

**MINUTES OF THE SOLAR PUBLIC HEARING & REGULAR MONTHLY
MEETING
OF THE TOWN BOARD OF THE TOWN OF CANAJOHARIE
HELD MARCH 14, 2024 AT THE TOWN HALL COMMENCING AT 7:15 PM**

Present: Pete Vroman, Town Supervisor
John Peruzzi, Sr., Councilman
Michael Muhlebeck, Councilman
William Armitstead, Councilman
Rodney Young, Councilman

Recording Secretary: Erica Hayes, Town Clerk

Others Present: Steve Oare, Town Highway Superintendent
Amy Kretser, Town Bookkeeper
Les Hassan, Code Officer
Charlene Ruskowski, Sole Assessor
Kirsten Dunn, Town Attorney/Dunn & Dunn
Kylie Ferguson, Legal Assistant/Dunn & Dunn
Greg Elco, Director of Development/Cordelio
Jennifer Stein, Flat Creek Solar Project Opposition
Committee Creator
Fay Mead, Flat Creek Solar Project Opposition Committee
Member
Claude Porter, Flat Creek Solar Project Opposition
Committee Member

Call to Order

The Public Hearing, held in regard to the change in the definition section of the Solar Energy Local Law, was called to order by Mr. Vroman, at 7:15 PM, with the Pledge of Allegiance.

Adjournment

On a motion by Mr. Vroman, seconded by Mr. Muhlebeck, the Public Hearing was adjourned at 7:23 PM.

Call to Order

The regular monthly meeting was called to order by Mr. Vroman, seconded by Mr. Peruzzi, at 7:30 PM.

Recognition of Citizens Present

The Board recognized Jennifer Stein, the creator of the Flat Creek Solar Project Opposition Committee on Facebook, and was the first to speak to the Board about the concerns of the group and the integrity of the Town of Canajoharie if the Flat Creek Solar Project were to occur.

Fay Mead expressed her concern about the roadways, and who would be

responsible for maintaining them once these large trucks start coming through the area.

Claude Porter, who was also recognized by the Board, stated that he would like to see the project split in two, as he owns property in the Town of Root and the Town of Canajoharie, and has concerns about how the intervenor funds will be distributed, as well as communication between the two Towns during the process.

Public Comment commenced at 7:35 PM, following a brief overview from Greg Elko, of Cordelio, promising \$36,000,000.00 over the next 20 years to be divided between the County Industrial Development Agency (IDA), Town of Root, Town of Canajoharie and the Canajoharie Central School District, if this project were to be approved. Greg also made mention of a utility bill credit of \$1,500,000.00 to the residents of the two Towns.

Accept the February 2024 Meeting Minutes

A motion was made by Mr. Vroman, seconded by Mr. Armitstead, that the minutes of the February 2024 meeting, as submitted by the Town Clerk, be approved. All in favor ayes, carried.

Legal

The Board adopted the following:

RESOLUTION #2 of 2024
Approval of the Solar Energy Local Law

Sponsor: Michael Muhlebeck, Deputy Supervisor/Councilman
Second: William Armitstead, Councilman

Whereas, the Town Board of the Town of Canajoharie passed a local law relating to solar energy regulation entitled the Town of Canajoharie Solar Energy Local Law and caused it to be filed in October of 2023 with the State of New York; and,

Whereas, said filing resulted in only the odd-numbered pages being published by the Department of State, necessitating a second filing of the same, which occurred on or about February of 2024; and,

Whereas, the original adoption of the Town of Canajoharie Solar Energy Local Law was an action subject to review in accordance with the State Environmental Quality Review Act (SEQRA); and,

Whereas, the Town Board complied with the appropriate steps required under the State Environmental Quality Review Act (SEQRA), namely: conducted public hearings; caused a Long Environment Assessment Form (LEAF), parts I and II and III, to be prepared; declared intent to seek lead agency status, determined that passage of the Local Law would result in no significant adverse impact upon the environment; and determined a negative declaration was appropriate, causing the Clerk to file a Notice of Determination of Non-Significance as required by law; and,

Whereas, the Town desired to amend the law to include a definition in order to clarify the law to any future applicants; and,

Whereas, a zoning change or adoption of local law has no other involved agencies than those previously noted; and,

Whereas, the changes to the local law are minor and for clarification purposes only, and do not change the character and substance of the Local Law; and,

Whereas, the changes to the Local Law, being minor, would not result in any adverse impacts to the environment; and,

Whereas, as an added precaution, the Town Board caused the Local Law to be presented to the Montgomery County Planning Board, receiving approval therefrom; and,

Whereas, the Town Board has introduced the law in a public meeting and caused a public hearing to be held on the proposed changes to said local law; and,

Whereas, the Town of Canajoharie finds that the above-mentioned law remains the Town's responsibility to its residents as a means to preserve property values and protect the quality of life; preserve the essential character of the Town as Historic and Agricultural; promote a clean wholesome and attractive environment; protect clean water sources and prime farmlands; secure the public peace, health, safety, welfare and protection of the environment; and,

Whereas, the Town of Canajoharie Board has followed proper procedure to adopt new provisions into Town Zoning Code, including receiving input from residents of the Town of Canajoharie at Public Hearings; given Notice of the new proposed Laws to neighboring municipalities and the County of Montgomery; and, conducted appropriate environmental reviews and/or public workshops.

Now, therefore, be it RESOLVED, by the Board of the Town of Canajoharie that as of the date of this Resolution; the Town hereby approved the Town of

Canajoharie Solar Energy Law, which shall become Local Law and be incorporated into the Town of Canajoharie Zoning Code.

VOTING	AYES	NAYS	ABSENT
Pete Vroman, Supervisor	X		
William Armitstead, Councilman	X		
John Peruzzi, Sr., Councilman	X		
Michael Muhlebeck, Councilman	X		
Rodney Young, Councilman	X		

Dated: March 14, 2024
Erica Hayes, Town Clerk

Executive Session

A motion was made by Mr. Vroman, seconded by Mr. Peruzzi, to enter Executive Session at 7:55 PM.

All Board members, the Town Bookkeeper and the Town Clerk were asked to stay.

On a motion made by Mr. Vroman, seconded by Mr. Peruzzi, executive session came to a close at 8:15 PM.

Legal

A motion was made by Mr. Vroman, seconded by Mr. Muhlebeck, to approve hosting a Public Hearing just before the next regularly scheduled Board Meeting (April 11, 2024) to review the Moratorium on Solar Battery Storage.

Town Supervisor

Mr. Vroman spoke to the Board about the tireless efforts of Deputy Supervisor, Mr. Muhlebeck, as he is working to present Cordelio with a visual impact presentation of the proposed Flat Creek Solar Project. He will be meeting with them next week to present his findings.

Town Supervisor, Mr. Vroman asked Mr. Young to report on the Town Garage. Mr. Young said that the project is moving forward and they seem to be on schedule.

Code Officer

Mr. Hassan asked if the parcel that the new Town Garage is being built on needed to be rezoned, as some residents local to that site are concerned that it will affect their parcels. The answer was no, there will be no re-zoning to commercial for that parcel.

Town Clerk

Mrs. Hayes presented the Town Court Financials for 2023 to the Board for review:

RESOLUTION #3 of 2024

Approval of Town Court Financial Books and Records for 2023

Sponsor: Pete Vroman, Town Supervisor/Councilman

Second: William Armitstead, Councilman

Whereas, the Canajoharie Town Council was presented with the 2023 financial books and other records of the Town Court of Canajoharie during the Town meeting on March 14, 2024 and,

Whereas, the Town Council found these books satisfactory and complete,

Now, therefore, be it RESOLVED that: the Town Council hereby approves the financial books and records of the Town Court for the year 2023.

VOTING	AYES	NAYS	ABSENT
Pete Vroman, Supervisor	X		
William Armitstead, Councilman	X		
John Peruzzi, Sr., Councilman	X		
Michael Muhlebeck, Councilman	X		
Rodney Young, Councilman	X		

Dated: March 14, 2024
Erica Hayes, Town Clerk

Town Bookkeeper

TOWN OF CANAJOHARIE-3/14/24
CASH REPORT
FEBRUARY 29, 2024

CHECKING ACCOUNTS		MONEY MARKET ACCOUNTS	
General	\$ 481,833.21	General	\$ 10,960.75
Fire District	\$ 39.86	Highway Town Wide	\$323,347.13
Highway Town Wide	\$ 227,643.49	Highway PartTown	<u>\$251,181.94</u>
Highway Part Town	\$ 345,966.57	Total	\$585,489.82
Capital Project	\$ 1,338,227.30		
Trust & Agency	<u>\$ 33,883.63*</u>		

Total \$ 2,427,594.06
*\$28,104.96 Avangrid/Mohawk Host Community

SAVINGS ACCOUNTS

Highway Cap Reserve	\$ 56,824.91
Gen-Cap Reserve-Garage	\$314,873.41
Gen-Cap Reserve-land	<u>\$ 15,625.51</u>
Total	\$387,323.83

Authorization of Vouchers

The Town Clerk presented the following bill vouchers for approval:

General fund vouchers #77 through #115, totaling \$640,443.09.

Highway fund vouchers #21 through #29, totaling \$20,121.45.

On a motion by Mr. Vroman, seconded by Mr. Muhlebeck, the bill vouchers were unanimously approved for payment.

Adjournment

On a motion by Mr. Vroman, seconded by Mr. Muhlebeck, the meeting was adjourned at 9:13 PM.

Respectfully submitted,
Erica Hayes
Town Clerk