

**TOWN OF CANAJOHARIE  
MONTGOMERY COUNTY**

**November 8, 2018**

The Town Council met for a regular meeting and preliminary budget hearing at the Town Hall building, 12 Mitchell Street, Canajoharie, New York.

**Present:** Supervisor Peter Vroman, Councilpersons: John Peruzzi, William Armitstad, John Toomey, Jr., and Rodney Young; Bookkeeper Amy Kretser; Highway Superintendent Timothy Jones not present

The meeting was opened by the Supervisor at 7:30pm, and the evening's agenda was presented

On a **motion** by Supervisor Vroman, **seconded** by Councilman Toomey, the **agenda** was **unanimously approved**

On a **motion** by Supervisor Vroman, **seconded** by Councilman Armitstead, the October regular meeting and special meeting minutes were unanimously approved

**7:31pm-Public Hearing on Preliminary Budget open-** No one from public speaks

**7:32pm-Public Hearing on Preliminary Budget closed**

**Town Board further discusses the issue of purchasing a brand new grader [cost over \$300K] vs. investigating the used grader located in the Town of Stark**

-Councilman Young explains the used grader is similar to the one the Town has currently; The main concerns are that the brakes will not work and that it runs; All of the hydraulics work, the brakes are locked up and it does run; Councilman Young requested that the owner needed to have a qualified user to try it out; The owner is going to have the brakes checked out; Also, the tires are brand new

-Councilman Armitstead understands that money has been placed in the 2019 preliminary budget for the possible purchase of a brand new grader--he suggests that money be left there in the budget, however, he cannot justify spending \$300K at the taxpayers' expense, for a new grader when there is the possibility of used graders out there that are perfectly usable and less expensive

-Supervisor Vroman confirms that the Board would agree to keep the money in the 2019 budget; Councilman Armitstead agrees at it will allow the Board to be flexible when it comes to the decision of purchasing a grader; Councilman Armitstead does not agree that a grader is necessary equipment for wintertime road maintenance

**Motion to accept the preliminary budget as the final 2019 Town of Canajoharie budget by Supervisor Vroman, seconded by Councilman Toomey, all in favor, unanimous ayes**

**SUMMARY OF 2019 TOWN BUDGET**

<u>Code</u>	<u>Fund</u>	<u>Appropriations And Provisions For Other Uses</u>	<u>Less Estimated Revenues</u>	<u>Less Unexpended Balance</u>	<u>Amount to Be Raised By Tax</u>
A	General	<u>\$361,425.00</u>	<u>\$116,165.00</u>	<u>\$70,000.00</u>	<u>\$175,260.00</u>
B	General- Outside Village	<u>\$31,145.00</u>	<u>\$22,555.00</u>	<u>\$5,000.00</u>	<u>\$3,590.00</u>
DA	Highway- Townwide	<u>\$630,778.00</u>	<u>\$366,730.00</u>	<u>\$25,000.00</u>	<u>\$239,048.00</u>
DB	Highway- Outside Village	<u>\$447,540.00</u>	<u>\$292,201.00</u>	<u>\$90,000.00</u>	<u>\$65,339.00</u>
S	Special Districts:				
	Village of Ames	<u>\$37,891.00</u>	<u>\$37,891.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
	Village of Canajoharie	<u>\$37,891.00</u>	<u>\$37,891.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
	South Minden	<u>\$4,019.00</u>	<u>\$4,019.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
	Consolidated Health District	<u>\$1,300.00</u>	<u>\$5.00</u>	<u>\$1,295.00</u>	<u>\$0.00</u>
	<b><u>TOTALS</u></b>	<b><u>\$1,551,989.00</u></b>	<b><u>\$877,457.00</u></b>	<b><u>\$191,295.00</u></b>	<b><u>\$483,237.00</u></b>

**SCHEDULE OF SALARIES OF ELECTED TOWN OFFICERS**

**Article 8 of the Town Law**

<u>Officer</u>	<u>Salary</u>
<u>Supervisor/Budget Officer</u>	\$6,680.00
<u>Town Clerk/RMO</u>	\$18,905.00
<u>Highway Superintendent</u>	\$40,243.00
<u>Councilmen (4), each</u>	\$1,700.00

**Public Comment-** none

**NEW BUSINESS**

**Town Supervisor-** proposed Resolution #14 of 2019 re: PILOT program for the Mohawk Solar project  
-Board discusses with Joe Green, representative for the Mohawk Solar project regarding the amount the Town is expected to receive over 15 years. Anticipated to be approximately over \$300K

**APPROVING RESOLUTION #14 of 2018  
PILOT AGREEMENT – MOHAWK SOLAR LLC PROJECT**

A regular meeting of the Town Board (the “Town Board”) of the Town of Canajoharie, Montgomery County, New York (the “Town”) was duly convened at 7:30 p.m., local time, at 12 Mitchell Street, Canajoharie, Montgomery County, New York on November 8, 2018.

The meeting was called to order by Town Supervisor Peter Vroman, and upon roll being called, the following members of the Board were:

PRESENT:

Peter Vroman	Supervisor
John Peruzzi	Councilperson
John Toomey, Jr.	Councilperson
William Armitstead	Councilperson
Rodney Young	Councilperson

ABSENT:

The following persons were ALSO PRESENT:

[     ]	Joe Green
[     ]	
[     ]	

The following resolution was offered by **Councilman William Armitstead** and seconded by **Councilman John Toomey, Jr.**

RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND MOHAWK SOLAR LLC IN CONNECTION WITH THE MOHAWK SOLAR LLC PROJECT.

WHEREAS, in May, 2018, Mohawk Solar LLC (the “Company”) submitted an application (the “Application”) to the Montgomery County Industrial Development Agency (the “Agency”), a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in approximately 1,000 acres of land located in the Town of Canajoharie, Montgomery County, New York and the Town of Minden, Montgomery County, New York (collectively, the “Land”), (2) the

construction on the Land of a solar generating facility, including, but not limited to, PV modules, metal racks and steel earth screw foundations and electric equipment with related concrete foundations (collectively, the “Facility”) and (3) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the “Equipment”) (the Land, the Facility and the Equipment hereinafter referred to as the “Project Facility”), all of the foregoing to be operated by the Company as a solar powered electricity generation facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes, and mortgage recording taxes (the “Financial Assistance”); and (C) the lease of the Project Facility to the Company or such other entity or person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in connection with the undertaking of the Project, the Company will execute and deliver a certain payment in lieu of tax agreement (the “PILOT Agreement”) by and between the Agency and the Company pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; and

WHEREAS, the Agency desires that the Town, as an affected taxing jurisdiction under the PILOT Agreement, formally approve the terms of the PILOT Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

Section 1. The Town Board hereby approves the terms and conditions of the PILOT Agreement, including but not limited to the payment terms. The payment terms to be contained in the PILOT Agreement are substantially described in Schedule A attached hereto.

Section 2. The Supervisor of the Town (the “Town Supervisor”) is hereby authorized, on behalf of the Town, to execute and deliver the PILOT Agreement (or any consent thereto), said PILOT Agreement to contain the payment terms substantially in the form thereof presented at this meeting with such changes, variations, omissions and insertions as the Town Supervisor shall approve, the execution thereof by the Town Supervisor to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the Town are hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things required or provided for by the applicable provisions of the Act in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>Peter Vroman</b>	<b>VOTING</b>	<b>Abstain</b>
<b>John Peruzzi</b>	<b>VOTING</b>	<b>Aye</b>
<b>John Toomey, Jr.</b>	<b>VOTING</b>	<b>Aye</b>
<b>William Armistead</b>	<b>VOTING</b>	<b>Aye</b>
<b>Rodney Young</b>	<b>VOTING</b>	<b>Aye</b>

The resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Canajoharie, Montgomery County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board of the Town (the "Town Board") and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 8<sup>th</sup> day of November, 2018 and entitled:

RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND MOHAWK SOLAR LLC IN CONNECTION WITH THE MOHAWK SOLAR LLC PROJECT.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of the members of the Town Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 8th day of November, 2018.

Laurie M. Vroman  
Canajoharie Town Clerk

**OLD BUSINESS-**

-Supervisor Vroman recommends Lester Dygert as replacement for groundskeeper, John Walsh, who has retired; meeting with Mr. Dygert to discuss the position

-Supervisor Vroman discussed with the Town Assessor re: aged exemption; She indicated only one property owner is currently receiving it, our standard is: maximum income is \$5,500, over 65 years, 50% reduction; He has looked into the Village of Canajoharie's aged exemption scale; Issued tabled until next meeting

Mohawk Solar update(s): Councilman Young is waiting from Mohawk Solar representatives for a list of proposed future costs to the Town in order to calculate commercial solar building permit fees; he also has not heard from Attorney Bakner as to the issue

-Joe Green indicates that they should have the information ready before the next Town Board meeting in December

**HIGHWAY SUPERINTENDENT-** not present, however, submitted a letter to the Board dated October 28, 2018 designating the following roads as seasonal roads:

Canyon Road (gravel portion only)

Lincoln Road

Old Tavern Road

**TOWN BOOKKEEPER-**

TOWN OF CANAJOHARIE-11/8/18  
CASH REPORT OCTOBER 31, 2018

CHECKING ACCOUNTS

General	\$ 34,948.47
Fire District	\$ 39.86
Consolidated Health	\$ 25.28
Highway Town Wide	\$ 111,247.91
Highway Part Town	\$ 116,944.51
Trust & Agency	<u>\$ 608.21</u>
Total	\$263,814.24

MONEY MARKET ACCOUNTS

General	\$ 29,208.82
Highway Town Wide	\$ 14,413.68
Highway Part Town	<u>\$265,554.75</u>
Total	\$309,177.25

SAVINGS ACCOUNTS

Consolidated Health	\$ 1,494.47
Highway Cap Reserve	\$ 16,789.11
Gen-Cap Reserve-Garage	\$234,756.60
Gen-Cap Reserve-land	<u>\$ 53,853.87</u>
Total	\$334,794.05

BUDGET AMENDMENT

INCREASE REVENUE	INCREASE EXPENDITURE	AMOUNT
Sales of Equip DA2665	Machinery Equip DA5130.2	\$64,195..00
Auction of equipment/ purchase of new truck		

Respectfully submitted,  
Amy S. Kretser  
Town Bookkeeper

-Planning Board and ZBA had a joint informational only meeting with the Mohawk Solar representatives

Supervisor Vroman informs the Board that the judge in the Budd St. case has ordered the Town to clear the road of ice and snow, however, the Town can appeal

**8:05pm-Motion to enter Executive Session** by Supervisor Vroman, **seconded** by Councilman Peruzzi, **all in favor, unanimous ayes**

**8:30pm-Motion to exit Executive Session** by Supervisor Vroman, **seconded** by Councilman Toomey, **all in favor, unanimous ayes**

**Motion to appeal the Budd Street decision and order** by Supervisor Vroman, **seconded** by Councilman Toomey, **all in favor, unanimous ayes**; Supervisor Vroman will contact Attorney

Shepardson

**BILLS**

The clerk presented the following bill vouchers for approval:

General fund vouchers #219 through #243, totaling \$16,936.68;

Highway fund vouchers #217 through #234, totaling \$29,928.73

On a **motion** by Supervisor Vroman, **seconded** by Councilman Young, the bills were **unanimously approved** for payment.

**Adjournment**

On a **motion** by Supervisor Vroman **seconded** by Councilman Toomey, all in favor, unanimous ayes, the meeting was adjourned at 8:50PM.

Respectfully submitted,

Laurie M. Vroman, Town Clerk