

April 10, 2017

State of New York  
County of Fulton  
Town of Oppenheim

Minutes of the Oppenheim Special Board meeting held on April 10, 2017 at the Oppenheim Town Hall located at 110 Route 331, St. Johnsville, NY 13452.

**Present**

Cynthia Breh	--	Supervisor
Patricia Haberek	--	Councilwoman
Stephanie Gray	--	Councilwoman
John Houle	--	Councilman
Scott DeNinno	-	Codes Enforcement Officer
Gloria Brys	--	Town Clerk

**Absent**

Cheryl Lynch	--	Councilwoman
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Supervisor Breh called the meeting to order at 6:30 pm with the Pledge to the Flag.

Attorney Mark Sweeney, David Aldrich, and Rob Garrity were present to discuss the site plans for the Borrego Solar Energy project for the Handy property which is located at 519 County Route 151 in the Town of Oppenheim. They presented maps and explained where and what the solar project would consist of. There will be two separate solar projects on the Handy property. One is called the North and the other the South.

Resolution made by John Houle to hold a public hearing on the Borrego Solar Project North on April 25, 2017 at 6:30 pm and the Borrego Solar Project South on April 25, 2017 at 6:35 pm and seconded by Stephanie Gray

Adopted

Ayes - 4 Houle, Gray, Haberek, and Breh

Absent – Lynch

April 10, 2017 (cont)

The resolution is as follows:

Resolution #38

**TOWN OF OPPENHEIM TOWN BOARD  
RESOLUTION #38 ESTABLISHING LEAD AGENCY AND CLASSIFYING THE ACTION UNDER SEQRA  
AND SETTING A SPECIAL MEETING AND PUBLIC HEARING  
FOR THE BORREGO SOLAR ENERGY PROJECT**

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Date: April 10, 2017

**WHEREAS**, on or about March 30, 2017, PV Engineers, P.C. (c/o Borrego Solar Systems, Inc. (“Borrego”) applied to the Town of Oppenheim Town Board (“Town Board”) for a Solar Farm Permit pursuant to the Town of Oppenheim Local Law No. 1 of 2017, entitled “A Local Law Establishing Regulations for Solar Farm Permits Within the Town of Oppenheim” for a 1.366 MW Solar Energy Project (“North Project”) to be located at 519 County Route 151 in the Town of Oppenheim, Fulton County, New York on the lands owned by Holly Marie Handy, (Tax Map ID -1-19.1) (“Property”); and

**WHEREAS**, on or about March 30, 2017, PV Engineers, P.C. (c/o Borrego Solar Systems, Inc. (“Borrego”) applied to the Town of Oppenheim Town Board (“Town Board”) for a Solar Farm Permit pursuant to the Town of Oppenheim Local Law No. 1 of 2017, entitled “A Local Law Establishing Regulations for Solar Farm Permits Within the Town of Oppenheim” for a 2.0 MW Solar Energy Project (“South Project”) to be located at 519 County Route 151 in the Town of Oppenheim, Fulton County, New York on the lands owned by Holly Marie Handy, (Tax Map ID -1-19.1) (“Property”); and

**WHEREAS**, the two projects, while designed to be entirely separate systems with separate permit holders with separate off-takers for the electricity produced, will be reviewed together for potential environmental impacts under the State Environmental Quality Review Act [ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively referred to as “SEQRA”]

**WHEREAS**, on April 10, 2017, the Town Board heard a presentation of the Application from Borrego regarding its location, characteristics, visibility and future decommissioning; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board as follows:

1. That Town Board shall act as Lead Agency under SEQRA;
2. That the proposed action is an Unlisted Action under SEQRA;
3. That the Town Board shall place this matter on its agenda for its next regular meeting on April 18, 2017 for further consideration;

4. That the Town Board shall hold special meeting on April 25, 2017 at 6:30 pm at the Town Offices located a 110 State Route 331, St. Johnsville, NY for the purpose of holding a public hearing to hear comments from all persons for or against the Project to be held at the same location at 6:30 pm;
5. That the Town Clerk shall prepare and cause a Notice of Public Hearing to be published in the Town's Official Newspaper on or before April 18, 2017
6. That the Code Enforcement Officer shall make a referral of the application and related materials to the County pursuant to GML § 239-m; and
7. That this resolution shall be filed in the office of the Town Clerk and take effect immediately.

**PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF OPPENHEIM** on the  
10th day of April, 2017

<u>Roll Call Vote:</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Supervisor Cynthia Breh	X		
Councilwoman Patricia Haberek	X		
Councilwoman Stephanie Gray	X		
Councilwoman Cheryl Lynch			X
Councilman John Houle	X		




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Gloria Brys, Town Clerk

**NOTICE OF SPECIAL MEETING AND PUBLIC HEARING  
FOR THE TOWN BOARD OF THE TOWN OF OPPENHEIM  
BORREGO SOLAR ENERGY PROJECT - NORTH**

PLEASE TAKE NOTICE that the Town Board of the Town of Oppenheim will hold a Special Meeting and a Public Hearing on **April 25, 2017 at 6:30 pm at the Oppenheim Town Offices, 110 State Route 331, St. Johnsville, New York 12078** to hear all comments for and against the proposed Borrego Solar Energy Project – North to be constructed on a portion of the lands at 519 County Route 151, Oppenheim NY 13452 (Tax Map ID 125-1-19.1) which will generate 1.366 MW of renewable solar energy.

The Application and other project information are available for public review at the Oppenheim Town Offices located at 110 State Route 331, St. Johnsville, New York 12078.

April 10, 2017 (cont)

**NOTICE OF SPECIAL MEETING AND PUBLIC HEARING  
FOR THE TOWN BOARD OF THE TOWN OF OPPENHEIM  
BORREGO SOLAR ENERGY PROJECT - SOUTH**

PLEASE TAKE NOTICE that the Town Board of the Town of Oppenheim will hold a Special Meeting and a Public Hearing on **April 25, 2017 at 6:35 pm at the Oppenheim Town Offices, 110 State Route 331, St. Johnsville, New York 12078** to hear all comments for and against the proposed Borrego Solar Energy Project – South to be constructed on a portion of the lands at 519 County Route 151, Oppenheim NY 13452 (Tax Map ID 125-1-19.1) which will generate 2.0 MW of renewable solar energy.

The Application and other project information are available for public review at the Oppenheim Town Offices located at 110 State Route 331, St. Johnsville, New York 12078.

With no further business on a motion by Councilwoman Houle and seconded by Councilwoman Gray, the meeting was adjourned at 7:55 pm

Respectfully submitted,  
Gloria J. Brys, Town Clerk