

Special Town Board Meeting  
July 30, 2007

A Special Town Board Meeting was held in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. This scheduled meeting was being held in two parts. Park I in the Town Board Chambers to discuss the possible community center and Park II in the gymnasium to discuss possible Wind Towers. Supervisor Roach announced the location of the fire exits and defibrillator for those present.

Part I

This portion of the meeting was called to order in the board room at 6 pm by Supervisor Roach.

Present: Councilperson Michael Marchetti, Councilperson Paul Rath, Councilperson David Rose, Councilperson George Todd and Supervisor Dennis Roach

Also present: Monica Seeley, Diane Hennekey, Senior Citizen Coordinator Kathrina Hurd-LaFever, Linda Rabjohn, Donald Rabjohn, Dorothy Lapinski, Diane Grimm, Paul Lapinski, Judy Doan, Ed Doan, Lori Moses, Secretary to Recreation Commission Nicole Cring, Joyce Hermance, Planning Bd. Member Tom Jensen, Kathy Habgood, Librarian Adrienne Lattin, Library Trustee Peter Terry, Highway Sup. Tom Ingraham, Tricia Nesbitt, Lester Wilson, Conservation Bd. Member Tom Breslawski, Library Trustee Sue Evans, Douglas Foelsch, Ramon Datz, Asst. Recreation Director Patty Jo Groendahl, Recreation Director Pat Batty

Supervisor Roach explained the purpose of the meeting and introduced the “major stakeholders” for the possible joint community center/library. Dianne Hennekey and Monica Seeley, Co-Chairs of the Community Center Exploratory Committee; Donald Rabjohn, President of Hamlin Seniors; Stan Lyons, Recreation Commission Chair; Librarian, Adrienne Lattin; Recreational Director, Pat Batty

Supervisor Roach stated this is a discussion between the Town Board and the major stakeholders. A summary of the exploratory committee was available to those present that had been given to the Town Board in March. Supervisor Roach asked if there are any other updates such as room sizes, etc.

Diane Hennekey stated that the exploratory committee has worked four years on this leaving no stone unturned. She further stated what other towns have.

Adrienne Lattin stated a major piece is the Library and wondered if it will be a joint effort. The Library Board has not come to a decision on that. Ogden is user friendly.

Pat Batty mentioned that recreation needs meeting room and office space.

Don Rabjohn stated the seniors would like a reception counter with desk space, kitchen, meeting room for 15 people, and a room to accommodate at least 135 people with tables and chairs. We would also like storage space and a seniors-only exercise room. Churchville has raised flowers gardens so they would like that.

Doug Foelsch stated it would be in the best interests that the architect review the plans with each group to see what they need and how it could be combined together.

Ray Datz of Life Solutions mentioned a food pantry but it would not work in a community center. He mentioned a Latch Key program and the need for some place for the kids to go.

Councilperson Rose asked the Library what they would like to see. Sue Evans stated they would like to see the final plans and the administrative arrangement before they would say yes. It was mentioned that Chili has two entrances, Greece wished it was connected and Ogden very happy with what they have. It was mentioned that the Library would have their own entrance.

Doug Foelsch suggested arranging it like a shopping mall complex connected all together with separate entrances.

Councilperson Marchetti mentioned the square footage. No Town Hall office in proposal. Diane Hennekey said in the survey the people did not want the Community Center built just to have the town offices.

Asst. Recreational Director Patty Jo Groendahl mentioned the benefits of having the seniors and youth together. Diane Hennekey mentioned that Perinton has the Seniors on one side and the Youth on the other with a lounge in between.

### **MOTION FOR ARCHITECT BIDS**

Resolution #193 A motion was made by Councilperson Rath, seconded dually by Councilperson Todd and Councilperson Rose to advertise for bids for an architect. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

Councilperson Rath asked Doug Foelsch if he could help put the bid requirement together.

### **ADJOURNMENT**

A motion was made by Councilperson Rose, seconded by Councilperson Marchetti to adjourn the meeting at 6:43 pm.

## Part II

This portion of the Special Town Board meeting was called to order at 7:30 pm in the gymnasium. Location of the fire exits and defibrillator for those present.

Roll call was retaken: Councilperson Marchetti, Councilperson Rose, Councilperson Todd and Supervisor Roach. Councilperson Rath recused.

Wind Tower Committee: Linda DeRue, Chair, David Lukas, Co-Chair, Mark Reeves, Art Simpson, Tom Jensen, Lester Wilson, Jerry Borkholder, Stanley Lyons, Linda Morey.

Also present: R. A. Renze, J. DeRue, P. Duffy, D. Duffy, J. Noskie, F. Borkholder, Conservation Bd. Member Jeanine Klopp, Pat Dorney, R. Huffer, James Doan, Don Nicholas, Sarah Nichols, Diane Grimm, Wendell Grimm, Lori Moses, S. Kingsbury, Alan Gilbert, Jr., A. Gilbert, Carol McFarlane, Linda Rabjohn, Cindy Roach, Donald Rabjohn, Conservation Bd. Member Tom Breslawski, Dorothy Lapinski, Kathy Habgood, Renee Cliff, Tricia Nesbitt, Larry Fisher, Pamela Nesbitt, Jim Nesbitt, Steven and Heather Snyder, Lucinda Smith, Judy Doan, Ed Doan, Mary Crumb, Curt Crumb, Paul Lapinski, R. Griswald, Troy Nesbitt, Linda Chesis, Steven Chesis, Ed Haight, Jenny Habgood, Jack Shevlin, Mary Gary, Ashley Rath, Bonifacia Ruscher, Karen Betz-St. John, Mary Callari, T. Callari, Jeremy Moul, Dale Cliff, Nicole Cring, J. Fischer, Highway Sup. Tom Ingraham, Code Enforcement Officer B. J. Maier, Heather Norman, Jim Redick, Olivia Redick, Pat Nunnery, Gary Wolters., Joyce Lasch, Greg Vogt, Matt MacDonald, Nick Kawyn and daughter, Dave Morey, Brenda Bogt, Ken Weitzel, Susan Hayward, Marty Howden, David Herring and many illegible signatures.

Supervisor Roach opened the meeting by informing everyone the purpose of the meeting this evening is to enable the Wind Tower Committee to present their findings and recommendations to the town. As most of you are aware, the Wind Tower Committee has been hard at work since its first meeting on January 16. Its mission is to determine if wind towers are in the overall best interest of the Town of Hamlin and to develop proposed regulations accordingly. The goal for completion of its work was December 2007. Regrettably, circumstances changed. Concerned that pending State legislation pertaining to power plant siting would preempt local control, the Town Board at its regular July 9, 2007, meeting asked the committee to complete its research and deliberation and present its findings to date at tonight's meeting in order that we can move forward to establish regulations while we still have an opportunity to do so locally. Understandably, our decision has been criticized by some, who have differing opinions on the urgency and the importance of home rule. As elected representatives we accept that criticism knowing that the decision was made in the best interests of the Town of Hamlin and not to appease, protect or promote any special interest groups.

Unfortunately, lost in the recent clutter of the rhetoric, is the devoted efforts of the committee. I want to take this opportunity to publicly commend each member of the committee not only for its extensive efforts since January 16 but for devoting the many

extra hours since July 9 to attend the numerous extra Friday, Saturday and Sunday sessions necessary to produce tonight's report.

Finally, I want to emphasize that the purpose of tonight's meeting is for the committee to make its report of findings to date and recommendations to the Town Board. Questions and comments will be limited to the Town Board. It is not a public forum. There will be ample opportunity for public comments and questions during the public hearings that are required before any local legislation is enacted. All public hearings will be announced in advance. At this point Supervisor Roach introduced Linda DeRue, chair of the Wind Tower Committee.

The following is a statement read by Linda DeRue, Chair of the Wind Tower Committee is included exactly as presented:

BECAUSE OF THE UNTIMELY TERMINATION OF OUR COMMITTEE 2 OF OUR CHARTER OBJECTIVES WERE NOT REALIZED AND SEVERAL ISSUES WERE NOT RESEARCHED DO TO THE "URGENCY" GENERATED BY OUR SUPERVISOR FOR THE POTENTIAL IMPACT OF ARTICLE X.

OBJECTIVES NOT REALIZED:

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1-ASSESS THE GENERAL TOWN OPINION REGARDING WIND ENERGY. THIS WAS ESSENTIAL DUE TO THE LONG RANGE IMPACT OF THIS PROJECT ON ALL THE PEOPLE OF HAMLIN. WHILE THIS WAS OUR 1<sup>ST</sup> OBJECTIVE, IN REALITY, IT SHOULD HAVE BEEN OF NECESSITY OUR LAST SINCE TIME WAS NOT ALLOWED FOR US TO COMPLETE OUR MISSION. WE FEEL IT IS IMPERITIVE THIS STILL BE DONE.

2-COMMUNICATE WITH AND VISIT OTHER MUNICIPALITIES WITH INDUSTRIAL WIND TURBINES. THIS HAS BECOME IMPORTANT SINCE AS A COMMITTEE WE HAVE YET TO "SEE" INDUSTRIAL TOWERS OF THE SIZE PERPORTED TO BE GOING INTO HAMLIN. THIS ISSUE HAS NOT YET BEEN FULLY EXPLORED TO THE SATISFICATION OF OUR COMMITTEE. WE THEREFORE FEEL THAT THE TOWN BOARD NEED TO ACCUTALLY DO THIS BY GOING TO THE PROJECTS AT TUG HILL.

ISSUES NOT EXPLORED OR CONSIDERED WHICH MAY ALSO BE OF IMPORTANCE IN REACHING A DECISION ARE AS FOLLOWS:

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1-NOT ALL QUESTIONS FOR RESEARCH ASKED BY OUR CITIZENS WERE ANSWERED. IT IS IMPORTANT THAT THIS BE DONE, PERHAPS AT AN OPEN INDEPENDENT INFORMATIONAL MEETING PRIOR TO THE PUBLIC HEARING. THIS IS IMPORTANT SO THAT AT THE PUBLIC HEARINGS INFORMED, NOT EMOTIONAL, QUESTIONS CAN BE ASKED.

2-HEALTH ISSUES-WHILE IT HAS BEEN REPORTED THAT AT A MEETING OF SUPERVISORS, WHERE DANIAL SPITZER WAS A SPEAKER, THE SUPERVISORS WERE TOLD THAT THE INFORMATION MR. SPITZER PRESENTED INDICATED THAT THEY DO NOT BELIEVE HEALTH ISSUES WERE A CONCERN. HOWEVER THERE SEEMS TO BE ENOUGH EVIDENCE TO THE CONTRARY THAT MORE RESEARCH NEEDS TO BE DONE TO BETTER PROTECT ALL OF HAMLIN'S CITIZENS.

3-POTENTIAL LAWSUITS AND THEIR RAMMIFICATIONS WERE NOT EXPLORED. (THIS IS POTENTIALLY ONE OF THE MOST IMPORTANT ISSUES REGARDING INDUSTRIAL WIND TUBINES AND SHOULD BE MORE HEAVILY RESEARCHED.) THIS IS TO PROTECT THE TOWN, THE LAND OWNERS, AND ALL OF HAMLIN'S CITIZENS.

4-NATIONAL GRID:

WHILE THIS TOPIC, IS NOT COMPLETELY RELATED TO THE TOWN OF HAMLIN, IT IS RELEVANT TO THE BIGGER PICTURE CONCERNING THE NUMBER OF INDUSTRIAL TURBINES. THE TOWN BOARD SHOULD BECOME AWARE OF THE NATIONAL GRID'S "TRUE" ATTITUDE TOWARD THESE AND THE PROBLEMS THAT INTERMITTENCY HAS CAUSED IN OTHER AREAS, AS WAS POINTED OUT AT OUR LAST MEETING. THE CALGARY AREA OF CANADA HAS STOPPED ALLOWING NEW INDUSTRIAL TURBINE CONSTRUCTION AND IS INSTEAD BUILDING A HUGE GAS FIRED POWER STATION BECAUSE WITH ONLY 4% OF IT'S ENERGY COMING FROM THE WIND IT MADE ALBERTA VULNERABLE TO POWER DISRUPTION AND TO QUOTE PETER HUNT, AN ENMAX SPOKESMAN "WE HAD TO FALL BACK ON RELIABLE SOURCES OF POWER". WE FEEL STRONGLY THAT THIS IS AN ISSUE THAT COULD IMPACT US ALL. IS IT POSSIBLE THAT IN TRYING TO BE GREEN, WE MAY ACTUALLY BE ACCOMPLISHING THE OPPOSITE?

5-JOBS:

THIS AREA NEEDS MUCH MORE EXPLORATION. OUR INITIAL PROBES INTO THIS CONCEPT HAVE SHOWN THAT WHILE THE INSTALLATION PROCESS DOES SPIKE EMPLOYMENT AT THE LOCAL LEVEL DURING CONSTRUCTION, IT IS SHORT LIVED. PERMANENT EMPLOYMENT FROM THE LOCAL POPULATION WOULD BE NO MORE THAN 2 PEOPLE AFTER CONSTRUCTION. SINCE WE HAD NO TIME TO CONFIRM EITHER POSITION IT IS OUR HOPE THAT YOU WILL TACKLE THIS TOPIC.

6-TOURISM:

WHILE SOME PEOPLE WILL UNDOUBTEDLY DRIVE THROUGH HAMLIN TO VIEW THESE INDUSTRIAL TURBINES IT IS UNLIKELY THEY WILL STAY FOR ANY LENGTH OF TIME. GIVEN OUR CLOSE PROXIMITY TO BROCKPORT WHICH HAS MANY MORE AMENITIES THEN HAMLIN IF ANY TOURISM DOLLARS DO POUR IN, IT IS MORE LIKELY THEY WILL GO TO OUR NEIGHBOR TO THE SOUTH. IT IS ONCE AGAIN IMPORTANT THAT THE TOWN BOARD MORE FULLY EXPLORE THIS ISSUE.

#### 7-LAND OWNER CONTRACTS

LAND OWNER CONTRACTS AND A FULL PROPOSAL FOR THE TOWN WERE NOT AVAILABLE TO THE COMMITTEE. (THIS INFORMATION WOULD HAVE BEEN HELPFUL IN AIDING THE COMMITTEES DEVELOPMENT OF AN OVERLL PICTURE OF THE PROJECT). WE ARE CONFIDENT THAT THE TOWN BOARD WILL NOT HAVE TO CONTEND WITH THIS SAME ISSUE.

8-

OTHER LOCATIONS WITHIN THE TOWN SHOULD BE EXPLORED. THIS IS VERY IMPORTANT, DUE TO THE BIRD/BAT CONTROVERSY WHICH MAY PUSH INDUSTRIAL WIND TURBINES WELL SOUTH OF THE PRESENT PROPOSED LOCAION. ANOTHER LOCATION THAT SHOULD NOT BE OVERLOOKED IS THE POSSIBILITY OF PUTTING THESE INDUSTRIAL WIND TURBINES OFF SHORE. THIS WOULD MITIGATE MOST OF THE NEGATIVE ISSUES ASSOCIATED WITH THE PORJECT INCLUDING THE PROBLEM OF INTERMITANCY.

9-

OTHER CONCEPTS IN WIND GENERATING DEVICES. (SEVERAL OTHER TURBINE DESIGNS ARE AVAILABLE-SOME OF WHICH ARE ABLE TO MITIGATE ALL CURRENT NEGATIVE ISSUES ASSOCIATED WITH THE CONTEMPLATED PROJECT.)

IN CONCLUSION IT IS IMPORTANT FOR THE TOWN BOARD TO DISCUSS AND RESEARCH THESE SUGGESTIONS, SINCE THEY MAY HAVE AS MUCH IMPACT ON OUR TOWN AS ANY DECISIONS WE HAVE FORMALLY DISCUSSED.

IT IS MY HOPE THAT YOU WILL FIND ALL OF OUR INFORMATION OF GREAT HELP SINCE OUR COMMITTEE HAS LOGGED LITTERLY THOUSANDS OF HOURS IN RESEARCH PUTTING THIS DOCUMENT TOGETHER. IT IS ALSO OUR HOPE THAT WE MAY CONTINUE TO SERVE OUR COMMUNITY.

The Hamlin Wind Study Committee Report, Executive Summary was read by Linda DeRue and Dave Lukas and has been included exactly as presented.

## **Hamlin Wind Study Committee Report Executive Summary**

### **Introduction**

In January 2007, the Town Board of the Town of Hamlin selected a Citizens Committee comprised of 9 residents, to facilitate the gathering, compilation and understanding of available information on industrial wind turbines. In March 2007 the town enacted a moratorium on the potential installation and operation of a wind farm in the Town of Hamlin. This moratorium was enacted to allow the town to take the time necessary to understand as fully as possible the ramifications of the placement of industrial wind turbines within the town. Within this report are the findings of the Citizens Committee including currently available information, responses to specific questions, and recommendations.

### **Setbacks in Hamlin**

It is the recommendation of the Committee that Hamlin institutes a setback of 1500 feet from roadways and 2640 feet from existing dwellings.(Chapter 4)

It is also recommended that the setback to prevent flicker be 10 times the rotor diameter from existing dwellings. (Chapter 15)

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that a minimum setback of 3 times the overall height of a wind turbine tower and a blade fully extended vertically be required between a wind turbines. (Chapter 12)

### **Noise**

A full four season - four times per day ambient sound analysis performed by an independent sound analysis firm needs to be performed before any permit can be issued for the wind tower construction. The analysis should be performed at the property lines of the adjoining residences as well as several various locations within a 2-mile radius.

The noise level should not exceed 45 dBA at the property line of non-participating landowners and shall not exceed the average ambient level by more than 4 dBA for more than 5 minutes out of any one hour period or exceed 45dBA for any time period at the property line. (Chapter 13)

It is also recommended that to ensure this requirement is met prior to installation, an assessment of any wind project proposals, inclusive of turbine type and location, be

performed by an independent qualified engineering firm with an expertise in the evaluation of the acoustics of commercial wind turbines. Verification of noise levels after installation should be performed on a twice/year basis as part of routine maintenance.

## **Infrastructure Considerations**

There are several aspects to the installation of commercial wind turbines and their impact on the existing infrastructure of the Town of Hamlin that were considered by the committee.

1. Disruption to existing traffic patterns
  2. Wear and tear on existing roadways
  3. Generation of dust
  4. Power lines, communication lines and poles
  5. Temporary and permanent access roads
  6. Drainage
  7. Water wells

There are roads in Hamlin with high traffic levels that would likely be affected (for example Route 18, Route 19, Church and Redman Rd's.). It is suggested that only the State and County maintained roads be utilized to minimize the potential impact to the roadways maintained by the Town of Hamlin. These would most likely be the roads capable of handling the very heavy construction equipment. This may require detours or restricted hours of operation to minimize the impact on traffic.

Transportation of stone, gravel, concrete and concrete components would be of a high weight, high volume nature. Transportation of wind turbine components and crane components would be of a high weight nature. Nacelles, transported in two sections, can have a total weight of 80 tons (1). Assembled crane weights can be as much as 450 tons (1). Site to site assembled crane relocation would be of an extremely high weight nature. This may cause a rapid deterioration of the existing roadways. Therefore assurances should be put in place before any construction begins that the roads affected will be maintained and restored to their pre-construction state or better within 90 days after completion of the heavy equipment phase of the project.

Assurances must be put in place before any construction begins that the problem will be monitored and addressed for the duration of the construction project in a manner that is compliant with local, Department of Environmental Conservation and any other appropriate agencies.

Assurances should be put in place before any construction begins that disruptions in services will be minimal, not to exceed 1 hour at a time coordinated with the service providers with prior notification to all those impacted.

Construction and use of access roads (typically one access road/turbine) from existing

roadways to the wind turbines can impact existing traffic patterns. Placement of roads should be planned to minimize disruptions and allow for safe entry and exit onto existing roadways.

Well performance prior to and after construction in these areas should be evaluated, with correction of problems implemented immediately after recognition of the problem. These expenses would be incurred by the wind tower company.

## **Aesthetics**

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that:

Wind turbines shall not be used for displaying any advertising. There should be a sign at the entrance to the access road posted with contact information available 24 hours a day and tower identification information.

Colors and surface treatments of the turbines shall minimize visual disruption.

The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

The tower shall not significantly impair a scenic vista or scenic corridor as identified in, or in the spirit of, the Town's comprehensive plan.

All cable shall be buried underground.

Maximum height to be no more than 400 feet including rotor blades.

## **Lighting**

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that any wind farm project use the minimum lighting necessary for safety and security purposes and use techniques to prevent casting glare from the site, except as otherwise required by the Federal Aviation Administration (FAA) or other applicable authority .

## **Structural Integrity**

Oversight or regulation of the installation process by an independent engineering firm should be required to ensure that the installation has been properly completed and meets all safety requirements.

Local on call authorized personnel must respond within 30 minutes at all times.

Regular inspections by an independent engineering firm should be required to ensure the

installation is being properly maintained and safe. Records documenting the history of maintenance should be delivered to the Town of Hamlin on a quarterly basis. (Chapter 12)

### **Radio and Television Interference (Electromagnetic Interference)**

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that problems affecting television reception, radio reception, cell phone operation, or other, attributable to the installation or operation of commercial wind turbines be corrected within 5 business days of recognition of the problem. Any costs associated with the correction (cable television, satellite television and radio, etc.) will be at the project owner's expense for the lifetime of the project.

The applicant shall provide evidence in the form of test results or independent engineering studies that the wind power facilities proposed will not interfere with microwave, cellular or television/radio transmission/reception to or from existing primary structures and fixed broadcast, retransmission or reception antennas. If after construction the Owner or Operator receives a written complaint related to such interference, the Owner or Operator shall take reasonable steps, including provision of alternate communications, to respond to the complaint.

### **Removal and Restoration**

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that a suitable cash bond issued by a AAA rated bonding company be put into an account to guarantee that finances are in place only for removal and restoration of the affected areas prior to commencement of any wind farm project in the Town of Hamlin.

The owner/operator shall provide the Town of Hamlin with proof of liability insurance, in the form of a duplicate insurance policy, at a level to be determined by the Town Board to cover any liability for bodily injury or property damage that might be encountered. The Town of Hamlin shall be held harmless for any and all claims resulting from this project.

The scope of the restoration must encompass the following:

- Removal of wind turbines and associated ancillary equipment
- Removal of buried cable if less than 4 feet in depth (2)
- Restoration of roadways used during removal

The following to be done to them satisfaction of the landowner:

- Removal of substation(s) and associated ancillary equipment
- Removal of concrete base of wind turbine to a depth of not less than 6 feet and restoration of affected land (2)
- Removal of access roads and restoration of affected land

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that financial penalties be imposed on the turbine owners after the 6-month interval for removal.

If the bonding, escrow or other funding sources available for the deconstruction and removal of the towers and restoration of the area in question is insufficient then the landowner will be required to remove the towers by any acceptable means in a timely manner with a maximum of 6 months. (Chapter 18)

### **Safety:**

All power generation units will be equipped an automatic fire suppression system and alarmed appropriately.

All power generation units shall be equipped with adequate rigging to safely lower an unconscious or injured person to ground level within 10 minutes.

The owner/operator will provide local emergency response agencies with training, practice drills and documentation of appropriate actions in case of emergency circumstances at the project site. Such documentation shall include the location of all emergency shutdown controls, location and identity of any potentially hazardous materials, and site maps showing access routes.

Wind tower(s) shall be equipped with sensors to detect ice or snow build-up and appropriate actions will be taken to prevent ice throw.

All towers must be protected by anti-climbing devices such as sealed entrances for internal stairs with locking portals.

All wind energy systems shall be equipped with automatic braking, governing and feathering system to prevent uncontrolled rotation. Maximum speed of rotors shall be 20 rpm.

### **Environmental:**

A complete environmental study must be done including migratory bird flight patterns, bird and bat studies, impact of alterations to native wildlife habitat, effects on ground water and storm water run-off, and any and all environmental concerns as stipulated by the Town of Hamlin and the NYS Dept. of Environmental Conservation.

All bird and bat studies shall be conducted by The U.S. Dept. of Fish and Wildlife, their designee or an independent agency to the specification of The U.S. Dept. of Fish and Wildlife.

All possible precautions will be taken to minimize hazards to birds, bats, wildlife, people and the environment .

We recommend a Type I positive declaration SEQR study with a full environmental assessment form. All studies and expenses will be paid by the developer. We also recommend that the Town of Hamlin be designated the head agency.

All environmental issues and concerns will be addressed in a Full Environmental Impact Statement which will address the concerns of the residents of the Town of Hamlin, The NYS Dept. of Environmental Conservation, The NYS Dept of Transportation, The Town of Hamlin Highway Dept., The Town of Hamlin Conservation Board, The Town of Hamlin Town Board, The Town of Hamlin Planning Board, The Monroe County Dept of Planning, and any and all other concerned parties.

All solid and liquid wastes related to construction, operation and maintenance of the project will be removed from the site and disposed of in accordance with applicable laws.

## **Enforcement**

Upon receiving a complaint or report of defective equipment, authorized personnel will verify the problem and immediately notify appropriate representatives of the wind tower company.

Any failure to repair problems or shut down defective equipment will result in a fine as set by the Town of Hamlin until repairs are made or equipment is shut down. We recommend a fine of \$2500.00 per day.

In the event of an emergency, authorized local personnel will shut down equipment to protect the public and the defective equipment.

Any wind tower that is not repaired within 90 days will be removed or replaced.

Failure to properly maintain or repair equipment/wind tower will result in non-renewal or revocation of Special Use Permit. We strongly recommend a SUP for each tower renewable annually upon proof of proper maintenance and any necessary repairs as needed.

An authorized representative will be available at all times to respond within 30 minutes for any and all problems, concerns or emergencies.

## **Economics**

The State of New York has recently renewed a real property tax exemption for renewable energy systems, Real Property Tax Law (RPTL) 487, which includes commercial wind turbines. This exemption is for a period of 15 years after installation during which time the property is not subject to any real property tax levies. After 15 years the property would be subject to regular tax levies. Although these exemptions are state-enacted, they can be disallowed at the local level, in which the county, town or school district may vote to disallow the exemption. This is stated in the Assessor's Manual Vol. 4. - section 487.

The Town Fire Department would not be included in this exemption.

For illustrative purposes, the maximum revenues from a single wind turbine based on an estimated full assessment value of \$1,500,000 with no exemption would be as follows:

<b>Tax Type</b>	<b>Rate/1000 Assessed Value</b>	<b>Revenue</b>
Town of Hamlin	6.27	\$ 4608
Morton Fire	3.42	\$ 2514
Morton Lighting	0.27	\$198
County of Monroe	14.74	\$10834
School (AVERAGE)	46.49	\$34170
<b>TOTAL</b>		<b>\$52,325</b>

Since the potential area of construction is in the Morton District only the pertinent Morton data was used for the above illustration.

The direct financial gain for the Town of Hamlin would be less than \$4608/year per turbine using this estimate. Payments from a PILOT program would likely be lower. This is because PILOT program payments must be divided according to the existing tax proportionment structure.

If commercial wind turbines are placed in the Town of Hamlin, it is recommended that a full evaluation of how the financial benefits for the County and School Districts, obtained by installation of commercial wind turbines in the Town of Hamlin, can be made to uniformly benefit the Town of Hamlin as a whole prior to initiation of any wind power projects.

End of Summary Report

The following was then read by Chair Linda DeRue and is included exactly as presented.

THANK YOU'S

IN CONCLUSION I WOULD LIKE TO THANK FIRST AND FORMOST ALL THE MEMBERS WHO HAVE BEEN WITH US FROM THE FIRST DAY OF THIS PROJECT:

JERRY BORKHOLDER	18 MEETINGS
DAVE LUKAS	17 MEETINGS
ANDY SIMPSON	16 MEETINGS
MARK REEVES	12 MEETINGS

AND THANK YOU TO THE PEOPLE WHO CAME ON BOARD TO FILL POSITIONS LEFT OPEN DUE TO RESIGNATIONS.

TOM JENSON	12 MEETINGS PLUS ATTENDING MEETINGS BEFORE HE WAS PUT ON THE BOARD
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LESTER WILSON	9 MEETINGS
LINDA MOREY	7 MEETINGS
STAN	7 MEETINGS

THANK YOU ALSO TO ART MCFARLANE (RESIGNED) ED EVENS (RESIGNED) ED HAIGHT (RESIGNED) AND GLEN QUENTCHENBACH (RESIGNED)

I AM REQUESTING THAT MY COVER LETTER, THE EXECUTIVE SUMMERY, AND THE FINAL WIND TOWER REPORT BE POSTED ON THE TOWN OF HAMLIN WEB SITE FOR REVIEW FOR ALL HAMLIN RESIDENTS.

Supervisor Roach stated that on behalf of the Town Board I thank you for all your efforts and believe Linda described it well with the thousands of hours. Listing some of the answers you provided did answer one of my questions. Councilperson Todd stated he has one question in the environmental paragraph. Are you stating that the cost of studies and enforcement be borne by contractor? Dave Lukas and Linda DeRue both stated yes. Councilperson Marchetti stated the whole Town Board was in agreement that the deadline for consideration of wind towers needed to be moved up not just the Supervisor as comments have indicated. Supervisor Roach had several more questions one being the survey and asked for clarification on that. Dave Lukas stated that because in the charter that we were given it stated to find out what was in the best interest for the Town. It was felt that through a survey we could ask the residents of the Town of Hamlin.

Unfortunately that survey was never mailed. Supervisor Roach stated when you say ask the residents do you have a survey. Dave Lukas stated we had a survey in March but it was never sent out to the public. Supervisor Roach stated that was not a survey but a letter from the committee to go out and it was put in the newsletter. Linda DeRue stated the letter superseded the survey. Supervisor Roach asked is there any other restrictions suggested other than setbacks such as restricting it to an Agriculture District. Dave Lukas stated that the potential is to be in the Ag District but that is one thing we didn't get to. There is a lot of outstanding information we didn't get to.

Councilperson Rose thanked the members of the committee for all the hours they gave to the committee. Dave Lukas gave reference material to the board. Supervisor Roach also thanked the committee once again for the hard work and valuable information from the board. It will be used. Unless the Town Board has any further questions, I ask the board to review the committee's comments and come prepared to discuss this at the next scheduled meeting of the Town Board on August 13, 2007. Supervisor Roach asked the committee to have a spokesperson at the Town Board meeting to discuss any questions on the recommendations.

### **ADJOURNMENT**

A motion was made by Councilperson Rose, seconded by Councilperson Marchetti to adjourn the meeting at 8:05 pm.

Respectfully submitted,

Kathi A. Rickman, RMC/CMC  
Hamlin Town Clerk