

REGULAR MONTHLY MEETING

May 13, 2010

The regular monthly meeting of the Town Board of the Town of Alfred was held at 7:00 pm Thursday, May 13, 2010 at the Alfred Station Volunteer Fire Department and opened by Supervisor Tom Mansfield with the pledge to the flag. Board members present were Tom Mansfield, Jerry Snyder, Mary Stearns, Fion MacCrea and Donn Lang. Also present were members of the Planning Board: Pam Jones, William MacCrea, Dan Acton, Renee Richardson, and Licio Pennisi. Chief O'Grady, Mayor Craig Clark, Jamie Mansfield and Janice Burdick. Several members of the community (approximately 52) – see attached sign in sheets. Representing Empire State Wind Energy was Keith Pittman. Representing the press was Justin Head of the *Evening Tribune*.

Review of Proposed Wind Law

Before opening the meeting up to public comment Supervisor Tom Mansfield read a prepared statement with a brief history of how and why the windmill project came about.

Bill Cleveland then read a prepared statement and presented the Town Board with a petition signed by approximately 100 residents requesting the setbacks in the Draft Local Windmill Law be increased to 1.5 – 2 miles. Several comments were made against the windmill project and in particular the setbacks. The Planning Board explained that they reviewed several other Town's law and liberally borrowed the Wind Law from the Town of Hartsville before presenting this one to the Town Board and many of the members on the Planning Board recommended that the setbacks be increased. Virginia Rasmussen stated that several members of the community have been meeting monthly exploring windmills. Ms. Rasmussen noted that Empire Wind has not put any pressure on the community and have said they will not come in if the community doesn't want them. She added that wind energy is great but needs to be in the context of its' natural environment and in appropriate places and scale.

Mayor Craig Clark explained why Tom Golisano created Empire Wind – didn't like what the other wind companies were doing and the fact that most of the money generated was not staying local. Mayor Clark went on to say that need to look at both sides and this project could have an economic impact to the Town and Village – need to look at economic development – could be a win situation short term and long term. Also explained that this has been a two year project to see if the Town and Village want to be part of this.

Some of the comments made included:

- Is a wind farm feasible that is about ½ mile from the Village line?
- Is the project feasible if only site on State Farm?
- Health issues due to low frequency sound.
- Local Law will have no effect on State Land – they do not have to abide by Local Law such as setbacks.
- Will they be maintained properly?
- Who will really benefit – enormous subsidies from the State and Federal Government.

Response from Keith Pittman, President & CEO of Empire State Wind Energy:

Empire Wind has been working for some time to see if this project will go. Found indicators that were worth continuing. Still don't know if this project is feasible but feel it is a reasonable place to site windmills. Feels this is a modest sized project that could make a significant economic benefit to the local economy.

Regarding the Draft Local Law:

- Annual Permit Fee – seems above average – much much higher than others.
- Setbacks and sound requirements – questioned if there had been any technical advice to see if this is feasible to put even one unit in the Town. Preliminary studies show that is questionable and questioned what the rationale was and was any analysis done. Fion MacCrea stated that the Town doesn't have the resources to do any studies. Mr. Pittman stated that they do and questioned if this was written to say the Town does not want a wind project.

- Still looking at a modest sized project of 20 or less.
- Other concerns were expressed with the law. When asked if increased setbacks would create a problem for the project Mr. Pittman stated yes it will.

Fion MacCrea challenged the Town to look into some of the details of the draft law and asked Mr. Pittman to explain to the Board how this law will affect the project. Mr. Pittman stated he is working on that.

Donn Lang added that the Town is looking to protect the citizens and any law that is written can be changed. But no law – no protection.

Approval of Minutes – The minutes of April 8, 2010 were approved with a motion by Donn Lang, seconded by Jerry Snyder and carried 5-0.

Police Report – Reviewed written report. Chief O’Grady noted that it was a busy month with Hot Dog Day. 6 felonies in the Village including burglary at the new Liquor store.

Monthly Report – The monthly report was reviewed. Noted revenue of about \$1200 from sale of scrap metal.

Correspondence

- NYS Retirement – requesting resolution establishing standard work week. The resolution was approved with a motion by Jerry Snyder, seconded by Donn Lang and carried 5-0.
- Letter from Jen Smith and Jason Green and Stephanie McMahon regarding the windmill project and the setbacks.
- Notice Town has 100% Equalization Rate.

General Abstract #5-2010 – Vouchers #51-61 in the amount of \$19172.91 were approved with a motion by Jerry Snyder seconded by Fion MacCrea and carried 5-0.

Highway Abstract #5-2010 – Vouchers #64--77 in the amount of \$16802.85 were approved with a motion by Jerry Snyder seconded by Donn Lang and carried 5-0.

Highway Report – Jamie Mansfield reviewed the written report:

- Replaced sluice pipe on East Valley between Lynch and Fischer Roads.
- Graded Terbury and Clearview Lane with Almond salt brining Terbury.
- Spring Clean-up days – yesterday and today. About 16 tires and some white goods.
- Sand blasted and painted 3 plow wings.
- Called NYSDOT regarding CHIPS funding – won’t know until State budget is passed. Holding off on CHIPS projects until he knows how much the Town will be getting.

Supervisor- Transferred money in the Bridge Reserve Money Market account to a CD. MM was .03% interest, CD 1.6%.

- Annual Report from County Sheriff’s Department.
- Report from State Comptroller’s Office – happy with response to Audit. Would like Town Board to keep better track of the Court.
- Met with Don Sweezy of the NYSDOT – State has been working on Baker’s Bridge – plan is in 2 years bridge will come out and a roundabout will be placed where the flashing light is. Several people want the bridge to stay and may have to start a letter writing campaign.

Committee Reports:

A motion by Donn Lang was made to hold a Public Hearing June 10, 2010 for Local Law #1 of 2010 - Wind Energy Facilities and Local Law #2 – Opt out of Tax Exemption for Wind Energy Facilities. Jerry Snyder stated that he would like to meet with Keith Pittman very soon and have him show the Board where the proposed sites for the windmills will be. Mary Stearns stated that she doesn’t feel the law should be decided on what Mr. Pittman wants. Fion MacCrea added that if Mr. Pittman is concerned about the law he needs to give the Town some indication of this. Donn Lang added that the Board needs to start the process of adopting a local law. Also would like some input on whether the setbacks should be changed. Jerry Snyder stated that he feels if the setbacks are increased to 1.5-2 miles that will end the project.

Marion Weaver questioned if the Planning Board could look into the difference in noise level from ½ mile to 1 mile.

Mary Stearns stated that she attended the last Planning Board meeting and their reason for increasing setback to 1 mile was concern about the effects of windmills on decreasing property values.

After further discussion a motion was made by Donn Lang to accept Local Law #1 has presented and to leave the setback at 2640' and accept Local Law #2 Opting out of the Tax Exemption for Wind Energy Facilities. The motion was seconded by Fion MacCrea and carried 4-1 with Mary Stearns voting no. Mr. MacCrea stated that he feels the mile setback does need to be considered and Mrs. Stearns stated she wants it increased to 1 mile. The motion to hold a Public Hearing on June 10, 2010 was seconded by Fion MacCrea and carried 5-0. Supervisor Mansfield will contact Keith Pittman to set up a meeting with him and the Town Board.

Other Business:

1. Mary Stearns attended the Houghton Conference – very disappointed since two of the sessions she had signed up for were changed.
2. Planning Board would like to work on means to inspect rentals similar to what the Village has.
3. Craig Clark stated that the State College is almost ready to present the farm upgrades. When it is schedule the Town Board and Planning Board will be invited.
4. Annual Financial Report has been submitted to the State Comptroller's Office.

Financial Committee – April 2010 bank statements were reviewed. A motion to approve the bank statements were made by Donn Lang seconded by Fion MacCrea and carried 5-0.

A motion to adjourn at 10:00 pm was made by Jerry Snyder seconded by Mary Stearns and carried 5-0.

Respectfully Submitted,

Janice L. Burdick
Town Clerk