

Town of Tully
December 11, 2019

7:00PM **PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF 2019,**
A LOCAL LAW IMPOSING A SEVEN MONTH
MORATORIUM ON ALL ACTIVITIES RELATED TO
COMMERCIAL SOLAR ENERGY SYSTEMS WITHIN
THE TOWN OF TULLY, NEW YORK

Notice of this Public Hearing was published in the Post Standard on November 26, 2019 with same being posted at the Town Hall and on the sign board at the Tully Post Office.

Supervisor Masters called the public hearing to order and led in the pledge of allegiance.

At this time, Mr. Masters addressed the attendees in an effort to make it clear that the Board's intention is not to obstruct solar, but simply to update our laws and are in support of the developers. This public hearing is for commercial applications only. Two applications have been received by the Town at the present time, from Renovus and Tetra Tech. This public hearing would not apply to the Renovus application because it's for onsite usage.

Supervisor Masters advised that representatives were here tonight from Tetra Tech to give a presentation of what their plan is, and the Town would do its best to accommodate them and get a law in place in a timely manner.

Town Attorney Bob DeMore added that the Town is working with NYSERDA, County Planning and Regional Planning and hopes to have a law in place by the March meeting. Brief discussion followed.

(Complete text of the local law is included at the end of these minutes.)

With no other questions or comments, the following motion was made:

RESOLUTION 100-2019

MOTION TO CLOSE THE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF 2019.

_____ Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 3 ayes (Masters, Snavlin, Speziale) 0 nays.

BREAK

**REGULAR TOWN BOARD MEETING
TOWN OF TULLY
TOWN HALL
5833 MEETING HOUSE RD TULLY NY**

Members Present: Newly Elected Town Supervisor John Masters
Councilor Frank Speziale
Re-elected Councilor John Snavlin
Councilor Christopher Chapman arrived at 7:25pm.

Town Clerk Susan Vaccaro

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Others present: Financial Officer Thomas Chartrand, Town Attorney Robert S. DeMore, Highway Superintendent John Herold, Parks & Rec Board Member Gary Heymann, Fire Captain Chad Wakula, Fire Commissioners Ed Wortley, Jr. and Gary Malone, Cheryl Wayne, Catherine Goodwin, Joe Pellettiere, Thomas Fucillo, John Sidd, Sean Reardon, Jim LeMessurier, Amanda Postma, Jon McNamara, Mary Fenlon, Walt Dixon, Charlene Bell, Dennis Bell, Greg Hering, Will Hackett, Tom Hackett, Joe Heath, Terri Murray, Matthew Vincent, Gary Kittell, Madison Kittelberger, Michael Vaccaro

7:30PM Newly Elected Town Supervisor John Masters called meeting to order.

RESOLUTION 101-2019

MOTION TO APPROVE THE MINUTES OF THE MEETINGS ON NOVEMBER 7th AND NOVEMBER 13TH. Motion by Councilor Speziale. Second by Councilor Snavlin. Motion carried 4 ayes (Masters, Snavlin, Speziale, Chapman) 0 naves.

Floor – Public Input

Tetra Tech presentation

Sean Reardon, engineer and permitting consultant with Tetra Tech, gave a brief presentation regarding his role in the project which is to assist the project developer, NB Development.

(Continuing) Mr. Reardon explained that they are proposing three projects, about 28 acres of developed area and 7.5 megawatts each. Two of the projects are owned by the Potters and the other is owned by Mark Drumm.

Next, Mr. Reardon introduced Greg Hering with NB Development who spoke about his company. Their primary focus is to develop projects that fit well in a community. They focus on spending time in the community for months to understand how the town uses its resources, and how they can develop a project that fits well within the community.

Mr. Reardon explained that they had not submitted any applications yet, but their purpose tonight was simply to introduce the board and introduce the community to the projects and show the scope and scale, get a little feedback, learn a little bit about what they could do better or change and then come back with an application after the zoning changes or the moratorium ends and hopefully have something that's in line with everyone's expectations. Sean then proceeded to show some architectural drawings and explain to the Board what each project would entail. Discussion followed with questions by Board members and residents.

Census Presentation

Matthew Henry from the U.S Census Bureau gave a brief overview of what to expect for the 2020 Census. Highlights include: the website which is 2020census.gov and includes ways to respond, why your answers matter, and privacy and security. The Census Bureau is required by law to protect any personal information they collect and keep it strictly confidential. The Census Bureau can only use your answers to produce statistics. This year, for the first time, you can respond online. Otherwise,

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by phone or mail if you prefer or a personal visit with a census employee. The census will collect basic information about the people living in your household. They will never ask for social security numbers, bank or credit card account numbers, money or donations, or anything on behalf of a political party. For more information, go to 2020census.gov.

Resident Terri Murray spoke about Route 80 being paved recently and asked as to whether or not the paving company is coming back to fix certain problems that have arisen as a result of the paving. Highway Superintendent John Herold responded that they are closed down for the winter season, but will be coming back to address any issues, particularly where driveways meet the newly paved road and there is quite a difference in the level of pavement between the road and the residents' driveways and mailboxes. John said he intends to do a "walk-through" with a rep from the company so that any issues are resolved. He will keep the board and residents informed as to his progress, and may put something in the Tully News to keep everyone "in the loop".

Next, Terri mentioned **Fellows Falls** and **Emerson Gulch** as two "hidden treasures" in the Town of Tully and suggested that they be developed for recreational use. They are mentioned in the comprehensive plan for the town as well. Terri thanked Larrian Johnston for inspiring her and a group of residents to get together and explore trying to acquire the property and develop it for recreational use. Honeywell has been contacted in that regard. She mentioned Joe & Tarki Heath, Peter Huntington, Christine Carlson, David Franke and John Bishop have been involved in working on this project. The U.S. Fish and Wildlife agency and the DEC feel that this could be resolved in 2020. Terri suggested developing some hiking trails and biking trails and perhaps have some exposure that would bring more people in to enjoy this area.

Agenda Item No. 5

Supervisor Masters spoke about some incumbents on various boards who would like to be reappointed, and they would be included in the organizational resolutions next month. Those appointments are as follows: Joe Pellettiere – ZBA – 5 years starting in 2020 and going through 2024; Lucas Erno – Parks & Rec – 7 years starting in 2020 and going through 2026; Matt Vidler – Grievance Board – 5 years starting in 2020 and going through 2024

RESOLUTION 102-2019

MOTION TO REAPPOINT JOE PELLETTIERE TO THE ZONING BOARD AS STATED ABOVE. Motion by Councilor Speziale. Second by Councilor Snavlin. Motion carried 4 ayes (Masters, Chapman, Snavlin, Speziale) 0 naves.

RESOLUTION 103-2019

MOTION TO REAPPOINT LUCAS ERNO TO THE PARKS & REC BOARD AS STATED ABOVE. Motion by Councilor Snavlin. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Chapman, Snavlin, Speziale) 0 naves.

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RESOLUTION 104-2019

MOTION TO REAPPOINT MATT VIDLER TO THE GRIEVANCE BOARD AS STATED ABOVE. Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 4 ayes (Masters, Chapman, Snavlin, Speziale) 0 naves.

RESOLUTION 105-2019

MOTION TO APPROVE THE VOUCHERS. Motion by Councilor Chapman. Second by Councilor Snavlin. Motion carried 4 ayes (Masters, Chapman, Snavlin, Speziale) 0 naves.

Financial Report

Tom Chartrand reported that we had received the host community fee from Cranesville Block, \$25,000. Highway fund, Dave Knapp was able to secure some extreme winter recovery money in the amount of \$65,000. It was a good month for ambulance recoveries, about \$13,000, but we're still down on that line so we need to be careful on spending through the rest of the year. On the expenditure side, not a whole lot going on. Tom did have some items to include on a transfer sheet which is included below:

TOWN OF TULLY

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To: Town Board

From: Tom Chartrand

Re: Budget Transfers

AMBULANCE			
From:			
SM9060.8	Employee Benefits	Health Insurance	
\$7,000.00			
To:			
SM4540.1	Ambulance	Personal Services	
\$2,000.00			
SM4543.1	Ambulance (Overtime)	Personal Services	
\$5,000.00			
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			Total
\$7,000.00			

GENERAL			
Town wide			
From:			
A1990.4	Contingent	Contractual	
\$1,800.00			
To:			
A8160.4	Refuse and Garbage	Contractual	
\$1,800.00			
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\$1,800.00

Total-

RESOLUTION 106-2019

MOTION TO ACCEPT THE FINANCIAL REPORT. Motion by Councilor Snavlin. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 107-2019

MOTION TO APPROVE THE TRANSFERS. Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 108-2019

MOTION TO AUTHORIZE THE TOWN SUPERVISOR TO MAKE ANY END-OF-THE-YEAR TRANSFERS. Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 109-2019

MOTION TO APPROVE THE VOUCHER FOR SWEET BASIL FOR THE CHRISTMAS REFRESHMENTS AT THE MEETING. Motion by Councilor Chapman. Second by Supervisor Masters. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

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RESOLUTION 110-19

MOTION TO AUTHORIZE SUPERVISOR MASTERS TO ACCEPT COMPETITIVE QUOTES FOR OUR TOWN INSURANCE FOR NEXT YEAR AND TO ACCEPT THE BEST QUOTE.

Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 111-19

MOTION TO SET THE PETTY CASH FOR THE TAX COLLECTOR AT \$100.00.

Motion by Supervisor Masters. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 112-19

MOTION TO SET THE TIME AND DATE FOR THE ORGANIZATIONAL MEETING AT 7:15 ON WEDNESDAY, JANUARY 8TH.

Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

Parks & Recreation

Parks & Rec board member Gary Heymann reported that the rec basketball is underway with nine teams, 3rd through 6th grades, boys and girls. Because Tully participates in the County youth bureau, the kids will be playing against teams from Groton, Marathon, McGraw and Cortland.

Goals for next year include resurfacing the tennis and pickleball courts, adding signage describing the walking trail, distances, baseball field, et cetera.

We're also going to bring back a program we had in the past, the Summer Arts Program. More info to follow.

Highway

John Herold reported on the following:

- Good month, though we've had a lot of residents complaining about the road paving
- Equipment has been going great; few minor repairs
- Met with Mr. Warner on Babcock Road; called Hans Christopherson for a survey to establish the end of the road; then we can abandon it; will follow up next month
- Bridge inspection – we can use engineers Barton and Loguidice for an inspection of the bridge. The issue seems to be more cosmetic than structural. They are going to charge the town about \$2,000 and it will probably happen in the Spring.

Tom Chartrand suggested to John that he send a letter of intent to Barton & Loguidice for them to do the inspection before the end of the year in 2020, so we can use the \$1000 we already have from this year and just add to it next year. Brief discussion followed.

Ambulance

Newly appointed Fire Captain Chad Wakula reported on the following ambulance activities:

1. Number of EMS calls for November was 39.
2. December schedule is 99% filled. Part time employees filled a lot of the open shifts.

Currently, there are only 3 scheduled overtime shifts for the month, so that is good.

3. The medic car will be going out for 2 new tires and a front-end alignment at some point this month. Ambulances have all been re-registered for year 2020.
4. I am looking into outside funding sources for future equipment purchases.
5. Onondaga County has provided us with an Active Shooter Trauma kit. Looking into outside training with this, and the county is willing to assist with it.
6. Motorola has informed all agencies that they are no longer supporting the Xtl and Xts radios. They have a good supply of parts at this point so this isn't an issue right now, but we may want to look into replacement plans in the future.
7. Bryan Ramsay has joined as a volunteer and will be taking care of the volunteer administration duties.
8. I would like permission to surplus the old stretchers that are in storage and get rid of them.

RESOLUTION 113-19

MOTION TO DECLARE TWO OLD STRETCHERS AS SCRAP AND AUTHORIZE CHAD WAKULA TO DISPOSE OF THEM IN THE LEAST COSTLY MANNER.

Motion by Councilor Snavlin. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

Fire

Nothing to report this evening.

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Supervisor Masters suggested that before we get into the legal portion of the meeting, he had wanted to present Bryan Ramsay (who is not present this evening) with a plaque to thank him for his 27 years of service to the Town of Tully. Brief discussion.

Legal

Town Attorney Bob DeMore advised the board that his research was complete and they could go ahead and adopt the deferred compensation plan for employees of the Town of Tully who wanted to participate in the plan.

Supervisor Masters read the resolution as follows:

RESOLUTION 114-19

Adoption Of The State of New York Deferred Compensation Plan

WHEREAS, the Town of Tully wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for voluntary participation of all eligible employees; and

WHEREAS, the Town of Tully is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law* and

WHEREAS, the Town of Tully has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Tully by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Tully hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Tully are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the _____ day of _____, 20____, at a meeting of the _____.

I hereby certify that the Town of Tully is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnesseth by: Town of Tully

By:

Consent of The Deferred Compensation Board of the State of New York to Local Public Employer's Participation

By: _____

MOTION TO ADOPT THE DEFERRED COMPENSATION PLAN FOR THE TOWN OF TULLY AS READ INTO THE RECORD BY SUPERVISOR MASTERS.

Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 115-19

MOTION TO ADOPT LOCAL LAW NO. 1 OF 2019 IMPOSING A SEVEN MONTH MORATORIUM ON ALL ACTIVITIES RELATED TO COMMERCIAL SOLAR ENERGY SYSTEMS. Motion by Councilor Snavlin. Second by Supervisor Masters. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

Mr. DeMore stated it was a Type II action under SEQR, and no further action was required.

Next, Supervisor Masters mentioned the fee schedules for new housing and general construction for the Town of Tully would be discussed at next month's meeting.

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RESOLUTION 116-2019

MOTION TO MOVE INTO EXECUTIVE SESSION AT 8:50PM TO DISCUSS THE APPOINTMENT OF A FIRE COMMISSIONER. Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

RESOLUTION 117-2019

MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 9:10PM AND APPOINT DAN COOTER AS FIRE COMMISSIONER. Motion by Supervisor Masters. Second by Councilor Chapman. Motion carried 3 ayes (Masters, Snavlin, Chapman) 0 naves 1 abstention

MOTION TO ADJOURN THE MEETING AT 9:15PM. Motion by Councilor Speziale. Second by Councilor Snavlin. Motion carried 4 ayes (Masters, Snavlin, Chapman, Speziale) 0 naves.

Respectfully submitted,

Susan Vaccaro, Town Clerk