

**RESOLUTION NO. 48 OF 2011
A RESOLUTION ADOPTING LOCAL LAW #1 OF 2011 – A LOCAL LAW TO
AMEND LOCAL LAW #1 OF 2007, WIND ENERGY FACILITIES.
TOWN OF CLAYTON
AUGUST 10, 2011**

Title: A resolution adopting Local Law #1 of 2011 – A Local Law to amend Local Law #1 of 2007, Wind Energy Facilities.

At a regular meeting of the Town Board of the Town of Clayton held at the Town offices, Clayton, New York 13624, on August 10, 2011, at 5:00 p.m. there were

PRESENT: Justin A. Taylor, Supervisor
George E. Kittle, Councilman
Lance Peterson, Councilman
Robert W. Cantwell III, Councilman
Christopher D. Matthews, Councilman

WHEREAS, Local Law Number No. 1 of 2011, a Local Law to amend Local Law No. 1 of 2007, Wind Energy Facilities, was introduced by a member of the Town Board at a regular meeting thereof held on June 22, 2011, and a public hearing thereon was scheduled for July 13, 2011, at 6:00 p.m.; and

WHEREAS, notice of the public hearing was duly published and posted as required by law, and on July 13, 2011, at 6:00 p.m. a public hearing was held to consider Local Law No. 1 of 2011, and all persons interested therein were provided an opportunity to be heard; and

NOW, THEREFORE, be it resolved by the Town Board of the Town of Clayton as follows:

1. Local Law No. 1 of 2011 was referred to the Jefferson County Planning Board following its introduction on June 28, 2011, pursuant to Section 239-m of the General Municipal Law.
2. The Jefferson County Planning Board conducted a review of the proposed Local Law at its regular monthly meeting held on July 26, 2011, and has determined that the proposed local law does not have any significant county-wide or intermunicipal implications and is of local concern only.

3. Based upon the comments received by this Board at the public hearing, and having given due consideration to the comments of the Jefferson County Planning Board, it is hereby determined by the Town Board that Local Law No. 1 of 2011 makes appropriate revisions to Local Law No. 1 of 2007 by increasing setback requirements for Wind Energy Facilities from property lines of non-participating property owners; providing for mitigation measures in the event the siting and operation of such facilities adversely affect property values in the Wind Overlay District; providing assurances that employees used in the construction of such facilities will, to the greatest extent possible, come from the local work force and that components used in the construction of such facilities will be manufactured domestically to the greatest extent possible while promoting the effective and efficient use of the Town's wind energy resource.
4. Based upon the foregoing, Local Law No. 1 of 2011 is in the best interest of the residents of the Town of Clayton and hereby adopted and approved, and the Clerk is directed to file a copy thereof in the office of the Town Clerk and with the Secretary of State as required by the Municipal Home Rule Law, and forward a copy thereof for codification.
- 5.

A motion to adopt the foregoing resolution was made by Lance Peterson and seconded by Robert W. Cantwell III, and upon a roll call vote of the Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u> No <u>__</u>
George E. Kittle, Councilman	Yes <u>X</u> No <u>__</u>
Lance Peterson, Councilman	Yes <u>X</u> No <u>__</u>
Robert W. Cantwell III, Councilman	Yes <u>X</u> No <u>__</u>
Christopher D. Matthews, Councilman	Yes <u>X</u> No <u>__</u>

Yes 5 No 0 Abstain 0

Dated: August 10, 2011

Certification

I Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on August 10, 2011 and it's on file and of record, and that said resolution has not been alerted, amended or revoked and it's in full force and effect.

(SEAL)

Kathleen E. LaClair, Town Clerk