

**October 11, 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 11<sup>th</sup> day of October.

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

ABSENT: Melinda McDuffee Deputy Town Clerk

PUBLIC HEARING: A public hearing was held at 6:50 PM. regarding the Rural Grove Fire Contract, no comment was made. Public Hearing ended at 6:51 PM.  
A Public Hearing was held at 7:00 PM. regarding the Adoption of Local Law # 1 of 2023 Solar Energy Facilities Law, A few residents spoke up with concerns for and against the Local Solar Law # 1 of 2023. Public Hearing ended at 7:14 PM.

PUBLIC COMMENT: William Maring, Town Historian asked if there has been any update on their Deed.

CORRESPONDENCE: Supervisor Kamp received a letter from Montgomery County, on their Shared Services program.  
Supervisor Kamp also received an email and letter from Montgomery County regarding Hazzard Mitigation Planning.

OTHERS PRESENT: Donald Oeser, Highway Superintendent; Harold Wilday, Justice; Geroge Vosburgh, Ariel Shaul, Richard Bingham and Nick Bordieri; Planning Board; Clifton Dorrough, Code Officer; Stella Gittle, Assessor; Colleen Pank and Dustin 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 **Weiss** motioned seconded by Councilwoman **Quackenbush** to approve the minutes from the September 13, 2023 meeting as presented.

Ayes 5 – Kamp, Bramer, Quackenbush, VanKersen, Weiss Nays 0

**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

Assessor reported that the Star Rebate Checks will not be going out this year.  
Planning Board reported that they will be starting to update the Town of Root Code Book.

AGENDA

Supervisor Kamp presented the agenda for the meeting. Councilwoman **Quackenbush** motioned seconded by Councilman **VanKersen** to adopt the agenda.

Ayes 5 – Kamp, Bramer, Quackenbush, VanKersen, Weiss Nays 0

OLD BUSINESS: At this time the Town Board is still seeking quotes on redoing both Town hall entrances, Board members will be going to the Town of Carlisle to seek ideas from their Town.

Board of Assessment Review (BAR) still has one (1) vacancy available.

NEW BUSINESS:

Resolution # 21 of 2023

Rural Grove Fire Contract

BOARD MEMBER **Quackenbush** presented the following Resolution and moved its adoption.

RESOLVED: that Supervisor Kamp be and he is hereby authorized to execute a new 3-year contract with the Rural Grove Volunteer Fire Department for fire protection in the town for the years 2024-2026, in the amount of \$150,000 for year 2024, \$153,000 for year 2025, and \$156,000 for year 2026 a copy of which is annexed hereto as Schedule “A”.

SECONDED by Board Member **VanKersen**.

Adopted by the following vote:

Ayes: 5 Kamp, Quackenbush, VanKersen, Bramer, Weiss Nays: 0

Resolution # 25 of 2023

Adoption of Local Law # 1 of 2023 “Solar Energy Facilities Law”

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

WHEREAS, proposed Local Law No. 1 of 2023 of the Town of Root entitled “Solar Energy Facilities Law – Town of Root”, Which proposed Local Law was presented in its final form to the Town Board at the meeting held on September 13, 2023 and a copy thereof was kept with the Town Clerk and copies were laid upon the desks of the members of said Town Board at least ten (10) days, exclusive of Sundays, prior to its final passage; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on October 11, 2023, before this Town Board, pursuant to public notice duly published in the Daily Gazette, as well as notice on the town website and the town notice board, as well as to the county and adjoining municipalities as required by law. And

WHEREAS, all required referrals to the Montgomery County Planning Board, the Town of Root Planning Board and Town of Root Zoning Board of Appeals, as well as all required publications and postings, have been properly completed; and

WHEREAS, the Town Board of the Town of Root, New York is of the opinion that adoption of said proposed Local Law No. 1 of 2023 is in the best interest of the Town of Root, New York; and WHEREAS, the Town Board has determined that the adoption of the new Solar Energy Facilities Law of the Town of Root is a Type 1 action pursuant to the NYS Environmental Quality Review Act; and

WHEREAS, at the meeting held on September 13, 2023, the Town Board of the Town of Root, New York declared its intent to be SEQURA lead agency for the review of this Type 1 action; and NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Root, New York that, as the lead agency under SEQURA, the Town Board hereby determines that this Local Law will not result a significant adverse impact on the environment and the attached negative declaration, incorporated herein by reference, is issued and adopted for the reason stated in the attached negative declaration, and Parts 1, 2 and 3 of the Environmental Assessment Form are also approved and incorporated herein by reference. And

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to sign and file or have filed on behalf of the Town of Root all documents necessary to comply with SEQRA; and BE IT FURTHER RESOLVED, that said proposed Local Law No. 1 of 2023 be and the same is hereby adopted and such Local Law shall be entered in the minutes of the Root Town Board; and BE IT FURTHER RESLOVED, that certified copies of said Local Law No. 1 of 2023 in its final form be filed with the New York State Secretary of State in accordance with law; and BE IT FURTHER RESOLVED, that this Local Law in its final form shall become effective as provided by law upon its filing in the Office of Secretary of State.

Seconded by Board Member **Quackenbush**

Adopted by the following vote:

Ayes: 5 Kamp, Quackenbush, VanKersen, Bramer, Weiss Nays: 0

Councilwoman **Weiss** motioned, seconded by Councilwoman **Quackenbush** to Resined the adoption of Resolution # 25 Of 2023 “The Solar Energy Facilities Law”

Ayes 5 -Kamp, Quackenbush, VanKersen, Bramer, Weiss Nays 0

Councilman **Bramer** motioned, seconded by Councilman **VanKersen** to table Resolution # 25 of 2023 “Solar Energy Facilities Law” till the November Meeting to have a chance to go over residence concerns with some of the information provided in the “Solar Energy Facilities Law”.

Ayes 5 – Kamp, Quackenbush, VanKersen, Bramer, Weiss Nays 0

Resolution 26 of 2023

Frontier Internet Speed Increase

BOARD MEMBER **Quackenbush** presents the following Resolution and moved its adoption.

WHEREAS: The Town of Root Judge is having problems running his State Programs with our current internet speed, 15/2M that is currently \$ 39.99 Monthly.

RESOLVED: Frontier recommends we up the speed to 500/500 for \$99.99 Monthly to be able to have enough speed to run the Judges Programs.

SECONDED: by Board Member **Weiss**.

ADOPTED by the following vote:

Ayes 5 – Kamp, Quackenbush, VanKersen, Bramer, Weiss Nays: 0

Supervisor Kamp Scheduled a Budget Work Shop for October 14<sup>th</sup> @ 8:30 AM.

Budget Public Hearing will be Held on November 8<sup>th</sup> @ 6:50 PM. At the Monthly Meeting.

EXECUTIVE SESSION:

Councilwoman **Quackenbush** motioned seconded by Councilwoman **Weiss** to go into executive session at 7:30 Pm. to discuss Town property, located next to the Rural Grove Fire Station one (1) on HWY 162.

Ayes 5 – Kamp, Bramer, Quackenbush, VanKersen, Weiss Nays 0

Councilwoman **Quackenbush** seconded by Councilwoman **Weiss** to come out of executive session at 7:58 Pm.

Ayes 5 – Kamp, Bramer, Quackenbush, VanKersen, Weiss Nays 0

ABSTRACTS

Abstract #10 of the general fund for vouchers numbered 242-267 were audited and ordered paid. Paid abstract total was \$29,981.31.

Abstract #10 of the highway fund for vouchers numbered 130-145 were audited and ordered paid. Paid abstract total was \$62,996.74.

Abstract #10 of the Capital Project fund for vouchers numbered 1-11 were audited and ordered paid. Paid abstract total was \$44,559.66.

Councilman **Bramer** motioned seconded by Councilman **VanKersen** to accept the audit of abstract #10 of the general fund in the amount of \$29,981.31, abstract #10 of the highway fund in the amount of \$62,996.74 and abstract # 10 of the Capital Project fund in the amount of \$44,559.66 The vote was unanimous.

ADJOURN

Councilwoman **Quackenbush** motioned seconded by Councilwoman **Weiss** to adjourn at 8:01 PM.

Respectfully Submitted,  
Marcia Shults, Town Clerk