

## REGULAR MONTHLY MEETING

May 10, 2012

The regular monthly meeting of the Town Board of the Town of Alfred was held at 7:00 pm Thursday May 10, 2012. Board members present were Supervisor Tom Mansfield, Fion MacCrea, Mary Stearns, Jerry Snyder and Donn Lang. Also present were Jamie Mansfield and Janice Burdick. Guest was John Eddy and approximately 17 residents. Representing the press was David Snyder of the *Alfred Sun* and Neil Simon of the *Evening Tribune*.

The meeting was opened with the Pledge of Allegiance.

**Guests:** John Eddy explained that he would like to build a single family residence on a seasonal road about 1000' from Sandy Kinnerney's home on Teribury Road. He would like to put the foundation in this winter and live there by next winter. Almond currently plows to Kinnerney's. Jamie Mansfield stated that they would have to build a turnaround for the bus and Mr. Eddy would be the only one that would need the bus. Has not applied for a Zoning/Building Permit yet and has not had a perk test done yet. Graham Marks asked the Board if a BAN on Hydrofracking a goal of the Town and with the Moratorium ½ over what is the plan of the Board? Supervisor Mansfield explained that Mary Stearns, Jerry Snyder, and Jan Burdick attended the conference in Houghton May 9<sup>th</sup> and attended a session on Road Use Agreements. The Board is trying to get educated and learning – need time to investigate further. Jerry Snyder expressed concern that Board can't get work done when meeting time is taken up with hearing the same concerns. Asked for patience from the residents that were present. Tom Mansfield stated that the Board has had several meetings and have constantly had public comment. Virginia Rasmussen stated that she doesn't feel the Board's position has been made public. Mr. Mansfield replied that the Board has heard the public several times and they are working on it. Mary Stearns added that she spoke with a lawyer from the Association of Towns about Road Use vs. Road Preservation Law. It was explained that once a Road Preservation Law is done then you would adopt a Road Use Agreement. Also, the Association of Towns will have information on their website. Now that that is known, can have Planning Board review Road Preservation Laws. Mary Stearns explained that due to the Town Clerk serving Jury Duty was unable to speak with the Town Attorney. Jerry Snyder added that the monthly meeting is the nuts and bolts time for the Board to work and address the business of the Town, if don't have time to work, won't be able to address other issues within the Town. Elsie Cushing stated that if they didn't attend meetings would show lack of support and interest. Megan Steffel Marks added that she feels no sense of what the Board is doing – concerned that Board is listening to someone else. Donn Lang stated that the task has been given to the Planning Board. They will collect information and present it to the Board for approval. They are working on Road Use and Road Preservation Laws.

Mr. Lang went on to address the following issues:

1. Doesn't want to see the water destroyed.
2. Almost all use natural gas – part of everyday life. Need to look at that.
3. Do we want to ban Natural Gas? No – there are people who have private gas wells – can't ban those. Can't ban everything.
4. Wind Energy has hazards too and the Town didn't ban windmills. Need to look at safe ways to extract gas.
5. Is it right for this community? Maybe not. Want to use resources in the safest way.
6. Road Use is a concern because communities around us aren't even looking at a moratorium. Need to protect our roads.
7. Board is working to collect information and all is made public- can always extent the moratorium.
8. Need to find the right way to protect the community and do what is right for the community. Don't want to Ban just because it is a hazard – every occupation has hazards. Other avenues – LP instead of water.
9. No one has come to the Board and said they are for it. Board very aware of what the residents want but it has become repetitive at every meeting and Board needs time to conduct business.

After further discussion public comment period was closed.

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**Approval of Minutes** – The minutes of April 12, 2012 were approved with a motion by Donn Lang, seconded by Fion MacCrea and carried 5-0.

**Police Report** - Reviewed the written report.

**Review of Monthly Report** – all ok.

**Correspondence:-**

- Ag & Markets – Dog Shelter Report – Satisfactory for Kennel and Dog Control Officer.
- Equalization Rate is now 100%.
- Energy Efficiency Program – estimate will save Town \$289/year. Cost to Town \$1131.80
- Letters regarding Hydrofracking and requesting the Town pass a ban were received by Fred Fredrickson and Kim Donius.
- Memo from Kasey Klingensmith regarding a half day forum she attended on Developing Road Preservation Local Law and Road Use Agreements.
- Annual Report from the Box of Books.

**General Abstract #5-2012** – Vouchers #60-74 in the amount of \$8579.03 were approved with a motion by Jerry Snyder seconded by Fion MacCrea and carried 5-0.

**Highway Abstract #5-2012** – Vouchers #51-63 in the amount of \$113254.10 were approved with a motion by Donn Lang seconded by Jerry Snyder and carried 5-0. This included the cost of \$102,000.00 for the excavator and trailer.

**Highway Report** –Reviewed written report. Heavy snow on April 23<sup>rd</sup> and 24<sup>th</sup> with many trees and branches down. Carried chainsaws in the trucks so could move them out of the way. Received excavator May3<sup>rd</sup>. Cold patching potholes. Reviewed repairs to equipment.

Seasonal Roads: Section 280a of the Zoning and Planning Law states that a Building Permit cannot be issued until a road is passable for emergency vehicles. Where Mr. Eddy is planning on building is a seasonal road and not passable at this time. Jamie Mansfield stated that he would like to research this more and talk with the Association of Towns again. Biggest thing for cost will be taking out between 20-25 trees but felt Eddy's will help with that.

**Supervisor's Report** –Results of April 24<sup>th</sup> – Primary – 10 people voted in the Village and 52 in the Town.

**Town Clerk** – Office was closed for 7 days due to Jury duty. Attended Houghton Conference.

**Committees Reports** – Mary Stearns and Jerry Snyder attended Houghton Conference. Preserving Municipal Road and Road Use Agreements, Revising Zoning and Marcellus Shale were all seminars that they attended.

Revising Zoning – Mary Stearns stated that she didn't feel they addressed what she was hoping they would cover.

Marcellus Shale – Discussed what DEC has said they are going to do and whether or not they are going to protect the environment. Abandoned wells were also discussed and a real concern was expressed that these wells could be a conduit for fracking fluids. Concerned if everything that is in the SGEIS can be enforced – not enough DEC personnel at this time. Concern that there are several old wells that are not on any map. Mrs. Stearns added that the Town may need to look at this and get a list of wells that aren't on the map and are abandoned. The concern was raised that if these wells have to be plugged who is going to pay for that? Kasey Klingensmith stated that DEC does have a program for this. Kasey Klingensmith volunteered to look into this further and will report back to the Board with her findings.

Jerry Snyder commented that the gas jobs are temporary – need to focus on what we can do for the future that would sustain the economy. Need to change our life style.

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Mary Stearns stated that at the last meeting it was talked about contacting the Slottjes to look at the Zoning laws. Board would like them to do this contingent that they will do it at no cost.

Donn Lang stated that the Planning Board needs to work on a Road Preservation Law. Would like them to have a draft to the Board by the July meeting. Fion MacCrea stated that he would be willing to attend the Planning Board meeting each month and if anything to report, submit it to the Alfred Sun. Rene Richardson has officially resigned and at present there is no chairperson.

**Financial Committee** – April 2012 bank statements were reviewed. A motion to approve the bank statements were made by Mary Stearns seconded by Tom Mansfield and carried 5-0.

**Unfinished Business – ATV Law** – Donn Lang would like it to specify roads. Mary Stearns stated that one of the residents living on McAndrews road does not want to see the ATV's on the road. Jamie Mansfield stated that by having the law it protects the Town. Mrs. Stearns stated that she feels they have enough land to drive on – don't need to be driving on Town Roads. Jerry Snyder expressed concern with ATV's on Lake and Cornelius Roads. Students drive pretty fast through there and would not recommend ATV's use the road. Also cost to Town would be about \$100 per sign and all Town Roads would have to be posted. This was tabled until more questions could be answered.

**Other Business – Fion MacCrea** asked if at any of the conferences regarding Hydrofracking, if any pre-testing of water was recommended? Jerry Snyder stated that one of the presenters did suggest it be done every 3 months. Mary Stearns added that it is very expensive and you would need to know what to test for. Village wells are currently tested on a regular

A motion to adjourn 8:50 pm was made by Donn Lang seconded by Fion MacCrea and carried 5-0

Respectfully Submitted,

Janice L. Burdick,  
Town Clerk.