

**PUBLIC HEARING @ 5:30 for Local Law #1 of 2023 Pertaining to  
Parking on Town Roads: REGULAR BOARD MEETING**

**@ The Russell Town Hall @ 6:00pm**

06/20/2023

**PRESENT:**

Supervisor White  
Councilor Burnham  
Councilor Beachard  
Town Clerk -Tess Fells  
Councilor Kerr  
Councilor -vacant  
Highway Superintendent Meilleur

**GUESTS:**

Larry Denesha  
Bobby Knox  
Morris Jeffries  
~~Trudy Hendrickson~~  
Alice hance  
Alicia Legland  
Arlena Dafoe  
Bradley & Penny griffin  
~~Rene'e Patterson~~  
Henry Leader

Pledge of allegiance

**PUBLIC HEARING :** Local Law #1 of 2023 Pertaining to Parking on town roads. Was called to order at 5:30 Pm by Supervisor White.  
Supervisor White read the Local Law a loud for the galley.

Local Law Filing

New York State Department of State  
162 Washington Avenue, Albany, New York 12231

Text of law should be given as amended. Do not include matter being eliminated and do not use

italics or underlining to indicate new matter.

Town of Russell

Local Law No. 1 of the year 2023

A local law Pertaining to Parking on Town Roads Be it enacted by the Town Board of the Town of Russell as follows:

Article 1. Authority. The Town Board of the Town of Russell, pursuant to the authority granted under Vehicle and Traffic Law and Sections 10 and 20 of the Municipal Home Rule, Law of the State of New York, hereby enacts as follows:

Article 2. Statement of Purpose and Findings. The Town Board of the Town of Russell has reviewed its current parking situation and finds that enacting parking regulations for Town Roads is in order. It is the purpose of this local law to define certain no parking areas within the Town of Russell.

Article 3. Enactment. The Town Board of the Town of Russell hereby enacts the following:

A. No person shall park a motor vehicle at any time on Town roads adjacent to any guide rails, with the exception of construction vehicles involved in highway maintenance or repair; emergency vehicles; or temporarily inoperable vehicles experiencing mechanical failure, which vehicles shall be removed as quickly as possible, but in no event longer than a 24-hour period.

B. Vehicles parked on Town roads in violation of this law will be towed away at the owner's expense and the vehicle owner shall be subject to a fine of no less than One Hundred Dollars (\$100.00)

Effective Date: This Local Law shall be effective upon filing with the Secretary of State in accordance with Section 27 of Municipal Home Rule Law of the State of New York.

Morris Jeffries asked why the board thought the law was needed. Supervisor White stated that with the roads being 18 foot wide and someone pulls over by a guide rail to answer phone etc. it does not leave much room to go around and can cause a hazardous situation.

Tina Dafoe asked if people could park on either end of guide rails? Answer was yes if not along the guide rails.

**RESOLUTION: # 37** Adopting Local Law #1 of 2023

A motion was made by Councilor Beachard and seconded by Councilor Burnham to **Therefore**, Adopt Local law # 1 of 2023 Pertaining to parking on Town Roads.

Ayes – 4 Beachard, White, Burnham, Kerr

Nays – 0 Motion carried

Meeting was called to order at 6:03 PM by Supervisor White

**PUBLIC DISCUSSION:**

- Arlena Dafoe stated that they would like to set up a committee to make a plan to reset up the free table at the library. They would like to come back to the July meeting with a plan in place for the board to consider. The board stated that would be okay with them presenting a plan.
- Alicia Legland was here on behalf of Solitude Solar on 1040 CR 21. The consent for a pilot has been an issue. The CEO was told not to issue the permit. We feel the town is in violation of state law. We do not want to get into litigation over the issue, but we will if needed. The applicants' rights are being violated at this time we are asking for the board to sign the consent for pilot and to issue the permit.
- Rene'e Patterson is here to ask the board if they would send an approval letter for Pomeroy Foundation for a historical sign to be erected near Balsam Cemetery where Hiram Bartlett is buried. He is an ancestor who owned and ran a Grist Mill on the Grasse River. He was also Supervisor in 1871 for Russell. He also had other businesses he ran in Russell. The Town stated that the sign would have to go by roadside because there is a ball field in front of the cemetery.

**RESOLUTION # 38** Historical Sign at Balsam Cemetery

A motion was made by Councilor Burnham and seconded by Councilor Kerr to:  
Therefore, send an Approval letter to Pomeroy foundation to allow a historical sign to be erected at the Balsam Cemetery area.

Ayes – 4 Beachard, White, Burnham, Kerr  
Nays – 0 Motion carried

**ACCEPTANCE OF THE MINUTES:**

A motion was made by Councilor Burnham  
Seconded by Councilor Kerr  
to accept the minutes from 05/16/2023 as presented by the Town Clerk.

Ayes-4 Beachard, White, Burnham, Kerr  
Nays-0 motion carried.

**TOWN CLERK REPORT: 06/20/2023**

May 2023 Report:

20 dog licenses	98.00
Hunting licenses commission	31.03
0 Marriage License Comm.	.00
15 Certified copies	150.00
7 Building permits	175.00
0 Impoundment fees	.00
0 donation for Pavilion use	.00
Fax and copy money	60.00
<u>Revenue to supervisor:</u>	<u>\$514.03</u>
<u>Disbursed amounts:</u>	
Ag & Market (spay, neuter program)	26.00
NYS Department of Health	.00
<u>Decals</u>	<u>530.97</u>
Total Disbursed	\$1071.00

As of 06/14/23 I have collected 92.56% of taxes. I have closed out with the County treasurer and sent their check. I will settle with the supervisor after my next bank statements come in.

A motion was made by Councilor Burnham  
Seconded by Councilor Beachard  
To accept the clerk Report as presented  
Ayes – 4 Beachard, White, Burnham, Kerr  
Nays – 0 Motion carried

**BALL FIELD COMMITTEE REPORT:** In supervisor report

## **SUPERVISORS REPORT: 06/20/2023**

-Details of all income and expense transactions have been filed with the town clerk.

-Account balances as of June 20, 2023, for the general fund, highway fund, capital improvement fund, and street light fund have been filed with the town clerk.

- The fences are coming a long good. I have a few more top rail connectors to pick up and the smaller field fences will be done. The pee wees were supposed to get a load of topsoil to feather in under the backstops to fill in the gaps. If it is okay, I will have the highway personnel just dump some off to finish. The little league season has pretty much come to an end, and I will have the highway personnel pull out the old backstop up at the big field and begin work there. I have spoken to the old-timer's teams, and they will help with the work and play on an alternate field until completed. I will get a hold of Andy Wood again and see if we can get a date to finish the concrete work and finish the cooking/bathroom area. Concrete has been difficult to get or schedule.

Highway Superintendent Meilleur stated they would drop off some topsoil at both fields for backstops.

A motion was made by Councilor Kerr and seconded by Councilor Beachard to accept the Supervisor Report as presented.

Ayes – 4 Beachard, White, Burnham, Kerr

Nays – 0 Motion carried

## **LEGISLATURE REPORT: Larry Denesha**

- We passed a resolution adopting Mortgage Tax. Russell share was \$6173.47.
- Recycling is now we use to take recyclables to weigh station at the cost of \$8.40 a ton in 2022 and now it is \$99.46 a ton for 2023.
- We passed a resolution recognizing 14 farms in SLC that have been in operation for 100 years.
- SLC had 895 million pounds of milk in 2022 and we are 5<sup>th</sup> in milk production.
- We passed a resolution for in 3 years it will be our 250<sup>th</sup> anniversary. We want to start planning events for the occasion.
- The Lazy River bridge is in last stage and will be done in 2024.
- The external audit started June 5<sup>th</sup>. Unaudited 2022 the county had 810 thousand in interest in investments. We have a good fund balance and are in a better place now.
- We extended the State of Emergency to July 10<sup>th</sup> for Title 42 order.
- The SLC Seniorama is Monday July 24<sup>th</sup> at the Mohawk Bingo Palace, and the picnic is in Morristown Fire Department on August 17<sup>th</sup>.

- The SLC Board of Elections is looking for poll workers and inspectors.

A motion was made by Councilor Kerr and seconded by Councilor Burnham to accept the Legislature report as presented.

Ayes – 4 Beachard, White, Burnham, Kerr

Nays – 0 Motion carried

**FIRE DEPARTMENT REPORT: Bobby Knox**

- July 1<sup>st</sup> the kayak raffle will be drawn
- We will have a turkey dinner for Election Day.

A motion was made by Councilor Kerr and seconded by Councilor Beachard accepting the Fire department report.

Ayes- 4 Beachard, White, Burnham, Kerr

Nays-0 motion carried.

**Highway Superintendent Report: 06/20/2023 \* Richard Meilleur**

We have cut shoulders on 10 miles of our roads. We cut shoulders on Backus and Forbes roads and added crushed stone where needed.

We cut back brush and added some gravel on the Webb Road, we cut shoulders on Pestle Street.

We are almost done mowing the roadsides and cleaning up along all the roadsides.

We have sent our chipper engine to Stickney's to be rebuilt.

The Mack that we have been waiting for parts for is fixed and back in service.

We installed 2 signs on Blanchard Hill Road (speed zone signs) and 2 congested area signs on Lake George Road.

We have started cutting shoulders on Silver Hill Road and will be adding crushed stone after the shoulder work is done.

We have also been working on Belleville Road to finish up slopes and getting it ready for paving.

Vac truck will be here Thursday for the pump house.

I would like to put our 1996 International Patch Truck and the Craftsman lawn mower on Auctions International.

Greg Given also has a few things he wants to put on for the Fire Department.

I would also like to thank the men for another safe and productive month.

Paving is going slow we expect August to do ours.

Highway Superintendent presented the amended Paving projects to the board.

1. On a road commencing at CR 25 (Smith Road) and leading to West a distance of 1.2 miles there shall be expended not over the sum of \$128,474.00 Type 6 asphalt width 18" thickness 2.5".
2. On a road commencing at Pyrites-Russell Road (Town Line Road) and leading East a distance of 1.02 miles there shall be expended not over the sum of \$102,470.50 a distance of 1.02 Type 6 asphalt width 17" Thickness 2.5 ".
3. On a road commencing at Fordham Hill Road (Belleville Road) and leading to East a distance of 1.77 miles there shall be expended not over the sum of \$192,060.00 Type 6 asphalt width 18" Thickness 2.5".
4. On a road commencing at CR 24 (Pestle Street) and leading West a distance of .15 miles there shall be expended not over the sum of \$19,000.00 Type 6 asphalt width 17" Thickness 2".
5. On a road commencing at Blanchard Hill Road (Backus Road) and leading East a distance of .4 miles there shall be expended not over the sum of \$34,990.20 Type 6 asphalt width 18" thickness 2".
6. On a road commencing at CR 17 and leading Southwest a distance of .85 miles there shall be expended not over the sum of \$12,985.00 Type crushed stone width 18" Thickness 6".
7. On a road commencing at Silver Hill Road(Cook Road) and leading to Southwest a distance OF .85 miles there shall be expended not over the sum of \$13,790.00 Type Crushed Stone Width 22" Thickness 6".

**HIGHWAY COMMITTEE REPORT:** Doug Beachard

- Presented above

**RESOLUTION: #38B** accepting the amended agreement to spend Town HWY Funds: A motion was made by Councilor Beachard and seconded by Councilor Burnham to: **Therefore**, the Town Board accepts the amended Projects 1-7 stated above for the Agreement to spend Town Highway Funds. (CHIP,s Paveny, POP, Extreme Winter Funds) for 2023 budget. Total spent will be \$503,769.70.

AYES – 4 Beachard, White, Burnham, Kerr

NAYS – 0 Motion carried

A motion was made by Councilor Beachard and seconded by Councilor Kerr at accept the Highway and highway Committee report as presented.

Ayes: 4 Beachard, White, Burnham, Kerr

Nays: 0 Motion carried

**RESOLUTION # 39\*** Audit Report-Timothy White & Sandra Burnham

A motion was made by Councilor Beachard and seconded by Councilor Kerr to pay the following bills.

Fund	Vouchers	Total
General	140 – 174	\$58,399.09
Highway	89– 107	\$47,535.06
Capital Improvements	1	\$ 1,094.41.
Fire Protection	none	– .00
Street Lights	6	\$715.84

Ayes-4 Beachard, White, Burnham, Kerr  
Nays-0 motion carried.

**OLD BUSINESS:**

A motion by Councilor Kerr and seconded by Councilor Beachard to enter into Executive Session to discuss Contractual Matters at 6:30PM.

All were in favor.

A motion was made by Councilor Burnham and seconded by Councilor Kerr to exit Executive Session at 6:50 PM and resume regular meeting.

All were in favor.

**RESOLUTION: # 40** Pilot Consent Resolution

A motion was made by Councilor Kerr and Seconded by Councilor Burnham to sign the Pilot Consent with hesitation.

**PILOT CONSENT RESOLUTION**

*(Solitude Solar Russell County Rd 21 Microgrid, LLC Project)*

regular meeting of the Town Council of the Town of Russell (the "Town") convened on June 20, 2023.

The following resolution was duly offered and seconded. to wit:

Resolution No. 40

RESOLUTION OF THE TOWN OF RUSSELL CONSENTING TO A PROPOSED PILOT AGREEMENT BY THE ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO A CERTAIN PROJECT (AS DESCRIBED BELOW) TO BE UNDERTAKEN BY SOLITUDE SOLAR RUSSELL COUNTY RD 21 MICROGRID, LLC AND AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AND DELIVER A CERTIFICATE IN FURTHERANCE OF SAME

WHEREAS, SOLITUDE SOLAR RUSSELL COUNTY RD 21 MICROGRID, LLC, a New York limited liability company (the "Company"), has requested the assistance of the St. Lawrence County Industrial Development Agency (the "Agency") with a certain project (the

"Project") consisting of (A) the acquisition of a sub-leasehold interest in an approximately 11.25 acre parcel of land, being a portion of a 97.1 acre parcel of land, located at 1040 County Road 21, Town of Russell, St. Lawrence County, New York 13684 (the "Land"); (B) the construction on the Land of an approximately 11.25 acre 2.2 MWac ground-mounted photovoltaic solar energy system including panels, racking, inverters, electrical cables, grid interconnection, site preparation, access roads and any other required improvements (the "Improvements"); and (C) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment" and, together with the Land and Improvements, the "Facility"), and (D) the sub sub-lease of the Issuer's interest in the Facility back to the Company pursuant to a project/leaseback agreement; and

WHEREAS, pursuant to the Application for Financial Assistance (the "Application") submitted by the Company to the Agency, the Project will (i) entail a capital investment of approximately \$ 3,263,916; (ii) create twenty-five (25) construction jobs during the first year associated with the construction of the Project; and (iii) create zero (0) part-time jobs; and

WHEREAS, the Agency's Uniform Tax Exemption Policy ("UTEF") provides that sponsors of non-industrial projects and projects whose terms deviate from the standard must secure the consent of local taxing jurisdictions in order to structure the terms of an Agency PILOT Agreement; and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the Town and the County of St. Lawrence, the Company has requested the Town's support and consent in establishing a PILOT Agreement for the Project equivalent to the PILOT structure as outlined below.

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**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN AS FOLLOWS:**

**Section 1.** The Town hereby authorizes the Agency and the Company to enter into a PILOT Agreement whereby the schedule of PILOT payments is more particularly described in Schedule A, which is attached to the Certificate, as hereinafter defined.

**Section 2.** The Town Supervisor is hereby authorized to execute and deliver a consent certificate (the "Certificate"), in the form attached hereto, such Certificate to be delivered to the Agency as evidence of the Town's consent to enter into the within-described PILOT Agreement.

**Section 3.** These Resolutions shall take effect immediately.

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

**Councilor Beachard Yes**

**Councilor Burnham Yes**

**Supervisor White Yes**

**Councilor Kerr Yes**

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**Resolutions were thereupon duly adopted at 7:55 PM**



PILOT CONSENT CERTIFICATE

**TOWN OF RUSSELL, NEW YORK**

THIS PILOT CONSENT CERTIFICATE (hereinafter, the "Certificate"), dated as of **June 20, 2023**, has been executed and delivered by Timothy S. White, Supervisor of the Town of Russell (the "Town") pursuant to authority granted to the undersigned by resolution          of the Town, dated June 20, 2023 (the "Resolution").

**WHEREAS**, SOLITUDE SOLAR RUSSELL COUNTY RD 21 MICROGRID, LLC, a New York limited liability company (the "Company"), has requested the assistance of the St. Lawrence County Industrial Development Agency (the "Agency") with a certain project (the "Project") consisting of (A) the acquisition of a sub-leasehold interest in an approximately 11.25 acre parcel of land, being a portion of a 97.1 acre parcel of land, located at 1040 County Road 21, Town of Russell, St. Lawrence County, New York 13684 (the "Land"); (B) the construction on the Land of an approximately 11.25 acre 2.2 MWac ground-mounted photovoltaic solar energy system including panels, racking, inverters, electrical cables, grid interconnection, site preparation, access roads and any other required improvements (the "Improvements"); and (C) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment" and, together with the Land and Improvements, the "Facility"), and (D) the sub sub-lease of the Issuer's interest in the Facility back to the Company pursuant to a project/leaseback agreement; and

**WHEREAS**, pursuant to the Application for Financial Assistance (the "Application") submitted by the Company to the Agency, the Project will (i) entail a capital investment of approximately \$ 3,263,916 ; (ii) create twenty-five (25) construction jobs during the first year associated with the construction of the Project; and (iii) create zero (0) part-time jobs; and

**WHEREAS**, in recognition of the foregoing, the Town hereby authorizes the Agency and the Company to enter into a PILOT Agreement whereby the schedule of PILOT payments is more particularly describes in Schedule A. which is attached hereto. more particularly describes in Schedule A. which is attached hereto.

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**NOW , THEREFORE**, pursuant to the authority vested in the undersigned, this Certificate is executed as of the date first set forth above. **TOWN OF RUSSELL, NEW YORK BY: Timothy S. White, SUPERVISOR**

SCHEDULE A

Table for In-Lieu-of-Taxes Payment:  
St. Lawrence County, Town of Russell,  
and  
Hermon-DeKalb Central School District

The St. Lawrence County Industrial Development Agency will bill the amounts listed on the table below to the respective taxing authority based upon the pro rata share for the current tax year.

Taxable Status Date: March 1, 2024

Tax Year Beginning: School District 2024/2025  
Town and County 2025

\$5,000 per MW for the first year, resulting in \$11,000.00 to the School District, Town and County, on a pro rata basis.

The amount would increase by 2% each year for 20.

PILOT term would be 20 years

YEAR	SCHOOL	TOWN/COUNTY	PAYMENT
1	2024/2025	2025	\$11,000.00
2	2025/2026	2026	\$11,220.00
3	2026/2027	2027	\$11,444.40
4	2027/2028	2028	\$11,673.29
5	2028/2029	2029	\$11,906.75
6	2029/2030	2030	\$12,144.89
7	2030/2031	2031	\$12,387.79
8	2031/2032	2032	\$12,635.54
9	2032/2033	2033	\$12,888.25
10	2033/2034	2034	\$13,146.02

11	2034/2035	2035	\$13,408.94
12	2035/2036	2036	\$13,677.12
13	2036/2037	2037	\$13,950.66
14	2037/2038	2038	\$14,229.67
15	2038/2039	2039	\$14,514.27
16	2039/2040	2040	\$14,804.55
17	2040/2041	2041	\$15,100.64
18	2041/2042	2042	\$15,402.66
19	2042/2043	2043	\$15,710.71
20	2043/2044	2044	\$16,024.92

Councilor Beachard asked about the Town Hall chimney. We will have Richard Anson look at it and give us a quote.

**NEW BUSINESS:**

A copy of the Standard Work Day Reporting resolution was presented to the board for review.

**RESOLUTION # 41 Standard Work day Reporting**

A motion was made by Councilor Ker and seconded by Councilor Beachard **THEREFORE**, the Russell Town Board accepts the Standard Work day and Reporting Resolution for Elected and Appointed Officials as presented.

Ayes – 4 Beachard, White, Burnham, Kerr.  
 Nays – 0 Motion carried

**AFFIDAVIT OF PUBLICATION**  
*Watertown Daily Times*

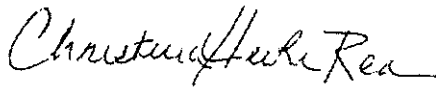
**State of New York,**

**County of, Saint Lawrence,**

The undersigned is the authorized designee of **Watertown Daily Times**, a **Daily Newspaper** published in **Saint Lawrence County, New York**. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

June 09, 2023

This newspaper has been designated by the County Clerk of **Saint Lawrence County**, as a newspaper of record in this county, and as such, is eligible to publish such notices.



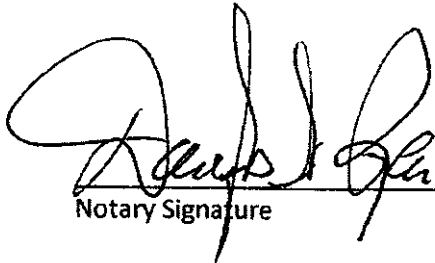
\_\_\_\_\_  
Signature

Christina Henke Rea

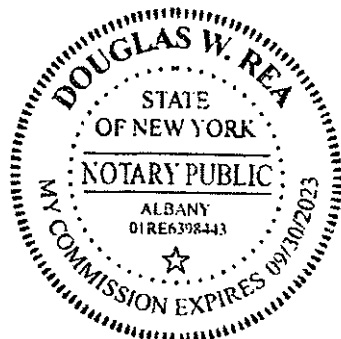
\_\_\_\_\_  
Printed Name

Subscribed and sworn to before me,

This 15 day of June 2023

  
\_\_\_\_\_  
Notary Signature

Notary Public Stamp



Town of Russell Town Clerk

**RUSSELL  
LOCAL LAW**

The Town of Russell will be holding a Public Hearing on June 20, 2023 at 5:30 PM to hear comments for or against a local law Pertaining to Parking on Town Roads. The regular Board meeting will follow directly after the Public Hearing at 6:00 Pm. Be it enacted by the Town Board of the Town of Russell as follows:

ARTICLE 1. Authority. the Town Board of the Town of Russell, Pursuant to the authority granted under Vehicle and Traffic Law and sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows: ARTICLE 2.

Statement of Purpose and Findings. the Town Board of the Town of Russell has reviewed its current parking situation and finds that enacting parking regulations for Town Roads is in order. It is the purpose of this local law to define certain no parking areas within the Town of Russell. Article 3.

Enactment. The Town Board of the Town of Russell hereby enacts the following:

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Vehicles parked on Town roads in violation of this law will be towed away at the owner's expense and the vehicle owner shall be subject to a fine of no less than One Hundred Dollars (\$100.00).

A motion was made by Councilor Burnham and seconded by Councilor Kerr to adjourn the meeting at 7:00 PM

Ayes-4 Beachard, White, Burnham, Kerr

Nays-0 Motion Carried

Respectfully submitted by  
Tess Eells-Russell Town Clerk