

DRAFT
Regular Town Board Meeting
April 16, 2008

Call to Order: The regular Town Board Meeting was called to order by Supervisor David Kaiser at 7:30 PM.

Roll Call: Supervisor David Kaiser
Councilman Robert Gerlach
Councilman Ralph Walborn, Jr.
Councilwoman Barbara McCall
Councilman Kyle Collinsworth

Others Present: Terry Smith, Town Clerk
Barry Roach, Planning Board Chairman
David Hayes, Code Enforcement Officer
Jim Williamson, Highway Superintendent
Paulette Likoudis, Finger Lakes Times
Neil Chaffee, Ovid Gazette
Suzanne Sinclair, County Manager
Residents 15

Pledge of Allegiance: followed by moment of silence.

Public Hearing: The Public Hearing was opened at 7:35 PM. The subject for the hearing was the new water rates that are to go into effect. Katherine Fisher, from Main Street, Willard was first speaker. Ms. Fisher does not believe that the water meter readings are accurate. She would like to know why the water rates have been increased. The Willard water rates are going up because the state facility makes our water in the hamlet and sell the water to the residents of Willard. The state has not increased their water rates for 20 some years. The state has under gone an analysis of their costs for the water system and have decided to raise their water rates. If you look at the rates, even with the new rate, the water rate in Willard is by far the lowest in the Town and in South Seneca County. Terry Reed, Resident of Willard, would like to know how much they have increased. Supervisor Kaiser does not have that figure but said he would be glad to get it for him. Mr. Reed also wanted to know why the flat rate went from 8000 gallons to 5000 gallons and then get charged per thousand on top of that. Supervisor Kaiser said that “the whole structure of it of how we did it was only to reflect the increase of the cost past on to us”. That was all in the formula of how came up with the new rate. Mr. Reed said “if you are going to charge a higher rate then charge it but leave the flat rate the same”.
The Public Hearing was closed at 7:45 PM.

Approval of Minutes:

March 19, 2008 Regular Town Board Meeting – To Accept.
Motioned : Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall
Carried Unanimously

Petitioners to the Board:

Attachment provided:

Seneca AgBio Facility
Project Development
Presented to the Town of Romulus
Seneca BioEnergy, LLC
E N E R G Y
A G R I C U L T U R E
E N V I R O N M E N T

Seneca AgBio Facility
Project Development
 AgBio Facility Project – Agricultural Feedstocks
 Oilseed Processing
 AgBio Facility – Planning / Design / Construction
 15 Million Gallon per Year (mgy) Oilseed Processing Plant for Vegetable Oil (Biodiesel)
 & Agricultural Meals
 Incorporates Renewable Energy & Plant Operations 5 MW Combined Heat & Power –
 Biomass Feedstock
Future Biodiesel Project – Attract Tenant Business
 15 mgy Biodiesel Plant w/Glycerin Products
Local Economic Development – Creating 50-80 Jobs
 Manufacturing & Expand Farming & Agri-Business
 Buildings #356 and #357
Zoned Industrial – 55 Acre Parcel
 Building Reuse and Redevelopment Previous Warehouses #356 & #357
On-Site Roads & Rail Infrastructure Existing Capacities – Key to Reuse
Buildings #356/357 Restoration Activities
 Former Warehouse Area – Constructed 1950s
 Rehabilitate and Restore Buildings #356/357
 Prepare Buildings #356 & #357 for Warehouse Tenants
Zoned Industrial – Available 400,000sf
Project Promotes Local Warehouse Redevelopment
Seneca BioEnergy Recently Awarded Restore NY Grant – Rehab Buildings w/ Utilities
Property Currently Being Conveyed to SBE
 Recently Leased 120,000sf – Tenant Occupancy 3/08 Top Quality Hay Processors – Ag
 Support Industry
Recently Initiated Sitework Restore NY Program – Teamwork Success

AgBio Facility Project Planning
 Site Acquisition & Authorization
 Property Conveyance – Army / IDA / Seneca BioEnergy
 Anticipated Property Closure Spring 2008 – 55 Acre + Bldgs

Environmental – Army Clearances Completed
Accepted Environmental Assessments for SBE Acquisition
Begin Redevelopment Process – Initiate SEQR
Requesting Romulus Planning Board As Lead Agency
Community Outreach / Commit to Public Info Sessions
Site Development Engineering – MRB Group
12-Mth Engineering / Permitting / SEQR Documentation
Oilseed Processing Facility Design/Construction

AgBio Facility Design & Construction
Facility Design / Process Equipment Layouts
Agricultural Processing Facility – Oilseed Crush Plant
Produce 15 mgy Vegetable Oils + 125,000 tpy Ag Meals
Combined Heat & Power System Equipment - Biomass
Site Development Plan – 55 Acre AgBio Facility
Site Development Engineering
Site Plan Layout & Design / Utilities / Roads / Rail
Permitting & Local Approvals
SEQR & Environmental Compliance Documents
Equipment Procurement & Construction
Equipment Systems / Local Construction Contractors

Superior Agricultural Products
AgBio Facility – “Mechanical Processing”
Mechanical Extrusion and Pressing Oilseeds
No Roasting / Cooking Feedstocks
No Solvent Extraction
Agricultural Products – “Natural Products”
No Chemical Contamination of Oils and Meal
Non-Contact Steam Heat for Drying Beans and Canola
Degummed Oil – Certified Product for Biodiesel Use
High-Protein Meal – Superior Value for Animal Feeds
Facility Process – “No Wastes”
100% Feedstocks Processed Into Natural Products
No Wastes for Disposal
“Hulls and Gums” – Add Nutritional Value to Meal

Seneca AgBio Facility – Regional Benefits
Supports Local & Regional Agriculture
Soy/Canola Capacity – 5 M Bu/yr – >“Basis” Pricing
Reduced Transport Distances – Use Existing Networks
High-Protein Meal for Dairy Feed – Use Existing Mills
Local Manufacturing Jobs Creation – 50-80 Jobs
Supports NY Renewable Energy Production
15 mgy Biodiesel – Regional Heating Oil & Trucking Fuel
Seneca Depot Redevelopment – “Anchor Facility”
Renewable Biomass / Energy R&D Center of Excellence
Ag/Energy Industries – Top Quality Hay + Biodiesel
Increases Local & Regional Related Industries

Trucking / Rail / Construction / Service Vendors

Project Summary – Win/Win/Win

Unique Project Creates “Win/Win/Win”

Energy Win – 15 mgy Biodiesel Feedstocks / Renewable Fuels

Agricultural Win – Supports Local Ag / > Farmer Profits

Environmental Win – Biomass / Renewable Feedstocks

Comprehensive Regional Economic Benefits

Creates 50-80 High-Wage Manufacturing Jobs

Supports Numerous Related Ag & Transport Businesses

Kick-Starts Redevelopment of Seneca Army Depot

Seneca BioEnergy Commitment

Good Local Citizen – Support Local & Regional Initiatives

Project Development & Engineering Commitment Environmentally-Safe & Energy-Efficient Program

QUESTIONS;

Mr. Lee Davidson from Lodi, wanted to know “How far do you think you will have to go to collect this many soy beans?” Mr. Coia said that as of now they are looking at approximately 75 mile radius. 15 Million gallons a year is the designed rate of capacity of the facility and it will be starting out of the gate and will be producing 15 million gallons a year. He explained the company will be growing from approximately 3 – 4 millions gallons the first year to 50-70 percent capacity by the second and third years and to be at full capacity by year 5.

B. Russ Gaenzle of Harris Beach – Pilot for Empire Bio Fuels, Inc.

Attachment provided:

TO: Town of Romulus, Romulus School District

FROM: Russell Gaenzle, Esq.

RE: Use of PILOT Increment Financing to Induce Empire Green Biofuels/Cilion to Locate at Seneca Army Depot

Facts:

Empire Green Biofuels/Cilion (“Cilion”) wishes to situate its approximately \$145 million ethanol production and biomass facility at the former Seneca Army Depot (“Depot”). In order to make this possible, significant infrastructure and related improvements need to be made to the Depot, including upgrades to the electrical, natural gas, road, water, and rail systems. These infrastructure and related improvements have an estimated cost in excess of \$14.0 million. The Seneca County Industrial Development Agency (the “Agency”) has identified numerous state, federal and other public financing sources to fund most of these required improvements, but additional monies are required in order to complete the improvements. Therefore, the Agency is interested in offering Cilion an additional financial inducement to locate at the Depot, specifically through the use of Payment-in-Lieu-of-Tax (“PILOT”) Increment Financing (“PIF”).

IDA Powers

Like all IDAs, the Agency is a public benefit corporation created by the GML, the purposes of which include the promotion, encouragement, attraction and development of job and recreational opportunities and economically sound commerce. The GML expressly grants IDAs certain powers including the ability to acquire, hold and dispose of personal property for its corporate purposes (Section 858(3)); to acquire and dispose of real property (Section 858(4)); and to acquire, construct, reconstruct, lease, improve, maintain, equip or furnish one or more projects (Section 858(10)). IDAs are authorized to provide qualifying projects with sales and mortgage tax exemptions, and a real property tax abatement via a PILOT agreement. Moreover, GML Section 858(17) provides that an IDA can do all things necessary or convenient to carry out its purpose and exercise the powers expressly granted by the law.

PILOT Increment Financing (PIF)

PIF provides a unique revenue stream that can be incorporated within standard IDA straight-lease and bond finance transactions. With the consent of the affected taxing jurisdictions, the Agency and the taxpaying entity may negotiate a PILOT equal to full taxes and allow the difference between the full taxes and an otherwise negotiated amount (i.e., the “increment”) to be used to repay debt service related to the infrastructure improvements associated with the project. Affected taxing jurisdictions are defined in GML Section 854(16) as “any municipality or school district, in which a project is located, which will fail to receive real property taxes, or other tax payments which would otherwise be due, except for the tax exempt status of an agency involved in a project”.

While it may be technically possible to divert the entire PILOT for PIF purposes, the affected taxing jurisdictions would be unlikely to agree to such a scenario. Typically, only the increment, or a portion thereof, is diverted.

PIF dollars should be used for expenditures that an Agency could normally make. For example, site clearing, ingress and egress, utilities, parking areas and other quasi-public improvements are all acceptable uses for PIF money, as is the repayment of debt related to such improvements. As noted previously, though, IDAs have been granted significant discretion to “do all things necessary or convenient to carry out its purpose and exercise the powers expressly granted by the law”.

The cooperation of Cilion, the Town of Romulus, the Seneca County Industrial Development Agency and the affected taxing jurisdictions could produce a PIF agreement which would enable the Agency to offer an attractive inducement to Cilion and facilitate their location to the former Depot.

Communications to be filed:

- A. Thank you to Five Points Employees for Park Donation
- B. Public Service Commission Notice of Area Code Relief
- C. Time Warner Program Agreement Notice

Zoning Officer

- A. Permits Issued - Attached
 - i. **TOWN OF ROMULUS PERMITS FOR 2008**

Permit #/Owner/Mail Address/Phone

Status Dates/Project/Property Address

JANUARY:

01-08 Jeff Warren
217 Main Street

Status: Submitted/Approved
12-10-07

Penn Yan, New York 14527

Special Use Permit for Hay
Drying Business
State Route 96, former SEAD

FEBRUARY:

02-08 Chester Burkholder
6516 County Road 129
Ovid, New York 14521

Status: Submitted/Approved
02-11-08 02-14-08
Addition on existing structure
6516 Co. Rd. 129

MARCH:

03-08 Anne Guadalupe
101 Anchor Ave.
Manahawkin, NJ 08050

Status: Submitted/Approved
03/03/08 03/07/08
Single Family House
5845 East Lake Road

04-08 Mervin S. Hurst
2908 Kinetown Road
Seneca Falls, New York 13148

Status: Submitted/Approved
03/25/08 03/25/08
Pole barn for equipment
6323 County Rd. 129

Town Planning Board –

A. Minutes Attached –

**TOWN OF ROMULUS CORRECTED
PLANNING BOARD MEETING MINUTES
PUBLIC HEARING
MARCH 10, 2008**

ROLL CALL

Kate Sinicropi, Vice Chair – present
Mary Jane Thomas – present
Sue Ellen Balluff – present
Clifford Irwin – present
Dan Brodnicki – absent
Tom Bouchard – present

GUESTS

Barbra McCall
Bill Larzelere
Linda Hiestanf
Pam Bloss
Mike Coia
Paul Linnan

The Public Hearing was opened by Vice Chair Kate Sinicropi at 7:10 PM.

Mr. Coia from **Seneca BioEnergy** presented plans to rehabilitate Buildings 356 and 357 at the Seneca Army Depot in the warehouse section on the east side of the area off Route 96.

Their proposal is to convert some of the 400,000 square foot in Building 357 for a heating system using bio mass materials such as poplar wood chips and switch grass for a hot water heat exchange system. This will supply needed energy for their main tenant in Building 356, **Top Quality Hay**.

The first phase of this project will involve reconnecting the water, electric and natural gas, as well as the sewers from the restrooms to an existing drainage field. This sewer is to accommodate approximately 12 employees only and would be monitored and upgraded as the work force expands. NYSEG plans to install large enough pipes to supply natural gas at the onset in order to accommodate possible future growth and expansion. Natural gas is anticipated to be a

secondary fuel source only in the event of the unavailability of the primary fuel source: bio mass materials. The projection is they will require between 3 to 5 Tons of bio mass material to operate the heat system annually.

Funding for the start up of this project has been secured from a recently awarded RestoreNY grant. The remainder of the funding will be secured through private financing. The Town of Romulus will not be responsible for the cost of this project.

Seneca BioEnergy needs to complete the building permitting process with Seneca County. The sprinkler system in Buildings 356 and 357 have already been inspected and found to be in good repair.

Seneca BioEnergy expects to begin the construction phase around the first week of April contingent on obtaining the building permit from the county. They plan to do the infrastructure improvements , including expanding the road and gravel, first.

It was noted that both the Town of Romulus Planning Board at their regularly scheduled meeting in March, 2008 and the Seneca County Planning Board at their meeting in March, 2008 have given approval for this project.

DISCUSSION

There was a question about **Seneca BioEnergy** using alternative fuel sources such as chicken or pig manure instead of wood chips. The heating system that will be installed is not designed to use this type of material. There are no plans in the future to change the heating system to accommodate this material, nor are there any plans to mix chicken and pig manure in with wood chips.

Concern was raised about the sewer being connected to the existing drainage field. The Seneca County Water and Sewer District has determined that, given the relative age of the drainage field (<10 years old) and the small size of the work force, that the sewer is currently adequate. It is well-sized for the number of bathrooms right now. Any increase in demand would be subject to review and approval by the county.

There was a question concerning who would be responsible for bringing in power to the site and whether the Town of Romulus would be paying for it. Supervisor David Kaiser noted that none of the necessary funding will come from the Town of Romulus.

Mr. Coia stated that any future plans for expansion would depend on funds and energy supply. Mr. Coia indicated that he understood that any subsequent expansion would be subject to review and approval by the Town of Romulus Planning Board.

MOTIONS

Close Hearing

Moved: Clifford Irwin

Seconded: Mary Jane Thomas

Carried unanimously

(Hearing was closed at 7:40 PM)

Approval of Project

The Town of Romulus Planning Board, having received no objection from other involved agencies for the Town of Romulus Planning Board serving as lead agency, establishes themselves as lead agency for the Rehabilitation Project of Building 357; and having reviewed potential areas of environmental concerns, determines that there will be no significant negative environmental impact and, the Planning Board directs the granting of a Special Use Permit for the Rehabilitation Project for Building 357 to cover the following:

- Reconnecting water and natural gas lines
- Rehabilitation of a rest room and connection to the approved septic system

- Installation of a biomass furnace
- Installation of an attached pole barn for storage purposes of biomass fuel
- Rehabilitation of the parking area of less than one acre

David Kaiser - Supervisor	6804 County Road 129
Terry Rose - Town Clerk	Ovid, NY 14521
James I Williamson - Superintendent of Highways	Phone (607) 869-9578
Barbara McCall - Councilwoman	Fax: 607 869 5270
Robert Duke Gerlach - Councilman	E-mail: romulushighway@zoom-dsl.com
Ralph Walborn, Jr. - Councilman	
Kyle Collinsworth - Councilman	

Moved: Clifford Irwin
 Seconded: Tom Bouchard
 Carried unanimously

Role call: Kate Sinicropi / yes
 Mary Jane Thomas / yes
 Tom Bouchard / yes
 Sue Ellen Balluff / yes
 Cliff Irwin / yes

Adjourn

Moved: Mary Jane Thomas
 Seconded: Sue Ellen Balluff
 Carried unanimously

Meeting adjourned at 7:46 PM NEXT MEETING: April 7, 2008 at 7 PM

- B.** NYS DEC - SEQR Request
- C.** Request to Attend Conferences
 - a. Local Government Training @ Seneca Falls Community Center
 - b. Spring 2008 Regional Local Government Workshop in Pittsford

Seneca County Planning Board

A. Agenda and Minutes Attached.

Town Zoning Board: No Meeting was Held.

Highway Superintendent:

A. Monthly Report Attached- TOWN OF ROMULUS HIGHWAY DEPARTMENT

April 10, 2008 Highway Report
 All is going fine. Patching is caught up at this time.

We have had four safety training classes in March and the first part of April. The first was roller safety and operation, then loader safety and operation, and flagger and traffic control. Empire Safety conducted the training.

Personal protective equipment training was conducted by NYS Department of labor PESH Bureau. A copy of all certifications was put in the employees' files.

We are also getting ready to start removing snowplow equipment.

The skid steer loader Cat 246C has been ordered from Milton Caterpillar in Batavia. OGS contract number 21205. By ordering off state bid we saved 40.6% of the MSRP.

Attached to the highway report is a copy of the award sheet from the OGS contract.

Respectfully,

James I Williamson
Town of Romulus Highway Superintendent
B. Bid for Skid Steer
C. Request to Attend Highway School in Ithaca.

Dog Control Officer:

Report attached- **Dog Control Officer's Report:**

A. March:

3-01-08 Curtin Martin's dog caught by Jack Zammett, Route 414, Ovid. Cindy Responded and returned dog to kennel. Mr. Cupp and Sarah Ryan, Seneca County Environmental Health Services notified.

3-3-08 Henry Swarey and Curtis Martin claimed dog and paid \$20.00. 8 miles

Respectfully submitted,
Aaron Covert, Dog Control Officer
Town of Romulus

B Rabies Vaccination Notice –Lodi Fire House, Saturday April 26, 2008

Joint Assessment Program: -

No information provided at this time.

Romulus Court:

- A. Notice of No Court in session on Friday, May 16, 2008.
- B. Request for Court Clerk and Justice to attend Court Finances Conference

Water Commissioner:- Mr. Holley is on vacation.

- A. Request for Robert Stapleton to attend Conference in Waterloo.

Bookkeeper

Report attached-

A. Bookkeeper's Report April 16, 2008

Town books are all balanced to date. Copies of the trial balances have been given to all Board Members, James Williamson, Donald Greule and Jack Holley.

Quarterly Water and Sewer billings have been mailed to the users. Notice of the rate change was included in the billings. Dumpster Day permits have been mailed out as well. The Romulus Review newsletter has been completed and disbursed.

The laptops are installed with programs, however I will be working to install our existing files onto these so that you have a reference library so to speak at your disposal. We are still awaiting our wireless licenses, which should be completed within the week. We are also waiting for a replacement of our backup box for the computer server. We are hoping for a trial run at our May meeting with the laptops and projecting the meeting onto a screen with a projector that is controlled through David's laptop.

I will be working towards expanding our website to include more information for our residents, such as resolutions, laws, budget, etc... This is something that will take some time to accomplish, but I'd like to set this goal to be completed by the end of this fiscal year.

The meeting room copier, as we know is so antiquated that we can no longer buy parts or have it serviced under a service contract. Xerox will be replacing this copier per state bid. This is a line item that was projected in the budget for this year's budget. The copier will serve as a printer for the laptops as well. Therefore, if while at a meeting you need a copy of a particular document, you will be able to print it from your laptop directly to the machine. The court will also find this as an asset for their sessions. Presently, the court clerk is traveling out of the courtroom to obtain copies. It will still be set up as a coin operated machine for the public. The Xerox Company provided a replacement coin op free of charge because our current one is so old it will not work with any of the new machines.

Should you at anytime have questions or would like to review the books, please feel free to contact me.

Supervisor: A. Report Attached-

SUPERVISORS SUMMARY FOR APRIL BOARD MEETING

Economic development projects are continuing to be brought forward at the former Depot. Ideally, we would all agree on all issues, but in the absence of that, I would like us to try to find common ground and build from that. Within the past month, we have witnessed the ribbon cutting of the Hay Processors on the depot and very soon, there will be, hopefully, another formal ceremony welcoming Seneca Biofuels there as well.

Community development continues forward. We have applied for grant funding through New York States "Safe Routes to School" program in hopes that we will be selected as the recipients of this grant so that we can complete our endeavor of completing the sidewalks on Main Street in the Hamlet of Romulus. Once this area is completed, our next focus will be on replacing and repairing sidewalks in the Hamlet of Willard along county roads 132 and 132A.

We are seeking your input regarding the lakefront in Willard. We have been working with the Willard Drug Treatment facility in an effort to clean up this area and provide a view of Seneca Lake. Corrections has done a phenomenal job of clearing debris and brush in a vast section of this property. We will be receiving a "Lakeshore Visioning" grant that will allow us to design a plan for the lakefront. Again, we seek the communities input and the help of the Willard Drug Treatment facility towards improving the lakefront.

The Town of Romulus is nearing the final steps of acquiring the former Recreation Center, pavilion and playground at the former base for the use and enjoyment of the community. We appreciate the generosity of Aspen Square Management for donating this property to the town.

We have much going on in the Town of Romulus and everyone's input is sought and appreciated. Although not everyone is going to always agree, please feel welcome to participate in our various community groups and projects.

Committees:

Hernon Park Meeting April 22, 2008 @9:00 AM

Old Business: None

New Business: - April 17, 2008 is the Seneca County Federation Sportsman Club Annual Banquet at the South Seneca Sportsman Club on Yarnell Road, Ovid, New York. Senator Mike Nozzolio and Senator Brian Kolb will be there with a few other State dignitaries. I would like to encourage all County Supervisors to attend if they could in support of the Federation of Sportsman Clubs. It is at 7:00 PM. Mr. Bowen wanted to know if the four wheelers where allowed to run on the Roads. Supervisor Kaiser said he was not aware of any four wheelers being able to do so.

Resolutions:

36-08 Verification of Payables

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

37-08 Authorize Planning and Zoning Board Members to Attend Conference in Seneca Falls

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

38-08 Authorize Planning and Zoning Board Members to attend Conference in Pittsford.

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilwoman Barbara McCall

Carried Unanimously

39-08 Authorize Highway Superintendent to Attend Highway School in Ithaca

Motioned: Councilman Kyle Collinsworth

Seconded: Councilman Robert Gerlach

Carried Unanimously

40-08 Authorize Justice & Court Clerk to Attend Conference on Court Finances

Motioned: Councilman Ralph Walborn, Jr

Seconded: Councilman Robert Gerlach

Carried Unanimously

41-08 Authorize Water Maintenance to attend Conference in Waterloo

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr

Carried Unanimously

42-08 Budget Appropriation Transfers
Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously

43-08 New York State Office for Small Cities Resolution
Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously

Town Clerk's Report:

Motioned: Councilman Robert Gerlach
Seconded: Councilman Ralph Walborn, Jr.
Carried Unanimously

.Meeting Adjourned

Motioned: Councilwoman Barbara McCall
Seconded: Kyle Collinsworth
Carried Unanimously

Next Meeting May 21, 2008 at 7:30 PM