

**MINUTES of the REGULAR MEETING  
SALINA TOWN BOARD  
January 09, 2023**

The Town Board of the Town of Salina held a regular meeting on Monday January 09, 2023 at 6:30 p.m. at the Town Hall, 201 School Road, Liverpool, New York with the following members present:

Nicholas Paro	Supervisor
Jason Recor	Councilor
Matt Cushing	Councilor
Daniel Ciciarelli	Absent
David Carnie	Councilor
Joe Frateschi	Town Attorney
Jason Hoy	Town Engineer

**Motion to approve the December 28, 2022 Minutes.**

A motion was made by Matt Cushing and was seconded by Jason Recor and was put to a roll call vote which resulted as follows: Jason Recor: Yes, Matt Cushing: Yes, David Carnie: Yes, Nicholas Paro: Yes.

**Town Engineer's Report:**

- a. Authorize the Town Supervisor to enter into agreement with C & S Companies in relation to 2023 Concrete Valley Gutter Removal and Underdrain Installation Project**

A motion was made by Matt Cushing and was seconded by Jason Recor and was put to a roll call vote which resulted as follows: Jason Recor: Yes, Matt Cushing: Yes, David Carnie: Yes, Nicholas Paro: Yes.

- b. Authorize the Town Supervisor to enter into agreement with C & S Companies in relation to Site Plan Approval 2601 Brewerton Road, Salina NY**

A motion was made by David Carnie and was seconded by Matt Cushing and was put to a roll call vote which resulted as follows: Jason Recor: Yes, Matt Cushing: Yes, David Carnie, Nicholas Paro: Yes.

**Town Attorney's Report:**

**a. Resolution Authorizing the Option to Lease with AC Power, LLC for the Ley Creek Landfill Solar Project**

A motion was made by Matt Cushing and was seconded by Jason Recor and was put to a roll call vote which resulted as follows: Jason Recor: Yes, Matt Cushing: Yes, David Carnie: No, Nicholas Paro: Yes.

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**IN THE MATTER  
Of  
AUTHORIZING AN OPTION TO LEASE  
WITH AC POWER, LLC**

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**RESOLUTION AUTHORIZING  
AN OPTION TO LEASE**

The **TOWN BOARD OF THE TOWN OF SALINA**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Salina, located at 201 School Road in the Liverpool, County of Onondaga, State of New York, on the 9<sup>th</sup> day of January 2023 at 6:30 p.m.

The meeting was called to order by Nicholas Paro, Supervisor, and the following were present, namely:

- |                   |                                |
|-------------------|--------------------------------|
| Nicholas Paro     | Supervisor                     |
| Jason Recor       | 1 <sup>st</sup> Ward Councilor |
| Matthew Cushing   | 2 <sup>nd</sup> Ward Councilor |
| Daniel Ciciarelli | 3 <sup>rd</sup> Ward Councilor |
| David Carnie      | 4 <sup>th</sup> Ward Councilor |

The following resolution was moved, seconded and adopted:

**Resolution Authorizing the Town to Enter into an Option to Lease with AC Power, LLC for a Solar Farm at the Town of Salina Ley Creek Landfill Site**

WHEREAS, the Town of Salina is the current owner of real property consisting of Town of Salina Tax Parcel Nos. 073.-01-10.2, 073.-01-10.4, 073.-01-13.0 and 074.03-03.3 being the former Town of Salina Ley Creek Landfill Site (collectively, the "Premises");

WHEREAS, at the December 12, 2022 meeting, the Town Board of the Town of Salina (the “Town Board”) authorized the Town to engage in discussions with AC Power, LLC (“AC Power”) to negotiate an Option to Lease for the Premises;

WHEREAS, after substantial negotiations between the Town’s attorney and AC Power’s attorney, the Town Board desires to authorize the Town to enter into an Option to Lease with AC Power for the Premises in substantially the form attached hereto subject to permissive referendum for the reasons set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Salina that:

1. The Town Board hereby authorizes Town Supervisor Nick Paro to execute that certain Option to Lease Agreement in substantially the form attached hereto as **Exhibit A** (the “Option”) for the following reasons:

- The Option with AC Power is in the best interest of Town residents and offers best value to the Town for the Premises because:
  - o The Option will provide a quarterly annual revenue stream of \$1,500.00 to the Town;
  - o The Option offers the potential for a \$230,375.00 annual lease payment to the Town for twenty-five (25) years for the Premises (with an annual escalator); and
  - o The Option contains a revenue stream that will offset various carrying costs related to the Premises

2. This resolution is subject to permissive referendum pursuant to New York Town Law §64(2), and shall not take effect until thirty days after its adoption; nor until approved by the affirmative vote of a majority of the qualified electors of the Town voting on such proposition, if within thirty days after its adoption there be filed with the Town Clerk 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 at the last general election held for the election of state officers.

3. Within ten days after the adoption this resolution, the Town Clerk, in the same manner as provided for notice of a special election, shall post and publish a notice which shall set

forth the date of the adoption of the resolution containing an abstract of this resolution and that such resolution was adopted subject to a permissive referendum.

PASSED AND ADOPTED this 9<sup>th</sup> day of January, 2023 by the Town Board of the Town of Salina.

**I, RODNEY-DAVID LOWE**, Town Clerk of the Town of Salina, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Salina at a regular meeting of the Board duly called and held on the 9<sup>th</sup> day of January, 2023; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Salina, this 9<sup>th</sup> day of January, 2023.

DATED:        January 9, 2023  
                  Liverpool, New York

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**Rodney-David Lowe**  
**Town Clerk of the Town of Salina**  
**Onondaga County, New York**

**b. Resolution Authorizing the Lease Agreement with Catholic Charities related to certain space at Town Hall**

A motion was made by Jason Recor and was seconded by Matt Cushing and was put to a roll call vote which resulted as follows: Jason Recor: Yes, Matt Cushing: Yes, David Carnie: No, Nicholas Paro: Yes.

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**IN THE MATTER  
Of  
AUTHORIZING A LEASE AGREEMENT**

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**RESOLUTION AUTHORIZING  
A LEASE AGREEMENT**

The **TOWN BOARD OF THE TOWN OF SALINA**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Salina, located at 201 School Road in the Liverpool, County of Onondaga, State of New York, on the 9<sup>th</sup> day of January 2023 at 6:30 p.m.

The meeting was called to order by Nicholas Paro, Supervisor, and the following were present, namely:

- |                   |                                |
|-------------------|--------------------------------|
| Nicholas Paro     | Supervisor                     |
| Jason Recor       | 1 <sup>st</sup> Ward Councilor |
| Matthew Cushing   | 2 <sup>nd</sup> Ward Councilor |
| Daniel Ciciarelli | 3 <sup>rd</sup> Ward Councilor |
| David Carnie      | 4 <sup>th</sup> Ward Councilor |

The following resolution was moved, seconded and adopted:

**Resolution Authorizing the Town to Enter into a Lease Agreement with Catholic Charities  
of Onondaga County to Lease Space at Salina Town Hall**

WHEREAS, the Town of Salina is close to being able to close on that certain property located more particularly identified as Town of Salina Tax Map No. 063.-01-03.1 being commonly known as the Town of Salina Civic Center (the “Civic Center”);

WHEREAS, as a condition to closing on the Civic Center, the Civic Center must be vacant;

WHEREAS, Catholic Charities (“CC”) is a current tenant at the Civic Center that provides vital public health services to Town residents;

WHEREAS, the Town desires to assist in the relocation of CC to Salina Town Hall (“Town Hall”) so that they may continue to provide vital public health services to Town residents.

WHEREAS, the Town Board desires to authorize the Town to enter into a Lease Agreement with CC for space in Town Hall, subject to final legal approval and permissive

referendum for the reasons set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Salina that:

4. The Town Board hereby authorizes Town Supervisor Nick Paro to execute that certain Lease Agreement in substantially the form attached hereto as **Exhibit A** (the “Lease”), subject to final legal approval for the following reasons:

- The Lease with CC is in the best interest of Town residents and offers best value to the Town because:
  - o It enables the Town to move forward with the sale of the Civic Center; and
  - o It enables CC to continue to provide a service that is vital to the health, safety and well-being of Town residents

5. This resolution is subject to permissive referendum pursuant to New York Town Law §64(2), and shall not take effect until thirty days after its adoption; nor until approved by the affirmative vote of a majority of the qualified electors of the Town voting on such proposition, if within thirty days after its adoption there be filed with the Town Clerk 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 at the last general election held for the election of state officers.

6. Within ten days after the adoption this resolution, the Town Clerk, in the same manner as provided for notice of a special election, shall post and publish a notice which shall set forth the date of the adoption of the resolution containing an abstract of this resolution and that such resolution was adopted subject to a permissive referendum.

PASSED AND ADOPTED this 9<sup>th</sup> day of January, 2023 by the Town Board of the Town of Salina.

**I, RODNEY-DAVID LOWE**, Town Clerk of the Town of Salina, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Salina at a regular meeting of the Board duly called and held on the 9<sup>th</sup> day of January, 2023; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct

transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Salina, this 9<sup>th</sup> day of January, 2023.

DATED: January 9, 2023  
Liverpool, New York

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**Rodney-David Lowe**  
**Town Clerk of the Town of Salina**  
**Onondaga County, New York**

### **Residents wishing to speak and Town Board Comments**

No comments from the residents.

### **Adjournment**

A motion was made by David Carnie and was seconded by Matt Cushing all were in favor

Respectfully submitted

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Rodney-David Lowe, Town Clerk