Town of Fenner
Town Board Meeting
September 9th , 2026

SUPERVISOR JONES
COUNCILPERSON STRACK
COUNCILPERSON PUSHLAR- absent
COUNCILPERSON WESTER -
COUNCILPERSON CODY
TOWN CLERK STONE
Also Present
Jason Driscoll – Fenner Dog Officer
Rob Panasci- Hoffman Falls

ATTENDANCE:

The Regular meeting of the Fenner Town Board was called to order at 8: 02PM by Supervisor Jones with the Pledge of Allegiance.

Councilperson Strack motioned to accept the Aug Town Board meeting minutes. Seconded by Councilperson Cody. Approved by the board-

Clerk's Monthly Report as presented by Clerk Kelli Stone, motioned to accept by Councilperson Wester, Seconded by Councilperson Strack. Approved by the board.

The Town Supervisor's report was not presented by Supervisor Jones, reports will be sent to the board for 2026, Councilperson Strack motioned to accept the Town Supervisor's Monthly Report as presented, seconded by Councilperson Wester, approved by the board.

The Highway Superintendent report was presented by Town Supervisor and is available for review at the town office-

Resolutions:

Resolution 2026-5

Town of Fenner Town Board Resolution

Town of Fenner

Local Law No. A of 2026

A Local Law overriding the Tax Levy Limit Established

In General Municipal Law &3-C in the Town of Fenner

Be it enacted by the Town Board of the Town of Fenner as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Fenner, County of Madison pursuant to General Municipal Law § 3-c, and to allow the Town of Fenner to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2027, that requires a real property tax levy in excess of the "tax levy limit" as defined by the General Municipal Law § 3-c.

SECTION 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Fenner, County of Madison, is hereby authorized to adopt a budget for the fiscal year 2027 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

motioned to accept Resolution 2026-5 by Councilperson Wester, Seconded by Councilperson Strack. Approved by all the board members.

William Cody Councilor Voted Yes/No

Adam Pushlar Councilor Voted Yes/No- Absent

Hannah Strack Councilor Voted Yes/No

William Wester Councilor Voted Yes/No

David Jones Supervisor Voted Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: September 9, 2026

Resolution 2026-6

Town of Fenner Town Board Resolution

Town of Fenner

Municipal Cooperation Agreement with Madison County and the Town of Fenner

To have the Madison County Treasurer to collect real property taxes on behalf of the Town of Fenner

motioned to accept Resolution 2026-6 by Councilperson Strack, Seconded by Councilperson Wester. Approved by all the board members.

William Cody Councilor Voted Yes/No

Adam Pushlar Councilor Voted Yes/No- Absent

Hannah Strack Councilor Voted Yes/No

William Wester Councilor Voted Yes/No

David Jones Supervisor Voted Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: September 9, 2026

Resolution 2026-7

Town of Fenner Town Board Resolution

Town of Fenner

Approving Road use Agreement with Hoffman Falls Wind LLC

TOWN OF FENNER

TOWN BOARD RESOLUTION

September 9, 2026

RESOLUTION APPROVING ROAD AGREEMENT WITH HOFFMAN FALLS WIND LLC

The following resolution was offered by Councilor Wester, who moved its adoption, seconded by Councilor Cody, to wit:

WHEREAS, the Hoffman Falls Wind LLC (the "Company") filed an application under New York State Public Service Law Article VIII ("Article VIII Application") as part of the Renewable Action Through Project Interconnection and Deployment ("RAPID Act") to obtain a Siting Permit ("Siting Permit") from the Office of

Renewable Energy Siting and Electric Transmission ("ORES") to construct an approximate 100 megawatt ("MW") wind-powered electric generating facility in the Towns of Eaton, Fenner, Nelson, and Smithfield (the "Project") comprised of up to twenty four (24) wind turbines ("Turbine"), as well as an associated underground medium voltage collection system, a permanent meteorological ("MET") tower, an aircraft detection lighting system ("ADLS"), temporary construction laydown areas, a temporary concrete batch plant, a medium voltage-to-transmission voltage collection substation, a point of interconnection ("POI") switchyard, gravel access roads, and an operations and maintenance ("O&M") facility (collectively the "Facility"); and

WHEREAS, the Company filed its Application for the Project with ORES on February 15, 2024; and

WHEREAS, on December 22, 2025, ORES issued its Statement of Findings of the Executive Director and Siting Permit for a Major Renewable Energy Facility (the "Siting Permit"), wherein, the Facility was approved for construction and operation in accordance with terms and conditions of the Siting Permit; and

WHEREAS, on January 30, 2026, the Company sought to modify the Siting Permit pursuant to 16 NYCRR §1100-11.1 and on March 12, 2026 ORES approved the Company's request as a minor modification to the Siting Permit, which inter alia, reduced the number of turbines to eighteen (18) and increased the permitted nameplate capacity of the Facility to 109.8 MW; and

WHEREAS, the Town of Fenner (the "Town") has engaged, through its attorney, in negotiations with the Company on a Road Use Agreement ("RUA") that is intended to allow the Company to use of the Town's roads and require the Company to provide for the subsequent repair of any damage to such roads during and after construction of the Facility.

NOW, THEREFORE, BE IT RESOLVED the Town Board does hereby determine that:

1. The form of the RUA is acceptable to the Town Board, subject to final attorney review and comment.

2. The Town Board hereby authorizes Town Supervisor to execute the RUA and for the Supervisor and legal counsel for the Town to take such other steps as may be necessary to carry out this resolution.

3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

William Cody Councilor Voted Yes/No

Adam Pushlar Councilor Voted Yes/No- Absent

Hannah Strack Councilor Voted Yes/No

William Wester Councilor Voted Yes/No

David Jones Supervisor Voted Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: September 9, 2026

New Business- The Dog Officer presented his proposal for a pay increase to the board and also asked the board to consider sharing the cost of a seminar training class fees with the other municipalities that he also works for.- The board agreed with a 3% increase in pay for the dog officer in the new budget year. Dog Officer was told to submit bill for the class, hotel and mileage and we will share the cost with the other municipalities. Those other municipalities are (Lincoln, Town and Village of Cazenovia, Nelson). the board also discussed that the dog officer canvas licensing Dog reminders that are delinquent- the Clerk sends out unlicensed dogs in the Town reminders, and the Town Clerk can run reports for that and will submit to the Dog officer in the new year to follow up if they miss license date. The board also requested that the Dog Officer submit a monthly report of his activity every month and that can be emailed to the Town Clerk so the board can review.

Church update: Things are moving along just a bit slower as there is only 1 person on the job

County updates:

Old Business:

Public Comments- –

VOUCHERS:

General Fund: Councilperson Cody motioned to approved, seconded by Councilperson Strack- Board Approved
Highway Department: Councilperson Strack motioned to approved, seconded by Councilperson Wester- Board Approved

ADJOURNMENT

Councilperson Wester moved to adjourn the meeting at 8:43 pm seconded by Councilperson Cody Approved by Board

Respectfully Submitted, Kelli Stone, Town Clerk