

FEBRUARY 10, 2021, TOWN BOARD

A regular meeting of the Town Board of the Town of Root, County of Montgomery and State of New York was held at the Town Hall, 1048 Carlisle Road, Sprakers, New York on the 10th day of February 2021.

PRESENT: LuEmma Quackenbush Deputy Supervisor
Donald Bramer Councilman
Dominic Cuomo Councilman
John VanKersen Councilman
Laurel Eriksen Town Clerk
Robert Subik Attorney
Donald Oeser Superintendent of Highways

ABSENT: Gary Kamp Supervisor

OTHERS PRESENT: Marcia Shults, Deputy Town Clerk; Stella Gittle, Assessor; Clifton Dorrough, Code Enforcement Officer; several residents

Deputy Supervisor Quackenbush opened the public hearing on the proposed change to the town code on the size of dwelling units at 6:50 PM. There were no comments and the hearing was closed at 6:51 PM.

Deputy Supervisor Quackenbush opened the meeting at 7:00 PM with the pledge to the flag.

APPROVAL OF THE MINUTES

Councilman Bramer motioned seconded by Councilman VanKersen to approve the minutes from the January 13, 2021 meeting as presented.

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

REPORTS

Reports were available from and the Supervisor.

There were no reports from the Code Enforcement Officer, the Town Clerk, the Dog Control Officer, the Justice and the Planning Board.

The Attorney reported that he had been in contact with Mr. Jacobs from Division of Human Rights confirming that the proper documentation has been received by their office. He has also been in contact with the Dog Control Officer, Rick Richard on a possible dog case.

The Assessor reported that the proposed state budget has proposed changes to the STAR program.

The Highway Superintendent reported that the new 1-Ton truck has been delivered to the dealership and will be going to get the plow equipment installed.

AGENDA

Deputy Supervisor Quackenbush presented the agenda for the meeting. Councilman VanKersen motioned seconded by Councilman Bramer to adopt the agenda.

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

OLD BUSINESS

LOCAL LAW 1 of 2021

BOARD MEMBER VanKersen presented the following Local Law and moved its adoption.

BE IT ENACTED

WHEREAS, the Town Planning Board has recommended a change in the minimum living space in the town code from 900 square feet to 600 square feet,

NOW BE IT RESOLVED, that Local Law 1 of 2021 be introduced as follows:

TITLE AMENDMENTS to chapter 36 entitled Dwellings and Sanitations section 36-5 standards subsection J entitled “Minimum Living Space”,

“That all new or replacement dwellings shall be a minimum of six hundred (600) square feet of living space. That temporary dwellings sometimes known as “skid houses” which have living space less than the minimum of six hundred (600) square feet shall not be permitted for more than one (1) year on any parcel.

SECONDED BY BOARD MEMBER Cuomo. Adopted by the following vote:

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

A letter of interest in the open position on the Board of Assessment Review was received from Peter Szyrka. Council VanKersen motioned seconded by Councilman Bramer to appoint Peter Szyrka to the open position on the Board of Assessment Review, this is an unexpired term that will end September 30, 2022.

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

The discussion on the age of trailers being installed in the Town was tabled until March following review by the Planning Board.

The RFP for the cold storage facility was presented, but tabled until March pending more information.

The Utility Scale Solar Energy System moratorium is set to expire on February 12, 2021; because this is Local Law is still being drafted it is necessary to extend the moratorium.

RESOLUTION NO. 6 of 2021

BOARD MEMBER VanKersen presented the following Resolution and moved its adoption.

RESOLVED, that for a period of six (6) months commencing upon the passage of this Resolution by the Town Board, a Moratorium is hereby enacted on the construction or installation of any new UTILITY SCALE SOLAR ENERGY SYSTEMS, also known as SOLAR FARMS within the Town, and it is further,

RESOLVED that the Town Code Enforcement Officer is hereby prohibited from approving or issuing any building permits for any SOLAR FARMS while this Moratorium is in effect. Nothing in this Resolution shall prohibit a home owner from installing solar panels for the generation of electrical power for his/her own domestic consumption and usage.

SECONDED BY BOARD MEMBER Bramer Adopted by the following vote:

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

With regard to the Solar Farm Law that was presented, Board Members tabled this until March to give the Planning Board time to review the law and report back to the Town Board.

NEW BUSINESS

A resolution was presented for the Assessor’s office related to exemption renewals.

RESOLUTION NO. 8 of 2021

BOARD MEMBER Cuomo presented the following Resolution and moved its adoption. WHEREAS, the Town is desirous of adopting such Resolution while also allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died, now, therefore, be it

RESOLVED that the Town Board hereby authorizes and directs the Town Assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such person, and further dispensing with the requirement for the Assessor to mail renewal application to such person and it is further.

RESOLVED that nothing in this Resolution shall prevent the Assessor from requiring a renewal application to be filed when there is reason to believe that an owner who is qualified for the exemption on the 2020 assessment roll may have: changed his primary residence, added another owner to the deed, transferred the property to a new owner or died.

SECONDED BY BOARD MEMBER Bramer. Adopted by the following vote:

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

With the delivery of the 1-Ton to the dealership the funds to pay for it need transferred.

RESOLUTION NO. 9 of 2021

BOARD MEMBER Bramer presented the following Resolution and moved its adoption. WHEREAS On September 09, 2020 the Board agreed by Resolution 12 of 2020 to purchase a 2021 1-Ton Dodge Ram Truck in the amount of \$46,133.00 from Main Motorcar, 224 W Main St, Johnstown, NY 12095, and

RESOLVED Since said truck has now been delivered and the bill has been received to transfer the sum of \$46,133.00 from DA230 Equipment Capital Reserve to DA5130.2 Machinery EQ and to authorize payment.

SECONDED BY BOARD MEMBER VanKersen. Adopted by the following vote:

Ayes 4 – Quackenbush, Bramer, Cuomo, VanKersen Nays 0

ABSTRACTS

Abstract #2 of the general fund for vouchers numbered 25-50 were audited and ordered paid. Paid abstract total was \$22,378.86.

Abstract #2 of the highway fund for vouchers numbered 13-28 were audited and ordered paid. Paid abstract total was \$93,254.05.

Councilman Bramer motioned seconded by Councilman VanKersen to accept the audit of abstract #2 of the general fund in the amount of \$22,378.86 and abstract #2 of the highway fund in the amount of \$93,254.05. The vote was unanimous.

ADJOURN

Councilman VanKersen motioned seconded by Councilman Cuomo to adjourn at 7:14 PM.

Respectfully Submitted,

Laurel Sherrie Eriksen, Town Clerk