

April 10, 2024, 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 April.

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

ABSENT:

PUBLIC HEARING: No Public hearing at this time.

PUBLIC COMMENT:

There were multiple residents who discussed multiple concerns along with questions regarding the Solar Project that's looking to come into the Town of Root.

CORRESPONDENCE: Ayres Memorial Animal Shelter will be holding a pet wellness day on May 4th from 12:00 PM until 3:00 PM. They will be offering free rabies vaccines, low-cost distemper vaccines for dogs and cats, as well as low-cost microchipping with registration.

OTHERS PRESENT: Stell Gittle, Assessor; Harold Wilday, Justice; Richard Bingham, Dustin Pank, Nick Borderi, and Pete Ossi Planning Board; Colleen 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 Councilman VanKersen to approve the minutes from the March 13, 2024 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 Clerk

The Highway Superintendent

Assessor reported that they are in discussion of possible doing rebates checks for the residents again for the year of 2025. Assessor also reported that the Fireman's might be able to receive two different Tax exemptions next year.

Planning Board reported that they will be working on updating the 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:

Vacancy for Board of Assessment Review Member (BAR)

Vacancy for Board of Appeals

NEW BUSINESS:

Resolution #6 of 2024

Grass and Brush contract

Resolution by **VanKersen** Seconded by **Quackenbush**

WHEREAS, the commissioner of Public Works of this County has submitted a contract for the control of grass and brush 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 control of grass and brush, and authorizes the Town Supervisor to execute the aforesaid contract.

Vote of the Town Board.....

(Aye) Kamp - Supervisor

(Aye) Bramer – Council Member

(Aye) Quackenbush – Council Member

(Aye) VanKersen – Council Member

(Aye) Weiss – 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.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Town of Root this 10th day of April, 2024.

Resolution # 7 of 2024

Introducing Local Law No. 1 of 2024

Resolution by **Quackenbush** Seconded by **Weiss**

“The Solar Energy Facilities Law of the Town of Root”

Whereas, the Town of Root is desirous for adopting Local No. 1 of 2024 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 2024, has been presented to the Town Board for its review and consideration; and

Whereas, the Town Board had previously determined and now reaffirms 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;

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 declared its intent to be SEQUA lead agency for the review of the Type 1 action;

BE IT FURTHER RESOLVED, that Town Board calls for a public hearing to be held on the attached proposed Local Law No. 1 during a special Town Board meeting scheduled for Wednesday, April 24, 2024 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 Montgomery County Planning Board as required by the NYS General Municipal Law.

Gary Kamp introduced the Full Environmental Assessment Form, Part 1 – Project and Setting. That includes;

- A. Project and Sponsor Information.
- B. Government Approvals, Funding or Sponsorship.
- C. Planning and Zoning Actions.
- D. Project Details
- E. Site and Setting of Proposed Action
- F. Additional Information
- G. Verification

Tiny Houses Sq. Footage allowances will be discussed at the next Planning Board Meeting.

A special meeting will be held on Wednesday April 24, 2024 at 7:00 Pm. to Adopt the Solar Energy Facilities Law of the Town of Root.

Cold Storage Building needs quotes of Floors, Doors, and Electric to finish up project.

EXECUTIVE SESSION:

Councilwoman **Quackenbush** motioned seconded by Councilwoman **Weiss** to go into executive session at 7:39 Pm. to discuss Solar litigation and to discuss to have a second attorney for Sollar Purposes.

Ayes 4 – Kamp, Bramer, Quackenbush, VanKersen, Weiss

Nays 0

Councilwoman **Quackenbush** seconded by Councilman **VanKersen** to come out of executive session at 7:59 Pm.

Ayes 4 – Kamp, Bramer, Quackenbush, VanKersen,

Nays 0

Tara Autovino sent in a letter of interest for both Vacancy's on the Board of Appeals and for the Board of Assessment Review (BAR).

Councilwoman **Weiss** motioned seconded by Councilwoman **Quackenbush** to accept the Letter of interest from Tara Autovino, for both positions of Board of Appeals and Board of Assessment Review (BAR).

Ayes 4- Kamp, Quackenbush, VanKersen, Weiss

Nays 0

ABSTRACTS

Abstract #4 of the general fund for vouchers numbered 77-106 were audited and ordered paid. Paid abstract total was \$35,753.74.

Abstract #4 of the highway fund for vouchers numbered 44-56 were audited and ordered paid. Paid abstract total was \$50,393.75.

Abstract #4 of the Capital fund for vouchers numbered 0 were audited and ordered paid. Paid abstract total was \$0.00.

Councilman **Bramer** motioned seconded by Councilman **VanKersen** to accept the audit of abstract #4 of the general fund in the amount of \$35,753.74, abstract #4 of the highway fund in the amount of \$50,393.75 and the abstract # 4 of the Capital fund in the amount of \$ 0.00. The vote was unanimous.

ADJOURN

Councilwoman **Quackenbush** motioned seconded by Councilman **VanKersen** to adjourn at 8:03 PM.

Respectfully Submitted,
Marcia Shults, Town Clerk