

**Town of Lyme
Public Work Session / Wind Law Revisions
June 15, 2010
7:00 P.M.**

Supervisor Aubertine opened tonight's Work Session at 7:00 p.m., all Board Members and Attorney Mark Gebo were present. Councilman Harris and Clerk Wallace had attended a Baccalaureate Service for the 2010 Senior Class and arrived at the meeting at 7:30 p.m. Deputy Clerk Jo Morrow took the minutes until Clerk Wallace's arrival. There were approximately 35 attendees at tonight's meeting.

The purpose of tonight's Work Session is to review and revise the Local Law concerning Wind Generating Facilities. All the Town Board Members had a copy of the Law and they carefully examined each section, identifying issues and areas of concern.

Councilman Harris expressed her concerns regarding ethics and the determination of what is in the best interest for the Town of Lyme. She stated that all of the gentlemen on the Board are good men and she is certain that they want to do what is best for the Town.

Councilman Harris helped write the Law according to the information that came back from the survey. She has learned a lot in the past 4 years and she personally feels that the negative impacts outweigh the positive.

Councilman Harris mentioned that there is grant money for economic development and she would be willing to help anyone and she would commit to working tirelessly to help explore options.

Councilman Harris made it clear that she is not in favor of having any wind turbines in the Town of Lyme. She has concerns that residents will have to move due to ill effects and wonders what it is worth; she feels we can do better than this. She would like to see the Town send out a one-question survey. The Town Board could continue to work on the law while waiting for the survey results.

Councilman Johnson stated that we were here tonight to "tweak" the Law and he felt that the Town Board was not giving the Work Session a

chance to bear fruit. He is pro-wind providing the turbines are located in the right places.

Councilman Bourquin stated that without a wind law in place we are leaving the Town unprotected.

Councilman Countryman feels we should continue to work on the wind law, and that the decision of wind should be left to a referendum vote. Mike stated that this is a life changing decision and he doesn't like to see the community divided.

Supervisor Aubertine feels that this is too monumental of a decision to have five people vote on it, he is in favor of a survey.

Councilman Johnson stated that the wind issue is not a one-question scenario.

Attorney Gebo expressed that the Devil is in the details on how the question is asked. One question will not answer all the issues. The subject of wind is complicated and not an easy one to resolve. The debate will go on regardless of any survey results; each side will have a position. Ultimately it is a Town Board's decision and in the end there will still be a division.

Councilman Harris would feel better if ambiguous ideals were cleared up. She would like to resolve to do a simple survey that would be sent to all the residents of the Town while continuing to work on the wind law.

Councilman Harris was very adamant in her stand about excluding explained that exclusionary zoning prohibiting use is viewed with a "jaundice eye" by the courts. This community had no Zoning Law until the expansion of Fort Drum in the 1980's. There would have to be substantial justification for exclusionary zoning.

RESOLUTION 2010 - 75: Motion by Councilman Harris and seconded by Supervisor Aubertine directing the Town Board to conduct another survey to be sent to all the residents of the Town of Lyme.

Roll Call Vote

<i>Councilman Countryman</i>	<i>Aye</i>
<i>Councilman Harris</i>	<i>Aye</i>
<i>Supervisor Aubertine</i>	<i>Aye</i>
<i>Councilman Bourquin</i>	<i>Nay</i>
<i>Councilman Johnson</i>	<i>Nay</i>

Three Ayes, Two Nays, Motion Carried

The Town Board reviewed, discussed and suggested changes of the Wind Law Draft up to page 15 Section 7, which will be their starting point at the next scheduled work session.

RESOLUTION 2010 - 76: Motion by Councilman Bourquin seconded by Councilman Countryman making a public statement not allowing any wind turbines on the north / northeast side of New York State Route 12E. To clarify, there will be no wind turbines on the Lake Ontario side of NYS Route 12E throughout the Town of Lyme. Five ayes. Motion carried.

RESOLUTION 2010 - 77: Motion by Councilman Countryman and seconded by Councilman Harris scheduling the next Public Work Session addressing the Wind Law, on Tuesday June 29, 2010 from 6:30 – 8:30 p.m. at the Three Mile Bay Fire Hall. Five ayes. Motion carried.

At 8:57 p.m. Councilman Countryman made a motion to adjourn the Work Session.

Tonight's Minutes are respectfully submitted by,

***Kim Wallace
Town Clerk***