

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, NOVEMBER 19, 2018**

Meeting was held at Town Hall, 420 Route 209, Huguenot, New York 12746

Invocation led by Gary Spears (Participation Optional)

Supervisor: Gary Spears

Councilmen: Alan Schock, Ken Smith, David Dean, Arthur Trovei

Attorney: Glen Plotsky

Also, in attendance: Johnny Zhou and Richard Li

Pledge of Allegiance led by Ken Smith

Call to Order at 7:32 p.m.

Presentations/Communications

Supervisor Spears announced that on Monday, December 3rd at 6:00 p.m., they will have a dedication of the deer in front of the Senior Center by the Arts Council. *Flo Santini* added they will have refreshments following and it is on the town website.

Town Clerk Florence Santini thanked the Board for indulging her being the Senior Council Coordinator and Saturday they had over 100 seniors for the free turkey dinner, provided by the Senior Council funds. She went to the school mentioning they needed volunteers and they had Athletes for Athletes and Honor Society so they had about 10 kids in the morning plus coaches and in the afternoon, they had another 10 to 12, with their coaches. Nick Pantleone joined them as well. Bill and Vicky Harris did all the cooking and they did all the serving and clean up. If the Board approves, she will promote the Holiday Lighting contest again this Christmas. She'll judge the week of December 10th and announce winners December 18th. She mentioned families in need for the holidays in our community—three families from HBE and three from ASK. They are in the process of writing letters to raise money to purchase gifts. The Defensive Driving Course is being offered by someone from Otisville. She gave them the use of the Senior Center because they want to make it available for kids and the elderly to help with their insurance. The school doesn't do Driver's Ed anymore, and they thought this would be good for them. She's waiting on insurance from the person giving the class and once it is confirmed, the school will make a donation to the town for the class. She went to New Windsor for a luncheon regarding the Honor Flight and because of Ed Hughson bringing it up to the Highway Superintendents and their choice to raise money for the veterans, they raised \$17,000. They were the honorees of the luncheon. The Highway Superintendents decided to sponsor it again next year. Councilman Smith commented on her involvement and what was said about her contributions at the luncheon, because he was there.

Department Head Report

Ed Hughson, Highway Superintendent reported they were ready for the snowstorm, but were caught a bit off guard with the storm because of the amount of snow in a short amount of time. He said he can't say enough about his guys and how they just keep going. He said they are warriors. They spent a lot of time preparing the trucks and had a few minor breakdowns during the storm. He reported having enough salt for one or two more storms and they are praying for the snow to hold off. They have been cleaning up leaves and ditches. They have had about 56 inches of rain this year. They have also cut branches. He thanked Flo for mentioning the Honor Flight. This was their third annual golf tournament and he mentioned the Honor Flight and last year they donated \$10,000 and this year \$17,000 and he hopes it just gets better and they can give more because it is a great organization. The new truck was good and the body was made and it is in transit and they should have it in a week, hopefully before the next snow storm.

Motion to Approve November 5, 2018 Board Minutes

Motion by Alan Schock, 2nd by Ken Smith to approve the November 5, 2018 Board Minutes.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Old Business

2019 Proposed Budget – Supervisor Spears mentioned one request that everyone had a copy of; he mentioned a statement from the Millennium Pipeline where they made a three-year commitment of a donation of \$20,000 per year to the Town of Deerpark for letting them use the parking lot down at Space Park. He forgot to put that in the budget as income. He will put that in as

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income, then ask that the \$20,000 go to playground equipment. He did get the sales tax revenue report back from the county and thank God it is very, very high. He put in conservatively about \$900,000 for 2019. A comfortable amount to raise that up to \$945,000, and it will bring the tax increase to the Town of Deerpark residents as a zero. They will not be raising the town taxes to the residents. That's the benefit of the economy growing. They are very thankful how Wallkill and Woodbury Commons and all the other businesses give to that, which the town gets a share of. He said they got it and will pass it on to the residents.

The supervisor went through the budget with the board.

Motion to Adopt the 2019 Budget

Motion by Arthur Trovei, 2nd by David Dean to adopt the 2019 Budget.

VOTE: 5 AYES (Roll Call): Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

New Business

Dragon Springs Solar Project – PILOT Agreement was presented by Richard Li, Electrical Engineer from Dragon Springs who informed the board he is working on the Solar Project. He is asking the town for approval allowing Dragon Springs to make payment to the PILOT in the form of electricity rather than money which is the first item. The second item is to allow the construction of underground cables along Galley Hill Road. He offered to answer the following questions: 1) *Why 4 MW?* This number was calculated from the engineer's perspective due to limited sun hours in this region, it is needed to offset their electric bills considering their current energy consumption. 2) *How do they know that the solar farm will not be used for commercial purpose—not sell energy for money?* The answer is according to Orange & Rockland Rider N, a solar farm of size 4 MW is subject to value stack tier, which is extra energy ejected to the grid will be converted to a monetary credit and will be rolled over to the next month. At the end of the 25-year term, any excess credit will be forfeited. The entire 25-year period, Dragon Springs will not be paid a single penny offsetting their electrical bills. 3) *Isn't payment of PILOT with money or electricity the same?* Their answer is it is not the same to Dragon Springs because if he paid with money the total amount would be \$600,000 after 15 years. However, they can build a 150-kW system with as little as \$80,000. Electricity generated from the sun won't cost them anything extra. 4) *Why would you pay more to build an underground cable rather than just connect to the grid for site?* They will actually benefit the town by paving Galley Hill Road after the cable is laid. If this project is approved by the Town, it will go through rigorous review by Orange & Rockland to make sure the safety and reliability will meet or exceed their standard. This project is a rare opportunity for Dragon Springs to do something to benefit the town and they would like to seek approval for payment of the PILOT in the form of electricity and the right to build underground cable along Galley Hill Road. Supervisor Spears stated they had a preliminary meeting with the school district which included the lawyer for the school district and the Superintendent of Schools, Mike Rydell, also in the meeting was John McCarey from the Office of Real Property Services in the county. It was a three-way meeting with the Dragon Springs Solar. The 60 letters that went out from Dragon Springs to the County and the school were answered positively that they want to be involved in the PILOT. So, any PILOT that is negotiated must be approved by the town, the School Superintendent and attorney and he assumed the school board and anything for the county would go through John McCarey and the Orange County Legal Department, and to the County Legislature. They don't have the answers yet about accepting the electricity. The town would receive up to \$40,000 a year in credits to offset their electricity bills, then they would have to reimburse the county and the school financially in what they would lose. He will have our attorney research that. Supervisor Spears asked Richard about his statement in that he can't make money off of the solar, why is that? He answered what kind of applications you use to apply. The requirements differ. Orange and Rockland will not write a check to anyone. Supervisor Spears clarified Dragon Springs is going to use 100% of the power you're going to generate. More conversation and discussion followed. Supervisor Spears summarized that if Dragon Springs is generating a lot of power during the day, much more than used will go into Orange & Rockland's grid and they'll calculate what Dragon Springs produced for them and then you'll use the energy from them when they're not producing the offset. Mr. Li agreed. Town Attorney Glen Plotsky asked Mr. Li what he is proposing to give the town. Mr. Li replied a solar system. He went on to say they have a 42-acre piece of land and they will build a system for the town. They will pay for the panels, the labor and the town would be leasing the land, but the town will own the 150 kW Solar Farm. This is in addition to the 4 MW. He said one application is for the Dragon Springs usage and the second application is basically to help the town build one. Discussion continued.

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Supervisor Spears mentioned the request for underground cables and said if the PILOT was agreed on, the Board and the Highway Superintendent would have to agree to put the trenching of Galley Hill Road out to bid and the electric line would have to be laid, patched, filled and packed, then they offered to pave all of Galley Hill Road from their site down to where they are already paving it—where they are raising it for the driveway. If it is approved, they would go out in two stages for an electrical trenching contractor to do the work from the Solar Farm on Galley Hill Road into the facility of Dragon Springs. There would have to be a bid for the trenching and laying the wire and then repair the culverts and drainage issues would be part of that bid process. They would look into those costs before making a decision. Town Attorney Glen Plotsky reported the Planning Board had a public hearing last Wednesday with regards to this application and it has been held open. It was pretty evenly split concerning *pro vs. con* comments made. But many of the *con* comments were regarding the pavement disruption of Galley Hill Road. After discussion, the supervisor summarized they would feed Dragon Springs from the Solar Farm down the line to Galley Hill Road and any excess energy at that point that goes into Dragon Springs and is not used there is going to into the grid at that point. Supervisor Spears said this is what he sees for the town board, they need to decide if they will take electrical credits as a PILOT, they would have to run that through Legal to see if they could reimburse the county and the school financially if the county or school agree to it. The second question would be Galley Hill Road and the legal question as to whether they can even do it and if it can be done, what are all the perimeters about paving it, maintaining it, future maintenance problems, future costs, highway by use is it legal? Who will cover the costs as we cross all the culverts? The drainage issues ... they would have to cover it, but what would the cost be before they agree on that. Councilman Trovei asked why the wires have to be under the road and Mr. Li responded the main reason for underground cables, Dragon Springs would take the opportunity for Dragon Springs to fix the potholes on Galley Hill Road and secondly, with technology maybe one day they could store that energy in a battery. Supervisor Spears said they could fix the pot holes anytime they want because they are there because of them. Mr. Li said they would care for the road as the neighbors have complained about them causing the potholes. The supervisor mentioned he needed to talk with the Highway Superintendent to get the costs on trenching and culverts. They won't make a decision until they're pretty close to the what the costs will be and they agree to pay the costs. Supervisor Spears said they will do some research and put them on the agenda to discuss further another time.

Supervisor Spears mentioned the next regular meeting is December 3rd at 7:30 p.m. following the Deerpark Deer Dedication and refreshments.

Motion to Postpone the December 17, 2018 Town Board Meeting to December 27, 2018 at 3:00 p.m.

Motion by Gary Spears, 2nd by David Dean to postpone the December 17, 2018 Town Board Meeting to December 27, 2018 at 3:00 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Approve Board Members Signing and Paying Vouchers Week of December 17, 2018

Motion by Gary Spears, 2nd by Ken Smith to approve Board Members Signing and Paying Vouchers the week of December 17, 2018.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Approve the Holiday Decorations Contest

Motion by Gary Spears, 2nd by Ken Smith to approve the Holiday Decorations Contest the week of December 10th.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills

Motion by Alan Schock, 2nd by Ken Smith to pay bills that have been signed by three council members and all may be viewed in the Town Clerk's Office.

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General Fund Abstract #21 of 2018 in the amount of \$330,812.89
Highway Fund Abstract 21 of 2018 in the amount of \$33,414.32
Deerpark Manor Street Lighting Fund Abstract #11 of 2018 in the amount of \$325.68
Special Revenue Reserve Fund Abstract #9 of 2018 in the amount of \$139.00

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

The Budget Officer's Report was distributed as well.

Closing Board Comments

Councilman Trovei thought it was pretty exciting that the debt was paid off. All the town equipment is paid for. There is a new building out there. The playground is looking better. The Highway Department is doing a great job. Supervisor Spears mentioned they do still have a bond for the highway garage and the senior center, but it is a manageable bond and it is paid. All the police cars are on a six-year rotation and they are kept under warranty for major repairs.

Councilman Dean said the Supervisor's work on the budget was admirable. He thought the biggest thing on the budget was the taxes and he thanked Gary for being a great leader.

Councilman Schock thanked the Supervisor on that great budget.

Councilman Smith congratulated everyone and wished everyone a Happy Thanksgiving.

Supervisor Spears asked everyone to keep Mr. Bavoso in their prayers who had been the town's attorney for 30 years.

Motion to Adjourn the meeting at 9:04 p.m.

Motion by Ken Smith, 2nd by Alan Schock to adjourn the meeting at 9:04 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk