

Hamlin Town Board Meeting
May 11, 2009

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 7:00 pm by Supervisor 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 a moment of silence for the deceased residents of Hamlin.

Present: Councilperson Tom Breslawski, Councilperson Mike Marchetti, Councilperson Paul Rath, Councilperson Dave Rose, Supervisor Dennis Roach.

Also Present: Attorney Ken Licht, Building Inspector/CEO Charlie Hungerford, Planning Board members Tom Jensen and Mark Reeves, Conservation Board members Ed Evans, Nick Kramer and Craig Goodrich, Highway Superintendent Tom Ingraham, Assistant Historian Robert Kruger, Steve Baase and Scott Witte, Highway, Library Board Member Peter Terry. Residents present: Marty Maier, Lloyd Lochner, Pat and Sally Littlefield, Sandy and Tom Tuschong, Rod Zulkosky, Paul and Dorothy Lapinski, Tony Calleri.

RESOLUTION OF APPRECIATION FOR MELANIE FAHMER

Resolution #146 Unanimously approved:

RESOLUTION OF APPRECIATION

WHEREAS, Melanie Fahmer faithfully served the Town of Hamlin from February 1989 through April 2009 in the demanding position of Assessor and,

WHEREAS, Melanie Fahmer professionalism and high level of customer service resulted in the maintenance of a friendly, responsive and knowledgeable office and,

WHEREAS, Melanie Fahmer performed all her duties in admirable fashion earning the respect of the State Office of Real Property Services, her peers throughout Monroe County and especially the residents of the Town of Hamlin to whom she devoted much effort, interest and personal involvement,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Melanie Fahmer for her notable performance and her 20 dedicated years of service and wishes her good health and great happiness in retirement.

FURTHER BE IT RESOLVED, that Melanie Fahmer, be furnished a copy of this Resolution, which is spread upon the minutes of the May 11, 2009, Town Board meeting.

Supervisor Roach called to order a Public Hearing to amend Local Law Section 125-9 of the Town of Hamlin Zoning Law to clarify definitions of “Home Occupation” and “Professional Office.”

Supervisor Roach read: This Local Law is to amend Section 125-9 of the Town of Hamlin Zoning Law to clarify definitions of “Home Occupation” and “Professional Office.” Be it enacted by the Town Board that:

1. Subparagraph B of Section 125-9 (word use; definitions) of the Town of Hamlin Zoning Law 1991 is amended to add the following as an unnumbered sentence at the end of the definition of “Home Occupation:”

Office type work performed by an individual in his/her home, such as work on a computer or by phone where such individual has no clients or customers coming to his/her home shall not be deemed a “Home Occupation.”

2. Subparagraph B of Section 125-9 (word use: definitions) of the Town of Hamlin Zoning Law 1991 is amended to add the following as an unnumbered sentence at the end of the definition of “Professional Office:” Office type work performed by an individual in his/her home, such as work on a computer or by phone where such individual has no clients or customers coming to his/her home shall not be deemed a “Professional Office.”

Supervisor Roach asked the Town Clerk to provide proof of publication. Proof was provided.

Supervisor Roach opened the meeting for public comments or questions on the proposed Local Law.

No one wished to speak.

ADJOURN PUBLIC HEARING TO AMEND SECTION 125-9 OF THE TOWN OF HAMLIN ZONING LAW

Resolution #147 Motion was made by Supervisor Roach, seconded by Councilperson Breslawski to adjourn the Public Hearing to amend Section 125-9 of the Town of Hamlin Zoning Law at 7:06 pm.

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

PUBLIC FORUM

Supervisor Roach reminded all those present of the rules of Public Forum and opened the Public Forum.

Tom and Sandy Tuschong 3897 Brick Schoolhouse Road stated their concern regarding safety, noise and quality of life in their Brick Schoolhouse Road neighborhood from Route 360 to the Harper Park. Problems include ATV’s motorbikes, loud car stereos, speeding, junk vehicles and property maintenance.

Paul Lapinski 417 Redman Road Mr. Lapinski read a statement from the Medical Staff of Northern Maine Medical Center and asked that it be entered into Town Correspondence.

Supervisor Roach asked if there was anyone else wishing to speak. No one else wished to speak. Public Forum was closed at 7:29 pm.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF APRIL 13, 2009

Resolution #148 Motion was made by Councilperson Rath seconded by Councilperson Breslawski to approve the Regular Town Board Meeting Minutes of April 13, 2009.

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

APPROVAL TO TRANSFER \$759.18 FROM ACCOUNT # 1355.4, ASSESSOR CONTRACTUAL EXPENSE TO ACCOUNT #1355.1 ASSESSOR SALARY

Resolution #149 Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the transfer of \$759.18 from account #1355.4, Assessor Contractual Expense to account #1355.1, Assessor Salary.

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

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #150 Motion was made by Supervisor Roach, seconded by Councilperson Rose to authorize payment of bills from their respective funds.

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

MONTHLY TOTALS

ABSTRACT

<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	4104	1322.19	
	4109	3915.00	
	4238-4242	3857.40	
	4254	130.00	
	4255	180.00	
	4258-4257	454.00	
	4259	198.78	
	4272	1934.58	
	4322-4330	12482.56	

	4331	Void	
	4332-4402	90804.81	
Account Total			\$ 115,279.32
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Library	4105-4106	144.07	
	4243-4244	418.55	
	4283-4299	7206.52	
Account Total			\$ 7,769.14
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Highway	4300-4321	20944.30	
	4404	40.00	
Account Total			\$ 20,984.30
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Sewer	4245-4247	310.11	
	4271	162.08	
	4273-4282	2127.41	
Account Total			\$ 2,599.60
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Trust	4108	1815.11	
	4250-4253	2099.33	
	4256	19478.69	
Account Total			\$ 23,393.13
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Light	4107	3.83	
	4248-4249	904.69	
Account Total			\$ 908.52
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Huntington Park			\$ -
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Account Total			\$ -
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GRAND TOTAL:			\$ 170,934.01

Supervisor's Monthly report acknowledged and filed.

Correspondence:

- a. Attorney Schum letter RE: Invoice for Services with Railroad Ave.
- b. The Stormwater Coalition of Monroe County letter RE: 2008 Accomplishments
- c. State of NY Board of Real Property Services' Certificate of Final Special Franchise Full Value.
- d. Time Warner Cable letter RE: Information on the renewal of the franchise agreement.
- e. US EPA letter RE: Greening the Implementation of State Revolving Loan Fund Projects.
- f. NYS DOT letter RE: Upcoming project; ADA detectable Warning Fields on Sidewalk Curb Ramps.
- g. Notice of NYMIR Annual Meeting.
- h. U.S. Census Bureau letter RE: Verification of addresses.
- i. Monroe County Legislature list of 2009 Tax Rates for Special Districts in Monroe County.
- j. MC Dept. of Health **Health Action** newsletter.
- k. An E-mail fro Joshua Henhawk RE: Feedback on Speeding Vehicles.
- l. Webster Szanyi LLP letter RE: Decision and Order.
- m. A newspaper article from ADIRONDACK EXPRESS provided by Mr. Evans entitled "Survey finds support for wind energy."
- n. NYMIR letter RE: Subscriber accounting statement for 2008.
- o. MC Dept. of Human Resources letter RE: Permanent Appointment, Senior Library Clerk, for Cheryl Ingham.
- p. Attorney Licht letter RE: Information on outdoor Furnace Law.
- q. Time Warner Cable Letter RE: TWC administration and playback services for access channels 12 and 15.
- r. Audubon International notice on Sustainable Communities Summit.
- s. MC Dept. of Planning and Development letter RE: Public Hearing and Steering Committee Meeting Notice.
- t. County Executive Maggie Brooks letter RE: Approval of \$40,000 CDBG grant for Town Hall.
- u. NYMIR letter RE: Increase in NYS Jurisdictional Boiler Inspection Fees.
- v. Brockport Ecumenical Outreach Committee letter RE: Bienvenida, June 28, 2009.
- w. NYS Office of Real Property Services, Western Region letter RE: Memorandum of Understanding
- x. An E-mail from NYC Law Dept. Appeals Division RE: Urgent Collateral Source Legislation Update
- y. Dog Control Officer's Monthly Report—April 2009
- z. Letter from Northern Maine Medical Center RE: Health Concerns and Careful Siting of Wind Turbines submitted by Paul Lapinski

Supervisor Roach stated: Because the Church Road Water District Extension Two is located within the Northwest Agricultural District No. 5, a resolution to limit connections to the public water to only existing non-farm uses is required to be submitted to the NYS Department of Agriculture and Markets.

APPROVAL OF WATER SERVICE CONNECTIONS WITHIN MONROE COUNTY NORTHWEST AGRICULTURAL DISTRICT NO. 5

Resolution #151 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose, to approve water service connections within Monroe County Northwest Agricultural District No. 5 as follows:

WHEREAS, the Town Board of the Town of Hamlin has created Church Road Water District No. 2 pursuant to Town Law for the express purpose of providing public water supply to the residents of the District and,

WHEREAS, all of the land area within the proposed Church Road Water District No. 2 is also within Monroe County Northwest Agricultural District No. 5 and,

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action within an Agricultural District and to evaluate the impact of providing a source of public water supply within this area on lands within Monroe County Northwest Agricultural District No. 5 and,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby resolves to limit connections to the public water supply only to existing non-farm uses, and to farm related uses within that portion of Church Road Water District No. 2 which is within the limits of Monroe County Northwestern Agricultural District No. 5 as long as it remains an approved agricultural district.

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

Supervisor Roach stated: Once our major reassessment project is completed in 2010, it's been our stated intention to sustain equity by performing annual updates to maintain assessments at a stated uniform rate. In this regard, the State Office of Real Property will assist us in establishing an Annual Reassessment Plan, which will also provide the basis for making determinations for the payment of State aid, which we will be qualified to achieve by maintaining assessments at the uniform rate. To officially achieve the State support and assistance, we must enact a formal resolution acknowledging and supporting the project.

APPROVAL TO ACKNOWLEDGE AND SUPPORT A 2010 ASSESSMENT IMPROVEMENT PROJECT

Resolution #152 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath, to acknowledge and support a 2010 assessment improvement project to enable the Town to annually sustain an equitable assessment role, annually maintaining assessments at a stated uniform percentage of value; annually conducting a systematic analysis of all locally assessed properties and revising assessments as necessary and implementing a local program for physically inspecting and reappraising each parcel at least once every six years.

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

APPROVAL TO AMEND SECTION 125-9 OF THE TOWN OF HAMLIN ZONING LAW UPON REVIEW OF SEQR LAW

Resolution #153 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose, that upon review of the SEQR Law that a local law amending Section 125-9 of the Town of Hamlin Zoning Law to clarify definitions of “Home Occupation” and “Professional Office” be determined to be a negative declaration of an Unlisted Action.

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

APPROVAL OF A LOCAL LAW AMENDING SECTION 125-9 OF THE TOWN OF HAMLIN ZONING LAW

Resolution #154 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti, to approve a local law amending Section 125-9 of the Town of Hamlin Zoning Law to clarify definitions of “Home Occupation” and “Professional Office.” This is a Type II SEQR determination.

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

Discussion:

Time Warner Cable request to commence franchise renewal procedures. Supervisor Roach stated that per correspondence (d), TWC has taken their first step required by the PSC to notify us that our cable franchise contract comes due in January 2012. The PSC Act provides two renewal procedures options. One is per section 626(a), which requires a lengthy procedure process. The typical procedure used by most municipalities is per subsection 626 (h) of the Act, which you were provided. In this case, approximately 10 months out from the renewal date, TWC submits a renewal proposal to the Town and posts notices of their intent to renew. The Town conducts public hearings to allow public comment on current service and problems. Town Board would then decide whether to grant or deny the renewal. If this is the option we prefer, and it is the option used by most municipalities, then we merely have to so notify TWC. We would then expect to receive a specific proposal to renew the contract in the February or March 2011 timeframe, which provides us with adequate time to schedule public hearings. If it is the desire of Town Board to have TWC proceed with renewal proceedings per section 626 (h), the typical procedure, I request resolution to that effect.

APPROVAL AUTHORIZING THE SUPERVISOR TO NOTIFY TIME WARNER CABLE TO PROCEED WITH RENEWAL PROCEEDINGS

Resolution #155 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to authorize the Supervisor to notify Time Warner Cable to proceed with renewal proceedings per section 626 (h).

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

Determination of unsafe or dangerous building at 1127 Hamlin Parma TL Rd. Resolution determined at Public Hearing held at 6:30 pm.

Town of Hamlin Procedure for Waiving Fees. Building Inspector Charlie Hungerford requested the Town Board adopt a procedure for waiving fees from non-profits and to authorize the BI/CEO/FM to waive certain penalty fees. Discussion was held.

APPROVAL THE TOWN OF HAMLIN PROCEDURE FOR WAIVING FEES PRESENTED TO THE TOWN BOARD

Resolution #156 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to approve the Town of Hamlin Procedure for Waiving Fees as follows and to be reviewed every year at the Organizational Meeting:

PROCEDURE FOR WAIVING FEES

- (1) The Building Inspector is authorized to waive fees for permits requested by the non-profit organizations listed below. The Town Board must approve additions to this list by Town Board resolution.

Town of Hamlin
All Hamlin Church Organizations
Hamlin, Morton and Walker
Fire Districts, Fire Departments and Exempts
Life Solutions
Hamlin VFW and Auxiliaries
Hamlin Lions Club
Boy Scout and Girl Scout Organizations
Hamlin Beach State Park
North Star Sportsmen’s Club
Hamlin Hornets Football

- (2) Waiver of the penalty fee for failure to obtain a permit is the responsibility of the Town Board with the exception that the Building Inspector may waive the penalty fee, if it can be shown by photos or instrument survey that the structure(s) was(were) present before the current owner took possession. Data

used to determine this must be stapled to the file copy of the permit and placed in the file folder.

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

Support of Collateral Source Legislation.

Two years ago at our May 2007 meeting, we joined 1,435 other NY State Towns, cities, villages and counties by passing Resolution #154-2007, supported legislation to eliminate the current inequitable taxpayer-funded “double dipping” windfalls which are afforded only to public employees in personal injury and other tort actions. Under current State law, public employees hurt on the job are paid twice from taxpayers money – both disability payments and lost future earnings – essentially getting paid more if hurt than if working. The legislation removing this double dipping clause was initially included in the Governor’s 2009-2010 budget but was later removed because of budget pressures. However, the bill is once again alive and we are being encouraged to appeal to our State Senator and Assemblyman to support Senate Bill S.4080-A and Assembly Bill A.7504-A.

APPROVAL TO SUPPORT SENATE BILL S.4080-A AND ASSEMBLY BILL A.7504-A

Resolution #157 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to support Senate Bill S.4080-A and Assembly Bill A.7504-A. Supervisor will draft a letter to both the State Senator and Assemblyman for this area. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Building Inspector Charlie Hungerford reported: He will be out of town from Wednesday through Sunday. Brockport will be filling in for inspections and such. Supervisor Roach asked that Mr. Hungerford concentrate on the unregistered vehicles in the area of Brick Schoolhouse Road that Mr. And Mrs. Tuschong mentioned. Mr. Hungerford stated that Councilperson Marchetti mentioned it to him on Friday and letters had been sent out. Supervisor Roach said he would contact the Sheriff’s Department and encouraged residents to call 911 to report any issues they may have. There are curfew laws and noise laws in the Town of Hamlin.

Mr. Hungerford noted that if he can’t see unregistered vehicles from the road he is unable to ticket them because he is not allowed on the property. If a neighbor allows him on their property to take pictures, he is able to do that.

Councilperson Rath asked about the Deputy Building Inspector and why he wasn’t filling in instead of Brockport. Mr. Hungerford replied that the Deputy Building Inspector will be out of town with him.

Highway Superintendent Tom Ingraham reported: He requested the following resolutions from the Town Board

APPROVAL TO AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH MONROE COUNTY COMMUNITY DEVELOPMENT

Resolution #158 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to authorize the Supervisor to sign a contract with Monroe County Community Development for the \$35,000 Community Development Block Grant to install ADA compliant restrooms in the Town Hall Park.

Brief discussion was held.

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

APPROVAL TO AWARD THE BID FOR 2009 GMC/ISUZU MODEL VT650 JOHNSTON SWEEPER TO CYNCON EQUIPMENT FOR \$194,655

Resolution #159 Motion was made by Councilperson Rath, seconded by Councilperson Rose to award the bid for a 2009 GMC/Isuzu Model VT650 Johnston Sweeper to Cyncon Equipment in the amount of \$194,655. This bid is in relation to the Shared Municipal Services Incentive Grant Program between Hamlin, Parma, Clarkson, and Sweden. The initial cost of each municipality will be \$48,633.75. The net cost to each municipality after 90% payment by New York State will be \$5,279.73. The reasons why this bid was accepted over the lower non-compliant bid by Joe Johnson Equipment is attached.

Brief discussion was held.

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

Highway Superintendent Tom Ingraham continued: Trash pickup collected 19 boxes full of trash, one recycling, 27.5 ton of metal which we received approximately \$3,000 for, 12 propane tanks, 18 batteries, 68 tires, 14 refrigerators and with the new e-waste, we got 43 TVs, 12 monitors and two large cardboard boxes of electrical equipment. Brush pick up started. Doing some work on Brick Schoolhouse with the water line. Clarkson did start Clarkson-Townline Road water line. A speed trailer was set up near Mr. Henhawk's house on Roosevelt Highway and it will be taken down in approximately one week. With the new building being put up in the Town Hall Park, water and electric need to be brought out to it from Route 18. The utilities would like to see the lot being one lot so the process has started to make it a lot combination. Items that went to auction were sold; one mower was sold for \$500, a flail mower sold for \$550, the Sewer Jetter truck was sold for \$4,250, and the Elgin sweeper sold for \$3,000.

Councilman Rath reported: nothing to report.

Conservation Member Nick Kramer reported: Earth day was a big success. There were 'green' vendors, fuel-efficient cars, tree seedlings were given away and afterwards Conservation Member Ed Evans took more than 30 people for a tour of the CCC Camp.

Councilman Rose reported: nothing to report.

Councilman Marchetti reported: Ambulance Corp open house May 17, 2009 from 1 pm to 4 pm.

Councilman Breslawski reported: Library has been busy. They have successfully diversified their bequest account with three different institutions so they are fully covered. Director Adrienne Kirby and her husband are expecting their first child in October; she will be resigning sometime in August.

Supervisor Roach reported: Thank you to everyone who participated in Earth Day and spring clean up. Town Board was advised of an after-the-fact approval for a non-profit group, the Hamlin Hornets to have fee waived to use the gym on April 25, 2009. The Town Attorney is working on the closure of the property exchange of the right of way on Railroad Avenue. The anticipated closure date is June 1, 2009. The Town of Hamlin is responsible for closing costs, and some tax credits due at closing. The attorney will be paying for the deed recording expenses and submitting re-payment via voucher. He still has not heard back from the Council of Arts regarding the technical grant for the preliminary design plans and repair plans for the bell tower at the History Center. He is concerned about the continual delay and has recommended to the Historian we move ahead and get estimates for a temporary shoring up. She has agreed. He has some preliminary ideas of what will be needed and will be assisting the Historian and Assistant Historian in getting some estimates. He has received the records from the Clarkson-Union Cemetery with the exception of the check register. He also received the most recent audit from the State from March 3, 2009. He is concerned because it is the opinion of the residents that the Town owns the Cemetery. This is not true. We have not accepted the conveyance yet. The Cemetery needs mowing now and definitely for Memorial Day. He spoke with the senior member of the Association who also thought the Town had accepted. Supervisor Roach assured him we have not and asked if the Association intended to mow the grounds and was told no, the mower was broken and they did not intend to do anything.

Supervisor Roach suggested that each Town Board Member review the records in his office and be prepared to consider the conveyance at the next Town Board Meeting. After brief discussion regarding the mowing of the Cemetery grounds, Supervisor Roach stated he would discuss the procedure with Association and do whatever is necessary to get the grounds taken care of.

ADJOURN TO EXECUTIVE SESSION

Resolution #160 Motion was made by Councilperson Rath, seconded by Councilperson Rose to adjourn to Executive Session at 8:05 pm to discuss a legal matter. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

RETURN FROM EXECUTIVE SESSION

Resolution #161 Motion was made by Councilperson Rath, seconded by Councilperson Rose to return from Executive Session at 8:15 pm.
Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Marchetti, seconded by Councilperson Rose to adjourn the meeting at 8:18 pm as all business has been concluded.
Members polled: Councilperson Breslawski aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk

**ADDENDUM TO TOWN BOARD MEETING MINUTES
MAY 11, 2009**

Public Forum

Tom and Sandy Tuschong 3897 Brick Schoolhouse Road. The Tuschong's read from the following statement:

“We have lived here for about 25 years. Seen cycles of kids and issues, this one is a terrible one—some adults are also part of the problem. Brick Schoolhouse Road from Route 360 to Harpers Park. Area of high concentration of families, so problems are magnified—40 families/20 double units, Rose Circle.

#1—ATVs, motorbikes, dragsters, mini clown cycles, etc. being driven back and forth on our roads from about Rt. 360 to the trailer park. Speeding at times, doing wheelies, darting in front of you as you are driving and just being crazy, at times continuously for hours. Traffic Safety Issue

Trespassing into woods. We have already had destruction to our property, trees cut down, trails made, people shooting guns, car parts, ATV batteries, bottles, cans, litter.

Area not zoned, owners of these vehicles should have the trailer or means to transport to areas where this is allowed.

Need stronger enforcement of existing town ordinance, and any county/state law—start ticketing and increase fines.

#2—Trunk stereos, sitting still, idling, moving slowly, also radios blaring outside and in homes with doors wide open. Very high concentration of them in our area. All hours day and night. Mainly afternoons, nights, and weekends.

Cannot sit out on the front porch, back yard picnics, entertain, talk on phone, hear TV, etc. without constant blaring or boom-booms—whether from across the street or back and forth continuously through night.

Cars, trucks, motorcycles, muscle cars, with excessively loud exhaust system.

A total ban of use of these trunk stereos within Town of Hamlin would help.

#3—Speeding and attempted passing to speed from Route 360 Westward. 40 MPH from Rt. 360 to Redman. We have had a few close calls trying to turn into our own driveway, with some people attempting to pass us on left. We need our turn signals on almost as soon as we pass Rt. 360.

#4—Junk vehicles, property maintenance. Unregistered, junk vehicles being stored on property in woods. Are they leaking? What type of environmental issues are here, besides being eyesores, and excessively loud

Monster trucks, tow trucks, vehicles on flatbeds all on their front lawns or in driveway visible from road or stored on neighbor's property at times.

Lack of maintenance on some properties, and upkeep bringing down other home values. Master plan specifically cites that one of goals is to eliminate residential deterioration.

We don't want the value of our home to decrease due to any neighbor's negligence, or not obeying the law.

We don't wish to be forced away from our home for yet another summer especially on weekends. Would like to be able to open our windows and enjoy the outdoors with our family and friends. For past few years, it has gotten progressively worse. We need the Town's backing to help resolve these issues and stronger enforcement of our own ordinances, as well as any at the county/state level.

Thank you for your time."

Paul Lapinski 417 Redman Road Mr. Lapinski read:

"Town Board Members and Fellow Citizens:

I would like to bring to your attention a statement from the Medical Staff of Northern Maine Medical Center dated March 3, 2009 titled, 'Health Concerns and the Need for Careful siting of Wind Turbines.' Although this statement was written for Maine, it certainly applies to New York. I request that my statement along with the attached copy of 'Health Concerns and the Need for Careful Siting of Wind Towers' be made a part of the Town's official correspondence.

At it's monthly meeting held Tuesday, March 3, 2009, the Medical Staff of Northern Maine Medical Center unanimously approved the release of the following statement:

Health Concerns and the Need for Careful Siting of Wind Turbines

Members of Northern Maine Medical Center's medical staff endorse the use of alternative energies.

We echo the concerns of the Medical Staff of Rumford Community Hospital as regards an increasing body of literature and reports from Canada, the USA, and particularly from Europe suggesting that the deployment of industrial wind facilities in close proximity to places where people live, work or attend schools results in negative health effects, including and especially sleep deprivation and stress.

We know, as physicians, that sleep deprivation and chronic stress can result in many consequential negative health effects, some of them serious, over the long term.

These effects arise not only from audible noise frequencies but also from persistent inaudible low frequency noise waves of a cyclical nature which are felt, but not heard. There are a growing number of scientific observations and studies suggesting that people living up to 2 miles away from these industrial wind farms may be affected.

Many European nations with more than two decades of experience with industrial wind factories have now implemented regulations stipulating setbacks of 1-1.5 miles.

In light of these growing, serious medical concerns, we propose a moratorium on the building of any such “wind farms” until more research is done on the health impact that such facilities will have on the communities surrounding such technology. These communities and the Maine DEP and Health Services must be allowed time to study and learn from the European and Canadian experiences, as well as from the many affected families in Mars Hill, Maine, and put into place appropriate regulations and ordinances, prior to expanding the wind industry in the State of Maine.

The State of Maine has a vast, unpopulated hinterland. There is little need to site industrial wind developments in proximity to residential communities if there is a risk of negative health effects. Quality of life, quality of place, and a healthful environment should be the right of all residents of Maine, including those of the rural north.

We also encourage the residents of Fort Kent, Maine, to exercise their rights and vote ‘Yes’ at the next annual Town Meeting on March 23rd to a proposal to establish a moratorium in Fort Kent on the permitting of industrial wind development until such time as an ordinance to govern their siting is in place.”