

Town of Ledyard Regular Monthly Meeting
March 9, 2020
1099 Poplar Ridge Rd., Aurora, NY 13026

A regular monthly meeting of the Ledyard Town Board, County of Cayuga and State of New York was held on the 9th day of March 2020 at the Ledyard Town Hall, 1099 Poplar Ridge Road, Aurora, NY 13026 at 7:30 pm

Present: Mark Jordan, Supervisor
John Binns, Councilman
Scott Heinekamp, Councilman
Casey Otis, Councilman
Therese Shook, Councilwoman
Stephan Arnold, Highway Superintendent
Jamie Bailey, Town Clerk

Absent:

Guests:

4

Pledge

Supervisor Jordan called the meeting to order with the Pledge of Allegiance and a moment of silence for our troops at 7:30 pm.

Privilege from the Floor

No comments

Minutes

A motion was made to accept the February minutes

Motion made by: John Binns

Seconded by: Casey Otis

Aye: 4 Binns, Heinekamp, Otis, Shook

Nay: 0

Motion: **PASSED**

Reports

A motion was made to accept the Supervisor, Clerk and Code Enforcement Reports

Motion made by: Scott Heinekamp

Seconded by: John Binns

Aye: 4 Binns, Heinekamp, Otis, Shook

Nay: 0

Motion: **PASSED**

Therese Shook asked why there was an increase in the supervisors report (General fund). Supervisor Jordan explained that the increase was due to the town receiving the sales tax check. The sales check

is usually between \$120-\$140,000.00. Supervisor Jordan thinks that the town should begin having bookkeeper Hand every quarter to update the town council with financial updates.

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Fireworks Law

Supervisor Jordan thinks that commercial fireworks should be banned in the town of Ledyard. If a resident wants commercial fireworks then they will need to get approval by the zoning board of appeals prior. Flowers stated that she spoke with a commercial firework company. Flowers was told that the town would be better off “restricting” the commercial fireworks then banning them. “Banning” could come back that the town never really gave the commercial fireworks any thought. If they were “restricted” then they will have a harder time fighting it legally. Flowers suggested putting a “restriction” of commercial fireworks that would not allow any closer of ¼ - ½ mile of any livestock operation. Flowers believes this would effectively ban the fireworks in the town. The definition of livestock would need to be broken down and code enforcement officer would need to know everyone who owns chickens, horses etc. Councilman Binns believes they should just be banned. Binns stated that dogs are bothered also and they are as important to owners as livestock is to its owners. Councilman Otis is ok with the commercial fireworks being banned. Councilwoman Shook thinks that we should follow with the village and what they have enforced. Flowers explained that it is a different situation due to the elevation and travel of sound as it was at the same level as agricultural land. The wind also drives the sound depending on direction. Village has been restricted to nothing larger than a 2” shell, no aerial salutes, and nothing within ½ mile of livestock. This would not protect other livestock in the area. At this point wells could have commercial fireworks in the soccer field as it is located in the town with no repercussions. Shook still would like the same laws as the village. Councilman Binns explained that the village can only have fireworks on the lakeshore which is lower elevation. Once you get out of the village, that protection of sound is no longer there. Most of the town is agricultural residential whereas the village is mainly residential. Councilman Heinekamp also agrees that the fireworks should be banned and if someone feels they need them, then they will go to the zoning board. Supervisor Jordan will write up a resolution on a banned commercial fireworks to be approved at the April meeting. If this resolution is approved, the town will proceed with a public hearing in May.

There are also zoning changes that the planning board has been working on as well.

Planning Board

Paul Simkin has resigned from the planning board. The town will need to replace him as soon as possible. Jordan mentioned Margaret Flowers. Heinekamp mentioned having someone from Honoco Rd. Jordan also mentioned that the Planning Board focuses mainly on town projects and the Zoning Board is mainly lakeshore. Margaret Flowers will consider joining the Planning Board. If the council has names for suggestions, they need to be brought forward prior to the next meeting. Shook asked Jordan for a list of names because she may not know the individual. Jordan stated Margaret Flowers and the others were from the village. Clerk Bailey mentioned it to Jason Buroughs. Supervisor Jordan will have a list so the town can appoint a resident to the planning board to fill in for the remaining year of Paul Simkins term.

DCS Decommissioning Plan

Chairman Ross informed the board that NYSERDA Decomp plan is at \$617,060.00. Councilman Binns does not want it to begin until year 15. Councilman Binns stated that even if Suneast goes bankrupt, someone will

buy the company which would include the decomp plan and everything else that goes along with the special permit. Dandy recommended \$180,000.00 and does not include the salvage value of the solar panels.

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Residents in town currently have panels on the roof, the roof needs to be replaced, and the resident can not find any place to get rid of the solar panels. Solar panels often contain toxic chemicals SE proposed 20 year had the full cost of decommissioning instead of small increments.

The Planning Board and lawyer came up with \$180k year 1-10. Double amount to \$360k year 11-20 and year 20 \$617k. Planning board used NYSEERDA's value because they did not want to go too high or too low.

The town lawyer told Ross that he has never had someone not put up a bond starting at day 1.

Renegotiation should be included in the bond per Supervisor Jordan. Ross does not want to "kill" the project but the bond proposal needs to be renegotiated. A bond is 1-2% the cost of a project. This is \$3,600.00.

- Councilman Binns is not in favor of a bond starting at day one. Binns does not believe this will be decommissioned in the first 10 yrs.
- Otis thinks it's important to require a bond.
- Landowners thought there should be something in place from day one and it will be decommissioned. Landowner agrees with town holding the bond and happy with the town negotiating
- Shook is not in favor. The town does not own the land. This should be an agreement between Suneast and the landowner. If it gets decommissioned, it should be between landowner and suneast. Shook does not understand why it involves the town. Supervisor Jordan explained that the town holds the bond for this. Otis explained that this is to have the land go back to its original after the solar panels are no longer in use.
- Heinekamp used an example of a home that the residents and family passed away, the home was falling down, the health dept came and stated it needed to be removed because its a public health hazard. The town would be responsible for that. If that happened with a 130 acre solar farm, 30 years down the road the solar panels are still there, not producing energy, and destroyed 130 acres of good farmland.

Heinekamp would like to see a bond starting at year 10 which is meeting Suneast half way.

Final Figures for Planning Board to consider

0-10	\$0
Year 11	\$200k
	2 ½% inflation
Year 20	\$1 million
Year 21	negotiable

Otis had suggested protection if something happened mid-construction and it wasn't completed. SE does have in the contract 18 months to complete the project. Ross explained that this would be why the Planning Board would want a bond effective in year one, to protect itself. Jordan mentioned a construction bond.

Shook is unsure of the town's role other than protecting itself.

Start up bond was discussed Binns is not in favor, Otis is, Heinekamp is not in favor,

Suneast had a project (Mayheim) of the same size and the decommissioning plan was set at \$154k year 1-15.

Planning Board will receive information Wednesday evening.

Highway

Hoop Barn

Superintendent Arnold presented photos of both Venice (100x76') and Genoa (80x72) hoop barn. Arnold stated poured walls under the building 11'. Binns mentioned putting in mafia blocks to keep products

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separated. Black top bottom. Superintendent needs complete specs on the building before he can get the 3 bids. Location was discussed and Arnold has staked out the area. Truck is still being made.

Bills

A motion was made to pay the bills

Motion made by John Binns

Seconded by: Therese Shook

Aye: 4 Binns, Heinekamp, Shook, Otis

Nay: 0

Motion: PASSED

ABSTRACT #03

VOUCHER 067-095

FUND A \$ 3,908.83

FUND B \$ 78.74

FUND DB \$ 14,025.39

TOTAL AMOUNT \$ 18,012.96

Village Water

Per Councilman Heinekamp who attended the village meeting in regards to the water. Two proposals were given. One was to have Aurora build its own system to go into long point (*Heinekamp did not know if he had correct figures but thought \$4 million*). The other was tying into the Springport water line (*Heinekamp did not know if he had correct figures but thought \$3million*). It was more costly for the Long Point proposal. Otis who also attended the meeting said that the Long Point Plant would be \$10 million which included a \$3 million dollar grant figured in. Village was more in favor of having the Long Point plant as they would be in control of it. Heinekamp spoke to the engineers after the meeting and said that the engineers were more in favor of the village tying into the Springport water lines and having something out of the lake for emergency purposes. Heinekamp stated that it was mentioned that the town was not very interested in it. Heinekamp stated that the town was as 3 council members were in attendance at the meeting. Honoco Rd was also mentioned to get on water and sewer. Shook believes that this is very much needed but to big for village or town, it needs to be county or state. We should work with the village to get a water authority to happen. There are no grants for seasonal homes on honoco which only 10% of homes are not. The town does not have a water district.

Adjourn

A motion was made to adjourn at 9:28pm

Motion made by John Binns

Seconded by: Therese Shook

Aye: 4 Binns, Heinekamp, Shook, Otis

Nay: 0

Motion: PASSED

Respectfully Submitted,

Jamie Bailey, Town Clerk