

**The March Town Board Meeting** was held on March 6, 2014 at 7pm at the Town of Rochester Town Hall.

**PRESENT:**

Supervisor Chipman  
Councilman Spano

Councilwoman Chachkin  
Town Clerk Sergio

Councilman Drabkin  
Attorney Christiana

**ABSENT:**

Councilman Cilenti

**PLEDGE:**

Supervisor Chipman opened the meeting and Christina Nash led in the Pledge of Allegiance to the Flag.

**PUBLIC COMMENT:**

Bob Garrett stated he wasn't aware of the Transfer Station closing. He witnessed a scene in the Town Clerk's Office that he had wished that a member of the board was there to witness. It was unfair that the brunt of the closing was taken out on employees that had no doing's with the decision making.

Ronnie Sommer stated her displeasure to the board for taking action closing the transfer station 2 days. Why couldn't the board try one day and see what happens. A lot of taxpayer's money goes to the transfer station and it's one of the few things the town has. This decision was never made publicly. This should've been a topic discussed and make the residents aware ahead of time before voting on actions that has a tremendous impact on the town. The decision should've been made at an audit workshop meeting and why March?

Mike Baden stated that they are accepting the telecommunication survey's till April 1<sup>st</sup>.

Donald Decker stated that it was unconstitutional that the Town Board cut the transfer station hours. The board passed it before people were made aware of the situation, it's unfair to the taxpayer's in the Town of Rochester.

**SUPERVISOR'S UPDATE /CORRESPONDENCE RECEIVED:**

Supervisor Chipman in regards to the transfer station stated that the board has tracked the numbers for everything. We are working under tremendous pressure with the budget. For the past 6 years the usage of town residents at the transfer station is down while the costs continue to rise. Less than 30% of the taxpayers are using the transfer station so why should the remaining 70% pay for the service that they don't even use. The direction we are headed in is that the RRA will eventually take over the transfer stations. We currently can't afford to keep the transfer station operating 5 days a week.

**WEBSITE PRESENTATION:**

Richard Miller stated that all the information is transferred from the old website to the new one and can be up and running at any time now. Supervisor Chipman thanked Rich, Mike and Tony for all their work with the website!

**APPROVAL OF MINUTES:**

**A Motion** was made by Councilman Drabkin to approve the minutes of the 02/06/2014 Town Board Meeting.

Seconded by: Councilman Spano

4-0 aye, motion carried  
Drabkin- Absent

**SUPERVISORS REPORT:** will be filed with the Town Clerk next week

**LEGAL UPDATE:** Nothing to report.

**LIASION REPORTS:**

Councilwoman Chachkin: PB: no meeting held. Telecommunication committee: the proposed revisions to the telecommunication law will be presented to the town board at the audit workshop meeting. The survey was extended to April 1<sup>st</sup>. These survey's are very helpful to the committee. HPC: There will be a public presentation in March in regards to the Alligerville Historic District. Court: As far as the auditors recommendations judge Shaheen had a conference call with NYS special council that help assist with audits for Towns & Courts. The separation of the clerk collecting monies with depositing would be ideal but the justice department is allowed more discretion. Monies should not be placed in the hands of non-court personnel. So no change in procedure is necessary. Supervisor Chipman asked for something in writing to cover the Town. Justice Babcock: Received confirmation that grant monies that he applied for was received. Supervisor Chipman stated he would check with the bookkeeper. The grant is for security equipment at the courthouse.

Councilman Cilenti: absent

Councilman Drabkin: nothing to report.

Councilman Spano: nothing to report

Supervisor Chipman: Time warner cable is a topic of discussion at the UC Association of Supervisors meeting. Types of coverage and locations will be discussed.

**NEW/OLD BUSINESS:****ZONING REVISIONS:**

There was a lengthy discussion on the zoning revisions. Councilman Drabkin and Councilwoman Chachkin have been working hard on reviewing the recommendations from the revisions committee & UC Planning Board. Councilman Drabkin would like to move ahead with the 85% on non-controversial items in the code. Councilwoman Chachkin disagreed and felt that it would be confusing to do it that way. Further Changes to the schedule would have to be completed. Breaking it apart would require definition modifications, certain language would have to be added.

Councilman Spano thanked both Councilman Drabkin and Councilwoman Chachkin for all their work and time dedicated, it is greatly appreciated. Councilman Spano further stated that we need to wrap this up and get moving on it rather quickly. We need to set a deadline that we all can work with.

**Resolution # 51-2014:**

**A Motion** was made by Supervisor Chipman to charge both Councilman Drabkin and Councilwoman Chachkin to consult with Attorney Christina over the 85% of non-controversial zoning revisions with a deadline of April 15, 2014.

Seconded by: Councilman Spano

4-0 aye, motion carried  
Drabkin- Absent

**APPROVAL OF BILLS:**

**A Motion** was made by Councilman Drabkin to approve the following bills as audited this date

General Fund 2014 Abstract 4	\$	2,249.63
General Fund 2014 Abstract 2	\$	210,153.31
Highway Fund 2014 Abstract 2	\$	111,878.56
Street Lighting	\$	447.37
	\$	<u>324,728.87</u>

Seconded by: Councilman Spano

motion carried

**WEBSITE STARTUP:**

The new website is ready to go live. Councilman Drabkin suggested that we terminate relationship with Virtual Town hall and wait for an invoice, it's not our place to make an offer. Supervisor Chipman suggested we pro-rate or offer to pay a ¼ of the invoice. Effective March 31, 2014 we will no longer be using Virtual Town Hall. Councilwoman Chachkin asked when our new site goes live who is going to have what access and what level of access is going to be granted to department heads & committee/ commission chairs.

**Resolution # 52 -2014:**

**A Motion** was made by Supervisor Chipman that the new Town Website will be made available March 10, 2014.

Seconded by: Councilman Spano

4-0aye, motion carried  
Cilenti – Absent

**ELECTRICAL TRANSMISSION CAPACITY ZONE:**

**Resolution #53 -2014:**

**A Motion** was made by Councilman Drabkin and Seconded by Councilman Spano that,

**WHEREAS**, the Federal Energy Regulatory Commission, in an order issued on August 13, 2013, accepted the tariff revisions proposed by the New York Independent System Operator to create a New Capacity Zone( **NCZ**) that groups the mid-Hudson Valley (electricity load zone G) in the same capacity zone as Westchester and New York City ( Zones H,I, and J); and

**WHEREAS**, this order is scheduled to go into effect on May 1, 2014; and

**WHEREAS**, the stated purpose of the NZC is to address existing transmission constraints by altering the price signals in wholesale energy markets to attract investors in new plants whose Installed Capacity ( ICAP) will be sufficient to meet electricity needs in times of peak demand; and

**WHEREAS**, the Public Service Commission (PSC) opposes the creation of the NCZ, stating that the order ignores PSC proceedings underway to address transmission constraints by upgrading transmission lines; and

**WHEREAS**, these transmission upgrades were recommended by the Governor's New York State Energy Highway Blueprint, which seeks to increase the capacity of transmission lines carry 1,000MW of additional lower-cost power from the north and west to meet downstate needs, eliminating bottlenecks in transmission; and

**WHEREAS**, the PSC is currently reviewing four proposals to accomplish the task of upgrading transmission lines; and

**WHEREAS**, the PSC further stated on September 12, 2013, that the NCZ will result in unjust and unreasonable electricity rates, possibly increasing rates by as much as 25%, costing rate-payers in the new zone over half a billion dollars in a three-year period; and

**WHEREAS**, Central Hudson –Fortis, a utility serving rate-payers in Zone G, also opposes the creation of the NCZ, estimating that it will increase prices by at least 6% for residential 11% for industrial rate-payers; and

**WHEREAS**, the NCZ will hurt many small to medium-sized industries, including the dairy industry for whom electrical power makes up a large percentage of its costs; and

**WHEREAS**, the NCZ will cause disproportionate harm to low-and fixed income rate-payers particularly in light of the Public Service Commission's report that the percentage of customers in the Central Hudson service area whose electricity has been shut off for not paying their bills has risen from 1.89 % to 5.99% in 2012; and

**WHEREAS**, the creation of the NCZ will unfairly burden rate-payers in upstate counties, whose "peak" energy needs are much lower than those in Westchester and New York City; and

**WHEREAS**, the express purpose of the NCZ is to create new “ peaking” capacity, which favors increased use of fossil fuel-based generation; and

**WHEREAS**, increasing fossil fuel generation contradicts and in no way addresses New York State’s Renewable Portfolio Standard goal of at least 30% renewable electricity by 2015; and

**WHEREAS**, the FERC has failed to adequately consider these proposed transmission upgrades, which make the NCZ unnecessary;

**THEREFORE**, be it resolved that the Town of Rochester calls upon the Federal Energy Regulatory Commission to postpone indefinitely its order issued August 13, 2013, NY., which conflicts with State efforts currently underway to address the same problem of transmission constraints; and further calls on N.Y. Governor Cuomo, U.S. Senators Schumer and Gillibrand, and U.S. Representative Gibson to intervene on our behalf to halt the creation of the NCZ; and that copies of this resolution shall be sent to Governor Cuomo, the FERC, the PSC, Central Hudson-Fortis, Federal and State Elected Representatives, the American Association of Retired Persons (AARP), the Public Utility Law Project of NY (PULP), and the business Council of the State of New York.

4-0aye, motion carried  
Cilenti -Absent

**CONTINUE MORATORIUM ON HIGH-VOLUME HYDRAULIC FRACTURING AND TO ADVANCE A RENEWABLE ENERGY ECONOMY IN NEW YORK STATE:**

**Resolution #54- 2014:**

**A Motion** was made by Supervisor Chipman and Seconded by Councilwoman Chachkin that,

**WHEREAS**, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women’s suffrage, civil rights and environmental stewardship; and

**WHEREAS**, scientific evidence shows that the heavy industrial process of unconventional gas extraction by hydraulic fracturing poses serious risk of water contamination, air pollution, and health impacts; and

**WHEREAS**, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State legislature to continue New York’s moratorium on hydraulic fracturing and to conduct further health studies including a comprehensive health impact assessment; and

**WHEREAS**, data from Pennsylvania and the gas industry on well casing integrity show an immediate 5% of higher failure rate and as much as 50% or more over 30 years raise serious concerns of water contamination; and

**WHEREAS**, high-volume hydraulic fracturing threatens to negatively impact property values, disrupt municipal tax-bases and could effectively create an additional unfunded state mandate-as has been raised by the New York State Association of Counties- by imposing costs and strains on municipalities such as road damage and increased demands on municipal services, etc, and

**WHEREAS**, research on the economics and social impacts of hydraulic fracturing raises concerns regarding increased crime rates and hazards for first responders, as well as an influx of workers who send their paychecks out-of-state while raising local rental housing prices and disrupting existing businesses and economics; and

**WHEREAS**, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, hydraulic fracturing gas development releases methane in the atmosphere, which is at least 72 times more potent in the atmosphere than carbon dioxide on a 20-year time scale and 25 times on a 100-year timescale, thereby making the process potentially disastrous for climate change; and

**WHEREAS**, New York communities have been significantly affected by the impacts of hurricanes Irene and Sandy as well as lesser storms including tropical Storm Lee, extreme weather events that are connected to/exacerbated by climate change due to increases in heat-trapping gases in the atmosphere, costing New Yorkers tens of billions of dollars in damages and lost business opportunities, and

**WHEREAS**, significant action is necessary to address climate change, action which the federal government has to date failed to take, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable sources; and

**WHEREAS**, we need to expand local employment opportunities in our communities and for our young people in sustainable, safe long-term jobs and careers, and invest in industries that will create jobs for decades to come- in contrast to reliance on the : boom to bust” economic cycle associated with extraction of non-renewable resources, and

**WHEREAS**, expansion of renewable energy and energy efficiency present the opportunity to create a significant number of jobs for New Yorkers and for New York State to lead the nation on a visionary energy policy that will protect our water, air, land, and public health while developing climate solutions; and

**WHEREAS**, Governor Cuomo’s Administration has already demonstrated significant leadership on innovative clean energy programs including the investment of \$ 1.5 billion in New York Sun, opening 360 electric vehicle charging stations that will be available for both public and county fleet vehicles, establishing the successful Regional Economic Development Councils, and creating the innovative Startup NY; and

**WHEREAS**, The Town of Rochester will work with Governor Cuomo and New York State Agencies as is most effective to implement existing renewable energy and efficiency programs as well as to partner on economic development initiatives including the New York State Regional Economic Development Councils and the Start-up NY as vehicles to catalyze investment and job programs;

**NOW THEREFORE BE IT RESOLVED**, that the Town of Rochester urges Governor Cuomo and the New York State agencies which he leads to take swift action in developing and adopting an economic development plan that will significantly reduce the state’s greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy efficiency programs throughout municipalities in New York State;

And that the Town of Rochester stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and pioneer the path forward for the nation to solve the climate crisis and provide real, clean solutions for generations to come.

**DISCUSSION:**

Councilman Drabkin stated he was uncomfortable voting on something that he just received and had no time to research.

3-0aye, motion carried  
Drabkin- Abstain  
Cilenti- Absent

**REDUCE THE SIZE OF YOUTH COMMISSION MEMBERS:**

**Resolution # 55 -2014:**

**A Motion** was made by Councilman Drabkin to reduce the size of the Youth Commission members from 6 to 5 members.

Seconded by: Councilwoman Chachkin

4-0aye, motion carried  
Cilenti- Absent

**PUBLIC COMMENT PERIOD:**

Mike Baden stated that the telecommunication committee should have information to the board by the April audit. In reference to the website he has everything up to date and current.

The Town Board thanked Mike Baden for all his efforts and time and dedication to the Town website over the past 6 years. The entire board appreciates all your work!!

Gerry Fornino stated that, “he served on the revisions committee and the code task force committee. There is 2 years -worth of information, confusion, contradictions, but we tried our best. This is a living document, find problems and fix problems we don’t need to go out and create more... let’s get started on the revisions. On a lighter note we have the finest people on our highway department!! During the storms Rochester has the best roads! I applaud Wayne and his crew.”

Councilman Spano stated that we gave the revisions committee the charge and now it’s the Towns responsibility to move forward. It is time to act on the zoning revisions.

Bob Garrett stated that he is in the 30% of residents that use the transfer station and understands that Supervisor Chipman can be passionate and outspoken at times but found him to be unprofessional at this meeting.

Karl Baker stated that all he gets for his tax dollars are the roads plowed and the use of the transfer station that now the town board limited his availability to go to the transfer station.

#### **ADJOURNMENT:**

**A Motion** was made by Supervisor Chipman to adjourn the meeting at 8:35pm in memory of Clifford Knudson.

Seconded by: Councilman Drabkin

4-0aye, motion carried  
Cilenti-absent

Respectfully Submitted,

Kathleen A. Sergio  
Town Clerk