

PUBLIC HEARING PRELIMINARY BUDGET

PUBLIC HEARING PROPOSED WIND ENERGY FACILITIES LAW

REGULAR MEETING

OCTOBER 17, 2011

At the Public Hearing held on Monday, October 17, 2011 at the Hopkinton Town Hall at 6:15 p.m.

PRESENT: Supervisor Rust, Councilpersons Wood, Bagnato, Sochia arrived 6:27, Jock. Arrived 6:34.

OTHERS PRESENT: Ronald Streeter Hwy Supt., Clerk French, Assessor & Code Officer Alan Fukes arrived at 7:17, Collette Parmer, Rick Schrader, Dianne Schrader, Kevin Murray, Georgia Macy, James Hollenbeck, Richard Eakins, Kelly Johnson-Eilola, John Courtney III, Robert Phippen Jr., Dawn Phippen, Wanda Malette, Pete Cleaveland, Luke Dailey, Lucia Dailey, Kirk Severtson, Jenny Burke IBERDROLA, Neil Habig IBERDROLA, Frank Potenzano, Kathleen Potenzano, Lynne Denning, Etta Phelix, Kenneth Phelix, Kenneth Planty, Meribeth Planty, Brenda Nicholson, Chris Affre, Lynda Bage, Ernest Wood, Anne Britton, Benny Fairchild.

Supervisor Rust called the Public Hearing on the Preliminary Budget to order at 6:25.

Budget Officer, Vickie French, went over items compiled in the 2012 Budget.

There was a discussion on putting down a new floor in the town hall. Mr. Rust stated he had two quotes for the installation. He also has a price from Lumber Liquidators on the flooring. The total cost for materials and installation would be approximately \$10,000.00.

The Board decided to look into getting some prices and advice on refinishing the floor also before making a decision.

The subject of applying for grants to do the project was brought up. Mr. Rust commented that he has checked into some grants, but they are very hard to come by right now. He stated if anyone knows of a good grant writer that would like to volunteer some time to write grants for us to contact him.

Mrs. Wood made a motion, seconded by Mr. Jock that all persons desiring to be heard for or against have been heard and therefore the hearing on the Preliminary Budget should be terminated. Adopted unanimously.

Public Hearing was adjourned at 6:47 p.m.

Supervisor Rust called the Public Hearing to order on a Proposed Local Law "Wind Energy Facilities".

Supv. Rust reported to those present that the Proposed Law had been sent to the SLC Planning for review. It was received back with 12 recommendations he made 10 of the 12 changes and omitted the following two: Section 3.5 was omitted upon the advisement of the attorney.

Section 17, Subsection F. felt 600 foot setback from certain features may be insufficient.

Written comments were received and are on file with the Town Clerk from: Anne Britton, Collette Parmer, Dawn Phippen, Robert Phippen Jr., Lynda Bage, Luke Dailey, Lucia Dailey, John Courtney III, Daniel Helfter, Paula Helfter, Timothy Helfter, Bonnie Helfter, Kelly Johnson-Eilola, John McDonald, and Wanda Malette.

Mrs. Wood made a motion, seconded by Mr. Sochia that all persons desiring to be heard for or against have been heard and therefore the hearing on the Proposed Local Law "Wind Energy Facilities" should be terminated.

Public Hearing was adjourned at 8:29 P.M.

Supervisor Rust called the Regular Meeting to order at 8:29 p.m.

Mrs. Wood made a motion, seconded by Mr. Sochia to accept minutes of Regular Meeting held on September 19, 2011 as presented. Adopted unanimously.

Mr. Sochia made a motion, seconded by Mr. Jock to approve the Financial Report for September 2011 as presented. Adopted unanimously.

Voucher Nos. 285 to 313 General Fund Abstract 10 in the amount of \$5,528.15 were audited and approved by the Board.

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Voucher Nos. 179 to 197 Highway Fund Abstract 10 in the amount of \$71,725.54 were audited and approved by the Board.

Voucher Nos. 30 to 32 BHLS Health Center Fund Abstract 10 in the amount of \$6,024.28 were audited and approved by the Board.

Mrs. Wood made a motion, seconded by Mrs. Bagnato to pay the bills. Adopted unanimously.

Correspondence:

Town of Hammond: asking the town to support opposition to the Article X legislation. Also, enclosed with the correspondence was a letter from Coalition on Article X. It contained a copy of the resolution from the NYS Association of Towns as well as the resolution passed by the Jefferson County Legislators.

Mrs. Bagnato introduced the following resolution with a second by Mrs. Wood:

Whereas, New York State recently enacted legislation known as the Power of NY Act of 2011, and;

Whereas, Said legislation amended the public service law by adding a new article 10, which establishes a New York State Board on Electrical Generation Siting and the Environment, and;

Whereas, Said Board will have the authority to permit the siting of electrical generating facilities in the State which have a nameplate generating capacity of twenty-five thousand kilowatts or more, and;

Whereas, Previously, while various state agencies had regulatory oversight for such facilities, as a home rule state, New York's local municipalities, by virtue of decisions made by locally elected representatives, could ultimately decide whether such development was in their residents' best interest, and;

Whereas, The Power of NY Act of 2011 removes said decision-making from local municipalities, and puts that authority into the hands of a bureaucratic State board which will have nominal representation from affected communities, and even that representation cannot be from elected representatives of those communities, and;

Whereas, the new board will have the authority to ignore "any local ordinance, law...or any local standard or requirement...if it finds that... such is unreasonably burdensome...on ratepayers whether located inside or outside of such municipality", and;

Whereas, the new law further states that "no...Municipality...may require any approval, consent, permit, certificate or other condition for the construction or operation" of such a facility, and;

Whereas, While the law provides for the set-aside of funds for pre-hearing research on behalf of the affected communities, said funds are controlled by the Board and will be allocated as it sees fit, and;

Whereas, the large majority of the Board's membership will have no connection to the affected communities and will not be directly affected by their decisions, and;

Whereas, While municipalities may be a party to the siting hearings, so may any individual within 5 miles of the proposed facility's site, and therefore the municipality itself, which purpose, by law, is to represent the residents who elect its officials, is diminished to the level of each individual, within the 5 mile radius, whether or not he/she lives in the affected municipality, and;

Whereas, Said law follows a disturbing trend in New York State to remove powers from the local jurisdictions and therefore from the affected electorate and transfer such powers to a faceless bureaucracy which has no constituency.

Now, Therefore Be It Resolved, That the Town Board of Hopkinton opposes, protests, and expresses its deep disappointment and concern over the establishment of said siting Board and of the enactment of the Power NY Act of 2011,

And Be It Further Resolved, that a copy of this Resolution be provided to the County's State representatives, and the State Governor.

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VOTE: Supv. Rust Aye, Councilpersons Wood Aye, Sochia Aye, Bagnato Aye, Jock Aye.

Anne Britton: regarding the Town of Hammond resolution Opposing State Article X Law.

Charles Nash: asking the Town Board to pass a resolution to support for the need of an on-campus President at SUNY Canton.

Mr. Jock introduced the following resolution, seconded by Mrs. Wood:

WHEREAS, SUNY Canton is an important educational asset for all of Northern New York; and

WHEREAS, SUNY Canton is a vibrant, growing institution under the enlightened leadership of Dr. Joseph Kennedy; and

WHEREAS, it is important in these economic times to maintain and expand this asset; and

WHEREAS, this continued growth cannot occur without an on-campus President attuned solely to the needs of running SUNY Canton.

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Hopkinton supports the efforts of Save Our SUNY Canton Task Force and the SUNY Canton College Council to maintain an on-campus President at SUNY Canton; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Hopkinton supports State legislation to maintain a full-time campus President at SUNY Canton.

VOTE: Supervisor Rust Aye, Councilpersons Wood Aye, Sochia Aye, Bagnato Aye, Jock Aye.

Old Business:

Town Hall Floor: Supv. Rust reported to the Board that he received two price quotes for the installation of a new floor at the Town Hall. They were both for \$4,000.00. The materials will cost approx \$6,000.00. It would be replaced with ¾" Maple, 10 year warranty.

Discussion was held on this matter. Suggestions were made to check with Coakley Hardware and William Locy to get a price on refinishing the floor.

Mrs. Wood made a motion, seconded by Mrs. Bagnato to table making a decision until more info on refinishing versus replacing can be obtained. Adopted unanimously.

Committee Reports:

Code: Mr. Fukes reported that building permit applications are continuing to come in.

Assessor: Mr. Fukes presented a written report. He attended the Assessors Training Seminar in Canton and NYS Assessors Association Conference in Buffalo. He earned 12 CE credits. He sent in the paperwork to get reimbursed for the Assessors Conference. All new property transfers have been filed.

Library: Mrs. Nicholson reported that the computer usage is way up. Charter of the Library was discussed.

Mrs. Bagnato suggested trying again.

Museum: Mrs. Wood reported that they are working on putting a list of needed repairs together. Supv. Rust and Mr. Jock worked on insulating the cellar area where the water pump is and installing a thermostat for the winter months so we can just heat that area and not the whole building.

Highway & Safety: Mr. Streeter presented a written report.

Fire and Rescue: Mr. Streeter reported that they donated \$1,000.00 to SLC Fire Chiefs Training Facility.

Accepted Colin Pearl as a member. Participated in Honor Guard and ceremony for Jim Sullivan Jr. (Car 8) Parishville. They gave out smoke detectors and batteries at the Food Pantry and went to Parishville Hopkinton Central during Fire Prevention Week to educate the children.

BHLS: Mr. Sochia reported that the Doctor is continuing renovations on the office. The new door and A/C has been installed.

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Food Pantry: Attendance was down this month. There was no Comlinks truck; they had no food to deliver.

Donations are continuing to come in.

Groundskeeper: Mr. Wood reported that he has closed the gate at the Ft. Jackson Park. There are several trees in the Hopkinton Park and Ft. Jackson Park that need to come down. Contact the County to see if they can help with the trees that need to come down. Lynda Bage is willing to donate trees off of her land to replace the ones in Hopkinton Park that need to be taken down. Further discussion will continue on this matter.

New Business:

Library Page: Mrs. Wood made a motion, seconded by Mr. Sochia to appoint Heather Nicholson as a Library Page to take the place of Christopher Nicholson. Adopted unanimously.

2012 Budget: The town board will hold a special meeting October 26, 2011 at 6:00 p.m. at the Hopkinton Town Hall to go over the Preliminary Budget further and to set October 27, 2011 at 6:00 p.m. to adopt the 2012 Budget at the Hopkinton town hall.

Proposed Wind Law: Supv. Rust told the Board that before the Proposed Local Law on Wind Energy Facilities can be adopted they must review and adopt the Environmental Assessment form. Mr. Rust went over the Environmental Assessment form and the Negative Declaration.

Mrs. Wood made a motion, seconded by Mr. Jock pursuant to the State Environmental Quality Review Act to accept the Full Environmental Assessment as presented.

VOTE: Supv. Rust Aye, Councilperson Wood Aye, Sochia Aye, Jock Aye, Bagnato Aye.

Mrs. Wood made a motion, seconded by Mr. Jock to adopt the Negative Declaration.

VOTE: Supv. Rust Aye, Councilpersons Wood Aye, Jock Aye, Sochia Aye, Bagnato Aye.

Adoption of Proposed Wind Law: after much discussion Mrs. Wood made a motion, seconded by Mrs. Bagnato to table adoption of the Proposed Wind Energy Facility Law so the material presented at the Public Hearing could be looked at. Adopted unanimously.

2012 Potsdam Humane Society Contract: Mrs. Wood made a motion, seconded by Mr. Sochia to approve the 2012 contract with the Potsdam Humane Society in the amount of \$1,775.00. Adopted unanimously.

Lexis Nexis: Clerk French reported to the Board that this company would enable the Town Office to take credit card and debit card payments for all transactions. There is no charge to the town. They supply the equipment and there are no fees. If there are fees they are paid by the customer. There is no waiting for funds they are deposited at the end of each day.

After discussion Mrs. Bagnato made a motion, seconded by Mr. Jock to contact LexisNexis and set-up the service with them. Adopted unanimously.

Mr. Jock made a motion, seconded by Mrs. Bagnato to adjourn the meeting.

Meeting was adjourned at 9:55 p.m.

Respectfully Submitted

Vickie French

RMC