; of whether the enactment of the Legislation would have a significant adverse impact on the environment; and

WHEREAS, the Town has reviewed the criteria for determining significance of an action that is set forth at 6 NYCRR §617.7(c); and

WHEREAS, having considered the action consisting of the adoption of the Legislation and the potential environmental impacts associated with such action the Town Board has determined to proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orleans finds that the proposed action of adopting the legislation is subject to SEQR; and

BE IT FURTHER RESOLVED, that the action constitutes a Type 1 action under SEQR 617.4(b)(2) and (3); and

BE IT FURTHER RESOLVED, that the Town Board is the only agency with jurisdiction by law to fund, approve, or directly undertake this action, and therefore, a coordinated

review of the action under SEQR is neither required or necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orleans, New York:

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the adoption of the proposed legislation.
2. The Supervisor for the Town of Orleans is authorized to execute the Long Environmental Assessment Form to the effect that the Town Board is issuing a "negative declaration" under SEQR.
3. The Town Clerk is hereby directed to file and circulate Part 3 in accordance with the requirements for a Type I action of the Long Environmental Assessment Form.
4. A complete copy of the EAF including its negative declaration shall be maintained in the Town Clerk's office in a file that will be readily assessable to the Public. Further, the Town Clerk is hereby authorized to publish a notice to that effect in the Environmental Notice Bulletin. All subsequent notices regarding the undertaking of the project as set forth in this report shall state that a negative declaration has been issued.
5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Gwen Kirkby, and seconded by Board Member, Tom Johnston, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Kevin Rarick	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Thomas Johnston, Jr.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Gwendolyn Kirkby	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Peter Wilson	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: July 14, 2022

Tammy Donnelly
Tammy Donnelly, Town Clerk

Resolution adopting amendment to solar energy law (as follows)

Town of Orleans
PO Box 103
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Zoning Officer
Lee Shimel 658-2057

Town Council
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Peter Wilson
Mary Ford Waterman
Thomas Johnston

RESOLUTION #9
AMENDMENTS TO THE SOLAR ENERGY LAW

WHEREAS, the Town Board for the Town of Orleans, New York has devoted considerable time and attention to Green Energy issues including Solar Energy Systems; and

WHEREAS, the Town Board has determined that the orderly growth of Solar Energy Systems will promote the health, safety and welfare of the community, and will do so in an environmentally friendly fashion; and

WHEREAS, The Town Board adopted a Solar Energy Law during 2018 and has determined that certain amendments to that law are appropriate; and

WHEREAS, pursuant to the New York Environmental Quality Review Act, this Board, as the only involved agency has reviewed Parts 1, 2, and 3 of a Long Form Environmental Assessment Form, has made a determination that the adoption of the Local Law in the Town of Orleans, New York will result in no significant adverse impacts upon the environment and has adopted a negative declaration in connection therewith and is prepared to proceed.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orleans, New York as follows:

1. The forgoing recitation is incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby enacts the Local Law titled "Amendments to Solar Energy Law" as being in the best interests of the Town of Orleans.

3. The Supervisor for the Town of Orleans and the Town Clerk for the Town of Orleans, their respective agents and employees are authorized to sign all documents and take all steps necessary to enact this legislation.

4. This Legislation shall be filed with the New York State Department of State; with the Town Clerk of the Town of Orleans.

5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Pete Wilson, and seconded by Board Member, Gwen Kirkby, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Kevin Rarick	Yes <u>X</u>	No <u> </u>
Thomas Johnston, Jr.	Yes <u>X</u>	No <u> </u>
Gwendolyn Kirkby	Yes <u>X</u>	No <u> </u>
Peter Wilson	Yes <u>X</u>	No <u> </u>
Mary Ford-Waterman	Yes <u>X</u>	No <u> </u>

Dated: July 14, 2022

Tammy Donnelly
Tammy Donnelly, Town Clerk

4. Lee Shimel update on unsafe buildings- Lee stated Mr. Piper has had activity on the property, burned house has been buried on property. No Activity on Mr. Loveland's property on the corner of 180 and Robinson Road. Mr. Loveland did not appear as requested by letter from Attorney Burrows

Mr. Piper was present and gave the town board update of what he is doing to clean his property up. He will be working on the garage to make it a safe structure and stated he will be done with garage work by the end of September. The town board gave Mr. Piper until the end of September then they will revisit.

A motion was mad by Thomas Johnston and seconded by Gwen Kirkby to start action on Mr. Loveland's property (13.00-2-43 40445 NY S Rte. 180) . If Mr. Loveland does not comply town will hire contractor at the expense of Mr. Loveland.

*Kevin Rarick, Aye
Peter Wilson, Aye
Thomas Johnston, Aye
Mary Ford-Waterman, Aye
Gwen Kirkby, Aye*

Lee would like to send out curiosity letters to property owners in the Town of Orleans that need to clean up properties. The board agreed with Lee but just send letters do not send to attorney for anything further action.

5. Letter of support for Fort Drum – Town board approved to write a letter of support for the Army’s investment in Fort Drum associated with the stationing of a Multi-Domain Task Force(MDTF).

Kevin Rarick, Aye
Peter Wilson, Aye
Thomas Johnston, Aye
Mary Ford-Waterman, Aye
Gwen Kirkby, Aye

Town of Orleans
PO Box 103
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TDD# 1-800-662-1220

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Robert Black Jr. 658-9920
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July 19, 2022

U.S. Army Environmental Command
Attn: MDTF Public Comments
2455 Reynolds Rd., Mail Stop 112
JBSA-Fort Sam Houston TX 78234-7588

Re: Fort Drum, New York

To Whom It May Concern:

This letter is to affirm my/our support for the Army’s investment in Fort Drum associated with the stationing of a Multi-Domain Task Force (MDTF).

As a long-standing regional partner of Fort Drum, we understand that an investment in the MDTF is an investment in the future of national security. Fort Drum and the North Country region are well-positioned to be featured as a central part of the Army’s strategy for addressing future global threats. Fort Drum has the land, airspace, cyber capabilities and infrastructure to ensure the Army is prepared for the ever-changing 21st century battlefield.

For over 35 years, the North Country community has proven its ability to work with the Army to ensure Fort Drum remains a critical post for national defense. The North Country’s physical and community infrastructure is intrinsically tied to Fort Drum, sharing water, sewer, transportation, and communications infrastructure, as well as schools, hospitals, childcare, housing, and various other community services. During the Army’s last strategic redeployment in the early 2000s, the North Country invested over \$1 billion in non-military funds to ensure our soldiers had access to housing, healthcare, education, and transportation.

As a Great American Defense Community, the North Country understands the cyclical nature of troop deployment and has built a community capable of swelling capacity when the need arrives. Our community has already proven the capacity to host 20,000 soldiers and their

families. With 15,000 active-duty soldiers and their families currently positioned at Fort Drum, we are well-prepared to handle an additional 3,000 soldiers through the MDTF process.

Our community has proven its ability to partner with the Army to accomplish big things, and we gladly extend a hand to partner again to support the MDTF. [Insert Government or Agency] is proud to host the Army's blue-collar division, and we enthusiastically support Fort Drum's candidacy as the future home of the MDTF.

Sincerely,


Supervisor Rarick
Town of Orleans

6. Resolution for Clayton Improvement Association supporting an application to apply for funding

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Resolution #

Motion By: *Tom Johnston*
Seconded By: *Mary Waterman*

Resolution by the Town of Orleans board of 5 approving and endorsing Clayton Improvement Association, Ltd in its application to NYS Homes and Community Renewal for funding under the NY Main Street Program.

WHEREAS, the Clayton Improvement Association, Ltd desires to apply for \$428,522 in financial assistance through the 2022 Consolidated Funding Application (CFA) under the NY Main Street Stabilization Program; and

WHEREAS, the application proposes funding to assist Clayton Improvement Association, Ltd to complete building renovations to the downtown "main street" buildings located at 36323-36331 NYS Rte. 180

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orleans approves and endorses the 2022 NY Main Street Program for assistance prepared and to be submitted by Clayton Improvement Association, Ltd.

Passed by the following vote of all Town of Orleans Members voting in favor thereof:

Affirmative Town of Orleans Members:

Affirmative: 5

Gwen Kirkby yes *Kevin Rarick yes*
Tom Johnston yes
Mary Waterman yes
Dale Wilson yes

Negative: _____
Abstain: _____

I, [Clerk Name], do hereby certify that resolution [Number] was passed at a meeting of the Town of Orleans held on [Date], and is [incorporated in the original minutes of said meeting OR on file and of record], and that said resolution has not been altered, amended or revoked and is in full force and effect.

Tammy Donnelly

Tammy Donnelly

7. Rob Company update - Rob updated town board on projects. No bids were received for blasting work for TI Park project. Rob stated he called the DEC on the disinfection grant funding; they will get back with Rob they are behind on funding. Rob stated we will need to award bid for TI Park Project piping supplies.

Bids were received through Rob Company's office. Bids received as follow: Blair Supply Corp - \$4,807.90, and Core & Main \$4,333.33.

A motion was made by Peter Wilson and seconded by Thomas Johnston to accept Core & Main bid in the amount of \$4,333.33

Kevin Rarick, Aye

Peter Wilson, Aye

Thomas Johnston, Aye

Mary Ford-Waterman, Aye

Gwen Kirkby, Aye

8. Resolution for Dump truck with plow as follows

A RESOLUTION OF THE Town Board
OF THE Town of Orleans
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
Dump truck w plow
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Orleans
(Public Body)
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
176,000.00

pursuant to the provisions of Subject to NYS local finance laws; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Town Clerk of the Town of Orleans hereby certify that the Town Board of such Association is composed of 5 members, of whom 5, constituting a quorum, were present at a meeting thereof duly called and held on the 14 day of July, 2022; and that the foregoing resolution was adopted at such meeting by the vote shown above. I further certify that as of the date of closing of the loan from the Government, said resolution remains in effect and has not been rescinded or amended in any way. Dated, this July 14 day of 2022. Title Tammy Donnelly, Town Clerk

USDA-RD Form RD 1910-11 (Rev. 9-02)

Position 3

UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT

APPLICANT CERTIFICATION FEDERAL COLLECTION POLICIES FOR CONSUMER OR COMMERCIAL DEBTS

The Federal Government is authorized to check credit information about the applicant(s) including using the federal Credit Alert Interactive Voice Response System (CAIVRS) or its successors to check to see if the applicant(s) are delinquent or in default on a Federal debt.

The Federal Government is also authorized by law to take any or all of the following actions in the event your loan payments become delinquent or you default on your loan:

- Report your name and account information to a credit reporting agency, and the Credit Alert Interactive Voice Response System (CAIVRS).
Assess interest and penalty charges for the period of time that payment is not made.
Assess charges to cover additional administrative costs incurred by the government to service your account.
Offset amounts to be paid to you from your Federal income tax refund.
Offset amounts to be paid to you under other Federal Programs.
Refer your account to a private collection agency to collect the amount due.
Foreclose on any security you have given for the loan.
Pursue legal action to collect through the courts.
Report any written off debt to the Internal Revenue Service as taxable income.
If you are a current or retired Federal employee, take action to offset your salary, or civil service retirement benefits.
Debar or suspend you from doing business with the Federal Government either as a participant or principal throughout the executive branch of the Federal Government for the period of debarment or suspension.
Refer any debt that is delinquent to the Treasury Offset Program (TOP) in accordance with the Debt Collection Improvement Act of 1996.
Refer any eligible debt that is delinquent to the Treasury for cross servicing in accordance with the Debt Collection Improvement Act of 1996.
Garnish your wages as allowed by the Debt Collection Improvement Act of 1996.

Any or all of these actions may be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

CERTIFICATION: I/we have read and I/we understand the actions the Federal Government may take in the event that I/we fail to meet my/our scheduled payments in accordance with the terms and conditions of my/our agreement. I/we understand that the above list is not all inclusive and that the Federal Government may deem additional actions necessary to collect should I/we become delinquent.

Signature and Date fields for individual(s) and authorized entity official. Includes fields for Name of Applicant, Signature of Authorized Entity Official, Title of Authorized Entity Official, Address, and City, State, and Zip Code.

8. Rob Black update – Rob would like to get quotes for a new excavator. Discussion was held. Rob will get quotes and compare rental costs and bring to next month’s board meeting.

Rob Black stated the Sayre's located on Rte. 12 towards Clayton line would like to hookup to water. The Sayre's agreed to pay for piping and all parts and material to get hooked up. They are in the water district. Discussion was held. A motion was made by Peter Wilson and seconded by Mary Ford Waterman to allow the Sayre's to hook up with them paying for all parts, materials, and hookup fees.

*Kevin Rarick, Aye
Peter Wilson, Aye
Thomas Johnston, Aye
Mary Ford-Waterman, Aye
Gwen Kirkby, Aye*

Councilman Gwen Kirkby stated she is concerned with the drug houses in LaFargeville and would like to see more enforcement. Gwen also stated that Middle Road has become a racetrack with people speeding

9. Bills were audited in the amount of \$302,344.57

A motion was made by Gwen Kirkby and seconded by Mary Ford Waterman to adjourn meeting.

*Kevin Rarick, Aye
Peter Wilson, Aye
Thomas Johnston, Aye
Mary Ford-Waterman, Aye
Gwen Kirkby, Aye*

Meeting adjourned at 8:35PM

Respectfully submitted

*Tammy Donnelly
Town Clerk*