

REGULAR MEETING

MARCH 20, 2017

At the Regular Meeting held on Monday, March 20, 2017 at the Hopkinton Municipal Building at 7:00 p.m.

PRESENT: Supervisor Wood, Councilpersons Lyon, Crump, Parker, Sochia.

OTHERS PRESENT: Stephen Green Highway Supt., Clerk French, Assessor & Code Officer Allen Fukes, Annette Green, Deborah Rust, Lori Witherell, Doug Witherell, Joseph Snell, Robin Gary, Beth Rosenbarker, Jeff Snell, Christina Snell, Luke Daily, Amber Lindsey, Jan Keller, Nancy Horan, Kelly Pullano, Kelly Charleson, Lorena Charleson, Morgan Newtown, John Newtown, Cindy Elliott Niles, Robert Blum, Luke Martin, Dave Bradford, John Niles, John Mahoney, Frank Potenzano, Kathleen Potenzano, Tom Whitesell, Leslie Hickman, Jessica Burnett, Audrey Gilbert, Meghan Hickman, Cheri Whitton, Sandra Maine.

Supv. Wood called the Regular Meeting to order at 7:04 p.m.

Privilege of the Floor:

Jeff Snell, Lori Witherell, Kelly Pullano, Kelly Charleson, Joseph Snell, Nancy Horan, Robert Blum, Luke Daily, Ann Britton, Cheri Whitton, Tom Whitesell, Audrey Maynard all spoke to the Board in regards to wind overlay zones, moratorium, setbacks for the turbines, conflicts of interest, doing more research on the wind company, health issues, environmental issues, wind attorney having a conflict of interest, declining property values, PILOT agreement vs taxation, bat migrations.

Frank Potenzano and Kathleen Potenzano spoke to the board in regards to there being less than 300 of the surveys being returned he feels the reason is because the majority of the citizens trust that the Town Board has their best interest in mind when making decisions. Have to trust the Town Board and the Wind Advisory Board to make the right decisions. He also spoke against the moratorium. He feels it only moves things down the road and where will the Town Board find the experts to do their studies and how will they pay for it.

Mr. Crump made a motion, seconded by Ms. Lyon to accept minutes of Regular Meeting held on February 13, 2017 as presented. Adopted unanimously.

Ms. Lyon made a motion, seconded by Mr. Sochia to accept Supervisors Financial Report for January and February 2017 as presented. Adopted unanimously.

Voucher Nos. 48 to 79 General Fund Abstract 3 in the amount of \$22,154.58 were audited and approved by the Board.

Voucher Nos. 21 to 35 Highway Fund Abstract 3 in the amount of \$14,365.94 were audited and approved by the Board.

Voucher Nos. 4 to 5 BHLS Health Center Fund Abstract 3 in the amount of \$448.99 were audited and approved by the Board.

Voucher Nos. 3 to 4 Building Account Abstract 3 in the amount of \$14,000.00 were audited and approved by the Board.

Mr. Parker made a motion, seconded by Mr. Crump to pay the bills. Adopted unanimously.

Correspondence:

BHLS Minutes: were presented.

Resignation of Code Officer & Assessor: Mr. Fukes reported to the Board that he will be retiring from the appointed position of Assessor and Code Enforcement Officer effective March 30, 2017.

NYS Dept. of Taxation and Finance: regarding Tentative Special Franchise Full Value.

Court Mandatory Surcharges: Clerk French presented the Board with an article on where the Mandatory Surcharges go.

Environmental Design and Research: regarding North Ridge Wind Project and the identification of sensitive resources. Supv. Wood asked the Board to review this and she will also forward it to the Historian and

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Richard Powers, Chairman of the Wind Advisory Board. If there are any additions they have to be submitted by April 3, 2017.

SLC Treasurer: regarding Workers' Compensation Claims, Liability, as of December 31, 2016.

Old Business:

Shared Service Agreement with Hopkinton Fire District:

Mr. Sochia made a motion, seconded by Ms. Lyon to approve the following agreement:

This agreement, dated March 20, 2017 between the Town of Hopkinton and the Hopkinton Fire District. Pursuant to Section 99-r of the General Municipal Law, the District and the Town wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of such and provide a cost savings by maximizing the effective utilization of both parties' resources. The Town and District agree to share services as follows:

1. Description and Cost of Services, Materials or Equipment to be shared for any undeclared Emergency events.
2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Workers Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.
4. The terms of this agreement shall be for one (1) year. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the agreement. Either party may revoke this agreement, with or without cause, by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

VOTE: Supv Wood Aye, Councilman Lyon Aye, Sochia Aye, Crump Abstained, Parker Abstained.

Appointment to Wind Advisory Board: Supv Wood stated that an appointment was still needed on the Wind Advisory Board to fill the position vacated by Frank Barney.

Supervisor Wood stated that John Niles is currently an alternate.

Supervisor Wood made a motion, seconded by Councilman Lyon to appoint John Niles to fill the term left vacant by Frank Barney on the Wind Advisory Board.

VOTE: Supv. Wood Aye, Councilman Lyon Aye, Parker Nay, Crump Abstained, Sochia Abstained.

Committee Reports:

Supervisors Report: Supv. Wood reported that our Code of Ethics Law is too restrictive. In 2011, Attorney General changed so only immediate family had to be included.

She is seeking an attorney that is not affiliated with either towns or school in regards to wind project.

Wind Overlay Zone still needs to be completed.

We need to investigate further noise issues in Chateaugay in regards to the new wind turbines that are the same height as the ones being proposed for here.

She feels we also need more time to investigate property values.

Also would like the Board to consider a comprehensive land use policy for future growth of the town.

Supv. Wood made a motion, seconded by Councilman Lyon to move ahead with the revision of the Code of Ethics Law. Adopted unanimously.

She reported that Richard Powers, Chairman Wind Advisory Board, has a family illness and may have to vacate his position. She asked the Board to be looking for someone who could fill his position if needed.

She also asked the Board for their feelings on passing a moratorium on moving forward with any decisions on the proposed Wind Farm. She stated that it would give us more time to prepare our local law, develop a wind

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overlay zone and to do some further studies.

Mr. Parker commented that we have had a wind law on the books for five years. He feels that all we are doing is moving things down the road for no reason. He also stated that the Article 10 process has already been started and that if we delay we may not be eligible for any of the funds that are set aside for attorney expenses.

Supv. Wood made a motion, seconded by Councilman Lyon to move ahead with a moratorium on the proposed North Ridge Wind Project for a period in not excess of one year.

VOTE: Supv. Wood Aye, Councilman Lyon Aye, Parker Nay, Crump Abstained, Sochia Abstained.

Code Enforcement: Mr. Fukes presented a written report. He has had a complaint of junk on the Sylvan Falls Rd he will inspect the parcel and notify the owner.

Assessor: Mr. Fukes presented a written report. The town will maintain its 100% until the 2019 rates come out next February. He has received the NYS Forestation values for 2018, the assessments did not decrease.

Library: Jan Keller reported Story Time continues to be a success. They received some grant money and she purchased some Chrome book tablets. She is going to offer a class on the use of computers.

Museum: Mr. Crump reported that the basement repairs are nearing an end. The hot water heater has been installed. Mr. Crump reported to the Board that he had Mr. Black give him a price quote on siding, it will take 40 squares, fascia, and drip edge. The Board looked over the quote and asked Mr. Crump to get two more written quotes from different vendors.

Supv. Wood will talk with the Historical Group in regards to using some of their funds to replace some of the windows.

Highway & Safety: Mr. Green presented a written report. He has repaired the damage to the bridge on the Lake Ozonia Road. He is looking at the purchase of an on demand propane generator for the garage. He received a quote of \$7,230.00 installed. The board asked him to get two more written quotes.

Fire and Rescue: Mr. Parker reported on the calls. They had 182 MH training, 58MH Station Work detail. Tri-Town Rescue had 62 calls for the month three were in Hopkinton.

Town Facilities: Susan Lyon reported that the weekends have been busy at the Town Hall.

BHLS: Copies of the monthly minutes were presented. Scott Arqueitt has signed his maintenance contract.

New Business:

Appointment of Historian: Mr. Crump made a motion, seconded by Mr. Sochia to appoint Mary Converse as Town Historian. Adopted unanimously.

Appointment of Code Officer: Supv. Wood reported that she interviewed Joe McGill from Town of Parishville, and David Burl from Town of Lawrence. Both are currently Code Officers and have all of the required training and certifications. The Board discussed this and Supv. Wood made a motion, seconded by Mr. Crump to appoint Joe McGill as Code Officer for the Town of Hopkinton effective April 1, 2017. Adopted unanimously.

Appointment of Assessor: Mr. Parker made a motion, seconded by Mr. Crump to appoint Allen Fukes as Assessor for the Town of Hopkinton until the end of the current term of September 30, 2019 effective April 3, 2017. Adopted unanimously.

Second Notice Fee: Mr. Crump made a motion, seconded by Mr. Sochia to set the Second Notice Fee at \$2.00 for 2017. Adopted unanimously.

Use & Maintenance Agreement-Meacham Rd with Seaway Timber: it is to access its sand mine located off Lake Ozonia Road. They will have to maintain the Meacham Road. In addition, Seaway Timber will be required to improve any disrepair to Lake Ozonia Road caused by their trucks. The Board reviewed the agreement.

Mr. Parker made a motion, seconded by Ms Lyon to approve the Agreement between the Town of Hopkinton,

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New York, and Seaway Timber Harvesting Inc., relative to use and maintenance of Meacham Road and Lake Ozonia Road, Town roads in the Town of Hopkinton. A copy of the full text of the agreement will remain on file with the Town Clerk.

VOTE: Supv. Wood Aye, Councilman Lyon Aye, Parker Aye, Sochia Aye, Crump Abstained.

Shared Service Agreement with the NYSDOT: Mr. Crump made a motion, seconded by Mr. Sochia to approve a Shared Services Agreement between the NYSDOT and the Town of Hopkinton.

Adopted unanimously.

Tri-Town Rescue Contract: Mr. Parker made a motion, seconded by Ms Lyon to approve the contract with Tri-Town Rescue for 2017 in the amount of \$12,460.00.

VOTE: Supv. Wood Aye, Councilman Lyon Aye, Parker Aye, Sochia Aye, Crump Abstained.

Establishment of an Audit Committee: Supv. Wood told the Board that we need to have two board members each month come early before the meeting starts and go through the bills and review them. We would rotate each month.

Mr. Crump made a motion, seconded by Ms Lyon to approve the establishment of an Audit Committee.

Adopted unanimously.

Susan Lyon and Gilbert Sochia will audit the bills in April.

Scholarship: Clerk French reported to the Board that she had applied for a scholarship to attend the annual NYS Town Clerk Conference. She was chosen as an alternate, so if anyone cannot meet the obligations of a particular scholarship that was awarded to them, she would then be considered.

Change of Meeting Date for April: Supv. Wood asked the Board to change the date of the Board Meeting in April from April 17 to April 10. She will be out of town.

Mr. Parker made a motion, seconded by Ms Lyon to change the meeting date in April to April 10, 2017 at 7:00 p.m. at the Municipal Building. Adopted unanimously.

Mr. Parker made a motion, seconded by Mr. Crump to adjourn the meeting.

Meeting was adjourned at 8:28 p.m.

Respectfully Submitted:

Vickie French

RMC