

## Cohocton in Court

Last week our Town was called into Supreme Court before Justice Marianne Furfure to give an account of its behavior in passing Local Law #2. **Why did our leaders bypass** review under the SEQRA, and how did they reconcile legally paving the way for an industrial wind project with Cohocton's **Comprehensive Zoning Plan**? What did Judge Furfure want to know? According to the *Bath Leader*, she questioned whether there should be **expert proof of potential harm**, what standards are reasonable and practical, and whether the town "short-circuited" the process. **"It's hard for me to say this isn't any big deal,"** she said. "You're setting the protocol, the standards, you're setting the stage."

**The response of our Town attorneys was illustrative:**

- **Local Law #2 wasn't passed with the UPC Wind project in mind, they testified with straight faces. It was done to protect the Town.**
- **They indicated that their Albany attorney, Mr. John Henry, had been chosen to represent the whole town, not UPC's interests.**
- **They alleged that Local Law #2 couldn't have any environmental impact because it didn't actually set up any turbines by itself.**
- **They tried to claim that the Cohocton residents who brought the lawsuit really didn't have any legal "standing" to complain.**
- **Were they contrite or conciliatory? Not a bit.**

**The author of the Sermon on the Mount** advises us to, "Make friends quickly with your opponent at law while you are with him on the way, so that your **opponent may not hand you over to the judge**, and the judge to the officer, and you be thrown into prison." We've heard these words before, and many others like them, and say we believe. But when push comes to shove, **how do we behave?**

**Is this a winner-take-all fight?** At Cohocton Free we believe there's still a path of compromise leaseholders and our Town leaders can pursue that will **respect the wishes** and preserve not only the rights of both sides but the integrity of our community. Curious? Read our proposal online at [www.cohoctonfree.com](http://www.cohoctonfree.com).

