

## December 13, 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 13<sup>th</sup> day of December.

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

ABSENT: Jade Weiss Councilwoman

PUBLIC HEARING: No Public Hearing at this time.

PUBLIC COMMENT: No Public Comment at this time.

CORRESPONDENCE: Supervisor Gary Kamp received the Town of Roots Election results from Montgomery County Board of Election.

OTHERS PRESENT: Donald Oeaser, Highway Superintendent; Harold Wilday, Justice; Nick Borderi, Richard Bingham & Dustin Pank, 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 Councilman VanKersen to approve the minutes from the November 8, 2023 meeting as presented.

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

### REPORTS

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

There were no reports from the

The Attorney

The Assessor

Town Clerk

Supervisor Kamp discussed how he and Councilwoman Quackenbush attended the Montgomery County Mitigation Plan workshop to address Town of Roots Portion/responsibility of the plan.

Highway Superintendent Donald Oeaser reported that the Town should be receiving a reimbursement from the CHIPS Program.

Planning Board Member Nick Borderi reported they are still going over all the public concerns dealing with the adoption of Local Law # 1 of 2023 Solar Energy Law.

### AGENDA

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

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

**OLD BUSINESS:**

At this time there is still a Vacancy on the Board of Assessment Review (BAR).

**NEW BUSINESS:**

Adoption of Local Law # 1 of 2023 Solar Energy Law will be tabled till January's meeting.

Holiday Party for 2024 was discussed and will be held at "The Stock Yard" on February 16, 2024 @ 6:00 P.M.

**Resolution # 27 of 2023**

Resin Resolution # 23 of 2023 Contract with Spectrum Northeast.

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

**Whereas:**

On September 13, 2023 Meeting, the Board accepted the Contract from Spectrum Northeast, LLC.

**Whereas:**

Since the acceptance of the Contract, Resolution 23 of 2023 at the September 13, 2023 meeting, the contract years changed from ten (10) years commencing to fifteen (15) years commencing.

**Resolved:**

That the Root Town Board hereby rescinds the September 13, 2023, Resolution 23 of 2023 accepting the Contract from Spectrum Northeast, LLC.

**Seconded By Board Member** Bramer.

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

**Resolution # 28 of 2023**

Revised contract of Spectrum Northeast, LLC.

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

**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 Fifteen (15) 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 13<sup>th</sup> 2023 at 6:50 P.M. and notice of the hearing was published in the Recorder on September 9<sup>th</sup> 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 Bramer

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

RESOLUTION #29 of 2023

CONTRACT FOR SNOW REMOVAL AND ICE CONTROL ON COUNTY  
HIGHWAYS

BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024

Resolution by Council Member Quackenbush

Seconded by Council Member VanKersen

WHEREAS, the Commissioner of Public Works of this County has submitted a contract for the removal of snow and ice control on county roads within the Town of Root under Section 135A of the Highway law, now therefore be it and it

RESOLVED, that pursuant to Section 135A of the Highway law, this Board accepts the contract for snow removal and ice control, and authorizes the Town Supervisor to execute the aforesaid contract.

Vote of the Town Board.....  
\_\_\_\_\_Kamp\_\_\_\_\_

(Aye) (~~Nay~~)

Supervisor

\_\_\_\_\_Bramer\_\_\_\_\_

(Aye) (~~Nay~~)

Council Member

\_\_\_\_\_Quackenbush\_\_\_\_\_

(Aye) (~~Nay~~)

Council Member

\_\_\_\_\_VanKersen\_\_\_\_\_

(Aye) (Nay)

Council Member

State of New York  
County of Montgomery  
Town of Root

I, Marcia Shults Clerk of the Town of Root, in the County of Montgomery, New York, do hereby certify that I have compared the preceding copy of a resolution with the original thereof, duly adopted by the Root Town Board at a regular meeting of such council held on the 13<sup>th</sup> day of December, 2023.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Town of Root this 13<sup>th</sup> day of December, 2023.

Clerk of the Town of Root

Montgomery County, New York

End of Year Meeting will be held on Wednesday December 27, 2023 @ 7:00 Pm.

Supervisor Gary Kamp brought to the Town Board a Quote from Adirondack Generators on a Generac 26/22.5 KW Air Cooled Standby Generator w/o ATS 7290 in the amount of \$9,661.00 which will be paid with ARPA Funds for the Rural Grove Fire Department. Councilwoman Quackenbush motioned seconded by Councilman VanKersen to accept the purchase of said Generator in the amount of \$9,661.00.

Ayes 4 – Kamp, Bramer, Quackenbush, VanKersen,

Nays 0

#### EXECUTIVE SESSION:

Councilwoman Quackenbush motioned seconded by Councilman VanKersen to go into executive session at 7:25 Pm. to discuss remaining Hwy Employee Vacation Time of 2023.

Ayes 4 – Kamp, Bramer, Quackenbush, VanKersen,

Nays 0

Councilwoman Quackenbush seconded by Councilman Bramer to come out of executive session at 7:38 Pm.

Ayes 4 – Kamp, Bramer, Quackenbush, VanKersen,

Nays 0

Councilman Donald Bramer brought to the Towns attention that there is a Tax credit law we should look into for Volunteer Fireman/ Ambulance crews in the Town of Root that will take 10 % off assessed value of their property taxes. Attorney Brett Preston will be looing into details to see what need to take place.

#### ABSTRACTS

Abstract #12 of the general fund for vouchers numbered 290-317 were audited and ordered paid. Paid abstract total was \$35,468.02.

Abstract #12 of the highway fund for vouchers numbered 166-179 were audited and ordered paid. Paid abstract total was \$39,967.16.

Abstract #12 of the Capital Project Fund for vouchers numbered 16-19 were audited and ordered paid. Paid abstract total was \$47,497.89

Councilwoman Quackenbush motioned seconded by Councilman VanKersen to accept the audit of abstract #12 of the general fund in the amount of \$35,468.02 and abstract #12 of the highway fund in the amount of \$39,967.16. and abstract #12 of Capital Project Fund in the amount of \$47,497.89. The vote was unanimous.

#### ADJOURN

Councilman VanKersen motioned seconded by Councilwoman Quackenbush to adjourn at 7:40 PM.

Respectfully Submitted,  
Marcia Shults, Town Clerk