

Town of Tully  
April 8, 2020

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

Members Present: Town Supervisor John Masters  
Councillor Frank Speziale  
Councillor John Snavlin  
Councillor Christopher Chapman  
Councillor Catherine Goodwin

Town Clerk Susan Vaccaro

Others present: Financial Officer Thomas Chartrand, Town Attorney Robert S. DeMore, Highway Superintendent John Herold, Parks & Rec Director Ryan Dando, Fire Captain Chad Wakula, The Tully News editor Ben Bibik, resident Eric Maley, and representative from DRS (Delaware River Solar) Dan Compitello

**7:30pm** Town Supervisor John Masters first stated that he hoped all our citizens are social distancing and staying safe. He apologized for the delay in getting the March newsletter mailed. As such, there was no mention of our current situation with the coronavirus and stated he is hopeful that the April newsletter will be distributed in a much more timely fashion.

Mr. Masters announced that the Town of Tully has declared a state of emergency, so our offices are closed to public access. And the governor has suspended the open meetings law. But we would like to keep our citizens aware of what's going on around town, so we are conducting this meeting as a virtual meeting and also presenting on Facebook. If you go to the town's website which is [www.townoftully.org](http://www.townoftully.org), you will find the most up-to-date information there.

Continuing, Mr. Masters also advised that he had discussed Earth Day activities as well as the Spring Cleanup Day with our highway superintendent, and we believe that the wise thing to do would be to delay these activities for the time being. We will continue to update residents on the Tully website. All town board members' contact info is on the website. Mr. Masters announced that his personal phone number is 315 696-6037 for residents with questions or concerns.

**RESOLUTION 50-20**  
**MOTION TO ACCEPT THE MINUTES OF THE MEETING ON MARCH 11, 2020.**  
**Motion by Councillor Speziale. Second by Councillor Snavlin. Motion carried 5 ayes (Masters, Snavlin, Chapman, Speziale, Goodwin) 0 nays.**

**RESOLUTION 51-20**  
**MOTION TO APPROVE THE VOUCHERS. Motion by Councillor Chapman. Second by Councillor Goodwin. Motion carried 5 ayes (Masters, Snavlin, Chapman, Speziale, Goodwin) 0 nays.**

**Ambulance**

Fire Captain Chad Wakula reported on the following ambulance activities:

1. Number of EMS calls for March was 22.
2. NYS Department of Health full service inspection has been postponed due to the coronavirus pandemic.
3. We have received some PPE donations from some of the local businesses. I will be sending thank-you letters in the future.
4. EMS operations are operating normally at this point. Masks are being worn by all providers and drivers for all calls, and we are placing a mask on all patients we come in contact with. This is for our safety as well as the patients. Crews are updated daily with briefings from Emergency Management, NYS Department of Health, and the CDC. We are following all recommendations, procedures and protocols.

**Parks & Recreation**

Ryan Dando reported that there had been one cancellation: the pitch, hit and run program due to the covid-19 pandemic. We're planning on opening Green Lake, but there's a lot of planning that goes into that, including the lifeguards and their certification, so we're not sure right now how that's going to play out. We're just going to have to wait and see.

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(Continuing) The Moo Run is set for June 6<sup>th</sup>, but not advertised yet. There are no registrations yet, so we're just going to wait and see if we're even allowed to hold it. At this point, the tennis courts are locked up due to the cracks in the court surface. We don't want anyone getting injured so I've put up a sign that it's closed for now. We're first on the list for the resurfacing this spring. We also have the new benches up on the trail.

**Fire**

Supervisor Masters announced that he happened to speak to Gary Malone this week who said that the fire commissioners' meeting was scheduled to pay bills only, and that had been done.

**Financial Report**

Tom Chartrand reported on receipts and disbursements for the month of March:

- Court fines for March: 20% of our budget
- SOTS refund was over \$18,000
- The special ambulance district, we had one of the best months for recoveries ever, up almost \$20,000, so that's good news.
- Received the contract for 2020 from Fabius, and the 2019 Medicare funds

**RESOLUTION 52-20**

**MOTION TO ACCEPT THE FINANCIAL REPORT. Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 5 ayes (Masters, Snavlin, Chapman, Speziale, Goodwin) 0 nays.**

Mr. Chartrand continued with a brief explanation of State aid. Discussion followed with questions and comments by board members.

**Highway**

John Herold reported on the following:

- Good month; crew was out 6 times in March; not out at all in April
- We had one repair this month on the 2014 stake rack truck; otherwise, all running great
- Repairing potholes
- Swept town once already
- Earth Day is cancelled for this year; the town's cleanup day is cancelled for now, but we may try to schedule it for June; more info to follow
- Bathrooms are still closed for now
- Baseball field; brief discussion on watering the field and when
- Emailing Honeywell re: their land going to parkland; ongoing discussion
- Level of water on Green Lake; Mr. Masters thanked John for the work he and his crew have done

**Floor – Public Input**

Ben Bibik introduced resident Eric Maley who offered to donate any drone work that the town might have. Councilor Speziale would be the contact for the town. Mr. Masters expressed his appreciation for that.

Ben also introduced Dan Compitello from Delaware River Solar. Dan expressed his appreciation that the town is still working and hopes everyone is staying safe. They have been working very hard at Delaware Solar and look forward to continuing work with the town on the solar project.

**Legal**

Supervisor Masters spoke briefly about the Notices of Intent from both Delaware Solar and NB Development acknowledging that they intend to build solar projects within the Town of Tully. (Both Notices of Intent are included at the end of these minutes.)

**RESOLUTION 53-20**

On motion of Supervisor Masters, seconded by Councilor Goodwin, the following resolution was ADOPTED Ayes 5 Masters, Goodwin, Speziale, Snavlin, Chapman Nayes 0

**WHEREAS**, the Town of Tully, NY received on 3/18/2020 the attached Notice of Intent from NB Development, LLC to construct a Solar Energy System in the Town of Tully at the locations noted in said Notice; now, therefore, be it

**RESOLVED**, that the Tully Town Board hereby notifies NB Development, LLC of its intent to require a contract for payments in lieu of taxes for the Solar Energy Systems listed in the Notice of Intent dated 3/16/2020 as allowed by RPTL Section 487 9 (a). (Cont'd on next page)

The Town Clerk is directed to notify NB Development, LLC of this resolution.

The above resolution was moved and passed at regular Tully Town Board meetings on 4/8/20 and 4/9/20 at Tully, NY.

Susan Vaccaro, Tully Town Clerk 4/8/20

Town Attorney Robert DeMore explained that this basically starts the process. Once we receive the Notice of Intent, we have 60 days to respond saying that we would like to negotiate a contract for a PILOT agreement.

Councilor Chapman asked if our assessor needs to be aware of this. Town Attorney Bob DeMore advised that the town would need an outside consultant for this.

Councilor Goodwin asked about the timeline. Again, Mr. DeMore responded that DRS and Tetra Tech would need figures on the PILOT soon.

**RESOLUTION 54-20**

On motion of Supervisor Masters, seconded by Councilor Speziale, the following resolution was ADOPTED Ayes 5 Masters, Goodwin, Speziale, Snavlin, Chapman Naves 0

**WHEREAS**, the Town of Tully, NY received on 4/8/2020 the attached Notice of Intent from Delaware River Solar, LLC to construct a Solar Energy System in the Town of Tully; now, therefore, be it

**RESOLVED**, that the Tully Town Board hereby notifies Delaware River Solar, LLC of its intent to require a contract for payments in lieu of taxes for the Solar Energy System in the Notice of Intent dated 4/1/2020 as allowed by RPTL Section 487 9 (a).

The Town Clerk is directed to notify Delaware River Solar, LLC of this resolution.

The above resolution was moved and passed at regular Tully Town Board meetings on 4/8/20 and 4/9/20 at Tully, NY.

Susan Vaccaro, Tully Town Clerk 4/8/20

**MOTION TO ADJOURN THE MEETING AT 8:15PM. Motion by Motion by Councilor Speziale. Second by Councilor Chapman. Motion carried 5 ayes (Masters, Snavlin, Chapman, Speziale, Goodwin) 0 naves.**

Respectfully submitted,

Susan Vaccaro, Town Clerk

March 16, 2020

NB Development LLC  
358 Chestnut Hill Avenue, Suite 302  
Brighton, MA 02135

**Certified Mail Return Receipt Requested**

John Masters  
Supervisor Town of Tully  
5833 Meetinghouse Road  
Tully, NY 13159

**RE: Notice of Intent to Construct a Solar Energy System**

Dear Mr. Masters,

Please accept this letter as a Notice of Intent to Construct a Solar Energy System by NB Development LLC in accordance with Section 487(9)(a) of the New York Real Property Tax Law for three solar energy systems in the Town of Tully, New York. NB Development LLC has submitted three Special Permit applications to the Town Board of the Town of Tully for three solar energy systems as set forth below:

1. 705 North Road  
Parcel ID: 114-01-06.1  
Tully, New York 13159
2. 254 Route 11 South  
Parcel ID: 115-02-14.0  
Tully, New York 13159
3. 340 Route 11 South  
Parcel ID: 115-02-03.0  
Tully, New York 13159

Thank you for your attention to this matter and please do not hesitate to contact me with any questions regarding the three solar energy systems.

Regards,



David Khasidy  
[David@numeradyme.com](mailto:David@numeradyme.com)  
NB Development LLC  
358 Chestnut Hill Avenue, Suite 302  
Brighton, MA 02135



April 1, 2020

Susan Vaccaro  
Town Clerk  
Town of Tully  
5833 Meetinghouse Road  
Tully, NY 13159

**RE: Solar Project**

Dear Ms. Vaccaro:

Delaware River Solar, LLC intends to build one or more solar projects in the Town of Tully. We have been working or plan to work with the town officials on any permitting requirements.

Please feel free to contact me with any questions. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "CR", enclosed within a large, loopy oval shape.

Caroline Rizzo  
[caroline.rizzo@delawariversolar.com](mailto:caroline.rizzo@delawariversolar.com)

Delaware River Solar, LLC | 33 Irving Pl, New York, NY 10036 | 646-998-6458