

MINUTES – TOWN OF ALLEGANY SPECIAL BOARD MEETING – WINDMILLS- MONDAY OCT. 12, 2009 6PM TOWN HALL

PRESENT WERE: Supervisor Eaton Councilman Jonak
 Councilman Sendlakowski Councilman Hitchcock
 Councilman Wolf Town Clerk M. Peck

Also present: Kevin Sheen- Everpower, Carol Horowitz-Town Planner, Daniel Spitzer, Esq., Gary Abraham, Esq., J.Hare, B.Phillips, R.Kavanagh, S.Kellogg, F.Defiore,D.Carlson-Town of Lyndon, townspeople.

ABSENT: Hwy Superintendent Gleason, Comptroller C.Hemphill, Attorney W.Tuttle

Salute to the Flag at 6:00 pm opened the meeting.

Supervisor Eaton advised that this meeting is being held to learn more about the windmills so that the board can make better decisions.

Daniel Spitzer, Esq. addressed the Board and the audience. He gave a short history on wind farms; he spoke on the Tug Hill Facility, how the government created Empire Zones for wind farm development, different prices per mega watts; the PILOT programs and the Host Agreements. He advised that it is the developer's choice of going through the Industrial Development Agency or not. This is done for exemption reasons. Attorney Spitzer advised that the Town Planning Board has the authority in granting wind farm development within a municipality, not the Town Board.

Kevin Sheen – Everpower- addressed the board and the audience. He advised that the economy has been rather slow, so some of their projects have slowed down, also. Mr. Sheen stated that Everpower is about to present some updated/revised layout information to the planning board. He also advised that Everpower is to provide a Host Agreement to the Town. This information is to be provided for the November 2009 planning board meeting.

Gary Abraham, Esq. – represents Cattaraugus County Concerned Citizens - Mr. Abraham spoke about "mitigation for wind farms with money". He also spoke about audible problems; some people will suffer health problems resulting from the wind mills.

Daniel Spitzer, Esq. – replied regarding Supervisor Eaton's question about abandonment of wind farms: if a wind company goes broke or bankrupt, the money is usually put up front for this so that the towns can get their money. There are various forms of protection statements built into the Host Agreements.

There were no other comments.

#179-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS POSSIBLE AGREEMENTS/CONTRACTS

Motion by Hitchcock to adjourn to executive session to discuss possible agreements/contracts with Everpower. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.
CARRIED.

Regular meeting adjourned at 7:20 pm.

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#180-MOTION TO CLOSE EXECUTIVE SESSION AND REGULAR MEETING

Motion by Wolf to adjourn executive session and regular meeting. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Executive Session closed at 8:10 pm.

Respectfully submitted,

Mary M. Peck, Town Clerk
10/16/09