

*The Town of Orleans Board Meeting
March 11, 2021*

The Town of Orleans Town Board Held a regular scheduled board meeting on March 11, 2021 at 7:00PM at the municipal building in LaFargeville.

Members Present: Kevin Rarick, Peter Wilson, Mary Ford-Waterman, and Thomas Johnston

Members Absent: Gwen Kirkby

Others Present: Tammy Donnelly, Rob Black, and Rob Campany

Supervisor Rarick called the meeting to order at 7:03pm

1. Minutes- A motion was made by Peter Wilson and seconded by Thomas Johnston to accept February 2021 minutes as read.

Kevin Rarick, Aye

Mary Ford- Waterman, Aye

Peter Wilson, Aye

Thomas Johnston, Aye

Gwen Kirkby, Absent 4 in favor motion carried

2. Resolution for NYS Rte 12 water district – Attorney Agreement Amendment 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
 Robby Black 658-9920
Town Assessor
 Dale Raymo 658-4309

Zoning Officer
 Lee Shimel
Town Council
 Gwen Kirkby
 Peter Wilson
 Mary Ford-Waterman
 Thomas Johnston

Board Resolution #24
NYS Route 12 Water District

At a regular meeting of the Town of Orleans, held at the Town offices, 20558 Sunrise Avenue, LaFargeville, New York, 13656, on March 11, 2021, there were:

Board Members:
 Kevin Rarick, Supervisor
 Peter Wilson
 Mary Ford-Waterman
 Thomas Johnston
 Gwendolyn Kirkby

WHEREAS, the original agreement was executed by both parties on April 14, 2014; and

WHEREAS, the Technical Services: Engineering was Increased in Amendment #3 dated June 13, 2018

WHEREAS, the Technical Services: Engineering has exceeded or is estimated to exceed the modified budget from Board Resolution dated June 13, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Orleans and St. Lawrence Engineering DPC agree that Amendment No.5 to the Agreement for Engineering Services between them shall amend the amount budgeted for Technical Services to \$1,918,700.00 subject to agency approval.

TECHNICAL SVCS.	Modified Budget (June 13, 2018)	Modified Budget
Preliminary Engineering Services	\$120,000.00	\$120,000.00
Basic Services	\$680,000.00	\$680,000.00
Construction Observation	\$450,000.00	\$520,000.00
Additional	\$400,000.00	\$521,200.00
Direct Expenses	\$20,000.00	\$40,000.00
Fixed Asset Valuation	\$0.00	\$0.00
Storage Building - Design, Bidding, CM	0	\$37,500.00

It is hereby certified by the undersigned that the foregoing resolution was duly passed by the Town Board of Orleans during a regular scheduled board meeting.

Supervisor Kevin Rarick, YES NO Absent

Peter Wilson	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Mary Ford-Waterman	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Thomas Johnston	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Gwendolyn Kirkby	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>

CERTIFICATION:

I, Tammy Donnelly, Town Clerk of the Town of Orleans, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Orleans held on March 11, 2021 and it is on file and of record and that said resolution has not been altered, amended or revoked and it is in full force and effect.



Tammy Donnelly, Town Clerk



3. Resolution #5

Town of Orleans
PO Box 103
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"This institution is an equal opportunity provider and employer"

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Kevin Rarick 658-4411
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Highway Superintendent
Robby Black 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shimel

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford-Waterman
Thomas Johnston

Board Resolution # 5
NYS Route 12 Water District

At a regular meeting of the Town of Orleans, held at the Town offices, 20558 Sunrise Avenue, LaFargeville, New York, 13656, on March 11, 2021, there were:

Board Members:
Kevin Rarick, Supervisor
Peter Wilson
Mary Ford-Waterman
Thomas Johnston
Gwendolyn Kirkby

WHEREAS, an amendment to the Owner- Attorney agreement was executed by both parties on September 17, 2018 and

WHEREAS, the Administrative: Legal has exceeded the agreement amount of \$250,000.00; and

WHEREAS, the Administrative, Lands ROW, and Miscellaneous is anticipated to exceed the modified budget from Board Resolution #20 dated September 12, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Orleans approves the modifications to the Administrative budget amounts as follows:

Administrative	Original Budget	Modified Budget
Legal - Slye & Burrows	\$2,137.50	\$2,137.50
Legal - Conboy, McKay, Bachman, & Kendall, LLP	\$250,000.00	\$270,000.00
Bonding	\$20,750.00	\$20,750.00
Lands ROW	\$50,000.00	\$25,000.00
Single Audits	\$40,000.00	\$40,000.00
Fiscal Advisor	\$0.00	\$0.00
Net Interest	\$0.00	\$0.00
Miscellaneous	\$5,000.00	\$15,000.00

Peter Wilson	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Mary Ford-Waterman	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Thomas Johnston	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Absent <input type="checkbox"/>
Gwendolyn Kirkby	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>

CERTIFICATION:

I, Tammy Donnelly, Town Clerk of the Town of Orleans, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Orleans held on March 11, 2021 and it is on file and of record and that said resolution has not been altered, amended or revoked and it is in full force and effect.


 Tammy Donnelly, Town Clerk

4. *Public Hearing to reduce the number of members on the BAR Local Law #1 – Public hearing was opened at 7:15pm. A motion was made by Peter Wilson and seconded by Thomas Johnston to close the public hearing.*

*Kevin Rarick, Aye
 Mary Ford- Waterman, Aye
 Peter Wilson, Aye
 Thomas Johnston, Aye
 Gwen Kirkby, Absent 4 in favor motion carried*

Public Hearing was closed at 7:20pm

Discussion was held the town board adopted the following resolution and Local Law #1 for 2021

**Town of Orleans
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Supervisor
Kevin Rarick 658-4411
Town Clerk
Tammy Donnelly 658-9950
**Highway
Superintendent**
Robert Black 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shime1 658-2057

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

**RESOLUTION # 6 of 2021
SEQR DETERMINATION**

WHEREAS, the Town Board of the Town of Orleans, New York has considered the adoption of Legislation in the Town of Orleans in connection with reducing membership on the Board of Assessment Review ("BAR"); and

WHEREAS, the Town Board of the Town of Orleans has reviewed applicable SEQR Regulations on the topic; 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 classified as "Type 2" for purposes of SEQR at Section 617.5(26) and (33); and

BE IT FURTHER RESOLVED, that no further review for purposes of SEQR need be undertaken; and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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RESOLUTION -NegativeSEQR

The foregoing Resolution was offered by Board Member, Thomas Johnston, and seconded by Board Member, Peter Wilson, 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 type="checkbox"/>	No <input type="checkbox"/> Absent
Peter Wilson	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: March 11, 2021

Tammy Donnelly
Tammy Donnelly, Town Clerk

Town of Orleans
PO Box 103
LaFargeville, New York 13656

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Highway
Superintendent
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Zoning Officer
Lee Shime1 658-2057

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

Res # 7

ENACT LOCAL LAW REGARDING
Reducing Membership on the Board of Assessment Review

WHEREAS, the Town Board for the Town of Orleans, New York considers the Board of Assessment Review to be vital to reviewing and considering challenges to the level of assessment of real property located within the Town of Orleans; and

WHEREAS, the Board of Assessment Review is presently comprised of five (5) members each with a five (5) year term and which requires at least three (3) members to be present to constitute a quorum to conduct business; and

WHEREAS, two (2) vacancies exist on the BAR and remain difficult to fill; and

WHEREAS, It has become increasing difficult to maintain a quorum of members on the Board of Assessment Review and the Town Board has determined to reduce the composition of that Board to three (3) members, such that a quorum may be obtained if at least two (2) members are present to conduct business.

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 herein.
2. The Town Board hereby enacts the Local Law to Reduce Membership on the Board of Assessment Review as being in the best interests of the Town of Orleans.

RESOLUTION –LL –BAR

3. The Supervisor for the Town of Orleans, the Assessor and the Town Clerk, their respective agents and employees are hereby 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 and shall become effective thereafter.

5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Mary Ford-Waterman and seconded by Board Member, Thomas Johnston, 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>✓</u>	No <u> </u>
Gwendolyn Kirkby	Yes <u> </u>	No <u> </u> Absent
Peter Wilson	Yes <u>X</u>	No <u> </u>
Mary Ford-Waterman	Yes <u>✓</u>	No <u> </u>

Dated: March 17, 2021

Tammy Donnelly
Tammy Donnelly, Town Clerk



5. Lee Shimel – Lee spoke regarding changing fees discussion was held the following resolution was adopted.

Town of Orleans
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Town Clerk
Tammy Donnelly 658-9930
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
RENEWABLE ENERGY FEES
Solar #87

WHEREAS, the Town Board of Orleans continues efforts to monitor its various land use laws; technological advances impacting land use activities; and reasonable efforts necessary to administer and enforce its various land use laws; and

WHEREAS, the Town Board previously adopted its Solar Energy Law during October 2018 and its Zoning Ordinance adopted October 17, 2012 of the Town of Orleans, NY and which provided, in relevant part, certain fees associated with a numerated activities; and

WHEREAS, the Town Board now deems the table of fees contained at Article 7-Section 7.04 B(20) and Article 10-Administration and Enforcement, Section 10.01(H), and elsewhere, to be inadequate to cover costs necessarily incurred by the Town, its officers, agents and/or employees to administer such matters and intends to replace the non-refundable fees by this Resolution.

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

Solar greater than 30 Kw	\$25
Solar between 31Kw and 999 Kw	\$750
Solar/ megawatt	\$2000 first megawatt
	\$1000 each megawatt, or part thereof, after the first
Battery Storage Energy Systems	\$2000 first megawatt of storage
	\$1000 each megawatt, or part thereof, after the first

The Town Board may establish such fees by a Fee Schedule adopted by Resolution.

This Fee Schedule shall become effective immediately.

The foregoing Resolution was offered by Board Member, Thomas Johnston and seconded by Board Member, Mary Ford-Waterman 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	Yes <u>X</u>	No <u> </u>
Gwendolyn Kirkby	Yes <u> </u>	No <u> </u> <u>Absent</u>
Peter Wilson	Yes <u>X</u>	No <u> </u>
Mary Ford-Waterman	Yes <u>X</u>	No <u> </u>

Dated: March 11, 2021

Tammy Donnelly
Tammy Donnelly, Town Clerk

6. Resolution for Wind Law fee rates- Discussion was held. The following resolution was adopted by the board

Resolution # 9

Town of Orleans
PO Box 103
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Supervisor
Kevin Rarick 658-4411
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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
RENEWABLE ENERGY FEES
Wind Law # 9

WHEREAS, the Town Board of Orleans continues efforts to monitor its various land use laws; technological advances impacting land use activities; and reasonable efforts necessary to administer and enforce its various land use laws; and

WHEREAS, the Town Board previously adopted Local Law #1 of 2018 titled Wind Energy Facilities Law of the Town of Orleans, NY and which provided, in relevant part, certain fees associated with a numerated activities; and

WHEREAS, the Town Board now deems the table of fees contained at Article VI-Miscellaneous, Section 31-Fees (A)1-4 to be inadequate to cover costs necessarily incurred by the Town, its officers, agents and/or employees to administer such matters and intends to replace the non-refundable fees by this Resolution.

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

1. Section 31-Fees (A)1-4 shall be replaced with the following:

Wind Turbine/megawatt	2000 first megawatt
	\$1000 each megawatt after the first
Met Tower/tower	\$2000 first tower
	\$1000 each megawatt after the first
Renew Permit Wind Turbine/each tower	\$2000
Renew Permit Met Tower/each tower	\$2000
Small WECS	\$500
Battery Storage Energy Systems	\$2000 first megawatt of storage
	\$1000 each megawatt after the first

The Town Board may establish such fees by a Fee Schedule adopted by Resolution.

2. This Fee Schedule shall become effective immediately.

The foregoing Resolution was offered by Board Member, Thomas Johnston and seconded by Board Member, Mary Ford-Waterman 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	Yes <u>X</u>	No <u> </u>
Gwendolyn Kirkby	Yes <u> </u>	No <u> </u> Absent
Peter Wilson	Yes <u>X</u>	No <u> </u>
Mary Ford-Waterman	Yes <u>X</u>	No <u> </u>

Dated: March 11, 2021

Tammy Donnelly
Tammy Donnelly, Town Clerk

6. Robert Black highway update- TI Park project almost done. Rob stated he received his weight limit signs for the town and will be putting on town roads.

7. Town Clerk report reviewed

8. Bills were audited in the amount of \$ 620,52.79

A motion was made by Peter Wilson and seconded by Thomas Johnston to adjourn meeting

Kevin Rarick, Aye

Mary Ford- Waterman, Aye

Peter Wilson, Aye

Thomas Johnston, Aye

Gwen Kirkby, Absent 4 in favor motion carried

Meeting adjourned at 8:30pm

Respectfully submitted

Tammy Donnelly