

Village of Sackets Harbor Board of Trustees

November 13, 2018

Regular Meeting

112 N. Broad St.

Sackets Harbor, NY 13685

Present: Mayor Molly Reilly, Deputy Mayor Barbara Boulton, Trustee James Bray and Trustee Eric Constance. Absent: Trustee Dan Frechette. Also present: Treasurer Jim Yuhas.
The meeting was called to order at 6:32 pm with the Pledge of Allegiance.

REVIEW OF MINUTES

The Minutes of the October 9, 2018 meeting were approved as presented in a motion by Trustee Bray and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

The Minutes of the October 30, 2018 meeting were approved as presented in a motion made by Deputy Mayor Boulton and seconded by Trustee Constance. Vote 3 ayes (Reilly, Boulton and Constance), 1 abstained (Bray) and 0 nays.

MAYORS REPORT

Mayor Reilly presented a Certificate to Janet Quinn in recognition of being named Citizen of the Year for 2018.

Mayor Reilly introduced Stephanie Burrows as the new Deputy Clerk at the Village office.

Resolution #11 of 2018 was introduced by Trustee Constance and seconded by Deputy Mayor Boulton to approve the testimony of Mayor Reilly that will be submitted in connection with the Galloo Island Wind Farm application. A copy is attached. Vote 3 ayes (Reilly, Boulton and Constance), 1 nay (Bray).

Mayor Reilly reported that the September DANC report had been received.

She had heard from John Warneck that the BOCES Solar Consortium would authorize the Village's addition to the consortium.

Mayor Reilly and Trustee Constance met with Mike Lawler and Mike Campbell to review the Madison Barracks Infrastructure Agreement. There are things yet to be completed. A formal request will be sent to Mr. Lawler including "as built" drawings.

Mayor Reilly extended thanks to Tom Maxon and Cheryl Payne for organizing the Veterans Day events. During the Veterans Day program at the school, she introduced a project to collect and send cards to the deployed 2nd Brigade soldiers. She would like to collect 2,000 cards.

A letter was received from Briggs McAndrews requesting walker/runner plaques be installed celebrating the accomplishments of the Bicentennial Trail walkers. More information is needed.

PUBLIC COMMENT

The meeting was opened to the public at 6:59 pm.

Tom Dyckes spoke against the Galloo Island Wind farm and didn't understand the Boards unwillingness to take a stand on the issue. He would like the Board to reconsider.

OLD BUSINESS

There was a motion to accept the updated Whooville event application by Deputy Mayor Boulton, seconded by Trustee Bray. Deputy Mayor Boulton wants to make sure the Department Heads sign off on the updates in the application process. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

A motion was made by Trustee Bray and seconded by Trustee Constance to accept the bid for a new office copier from Usherwood. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

NEW BUSINESS

An outline of a proposed Traditional Arts Fair was received from Peggy Kelly and Karyn Cordero. A motion to pursue the project was made by Trustee Bray and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

TRUSTEE REPORTS

Deputy Mayor Boulton reported that the Can-Am committee has met and she presented the Board with a Certificate of Appreciation for the Village from them.

The Military Cemetery Committee will be meeting after the holidays.

She is ordering LED lights for the 30' tree downtown.

Trustee Bray reported that our application for a Tree Grant was unsuccessful this year.

The Article 10 Committee has not met this month.

The Zoning Re-write Committee will be ready for next month.

Trustee Constance reported that the Marketing Committee would like to approve the \$3,300 cost of a half page ad in the Thousand Islands Council's Visitor Guide. A motion to approve the Village's share of \$2,000 was made by Deputy Mayor Boulton and seconded by Trustee Bray. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

Trustee Constance reported on the research being done on a possible solar array installation on the LDC property. It would cost approximately \$2,000,000 and would save an estimated \$67,000 per year for 30 years. A feasibility study would have to be done. Another option would be the BOCES consortium.

It was reported that there is a possible buyer for the Stone Hospital. The Foundation needs to convene to consider the offer.

TREASURER'S REPORT

A motion was made to accept the Treasurer's Report by Deputy Mayor Boulton and seconded by Trustee Constance. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

A motion to pay the bills listed on Abstract #6 with Vouchers # 101503 through 101603 by Trustee Bray and seconded by Trustee Constance. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

A motion to re-levy the unpaid Village Taxes to the County was made by Trustee Constance and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

A motion to make budget transfers was made by Trustee Bray and seconded by Trustee Constance. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

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DEPARTMENT HEAD REPORTS

Lonny Reinhardt, DPW Superintendent, reported that the Dodge Ave. water tower repairs have been completed and it is back on line. The new truck and plow was delivered last week. He requested that the 2009 truck be declared excess property so it can be sold. This was done in a motion made by Trustee Bray and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays. A motion to authorize the purchase of a new radio for the DPW use was made by Trustee Bray and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays. Davis Tree Service will be trimming trees on West Main St. next month.

Gail Gorgen, Visitor's Center Manager, had nothing new to report.

Corey Reid, Village Engineer, met with FEMA on hazard mitigation to include the sheet piling around Market Square Park. There is still no word on the funding application for the water intake project. Word on the CFA grant application that was submitted is expected in mid-December.

Paul Trudeau, Police OIC, reported the receipt of the new police car. He requested the Board declare car 366 excess property to be sold. This was done in a motion made by Deputy Mayor Boulton and seconded by Trustee Constance. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

A report on the status of the grants was received from **Dave Altieri, Heritage Area Director**. He was unable to attend the meeting.

Janet Quinn, Planning Board Chair, reported their next meeting will have a light agenda.

PUBLIC COMMENT

Mayor Reilly invited the public to address concerns about the Galloo Island Wind Project to the jurisdictional bodies involved.

The meeting was adjourned at 8:01 pm in a motion made by Trustee Bray and seconded by Deputy Mayor Boulton. Vote 4 ayes (Reilly, Boulton, Bray and Constance), 0 nays.

Minutes submitted by

Peggy Kelly
Village Clerk

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Sackets Harbor
Board of
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MOLLY C. REILLY

Mayor

MARGARET E. KELLY

Clerk

JAMES E. YUHAS

Treasurer

KELLI RITZ

Deputy Clerk

BARBARA A. BOULTON

Deputy Mayor

DANIEL E. FRECHETTE

Trustee

JAMES BRAY

Trustee

ERIC CONSTANCE

Trustee

RESOLUTION 11 of 2018

Galloo Island - Direct Testimony

WHEREAS, the Village Board of the Village of Sackets Harbor has familiarized itself with such aspects of the Application of Galloo Island Wind, LLC for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 to construct a Wind Energy Project, Case #: 15-F-0327("Wind Farm"), as it deems reasonably necessary; and

WHEREAS, the Village Board understands that Galloo Island, in the Township of Hounsfield, New York, has been designated as a site for the proposed Wind Farm; and

WHEREAS, the Village of Sackets Harbor, New York is a Party to those proceedings;

and

WHEREAS, the Village Board, and its representatives , have participated in certain aspects of the review of the pending Application to ensure any interest(s) of significance to the Village have been identified, and addressed, in the proceedings; and

WHEREAS, the Village Board has reviewed the proposed direct testimony of Molly C Reilly, Mayor of the Village of Sackets Harbor, and which will be submitted in connection with the pending Application and desire to approve the testimony.

NOW THEREFORE, on motion duly made and seconded, this Board makes the following determination:

1. The Direct Testimony with Exhibits and attached as Exhibit "A" accurately express the consensus of the Village Board of Sackets Harbor.

2. The Direct Testimony shall be submitted, and appropriately filed in the proceeding and the Village attorneys are directed to take all steps necessary to accomplish this directive.

3. This resolution shall take effect immediately.

We are an Equal Opportunity Provider. Complaints of discrimination should be sent to:
USDA, Director of Civil Rights, Washington, DC 20250-9410 TDD 1-800-662-1220

The foregoing Resolution was offered by Board Member, Eric Constance and seconded by Deputy Mayor Boulton, and upon roll call vote of the Board was duly adopted as follows:

:

Molly C. Reilly, Mayor	Yes	
Barbara Boulton, Deputy Mayor	Yes	
Daniel Frechette		Absent
James Bray		No
Eric Constance	Yes	

Dated: November 13, 2018

Peggy Kelly, Village Clerk

STATE OF NEW YORK

BOARD ON ELECTRIC GENERATION SITING
AND THE ENVIRONMENT

Application of Galloo Island Wind LLC for a Certificate of
Environmental Compatibility and Public Need

Pursuant to Article 10 to Construct a Wind Energy Project

Case 15-F-0327

DIRECT TESTIMONY OF:
MOLLY C. REILLY

MAYOR, VILLAGE OF SACKETS HARBOR
112 NORTH BROAD STREET
SACKETS HARBOR, NY 13685

Q: Please state your name and position/relationship with the Village of Sackets Harbor?

A: Molly C. Reilly. My family and I reside in the Village of Sackets Harbor, NY and I am the Mayor of the Village.

Q: How long have you been the Mayor of the Village of Sackets Harbor?

A: I was elected Mayor in November 2017 and assumed the duties of that office by year's end.

Q: Did you serve in any other official capacity with the Village prior to taking the oath of office as Mayor?

A. Yes. I served as a Trustee of the Village from December 2015 to December 31, 2017. I served on the Zoning Board of Appeals from 2014 until I was elected as a Trustee.

Q: Please describe your current responsibilities as Mayor?

A: I am the Chief Executive Officer for the Village and I have all of the statutory duties and responsibilities as set forth in the NYS Constitution and various NYS laws including NY Village Law Section 4-400. My general responsibilities include:

- (1) To preside at the meetings of the Board of Trustees;
- (2) To provide for the administration and enforcement of various laws within the Village limits;
- (3) To appoint various department heads and non-elected officials;
- (4) To institute all civil actions in the corporate name of the Village;
- (5) To exercise supervision over the conduct of the Village Police Department and other subordinate officers of the Village;
- (6) To intervene in any and all actions deemed necessary to protect the rights of the Village and its residents;
- (7) To appoint one of the Trustees as Deputy Mayor;
- (8) To execute all contracts in the name of the Village;
- (9) To sign orders to legitimate Village claims;
- (10) To sign checks in the absence of the Treasurer;
- (11) To cause appropriate claims to be thoroughly investigated; and
- (12) To issue various licenses and for such purpose shall be the "licensing office".

Q: Do these duties include reviewing the pending Application for what is locally known as the "Galloo Island Wind Farm Project" and ensuring any interests of significance to the Village are identified, and addressed in the proceedings?

A: Yes.

Q. Have you previously testified before the New York State Public Service Commission, or Siting Board on Electric Generation?

A: No.

Q: Have you previously served as a witness before any other court, agency, or other body on the subject you plan to offer testimony on today?

A: No.

Q: What is the purpose and scope of your testimony in this proceeding?

A: I am testifying in my official capacity as Mayor for the Village of Sackets Harbor to summarize the issues of significance to the Village; to ensure those issues are satisfactorily addressed by the Applicant and Siting Board; and to express the desire that the Village's interests have been satisfactorily addressed.

Q: Are you familiar with real property identified as Galloo Island?

A: Yes. That is the site of the proposed Wind Farm.

Q: Where is Galloo Island Located?

A: Galloo Island is located in Lake Ontario and is several miles off shore of the Village limits. The Island is generally not visible from within the Village. The Island is located within the Township of Hounsfield, NY.

Q: Is it your understanding that any part of the Village might be used in connection with what is commonly referred to as the Galloo Island Wind Farm?

A: Yes. The Applicant has confirmed its desire to use certain public roads and a portion of privately owned real property within the Village limits and locally identified as Madison Barracks. That portion of Madison Barracks is referred to as "Ancillary Facilities" in the Application and is proposed to be used during the construction phase of the project.

Q: What is your understanding of the "Ancillary Facilities"?

A: The "Ancillary Facilities" are not truly a part of the Wind Farm. The Ancillary Facilities consist of construction of a temporary gravel parking area for the embarkation of workers, materials and small equipment related to the construction of the Wind Farm. The temporary parking could handle up to 200 construction workers with temporary construction office(s). It is understood that the "Ancillary

Facilities" would include use of the existing docking facilities at Madison Barracks and might also include the use of a boat ramp which is currently being proposed for construction by the owner of the marina, Lawler Realty, and which has proceeded through the local permitting process with the Planning Board of the Village of Sackets Harbor.

Q: Is the Village involved in any contractual relationship with the Applicant?

A: No. The Applicant would, presumably, contract with the Madison Barracks Marina owner for the potential use of the "Ancillary Facilities".

Q: Did the Village originally have questions or concerns with the development and/or potential use of the "Ancillary Facilities?"

A: Yes. Early on, the Village Board identified four (4) potential areas of concern:

- (1) Transportation and Parking;
- (2) Invasive Species;
- (3) Emergency Services; and
- (4) Cultural, Coastal and Historic Resources.

Q: Were these potential areas of concern identified to the Applicant?

A: Yes. Attorneys for the Village first summarized those issues in a June 14, 2016 letter from the late Dennis G. Whelpley, Esq. to Cat Mosley, Public Affairs Manager. A copy of that letter is attached as Exhibit "A".

Q: In regard to issue (1), has the Applicant satisfactorily addressed the Village's concerns with Transportation and Parking?

A: Yes. The Village wanted to ensure that its "Downtown" area and "Downtown" roads were protected and not used in connection with the project. The Applicant anticipates its workers will travel to the Village on NYS Route 3 and take a direct route along modern, public roads to the Barracks. Transportation and Parking impacts associated with the temporary construction and use of the "Ancillary Facilities", including potential traffic impacts to Village streets leading to Madison Barracks have been addressed in the Application, and, as identified in the Application and Supplements, can be mitigated to avoid significant impacts. The Village Board has been made aware of the mainland transportation route contained in Appendix KK of the Application. The proposed points of embarkation and disembarkation in the Application are understood by the Village. More recently, it was suggested to me in a meeting with representatives from Lawler Realty on October 8, 2018, that Lawler Realty understood the route of traffic and parking location in Madison Barracks to be different than Appendix KK. The Village Board does not support travel routes or parking areas other than as provided in Appendix KK. Importantly, no oversized or overweight components will be brought to the Island from the Ancillary Facilities. This was most recently confirmed in the Applicant's answer to DPS-20, a copy of which is attached as Exhibit "B".

Q: Has the Applicant satisfactorily addressed issue (2) in regard to Invasive Species?

A: Yes. The Application includes an Invasive Species Control Plan (Appendix Y) which the Village Board has reviewed. We have determined that the potential concerns with respect to the control and spread of invasive species, including pale swallow

wort from the island to the Village will be appropriately managed. The Village also understands that the NYS DEC is a party in this proceeding and will similarly safeguard these concerns.

Q: In regard to issue (3) Emergency Services, has the Applicant satisfactorily addressed those concerns?

A: Yes. Exhibit 18 of the Application explains that the Village will not be responsible for emergency services at the Island. The operators of the Wind Farm will maintain the primary responsibility of emergency management and response and the Applicant will not seek response assistance from the Village of Sackets Harbor for emergencies that occur on the island. Of course, the Village remains ready, willing and able to address any potential need for emergency services within the Village limits, including at the Ancillary Facilities.

Q: In regard to issue (4) Cultural, Coastal and Historic Resources, has the Applicant satisfactorily addressed the Village's concerns?

A: Yes. We assume that one (1) or more turbines might be visible from within the Village upon completion of the project. Exhibits 20 and 24 and Appendices U and II of the Application contain detailed information regarding the potential impacts to cultural, historic and coastal resources and the Village acknowledges that the Applicant has described those impacts with respect to the Village. The Applicant has expressed its commitment to working with the Village to identify potential mitigation offset projects and the Village expects that any mitigation that might be proposed, and accepted, by New York State Office of Parks, Recreation and Historic Preservation, will minimize and mitigate impacts to cultural, historic and coastal resources in the Village.

Q: How did the Applicant address each of the four (4) issues of concern to the Village Board?

A: First, the Applicant wrote the Village attorneys to address each of these issues in detail. A copy of that August 27, 2018 letter with maps is attached as Exhibit "C" and is incorporated by reference. Second, representatives of the Applicant, including Neil Ha big, voluntarily attended a regularly scheduled meeting of the Village Board on September 11, 2018 in open session. Mr. Ha big spoke briefly about the underlying project and discussed each of the four (4) issues of importance to the Village Board consistent with the written comments contained in the August 27, 2018 letter. Third, the exhibits themselves confirm the same. See also Exhibit "B."

Q: Have any other issues pertaining to the Galloo Island Wind Project and the Village of Sackets Harbor surfaced other than those four (4) issues?

A: No. However, as previously noted, the traffic and parking plan described by the Applicant at the September 11, 2018 Village Board meeting is acceptable. The Village Board does not, however support deviation(s) from that as described by

Lawler Realty in our meeting of October 8, 2018.

Q: What is the Village Board's position in regard to Wind Farms in general?

A: The Village Board generally supports the NYS plan to reach 50% renewable energy by 2030. Wind Farms are "green energy" projects. The Village Board recognizes that a variety of potential issues might surface with any particular wind farm

application and understands that the Siting Board is created to consider, and address, any number of issues that might surface. Issues might be raised by any number of parties, such as NYS Agencies and Parties, like the Village.

Q: Does the Village Board of Sackets Harbor generally support the project and issuance of a Certificate of Environmental Compatibility and Public Need for the project?

A: The Village Board has received written correspondence from residents, as well as non-residents, who opposed the project. One member of the Village Board requested that the Village Board consider drafting a position in opposition to the project during the October 9, 2018 regular meeting. A majority of the Board did not support taking a formal position in opposition to, nor in support, of the project. We are aware that the Siting Board will identify issues raised by parties, evaluate the same, and make an appropriate recommendation. The Village Board recognizes there will be economic benefits associated with the project during construction and operation. We support potential economic benefits. We also support the potential tax revenue that might be paid to the County of Jefferson, Town of Hounsfield, and Sackets Harbor Central School District.

Q: Would the Village receive any direct real property tax revenue associated with this project?

A: No. The Wind Farm would not be located within the Village.

Q: Has the Village, or any Board member, been offered, or promised, anything of value associated with your testimony?

A: No.

Q: Does this conclude your testimony?

A: Yes.