

September 13,2023 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 13th day of September.

PRESENT:	Gary Kamp	Supervisor
	LuEmma Quackenbush	Councilwoman
	John VanKersen	Councilman
	Jade Weiss	Councilwoman
	Marcia Shults	Town Clerk
	Brett Preston	Attorney

ABSENT: Donald Bramer, Councilman; Donald Oeser, Highway Superintendent

OTHERS PRESENT: Harold Wilday, Justice; Stell Gittle, Assessor; Nick Borderi, Planning Board; Collen Pank, Board of Appeals; few residents

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

APPROVAL OF THE MINUTES

Councilwoman Quackenbush motioned seconded by Councilwoman Weiss to approve the minutes from the August 9, 2023 meeting as presented.

Ayes 4 – Kamp,Quackenbush, VanKersen, Weiss Nays 0

PUBLIC HEARING: There was a Public Hearing in regards to the Spectrum Contract @ 6:50PM.

PUBLIC COMMENT: There was no Public Comment at this time.

CORRESPONDENCE: Canajoharie Area Little League sent a letter Thanking the Town of Root for their 2023 support and donation.

REPORTS

Reports were available from the Assessor, Code Enforcement Officer, the Dog Control Officer, the Justice, Planning Board and the Supervisor.

There were no reports from the

The Attorney

The Highway Superintendent

Town Clerk

AGENDA

Supervisor Kamp presented the agenda for the meeting. Councilwoman Quackenbush motioned seconded by Councilwoman Weiss to adopt the agenda.

Ayes 4 – Kamp, Quackenbush, VanKersen, Weiss Nays 0

OLD BUSINESS:

The Town is still in search of quotes of redoing both Town Hall Entrances.
There is still (1) Vacancy for the Board of Assessment Review (BAR).

NEW BUSINESS:

Resolution # 19 of 2023

Transfer of funds

Board Member VanKersen presented the following Resolution and moved its adoption
Be it hereby resolved that the Town of Root Town Board make the following transfer within the general fund to keep budget lines current and establish a balance in a Capital Project fund for construction of a cold storage building project.

To: (H) Fund (Amount \$250,000.00) H200 Cash to be appropriated in various lines to be used for the capital project.

From: A1620.2 (Amount \$250,000.00) Cash A200 moved from general fund budget for 2023 to start project.

Seconded by the following member Quackenbush

Ayes 4- Kamp, Quackenbush, VanKersen, Weiss Noes – 0

Resolution # 20 of 2023

Transfer of Fund

Board Member Quackenbush presented the following Resolution and moved its adoption.
Be it hereby resolved that the Town of Root Town Board make the following transfer within the General Fund to keep budget lines current.

To: A1410.11 Asst. Town Clerk (Amount \$4,000.00)

From: A1990.4 Contingency (Amount \$4,000.00)

Seconded by the following member Weiss

Ayes 4 – Kamp, Quackenbush, VanKersen, Weiss Noes – 0

Resolution #21 of 2023

Rural Grove Fire Contract will be tabled till the October Meeting.

Resolution # 22 of 2023

Solar Law Local Law # 1 of 2023

Board Member Weiss presented the following Resolution and moved its adoption.

Whereas, the Town of Root is desirous of adopting Local No. 1 of 2023 regulating Solar Facilities including major Solar Facilities; and

Whereas, the Town Board currently has a temporary moratorium on the review of Solar Facilities; and

Whereas, the Solar Energy Facilities Law of the Town of Root, i.e., proposed Local Law No. 1 of 2023, has been presented to the Town Board for its review and consideration; and

Whereas, the Town Board has determined that the adoption of the New Solar Energy Facilities Law of the Town of Root is Type 1 action pursuant to the NYS Environmental Quality Review Act;

Now Therefore Be It Resolved, that the Town Board hereby introduces the attached proposed New Solar Energy Facilities Local Law;

Be It Further Resolved, that the Town Board hereby declares its intent to be SEQRA lead agency for the review of this Type 1 action;

Be It Further Resolved, that Town Board calls for a public hearing to be held on the attached proposed Local Law during the regular Town Board meeting scheduled for Wednesday, October 11, 2023 at 7:00 P.M. at the Town of Root Town Hall located at 1048 Carlisle Road, Sprakers, New York 12166;

Be It Further Resolved, that the Town Clerk is directed to publish a notice of Public Hearing in the Daily Gazette, to post it on the Town Website and the Town notice board and to provide the notice of public hearing and the text of the proposed Local Law to the County and adjoining municipalities as required by law; as well as to refer the text of the proposed Local Law to the Town of Root Planning Board and Zoning Board of Appeals and to the Montgomery County Planning Board as required by NYS General Municipal Law.

Seconded by the following member VanKersen

Ayes 4 – Kamp, Quackenbush, VanKersen, Weiss Noes – 0

The Town Board received a Letter of Interest from Alexys Conti for the Board of Assessment Review (BAR) position.

Councilwoman Weiss motioned seconded by Councilman VanKersen to accept said letter of interest from Alexys Conti for the Board of Assessment Review position.

Ayes 4- Kamp, Quackenbush, VanKersen, Weiss Nays -0

Resolution # 23 of 2023

Spectrum Contract

Whereas as, An application has been duly made to the Board of the Town of Root County of Montgomery, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of renewal agreement for Charters cable television franchise for ten(10) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings. A public hearing was held in the Town of Root, New York on September 13th 2023 at 6:50 P.M. and notice of the hearing was published in the Recorder on September 9th 2023.

Now, Therefore, the Board of the Town of Root finds

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and

3. Spectrum Northeast, LLC can reasonably meet the future cable – related community needs and interest, taking into account the cost of meeting such needs and interest.

Be it Further Resolved, that the Board of the Town of Root hereby confirms acceptance of this franchise renewal agreement.

Seconded by the following member VanKersen

Ayes 4- Kamp, Quackenbush, VanKersen, Weiss

Noes – 0

Resolution # 24 of 2023

Letter of interest from Alexys Conti for Board of Assessment Review

Board Member: Weiss presented the following Resolution and moved its adoption.

Whereas: The Town of Root has a vacancy on the Board of Assessment Review.

Resolved: Resident Alexys Conti sent in a letter of interest for the Board of Assessment Review vacancy.

Seconded by Board Member: VanKersen

Adopted by the following vote:

AYES: 4 Kamp, Quackenbush, VanKersen, Bramer

NOES: 0

EXECUTIVE SESSION: There was no Executive session at this time.

ABSTRACTS

Abstract #9 of the general fund for vouchers numbered 216-241 were audited and ordered paid. Paid abstract total was \$32,375.72.

Abstract #9 of the highway fund for vouchers numbered 110-129 were audited and ordered paid. Paid abstract total was \$70,366.18.

Councilwoman Quackenbush motioned seconded by Councilman VanKersen to accept the audit of abstract #9 of the general fund in the amount of \$32,375.72 and abstract #9 of the highway fund in the amount of \$70,366.18. The vote was unanimous.

ADJOURN

Councilwoman Quackenbush motioned seconded by Councilwoman Weiss to adjourn at 7:14 PM.

Councilwoman Quackenbush motioned seconded by Councilman VanKersen to Reopen the Meeting at 7:21 PM.

The meeting was reopened to discuss SEQR and there were questioned asked about the conferences for municipality members in NYC.

Councilwoman Weiss motioned seconded by Councilman VanKersen to Re Adjourn the meeting at 7:24 PM.

Respectfully Submitted,
Marcia Shults, Town Clerk