

**PUBLIC HEARING TO EXTEND THE SOLAR MORATORIUM
TOWN BOARD TOWN OF DUNKIRK
SEPTEMBER 8, 2021**

PRESENT:

Supervisor Richard A. Purol
Councilman Robert Penharlow
Councilman Henry Walldorff
Councilman Juan Pagan
Councilman Jay Bishop (via zoom)

OTHERS PRESENT: Attorney Jeffrey Passafaro, Rebecca Yacklon, Town Clerk, Kyle Coughlin, Deputy Clerk, Donald Corriere, Adam Rizzo of Solar Liberty, Larry Ball, Jen Friedman (via zoom), Scott Friedman (via zoom) Dan Leary of Our Generation (via zoom)

Supervisor Purol opened the Public Hearing up at 6:00 p.m. with the pledge to the flag.

The Town Clerk, Rebecca Yacklon published the Public Hearing Notice on Thursday, August 26,2021 and read as follows:

**TOWN OF DUNKIRK
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Dunkirk on September 8, at 6:00 p.m. at the Town Hall, 4737 Willow Road, Dunkirk, New York, regarding the adoption of a local law of the Town of Dunkirk for the year 2021. The text of the local law is as follows:

A local law extending the moratorium on the installation and placement of large scale Solar Energy Systems, and collective Solar Energy Systems as defined by the Town of Dunkirk in Local Law #3 of 2017 and by Local Law No.1 of the year 2021, as enacted, for a term expiring December 31, 2021.

Be it enacted by the Town Board of the Town of Dunkirk as follows:

Section 1. Purpose The Town Board of the Town of Dunkirk has previously adopted Local Law No.1 for 2021 establishing a 6 month moratorium on the installation and placement of large scale Solar Energy Systems, and collective Solar Energy Systems as defined by Town of Dunkirk in said Law. The Town Board has before it proposed amendments to the Solar Energy System Law that are not yet ready to go to Public Hearing or be submitted to County Planning. Therefore, the Town Board exercising the authority

granted to it under the Town Law of the State of New York now desires to extend that moratorium for an additional period to expire December 31, 2021.

Section 2. Moratorium Extension

The moratorium on the installation and placement of large scale Solar Energy Systems, and collective Solar Energy Systems as defined in Local Law No.3 of the year 2017 in the Town of Dunkirk, and as adopted by Local Law No.1 of the year 2021, is hereby extended for an additional period to expire December 31, 2021. All of the remaining provisions not inconsistent herewith, of the prior Moratorium Law are hereby re-adopted and extended for the same term as recited above.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

Dated: August 18, 2021

By Order of the Town Board
Town of Dunkirk
Rebecca Yacklon, Town Clerk

Adam Rizzo introduced himself as a representative from Solar Liberty. He stated he was not going to comment on whether he was for or against the solar moratorium law. He explained that he had hoped tonight that the draft of the updated solar law would be available for his viewing or discussed. He also was asking if there was going to be a phase of comments in regard to the solar law and if so, they would be happy as a Solar Company to give an extra set of eyes to review it. He further explained that Solar Liberty was proposing two Solar projects in the Town. He stated they have been working on these projects for some time now and they think it's a great opportunity for the landowners, as well the Town of Dunkirk. He also had told the Board that these two solar projects do not utilize battery technology. He stated that when the time comes, he would like to get a copy of the Local Solar Law to review. Supervisor Purol had told Mr. Rizzo they were meeting frequently to try and get the Solar law finished. Attorney Jeff Passafaro had informed Mr. Rizzo of the next steps that would occur with the Solar Law. He stated that there will be a Public Hearing with public comments. Once the Board accepts the final draft there will be copies in the clerk's office once the Board designates it in final form, this is when the public hearing would be scheduled. He stated that there is time from the final draft and when the Public Hearing is called.

OPEN COMMENTS

NO OPEN COMMENTS TO REPORT

DATED 09-8-2021

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ADJOURNMENT

With no further comments from the public a motion was made to adjourn the meeting and enter the Special Town Board meeting by Councilman Penharlow. The motion was seconded by Councilman Walldorff and carried. (6:08 pm)

Respectfully submitted,

Rebecca Yacklon
Town Clerk