

**TOWN OF KIRKWOOD  
PUBLIC HEARING**

**May 31, 2016**

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2016 entitled "A Local Law to Affect a Moratorium within the Town of Kirkwood on the Placement of Solar and/or Wind Energy Equipment, Materials and Support Activities" was held on May 31, 2016 at 6:18 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen  
Councilman Robert Weingartner  
Councilman Lewis Grubham  
Councilwoman Linda Yonchuk  
Councilman William Diffendorf, Jr.

Also Present: Oliver Blaise III, Attorney  
Gayle Diffendorf, Town Clerk  
Raymond Coolbaugh, Commissioner of Public Works  
Chad Moran, Building & Code Officer

Supervisor Kniffen stated the moratorium would be for 1 year.

Supervisor Kniffen opened the hearing to public comment.

Jim Baumgartner of 52 Rogers Mountain Way, Kirkwood, said that he has only one concern. Since he worked at the County for a couple of years he has a limited understanding of unfunded mandates. He feels a moratorium will take away a level of choice of an individual homeowner. Although solar is not an option for his home he would love to have community solar where he could buy into it. He knows people that have put solar on their homes and it works well, the meter spins backwards. A moratorium says that nobody can do anything. He doesn't like that. The homeowner should have the right to decide if they want to make the investment.

Councilman Grubham said the Board is saying they can't do anything for only a year. There is currently nothing in the Code about it at all so they don't know what is right or wrong at this point. There is a Comprehensive Plan Committee working on this right now. The moratorium would be in effect only until regulations are in place that they are comfortable with and that is why they asked for a year to do it.

Although there were comments from Mr. Flint and a discussion with Councilman Diffendorf at this point of the hearing they are not included in these minutes since comments were not made at the podium microphone and were not consistently clear. Mr. Baumgartner added to that discussion that if on a typical day someone uses so many watts, but the solar panel is making twice that, the excess is sold back to NYSEG and they keep it as a credit on the person's account. Then in December when the person is not making as much with the solar panels they draw on the credit and at the end of the year they should be at zero. He added that if someone with solar says they are making a profit selling electricity, the profit is they are selling it when they are producing a lot of it and drawing from the credit when they don't produce as much. Supervisor Kniffen said then the bottom line is if you have solar energy at your home you are going to save money on your energy bill. Mr. Baumgartner added there are other ways to reduce energy costs, including insulation, new windows, etc, and this can be just as effective as solar.

Hearing no additional comments, Supervisor Kniffen ordered the hearing closed at 6:30 PM.

Respectfully submitted,

Gayle M. Diffendorf  
Town Clerk