

**Monthly Meeting & Public Hearing Minutes**  
**Town Board of the Town of Fabius**

Monday, June 17, 2024

**Present:**

Mr. Michael Vilardi – Supervisor  
Mr. Dennis Bobbette – Highway Supervisor  
Mr. Craig Powers – Councilmember  
Mrs. Peggy Riker – Town Clerk  
Mr. Peter Schlicht – Councilmember  
Mr. Thomas Chartrand – Bookkeeper  
Mrs. Deborah Foster – Councilmember  
Mr. Michael Decker – Zoning/Codes Officer (Abs)  
Mr. Paul Brown – Councilmember  
Mr. Robert DeMore – Attorney for Town  
Also present: Mr. Paul Sheneman, Engineer

Mr. Vilardi led in the Pledge of Allegiance and called to order the Public Hearing at 5:30 PM.

**Public Hearing re: Berry Road Solar Overlay District Application**

Ms. Haley Effler, representative of the applicant, Fabius CSG, LLC, made a presentation of the overall solar project and answered questions from the public. The plan is for a 5 megawatt solar farm located at 112 Berry Road. It will be on 19.2 acres of a 72 acre parcel. There is a 1.8-acre area the DEC recognizes as a dedicated Northern Herrier possible habitation. The DEC is performing a 90-day review period. There will be no buildings or water making this a low-use proposed solar site. It may be accessed 2-4 times per year. There are also no wetlands involved. This is a proposed 25-year project and then would be decommissioned, bringing the land back to its former condition. There is no cadmium in use, only monocrystalline panels with silicone. There will be no battery storage used. There could be approximately 19.2 hours per year of some glare along Berry Road, but at a light curve in the road where it would be natural to avert your gaze to follow the road to accommodate the curve. Motion by Mr. Schlicht, seconded by Mrs. Foster, to close the Public Hearing at 6:35 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

Motion by Mrs. Foster, seconded by Mr. Powers, to open the regular meeting at 6:35 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to approve the minutes of the last meeting. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

**FINANCIAL REPORT:**

\* We received a workers' compensation refund of \$2,216 and the first half of the snow and ice removal money.  
\* General spending is at 30% and revenue is at 97%. Highway spending is at 19% and spending is at 76%.  
Motion by Mr. Brown, seconded by Mrs. Foster, to accept the financial report. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.  
\* Mr. Chartrand mentioned we need to plan how to spend the ARPA funds, (currently \$149,000), by the end of 2024.  
\* Motion by Mr. Brown, seconded by Mrs. Foster, to approve the budget transfer from Estimated Revenues (CHIPS, PAVENY) to Improvement Program (Construction Expense) for \$62,254. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.  
\* Motion by Mrs. Foster, seconded by Mr. Powers, to accept the bank reconciliation. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

**HIGHWAY REPORT:**

\* Mr. Bobbette reported we spent \$44,873 on paving South Street. The paving of half of Shackham Road is done.

- \* He has put the gate back up at the Highway Garage due to afterhours visitors. There was a discussion about installing cameras. Mr. Bobbette with contact Eastern Security to discuss.
- \* The old pickup was sent to auction.

Regular Town Board Meeting

June 17, 2024

**ZONING REPORT:** Mr. Vilardi reported we currently have one subdivision and several building permits. Mr. Doug Wheeler addressed the Board about concerns regarding him living in a trailer on his property, which is against Town law.

**HISTORIAN:** Mr. Schlicht thanked the Memorial Day parade committee and the Historical Society for the display.

**HISTORICAL SOCIETY:** The Pioneer Museum will be open on Saturdays and Sundays from 1:00 PM to 4:00 PM for the months of June, July and August. 26 people have visited to date.

**FABIUS EVERGREEN CEMETERY:** Ms. Beglinger reported their current bank balance is \$19,520.45.

**NEW BUSINESS:**

**Highway Garage:** We received three renderings. There will be a meeting with the engineers, CNS to discuss the feasibility of a new Highway garage. The estimated cost ranges from \$2.8 million to \$4.1 million. Currently we have \$50,000 in the account, along with \$100,000 from the County, \$125,000 from Al Stirpe's office and \$150,000 from ARPA funds.

**Elevattitt:** Motion by Mr. Schlicht, seconded by Mrs. Foster, to authorize the Supervisor to sign the new 5-year elevator agreement with Elevattitt. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

**OLD BUSINESS:**

**Berry Road Solar:** A motion was made by Mrs. Foster, seconded by Mr. Brown, for the approval of the Solar Overlay District. Motion PASSED – Ayes – 4: Vilardi, Foster, Brown, Powers. Voting Nay – 1: Schlicht. Motion by Mrs. Foster, seconded by Mr. Brown, to refer the Special Use Permit to the County. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers

**Route 80 Solar:** The applicant has requested a 12-month extension to their Special Use Permit from August 17, 2024 to August 13, 2025. Motion by Mr. Brown, seconded by Mr. Vilardi, to approve the applicant's request for an extension. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

Motion by Mr. Schlicht, seconded by Mrs. Foster, to pay the bills on Abstract #5 in the following amounts:

Highway Fund	Vouchers 35 through 43
	\$ 14,747.29
General Fund	Vouchers 93 through 114
	\$ 13,284.87

Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

The next regular Town Board meeting will be held on **Monday, July 15, 2024**, at the Fabius Area Community Center, Fabius, New York at **5:30**.

Motion to adjourn at 6:45 PM made by Mr. Schlicht, seconded by Mrs. Foster. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Schlicht, Foster, Brown, Powers.

Respectfully submitted,

Margaret M. Riker  
Town Clerk