

REGULAR MONTHLY MEETING

January 15, 2009

The regular monthly meeting of the Town Board of the Town of Alfred was held at 7:00 pm Thursday, January 15, 2009 and opened by Supervisor Jeanne Cartwright. Board members present were Tom Mansfield, Jerry Snyder, and Jeanne Cartwright. Absent were Phil Curran and Jeff Johnston. Also present were Chief Tim O'Grady, Craig Clark, Jamie Mansfield, and Janice Burdick. Guest was Todd Mathes of Whiteman, Osterman + Hanna Law Firm.

Guests: Todd Mathes of the Law Firm of Whiteman, Osterman + Hanna located in Albany, NY was present to address how he could represent the Town of Alfred in the establishment of the windmill project. Mr. Mathes stated that his firm has represented several Towns in NYS regarding windmill projects including Cohocton. Mr. Mathes is also representing one other Town that is working with Empire State Wind. Mr. Mathes stated some of the issues the Town needs to be aware before signing any contracts with the wind companies.

- Need to know what is excluded in Net Revenues
- Need to understand if agreement is going to capture different programs in the future
- Need to understand the scope of how the revenues work.
- Empire State Wind's liability – ability to cancel agreement, does Town have the right to terminate the contract.
- If SEQR is involved – doing it properly.

Mr. Mathes added that the siting and planning are unique due to SUNY involvement. Will be dealing with Albany and the Dormitory Authority instead of local authorities.

Mr. Mathes stated that they represent Cohocton and have won all 6 lawsuits. Mr. Mathes stated that the place to start is to look over the agreement. Supervisor Cartwright stated that we haven't gotten to that point yet – just have a letter of intent. Mr. Mathes suggested seeing if the Town could get an agreement that states that they will finance consultants, etc. Jerry Snyder mentioned that when he visited the Cohocton site and met with their Planning Board it was mentioned that the School was not involved in any of the negotiations. Mr. Mathes explained that the IDA negotiated the PILOT for the taxing jurisdictions. The Host Community Agreement was negotiated by the Town. The school district said they felt they should get part of the Town's share. The Host Community agreement only goes to the Town. Jeanne Cartwright asked if he would get involved in these agreements and Mr. Mathes said yes. Craig Clark stated that SUNY has not actually committed to this project yet since there is no Chancellor – very difficult to get anyone to agree or to sign anything.

Mr. Mathes was thanked for his time and the information he provided.

2009 Appointments

The following appointments were made with a motion by Tom Mansfield, seconded by Jerry Snyder and carried 3-0:

Planning Board – 5-year term - Vacant – Replace Earl Stopfel expires 12/31/14

Chairman – Licio Pennisi

Zoning Board of Appeals – 5-year term – Robert Volk (reappoint)

Board of Assessment Review – John Buckwalter – 5-year term (reappoint)

Official Meeting Date - 2nd Thursday of the Month, 7:00 pm.

Official Banks – Community Bank of Alfred, Steuben Trust – Alfred and Hornell

Official Newspapers – The Evening Tribune, The Alfred Sun

Board Committees:

- Highway – Tom Mansfield and Jerry Snyder
- Windmill – Jeff Johnston and Jeanne Cartwright
- Planning – Phil Curran

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Dog Control Officer – Richard Stuart

Town Attorney – Keith Slep

Town Historian – Harold Snyder

Codes Enforcement Officer – Steve Kilmer

Approval of Minutes – The minutes of December 11, 2008 and December 29, 2008 were approved with a motion by Tom Mansfield seconded by Jerry Snyder and carried 3-0.

Police Report – Chief Tim O’Grady submitted the written report for December and the 2008 Yearly Report. Tom Mansfield expressed a concern about the 911 operators. Mr. O’Grady stated that there have been other complaints and letters need to be written to the Public Safety Committee.

Correspondence

- Allegany County SPCA requesting Town Contract with them. After discussion the Board decided no to enter into a contract with them.
- Letter from State Unified Court System notifying awarding of Grant that Heidi Burdick had applied for in the amount of \$6301.79. The check has been received.
- Charles Nissler – asking what to do with records from the Hornellsville, Alfred, Almond Sewer Authority...

General Abstract #1-2000 – Vouchers #1-14 in the amount of \$40391.93 were approved with a motion by Tom Mansfield seconded by Jerry Snyder and carried 3-0.

Highway Abstract #1-2009 – Vouchers #1-15 in the amount of \$65,451.93 were approved with a motion by Tom Mansfield seconded by Jerry Snyder and carried 3-0. This includes the Bond payment of \$30,000.00

Highway Report

- Reviewed written report.
- Have sanded and plowed several times.

1/7/09 accident on Ormsby Road – plow dug into the road causing it to break from front of truck, going underneath truck. (2006 International) Fred Greenthal was taken to the hospital by ambulance – is ok except for some bruising. Truck was pushed out of the road and left there until Andover could come with their grader and pull it back to the shop. On 1/13 truck was hauled to Caledonia Diesel to be looked over and determine what extent the damage was and repair it if possible. The Insurance Company was notified. \$500 deductible. DEC was called by the Fire Department due to the amount of diesel fuel spilled. John Perkins and Jamie Mansfield are doing the plowing and sanding and Fred Greenthal is doing the small roads with the pickup, then goes out with Grader where needed.

- 2 Hydraulic lines blew on sanders – truck 21 & 23.
- Tire blew on 10 wheeler and brakes.
- Blown hydraulic line on truck 22.
- Greased trucks and adjusted all brakes.
- Replaced shoes on all plows...
- Almond hauled sand for Town.

Supervisor: Supervisor Cartwright reported that Brennan Lang of Lake Road has requested the speed limit on Lake Road be reduced. A motion was made by Jerry Snyder to submit a request to the County to review the speed limit on Lake Road and request that it be reduced. The motion was seconded by Tom Mansfield and carried 3-0. It was noted that this has been attempted at least three times before with no success.

Planning Board - Submitted proposed Windmill Law. When told that this is similar to Cohocton’s Law, Mr. Mathes stated that they amended their law to address the questions brought up in the Law suits. Mr. Mathes will be emailing that new law to the Town.

A motion to adjourn at 8:55 pm was made by Tom Mansfield seconded by Jerry Snyder and carried 3-0.

Respectfully Submitted,

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Janice Higgins-Burdick
Town Clerk