

**7:00PM**

**TOWN OF TULLY**  
**CONTINUED PUBLIC HEARING**  
**ON THE APPLICATION OF (BORALEX)**  
**FOR A SKY HIGH SOLAR OVERLAY DISTRICT**

Members Present: Supervisor John Masters  
Councilor John Snavlin  
Councilor Christopher Chapman  
Councilor Frank Speziale  
Councilor David Meixell

Town Clerk Susan Vaccaro

Others present: Town Attorney Robert S. DeMore, Financial Officer Thomas Chartrand, Highway Superintendent John Herold, Fire Commissioner Ed Wortley II, *The Tully News* Editor Ben Bibik, Martin Zanghi (ANS Geo), Alexandra Dutt (Boralex), Lisa Downing-Schmidt (TRC), Scott M., Allen Q., Tom P.

Supervisor Masters called for questions from residents present at the hearing.

There were questions from residents regarding truck traffic on Sky High Road, designating a travel pattern, and wanting a better topographical map to show where the stormwater would flow. Martin Zanghi responded to questions as a lengthy discussion followed. There was also a question regarding the impact on assessments. Town attorney Robert DeMore responded that there would be a PILOT, payment in lieu of taxes, agreement between the developer and the town as well as the school district. Brief discussion followed.

**Close Public Hearing**

Motion by Councilor Snavlin, second by Councilor Speziale to close the public hearing at 7:48pm. Motion carried.

(Masters, Snavlin, Speziale, Meixell, Chapman) Ayes 5 Nays 0

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

**7:50pm** Supervisor Masters declared the town board meeting open and led in the Pledge of Allegiance.

**Approval of Minutes**

The minutes of the September 13th meeting and September 28<sup>th</sup> budget workshop were made available via email. Motion was made by Councilor Snavlin and seconded by Councilor Chapman to approve the minutes. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Vouchers**

Motion was made by Councilor Snavlin, seconded by Councilor Chapman to pay the audited bills out of the proper funds. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Financial Report**

Mr. Chartrand reviewed receipts and disbursements for the month of September and included town clerk receipts, NYCLASS interest which is up to 5.25%, court fines, and parks and rec fees which were \$31,000.

Motion was made by Supervisor Masters, seconded by Councilor Snavlin to approve the financial report. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Motion to approve the bank reconciliation. Motion by Councilor Speziale, seconded by Councilor Chapman. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

(Financial report cont'd on next page.)

To: Town Board  
 From: Tom Chartrand  
 Re: Budget Transfers

HIGHWAY	Town wide		
From:			
DM5130.4	Machinery	Contractual	\$8,000.00
		Total	<u>\$8,000.00</u>
			=====
To:			
DM5130.2	Machinery	Equipment	\$8,000.00
		Total	<u>\$8,000.00</u>
			=====

To: Town Board  
 From: Tom Chartrand  
 Re: Budget Transfers

GENERAL	Town wide		
From:			
A1990.4	Contingent	Contractual	1,000.00
A7110.2	Parks	Equipment	2,000.00
		Total	<u>\$3,000.00</u>
			=====
To:			
A1620.4	Buildings	Contractual	1,000.00
A7110.4	Parks	Contractual	2,000
		Total	<u>\$3,000.00</u>
			=====
AMBULANCE			
From:			
SM599	Surplus	Recoveries	\$10,000.00
		Total	<u>\$10,000.00</u>
			=====
To:			
SM4543.1	Ambulance (Overtime)	Personal Services	\$5,000.00
SM4546.4	Billing Service	Contractual	5,000.00
		Total	<u>\$10,000.00</u>
			=====

Motion was made by Supervisor Masters, seconded by Councilor Meixell to approve the transfers as indicated above. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Resolution 89-23**

Motion to set the public hearing for the 2024 budget on November 8<sup>th</sup> at 7pm and to have the Public Hearing for the Sky High Solar Special Use Permit at 7:15 that same night. Motion by Councilor Snavlin, seconded by Councilor Chapman. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Highway**

John Herold reported on the following highway activities:

- Some major repairs
- We have a few things on the roads left to do
- We're getting our equipment ready to go on the trucks for the next season
- Still working with FEMA on the Hollenbeck Road project and funding looks promising
- John asked about closing up the bathrooms for the winter
- Tully Cleanup Day is this Saturday, 9 to 3; shredding event at the town hall parking lot, 9 to 11
- John asked the Board for approval to purchase a Western Striker Sander for the Ford F550

**RESOLUTION 90-23**

Motion was made by Supervisor Masters, seconded by Councilor Snavlin to approve the purchase of a Western Star Striker Sander at a cost of \$7530. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Ambulance**

Fire Captain Chad Wakula reported on the following ambulance activities:

1. Number of EMS calls for September was 42
2. Just sent out new canvas letters last week; hopefully, I will start getting them back soon
3. Our Centers for Medicare Revalidation have been approved
4. I am presenting 3 quotes to the Board tonight for the repairs to the Medic Car

**Parks & Recreation**

Our parks and rec director is absent this evening, but Supervisor Masters reported that there were no significant updates.

**Fire**

No report

**Updates from the Supervisor**

Supervisor Masters reported that he had been working on a quote for the phone system. Mr. Chartrand advised that the quote for the phone system for the town hall would be \$436 monthly. Brief discussion ensued regarding how much the town would actually be saving.

Next, Mr. Masters advised that the update on the Comprehensive Plan was finished but that he was advised by our town attorney to get a committee together to update the zoning code. Brief discussion.

**Public Input from the Floor**

None this evening.

**Legal Update**

Town Attorney Robert DeMore advised that Supervisor Masters would need to read part of the resolution pertaining to the Sky High Solar Overlay District. He read the following:

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TULLY, ONONDAGA COUNTY, NEW YORK:**

(1) The Town Board finds that the proposed Overlay District conforms with the requirements of the Town's Tier 3 Overlay District Law, as follows:

a. The Applicant, to the extent practicable, preserves prime farmland as the creation of the Overlay District and the Sky High Solar Project will not displace any active farm, will comply with the requirements of the NYSDAM Guidelines, and following the end of the Project's useful life, the facility will be decommissioned. Therefore, the Town Board finds that the Overlay District will not have a significant effect on prime farmland in the Town;

b. The creation of the proposed Overlay District will not cause adverse visual impacts as it will be minimally visible from adjoining properties and major public thoroughfares due to its location, due to the natural topography and existing vegetation around the Project Site, and the Project Site is not within close proximity to any public scenic or aesthetic resource as the closest such resource, the Labrador Hollow Unique Area, is approximately 3.9 miles away. Therefore, the Town Board finds that the Overlay District will not adversely impact important scenic resources, scenic views that are important to the Town;

c. The proposed Overlay District is not in close proximity to any lakes or other waterbodies;

d. The proposed Overlay District is not within 1 mile of an already approved Tier 3 Solar Energy System; and

e. Because the current Overlay District is the site of a land that was previously used for a Christmas tree farm, has not been in active agricultural use for more than five years, the topography of the site which minimizes adverse visual impacts, coupled with proximity to interconnection, the Town Board finds that other alternative parcels for siting the proposed Overlay District are not reasonably available to this Applicant;

(Continued on the next page)

(2) For all the aforementioned reasons, the Application to establish a Tier 3 Solar Energy System Overlay District for the Project Site, part of Tax Map Numbers 112.-03-08.1, 112.-03-16.0, 112.-03-18.1 and 113.-03-02.0 is approved for 125.65 acres of land;

(3) The Applicant may proceed with further proceedings relating to its Application for a Special Use Permit and Site Plan Approval.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

John Masters	<u>Voting</u>	<u>Aye</u>
Frank Speziale	<u>Voting</u>	<u>Aye</u>
Chris Chapman	<u>Voting</u>	<u>Aye</u>
David Meixell	<u>Voting</u>	<u>Aye</u>
John Snavlin	<u>Voting</u>	<u>Aye</u>

**PASSED AND ADOPTED BY THE TOWN OF TULLY TOWN BOARD** on the 13<sup>TH</sup> day of September, 2023

**(The full text of the resolution is in the Boralex file in the town clerk’s office.)**

**RESOLUTION 91-23**

**RESOLUTION OF THE TOWN OF TULLY TOWN BOARD  
ADOPTING A NEGATIVE DECLARATION FOR A SKY HIGH SOLAR PROJECT  
AND TIER 3 SOLAR OVERLAY DISTRICT**

**WHEREAS**, on or about June 5, 2023, pursuant to Local Law No. 2 of 2023 entitled: LOCAL LAW AMENDING THE TOWN OF TULLY CODE BY CREATING TIER 3 SOLAR ENERGY SYSTEMS OVERLAY ZONING DISTRICTS (the “Tier 3 Solar Overlay District Law”), Sky High Solar, LLC (the “Applicant”) submitted an application (the “Application”), to create a Tier 3 Solar Energy System Overlay District (the “Overlay District”) to change the zone for the siting of the Sky High Solar Project, a 20 MW ground-mounted solar energy system proposed at 1315 Sky High Road, Town of Tully, New York Tax Map Numbers 112.-03-08.1, 112.-03-16.0, 112.-03-18.1 and 113.-03-02.0 (the “Project Site”);

**WHEREAS**, the application materials submitted on June 2, 2023 included a Site Plan, Land Use Map, Project Narrative, completed FEAF Part 1, a description of current land uses of abutting properties within 500 feet of the Project Site, Current Zoning Map, and a copy of Correspondence with the Planning Board on the Special Use Permit application, for a zoning change to establish a Tier 3 Solar Energy System Overlay District (the “Overlay District”) on the Project Site, and . . .

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TULLY, ONONDAGA COUNTY, NEW YORK:**

(1) The Town Board of the Town of Tully, as lead agency, for purposes of compliance with SEQR, 6 NYCRR Part 617, has determined that the proposed Overlay District and the Sky High Solar Project will result in no significant adverse impacts on the environment, and therefore, a Negative Declaration is issued . . .

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

John Masters	<u>Voting</u>	<u>Aye</u>
Frank Speziale	<u>Voting</u>	<u>Aye</u>
Chris Chapman	<u>Voting</u>	<u>Aye</u>
David Meixell	<u>Voting</u>	<u>Aye</u>
John Snavlin	<u>Voting</u>	<u>Aye</u>

**PASSED AND ADOPTED BY THE TOWN OF TULLY TOWN BOARD** on the 11<sup>TH</sup> day of October, 2023

**(The full text of the resolution is in the Boralex file in the town clerk’s office.)**

Motion to move into Executive Session at 8:15 to discuss a personnel matter. Motion by Supervisor Masters. Second by Councilor Snavlin. Motion carried.  
(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Executive Session**

Motion to move out of Executive Session at 8:30. Motion by Councilor Snavlin. Second by Councilor Speziale. Motion carried.  
(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

**Resolution 92-23**

Motion to change the code enforcement officer, and we have the latitude to do that, and hire Michael Decker at an annual salary of \$12,000 and supply him with a cell phone. Motion was made by Supervisor Masters. Second by Councilor Snavlin. Motion carried 4 ayes (Masters, Snavlin, Meixell, Chapman) 1 nay (Speziale)  
Brief discussion.

**Motion to Adjourn**

Motion was made by Councilor Speziale, seconded by Councilor Snavlin to adjourn the meeting at 8:35pm. Motion carried.  
(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Respectfully submitted,

Susan Vaccaro, Town Clerk