

Minutes of the Regular Monthly Workshop Meeting of the Town Board of the Town of Durham held September 4, 2018 at the Town Hall commencing at 7:30 p.m.

Present: Shawn Marriott, Supervisor
Nick Nahas, Deputy Supervisor
Joan Breslin, Council Member
Jerry Cunningham, Council Member
Linda Sutton, Council Member

Recording Secretary: Janet Partridge, Town Clerk

Others Present: Joseph van Holsteyn, Highway Superintendent
Thomas Sutton, Police Sgt.
John David VanTassel, Animal Control Officer
David Cunningham, Building Inspector
Maryellen Brooks, Assessor's Clerk
Tal Rappleyea, Town Attorney
Karen Tirpak, Bookkeeper
17 community members

Supervisor Marriott called the meeting to order at 7:32 pm followed by the pledge to the flag.

Marriott thanked Christian Larson for his one year anniversary as a data collector for the town of Durham. He also clarified that Mr. Sutton started working for the town of Durham as a Constable in 1969 and in 1971 he started working for the police department. He thanked Mr. Sutton for serving the town in both positions.

A motion was made by Council Member Breslin to open the public hearing on Local Law 2018-2, Regulating Solar Energy Systems, seconded by Council Member Sutton, all in favor, motion carried. (5 Yeas – Marriott, Nahas, Breslin, Cunningham, Sutton)

Council Member Cunningham, Chairperson of the Solar Committee, asked committee member Jim Stone to explain the Law to the Board.

Breslin asked in the written law, it states the home units can only produce 110% of energy used, who checks on that, the building inspector? Mr. Stone explained when a permit is applied for the home owner has to provide proof of energy used and it is based on that. Breslin asked who checks and regulates that every year. Local resident, Chip Smith explain when he put his house unit on, New York State used the past 4 years' average and he was allowed to have a unit that produced 72% of that amount of power to get the tax credit. There was confusion as to whether the percentage had changed that much over the past couple of years and who would yearly regulate it.

Breslin asked why, in Section 10-C-4, soils classified as prime farmland is prohibited from having a solar energy system on it. Cunningham explained they used sections of surrounding solar laws to help them develop this one and Schoharie County has this in their law. They definitely have more prime farm land than we do. He felt we didn't have enough prime farm land that this would be an issue. Discussion followed on how land is classified. Cunningham will contact soil and water to find out how much the Town of Durham has.

Maryellen Brooks as Joe van Holsteyn if the fire company has been trained for the solar systems that have come in or may be coming in the future. He explained they haven't had too many issues

yet. Van Holsteyn asked that it be put in the law that a well labeled shut off lever be installed, preferably a 4 x 4 inch reflective sign with bold writing, solar disconnect.

Chip Smith asked for clarification on Section 5 expert and professional fees. It is confusing how the paragraph is worded. It sounds like anyone putting in a system could be charged \$3,000. Discussion on taking the tier 4 fee part since it is found on another page covering tier 4.

Marriott feels the escrow accounts are vital since our town relies on the scenic view for tourism. Cunningham reminded everyone the escrow account is the solar company's responsibility not the land owner.

Mr. Smith asked if the Code Enforcement Officer has training to certify the units. The building permit is issued by the building department and they work together to confirm the CO.

The public hearing will be left open until the next meeting.

Marriott explained the County Notice for inclusion in Ag District 124 – SEE ATTACHED
Every few years anyone can apply for land to be included in the added district. There is a 30 day period to apply. The Notice will be put on the Town Clerk's sign board.

Animal Control Officer John VanTassel reported his dog car's motor is not fixable. The estimated cost to replace the motor will be about \$4,000 as long as no other parts are compromised in the process. They have looked into purchasing another car for \$6,000, it is a 2011 crown Victoria with 80,000 miles on it. Breslin asked if he had gotten any other estimates for a different style car like a mini-van. A suggestion was made to purchase a small trailer. Discussion followed on what the car is used for throughout the year and if a current police car could be used for now.

Sgt. Sutton explained in a month or so he is going to put in to purchase another replacement car, so the board can use the one he would be replacing for the animal control car.

Discussion followed. Marriott asked VanTassel to get a couple other estimates for the next meeting and they will make a decision on the next step.

At 8:59 pm Cunningham motioned to adjourn, seconded by Breslin.

Respectfully Submitted,

Janet Partridge,
Clerk/Collector