

**Town of Lincoln**  
6886 Tuttle Road, Canastota, NY 13032  
**Town Board Meeting**

**March 23, 2020**

**Call to order time:** 7:00pm

**Pledge of Allegiance**

**Members Present via Teleconference Via Roll Call:**

MEMBER NAME	Here	ABSENT
Supervisor Yvonne Nirelli	X	
Councilmember Doug Holdridge	X	
Councilmember Jayne Black	X	
Councilmember Russ Blanchard	X	
Councilmember Melissa During	X	

**Member Apologies:** None

**Others in Attendance via Teleconference:** Town Clerk, Amy Becker, Planning Board, Mat Spendley, Codes, Larry Cesario, Attorney, Jim Stokes, Sabrina Becker, John Schoeck, Al Szablak, Al Fowler, Heidi Taylor, Antoinette Becker, Don New, Nancy Walter, 315.280.0403, Galaxy Note 9

Supervisor Nirelli welcomed everyone tonight

**RESOLUTION #39-2020:** Councilmember Doug Holdridge made a motion open the Public Hearing at 7:05pm

Councilmember Jayne Black seconded the motion.

Carried unanimously.

Supervisor Yvonne Nirelli asked if anyone had any questions or statements for the Public Hearing. None were had.

**RESOLUTION #40-2020:** Councilmember Russell Blanchard made a motion close the Public Hearing at 7:07pm

Councilmember Melissa During seconded the motion.

Carried unanimously.

Attorney Stokes proceeded to read the resolution.

**RESOLUTION #41-2020:** Councilmember Doug Holdridge made a motion to adopt the local law to opt out of the exemption otherwise provided under section 487 of the Real Property Tax Law

Councilmember Melissa During seconded the motion.

**RECORD OF VOTE**

MEMBER NAME	AYE	NAY	ABSTAIN	ABSENT
Supervisor Yvonne Nirelli	X			

Councilmember Doug Holdridge X

Councilmember Jayne Black X

Councilmember Russ Blanchard X

Councilmember Melissa During X

Carried unanimously.

**RESOLUTION NO. 41-2020  
TO THE TOWN BOARD  
OF THE TOWN OF LINCOLN**

**WHEREAS**, at the request of the Town Supervisor, the attorney for the Town has prepared and presented a proposed local law entitled, "A local law to opt out of the exemption otherwise provided under section 487 of the Real Property Tax Law", and

**WHEREAS**, the proposed local law is authorized under the provisions of Subdivision (8) of 487 of the Real Property Tax Law and is intended to opt out of the real property tax exemption otherwise provided for under said section 487 of the Real Property Tax Law, and

**WHEREAS**, upon notice duly published and posted as required, a public hearing on this local law was held on March 23, 2020, which public hearing was, or is hereby closed.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, after due deliberation, that this Board makes the following legislative determinations and findings:

A. Authority and Intent.

This Local Law is intended to be consistent with, and is adopted pursuant to the authority granted to the Town Board of the Town of Lincoln under applicable provisions of the New York State Constitution, and the Laws of the State of New York, including but not necessarily limited to the Municipal Home Rule Law, the Statute of Local Governments, the Town Law and the Real Property Tax Law.

This Law is intended and is hereby declared to address matters of local concern. The action authorized and implemented by this local law is specifically provided for and authorized under subsection 8 of Section 487 of the New York Real Property Tax Law.

B. Findings of Fact.

1. Lincoln is a community in Madison County that takes great pride in, and assigns great value to its rural residential character, small-town atmosphere, farms and scenic and other natural resources.

2. The preservation of the Town's irreplaceable scenic vistas, and rural agricultural character is of significant value to the inhabitants of the Town and to those who visit here.

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3. Agriculture has long been a staple of the Town's economy and tax base. Farms and agricultural land are valuable assets that create a sense of identity and well-being for residents of the Town. Preserving and protecting agricultural lands along with the scenic, recreational, and other natural resources of the Town is important for both a healthy environment and vibrant economy.

4. Promoting the continued establishment and expansion of commercial energy production facilities of the types referred to in Section 487 of the Real Property Tax Law may impair the existing character of the Town, because by their very nature such activities have the potential to produce negative impacts upon the Town's environment, particularly with respect to its scenic beauty, rural character and agricultural heritage, as well as the potential for other adverse environmental impacts.

5. The continuation of the tax exemption as provided for under Section 487 of the Real Property Tax Law also threatens the stability of the Town's real property tax base. The continued placement and expansion of exempt energy facilities threatens to displace traditional land uses such as agriculture and housing, thereby replacing taxable property with tax exempt property.

C. Purpose.

The purpose of this Local Law is to protect the Town's tax base by requiring that energy production facilities, including solar energy systems, wind power systems, farm waste energy systems, micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, electric energy storage equipment and electric energy storage systems, which would otherwise be exempt from taxation under Real Property Tax Law Section 487 are subject to the payment of Town of Lincoln real property taxes.

**AND IT IS HEREBY FURTHER RESOLVED** that this Board makes and adopts the following findings with respect to the New York State Environmental Quality Review Act (SEQRA):

- a) That the Action is an unlisted action under SEQRA;
- b) That the Town Board of the Town of Lincoln is the only involved agency with respect to this Action;
- c) That the action will not result in any significant adverse environmental impacts and that this resolution shall constitute a negative declaration pursuant to SEQRA.

The basis for this determination is that the proposed local law is a legislative act which affects only the taxability of real property and by its nature and terms is not expected to lead to any specific development or physical disturbance of the environment. The enactment of this local law neither authorizes any development or construction activity, nor makes any such development or construction activity more likely.

**AND IT IS HEREBY FURTHER RESOLVED** that the Town Board of the Town of Lincoln finds it in the best interest of the Town of Lincoln and its residents to adopt this proposed legislation of the Town of Lincoln, entitled "A local law to opt out of the exemption otherwise provided under section 487 of the Real Property Tax Law", and does hereby adopt and enact this local law as presented. The Town Clerk is hereby directed to enter said local law in the minutes of this meeting and in the Local Law Book of the Town of Lincoln, and to give due notice of the adoption of said local law to the Secretary of State.

Dated: March 23, 2020

Yvonne asked if there was anything further, we needed to do. Attorney Stokes replied no.

Yvonne encouraged everyone on the call and in the community to stay safe and keep checking in on the Madison County website. She asked for a moment of silence for those affected throughout the community and around the world. She also sent best wishes to Councilmember Russ Blanchard's new nephew.

**RESOLUTION #42-2020:** Councilmember Doug Holdridge made a motion to adjourn the meeting with the next meeting on April 8, 2020 at 7pm.

Councilmember Russell Blanchard seconded the motion.

Carried unanimously.

**Meeting was adjourned at 7:22 pm.**