

**Regular Monthly Meeting
Caledonia Town Board
February 13, 2025**

The Regular Monthly Meeting of the Town Board of the Town of Caledonia was held on February 13, 2025, at 7:00 P.M. at the Town Hall, 3109 Main Street, Caledonia, NY.

Supervisor Pangrazio called the meeting to order and led in the Pledge of Allegiance.

<u>PRESENT:</u>	Supervisor	Daniel Pangrazio
	Councilman	Todd Bickford
	Councilwoman	Pam Rychlicki
	Councilman	Quentin Clark
	Councilman	Kevin Keenan
	Town Clerk	Seth Graham

ATTORNEYS: Dwight Kanyuck

OTHERS: Highway Superintendent Ron Beach

ATTENDEES FROM SIGN-IN SHEET: Bill Middleton, Joe Rychlicki

RESOLUTION 46-2025

JANUARY 9, 2025 MINUTES

On motion of Councilman Clark seconded by Councilman Bickford the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0
RESOLVED, that the minutes of January 9, 2025 be approved as presented.

OPEN FORUM

No one requested to speak during Open Forum.

ANNOUNCEMENTS/COMMUNICATIONS

Supervisor Pangrazio reviewed the following announcements/communications with the Board:

- Teen Recognition Nominations for Caledonia-Mumford
- Grievance Day is on Tuesday, May 27th from 4:00 pm – 8:00 pm.
- Livingston County Planning Board Agenda for February 13, 2025.
- An email from Jordan Energy requesting information regarding the Town’s rules and regulations.
- Humane Society of Livingston County Summary Report
- An email from Attorney Kanyuck regarding Horseshoe Solar
- An email from Megan Crowe regarding denial of the grant for the Comprehensive Plan.
- A copy of the 2025 Caledonia Library Budget.

DEPARTMENTS/COMMITTEES

TOWN ATTORNEY – DWIGHT KANYUCK

Attorney Kanyuck updated the Board on the following:

- Invenergy has partnered with another developer, Forward Power, who has acquired the membership interest in Horseshoe Solar LLC.
- The Invenergy subsidiary still owns 90% of Horseshoe Solar Energy LLC and Invenergy would retain all rights to control the operation of Forward Power Horseshow Holdings and Horseshoe, which would operate the Project.
- The Town's Host Agreement requires that Horseshoe Solar Energy LLC provide notice of a transfer of ownership within 45 days of the closing on the transfer.

DISCUSSION - PROPOSED LOCAL LAW NO. 1 for 2025 – ATTORNEY KANYUCK

Attorney Kanyuck discussed the Proposed Local Law stating it is a Local Law to Amend and Restate Chapter 106 of the Code of the Town of Caledonia to Add Additional Regulations for Solar Energy Systems and Battery Energy Storage Systems and Repeal Moratorium on Major/Medium Solar Energy Systems. The Board was given a copy of the Proposed Local Law with redline changes and comments provided by Attorney Kanyuck. Attorney Kanyuck went through some of the proposed changes to the code.

CODE ENFORCEMENT – SUPERVISOR PANGRAZIO

In Code Enforcement Officer Tom Perkins absence, Supervisor Pangrazio updated the Board that Tom is still working with the individuals who are building the two new houses on Barks Road. Attorney Kanyuck stated that he and Tom are working on some permitting fees including underground fiber optic lines.

PLANNING BOARD – COUNCILWOMAN RYCHLICKI

Councilwoman Rychlicki updated the Board that there was no Planning Board meeting in the month of January, but there is one scheduled for February.

BUILDINGS/GROUNDS – SUPERVISOR PANGRAZIO

Supervisor Pangrazio had no report on Buildings/Grounds this month.

HIGHWAY – HIGHWAY SUPERINTENDENT RON BEACH

Highway Superintendent Ron Beach updated the Board on the following:

- The crew has been busy with plowing. They were out 21 of 31 days in January.
- The picnic table has been sanded down and stained.
- The new truck has gone to Thruway Spring to get the other spring put on the front. The crew went and looked at the truck on Monday. Everything looks good; however, the truck isn't expected to be completed until Fall 2025.
- The new mower has been ordered. Highway Superintendent Ron Beach was hoping to have the mower by May; however, it looks like it'll be closer to August.
- Bill Middleton and Fred Harding have been working at the Transfer Station. Bill is currently training Fred. They will begin alternating Saturday's this week.

- The forklift is back together and running.
- The crew cleaned some trees on McIntyre Road and have been cutting brush on Sand Hill Rd near McCorkindale.
- Highway Superintendent Ron Beach mentioned the Agreement to Spend and plans to oil and stone McCorkindale Rd from Sand Hill Road to Route 36, McEwen and Cameron Roads, totaling 4.61 miles.
- Nova Chipping McCorkindale (from Sand Hill to Middle Rd), Sand Hill (from McCorkindale to just north of McGovern), Skelly (from the dirt part to McIntyre and DeNoon (from the railroad tracks to Route 36, totaling 3.03 miles.
- The crew is wedging DeNoon Road.
- A job posting has been posted in the Genesee Valley Pennysaver for a full time Motor Equipment Operator to replace a current employee who is retiring in 2025. We have received some job applications and Councilman Kevin Keenan will sit in on interviews with Highway Superintendent Ron Beach.
- Future Projects include winter maintenance on the loader, tree trimming on Sand Hill, River and McCorkindale Roads. Ron also stated they have more salt on the way.

TOWN CLERK’S MONTHLY REPORT – DECEMBER 2024 – TOWN CLERK SETH GRAHAM

<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>	
A1255	Conservation	Conservation	4	7.83	
			Sub-Total:	\$7.83	
A1603	MISCELLANEOUS CASH	Birth Certificates	1	10.00	
		Death Certificates	9	90.00	
			Sub-Total:	\$100.00	
A2130	MISCELLANEOUS CASH	Landfill - \$10.00	192	1,920.00	
			Sub-Total:	\$1,920.00	
A2544	Dog Licensing	Female, Spayed	6	36.00	
		Male, Neutered	15	90.00	
		Male, Unneutered	3	36.00	
	Late Fee	Late Fee	1	5.00	
			Sub-Total:	\$167.00	
B2110	PLANNING/ZONING	Building Permits	3	130.00	
			Sub-Total:	\$130.00	
				Total Local Shares Remitted:	\$2,324.83
Amount paid to: NYS Ag. & Markets Animal Population Control Fund					30.00
Amount paid to: NYS Environmental Conservation					562.17
Total State, County & Local Revenues:		\$2,917.00	Total Non-Local Revenues:		\$592.17

TOWN CLERK’S MONTHLY REPORT – JANUARY 2025 – TOWN CLERK SETH GRAHAM

<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
A2130	MISCELLANEOUS CASH	Landfill - \$10.00	143	1,430.00
			Sub-Total:	\$1,430.00
A2544	Dog Licensing	Female, Spayed	19	114.00
		Female, Unspayed	1	12.00
		Male, Neutered	19	114.00
		Male, Unneutered	3	36.00
	Late Fee	Late Fee	1	5.00
			Sub-Total:	\$281.00
B2110	PLANNING/ZONING	Building Permits	2	285.00
		Electrical Inspector	1	50.00
		Mobile Home Park	4	1,520.00
			Sub-Total:	\$1,855.00
			Total Local Shares Remitted:	\$3,566.00
Amount paid to:	NYS Ag. & Markets Animal Population Control Fund			50.00
Total State, County & Local Revenues:	\$3,616.00		Total Non-Local Revenues:	\$50.00

RESOLUTION 47-2025

TOWN CLERK’S MONTHLY REPORTS FOR DECEMBER 2024 & JANUARY 2025

On motion of Councilwoman Rychlicki seconded by Councilman Keenan the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the Town Clerk’s Monthly Reports for the month of December 2024 and January 2025 have been approved as presented.

DISCUSSION – WEBSITE COMPLIANCE – SETH GRAHAM

Town Clerk Seth Graham updated the Board that he is working to meet the recent changes to New York State municipal website requirements and has made great progress. Our Town website, formerly located at <https://www.townofcaledonian.org> has been migrated to our new web address <https://www.caledonian.gov>. Redirects and 404 pages have been set up to direct visitors to the new domain and site. Seth stated he is working with Attorney Kanyuck on compliance and things are progressing well.

OLD BUSINESS

DISCUSSION – RURAL CEMETERY

Supervisor Pangrazio asked Highway Superintendent Ron Beach about the Town Rural Cemetery and Ron stated they did a lot of cleaning up in the Fall last year and have plans to clean it up a bit more in the Spring and trim some sapling trees.

DISCUSSION – TOWN COURT AUDIT – COUNCILWOMAN RYCHLICKI

Councilwoman Rychlicki updated the Board that she will be doing the Town Court Audit of Court Clerk Meg Donegan on February 28, 2025.

DISCUSSION – TOWN AUDITS – COUNCILWOMAN RYCHLICKI

Councilwoman Rychlicki updated the Board that she will perform the audits of the Tax Collector, Town Clerk, as well as the Supervisor’s audit this month. She will reach out to Town Clerk Seth Graham next week to schedule the audits.

MORATORIUM UPDATE – SUPERVISOR PANGRAZIO

Supervisor Pangrazio, Attorney Kanyuck, Planning Board member Keith Stein, and Code Enforcement Officer Tom Perkins worked on the proposed amendments and changes to Chapter 106. The Board thanked Supervisor Pangrazio for his work on the changes.

CODE UPDATE – SUPERVISOR PANGRAZIO

Supervisor Pangrazio updated the Board that he is working with Code Enforcement Officer Tom Perkins as well as Planning Board member Keith Stein and Attorney Dwight Kanyuck on some Town Code changes. They will meet a few times to discuss changes over the next few months and will provide an update at a later date.

DISCUSSION – TOWN’S FINANCIALS – SUPERVISOR PANGRAZIO

Supervisor Pangrazio met with the Town bookkeepers, Local Government Support Services (LGSS), and after looking through the Town’s finances, LGSS stated the Town is doing a great job with finances and is debt free.

NEW BUSINESS

RESOLUTION 48-2025

INTRODUCTION OF PROPOSED LOCAL LAW NO. 1 FOR 2025 – AMENDMENTS TO CHAPTER 106

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF CALEDONIA**

February 13, 2025

**RESOLUTION INTRODUCING THE PROPOSED
LOCAL LAW NO. 1 OF 2025 AND RELATED SEQRA EAF
FOR REVIEW, ESTABLISHING SEQRA LEAD AGENCY,
REFERRING PROPOSED LOCAL LAW NO. 1 OF 2025
TO THE LIVINGSTON COUNTY PLANNING BOARDS
AND SETTING A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Caledonia (“Town”) commissioned a team consisting of members of the Town Board, Planning Board, code enforcement, and attorney for the Town, (the “Solar Law Review Team”), to review and propose revisions to the existing local law regulating solar

energy systems and battery energy storage systems, as codified in Chapter 106 of the Code of the Town of Caledonia (the “Existing Solar Code”); and

WHEREAS, the Solar Law Review Team has developed a proposed Local Law No. 1 of 2025, annexed hereto as Exhibit A (the “Proposed Local Law”), to amend and restate Chapter 106 of the Town Code to revise the existing regulations for solar energy systems and battery energy storage systems and repeal the current moratorium on major and medium solar energy systems; and

WHEREAS, the attached Proposed Local Law shows the proposed changes to the Existing Solar Code in redline; and

WHEREAS, the revisions solar energy system and battery energy storage system regulations are guided by the Town’s experience with the five solar energy systems in operation in or approved by the Town, the NYSERDA model solar energy and battery energy storage system local laws, guidance from Livingston County Planning, and the NYS Inter-Agency Fire Safety Working Group on battery energy storage systems (“Working Group”), and recommend substantive changes as compared to the Existing Solar Code with respect to;

- Requirements related to ongoing landscape maintenance;
- Additional visual impact assessments;
- More restrictions on siting projects on prime farmland or farmland of statewide importance;
- Provision of independent peer review of Tier 2 battery energy storage applications to align with recommendations of the Working Group;
- Requirements related to availability of qualified personnel to respond to a battery energy storage system emergency as recommended by the Working Group;
- Expanding the capacity limit for minor solar energy systems to 100 kilowatts, but requiring site plan approval for ground mounted systems greater than 25 kilowatts;
- Removal of medium solar energy systems as a permitted use within the R-1 zoning district; and
- Clarified public hearing requirements; and

WHEREAS, adoption of the Proposed Local Law could be considered a Type I action under the State Environmental Quality Review Act (“SEQRA”), pursuant to 6 N.Y.C.R.R. §617.4(b)(2), because it may be considered to be changing the allowed uses within an area of more than 25 acres within the Town; and

WHEREAS, Part 1 of a Long Form SEQRA Environmental Assessment Form (“EAF”), annexed hereto as Exhibit B, has been prepared for the Proposed Local Law; and

WHEREAS, the Proposed Local Law is required to be referred to the Livingston County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Local Law is subject to the notice and hearing requirements of Town Law § 264.

NOW, THEREFORE, IT IS RESOLVED that the Proposed Local Law is introduced for consideration by the Town Board; and

RESOLVED, that, pursuant to 6 N.Y.C.R.R. §617.6(b)(3)(i), the Town Board shall serve as Lead Agency for the SEQRA review of the Proposed Local Law; and

RESOLVED, that the Town Board accepts and directs the Town Supervisor to sign the EAF; and

RESOLVED, that the Town Board directs the Town Supervisor to arrange for the referral of the Proposed Local Law, EAF, and Existing Solar Law to the Livingston County Planning Board for review pursuant to General Municipal Law § 239-m; and

IT IS HEREBY FURTHER RESOLVED that a public hearing before the Town Board at the Caledonia Town Hall regarding the Proposed Local Law and the SEQRA review for the Proposed Local Law is set for the 13th day of March 2025 at 7:10 pm; and

RESOLVED, pursuant to Town Law § 264, notice of the time and place of the public hearing shall be published in the *Livingston County News* at least ten days prior to the date of the public hearing; and

RESOLVED, pursuant to Town Law § 264, at least ten days prior to the date of the public hearing, written notice of the Proposed Local Law shall be mailed or personally delivered to the Town Clerks of the Towns of Wheatland, Rush, Avon, LeRoy York and Pavilion, the Genesee Region of the NYS Parks Commission, the Clerk of the Genesee County Board of Supervisors, and the Clerk of the Monroe County Legislature,

DATE: February 13, 2025 (Proposed Local Law No. 1 for 2025 and a copy of the SEQRA form is attached to this set of minutes and can also be found on our website at: <https://www.caledoniany.gov/proposed-laws>.)

A motion was made by Councilman Bickford seconded by Councilman Clark and carried by all to adopt the resolution and set the Public Hearing date for Proposed Local Law No. 1 for 2025 to be March 13, 2025, at 7:10 P.M.

RESOLUTION 49-2025

AUTHORIZATION TO SPEND HIGHWAY FUNDS

On motion of Councilwoman Clark seconded by Councilman Bickford the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that that pursuant to the provisions of Section 284 of the Highway Law, the Highway Superintendent and the Town Board agrees that monies levied and collected for repair and improvement of highways, shall be expended for 2025. The sum of \$359,077.56 may be expended for general repairs upon 44.86 miles of Town Highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

RESOLUTION 50-2025

CHANGING THE JUNE TOWN BOARD MEETING DATE TO JUNE 18, 2025

On motion of Councilwoman Keenan seconded by Councilman Bickford the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the June Town Board meeting has been changed from Thursday, June 12, 2025 at 7:00 P.M. to Wednesday, June 18, 2025 at 7:00 P.M.

RESOLUTION 51-2025

INVESTMENT POLICY

On motion of Councilwoman Rychlicki seconded by Councilman Clark the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the Town’s Investment Policy has been updated and reviewed and is on file in the office of the Town Clerk.

RESOLUTION 52-2025

PITNEY BOWES POSTAGE METER LEASE CONTRACT

On motion of Councilman Bickford seconded by Councilman Keenan the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the Board has received a lease renewal contract for the Pitney Bowes Postage Meter and will receive an upgraded MailStation SendPro Postage Meter for a term of 60 months beginning at the end of our current lease. The Board authorizes Town Clerk Seth Graham to sign the lease.

RESOLUTION AND PUBLIC NOTICE

TOWN OF CALEDONIA TRACTOR

RESOLUTION 53-2025

PERMISSIVE REFERENDUM – 2025 JOHN DEERE 6M105 TRACTOR

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Caledonia in the County of Livingston, State of New York, at a regular meeting that was held on the 13th day of February 2025, duly adopted, subject to a permissive referendum, a resolution as follows:

WHEREAS, pursuant to Section 6-c of the General Municipal Law, the Town Board of the Town of Caledonia (“Town”) established a Equipment Capital Reserve Fund (“Fund”) to finance the cost of capital equipment; and

WHEREAS, the Town Board of the Town of Caledonia has determined that it is necessary to upgrade the tractor equipment necessary for the work of the Town Highway Department.; and.

WHEREAS, the Town received a quote from LandPro Equipment in the amount of \$84,932.07 for a 2025 John Deere 6M105 tractor after a \$61,000 trade-in of two existing Highway Department tractors; and

WHEREAS, the Board agreed to accept the quote of \$84,932.07 from LandPro Equipment, which was the low bid for the tractor; and

WHEREAS, it is estimated that the cost of the equipment to not exceed \$84,932.07; and

WHEREAS, in recognition of this need to upgrade this piece of equipment, funds for such purpose are available in the TOWN OF CALEDONIA EQUIPMENT Capital Reserve Fund.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to expend up to \$84,932.07 from the Capital Reserve Fund the funds necessary to purchase the 2025 John Deere 6M105 tractor.

NOW BE IT FURTHER RESOLVED, that this resolution to expend \$84,932.07 from the Capital Reserve Fund is subject to a permissive referendum, pursuant to General Municipal Law §6-c, and shall not be effective unless either no petition requesting a referendum meeting the requirements of Town Law §91 is filed on or before March 17, 2025, or this Resolution is approved by the affirmative vote of majority of the qualified electors of the Town of Caledonia voting on approval of the Resolution; and it is

BE IT FURTHER RESOLVED, that the Town Clerk shall publish a notice in the Livingston County News on or before February 23, 2025, which shall: (1) set forth the date of the adoption of this Resolution; (2) contain an abstract of this Resolution concisely stating its purpose and effect; (3) specify this Resolution was adopted subject to a permissive referendum; (4) state that on or before March 17, 2025, a petition signed, and acknowledged or proved, or authenticated by electors of the town qualified to vote upon a proposition to raise and expend money, in number equal to at least five per centum of the total vote cast for governor in the Town in 2022, but which shall not be less than 25, protesting against the Resolution and requesting that it be submitted to the qualified electors of the Town for their approval or disapproval; and it is

BE IT FURTHER RESOLVED, the Town Clerk shall also cause a copy of the Notice to be posted on the sign board of the Town maintained pursuant to Town Law §30(6), and on the Town website, on or before February 23, 2025.

The motion to adopt the resolution was made by Councilman Bickford and seconded by Councilman Clark and duly adopted

by the following vote:

AYES: Supervisor Daniel Pangrazio
Councilwoman Pam Rychlicki
Councilman Kevin Keenan
Councilman Quentin Clark
Councilman Todd Bickford

February 13, 2025

By Order of the Town Board

Seth Graham

Town Clerk

DISCUSSION

CALEDONIA LIBRARY LIAISON BOARD

The Town Board of the Town of Caledonia agreed to form a Caledonia Library Liaison Person. The Town Board already has a liaison for Village meetings, Planning Board meetings and Fire District meetings and the Board feels it would be beneficial to also have a Caledonia Library liaison. Town Supervisor Dan Pangrazio will be the liaison for the Caledonia Library meetings

Fire District Liaison

Formed January 9, 2025

1. Quentin Clark
2. Todd Bickford
3. Pam Rychlicki
4. Kevin Keenan

Caledonia Library Liaison

Formed February 13, 2025

1. Supervisor Pangrazio

DISCUSSION – CHANGE AGENDA ORDER – SUPERVISOR PANGRAZIO

Supervisor Pangrazio stated he would like to change the order of business for the agenda and pay the bills before the Board enters into Executive Session for the matter of Attorney Client Privilege.

RESOLUTION 54-2025

CHANGE ORDER OF BUSINESS ON AGENDA

On motion of Councilman Clark seconded by Councilwoman Rychlicki the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the order of business on the agenda be changed to pay the bills before entering Executive Session for the matter of Attorney Client Privilege.

RESOLUTION 55-2025

PAYMENT OF BILLS

On motion of Councilman Bickford seconded by Councilwoman Rychlicki the following resolution was ADOPTED – Aye – Pangrazio, Bickford, Rychlicki, Clark, Keenan Nay – 0 Absent – 0

RESOLVED, that the bills be paid in the following amounts:

FUND	AMOUNT
General A Fund	\$ 19,207.69
General B Fund	\$ 2,237.11
Highway DB Fund	\$ 187,017.92
Total:	\$ 208,462.72
Other - SF Fire Fund	\$ 552,018.00
Other – Hatchery Solar Escrow	\$ 455.00

7:50 P.M. – EXECUTIVE SESSION

On motion of Councilman Clark seconded by Councilwoman Rychlicki, the Board adjourned for the purpose of discussing an attorney-client privilege litigation issue.

8:18 P.M. ADJOURNMENT OF EXECUTIVE SESSION

On motion of Councilman Clark seconded by Councilman Bickford, the Board reconvened into regular session. The Board, having met in Executive Session, hereby reports as follows: No action taken.

On motion to adjourn by Councilman Clark seconded by Councilman Bickford and carried by all, the Board Meeting was adjourned.

Respectfully Submitted,

Seth Graham
Town Clerk