

Town of Shelby Workshop

May 28, 2025 5:30 PM

Please note: We are live streaming our meetings through You Tube. See www.townofshelbyny.gov and click on the link.

Present:

Scott Wengewicz, Supervisor
Linda Limina, Councilperson
Steve Seitz, Councilperson
Eddie Zelazny, Councilperson
Kathleen Bennett, Attorney (zoom)
Darlene Rich, Town Clerk
Claude Grimes, Constable
Jim Conway, Constable

Excused: Jeff Schiffer, Council person

Others:

Dennis Mac Donald	James Zelazny	John Parada
Alana Koneski	Jim Heminway	Joy Waters
Larry Waters	Lorraine Limina	Leona Weese
Julie Wolter	Monica Twarog	Mike Rich
John Pratt		

Called to order at 5:30 PM

Pledge to the flag

Presentations by Engineers (Via Zoom) for proposed Solar project

Caitlyn Choberka with C & S Companies. Caitlyn works for C&S companies and works in their municipal department doing civil insight civil work. She works with the Town of Clay as well as a few other municipalities helping them provide review for their engineering submittals. She also works on behalf of developers as well as some of her colleagues in the municipal sire, civil and environmental departments assisting developers with developing environmental permitting documents for solar sites as well as the site level documents. They have worked on hundreds of solar sites at this point. Ion the developer behalf as well as she has provided reviews for other municipalities reviewing assistance for projects they have submitted. Supervisor -how many towns have you represented exploring the solar projects and what have you done for the towns?

Caitlyn-She has worked with three municipalities reviewing solar projects. This is to ensure that they are compliant with state and federal regulations such as the SEQR requirements. New York has several kinds of jurisdictions within the storm water, NYS DEC as well as the NYS Agriculture and Marketing. Two of the projects she has helped review were on a smaller scale such as the 5-megawatt. Another project was through an ORez Application where it was

beyond the 5-megawatt project and so we are reviewing on behalf of the town although the kind of circumnavigated that process so they were under an ORez application just because the scale of the project.

Attorney-Orez is Hemlock Ridge. Because a larger portion of it was in Barre and in Shelby, they sort of relied on Barre to do a lot of the heavy lifting.

Caitlyn-in an ORez review you have 30 days to review it versus a traditional municipal review. It can kind of go back and forth with the town for as long as you feel comfortable with the documents that are provided. Some of what they are looking for depending on the site, a lot of the communities, the preservation of the farm field is really important. So, they are working and making sure its compliant with the requirements and guidelines as stated by the NYS Department of Agriculture and Markets helps ensure what's being installed will allow for the farm field to be restored back to agricultural use. On the developer side currently, she is working on a project where they are implementing farming as part of the project and that's something that could be requested developers to consider consistency to ensure that there is not going to be any impacts to wetlands with consistency with the DEC and storm water requirements. In both her job with the solar developers as well as her municipal work. In her site development work she works on a lot of storm water projects, so she is really familiar with the projects as set forth by the SWIP process. There is a team of wetland scientists who are familiar with the SEQR process and the environmental assessment forms and the forms that require that.

Limina-What is your proposal? As an engineering firm what are you doing for us?

Caitlyn-as part of the application for the special use permit and the site plan application the developer on the solar side will submit the documents that can be overwhelming for us to look at because there is a lot of logistics of decommissioning plans, operation and maintenance plans, there is visual assessments, noise assessments to ensure that there won't be significant impact to the neighboring communities and properties. There will be storm water pollution prevention plans which the developer has to kind of develop a means of treating storm water so that it does not impact the development of the roads and the solar arrays does not impact other streams and down stream of properties. They will also be submitting an environmental assessment form and a wetland delineation or environmental assessment report to ensure that there are no impacts to environmentally sensitive areas, habitats for species that are of sensitive nature as well as pollution and noise pollution. It will be their job assisting us to go through those documents with our knowledge and experience in both developing and reviewing these kinds of projects. To summarize what they are proposing for us and make sure it is compliant with all the regulations set forth by the federal and state government. Just to ensure compliance as well as compliance with the towns zoning code as it pertains to what's permitted in the Town of Shelby for solar.

Zelazny-Asked about cost to do the project.

Caitlyn-Our proposal is asking for a lump sum fee of \$11,500 as well as including the cost of attending meetings if you would prefer an in person meeting at \$1200.00 per meeting. This is driving out, she is located in the Syracuse office and attending the meeting but she would be happy to do it over zoom if you felt comfortable with that. As far as the fee for reviewing the documents this would include looking through the documents that the applicant has provided providing a review letter in response for the documents. It is assumed that they will come

back with another set of documents for the application that we will then review again and provide letters as needed twice for two submittals. There are provisions where they could extend the proposal for an additional fee.

Attorney reminded the boards that New Leaf is paying for all of it.

Limina- Is there a limit what they are going to cover though

Attorney- Right now they have agreed on ceiling of \$50,000 and if we come close or go beyond, she made it clear to New Leaf that if we start to approach that we may need to have discussions.

Zelazny-really don't know how much it is going to cost if they have to have extra meetings

Caitlyn-In her past experience depending on the nature of the developed it is normally covered in two submittals but that could be dependent on a number of factors. As far as provisions for additional fees, looking through her proposal she didn't add a provision for that but that could be modified or it could be an additional proposal for additional services.

Supervisor-wants to be clear, the \$11,500 includes the first two meetings.

Caitlyn-yes.

Supervisor -says attendance at municipal meetings beyond the two meetings is \$1200 a meeting. So, \$11,500 is all the paperwork review and two meetings.

Seitz-if we are paying the \$1200 for the two meetings and there has to be additional meetings because of the language are they going to be more because she said we had to adapt to that as we went along.

Caitlyn- the cost of the additional meetings would be \$1200 just as the fee for just attending.

As far as more submittals that would be an additional service. So, if they ended up submitting three or more for approval then we would be looking at additional services agreement contract.

Rahm Shri Vasava from Larsen Engineers-Solar projects themselves in the last ten years have been doing a lot more community solar and community solar typically is a project the developer is building to provide power to the subscribers. So basically, the power is sold in the grid and then the power is supplied to all the members. So, whatever the capacity is there are beneficiaries. They do a lot of work with developers and submit the documents that they have seen. There are a lot of other considerations with projects like these, economic impact. We have been doing a lot of municipal work from day one. Larson has been in business since 1955. Environmental engineering and climate are major areas that we are very much involved. We have local experience working with the Village of Medina wastewater plant. So, all the solar panels you see on the plant were something that they worked on, a different DPW wastewater plant and the idea was to make electricity with the roof top units but larger systems are typically on the ground. The proposal he submitted is for two projects that are next to each other. There is a limit of 5 megawatt for larger size project. So, they have divided and submitting two projects. Five megawatt is a significant investment on the developer part. He is looking at all the documents they have provided and looking at the process of going through. There are a lot of considerations for the value of the project, property value significantly changes and from the value from tax point of view or host community benefit point of view there are considerations. In his budget he was looking at what do they have to do for this project while it helps the environment and produces the power how does it help the village on a long-term basis, what are

the benefits for the folks because a large amount of land has been used. So they are looking at the review representing you and looking for opportunities where the municipality benefits the Town of Shelby. He keeps thinking the village of Medina. What's in it for us and how can this project be in a long-term beneficial and that's why you see documentation by the developer and their engineer so they will review the documents but looking at the impacts and the questions of other agencies; DEC is a very important agency and their approval and review is important. Utility power company itself is an important player because they have to have the capacity to receive this power and they do the studies. They will be looking at multiple documents going through the process of public meetings to inform the people, explaining to the community what the long-term benefits are and why there should be support. We are ready. We have done projects of this kind, twenty megawatts worth of project which have been reviewed by other engineers and built and then we have done projects for our own municipality like the town of Wolcottville. A village of Scottsville has a solar system done about ten years ago. So, we have a lot of experience and doing things right and seeing things done that are not right. So, they will be able to prevent anything long term from our perspective in our risk. He is an environmental engineer, graduate from Clarkson College. He has been doing this for 50 plus years and has the experience to look at what could be important from our perspective. Limina-Can you tell us what things you have found that have created problems that you have caught? What should we be concerned about.

Rahm-Stormwater management is a significant issue. How is the soil? From a DEC perspective there should be no run off with sediments. Storm water pollution prevention plan, those are issues. As far as DEC concern SEQR approval will be issued. We will be issuing a notice of no significant impact if that's the finding. These documents will be sent to multiple agencies, the planning board. So, you get reviews from different folks and their perspective. DEC is very important and the utility reports are very important. They have filled out the SEQR form. They have filled out the long form and the documents. So, they will provide the information. He hasn't gone through it but can understand the DEC's impact will be, for example water wetlands is a big deal in some cases and there are wetlands on the site in areas and how do you deal with that? You will want the project to be such that it fits into the site. It doesn't have issues related to other development other folks which live nearby. Why? What's the impact on them. They are the ones who will be coming to public meetings. Has the developer looked at their perspective? What are they from the elevation view? There have been projects built right in front of housing and nobody checked it out and then once they were built all the property owners were up in arms. It affects the view shed. It affects the property value. You want it to be an asset for everybody and not a liability in that sense. When you look at projects like this there is amount of power being made and connected to the grid. Who is the recipient? Is this a project that's being directly fed into the grid? There are no local village residents and town buildings and facilities that could benefit by buying solar and cheaper power. Is there any consideration or is this just for utility scale where all the power is sold directly to the grid and we are just hosting? He is not sure it was clear in the documents. Attorney said she also is not clear at this point either. She thinks the intention is for it to go to the grid but certainly to the extent there might be a way to get other benefit. That could be worth raising

Rahm- the grid connection like a utility scale project large scale is like a wholesale directly sold the entire power. They don't deal with the individual people. Solar is a great asset. Prices have come down, so it's something really which can make a great difference to municipalities and he didn't see how directly it will. There is certainly a financial aspect of it that you get paid a host community benefit fee. There may be other consideration for financial gains but people who live in the area – there should be some support that promotes or helps other people to also benefit. These are all municipalities benefits that could be part of the project. We need to look at it and come up with something so that it does more than just be a site where power is made and sold to the grid.

Zelazny- Have you done any other small-scale projects in Orleans County other than this one?

Rahm- We have done projects like 115 kilowatts in the village of Scottsville. They have done roof mounted and site mounted municipal projects as municipal engineers. They have done 2-5 megawatt projects like this where the developer is going to the town and help them get the permits, work with the engineers and review engineers and then during construction making sure that the waste construction is being done. How are they handling the sediment control to make sure you don't have any environmental damage which you could get involved with the DEC. So, they have a list of projects from here to Finger Lakes area, St. Lawrence County. Typically, 2-5 megawatts because the scale is much better on cost per watt basis.

Zelazny- Have you done any in Orleans County?

Rahm- Medina has sewer plan. They did wastewater plant. They did the highway department on site. Most of the time the developers are selecting site going with the engineer and looking for the permitting process with the community. What else can this project do to help the community's economic development? There is a project in Albion at the wastewater plant and they were looking at a water plant but that did not go through. There were other sites that had good potential but locally there was not enough support to go through the process of screening the sites and go through but it's a great project to do. They have projects in Livingston County, Wayne County, Ontario County

Limina- You mentioned that engineers are part of the installation. Is that part of this proposal as you are doing this for us or does the developer have his own engineers that watch the installation and make sure they are compliant

Rahm- the developer has his own inspectors but a quality control review. Our proposal includes visiting the sites as they are going on just to make sure that we don't see anything which could have your liability.

Attorney- Looks like his proposal includes maybe three rounds of document review and attendance at three meetings?

Ralm- will have to keep track of these projects separately because they are individual projects. It was a project with two sides so we gave one proposal covering both. And they don't know the difference between the two sides environmentally. One has more issues that somebody may have more wetland issues or more slope issues. Typically, when you have ground slope such that rainwater could erode the soil. We have to be careful about how much disturbance to the ground is being made because DEC is concerned about disturbing a certain size of area. So sediments, solids, water enough controlling the affluence in general just how it sets into the site from the neighbor's perspective.

Zelazny- so this proposal will cover both sites?

Ralm-yes.

Supervisor- If we need extra meetings is that going to be billed?

Ralm-It would be same rate.

James Pippen – Haley Aldrich – He made assumptions about the level of effort in the two projects going separately. That's why there were two separate costs and the two processes separated out as well. One for the SEQR review in support of the planning board and then the special use permit with the town board. He kept those separate processes and consultations. Assuming there were going to move along and be two discreet projects with two different points of interconnects he kept them separate. As an assumption font know if its true or not from New Leaf's perspective but the costs might be higher that what they've seen because of that. In general, his level of experience and the level of effort and the labor time is, you know, He worked with a supervisor at another wind project and got them through SEQR. He worked with her since 2007 on that project. It was just finally built and completed last year. It was a long process; there were many different developers come and buy that project and the level of effort is seemed to always be the same. The developers want to go fast and they want to get the things in quick. Just so you know these are not to exceed fees. They are not lump some so if they give us a good application and they provide us with all the materials in a clear concise way that we feel like they have done a very good job of demonstrating compliance with all the regulations and you know it's a hard look at SEQR and then we can hopefully not have to use all this budget but it is there just like a not to exceed. The other side of the coin is if they end up not giving us what we need for you to make the decisions that you need to then it can cost more of our time and effort to go back and forth with them.

Limina- Can you clarify – you broke this out into two each project, the five-megawatt project is not to exceed 8019 and the 4 megawatt looks like not to exceed 80019 so a total of 1638. If they were to do those at how different of course there would be efficiencies, if they were to send things together and they're moving them along. He wasn't sure if that how they were doing it with two different POI's. There is still going to be two desperate projects. So, there is going to be double, our time to review the public hearing. They are two separate projects and that there is only one megawatt difference, he really couldn't find a lot of savings. It's about the same level of effort.

Attorney- Does it make a difference if the town board does the SEQR review? The Town board declared itself as lead agency.

Jim-As opposed to the planning board?

Attorney-yes-

Jim- No because the SEQR documentation is going to be separate. He is assuming he doesn't know if they are going to do an expanded EAF or if they are actually requesting an EIS that he also did not have that information. So, if we get to the point where either one, it's going to have all these support studies, so that is going to support the SEQR determination and the binding statement and then the special use permit is a separate set of documents. So really if it's the planning or town boards it would be the same level of effort.

Limina asked about level of background and other local projects in western NY.

Jim- He is in Rochester. He grew up in Victor. He did go to school in Maryland. Started his career down there. Has been doing environmental consulting for thirty years. He moved back up to western NY in 2004 and immediately got with another firm and was working on many renewable projects in the state. So, a lot of whether they were never built that all the proposed and ended up like not you guys may be familiar with the Light House Wind Project to the north. He was working at mostly on the developer side as a consultant and like he said he worked with the town of Villanova but he has worked on the Lighthouse Wind. He has helped out many projects with the southern tier. He has worked on Cohocton which is up and running. He worked on many that were proposed down in Allegheny and Olean. He worked for many different renewables in the north country. He worked on a smaller project in the city of Geneva and building those two turbines to support and manufacturing facility. He also worked on solar all across the US and working now on renewables in NY state. He has worked on a few probably at least 30 projects whether they were proposed and shelved and then some built. His background is natural resources management with a focus on wetlands and natural resources; forestry work. He got into environmental compliance.

At 6:20 pm Scott made a motion to go into executive session to talk about proposals and choose a consultant. Second- Limina. All present in favor. Absent -Schiffer. Came out of executive session at 6:55pm. Discussed three engineering proposals and came to a unanimous decision.

RESOLUTION 53-25

RESOLUTION TO ACCEPT THE SUBMITTED ENGINEERING PROPOSAL FROM C&S ENGINEERS.

Motion-Wengewicz; second-Limina.

Roll call vote:

Seitz-yes

Limina-yes

Zelazny-yews

Wengewicz-yes

Absent-Schiffer

That was \$11,500 for the project and included two meetings with additional meetings if needed at \$1200 per meeting.

Attorney also said any additional document review would be whatever their hourly rates are which are probable similar to their hourly rates. Attorney will let he know to sent the paperwork.

Cyber Security-Limina-What kind of set up do we have? Do we have one server, are we cloud based? Do we have a mixture for what we are using?

Supervisor-We have a server room but doesn't know what we have.

Limina-What about security systems for the building, like access to the building? Are the cameras stored on the cloud? Is that stored here on servers and is it the same server, is it where our software is housed? She apologized and said she is not an IT person.

Supervisor – it's in the same room but he is not sure if it's on the same system, but that's question number 2, he will get answered.

Limina-what about storage? Do people have the ability to store files and things on their hard drives on their computers or is everything stored on a server? Her concern with that goes to

people's ability to delete things that are maybe town property that we should if it's where if it's on a server is getting backed up daily. Who is the admin to the server? Who can add and remove program files etc. She thinks for her personally she is not ready to move forward with an IT or Cyber Security policy after trying to read what we were provided. She would like to Joe from CHPC come in and whoever is our salesperson for Convergent and give the board some background on what we have. She said Supervisor mentioned last week that the cameras, exterior security but the cameras were put in almost 9 years ago. Things have changed. Is that what we should be using? Should we be upgrading? Is it good enough. Same with all of our IT stuff. She thinks you tend to put stuff in and then you don't necessarily keep up with it. She would personally like to see both of those companies and come in and explain to the board what we have, are we adequately covered, and have Joe and/or the security company help us write a policy that is going to give us what we need instead of four or five people that maybe don't understand it as well as trying to develop that policy.

Supervisor said he agreed with her 100%. That policy was what CHPC did, not sure who they did it with but that was the policy they submitted to us. He thinks the last board worked with CHPC on that and then he just updated it. He agrees 100%. Security server system- we need to get briefed by them.

Limina- So that probably would be another workshop. Any chance we could get it for next week so we can get it in before the June meeting? She personally would like to move it along. Supervisor said he will check with CHPC and see if he is available.

Zelazny- We should try to get both if we could.

Limina- Back in October or November of last year when we talked about inventory we talked about laptops, computers, printers and because they were underneath our fixed asset threshold, we weren't really keeping track of those. She did reach out to CHPC. Unfortunately, they were not able to give her information without them doing a lot of work and having it be a cost to the town, so they provided her just the dates, invoice number and dollar amount.

Supervisor said he had Beth incorporate that.

Limina asked how she would know. The list is for us. Were there computers purchased in this time period. And if any of these charges were computers, does she have a running list of how many computers the town owns?

Supervisor said she has a list of all computer inventory for the town

Limina- No, her list she is sure is what she saw when she walked around. Limina wants to know what did we purchase and do we still have what we purchased. This list doesn't tell us what it was. So, she is going to have to do some research and go back and pull these invoices out. Personally, for her she highlighted the ones that were over \$400 or \$500 figuring that laptops are probably around that, the ones that are as thousand, there's a good chance that's computer equipment or printer. So, she's going to have to pull these invoices and then make a list of what we have purchased and then be sure she can go back and find it. The point of the inventory is to make sure we still have what we paid for. It's something that won't be done in a day. Its three pages and she highlighted thirty invoices. The bills go back to 2019. Town clerk said she would have those in the vault.

Attorney said she reached out to Joe because she wanted to talk through some of it with him but did not get a chance. She thinks it's is a good idea to have him come in and talk to the board. She thinks the policy as it was written was a standard policy that they use not just for

municipalities but also for businesses so she thinks part of that conversation is does the town of Shelby really need a 50–60-page IT policy. Is there a way to make it a little more user friendly or appropriate for the town.

Supervisor said scale it to fit the town.

Limina-knowing that she knows we are changing over to a .gov website but does that mean we are like overhauling anything on the website?

Supervisor-He looked over the weekend and all of our emails are .gov and now the town website is .gov also

Limina-would like to look over the website. For example, the agendas. We write over them every month. We can't go back and look at past agenda.

Town clerk said she will talk to CHPC and see if they can add a tab like the minutes tab. And then she can start saving them. Town Clerk also said she has the calendar updated on the website and will add to it.

Limina said for the water department there are two different amounts for water also said two different places, thinks it's one place under department and then water and there is another one on the main page in a block that says water and there are two different rates. One says \$600 and the other one says \$530. It's the same sheet of paper it just has two different rates on them.

Supervisor said he will check it out. It's for water meter, hookup.

Town clerk said a couple weeks ago Rusty and Beth did go for a ride to shut water off because people haven't paid their bill. There was a customer who did come to the door with money and said she didn't want her water shut off. So, Beth brought the money back to me. I did tell her she really can't do that because she is not deputized. So just going forward I told her she needs to tell them they need to come into the office as she can't take the money. I know previously a few years ago, that same thing was done and they were told they can't take their money as they were not deputized.

Attorney-She had a concern just in terms of taking cash in that manner. She said that is not a good practice.

Supervisor said she cannot be taking it.

Town clerk-when people come into the office to pay a bill, they give their money to either myself or my deputy. We are the only two that can take that money. No one in the office is allowed to take money from the customer. Beth did not know that and thought she was saving the woman from having to come down here to pay her bill. I just told her it can't happen anymore because she was not deputized.

Supervisor said he was good with rewriting a new cyber security policy.

Limina-We are going to reach out to both companies, right? We will get them both in to let us know that we can adopt a policy that makes sense for us.

Supervisor will put everything together and then we can get ahold of CHPC to figure out what they can do for the pages and all that updating and changing stuff.

Town Clerk said she will call them.

Attorney-no other comments. Thinks we will be in good shape for the review of the solar.

Move to close the meeting by Zelazny, second by Limina at 7:01 pm.

Respectfully submitted by,
Darlene Rich, Town Clerk