

Hamlin Town Board Meeting
March 10, 2008

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order at 7 pm by Supervisor Dennis Roach. The location of the fire exits and defibrillator was explained for those present. Everyone was invited to participate in the Pledge of Allegiance and Moment of Silence for all the deceased residents of Hamlin.

Present: Supervisor Dennis Roach, Councilperson Tom Breslawski, Councilperson Michael Marchetti, Councilperson Paul Rath, Councilperson David Rose excused.

Also present: Assessor Melanie Fahmer, Assessor Clerk Marsha Prince, Highway Superintendent Tom Ingraham, Attorney Ken Licht, Code Enforcement Officer BJ Maier, Planning Board Members Tom Jensen and Dane Emens, Conservation Board Members Ed Evans and Mark Reeves. Residents: Nancy Jennejahn, Gary Goodwin, Duane and Ida Miller, Lloyd Lochner, Linda and John DeRue Jim Schmeer, Ron and Sandi Hindmarch, Flora and Jerry Borkholder, Kim Spellan, Jack Shevlin, Troy Nesbitt, Renee Cliff, Kathy Habgood.

RESOLUTION OF APPRECIATION FOR DUANE MILLER

Supervisor Roach introduced the following Resolution of Appreciation

RESOLUTION OF APPRECIATION

WHEREAS, Duane Miller faithfully and dedicatedly served on the Ethics Board of the Town of Hamlin from February 13, 2006 through December 31, 2007 and,

WHEREAS, Duane Miller, serving without monetary compensation, accepted the additional, challenging duties as Chair of the Ethics Board, leading to the successful creation of effective Board of Ethics Complaint Procedures and,

WHEREAS, Duane Miller displayed a high level of awareness to the sensitivity of his position while exhibiting sensibility and diplomacy in the fulfillment of his duties and in the resolution of problems and issues, which he confronted,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Duane Miller for his professional performance and devotion to the Town of Hamlin and,

FURTHER BE IT RESOLVED, that Duane Miller be furnished a copy of this Resolution, which is spread upon the minutes of the March 10, 2008, Town Board meeting.

Unanimously approved,

Town Supervisor Dennis Roach
Councilperson Thomas Breslawski
Councilperson Michael Marchetti
Councilperson Paul S. Rath
Councilperson David Rose

PUBLIC FORUM

Supervisor Roach opened the Public Forum inviting those that signed up to speak.

Gary Goodwin, 30 Hidden Creek Lane. Mr. Goodman complained about the Building Inspector. Supervisor Roach will meet at a later date with Mr. Goodwin and the Building Inspector to resolve the issue.

John DeRue 317 Redman Road. Stated concerns regarding the increase in the Town's insurance to protect the town from lawsuits. Mr. DeRue wanted to know who authorized it to be done. Supervisor Roach responded by telling Mr. DeRue that the Town Board increased the budgeted amount for litigation. The insurance remains the same. The budget was approved by the Town Board.

Linda DeRue 317 Redman Road. Stated she was unable to attend the February 25, 2008 meeting where the Wind Tower setbacks were decided upon. She would like to know what documentation or reports were used to decide upon the 1,200 foot setback. Supervisor Roach stated that the discussion of the 1,200 foot is included in the minutes of the February 25, 2008 meeting. Mrs. DeRue stated she read the discussion went on, however wanted to know if there was any documentation used to make the decision. Supervisor Roach reiterated that there were reports and documentation that were reviewed. The Town Board has also done research and the decision was based on those reports and research. There was no specific report they based their decision on. Mrs. DeRue stated that the Wind Tower Committee Report was one she was interested in. Supervisor Roach again stated there was no specific report that was referred to but there was a good deal of discussion that took place. Mrs. DeRue stated that there was a lot of discussion, but that doesn't mean that documented reports were read and that information was taken into account. If it was the setbacks wouldn't have ended up at 1,200 feet.

Jim Schmeer 2552 Roosevelt Highway. Stated his concerns regarding the Heritage Woods Subdivision and the driveway placement for the entrance and exit to the subdivision being in a fifty-five mile per hour zone. He would like the Town Board to reconsider moving the entrance out of the fifty-five mile per hour zone and across from

Hamlin Center Road where the speed limit is forty miles per hour for safety reasons. Mr. Schmeer also stated his concerns regarding the variance on the side setbacks in the development. Originally they were at fifteen feet. The plan is now five feet with 10 feet being between buildings. He feels this is a safety issue and will have a negative impact on eye-appeal. Supervisor Roach stated he needed to speak with the Planning Board regarding the setbacks and the second access driveway. The issue regarding the speed limit is on tonight's agenda.

Ron Hindmarch 2576 Roosevelt Highway. Stated his concerns regarding the safety issue of the Heritage Woods entrance, loss of trees in his front yard, and speed limit change. He feels that there is a lack of communication between the residents and the Town Board and that Supervisor Roach should have contacted him personally about the Planning Board Public hearing rather than be notified with a form letter.

Flora Borkholder 391 Morton Road. Mrs. Borkholder read a letter written by her to the board regarding the Wind Towers. "A few weeks ago, when I was reading the Bible, I cam across this verse and suddenly realized that God was speaking to us about this important issue, through the Bible. If we allow it, the Word of God can be a light unto our paths and a lamp unto our feet, showing us the correct direction, because it contains the wisdom of God, and can warn us of things that will happen in the future. The scripture is found in Isaiah 17:10-11:

'Because you have forgotten the God of your Salvation and have not been mindful of the Rock of your stronghold, Therefore you will plant pleasant plants and set out foreign seedlings; In the day you will make your plant to grow, And in the morning you will make your seed to flourish; But the harvest will be a heap of ruins. In the day of grief and desperate sorrow.'

I believe the Lord is speaking to us, as a town, through this scripture. When we reject the sound wisdom and knowledge that has been gathered regarding wind turbines, because wisdom is based on knowledge, when we proceed an allow a foreign company (Spanish owned, Iberdrola) to plant it's seed (turbines) in our community because we think they are pleasant and beautiful, and when we allow them to flourish and spread, in the end, we are only going to reap a harvest of ruins which is doing to bring sorrow and grief.

I'm bringing this important word to the attention of the Town Board and to each of you individually, as the final decision rest in your hands. If you choose to ignore this wisdom and follow your own wisdom, then the results will be devastating and, in the process, a whole town will be negatively affected. It is not too late to heed this warning and change your direction.

Jack Shevlin 768 Redman Road. Stated concerns regarding setbacks of Wind Turbines. Supervisor Roach reminded Mr. Shevlin that there will be a Public Hearing on April 10 and he will have the opportunity to discuss further the setbacks. Brief discussion continued.

Jerry Borkholder 391 Morton Road. Read from a letter to the Town Board:
"I have watched for some time the actions of this Town Board. Your efforts regarding wind towers in Hamlin are transparent to all except the most naïve among us. You

appear to go through all the right motions and then your actions have little or no bearing on the actual information gathered. As a result, what you do and what you say make no sense.

If William F. Buckley had attended the last board meeting, he would have said: “I won’t insult your intelligence by suggesting that you really believe what you just said”. There is still time for all of you to become honorable men. Cast aside the promises that have been made and do what is right for the people of Hamlin. You have never answered your prime directive given to the Wind Tower Committee: Are wind towers a good fit for Hamlin and why? Please do so.

Tony Callari 676 Cook Road. Sent thanks to the Highway Department for replacing his mailbox. Mr. Callari asked Supervisor Roach about the proposal for Wind Towers. He feels that the decision has already been made to bring Wind Towers into Hamlin. Mr. Callari proceeded to read:

“At the last Special Town Board Meeting, Mr. Roach asked all Town Board members to say whether or not they or family members would benefit from the installation of wind turbines. All but Mr. Breslawski said....no family members would benefit.

Why? Mr. Breslawski isn’t it true that your family owns land in the proposed area? Also on setbacks—it was stated that having them from the property lines was hard because of finding them. Shouldn’t that be the developers or the ‘host’ landowners expense...not the town!

For the record, I would like to say that I am NOT in favor of the 1,250 foot setback. I believe it should be at least 1,700 feet for the health and welfare of the residents of the town.”

Kathy Habgood 142 Cook Road. Read from a report on noise pollution and noise level from Wind Turbines. Asked the Town Board to reconsider the setbacks.

Troy Nesbitt 52 Cook Road. Submitted for correspondence a letter from Tricia Nesbitt. Stated his concerns regarding questions residents have about the Wind Turbines that he feels the Town Board are not answering. Supervisor Roach stated with the exceptions of setbacks, the regulations took into account most everything that the Wind Tower Committee gave to the Town Board and is more stringent with the sound levels. Mr. Nesbitt feels that the Town Board is not reading reports given to them by residents.

Brief discussion continued between Mr. DeRue and Supervisor Roach regarding insurance.

Brief discussion continued regarding the Public Hearing on April 10 and a request was made to extend the three-minute time limit by allowing residents to speak and then return to the podium after other residents have spoken. Supervisor Roach granted the request.

Brief discussion continued between Mrs. Borkholder and Supervisor Roach regarding questions for the April 10 Public Hearing. Mrs. Borkholder would like to submit questions ahead of time so the Town Board would be prepared to answer them.

Brief discussion continued between Mr. Nesbitt and Supervisor Roach regarding Article X.

Supervisor Roach closed the public forum at 7:50 p.m.

APPROVAL OF TOWN BOARD WORKSHOP MEETING MINUTES OF JANUARY 22, 2008

Resolution #102 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve Town Board Workshop meeting minutes of January 22, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES OF JANUARY 23, 2008

Resolution #103 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to approve the Special Town Board meeting minutes of January 23, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL OF PUBLIC HEARING ON WIND TOWERS MEETING MINUTES FEBRUARY 7, 2008

Resolution #104 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to approve the Public Hearing on Wind Tower meeting minutes of February 7, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath abstain, Supervisor Roach aye. Motion carried.

APPROVAL OF PUBLIC HEARING ON BRICK SCHOOLHOUSE ROAD WATER DISTRICT MEETING MINUTES OF FEBRUARY 11, 2008

Resolution #105 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the Public Hearing on Brick Schoolhouse Road Water District meeting minutes of February 11, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF FEBRUARY 11, 2008

Resolution #106 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to approve the Regular Town Board meeting minutes of February 11, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES OF FEBRUARY 25, 2008

Resolution #107 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to approve the Special Town Board meeting minutes of February 25, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath abstain, Supervisor Roach aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #108 A motion was made by Supervisor Roach seconded by Councilperson Breslawski to authorize the payment of bills from their respective funds as follows:

MONTHLY TOTALS			ABSTRACT
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	1979	1000.00	
	1980	4050.00	
	1985	5135.63	
	1987-1992	4237.03	
	2004-2006	3381.23	
	2050-2143	70473.00	
	Account Total		
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Library	1993-1996	496.08	
	2007	307.01	
	2144-2161	11370.24	
Account Total			\$ 12,173.33
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Highway	2010	43.40	
	2017-2049	82167.28	
Account Total			\$ 82,210.68

Sewer	1997-1998	215.10	
	2008-2009	114.10	
	2012-2016	2100.56	

Account Total **\$ 2,429.76**

Trust	1981-1984	589740.41	
	1986	23127.53	
	1999-2000	3931.59	

Account Total **\$ 616,799.53**

Light	2003	960.45	
	2011	249.12	

Account Total **\$ 1,209.57**

GRAND TOTAL: **\$ 803,099.76**

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

1. Correspondence:
 - a. A copy of the Supervisor's letter to Senator Maziarz RE: Radar Speed Display Quote.
 - b. An e-mail from Mr. & Mrs. Ronald Brown of Church Road RE: Wind Turbine setbacks
 - c. A copy of Attorney Licht's letter to Mr. Nesbitt RE: Councilman Paul Rath.
 - d. A letter from JP Schepp, Chatfield Engineers RE: Wind Energy Projects.
 - e. A letter from NYS D.O.T. RE: Transportation Enhancements Program.
 - f. A letter from Mr. Matthew MacDonald RE: Wind Turbines.
 - g. A letter from Delta Laboratories RE: Earth Day Cleanup Promotion.
 - h. A Public Hearing notice from the NYS Assembly RE: Committee on Local Governments.
 - i. A letter from Time Warner Cable RE: Agreements with Programmers.
 - j. Monroe County Dept. of Planning and Development Response to Development Referral on Wind Energy Facilities.
 - k. A copy of the Supervisor's letter to Assemblyman Hawley RE: Emergency Preparedness Assistance.

- l. A letter from Environmental Finance Center RE: A Meeting on Water and Wastewater Challenges.
- m. A letter from Center for Environmental Information, Inc. RE: Lake Ontario Coastal Initiative.
- n. A letter and DVD from NYMIR RE: New York Land Use Law and Practices.
- o. A letter from NYDEC RE: Fishing Rights in the Town of Hamlin.
- p. A pamphlet on Scope and Local Benefits of the Genesee/Finger Lakes Regional Planning Council.
- q. A letter from the Town of Hamlin Zoning Board RE: Wind Tower Setbacks.
- r. A Letter from Attorney Licht RE: Sale of the Lake Road Property.
- s. Copy of a letter from Assemblyman Hawley RE: Generators.
- t. A letter from Frontier RE: Wireless in Monroe County
- u. A newsletter from Judicial Process Commission, Inc.
- v. A letter from New York State Office of Real Property Service RE: 2008 Residential Assessment Ratio.
- w. A notice from Monroe Ambulance RE: Relocation.
- x. A notice from NYS Commission on Property Tax Relief RE: Meeting Dates and Places.
- y. A letter from Attorney Licht RE: Public Hearings.
- z. An e-mail from Mike Gross RE: Proclamation Request.
- aa. Monroe County Planning and Development Spring 2008 Land Use Training Schedule.
- bb. Monroe County Meeting Schedule on Proposed Capital Improvement Program.
- cc. A letter from Time Warner RE: 19th annual National Teachers Award.
- dd. Assessor's monthly report for February 2008.
- ee. Building Inspector's monthly report for February 2008.
- ff. A copy of a letter from NYS Coalition of Concerned Citizens RE: Article X.
- gg. A letter from Time Warner RE: Rate Change
- hh. A copy of the Monroe County Fishery Advisory Board meeting notice.
- ii. Dog Control Officer's monthly report for February 2008.
- jj. A copy of the International ST. Lawrence River Board of Control invitation to their teleconference.
- kk. A copy of dates and locations for Public Hearings for Dam Safety Regulations.
- ll. A copy of a letter from the Federal Emergency Management Agency RE: Flood insurance rate maps.
- mm. A letter from Conservation Board RE: Earth Day at Hamlin Beach, April 26th 10-2pm.
- nn. A copy of a letter to Mr. O'Buckley RE: RT. 18 between RT. 272 and Drake Road.
- oo. A copy of the 2007 Progress Report for the USDA.

APPROVAL TO SCHEDULE SPRING CLEAN UP FOR APRIL 28 THROUGH MAY 10, 2008

Resolution #108 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to schedule Spring Clean Up for April 28 through May 10, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL TO SCHEDULE SPRING BRUSH PICK UP FOR MAY 12 THROUGH MAY 16, 2008.

Resolution #109 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to schedule a Spring Brush Pick Up for May 12 through May 16, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

Discussion:

- a. In December the Town Board declined to consider an application from Morgan Management to rezone a 35-acre parcel of land adjacent to Hidden Creek Manufactured Home Park from RM to RH to allow a senior housing, manufactured home community. Town Board did indicate they would entertain an application to rezone the property to SC Senior Citizen District. In February the developer's attorney appeared before the Town Board to relay their interest in rezoning to SC contingent upon amending the SC zoning to allow manufactured homes. Town Board acknowledged that "manufactured homes" are "mobile homes" and this is not a permitted use in SC and our comprehensive master plan prohibits additional mobile home parks. Morgan Management asked that we table the issue until they had a chance to consider the situation. Supervisor Roach received a call from Kevin Morgan of Morgan Management. Primary points of the conversation include:
 1. It would be "infeasible to meet their goal of affordable housing" if they had to build modular homes rather than manufactured homes. In other words, they only want the project if it is manufactured homes.
 2. They are very proud of their senior community of manufactured homes in Gypsum Mills and invited us to tour that, if we were interested.
 3. Mr. Morgan assured Supervisor Roach that the Drake Road water line was not being used as leverage.

Supervisor Roach told Mr. Morgan that the Town Board's point of view has not changed since February and that he would discuss with the Town Board members to contact him if they are interested in a tour of Gypsum Mills. Morgan Management may want to discuss

the topic one more time at the April Town Board meeting when Councilman Rose returns. Supervisor Roach received approval of the Town Board to respond back to Mr. Morgan to let him know that the Town Board position has not changed.

b. NYS DEC intends to use state acquisition monies provided through the Environmental Protection Fund to acquire public fishing rights easements from property owners along Sandy Creek. The Town is given the option of objecting to the proposed acquisition by resolution or indicating concurrence. The Town of Hamlin received a letter from the Town of Hamlin Conservation Board enthusiastically endorsing the DEC's efforts and recommending the Town Board publicly state our endorsement.

RESOLUTION TO ENDORSE THE DEC'S EFFORTS TO ACQUIRE PUBLIC FISHING RIGHTS EASEMENTS ALONG SANDY CREEK

Resolution #110 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to endorse the DEC's efforts to acquire Public Fishing Rights Easements along Sandy Creek in the Town of Hamlin in order to expand recreational fishing opportunities and in support of LWRP.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

c. Health care. Health care is a significant expense for Town employees. We have been researching options for our employees that will save the Town money but not significantly impact the employees. Pat MacIntosh has received a proposal from Excellus which could save the Town a substantial amount of money. With a portion of the savings (about 22%) we would set up an annual HRA account for each full-time employee, which the employee can access with a debit card towards any type of medical payment they chose—co-pays, prescription drugs, over the counter drugs, whatever. If the HRA amount is used up before the end of the year, the employee would be responsible for any subsequent co-pay or drug payments for the rest of the year. Other than a slight increase in co-pay and prescription drug costs, most of which would be covered in the HRA account, the employee would enjoy the same benefits as they do now. Supervisor Roach requested a Town Board Workshop be scheduled for early April to talk the specifics of the program, discuss the overall savings, the amount the Town Board would authorize for the HRA account and other aspects of the program. We have the opportunity of implementing this by May, which could save us an appreciable amount yet this year on our budgeted medical budget. Supervisor Roach suggested either April 7, 2008 or April 8, 2008 at 6:30 pm for a workshop.

RESOLUTION TO SCHEDULE A TOWN BOARD WORKSHOP APRIL 7, 2008 AT 6:30 PM

Resolution #111 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to schedule a Town Board Workshop on April 7, 2008 at 6:30 pm to discuss the Health Care Benefits.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

- d. 100% Reassessment. The last reassessment of the town was done in 1979 and the last 100% update was completed in 1984. Our goal is to achieve a 100% “equalization rate” for all assessed property. Currently the Town’s equalization rate is 47%, while the majority of the Towns in Monroe County are at 100%, which is ideal. Because of this, there may be an unfair distribution of taxes, we may be paying penalties in our school taxes, and suffering other disadvantages because of the apportionment of school district and county charges. Supervisor Roach spoke with David Miller of Assessment Valuation Services. He was formerly employed as the team leader for assessments in New York State by CLT, who along with GAR, have done most of the reassessments in the area. Mr. Miller has a strategy, which would include starting the reval this summer and extending it over the next two summers with a goal of having the information ready to go on the 2010 tax rolls. By incorporating some of his strategies, we could possibly save 65-75% of the cost compared to if we’d go with a firm such as GAR or CLT. Supervisor Roach and Assessor Melanie Fahmer have met and she has some concerns regarding the strategy and it’s disadvantages and also not going with a recognized firm. Based upon that information and the conversation with Mr. Miller, Supervisor Roach has asked Mr. Miller to prepare a proposal for review and discussion between Supervisor Roach and Assessor Melanie Fahmer at the April Town Board meeting. Supervisor Roach has also made a preliminary statement to the residents in the forthcoming edition of the HAMLIN EXPRESS that this project is on the horizon and expect to hear more in the upcoming months. Assessor Melanie Fahmer briefly discussed her concerns including the fact that going with the lowest bidder may actually cost more in the long run and that regular assessor’s duties must still be completed during the reval.
- e. Zoning Review Workshop. Supervisor Roach would like to reconvene the Zoning Review Workshop in April. Normally it is the third Tuesday of the month at 6:00 pm. Supervisor Roach asked that the meeting be scheduled for April 15, 2008 at 6:00 pm. Two items on the agenda would be: Discuss removing Recreation Fees from Development Regulations, and Discuss Revised Developmental Regulations. Brief discussion was held.
- f. Hamlin Fire Department has requested a Resolution of Appreciation to present to their outgoing Chief at their April awards banquet.

APPROVAL OF RESOLUTION OF APPRECIATION FOR THE HAMLIN FIRE DEPARTMENT OUTGOING CHIEF

Resolution #112 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to approve a Resolution of Appreciation for the Hamlin Fire Department outgoing Chief as requested. The Deputy Supervisor will present it at the Department's annual banquet in April.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

- g. Annual presentations from support boards, recreation and the library. Supervisor Roach asked the Town Board if these were helpful reports to have? Councilperson Rath questioned why the Justices weren't on the list. Supervisor Roach stated they would be added. All Town Board members felt that these reports are informative and useful.

RESOLUTION TO CONDUCT ANNUAL BOARD PRESENTATIONS AS SCHEDULED

Resolution #113 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve annual board presentations as scheduled with the addition of the Town Justices and Town Clerk on August 11, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

- h. Residents have voiced their concern over the speed limit on Roosevelt Highway—Route 18. This is a State DOT matter. Supervisor Roach feels it is necessary to begin to petition the State for a speed limit reduction now. Brief discussion was held with Highway Superintendent Tom Ingraham regarding lowering the speed limit on Roosevelt Highway between Hamlin Center Road and Hamlin Clarkson Townline Road. Discussion continued between Board members about Heritage Woods. Supervisor Roach suggested Planning Board be notified of discussion regarding setbacks between houses at Heritage Woods. Town Board unanimously agreed that the Town should submit a speed limit reduction request to NYS DOT now.
- i. Article X has apparently resulted in an unusual alliance between wind tower proponents and opponents. The Town's concern is the loss of local control. The Town was recently petitioned by an anti-Wind Tower group to notify the elected officials of the opposition of Article X. Supervisor Roach asked for input from the Board. Councilperson Rath feels that whether it's a Wind Tower issue or another issue the Town should have control, not the State.

RESOLUTION OPPOSING PROVISIONS OF ARTICLE X

Resolution #114 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to approve a resolution opposing provisions of Article X, Public Service Law, which include the siting of Wind Towers as follows:

**RESOLUTION OPPOSING PROVISIONS
OF ARTICLE X, PUBLIC SERVICE LAW,
WHICH INCLUDE THE SITING OF WIND TOWERS**

WHEREAS, since January 1, 2003 power generation facilities have been sited via local zoning and state DEC review; and

WHEREAS, there is currently a proposal to renew and revise Article X of the Public Service Law that would also include the siting of wind towers; and

WHEREAS, this inclusion essentially eliminates local zoning control over wind towers and has an impact on community host payments; and

WHEREAS, the Town of Hamlin, along with numerous municipalities throughout New York State, has undergone considerable time and expense to develop and implement wind tower siting policies that best fit our community;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamlin is opposed to any inclusion of the siting of wind towers in Article X of the Public Service Law as it removes local control of our landscape, exempts developers from State Environmental Quality Review Act and violates the principles of Home Rule that have been the guiding force of our state; and

BE IT FURTHER RESOLVED that the Town Clerk forward copies of this resolution to the Governor and our elected State officials.

Dated: March 10, 2008

BY ORDER OF THE TOWN BOARD
TOWN OF HAMLIN

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath abstain, Supervisor Roach aye. Motion carried.

- j. Councilperson Rath has completed the annual review of the Town's Justice Court per the Justice Court Act.

RESOLUTION TO ACKNOWLEDGE SECTION 2019-A OF JUSTICE COURT ACT

Resolution #115 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to acknowledge per Section 2019-A of the Justice Court Act that the required annual audit of the Town Justices' records and dockets was conducted.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath abstain, Supervisor Roach aye. Motion carried.

Reports:

Councilperson Rath reported the following: Conservation Board is doing a tree giveaway at Hamlin Beach State Park during park hours. Charlie Hungerford received Firefighter of the Year at the Walker Annual Banquet.

Assessor Melanie Fahmer reported that seven people took advantage of the special Saturday hours on March 1 to turn in their STAR exemptions. Cold War Veterans Exemptions. The law has changed twice. They no longer have to renew that exemption on an annual basis, and you no longer have to have a Cold War certificate. You still have to renew if you are disabled.

Building Inspector/Fire Marshal BJ Maier reported that Beehler/Bower Country Creek Estates came in for a second phase. In Heritage Woods, a couple of new houses are currently being built. The Fire Reports are not quite done yet, several other projects came up, complaints are to a minimum.

Highway Superintendent Tom Ingraham reported that he went to Albany with other Highway Superintendents from the area to lobby for more money for CHIPS. They asked for \$64 million over the next several years. Materials are coming in for the Roosevelt Highway water line. He hopes to start the project by the first of June. The Highway department was out all weekend last weekend and did a really good job of keeping up with the storm.

Councilperson Marchetti reported that Zoning will be looking at the Shoreline Residential Zone Code. Hamlin Ambulance is next week. He will be getting together with the Dog Control officer to schedule interviews for the position of Assistant Dog Control Officer.

Councilperson Breslawski reported that the Library received the last check for the printer/copier from the Steven Hawley grant and that they were looking into the Community Development Block grant and possibly applying for that in 2009. Carolyn Hungerford stepped down and George Bott took over as President. The roof is still leaking and we need to have a few days in a row that is above freezing so they can work on it. Year to date circulation, new cards, people count and fax and copier revenue were all up from where they were at this point last year. Recreation is sponsoring an Easter Egg Hunt on March 16 from 1:30-2:30 pm at Town Hall. There were seventeen youth at the last meeting (three new members) and ninety seniors at the last meeting (eight new members). There is some concern over the St. John's contract--\$30 an hour—it will cost the seniors about \$700 more per year. The Seniors were asking to stay at \$50 per meeting where they had been originally, but Councilman Breslawski has not heard of the outcome. Recreation reports that the Belly Dancing class was full at 15 people so they

are going to run it again. There was a meeting held on March 5 with the Town Clerk and the Farmer's Market. There are five farmers who are looking to participate. There is an issue with one farmer desiring to sell his wine and doing a wine tasting which is currently prohibited in the rules. Brockport and Irondequoit both allow wine tasting, and sales only for the farmer's market. NYS Farm Markets only require a permit issued by NYS Liquor Authority and a valid sales tax certificate. Brief discussion continued. Town Clerk was asked to check with our insurance carrier regarding wine sales and report back at the next meeting.

ADJOURNMENT

A motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to adjourn the meeting as all business has been concluded.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried, meeting adjourned at 8:50 pm.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk