

**Huntington Hills, Inc.
Minutes of the 2007 Annual Meeting
October 30, 2007
Irondequoit Town Hall**

25 households present

Call to order

President Don Becker called the meeting of Huntington Hills, Inc. (HH, Inc.) to order at 6:55 PM. Mr. Becker asked everyone present, starting with the Board, to introduce themselves by name and street address. Also attending the meeting were Town Supervisor Mary Ellen Heyman, Pat Meredith, Deputy Commissioner of Public Works and two representatives of Labella Associates, Steve Metzger and Mike Shaffron.

Approval of 2006 Annual Meeting Minutes

Secretary/Treasurer Monica Simpson solicited questions or comments regarding the 2006 Minutes, which had been sent to members with the 2007 meeting announcement mailing. Steve Wilde's motion to approve the minutes was seconded by Chris Soderstrom and passed unanimously.

Treasurer's Report

Monica Simpson presented the Statement of Financial Activity for the preceding year, followed by the proposed budgets for 2008 and 2009. (All 3 documents are included in this mailing.)

Ms. Simpson presented the proposed budget for 2008, which includes an assessment for each member household of \$40 per year for 2008 and 2009, to be collected as an \$80 payment in 2008. Don Becker explained that the Board approved the assessment to avoid a projected deficit in 2009 and to ensure operating funds in excess of anticipated expenses detailed in the budgets.

With a current balance of \$1,850.97, estimated expenses of \$2,607.00 and revenue of \$4,733.00 produced by the assessment, we will end 2008 with an estimated balance of \$3,976.97. With no anticipated income in 2009, and anticipated expenses of \$2,721, we will end 2008 with a balance of \$1,255.97.

Sue Rodgers proposed that with the upcoming property tax reassessment, our property taxes might increase. Don pointed out the addition of several previously untaxed acres of the Commons to the tax rolls in 2006 had not increased our taxes significantly due the Town's willingness to assess those "forever wild" parcels at a reasonable rate, and expressed hope that those assessments and our tax burden would not increase significantly.

Don addressed the issue of those few members who have not paid the \$40 assessment levied at the 2005 Annual Meeting. As in the past, legal measures will not be taken to collect these assessments until the amount owed by a household exceeds the expense involved in collecting those funds. As was approved at the 2006 Annual Meeting, the names of those households which have not paid the last assessment of \$40, having been duly notified, are listed here:

Bellardina, 239 North Entrance
Hall, 139 Center Entrance
Porter-Hutton, 125 Conifer Lane

The question of photocopying costs was raised. Sue Rodgers volunteered the use of her home copier to help offset the expense.

A motion to approve the Treasurer's Report and budgets was made by Jim Robinson, seconded by Steve Wilde, and passed unanimously.

Toper Construction vs. Huntington Hills, Inc.

Don Becker asked Jeanne Colombo to update the membership on the status of the lawsuit. Jeanne distributed copies of the Court's decision to the members present. As reported in the letter that accompanied the Minutes of the 2006 Annual Meeting sent to members in January 2007, a prescriptive easement was granted giving Huntington Hills, Inc. members the right to travel over the lots (68 and 51) owned by Toper Construction. Toper Construction had 30 days to appeal Judge Galloway's decision in the matter. No appeal was filed, so the case was closed.

Ms. Colombo reported that there is a side issue in which the Spring Valley residents, but not Huntington Hills, Inc., are involved. The judge requested that a survey be made of the land in question and a Motion to Renew be made. The neighbors have had the survey done. The only further involvement on our part would be to ask the neighbors to include the name "Huntington Hills, Inc." in the survey if and when the Motion to Renew is made and filed. These steps will protect the homeowners when they sell their homes.

The 4 lots still owned by Toper are the only four original garden plots not owned by HH, Inc. According to Spring Valley residents, there are "for sale" signs on the lots. Should the lots be sold, they cannot be built upon. Ms. Colombo expressed the hope that ultimately HH, Inc. might be able to acquire the lots and add them to the Commons, although the prices being asked for the lots in the past have been prohibitive.

Don Becker acknowledged Jeanne's efforts and the financial support of the membership in the matter of the lawsuit. He also praised Sam Ruggeri's efforts over the years to acquire garden plots for the Commons and his continued determination to track the prices of the Toper lots with the ultimate goal of "returning" them to the residents of Huntington Hills.

Spring Valley Flooding Remediation Project Status Report – Pat Meredith, Deputy Commissioner of Public Works and Mike Shaffron and Steve Metzger, Labella Associates representatives

Don Becker introduced Pat Meredith (attending the meeting in place of Commissioner Marty Piecuch) and asked him to update the membership on the status of the project. Mr. Meredith stated that the Town is ready to do the project, but cannot commence it until the DEC and Army Corps give their approvals. However, due to the late date and onset of winter, even if approval was received now, the work could not be started. Mr. Meredith asked the Labella Associates representatives to report on the project from their perspective as Town Engineers, the position Labella Associates has occupied on this project since January 2006. Initially, the project as it had been previously designed was reviewed, found to be deficient and abandoned. Labella then began working with the DEC and Army Corps of Engineers to design a project that would meet the DEC and Corps requirements and attain the approvals needed to make it happen. Following abandonment of the previous plan, which had called for the construction of detention ponds to attenuate flow of the creek, a new plan was devised. The new plan, currently awaiting Army Corps approval, will raise the level of portions of Hoffman Road (by 3 feet) and Conifer Lane (by 4 feet) now subject to flooding. Water will flow through 18-inch culverts installed under the roadways. There will be 7 culverts under Hoffman and 8 culverts under Conifer. On the Spring Valley side, the stream will be re-routed to one side of the Spring Valley roadway, eliminating the culvert crossings and satisfying the Army Corps' requirement that the overall length of the stream be maintained. In April 2007, the revised design was submitted to the DEC and Army Corps in a Joint Application for Permit. At this time, the DEC has reviewed and approved the plan and has sent it on to the Army Corps, which has not yet taken any action. Labella and the Town have made numerous attempts to get a decision from the Corps, so far without success. Should the Corps approve the plan, it would be out for public comment. One area of primary concern on the part of the Corps is the potential impact on wetlands. The Corps can require the Town to mitigate the loss of wetlands by creating new wetlands equal to twice the area of the wetlands lost to the project. However, in this case, the Corps has agreed to one-to-one mitigation. It is estimated that this project will disturb one acre of wetlands.

Eileen Wilkinson asked if the State money once allocated for the project was still available. Sue Rodgers stated that that money was spent on earlier planning. Sue Rodgers expressed concern that further development upstream might continue to increase the potential for flooding. Mr. Shaffron responded that the current drainage regulations for building and development should prevent future problems. Mary Ellen Heyman stated that the Town is monitoring all new development for impact on drainage.

Regarding the stalled Spring Valley project, Ms. Heyman stated that she had enlisted the support of Senator Schumer's office to get an answer from the Army Corps, but still had had no success. Jim Robinson asked what would happen if the Town went forward with the project without Corps approval. Mr. Shaffron said that the Town would be fined and would risk bad press.

Jim Robinson asked what the elevated roadways will look like when the project is completed. Mr. Shaffron responded that elevating the roadways will alter the appearance of the area, but that once the vegetation re-establishes itself, the visual impact will be softened.

Lisa Kubbyasked what could be done upstream to solve or reduce the flooding problem. Mr. Shaffronresponded that the now-abandoned plan, which called for detention ponds upstream, was rejected by the DEC and Corps. Numerous members expressed concern about the impact of future development, based on the impact of upstream development to this point. According to the Town representatives, if current Town and State building and drainage regulations are enforced and followed, the types of problems that occurred in HH as a result of development along Titus Avenue should be prevented.

John McDermott asked if the Town will maintain the new culverts once they are installed, and requested that the Town clean out the existing box culvert which is plugged with debris. Mary Ellen Heyman promised to have the culvert taken care of.

Laura Morrissey asked if the addition of plantings upstream from the flooding could ameliorate the problem. The Labella representatives responded that most of the water is coming off impervious surfaces like roofs, roadways and parking lots, and that additional vegetation would not be able to offset the impact of that large volume of water.

Lisa Kubbyexpressed concern that the money being spent on the project will be wasted since the cause of the problem is not being addressed. Mary Ellen Heyman responded that the plan is the most cost-effective alternativeand has the lowest impact on the environment. This plan has taken two years to develop to the point where it can be considered for Corps approval without which nothing will happen and it will remain unresolved.

Pat Meredith, Deputy Public Works Commissioner, addressed a question regarding the impact of the project while work is going on. It will be a 2-month project and the roads will remain passable for local traffic. This will be a high priority project for the Town and work will go on every day, for 10-hour workdays. Prior to the initiation of the work, the Town will hold a meeting with the residents.

Don acknowledged that the Town and Labella have included HH, Inc. in discussions throughout the course of the project. He also pointed out that the work process plan and project plan are on the Huntington Hills website, and that the Town administration under Ms. Heyman has worked very hard to move this project forward.

Danielle Lepelexpressed concern about preserving trees that appear to be in the pathway of the Conifer Lane project. Mr. Meredith assured her that the trees will be preserved.

Leah Sick asked how the project is being funded. According to Mary Ellen Heyman, the Town has given tentative approval to allocate \$110,000 for this project in 2008.

Update on Town Activities and Plans - Mary Ellen Heyman, Town Supervisor

In the past year, the Town has been engaged in a lot of infrastructure repair, including sewer, sidewalk and slope stabilization projects, including \$600, 000 spent to address the slide on Seneca Road. Her administrationhas tried to be accessible and responsive to the needs of Town residents. Taxes have remained stable. The Town is in the midst of property reassessment, with the goal of treating all property ownersfairly and equitably. The Town is working to address the issue of the two community library branches. As always, needs outstrip resources, and the Town is trying to be leaner while remaining responsive.

Ms. Heymanopened the floor to questions. Jim Robinson asked if an outside contractor had been hired to conduct the reassessment, and if so, was this the first time Irondequoit had done this. Ms. Heyman responded that this had been done before, and in this case, the Town joined with the Town of Brighton to get

a discounted rate from the company, saving both towns a significant amount of money. This reassessment is actually costing less money than the last reassessment in 2002, which was also done by a contractor. The Town put the job out to bid and selected the company on the basis of cost, discounts, and additional services offered. The cost of the assessment is on the Town website. So far Ms. Heyman is pleased with the company and the process.

Ms. Heyman addressed a question about the status of Medley Center and the tax abatement given to Mr. Berson, the former owner. Ms. Heyman was on the School Board at the time that Mr. Berson purchased the mall and so was involved in the Town's decision-making process. Prior to Mr. Berson's purchase of the mall, a consultant brought in by the Town deemed that the mall was viable and would take 8 years to be revitalized. At that time, the choice came down to giving Mr. Berson the tax break or having the mall stand empty. Mr. Berson has since sold the business. The new owners, who own the Syracuse Carousel mall and the Buffalo Galleria mall, have the same tax break as Mr. Berson and have \$135 million to invest in the business. Target generates a lot of sales tax income and could serve as a draw to the mall, once there are more stores to shop in. Ms. Heyman has talked with the new owners about making the mall "green" as there is a lot of money available for this right now.

When asked about her goals for the Town with regard to development in her next term, Ms. Heyman identified redeveloping commercial sites, including the Donuts Delite site on Culver Road and other sites that have good potential for success. There is a hotel being built at 1335 Ridge Road on the site of a demolished car dealership that had stood vacant for some time. In January 2007, the Town Board voted to spend \$186,000 in Town funds to explore development of the Lighthouse Point property between the Genesee River and Lake Ontario, near Shumway's marina. Ms. Heyman expressed concern about the impact of the sales tax plan being proposed by the County Executive, which could cost the Town \$2.5 million in sales tax revenue.

Jeanne Colombo raised the issue of the poor state of repair of Wisner Road, which is a City of Rochester road. Stephanie Aldersley stated that according to DPW Commissioner Marty Piecuch, the City plows the road and pays Irondequoit \$50 annually to care for the road. Jeanne asked the Town officials present to figure out a way to get the road fixed. Monica Simpson cited correspondence regarding these issues between Jeanne and Marty Piecuch from early 2007. Mary Ellen Heyman said that she would look into the matter. Don Becker offered the support of the Board and membership for any efforts to address the problems with the road.

Don Becker thanked Mary Ellen and her administration for the use of the Town Hall meeting room for our annual meetings and for their attendance at the meetings.

Other business

Mr. Becker took a few minutes to describe the Huntington Hills website and to encourage neighbors to visit and contribute to the website at www.huntingtonhillsinc.org, where information about the neighborhood can be found, along with links to related sites. On behalf of the neighborhood, Don read a letter thanking Adam Stein for creating and maintaining the website, and presented him with a gift from the association.

A Center Entrance resident raised the issue of non-residents, specifically people on bikes, accessing the Commons. Mr. Becker confirmed that the Commons is private property and that non-residents who come on the property are trespassing. Mr. Becker added that at a previous annual meeting the membership voted to limit traffic on the Commons to foot traffic and skiing, with a ban on wheeled vehicles, including bicycles. An animated discussion followed, in which the pros and cons of allowing residents to ride bicycles on the Commons trails were expressed. Steve Wilde made a motion to suspend the current prohibition against residents riding (human-powered) bicycles on the Commons trails for a period of two years. During that period, the Commons Committee will monitor trail condition and will report to the Board with their findings. Should it be determined that bicycles are having a negative effect on the Commons, bicycles will again be banned. Don Becker added that the Board has the authority to take action as they see fit. Jim Robinson seconded the motion and it passed with 17 votes for the motion, 8 opposed.

One of the concerns raised during the bicycle discussion was the possibility of a non-resident entering the Commons, being injured and bringing a lawsuit. What would HH, Inc.'s liability be? Jeanne Colombo explained that by the case law of the State of New York, HH, Inc. would be immune from suit in terms of recovery from trespassers, as long as there is no "attractive nuisance." However, an HH resident can sue.

Don clarified that the liability insurance that the association carries protects only the Board members, not the entire membership. Thus, in his opinion, the prudent approach for the membership is to limit risk.

Danielle Lepelasked what should be done about a tree on the Commons that is a hazard and is dropping limbs on Conifer Lane. Mr. Becker stated that the residents with concerns about hazardous trees should notify the Board, and the Board will notify the Town to get permission to remove the tree. Should the cost of removing it be less than \$300, the Board has the authority to spend the money without the permission of the membership. Should the cost exceed \$300, the membership's permission would be required.

Rich Oxley reported that the County Health Department has been contacted about sewage odor in the vicinity of Trimble Lake.

There are now 3 stop signs at the intersection of Wisner and Hoffman Roads. The decision to install the 3 signs was made by the Irondequoit Police Department.

Adam Stein invited members to sign up to be notified via e-mail of changes to the website. He also invited members to let him know if they would like him to set up mailing lists for groups within the neighborhood.

At 9:35 PM, Bill Boltemade a motion to adjourn the meeting. The motion was seconded and passed unanimously.

Submitted by Monica Simpson, Secretary/Treasurer
February 10, 2008