

Hamlin Wind Tower Committee *Minutes*
Tuesday, May 1, 2007
7:00pm

The regular scheduled meeting of the Hamlin Wind Tower Committee was held in the Hamlin Town Hall located at 1658 Lake Road, Hamlin and was called to order by the Chairperson Linda DeRue at 7:00pm with the location of the exits and defibulator explained for those present.

Present: Jerry Borkholder, Linda DeRue, Ed Haight, Tom Jensen, Dave Lukas, Mark Reeves, Andy Simpson and Lester Wilson.

Also present: Councilperson Mike Marchetti, Conservation Board member Tom Breslawski, residents Wayne Ward, Shawn Lessord, Sue Kingsbury, Troy Nesbitt, Eileen Preston, Mary Ann Hurlbutt, Don and Sandy Nichols, Kathy Habgood, Diane Grimm, Aaron LaFaro, Jack and Chris Shevlin and Tony Callari.

Chairperson Linda DeRue gave an opening statement. She stated that her vision for the committee was to search for a common ground, all Hamlin citizens should be entitled to endure the same opportunities for the same quality of life and to start to think outside the box and examine all of the concepts available to them and as a committee successfully complete their task.

In the Chairperson's Commentary Linda welcomed any Town Board member or Support Board member to openly speak at the meetings without signing up to speak.

Chairperson Linda DeRue personally welcomed new committee members Tom Jensen and Lester Wilson.

Committee member Tom Jensen read a letter from Ed Evans to the Town Board regarding his resignation from the committee:

April 19, 2007

Dear Supervisor Roach and the Town Board,

I want to thank you for giving me the chance to serve Hamlin one more time but in my opinion, the Wind Tower Committee has become a working model of a typical dysfunctional system. The way and the reason Mark Reeves was replaced as Chairman of that committee was the final proof for me. It convinced me that the likelihood of my being able to influence the findings of that committee is about the same as my being able to change the course of a falling apple by shouting at it.

I still believe, however, that there is only one way to make sure Hamlin remains rural. Since the Town is no more likely to buy the development rights to farmland than it is to take out bonds to build a community center, rest rooms on the athletic fields, or sidewalks to our parks, the job is left to wind farms. A good set of setback regulations around windmills would allow farming to continue

indefinitely and prevent residential development at the same time. The financial rewards to the Town and the people would be a welcome bonus.

Since it is a kind of hobby, I will continue to gather information about wind energy and keep in touch with my contacts in and around the wind energy business. Please feel free to ask me to share this information directly with the Town Board at any time. I will continue to send some of the more interesting material to you unsolicited.

Finally, please accept this email as my official resignation from the Wind Committee. I would like a copy of it given to Tom Jensen to be read into the minutes of the next Wind Committee meeting and I would also like it read into the minutes of the May Town Board meeting.

Thank you again.

Sincerely,

Ed Evans

OLD BUSINESS

Linda explained that she took a copy of the letter the committee would like sent out to the residents to the Supervisor personally to be placed on the May Town Board meeting agenda.

The committee discussed the hiring of Mr. Spitzer. Dave Lukas explained that he has emailed the office but has not received a response yet. He will follow up tomorrow with a phone call. Dave discussed amending his previous motion to state they would like to hire Mr. Spitzer's associate Jill Yonkers. Her rate is less than Mr. Spitzer's. Mike Marchetti suggested running the questions by the Town Attorney that is already being paid for before asking Mr. Spitzer. He feels the Town Attorney can answer many of the questions. Ed Haight suggested running the questions by the Town Supervisor first before asking Mr. Spitzer's office.

A motion was made by Dave Lukas, seconded by Ed Haight to hire Mr. Spitzer's associate Jill Yonkers in a 5 hour block of service to answer questions that require expert answers as needed pending a return phone call. Members polled Borkholder aye, DeRue aye, Haight aye, Jensen aye, Lukas aye, Reeves no, Simpson aye, Wilson aye.

The trip to Fenner was discussed. The committee agreed to visit Fenner on Saturday, May 19, 2007. They will meet at the Town Hall at 11:00am. A van will be rented from Budget Rental.

Linda reminded everyone of the work session dates that were added. The dates are on the web site. They will be open to the public but just work sessions for the committee.

Open Forum was discussed. Linda explained that if the open forum is at the beginning of the meeting it allows people to ask questions and then leave if they want to. If it is at the end of the meeting it allows people to comment on issues that are discussed during the

meeting. Linda has decided to have open forum for the first ½ hour according to the sign up sheet and again for 15 minutes at the end of the meeting with no sign up needed during the second meeting of the month. If they run out of time at the end of the meeting those residents will be the first to sign up at the next meeting. The meetings will still end at 9:00pm.

Linda announced Dave Lukas as Co-Chairman of the committee.

SUBCOMMITTEES

Linda stated:

1-I am launching a new approach to improve community / committee in depth communication. This shall be called the Wind Tower Community Relations Committee and I have asked Jerry Borkholder to be the chairmen of this sub committee. This will be a way of reaching out to the community. He will, by our next meeting, have prepared a report on his procedure for doing this.

2-To give the public an opportunity to be more involved I am going to form more subcommittees that will consist of 2 people from the public and one committee member. They will met one time and discuss the pros and the cons of different issues in regards to wind towers. This will be a time to share the information they have. The committee member will then submit a brief written report to the committee on the information presented by both sides.

The first subcommittee meeting will be with Kathy Habgood and Dave Martin. They will be discussing bird/bat kill.

THE FOLLOWING IS A LIST OF SUBCOMMITTEES YET TO BE FORMED

1-NOISE ISSUES

2-BIRD/BAT ISSUES*

3-ELECTRIC-INTERMITTENCE; BACK UP POWER; HIGHER ELECTRIC RATES.

4-SHADOW AND FLICKER EFFECTS.

5-ELECTRONIC AND ELECTROMAGNETIC INTERFERENCE / STRAY VOLTAGE AKA GROUND CURRENT

6-PROPERTY VALUES

7-ICE THROW / LIGHTNING / GROUND WATER IMPACT

8-MONEY-SUBSIDIES; PILOT; TAX BASE

*KATHY HABGOOD AND DAVE MARTIN WILL MEET TO DISCUSS BIRDS/BATS. COMMITTEE MEMBER NOT CHOSEN YET.

Mark asked if this was a dictation or was it up for a committee vote. Mark stated that there were not any positive issues on the list and he asked if the list could be expanded. Tom stated that he has researched every issue on the list but is not able to attend each sub committee meeting. Tom asked who would decide who is on the sub committee. Linda

stated that she would make that decision. Tom questioned how the residents would be picked. Linda explained that they would sign up and if there were more than one then they would draw names out of a hat. Tom stated that he felt they were reinventing the wheel. The facts are out there. It's a matter of setting regulations. He wants zero noise at the property line period. Linda stated that this is an opportunity for the public to have a voice. Dave stated that he would like to sign up for noise and subsidies. Mark stated that there needed to be consistency. Last meeting sub committees were discussed and a vote was taken and the committee didn't want them. It needs to be voted on again tonight. Linda explained that this was a different concept. Mark disagreed. It was asked if the meetings would be private. Linda stated yes they would. Mike Marchetti stated that according to the charter all meetings needed to be open to the public. They cannot have private meetings. Tom stated that according to the open meeting law it is acceptable to have private meetings. These are rules that they have to live by. Lester stated that he would be worried about the possibility of a conflict issue arising. Jerry asked Mike Marchetti about the meetings being private. Mike suggested asking the Town Attorney if it was legal or not. Mark stated that the Town Board would have to revise the Charter because it stated that all meetings would be open to the public. Mike Marchetti stated that all meetings should be open to the public. It was suggested that they not be called sub committee meetings. Calling them "friendly get togethers" was suggested.

A motion was made by Dave to have friendly get togethers with the public.

A motion was made by Ed, seconded by Mark to have the Chairperson run the formation of sub committees that will be meeting in private by the Town Attorney first and then come back to the committee with the results.

A discussion took place. It was suggested that they meet in the gym or other room prior to the Wind Tower committee meetings. Linda explained that she was trying to avoid having these meetings be open so that the residents would feel free to speak. Mike stated that the committee is working for the government now and there are rules that have to be followed. Mark asked if the names of the individuals would be published. Linda stated yes they would. Tom suggested that they meet prior to the meeting with no public forum. The residents could give their point of view and then it would be discussed during the meeting. Jerry suggested having 2 or 3 of these little get togethers being conducted at the same time. Tom suggested they be held in the gym at separate tables all at the same time. Linda stated that if they are open to the public then there is no need to check with the Attorney. After some discussion Ed and Mark rescinded their motion if the meetings were going to be open to the public, not sub committees and advertised.

A motion was made by Dave, seconded by Ed to have get togethers prior to the meetings in the gym on the first Tuesday of the month consisting of 2 people from the public and one committee member. Linda will choose who attends. There will be one pro and one con representative. There will be an open sign up sheet. The committee member will write a report to present to the committee at the following meeting. The pro/con reference material will be included in the report to be shared with the committee. The first get together will be June 5 at 6:00pm in the gym. Members polled, all ayes.

TOPIC NOISE

Dave gave a brief overview of noise. Dave stated that the NYS DEC defines noise as any disagreeable or unwanted sound. The noise of wind towers may have effects on health down the road. The noise is from the gears and bearings as well as from the blades that create a "whoosh" sound. The newer wind turbines make less noise than the older ones. Different levels of noise were discussed. Wind speed, weather conditions, temperature and air pressure effect the travel of sound. Noise is the same regardless of the location. The NYSDEC states that anything over 6dba is unacceptable. Audible noise was discussed. Dave explained noise that can be felt versus noise that you hear. Noise travels through the ground. Mark requested Dave's resources. Andy handed out information from other communities regarding wind turbines. Stafford found wind towers not suitable for their town. Bethany presented their findings to their Town Board. Dave stated that regulations in NYS have tightened up since the first wind farms. Jerry stated that he was confused. He read a survey that the noise is more bothersome far away. The audiologist stated that sound travels very well. He believes it may be the repetitive nature of the sound that is bothersome to some people. Linda asked if a noise study would be conducted. Dave stated yes usually a sound engineer conducts a study prior to the wind towers coming in. Having the study completed for all four seasons was suggested. Tom stated that there is a lot of information pro and con on the noise. He stated that a regulation could be made to have zero noise at the property line. This would be a recommendation to the Town Board. The wind turbines would need to be maintained and this would be the code so they would have to comply with the code. Linda stated that several companies sell out to other companies so who is responsible. Tom stated that it would be Town Code so they would have to operate per the code or they would have to be removed. A bond for the removal was suggested. Jerry questioned zero noise at the property line being realistic. Tom stated it would be regulated by setbacks. He explained that they could go before the Zoning Board for a variance. Linda stated that most farms are located on hilly terrain and questioned why they are looking at Hamlin because it is so flat. Lester stated that it is on a little hill but Hamlin is a potential wind resource site. The MET towers will determine the resource. Linda asked about the results from the Met Towers. Mark responded that the Town Board does not have access to that information because they messed up and failed to include that when the Town signed the contract with the Developers. Tom gave information from other town's noise regulations. Tom stated that no one in the Town should be inconvenienced. Jerry questioned sound level and sound pressure and which causes a greater negative impact. The audiologist stated that he can't answer that he would have to do some research. He suggested doing a seismograph reading of the area. Infrasound was discussed. This is the sound that is below audible hearing. The audiologist stated that some people are more sensitive than others to sound. Reputation of the noise may be a factor.

A motion was made by Andy, seconded by Ed to approve the minutes from the April 17, 2007 meeting with the correction that the word emergency be changed to urgency on page 1 paragraph 1. Members polled, all ayes. Minutes approved.

Chairperson Linda DeRue stated that at the next meeting she would like to revisit the noise issue and also discuss Flicker effects.

ADJOURNMENT

A motion was made by Dave Lukas, seconded by Tom Jensen to adjourn tonight's meeting barring any further business. Members polled, all ayes. Meeting adjourned.

Minutes respectively submitted by:

Heather Norman
Clerk to the Support Boards

The next Committee meeting will be May 15, 2007 at 7:00pm.