

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held July 2, 2019 at the Town Hall commencing at 7:30 p.m.

Present: Shawn Marriott, Supervisor
Joan Breslin, Deputy Supervisor
Linda Sutton, Councilmember
George Deckers, Councilmember

Absent: Jerry Cunningham, Councilmember

Recording Secretary: Janet Partridge, Town Clerk

Others Present: Thomas Sutton, Sgt.
David Cunningham, Building Inspector
Patti Fetty, Deputy Clerk
Maryellen Brooks, Assessor's Clerk
Tal Rappleyea, Town Attorney
21 community members

Supervisor Marriott called the meeting to order at 7:31 pm followed by the pledge to the flag.

Marriott reported two anniversaries this meeting. Ruthie Fishman started working for the Town on July 1, 1988. Wes Moore started working part time on June 24, 2010 for the highway department after his retirement. He thanked both of them for their dedication to the town.

Council Member Sutton announced the anniversary of Tom Sutton with the Durham Police department July 1, 1969. Everyone thanked him for his 50 years of service to the Town of Durham.

A motion was made by Council Member Deckers to open the public hearing on the pending Tier 3 Solar Permit on the Buoniconto property, 300 Jennings Road, seconded by Deputy Supervisor Breslin, all in favor, motion carried. (4 Ayes – Marriott, Breslin, Sutton, Deckers; 1 absent – Cunningham)

A representative from Omni Solar and David Byrne from Renua Energy gave a presentation on the pending Tier 3 solar permit on the Buoniconto Property on Jennings Road. It will be a 1.5 megawatt array. The project will span over 14 acres of the farm which is composed of 145.8 acres. They will use the Route 145 entrance to the property. The time frame for construction will be about 3-4 months and they hope to start in September. Mr. Byrne described the placing of the panels and the 25 year warrantee.

A community member asked where on the property is the solar array going to placed. Marriott explained it sits quite a bit off the road.

A community member asked who is financing the project and what is the budget. Mr. Byrne explained the budget will be about two million dollars and will be financed through an investment company, Sky Solar. He asked what happens after 25 years when the lease is up. It was explained they have submitted a decommissioning plan to the Town Board. At the end of

the lease the land owner will have the option to renew the lease at 5 year increments or the company will restore the land back to its original use. An escrow account has been set up to pay for the array to be taken down when it is no longer going to be used.

A question was asked about the construction of the solar panels. They are made of Aluminum and glass.

A community member asked if they have any other solar farm projects in Greene or Columbia counties. They are currently working on one in Catskill. The New York state market has opened up for the larger arrays up to 5mw. This one for Durham is only a 1.45 mw.

A neighboring property owner asked if the solar farm will be visible from any other property and what kind of hours will they be working during the construction of the array. The heavy machinery work will be about 2-4 weeks and the entire construction will be about 3 months. The mounting of the panels and the electrical work will not likely be noisy. They would like to work Monday through Friday, 7am – 6pm, but reserve the right to work on Saturday.

They have not done a study on the values of neighboring properties, but they have done an EIF. There has not been a request for an environmental impact study. An eight foot chain link fence will be installed surrounding the array. First responders will have access through the gates.

They do not plan to modify the terrain and they will plan to just brush hog the area around the panels. The panels are constructed to minimize maintenance, so they do not need shoveling.

Concern was express about the noise and view of the access road when the road will need plowing, and they asked would the company consider planting an arborvitae hedge to conceal the view from the neighboring property.

Since one of the neighboring properties was a resort, Saturdays as work days in the summer would be a conflict.

Chances of a fire are slim, but NYS provides the training for the fire companies and Mr. Byrne would be willing to coordinate that if needed.

Attorney Rapplelea reviewed the outline submitted by the solar company relating to the town solar law. There are a few more things that need to be submitted by the next meeting.

A full environmental assessment form has been submitted. Marriott read through the questions that need to be reviewed by the board.

A motion was made by Deckers to approve a negative declaration, seconded by Breslin, all in favor, motion carried. (4 Ayes – Marriott, Breslin, Sutton, Deckers; 1 absent – Cunningham)

The board reviewed a park use form submitted for September. Discussion on whether an insurance rider should be submitted by each applicant followed.

A motion was made by Marriott that any resident of the Town of Durham that fills out an application for Brandow Park will not be required to include+

an insurance rider although the board reserves the right to review the form and request a rider, additionally anyone living outside of the town requesting to use the park will be required to provide an insurance rider for their event, seconded by Breslin, all in favor, motion carried. (4 Ayes – Marriott, Breslin, Sutton, Deckers; 1 absent – Cunningham)

A motion was made by Marriott to approve the Park Use Form submitted by Fran Smith for a dog show at the park in September pending an insurance rider is received by the town, seconded by Breslin, all in favor, motion carried. (4 Ayes – Marriott, Breslin, Sutton, Deckers; 1 absent – Cunningham)

Chris Brannigan and Brian Goff from the Durham Scenic Byway Committee gave a presentation to the board on what they have been working on lately. There are 21 miles in the byway but they are not all connected and they are working on getting them connected. They are also working on the Windham rest area on Route 23. They have cleaned the area up to improve the view and are working with Assemblyman Tague to install a webcam across the road.

A motion was made by Deckers to adjourn at 9:27pm, seconded by Breslin.

Respectfully Submitted,

**Janet Partridge,
Clerk/Collector**