

Town of Fenner

July 14 , 2021

Attendance: Councilperson Cody, Councilperson Wester, Councilperson Strack,
Councilperson Pushlar, Supervisor Jones

Town Board meeting called to order at 8:01 pm with Pledge of Allegiance.

Board meeting was held in the Fenner Town Highway Barn to accommodate a larger audience.
Board meeting was audio recorded.

Previous month's minutes approved by Councilperson Strack seconded by Councilperson
Pushlar

Town Clerk's Monthly Report motion to approve by Councilperson Cody seconded by
Councilperson Pushlar

Supervisor's Monthly report motion to approve by Councilperson Pushlar and seconded by
Councilperson Cody

Highway Superintendent's Monthly Report: Deputy Robbie Conklin - presented the report
Cold Pave Wyss and Irish Ridge, helped Nelson pave, mowing, culverts on Belinger, ditching and
mowing of cemeteries

NEW BUSINESS:

David Strong from Borrego Corporation, asked to address the Board regarding amending zoning
to zone C to specific area (map provided). He is proposing 2 wind turbines for a "community
wind energy project". Electricity produced would be consumed locally and only for the local
community at a discount. They are seeking guidance on how to proceed; they would like to
start with a zoning change to install 2 - 198 foot temporary towers to measure/monitor wind
speeds on Richards Farm (4557 Nelson Rd), starting now into the fall. Actual wind turbines
would be 650 feet tall if installed - currently the area is not zoned for turbines. Community had
many questions including if those on Madison-Oneida Coop would benefit - answer no - just
National Grid, payment in lieu of taxes would be the only benefit to the town. It was also noted
that Borrego is a solar company, but Mr. Strong stated they would not be looking to install solar
panels at this time. Studies have already started in the town.

Annual Financial Report approved and signed by all Board Members.

OLD BUSINESS:

Concerns noted about the quality of the paving job done on Wyss Rd was discussed, Deputy
Superintendent Strack will call our Suit-Kote sales representative and discuss how to resolve
concerns.

PUBLIC COMMENTS ON PROPOSED SOLAR LAW:

Judy Cary, Milestrip Rd.

I have lived on a farm my entire life, personally I support renewable energy. I believe in its need and its value and the importance of agriculture, the current proposed law is not necessarily what we need in Fenner - people should be allowed to generate more power than what they need, and not sure if limiting land owners is the correct way to go, law is not fitting that need.

Patty Phillips, Cody Rd

lives in a house not a farm, cutting down trees for panels is very wrong, and against fences and fencing in animals. Small scale solar is fine, this is too large. No cutting down trees and no fences, too much land, natural habitat should not be destroyed. Trees help with global warming.

Leanne Lake, Cody Rd

Against large scale solar, we are for renewable. We have amazing rich farmland. Only some will benefit. Our house will be completely surrounded on 3 sides by solar panels. Fenner has done their part. We will ruin our soil, most will not benefit from this, only a few families will benefit, our property values will suffer, nobody will purchase a home surrounded by solar panels, there are many other communities with lots of space. Let some other communities contribute to green energy, I'm not understanding why it's always on Fenner. Our Amish have moved here because of our soil.

Paula Douglas - Wyss Rd

supports limiting commercial solar in Fenner. Look at the West Coast, they are losing farmland - ours will be worth far more to the entire county - this is short sighted

Anne Merriman- Rouses Rd

For the solar law, the project will surround her home and farmland, fencing will push animals to eat her crops putting her out of business. All of our houses will be surrounded.

Jule Bookhout, Nelson Rd

concerned about the long term effects on our land, if the panels get broken- we have had an uptick of severe storms they are becoming common, if panels are blown around who will clean it up broken panels? This will ruin the land and land will no longer be good for crops and grazing land, chemicals in the ground. Acres of glass panels, with photo votive cells is dangerous.

Phil Rose, Mutton Hill

Behind the Law, for Fenner for 20 years Fenner has been a Statewide leadership player in the for green energy Fenner has done their part. We do not need huge international companies in our town. Cypress Creek was bought out by a Scandanvian Company this week. We are in the wild west? "there is gold in them there hills", let's move to Fenner Do we have a target on our back? Asking a small town to deal with large international companies - hours and hours of work and more responsibilities - no local corporate offices. Home rule is being challenged and the law of the land has always been the way now it's disappearing. We must fight for our home rule.

Donna Spangler, Cody Rd

owns a farm, when a large corporation comes into our small town and then is bought out, who do we go after? We have no chance to fight major corporations. We can't afford to fight large companies. We have one attorney; we couldn't afford an hour with theirs.

Brian Williamson

I have installed solar panels since the late 1990's for a living. I am in favor of law and green energy. We get incentives to use green energy on our property and homes. I have solar panels and wind turbines. Giant commercial corporations - After 20 years' panels are no good and littering our land. What then? Who cleans up - it's like "Rent to Own" we are stuck cleaning up 1200 acres of unusable glass and garbage left behind.

Aaron Hopkins -
for the law.

Wayne Mandel -

the impetus behind all of this entire renewable energy drive if you look at the, State website goes back to a political promise made by a single party that in 2025 an election promise was made - we were told recently that this solar project was "inevitable and we should embrace it and should get used to it" "We are all in this together" "Look beyond your village, your town look beyond your county and consider all of NYS as a whole. The impact here for a family in Fenner will be a little different then for a family in Manhattan or Brooklyn. Now we lay down with our face in the dirt of Fenner and the "king" has his knee on the back of our necks and we say NO commercial solar NO commercial alternative energy and we can't breathe and the kings looks to his constituents and says "I got this" this is what one party rule is all about

Andy Stone, Milestrip Rd

agrees with law but believes that individuals should have the right to cover 10-15% of their property or a certain number of acres but no large scale commercial solar should be permitted. You can't tell people they can't have panels on their property.

Cindy Givula -

In favor of law, no industrialized solar on our farmland, changing our land, possibly forever.

Ms. Mitchell, peterboro Rd

when I bought our house in a residential area - not industrial

Judy Carmen -

against industrialized solar in Fenner, there is enough brown land and roofs in the cities, to leave us alone

Pat Scott - Cody RD

for the law, against industrialized solar in Fenner

Sue Bookhout - Nelson Rd

I am for the law, these are multimillion dollar companies that behave like gold prospectors and have struck a vein in Fenner. All they see are opportunities to come in and make money and leave. The fall out is we lose ag land and wildlife will be impacted by industrialized solar in Fenner. I Lived in Colorado for 15 years with gas drilling boom and bust, unknown people in our community that don't care about us, it changes everything. We have surveyors trespassing on our property already, they never asked, they never asked because they don't care about us.

Craig Brown,

Thank you all for coming. I have visited at least 82 of your homes, I am going to continue to visit more homes. Not opposed to renewable energy. I am against commercial solar. Why did I have to go to a meeting in a park at a pond to find out my home was going to be surrounded by solar panels? Why has no one come to my house to tell me my home was going to be surrounded by panels? Why am I not important enough for someone to ask my opinion? Why did no one ask my opinion when I have to ask the opinion to put up a barn or garage? What gives someone the right when it's our land? This all comes down to home rule. Are you familiar with ORES19? We are completely losing our ability to make our own decisions at the local level - if we give a little what else is next - what do we lose, what do we gain. Home rule is in jeopardy. I feel so bad for the local farmers; I don't want to see anyone struggle. I'm sorry I wouldn't have shown up at so many homes, but we have a screen effect going on here, for instance how many in this room received a letter from Cypress Creek (few hands go up) I didn't and how many are here to approve the Law? Nearly all hands go up. That's all I have

Shelly Holdridge, Oxbow Rd,

For Renewable energy on a specific level. Why didn't I receive information from the town board? That's a slap in my face. Why did I not receive a letter? Why did I have to learn about this from Facebook, I heard it was in the paper. I don't get the paper. I have to pay for dog fees and building permits. Who is benefitting from this, maybe a few people, what will this benefit - Fenner a disgraced look over our country side. Offended that she was not notified by the board. why has she not heard from the board regarding solar, this is a slap in the face of a beautiful landscape, why should we destroy it

QUESTION - are any board members benefiting from the solar array? NO

How about ZBA and the planning board? Yes

Will they be recusing themselves? Yes

Tom Mcphilmy -East Rd,

We are not zoned, many places for solar, they belong quarries, landfills, highway medians, brown fields, on the roofs of large flat buildings, we look great on google earth and we are about to foul that up.

Jessica Jones, Wyss Rd

I was born and raised here. I bought my home here, this is where I went to school. I'm in favor of the law. I want to raise my family here and enjoy the trail systems. What's going to happen to our trail system? Snowmobiling, four wheelers, walks with our kid's conservation pond - not fences we pay to live here to enjoy what Fenner offers. I would love to raise my children the way I grew up.

Bill Parry, Irish Ridge Rd.

I had no idea this was going on. I am not for industrial solar. I would be seeing this project every day when I wake up. I have heard nothing about this project, no reason for this. I will see mirrors when I wake up. I will be talking to my neighbors and letting them know about this project. If you want a few in your house, go for it.

Andy Bishop, Oxbow Rd

In Favor of this law, they(big companies) will profit and move out, we will be left behind to clean up the mess. Solar will never be enough, it is a good supplement. But won't match needs

Leeanne Lake -

The Governor wants to help NYC and is picking on small towns. let him mandate the use of the top of Walmarts or shopping centers. Why ruin really good properties to benefit NYC? There are other places to put these.

Robin Clark, South Rd

in favor of the law, lived here for 25 years and moved from Syracuse to get away from the industrial sewer plant. It's been slow creeping with Windmills, now 2 at a time then 2 more being proposed - we received a notice regarding our land being cut in half by NiMo lines, what is enough? where does it end? how much kilowatts are enough? These companies are not working in coordination between towns, town boards are being burdened individually to manifest something that makes sense for their communities by politics. Closing Indian point 14 years early with no plan to replace the loss of energy and putting NYSEERDA in place to give us a voice through CNY planning board, which is a joke. They give you points and credits for going green - I don't qualify for those credits; I get NO credit. I urge people what is the overall coordination goal? What if NY goes green? But Ohio doesn't and Pennsylvania doesn't. What did we gain? Where is the beginning and the end? How do we as Homeowners must protect what we have fostered in this little piece of America?

Brandon Swart, Wyss Rd

Thank you to the board for creating a Solar Board to investigate this solar project, I am for the Law want to stop commercial solar but I am also hoping this doesn't shut the door for farmers using solar for own personal use that is fine

Wayne Mandel, South Rd

community windmills and solar are totally different from what we are talking about here today. Industrial solar and wind companies are all racing for a spot on the 115 KV line running from Canada to Cortland. Look at the Que on the NYS website This is why they are looking at Fenner and not Walmart's etc. You can find all the companies in the race for the line when its gone its gone

Sean(?) and wife, farm on Moraine Rd -

Big company is the issue when they go bankrupt or taken over and then the liability goes to us. Where are we? Texas oil wells were left a mess. Who will clean up our mess? A large corporation issue that I am concerned with. I am for the law.

Tom, Buyea Rd -

New owner property value concerns, against solar - something I need to deal now that I didn't know about. I am for the Law.

Judy Carmen - Questions

Tax base when properties value decrease which they will, How will this affect the town's tax base? Will that be a big concern over the next 25 years. Will solar land be tax exempt?

Ben Carmen, Swamp School Rd

For renewable energy against commercial solar I helped build the wind farm in Fenner. A Wind turbine takes up an acre of property Relativity small this solar project is mammoth, mind blowing what would happen - in 20/30/40 years when everyone walks away and the panels are left behind - Tax concerns I believe the property the windmills are on are tax exempt I'm curious to know if all 1200 acres would be tax exempt? I don't feel these companies will fund to maintain the roads, service the units only a few landowners will benefit but we will all pay the price

Deanna Bennett, Rouses Rd.

For the law, I was born and raised here. I am raising my children here. I look around to see all the people I went to school with and want to raise their families here. I hope my children can raise their children here. That is not going to be possible if they cover 1400 acres with solar panels. I have been following this project since 2019 when it was first introduced to the board we actually brought it to the board's attention this was all done very discreetly, the Town Board was not informed UNTIL after the landowners signed on. I commend Craig for going to your houses and letting you all know. I am for renewable energy, responsible renewable energy and this is not responsible.

Tom Swart - Bear Swamp Rd

for the Law, but also for green energy I have solar panels on my home, and benefit from this. Others can follow suit, I can receive subsidies through the state and federal governments. I don't want Fenner's landscape to change. I choose this area after going to Morrisville and don't want it to change

Question - can we assess them on tax base? County looking into this. State has our hands tied

Deanna Bennett -

I commend the board, they have done a lot of work maybe the communication hasn't been great, thank you to the board and for the moratorium help we need to support the board, we need to take accountability help support do what can to oppose this this is a lot for 6 people

Andy Bishop - Question

- If the law goes through the state and can still overrule? NO

Questions - What are the next steps? How can residents help? Residents can write letters sign petitions

94C is in place of Article 10 intended to streamline this process, cutting down the time from years to months.

Question - Mutton Hill Windmills - towns involved all have moratoriums Cazenovia, Nelson, Smithfield

If ORE's 19 go through then what?

Board will look at all the letters, listen to all of you and the petitions and make a determination

Judy Carey,

I think there is room for more in this law, but opposed to 1200 acres of solar in Fenner

Bill parry, Irish Ridge Rd

I don't see on any of my neighbors here, I thought there was a moratorium in place since 2019, I know there are a lot of people that don't know about this about what is going on at all, and I think it will be a shame one day one of the neighbors looks up and wonders what's going on in that field? and before they know it a huge industrial solar array is going in and they didn't know anything about it. I will be telling my neighbors and hope that helps in any way shape or form.

Question

What is 94C? It is the place of article 10 and it expedites solar and wind projects, you can look on the NYS website Office of Renewable Energy and see who you can contact.

Paula Douglas - how does the county feel about this? What is their position? Other Towns - do they feel like Fenner does, is the County encouraging this? Who's with us and who's against us? I think there is more for us then against us

Besides the 1200 acres - what other projects is the board aware of, we heard of the Mutton Hill project: Cody to Mutton Hill, Rte. 20 and Cody Rds. This affects Nelson and Smithfield. Eaton Nelson, Cazenovia and Smithfield - they all have moratoriums and are looking into amendments to the laws County planning department has most of the projects listed - you can check with them

Rick Bosworth, Cody Rd

Lived here for 50+ years. I wouldn't want to be sitting on this board right now. I am for the Law, if you want to put a percentage of solar on your property good for you , but not on the entire

footprint. The Town has the "Tiger by the Tail" he sympathizes with the board, not against green energy but commercial will cover the whole footprint This is like pooping in your sleeping bag - we gotta live with it. We got schooled with the windmills over the years and the board knows that, they should be shaking in their boots - I would be. King Cuomo in Albany we will have to see what he does everyone beware

Robin Clarke, South Rd Questions

Legislation at State level - update counties to work together Can we work across county lines?

Yes, we are looking into this.

Coop vs. National Grid is anyone representing us?

Not at this time

what's in it for us we get no benefits?

LeeAnn Lake, Cody Rd. Question

Can Farmers who have signed up for Solar change their mind?

Board doesn't know.

Allan Morgan - Swamp School rd

I get the feeling these residents don't want farms destroyed, nothing more beautiful than farmland, Alfa fields all kept up nice. No commercial, I just as soon get out of here if they go up we moved here 10 years ago to this beautiful area

Sean Trainer, Larkin Rd, Question

in favor of law, what precedent was set with the wind farm? What happens at the end of their life span? Is the company responsible for removing those solar panels? Can the board negotiate what happens at the end of the project? Yes

Jenna Swart -

Moved to Fenner from the city, to get away for all that, I didn't come here to see solar panels I came to enjoy fresh air and to enjoy small town community you will chase people away with solar panels

Emhoff, Woodland Rd.

Moved here from Albany to get away from concrete, not for 1400 acres of panels, what are we going to be looking at how will we enjoy the environment? fences? Are they going to have barbed wire on the top? What if my kids climb the fences? I want my kids to enjoy hunting, fishing. They will climb fences, will they be in danger, we enjoy 4 wheeling etc.

Ben Carmen - Question

town board votes on this when? How long before it's enacted?

Probably next month, then law is sent to the State and filed with the Attorney General.

Bridget Carmen -Question

How can we help? Discussion followed - who to write to in NY and county, listed on websites: Madison County, State Office of Renewable Resources. Letters are great for or against.

Julie Bookhout -Question/Comment

without internet how can I sign a petition? Craig will see you after the meeting.

Is anyone Concerned about the health effects of solar panels, livestock and children, and nature itself? - send these concerns to the states.

Giant commercial projects like this require 1000's of yards of concrete trucks all day long 60/70 miles an hour. Construction will be insane. We can't walk down the road now with the trucks and traffic. Roads will take a toll. Windmills are proposing 4 years of construction, what are our roads going to look like? Who's going to pay for it?

Questions

Is Tenney aware of this? We don't know

John Salka is supporting Fenner and well aware of what is going on with 94 C it was slid in with the budget He is fighting against it and fighting for Home Rule. He is against the citing board

Doug Gustevson -

does the existing Moratorium prevent Cypress from moving forward? Yes, expires October 11, 2021. They still have to do environmental studies and paperwork. Board receives results from the studies. It was done for the windmills

Farmers that have already leased? Has that land been rezoned? No They have to go through the board to rezoned

Wayne landowners receiving compensation and benefiting from ag exemption status. Double dipping

If we pass this law, does the state have to approve it? NO

Motion to adjourn public hearing was made at 9:32 pm by Councilperson Wester seconded by Councilperson Strack

Public Hearing is now closed and the board will make their decision in the next month or so and an individual vote will be made during that month's town board meeting. Thank you everyone from the Board.

Vouchers:

General Funds G21-62 -G21 - G78 for 26,17.31 motion to approve made by Councilperson Pushlar seconded by Councilperson Strack

Highway Funds H21-41 - H21- 42 for 17,106.86 motion to approve made by Councilperson Wester seconded by Councilperson Cody

Motion to adjourn meeting at 9:36 made by Councilperson Wester seconded by Councilperson Pushlar

Respectfully submitted -

Lisa Dolan

Town Clerk