**SPECIAL MEETING, TOWN OF REDFIELD, JULY 25, 2017**

The special meeting of the Redfield Town Board was held on July 25, 2017 at the Redfield Municipal Building starting at 6:30pm. Roll call was taken and the following board members were present:

 Tanya Yerdon - Supervisor

Carla Bauer - Councilwoman

 Elaine Yerdon - Councilwoman

 Erwin Webb - Councilman

Absent: James Cheney - Councilman

In addition, Susan Hough -Town Clerk, Shawn Doyle - County Legislator, Matt Tompkins - Town of Redfield Zoning Commission, Francis Adams, Larry Yerdon, Frank Hilliker, Ray Sweeney, James Whaley - Mad River Club, Dan Murdie - Avangrid, Janet Creech, Ken Creech - Mad River Club, Don McNitt, Scott McDonald - Avangrid, Jenny Briot - Avangrid, Dale Macklen - Mad River Club, Tim Howell - Mad River Club, Richard Palmer - Mad River Club, Dan Robbins, Lori Vezendy - Resident/Mad River Club, Cindy Cheney, Neal Cheney, Bart Cheney, John Yerdon, Dan Prokupdts - Woodwise, Mike Walsh - Woodwise, Matt Smith - Woodwise, Debra Groom - Oswego County Weeklies

Pledge of the Allegiance was said.

**SUPERVISOR - TANYA YERDON**

**Supervisor Tanya Yerdon**- this special meeting is to interview additional Attorneys for the Windmill Project. Melody Westfall is on vacation and has been at a previous meeting. Jim Burrows is on vacation. Doug Zamelis from Cooperstown emailed Tanya at 9:30 pm on Monday and he has a Zoning Board Meeting for a client he feels he should attend. John Collins from Rochester never called back to confirm. So as of right now we have no Attorneys to interview. Melody is from Syracuse, Jim Burrows is from Watertown, Doug Zamelis is from Cooperstown and John Collins is from Rochester.

**CW E. Yerdon** they are the only four (4) on the list that even responded. Tanya stated yes - Gary Abraham is representing another town and is not interested in representing us. CW E. Yerdon asked what stage we are at in the process - they have submitted the first thing but not the PSS yet - that won't be until fall/December. In the meantime any Attorney hired is paid by the Town and then when the time comes we file for Intervenor Funds unless it has to do with the taxing jurisdiction and that is sent to Avangrid directly.

**CW C Bauer** asked Tanya to explain how important it is for the Town to obtain an Attorney now at this point.

**Supervisor Tanya Yerdon** according to Article 10 and our Town Attorney he suggested and we've been told we need a Windmill Attorney to decipher Article 10, it's a new process and a lot of Municipal Attorneys do not have the Article 10 knowledge, it's a new process - the Deer River Project and then the Mad River Project. Jenny Briot there are others across the State going through the process.

**CW C Bauer** stated just so we are clear as to why we have to have a lawyer right now.

**CW E Yerdon** stated because we don't understand the Article 10 and it's very complicated. **Supervisor Tanya Yerdon** stated when we went to class months ago to understand the Article 10, the gentleman that helped write the Article 10 told her they had to have Zoning in order to file for Intervenor Funds. Of course Redfield didn't have Zoning so we're trying to put in basic Zoning Law and from that point you put a Wind Law into place. Our Town Attorney will not write the Wind Law, and suggested that we get someone that is trained in Wind Law/Projects, there are a lot of steps to it and it's to make sure the town is protected.

 07/25/2017 pg. 1 of 12

**Dan Prokupdts - Woodwise** he is under the impression that the Town of Redfield has already spent some money on an Attorney.

**Supervisor Tanya Yerdon** stated first of all this is a Special Meeting for the Town to interview Attorneys so she will address the public at the end of the meeting. According to Town Law 3 section 12 the State Comptroller and the Association of Towns have stated that in general the public is free to attend Town Board meetings but does not have the right to speak at a Town Board meeting except as provided by Town Board rules. So I will take questions when the Board is done with their questions.

**Francis Adams** - the other day spent an hour and a half with an Attorney that has spent twenty (20) years in the business and he informed him and Cheney - this was to sign the papers tonight to put an application in for the Wind Towers - the process is so bad with the State Department and DEC it would be at least two (2) years in the making and then when they come up with a plan, and they might never get it, they might shut it down before then, so it would end there, then it would come back to the Town and the Town would have to look it over as to what they like or don't like about it and go from there.

**Supervisor Tanya Yerdon** - with the Article 10 process we have to two (2) people that will sit on that Siting Board, well there will be two (2) ad hoc members - two (2) people picked out of a group of people from Worth, Jefferson County, Oswego County, Redfield each put in four (4) names - only two (2) are picked out of the sixteen (16) names. The Head of the Senate and the Head of the Assembly makes the choice. They are part of that Siting Board and that is when everything is decided, they meet numerous times, they go over studies, questions, comments and that kind of thing, at that point that is a rep for the Town, so it doesn't come back at the end and go this is what the Siting board has said, this is what we think is good, what does the Town of Redfield think, that is not the case, cause we are already supposedly part of that discussion and once that Siting Board makes a decision that's what stands. Tanya asked Jenny Briot if that was correct, Jenny stated yes.

**CW E Yerdon** as she understands it the five (5) members of the Siting Board are: Commissioner of the NYS DEC, NYSERDA - NYS Energy Research and Development Authority, Commissioner, President & CEO NYS Empire State Development, Commissioner
NYS Department of Health, and CEO -NYS Department of Public Service, they would have to come here to have their meeting. That is what she understood from the JCC class.

**She apologizes she has spent hours and hours to get these Attorneys to show up here and until last night when these email came in she had two (2) for sure and Mr. Collins hadn't replied. She doesn't know she has spent two months on this.**

**CM E Webb asked don't we have an Attorney willing to represent the Town.**

**Supervisor Tanya Yerdon stated yes we do, she was given the authorization to attend a couple meetings with us- she had called the majority of the board and got the ok on the before she did it - that was Melody Westfall.**

**CW E Yerdon and that was when you met with the School, Oswego County and Avangrid.**

**Supervisor Tanya Yerdon stated yes that is who we were working with for a little while. It's all decided by the Siting Board.**

**Jenny Briot - the way Tanya is describing - we file a preliminary scoping statement later this year, the second phase of Article 10 and the application next year, once that process starts as Tanya is describing there will be regular meeting with the project will be extensively reviewed over a year long process with the five (5) board permanent members and the two (2) ad hoc members, every aspect of the project will be reviewed, there is the part that is separate which is the FAA which brings in Fort Drum and the radar so they will go through that process there are unknowns, they still have to do field studies and test towers, field work to do, they will work through all of those items in parallel with this process we are talking about here. CW E Yerdon stated then the other Article is the transmission lines. Jenny stated yes Article 7 which is a**

 **07/25/2017 pg. 2 of 12**

**separate process they are working on the land for that piece separate they are not sure when they will be in the position to be able to file a permit for that. This project is still considered to be**

**early stage development still doing all the studies and homework that goes into developing a project.**

**CW E Yerdon asked if they got the Towers up, because you couldn't get them in as it got too late.**

**Dan Murdie - Avangrid yes they have three (3) towers up right now and would like to put two (2) more up in Redfield and two (2) more in Worth. Jenny - it would be ten (10) total for the project.**

**CW C Bauer asked when the other towers would be going up. Dan hopes by snow.**

**CW E Yerdon asked what stage Deer River Project was at.**

**Jenny Briot - they have already filed the preliminary scoping statement, and have completed a significant amount of the field work last year. So you would maybe consider that project about a year ahead of this project.**

**Supervisor Tanya Yerdon - She has had people call her and they want her to say where the board stands. This board has not made a declaration whether they are for or against this project. We are simply, this is the truth, we are simply just trying to learn the process and trying to go with this, we are not trying to stop this project, we are not trying to put Zoning in to stop anything, we are just trying follow the steps so that we have the right to file for intervenor funds, this Town has to be represented and that is all we are trying to do, is learn both sides of this the pros and cons.**

**CW E Yerdon asked Jenny to explain the Intervenor Funds.**

**Jenny Briot - so what happens is when we file our preliminary scoping statement as well as our applications the next phase would be the preliminary scoping statement, there's a $ 350 per megawatt being studied as part of the project is what that cost is in that phase, and then the Townships are typically fifty percent (50%) of the amount is set aside for the Townships, and we have Worth here as well, the remainder is for whether it be a special interest group or someone else that makes a case that they believe funding should be due to them to do X, Y or Z study of some sort or an analysis or whatever it might be, so that's the next phase. Intervenor funds are part of their application fee that becomes moneys available for the communities to have additional studies done, or additional experts hired, or to have legal counsel help with the Article 10 process or whatever it is. Each town or group have to file with the Siting Board what they are going to spend the money on and what they intend to do with it, it has to be legitimate and they have to agree and then they would award it. Then when we file our application, then that’s a larger filing fee, and that kicks off the next process and then you go through a similar process of, now this stage we need this amount of money to do this. The difference between the preliminary scoping stage and the application is, during the preliminary scoping stage - that where you are scoping your studies, you are agreeing with the Siting Board and the Company what studies are going to be required and what is going to be part of your application. The next phase is we do all that we agree on all of that and do all of that, and then they have to put in a complete application based on that, then we move forward with what we are describing here, a project review process which would be hearings and public input, the next phase would be to talk about, there are certain things that are standard, we already know what we have to do for certain birds and bat studies they are very standard, they're seasonal, and already determined by DEC as required, what will happen is there might be something that is unique to this area that needs to be studied that might not need to be studied out in Western NY. That would be part of this stipulation for that reason or whatever, that will be that discussion for a few months, during the stipulation process.**

**CW E Yerdon asked like the Aquafer, things that are unique to this area.**

**Jenny Briot - yes you would raise what your concerns are and then it would be determined what an appropriate study to use as part of that.**

 **07/25/2017 pg. 3 of 12**

**CW E Yerdon asked do those funds just go to the Ad Hoc members or if we did have an Attorney or the County had an Attorney would they get money.**

**Jenny Briot - the town would ask for the money for whatever they intend to use it for, they would make sure that it's a warranted use, it goes to the Town not the Members. They set aside about fifty percent (50%) for the Towns and then the remainder is for the Counties, Schools, or special group or whoever might want additional money to fund something additional, you have to tie the funds to work whether it be legal or expert consultant or engineers, something like that. CW E Yerdon thanked Jenny.**

**Supervisor Tanya Yerdon has talked with other Towns with other projects, not to do with Avangrid, where they have spent anywhere from $ 10,000 to $ 20,000 doing their own studies and having someone else doing studies, so this is not a cheap process.**

**CW E Yerdon - so we could do a bat study or something if we wanted to. Tanya said yes that's why in the Article 10 they have intervenor funds so the Towns have an opportunity to participate in this process and we aren't just going off their studies.**

**Jenny Briot -yes then the Town doesn't have burden of the additional cost of these extra funds.**

**CW E Yerdon - has a concern with the American Eagles we have a lot of them.**

**Jenny Briot - you mention the Siting Board - there is an Administrative Law Judge is actually who serves at the center, the Siting Board is around this Judge, so that's the person that will really be deciding whether or not what you requested is warranted under the Article 10 Law.**

**CW E Yerdon stated we have established years ago special areas in our Town that would be sensitive to development and things like that.**

**CW C Bauer - to Jenny - do you have office hours established in Redfield?**

**Jenny Briot - we do not yet, our office will be at the old general store, we have been working with Mr. John Cronk, he's working to update the septic, we are hoping to be in there within the next month, the building isn't quite ready for them.**

**CW C Bauer - just wanted an update on it.**

**Angie Kimball - the Public Service Commission has a website that has the Document and Matter Management System (DMM), where you can file along with the project, it's open to the public. Deer River is a little more ahead, but you would be able to see what will be coming to you. She will give you the link or Jenny would give you the link. She's the Town of Redfield's Circuit Rider for the Tug Hill Commission. She has been reading the Deer River stuff and it is interesting and gives you a better understanding. Jenny - if you google Avangrid and Mad River that is one of the two (2) links you are going to get.**

**Dan Prokupdts** - Head Forester - Salmon River Timberlands - clearly Redfield is probably the most important Town we deal with in New York State. We have five (5) fulltime Foresters - three (3) are in this room today, consider the forest the most beautiful in the State, spends most of his time in this area whether on Little John and Trumble Tract. He just wanted to state that in the beginning when the Windmill Company approached them it wasn't an automatic yeah we are interested, it was a yeah it sounds good in a lot of ways cause it lets them continue doing the forestry that they do, he's not sure how many have been up on their land, if you want a tour he is willing to get the Town Board Members a tour to show what they have done with the land since they bought it, the beauty of this area is phenomenal, working with the Mad River Club is obviously huge and allowing the Snowmobiles on their land, what do we get out of it, he gets three (3) flat tires a year from the aluminum studs, we didn't enroll the lands in 480A, part of the thought of that was if we do that the Town's going to take a big hit, it's not like Vermont, they have a similar program of the 480A but Vermont reimburses their Towns, it's called current use in Vermont, New York can't seem to get their heads around that. He personally and everyone that works for the Company actually care about this place, we feel part of the Community on some level, we're not out to screw anyone, he thinks anyone that has dealt with them can attest to that. Yes, we want to do the right thing by the Town, we want the Windmills because ultimately

 07/25/2017 pg. 4 of 12

it will allow an income stream that will keep the land the way it is now, it will allow for the continuation of the Club, snowmobiles, and the continuation of proper forestry. There have been a lot of Company's like the one that bought Harden's, they didn't buy it to management it, they bought it to cut some timber until they could sell it to the State, it was a business play, there is nothing wrong with that people are in business to make money. We are here for the long haul, his message is from the bottom of his heart. He just wanted to go on record to say that.

**Supervisor Tanya Yerdon** - it's appreciated.

**CW E Yerdon** - that is one of her big concerns, her family has been here for four (4) generations. It's very special for her to be from this beautiful area, she drives bicycle not cars so she sees it close up. She's concerned about the forest, the roads that will have to be put in, perhaps damage to the Town and County Roads, the Aquafer. Have you ever put one in the middle of a forest before? Jenny - yes. I'm open to anything but those are her concerns.

**Jenny Briot**- this is a working forest that already has roads on it.

**Dan Prokupdts -** He doesn't know if you have ever been up there on Little John.

**CW E Yerdon -** no she had not.

**Dan Prokupdts -** He would like to do a tour at the Board's convenience because currently there are twenty-nine (29) miles of eighteen (18) wheeler roads on that tract. That had been put in by Gould Paper before Gutchess Lumber, whereas the Harden's there were no truck roads because no one would spend the money to put them in, they have a bunch of skid roads you can truck on them if it doesn't rain for three (3) months. If you guys take a tour of our land you will see there a very developed, you could take a two (2) wheel car on twenty-nine (29) miles of roads, and more on the Worth side. It's not like you are taking virgin land, some of the bridges have been existing for twenty to thirty (20 - 30) years, improvements to the fish habit that have been going on, he thinks it would be a good thing, especially as you are saying you've never been up on the tract. Either Himself or Mike or one of the other Foresters would gladly take the Board on a tour, he thinks it would be very helpful because he hears all this about the Core Forester road-less area. Let us show you what we do, he thinks it speaks for itself.

**CW E Yerdon -** would love to do that

**Dan Prokupdts -** He's not sure how we do that, after the meeting, email each other but let's make sure we do it.

**Supervisor Tanya Yerdon** - that would be nice, we are going off of what we hear because we haven't been up there.

**Dan Prokupdts** -that's the scary part to him, he knows how small towns are, when you hear something from someone it's usually got some agenda that wants to do something. That's why he invites you up there to look at the reality.

**Mike Walsh** - As far as the road goes, one (1) important piece of this is we are using the existing roads as far as the design of the windmills where the turbines are going, so we are not getting into the deep forest, that's all part to minimize the impacts of the area itself, that's a really big part of this.

**Dan Prokupdts** - So again if you take the land mass acreage wise and take the total clearing the proposed windmills would create you are talking one and a half percent (1 1/2%) of the land up there. If you took right now just the log landing that existed from the 1870's those log landing take probably three to four percent (3 - 4%) of that land already. My goal is to minimize the impact on that forest because at the end of the day he went to college and what he wants to do is grow trees, if you can grow trees and make money at a certain level if something helping you do that, you can just do it better.

**CM E Webb** -He knows what he is talking about, He's been up there and it is nice, nice roads, you can pass on the roads, it's great.

**Supervisor Tanya Yerdon** - I would like that.

 **07/25/2017 pg. 5 of 12**

**Dan Prokupdts -** He invites the Tug Hill Commission if they would like to tour, there are no secrets up there, we are not hiding anything.

**Supervisor Tanya Yerdon** - that's nice thank you very much.

**CW E Yerdon -**it would a big help to visualize it better.

**Supervisor Tanya Yerdon -** One order we need to do is transfer money. From A599 Unexpended Fund Balance to A1420.4 Attorney - Contractual, even just to carry on just Town Attorney costs and Wind Attorney costs until the PSS is filed. She has called three (3) other Towns who are in the same process to see what they did, she talked to Mark See again and the State Comptroller - she doesn't know who else to call but they suggested $ 50,000 to transfer because it's a budget modification - you can't do it two or three (2 or 3) different times, they suggested to do it once.

**Resolution 17-71**

Motion was made by Carla Bauer and seconded by Erwin Webb to authorize Supervisor Tanya Yerdon to make a budget modification as follows: A599 - Unexpended Fund Balance to A1420.4 Attorney - Contractual in the amount of $ 50,000.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, C. Bauer

 Nays 0

She still has to file with the State it's a modification, just so everyone knows if this money does not get used by the end of the year it reverts back to account A599 Unexpended Fund Balance. It doesn't mean or say we are going to spend it all. You cannot keep making these transactions legally, we already filed with the State Comptroller our 2017 Budget which was under the tax cap, so now that we have to do a budget modification they need to be aware of all this. It doesn’t mean we are going to spend $ 50,000, it means it's there, it's taken out of this category and put into another category.

**CW C Bauer- its money we are going to get reimbursed for.**

**Supervisor Tanya Yerdon -**well we should, certain parts of it yeah.

**CW E Yerdon**- at this point until the intervenor funds kick in

**Jenny Briot**- the **Administrative Law Judge will determine what's valid or not, once it gets to that phase.**

**Supervisor Tanya Yerdon**- as far as the Attorneys - she's not sure what to say, do you want to reschedule

**CW E Yerdon**- Would like to make a motion that we appoint Melody, she's the only one that has showed any interest, she was impressed with her resume.

**CW C Bauer - she's been to some of the meetings.**

**Supervisor Tanya Yerdon**- from this point, she is not set in stone, she has fired two (2) other Attorneys in her time and she can fire a third. If we're not working together or she's taking over.

**Dan Prokupdts**- His concern is just doing a little internet research, googled her name, she's made her position clear that she is an Anti-Wind Attorney, it's plain as day on the internet so his concern is here we are at a good point - were talking there might be two (2) different views, there might not be, lawyers are lawyers, if you got one that clearly makes themselves out to be a Specialized Anti-Wind Attorney, you make that decision now, he thinks you set the precedence, he knows you didn't get a lot of responses but he wonders if you don't reschedule and hold off and he's not telling them what to do, if you go down that road in his opinion he knows what you get.

**Supervisor Tanya Yerdon**- that's up to this board, that's fine, but we do have to pass a resolution for those prior meetings for her and then from this point on, we don't have to appoint her

**CW E Yerdon** - she's not going to tell us what to do, we would direct her, or tell her what we want her to do.

07/25/2017 pg. 6 of 12

**Dan Prokupdts -** he understands it's your decision, you're the board for the Town of Redfield, his point is that if you go on the internet and somebody is clear as day is Anti-Wind Attorney, you have set a precedence as to how this process is going to go

**Supervisor Tanya Yerdon**- She would like to tell this Board, she did speak with Jim Burrows extensively even though he's on vacation, he seems like a good down to earth person, he's representing a Town that is in support of the Windmills and one that is not in support of the Windmills, so he sees both sides of it, it's strictly up to this board if you would like to wait till a later date, and meet try to get these guys together again, she's up for it, but we still need to do this

**CW E Yerdon** - It's not like it's only been this month though, she has been talking to Attorneys for four (4) months now, we have a Town Attorney, she's not saying we are totally unrepresented, he's very good, he just doesn't have time to do all the extra that would be involved in the Wind process.

**Dan Prokupdts**- he likes how this board meeting went, the back and forth, he would love to take the Board up there, if you hire her, just from the little research he did, it sets a precedence, obviously you're the board and the bosses.

**Supervisor Tanya Yerdon** - I'm just going to point this out, she looked back and Melody was asked when she came and gave her credentials, in the minutes it does say - Melody was asked straight out - Carla Bauer asked if she (Melody) unbiased about this whole project in the Town of Redfield. Melody is unbiased regarding this project. I'm not standing up for her, I 'm just telling you, because we did ask.

**CW E Yerdon** - she was impressed with her, she didn't go straight to Law School, she was in the Navy, worked in Japan, and then she went to Law School and then she got her Master's Degree in Science, she comes from Vermont small area that is very nature involved.

**CW C Bauer- has done some research on Melody herself, she had asked Melody if she could be unbiased for us, she said yes, so of course, she's very strong in her opinion and is not afraid to speak her opinion either, if she don’t think what she is saying or what she is reading what Melody says is how she feels she's going to speak her mind and say it. What her feelings are on this whole Windmill project is she is going to fight for the people, she has been on this board for twelve (12) years, the only reason she is on this board is because she wants what is best for this Town, when she has something to say she's going to say it and doesn't care if you like it or not, not you anybody. This is the biggest project this Town is going to take on, mostly Tanya, she's got her hands full with this project.**

**CW E Yerdon** - We all do, because it's a big issue, but Tanya has done a ton of research for us.

**CW C Bauer- She appreciates Dan's opinion, Dan said you guys are the Board**

**Francis Adams- It's been brought to his attention that you might want to get ahold of a Lawyer at Myers in New Hartford he knows a lot about Windmills, he was Lewis Counties Attorney, Raymond Myers - he was a State Senator.**

**CW C Bauer - asked what Suz's opinion was on Melody**

**CW E Yerdon** - she was impressed with Melody, of course anybody can represent themselves in any way, but she was impressed with Melody's vast background, she is not in favor of going any further than our next regular meeting because we have got to have representation, at least she feels we do.

**CM E Webb** - He was impressed with her also, he had her in mind, you can't get anyone, you have a person that wants to represent you, but if you feel we have to go another month then take it.

**CW E Yerdon** - Tanya won't be here for the next regular meeting, the 8th is the next meeting.

**Supervisor Tanya Yerdon** - in order to post a special meeting, to interview Attorneys, it would be in tomorrow's paper, we wouldn't have time for the paper, the regular meeting is just two (2) weeks from now.

 07/25/2017 pg. 7 of 12

**Angie Kimball - for a meeting not a public hearing you can publically post three (3) days, and advise the newspapers**

**Supervisor Tanya Yerdon** - it won't be in the paper until the 29th, it would be six (6) business days if we had it on the 7th, that's plenty of time, she is leaving as soon as she can, she would stay until the 7th and leave that night.

**Town Clerk Susan Hough -** her question is so we schedule another meeting and none of the Attorneys show up again, how many meetings are we going to schedule?

**John Yerdon -** You have already had a motion put on the floor have you moved on that motion?

**CW C Bauer - No we haven't'**

**CW E Yerdon** - which one the transfer

**John Yerdon** - stated yours

**CW E Yerdon** - no it hasn't been seconded unless I didn’t hear it

**Supervisor Tanya Yerdon** - Do you want to tell us again, go ahead?

**CW E Yerdon**- I had made a motion to hire Melody Westfall as our Windmill Adviser/Attorney, she would be a Specialty Attorney as she previously said we already have a Town Attorney who doesn't have the time to represent us in this area.

**Resolution 17-72**

Motion was made by Elaine Yerdon and seconded by Carla Bauer to hire Melody Westfall as the Town of Redfield's Windmill Attorney from this day forward.

ADOPTED Ayes 3 E. Yerdon, E. Webb, C. Bauer

 Abstains T. Yerdon

 Nays 0

**Supervisor Tanya Yerdon -** She promises that we will work with you, she will, this Board will keep an open mind, Carla speaks her mind, Jim speaks his mind - sometimes he's not right there but when he wakes up at a meeting he says what he thinks, we will work with you, we have an open mind, Melody is not going to overrun us, we're going to look at the law, we going to make sure that we all work together.

**CW E Yerdon** - We just don't have the knowledge or she just doesn't have the knowledge to understand, Tanya has given them reams of paperwork but we still aren't experts about the laws.

**CW C Bauer - We all just want what is best for the Town**

**Dan Robbins - Did you ask Dan or Jenny for a lawyer**

**Supervisor Tanya Yerdon** - no that would be a conflict of interest

**Richard Palmer -** August 19th is the Mad River Club's annual Chicken BBQ, they have already invited Dan and Jenny, if anyone from the Town Board would like to come up and look around that day, Dan has already extended an invitation for the whole property, we could give you tours of what's going on inside the woods, family picnic.

**Dan Prokupdts** - You are all aware of the Mad River Club - it gives a lot of people, a lot of kids access to hunt and fish, do the things you guys say you value, well that allows a lot of people access to that vast property.

**Frank Hilliker** - He grew up in this Town and bought property in this Town, he re-involved himself in this Town, he respects it a lot, he would just like to ask everyone to stay rational, and objective through this whole operation, this could be seen as an opportunity for business in the Town that's been depressed for a long time, and they could probably use every penny they can get, and he just wants to ask that everyone stay rational and work with each other, he's been in the Mad River Club for almost thirty (30) years, he would hate to see it go away, he enjoys the property, that's all he wants to say

**Supervisor Tanya Yerdon** - thanked Frank

 07/25/2017 pg. 8 of 12

**Neal Cheney -** He feels when he gets up he'd like to learn something, so far he hasn't learned too much today, to the Board what is this Windmill Law going to do for the Town because currently this whole thing comes under the Public Service Commission, he's heard comments here tonight, as far as well we have to protect the environment, the Aquafer and so on and so forth, he worked on the Iroquois Gas Line which was more major than this, as a Reviewer - a Resource Conservationist retired, he knows what goes into, there's a lot that goes into this, these people over here are going to be controlled so much by the DEC, Environmental Protection Agency, US Fish and Wildlife Service, on and on and on, you hear these stories about our Aquafer being polluted , they are not going to be polluted, in fact if they violate any of these regulations or any of these stipulations they are going to be charges with a felony, his organization participated in the Iroquois Gas line, various areas where the Company did violate somethings and there were quite a few people that were prosecuted on that for felonies, so these people know better than that, they are controlled so tight that he doesn't understand that he doesn't understand what the Board is concerned about, as far as a Windmill Law can you explain to him what you're going to do in a Windmill Law.

**Supervisor Tanya Yerdon** - no she can't explain exactly what's going to be in it, she knows that every other Town that has had this has a Windmill Law, and that is being absolutely truthful with you, the main thing is decommissioning, the regular setbacks, solar flicker, things like that, we haven't really looked at a Windmill Law to see what it all pertains too.

**Neal Cheney** - why does the Town Board

**Supervisor Tanya Yerdon**- because we are going on advice from other Towns and our Town Attorney

**Neal Cheney** - Is Worth going to have a Windmill Law

**Supervisor Tanya Yerdon** - she doesn't know what Worth is doing, she's talking to Orleans, Pinckney, Montague, she's talked all over

**Dan Prokupdts** - He would like to go on record this is going on one (1) landowners all those other Towns are spread across over many landowners and many view sheds, he personally doesn't think you will be able to see the Windmills even from the south end of the reservoir, they need to do a study he can't guarantee that, in other Towns it affects a lot more people than this project, just to go on record.

**Supervisor Tanya Yerdon** - you are right, that is the difference between this project and other projects, this is vastly different, we are going to work with someone to look at a Windmill Law, if it doesn't pertain to us then we don't pass it, we just need to look to see what's in a Windmill Law, why do other Towns have it, what is the protection, do you see what she is saying, but that doesn't mean we may not pass it.

**CW E Yerdon** - We would certainly have to have Public Hearings after we looked at it, because it would be a Local Law and that's quite a process, it's just not a resolution or something.

**Supervisor Tanya Yerdon** - this is different and we realize because there is only one land owner, it is different, the way the Town is setup for the most part you are not going to see them staggered around, they can't there's too much State Land, there's too much this and that.

**Matt Smith**- Has a two (2) quick questions, the hiring of an additional Attorney to create a Wind Law - there is no clarification as to what a Wind Law is, and then budgeting up to $ 50,000 for it, that the taxpayers of Redfield would have to pay for right now because there's no guaranteed funding seems a little reckless, the second question is - you mentioned the other Towns you have talked to and you said specifically you've not talked to the Town of Worth, which is the only other Town involved in this project, can you explain your rationale behind that

**Supervisor Tanya Yerdon**- No she cannot, because they are in the same boat she's in and they don't know any more than she does and that's why

**Matt Smith**- but you haven't picked up the phone and taken five (5) minutes

**Supervisor Tanya Yerdon**- she has talked to her in two (2) other, when we have been to a banquet or whatever, no she hasn't not- really

 07/25/2017 pg. 9 of 12

**Matt Smith** - but you have time for Pinckney and Martinsburg

**Supervisor Tanya Yerdon** - she is trying to find people that have experience

**Matt Smith -** they are in the same boat as you

**CW E Yerdon -** yes but they haven't got any farther in the process than us, she thinks Tanya is saying she's talking to people that have a law, have more

**Matt Smith** - you could share something seeing you are both in the same exact process

**Supervisor Tanya Yerdon** - we are not hiring a Wind Attorney just to do a Wind Law, we have to have the representation who knows about the whole Article 10 process, most Municipality Attorneys do not have that knowledge, and they advise you to get a Specialize Attorney

**Matt Smith** - what process did the Town use to hire the additional Attorney - Melody, was that an internet search or was she recommended

**Supervisor Tanya Yerdon** - she did a search New York State Wind Attorneys, Wind there was a very small list that came up, she has her two (2) Attorneys in Syracuse who don't have any wind knowledge and they even looked and gave names to her. Doug Zamelis was given by the Town's Attorney, he did research, we have pulled research from everywhere just trying to get name.

**Matt Smith** - it’s his understanding that this Attorney has already performed a number legal services for the Town

**Supervisor Tanya Yerdon** - she has gone to a couple of the meetings with her

**Matt Smith -** it's nunc pro tunc

**CW E Yerdon** - no we haven't paid anyone anything at this point

**Matt Smith -** there is an outstandingbill for her

**Supervisor Tanya Yerdon** - yes it was sent to me, it has not been given to the Board,

**CW E Yerdon** - Melody was approved to go to meeting with Tanya, she called the majority of the Board Members for approval for Melody to go to some meetings because she needed help, Mr. Genant the Town Attorney could not attend them.

**Jenny Briot** - back to the question about visual, she would like to ask the Board besides maybe the obvious to us- the village, reservoir areas that seem obvious to us, where else you might want to see a visual simulation from, you don’t need to answer now but if you'd think about it and let her know so they can add it to their list.

**Shawn Doyle -** a comment from the Historical Society, County Route 17 and the Route from Rome up to Sackets Harbor, has never been declared officially yet as a scenic highway but they have recommended it be a scenic highway based on the Revolutionary War trail, War of 1812, it has a lot of scenic vistas, we just did our Comprehensive Plan in the Town of Richland under the support of the Sub-Regional Planning Board they incorporated the scenic vistas into their new Zoning Law, certain areas that you have a promontory that has a great view of the lake, scenic vistas are a recognized facet of planning now. Shawn is a County Legislature that is overseeing this project for Oswego County

**Supervisor Tanya Yerdon -** when she called the majority of the board and got the authorization to take Melody to meetings with me to represent me, she did call the Association of Towns and talked to them, we looked at the minutes she was not appropriately hired at a regular board meeting, according to Counsel at the Association of Towns they suggest we pass this resolution authorizing engagement of services of special counsel

 07/25/2017 pg. 10 of 12

 At a special meeting of the Town

 Board for the Town of Redfield

 held the 25th day of July, 2017

 in Redfield, New York.

**RESOLUTION 17-73**

**AUTHORIZING ENGAGEMENT OF SERVICES OF SPECIAL COUNSEL**

 **WHERE AS**, the Town has received notice that an application will be made to construct

wind farms within the Township; and

 **WHERE AS**, the Town is in need of special counsel to advise and represent the Town

relative to these proceedings; and

 **WHERE AS**, the recommendation has been made to retain the services of Melody

Westfall, Esq. to represent the Town relative to these proceedings.

 **NOW, THEREFORE, BE IT RESOLVED,** as follows:

 1. After consideration of the recommendation, the Town Board hereby retains the

services of Melody Westfall, Esq., as provided in the letter of engagement, reference to which is

hereby made.

 2. That this resolution shall be adopted nunc pro tunc to the date of the executed

agreement.

 The adoption of the foregoing Resolution, motion made by Elaine Yerdon, and

seconded by Erwin Webb, and duly put to vote, which resulted as follows:

 [Aye] [Nay] [Abstain] [Absent]

 Tanya Yerdon, Supervisor [ X ] [ ] [ ] [ ]

 Elaine Yerdon, Councilwoman [ X ] [ ] [ ] [ ]

 Erwin Webb, Councilman [ X ] [ ] [ ] [ ]

 James Cheney, Councilman [ ] [ ] [ ] [ X ]

 Carla Bauer, Councilwoman [ X ] [ ] [ ] [ ]

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Susan Hough, Town Clerk

 07/25/2017 pg. 11 of 12

**CW E Yerdon** - Do you know of any of these windmills that have been become decommissioned in New York State, that they have out lived their life expectancy.

**Jenny Briot -** not yet

**CW E Yerdon** - that is one (1) reason to have a Windmill Law in her opinion, what would happen if (you're a LLC) if you got sold.

**Jenny Briot** - Article 10 also has a clause about decommissioning so you are protected under Article 10

**Supervisor Tanya Yerdon** - that is one (1) good thing about Article 10 it does cover some of the things and if we look at putting a Windmill Law together if Article 10 covers it, if there's no reason for us to have a Windmill Law then there's no reason

**CW E Yerdon** - because that's a State Law and would override it anyway, are there any County concerns

**Shawn Doyle** - no we are just following things and he will report back to the Chairman.

**CW E Yerdon** - does the School have any concerns

**Supervisor Tanya Yerdon** - no they didn't say anything and she hasn't spoken with them since. Are you planning on doing another meeting?

**Jenny Briot** - she thinks so, she'll wait for Tanya to get back

CW E Yerdon thanked Dan Prokupdts for his offer of a tour, she thinks it will be interesting, CW C Bauer asked when he thought he would be able to do it? Dan Prokupdts - give him three (3) dates and he will work around your schedule, summer would be best. We will email you three (3) dates, it would be a quorum if there are three (3) or more no Town Business can be discussed. They own 12,878 acres in the Town of Redfield, and probably 6,800 acres in the Town of Worth.

Motion was made by Erwin Webb seconded by Elaine Yerdon to adjourn the meeting at 8:15pm.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, C. Bauer

 Nays 0

The next Town of Redfield Town Board meeting will be held Tuesday, August 8, 2017 at 7:30pm.

July 25, 2017 07/25/2017 pg. 12 of 12

Susan Hough, Town Clerk