

MINUTES –TOWN OF ALLEGANY PUBLIC HEARING ON CREATING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR PLANNING & ZONING APPROVALS FOR WINDENERGY CONVERSION SYSTEMS AND REGULAR BOARD MEETING. TUESDAY, FEBRUARY 28, 2012 7:00 PM SENIOR CENTER

PRESENT WERE: Supervisor Hare Councilman Koebelin
Councilman O'Dell Councilman Hitchcock
Councilman Allen Town Clerk M. Peck

ABSENT: Comptroller Hemphill, Attorney Tuttle

ALSO PRESENT: Atty. D. Spitzer, Atty. D. Ward, K. Sheen –Everpower, news media and many townspeople

Meeting was opened with a Salute to the Flag at 7:00 pm

Supervisor Hare addressed the audience on the reason for this public hearing. This moratorium is not being used to consider a full-blown review of the Everpower project. It may have an impact on the project. The Town will be accepting written comments until 4pm on Friday, March 9, 2012 at the Town Hall.

PUBLIC HEARING OPENED:

1. Kathy Boser – 1168 Chipmonk Rd., Allegany—Thank you for the 6 month moratorium on wind energy conversion systems in this area.
2. Cecilia Kelly Ladd – Batavia, NY – owns property with mother in Chipmonk Rd., Town of Allegany – thanks the board for considering this moratorium which will give more time to fully investigate the issues surrounding this matter.
3. Mike Lippert- Nichols Run, Limestone, Town of Allegany – he is anti-wind as the project will ruin this area in regards to roads, property values, etc.
4. Mary Burns – Batavia, NY – owns property in Chipmonk with mother – thanks board for considering moratorium on wind energy conversion systems. This will allow the board more time to investigate and learn of the issues surrounding this matter.
5. Joan Jordan – 2197 N. 5th St., Allegany, NY – thank you for the opportunity to speak – supports the board's consideration to have a moratorium on the wind energy conversion systems.
6. Karen Mosman – 1064 Chipmonk Road, Allegany, NY – spoke about finances, tax credits, etc. supports the town board's vote on the moratorium on the wind energy conversion systems.
7. Alan Pero – Supervisor of the International Operators Union in WNY. – asks the board to consider the permits ability to be extended on this project. Pro-wind project in this area as it will provide employment for residents.
8. Robin Holevinski – town of Howard resident – she supports the moratorium on wind energy systems. She and others in the Town of Howard did not benefit from Everpower. She suggests that the board members contact residents of the Town of Howard to see what transpired there.
9. Atty. Douglas Ward – Represents Everpower – He has submitted a letter to Supervisor Hare opposing the moratorium. The Howard issues were between the contractor and sub-contractor.
10. Gary Abraham, Atty.- 2nd st., Allegany, NY – refers to Kathy Boser's remarks and agrees with Mr. Ward, but takes many, many months. Article X – spoke about it and the local zoning codes. Urges the board to look at noise, distance, and to replace with a 6 decible limit.
11. Patricia Miller – 561 Rock City Rd. – spoke about wind power in Tennessee. Is anti-wind power in Allegany, NY. Supports the board's vote for the moratorium here.
12. John Walters – Birch Run Road, Allegany, NY> - there is a lot of mis-information on this issue. States that he cannot hear them even if you stand right underneath them. Wishes the mis-information would go away. Thinks that Pat Eaton did a good job.
13. Kathy Premo – Chipmonk Rd. resident – She lives in a valley. She as concerns with echos. She supports the board's decision on this issue.
14. Molly Kaffka – West Branch Road. - says to follow your heart in your decision and consider this moratorium on the wind issue.

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#66-MOTION TO CLOSE PUBLIC HEARING

Motion by Hare to close the public hearing on Creating a Moratorium on the issuance of building permits or planning & zoning approvals for wind energy conversion systems. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED

Public Hearing Closed at 7:52 PM

#67-MOTION TO APPROVE MINUTES

Motion by Koebelin to approve the minutes from the 2/9/12 special board meeting as written. 2nd by O'Dell. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#68-MOTION TO APPROVE MINUTES

Motion by Allen to approve the minutes from the 2/14/12 regular board meeting as written. 2nd by O'Dell. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#69-MOTION TO APPROVE MINUTES

Motion by Koebelin to approve the minutes of the special board meeting held on 1/20/12 as written. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. Town of Allegany Planning Board Minutes from the 1/9/12 meeting.
2. Letter from Carol Horowitz to Craig Marlatt regarding Bonaventure Square – (adjusting property)
3. Letter from Supervisor Hare to Mathew Nelson – Office of Comm. Renewal re: #18CP33-10.
4. Letter to Town Board from residents re: thank you for considering a moratorium.
5. Letter from NYS Homes & Community Renewal regarding Grant Agr. Completion Notice
6. NYS Dept. of Ag & Markets – regarding zoning codes and Elderberry Farm Alpacas.
7. Complaint from Daniel Kolata & Lisa Richmond – code issues??
8. Letter from NYS DOT – Critical SF5 Statewide Vendor Impacts
9. Letter to Supervisor Hare regarding workshops on health care
10. NYS DOH – notice of operator certificate training course for water operators
11. Email from Mary Burns regarding public hearing on moratorium / wind energy
12. Notice of Decision from Planning Board regarding site plan review for Bona Square
13. Notice of Decision from Planning Board regarding special use permit – Giardini Bros. Const.

NEW BUSINESS

1. Letter from Catt. Co. Health Dept. regarding mosquito spraying - \$9479.57 for 2012.

#70-MOTION TO APPROVE MOSQUITO SPRAYING IN TOWN OF ALLEGANY

Motion by Hare to approve the mosquito spraying in the Town of Allegany (\$9479.57) with Cattaraugus Co. Health Dept. 2nd by Allen. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

2. Vote on Local Law #1 of 2012 – Moratorium on Wind Energy Issues *****TABLE to 3/13/12 meeting*****

UNFINISHED BUSINESS

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OTHER BUSINESS

- Supervisor Hare – the modeling data for the town water system received from Foit-Albert & Assoc. has been received and delivered to Clark, Patterson & Lee on 2/22/12 to load onto their system and check data.
- Supervisor Hare – the Survey Map has been delivered to NYS DOT by Foit-Albert & Assoc. for Cranberry Road intersection so Town of Allegany can complete process of purchasing 0.05 acres of land from the state (behind Uni-Mart)

COMMITTEE REPORTS

- Supervisor Hare & Councilman Koebelin – to get together with Highway Superintendent fill-in and the Union to discuss issues.

From the floor:

- Town of Howard resident : wants to say that Turbines are not quiet.
- Ellen Peck – comments on dog problem o Carey Hollow, states that the dog in question does bark when you walk by and does stop when you are passed. What can be done to remedy this issue?
- Councilman Allen – since this matter is in the Court’s hands, then it should not be discussed.
- Jason Crisafulli – spoke of the signage at the Allegany Town Lines: are we going to fix/repair them?
- Supervisor Hare – yes, this issue is in the new Comprehensive Plan
- Councilman Allen – perhaps a business would like to “adopt “ to support a sign??

#71-MOTION TO ADJOURN MEETING

Motion by Koebelin to adjourn meeting. 2nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare- aye. CARRIED.

Meeting adjourned at 8:13 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
3/9/12

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Word Starter is open, so you can begin now to write a letter or create a newsletter with graphics by clicking the File tab above.

Launch Excel Starter from the Windows Start menu to see how managing your budget just got easier.

Online help is available at Office.com.

Need more programs or features? A different Office suite can be purchased by clicking the Purchase button above.

