

**Town of Lowville Special Board Meeting
November 8, 2018**

A special meeting of the Town Board of the Town of Lowville, County of Lewis and the State of New York was held at the Town Hall, 5533 Bostwick Street, Lowville, NY on the 8th day of November 2018.

Present: Randall Schell, Supervisor
 Ruth Larabee, Councilwoman
 Allison Millard, Councilman
 Robert Mullin, Councilman
 Aimee Murphy, Town Clerk
 Mark Tabolt, Highway Superintendent/Special Districts Superintendent

Absent: Paul Virkler, Councilman

Also Present: Arleigh Rice, Marguerite Wells and Justin VanCoughnett, Rachel Hillegas, Sue & John O'Brien, Dan O'Brien & Suzanne Peters

The meeting was called to order at 5:30 p.m. by Supervisor Schell who also led the Pledge of Allegiance.

This meeting was held to conduct public hearings on the Preliminary Budget and Local Law Waivers for the No. 3 Wind farm and any other business that comes before the board. Notice of Special meeting was posted on the Town Clerk's bulletin board and published in the Journal & Republican for 1 week. Proof of publication provided by Town Clerk Murphy.

The Public Hearing for the Preliminary Budget for 2019 was declared open at 5:32 pm with Proof of Publication in the Journal & Republican being acknowledged. Notice of Public Hearing was also posted on the Town Clerk's bulletin board.

There was discussion on the preliminary budget and the changes made were as follows:

1. Appropriated fund balance – increase to \$152,500.00
2. Fire Protection District – Real Property Taxes – increase to \$31,254.00

The Public Hearing for the Local Law Waivers for the No. 3 Wind farm was declared open at 6:00 pm with proof of publication in the Journal & Republican being acknowledged. Notice of Public Hearing was also posted on the Town Clerk's bulletin board.

Marguerite Wells & Justin VanCoughnett of Invenergy provided a brief synopsis of the requested waivers and answered questions from the public as well as from the Town Board.

Concerns raised by the public regarding the waiver of the setback requirement:

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Concern about moving closer to the Willow Grove Road instead of closer to the neighboring farm property.

Supervisor Schell indicated that the neighboring property in question belongs to an Amish family and believed that they would not want the turbine closer to their property.

Rachel Hillegas suggested a waiver could be avoided entirely by installing a shorter tower at the same site.

Councilwoman Laribee asked Marguerite to speak with the Amish neighbor and inquire as to their feelings about moving the tower closer to their property line and report her findings back to the Town Board at the regular board meeting on November 15, 2018. Marguerite will do so.

Discussion regarding the waiver to install overhead transmission lines through the field on Dan O'Brien, instead of burying them. Mr. O'Brien requested the waiver himself due to the property being a farm field and the necessity to bury drainage tile to keep the property usable for field crops.

Motion by Councilwoman Laribee seconded by Councilman Mullin to adopt **Resolution # 24-2018 "Transmission Line Waiver for No. 3 Wind, LLC"**.

ADOPTED – AYES – Laribee, Millard, Mullin, Schell NAYS – 0 ABSENT - Virkler

WHEREAS, pursuant to Section 100-23(A) of the Lowville Code, No. 3 Wind, LLC has made application for waivers of section 100-11.A – Undergrounding power lines, specifically on the Dan O'Brien property between pole 9/2 at the western boundary of Route 26 to east of pole 14/2 at the boundary between the O'Brien and Yancey properties, and

WHEREAS, Mr. O'Brien has expressed his desire to have said transmission line above ground instead of being buried, then Therefore

Be it Resolved, that the Town Board of the Town of Lowville hereby grants the waiver request of No. 3 Wind, LLC and will permit transmission lines to be above ground on the previously described O'Brien property.

Motion by Councilman Mullin seconded by Councilman Millard to close the Public Hearing on the Local Law Waivers for No. 3 Wind at 6:45 pm.

ADOPTED – AYES – Laribee, Millard, Mullin, Schell NAYS – 0 ABSENT - Virkler

Discussion took place regarding the request of Town Clerk Murphy to replace the copier in the Town Clerk's office. After review of the financials with Accountant Lawrence, the following motion was made.

Motion by Councilwoman Laribee seconded by Councilman Mullin to allow the purchase of a new Konica Minolta bizhub 227 Workgroup System cost, not to exceed \$4,500.00.

ADOPTED – AYES – Laribee, Millard, Mullin, Schell NAYS – 0 ABSENT - Virkler

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Motion by Councilwoman Laribee seconded by Councilman Millard to close the Public Hearing on the Preliminary Budget for 2019 at 7:02 pm.

ADOPTED – AYES – Laribee, Millard, Mullin, Schell NAYS – 0 ABSENT - Virkler

Motion by Councilman Millard seconded by Councilman Mullin to adjourn the meeting at 7:04 pm.

ADOPTED - AYES – Laribee, Millard, Mullin, Schell, Virkler NAYS – 0

Respectfully submitted,

Aimee L. Murphy, RMC
Town Clerk