

Hamlin Town Board Meeting  
December 10, 2007

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake R., 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 especially the mother of Councilperson George Todd.

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

Also present:

Tom Breslawski, Tom Jensen, Mark Reeves, Paul and Dorothy Lapinski, John DeRue, Nancy Jennejahn, John and Pat Cottom, David Lukas, Renee Cliff, Andy Simpson, Lloyd Lochner, Norman Baase, Jerry Borkholder, Kathy and Ted Habgood

**RESOLUTION OF APPRECIATION FOR STAFF SERGEANT DANIEL LUCE**

Supervisor Roach introduced the following Resolution of Appreciation

**RESOLUTION OF APPRECIATION**

WHEREAS, Daniel Luce, a Hamlin resident, has honorably served his country as a Staff Sergeant, United States Army and,  
WHEREAS, Daniel Luce bravely and dedicatedly served a combat tour in Iraq from May 11, 2006 through April 29, 2007 as a Squad Leader and Convoy Commander with the 1451 Transportation Company, Tallil AB, demonstrating a high degree of leadership and courage under fire, leading 18 soldiers on over 80 combat missions, with no loss of life or equipment and,  
WHEREAS, Daniel Luce's professionalism and bravery were recognized by the Department of the Army through various personal awards including the Bronze Star Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, the Iraq Campaign Medal and the Combat Action Badge and,  
WHEREAS, Daniel Luce brought a great deal of pride to his family and the Town of Hamlin through his brave and selfless performance of demanding duties under extremely arduous circumstances,  
THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its most sincere appreciation to Daniel Luce for his brave and dedicated service in support of his Country as a soldier in the United States Army during his combat tour in Iraq. Welcome Home! Well Done!  
FURTHER BE IT RESOLVED, that Daniel Luce be furnished a copy of this Resolution, which is spread upon the minutes of the December 10, 2007, Town Board meeting.

Unanimously approved,

Town Supervisor Dennis Roach  
Councilperson Michael Marchetti  
Councilperson Paul S. Rath

Councilperson David Rose  
Councilperson George Todd

## **ANNUAL PRESENTATION BY ZONING BOARD OF APPEALS**

Zoning Board of Appeals Chairman Norman Baase was introduced by Supervisor Roach to make the annual presentation on behalf of the Zoning Board of Appeals. Chairman Baase started his presentation by mentioning this was the first year that the board was operating with five members. The board was able to adapt to that change and was able to meet the needs of the residents.

For the year 2007 the ZBA reviewed several applications for variances for subdivisions, site plans and building on vacant lots. The board conducts on site inspections for every application prior to a scheduled public hearing. The board reviews the variance criteria for each proposed application then determines if the variances can be granted and if any conditions should be imposed along with the variance. At a public hearing the concerns of the neighbors or any other resident are taken into consideration. The health, safety and welfare of the community are always taken into consideration. There were only six variance determinations made in 2007. This is down significantly from the 29 determinations last year. It has been a quiet year, which would be an indication of a well working code. The ZBA continues to work with the other support boards.

Each board member has accomplished their required four hours of training for 2007. Some members even exceeded the required hours of training by attending the session at Mt. Morris in November. Some of the ZBA members have attended the Zoning Code Review meetings with the Town Board. Several new ideas have been suggested followed by changes to the code being implemented. They will continue to work with the Town Board. One ZBA member served for a while on the Wind Tower Committee. The board members have discussed and reviewed information on the WTC meetings. The board will continue to stay involved in the discussion regarding Wind Towers.

The goals for the ZBA set for 2008 are to continue to meet their required hours of training, to continue to have good communication and work together with the Building Dept., Planning Board, Town Board and Conservation Board. The board also hopes to have all revisions to the Zoning Code completed in 2008 with a fair and workable code for the town. The members will also strive to only allow variances that will better the community and to maintain the health, safety and welfare of the town and its residents.

The following recommendations are being suggested. Develop a formula in the future for building large homes on existing small lake front lots. This would eliminate the potential for large mansions to be built on small lots along the lake. Also suggested is the implementation of new flexible zoning provisions for shoreline residential development. This concept was discussed at the Zoning Review meeting and it was determined that several of the variances granted along the lakefront wouldn't have been required if this new zoning had been used. Chairman Baase concluded his presentation by thanking the Town Board for the opportunity to share their thoughts and experience with them.

## **PUBLIC FORUM**

Supervisor Roach opened the public forum asking those who wished to speak to have consideration and limit their remarks to three minutes. Supervisor Roach asked if resident Ken Stevens was present and remarked about Mr. Stevens and a phone call placed by him. He was one of the victims of the drive-by shootings that happened the Saturday after Thanksgiving. This past week a woman walking her dog near Dunbar/Collamer Roads in Parma found a pistol in the creek. ATF is investigating and hoping they found a break in the case. Supervisor Roach encouraged all present if they see anything suspicious to contact 911.

Kathy Habgood spoke regarding the Wind Tower turbine placement being within 5 miles of the lake and the migratory bird issue.

Dave Lukas 1288 Moscow Road commented on the fact that the town of Hamlin has no night DBA. He also talks about the noise ordinance and that 45 DBA should be the normal not 50 DBA.

Jerry Borkholder 391 Morton Rd explained that he did not run against wind turbines but the handling of the turbines in government. He questions Councilperson Mike Marchetti about the Workshop Concept and the advantages it provides. Supervisor Roach comments that the purpose of the workshop has been covered. Mr. Borkholder questions the value of the workshop. Supervisor Roach apologizes that Mr. Borkholder didn't feel it met his expectations but it satisfied the Town Board. Question was asked if another workshop is planned. That is unknown for now. The Board is awaiting the response back from Attorney Spitzer and will determine the need for another workshop after reviewing the revised draft.

A request was made to postpone all Wind Turbine workshops until after the holidays. Supervisor Roach remarked that the Board is waiting for feedback from Attorney Spitzer before scheduling any other meetings. Comment was made regarding scheduling a moratorium which was answered by stating that Local Law requires a public hearing. Supervisor Roach recommends the Town Board schedule a public hearing before the next Town Board Meeting.

Paul Lapinski asked the question regarding whether the Town Board has made the determination if the Wind Turbines are in the best interest of Hamlin. Supervisor Roach remarks that we want to maintain local control and we are working towards that end with our regulations. Mr. Lapinski then asked if Supervisor Roach was planning a trip to Tug Hill to see their Wind Turbines which are the same size as those being offered here. Supervisor Roach answered that a trip was planned by him without the Wind Tower committee or Town Board in attendance.

Supervisor Roach asked for any other comments or questions. Public forum was then closed at 7:32pm

**APPROVAL OF TOWN BOARD MEETING MINUTES OF  
NOVEMBER 13, 2007**

Resolution #266 A motion was made by Councilperson Rose seconded by Councilperson Rath to approve the Town Board Meeting Minutes of November 13, 2007 as presented. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried, minutes approved.

**AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS**

Resolution #267 A motion was made by Supervisor Roach seconded by Councilperson Rath to authorize the payment of bills from their respective funds as follows:

**MONTHLY TOTALS** **ABSTRACT** **12**

<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
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General

1531-1536	9219.26
1546-1548	859.58
1590-1610	13519.30
1612-1657	23596.60

**\$ 50,543.78**

Library

1537-1538	290.01
1549-1551	89.79
1658-1670	6861.17

**\$ 7,240.97**

Highway

1553	43.40
1557-1582	49972.31

**\$ 50,015.71**

Sewer

1539	75.73
1552	42.33
1583-1589	1682.45

			<b>\$ 1,800.51</b>
Trust			
	1542-1544	24590.20	
	1554-1556	2029.08	
			<b>\$ 26,619.28</b>
Light			
	1540-1541	1058.58	
			<b>\$ 1,058.58</b>
Clarkson/Hamlin			<b>\$ -</b>
Hunt Park	1611	1396	<b>\$ 1,396.00</b>
<b>GRAND TOTAL:</b>			<b>\$ 138,674.83</b>

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

**AUTHORIZATION OF TRANSFER FROM THEIR RESPECTIVE FUNDS**

Resolution #268 A motion was made by Councilperson Rose seconded by Councilperson Marchetti to authorize the transfer of funds as follows:

<b><u>FROM ACCOUNT</u></b>	<b><u>TO ACCOUNT</u></b>	<b><u>AMOUNT</u></b>
A8710.2 – Conserv. Bd. Equip.	A8710.4-Conserv. Bd. Exp.	\$ 407.41
A7020.14 – Program Assist. Sal	A7020.13-Gymnastics Instr.	\$ 625.00
A7310.4- Youth Services Cont.	A7020.4-Rec Exp.	\$ 500.00
DA5130.2-Machinery Purchase	DA51101.1-Gen. Repairs Salary	\$5,644.72
DA5130.2-Machinery Purchase	DA5140.1-Misc. Salary	\$5,855.28
DA5140.4-Misc. Exp.	DA5140.1-Misc. Salary	\$ 106.08
A7410.2-Library Equip	A7410.4-Library Exp.	\$4860.47
A7410.1 Library Salaries	A7410.4 Library Exp.	\$1700.00

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

Supervisor's Monthly report acknowledged and filed.

**CORRESPONDENCE:**

- a. Letter from Time Warner dtd 11-09-07 RE: Agreement with programmers.
- b. Meeting dates for 2008.
- c. A copy of a letter from Supervisor RE: Request for Member to Serve on Search Committee.
- d. A letter from the Recreation Commission RE: Re-appointment of Pat Batty as Recreation Director.
- e. A letter from the Recreation Commission RE: Re-appointment of Patty Jo Groenendaal as Assistant Recreation Director.
- f. A letter from the Recreation Commission RE: Re-appointment of Katrina Hurd-LaFever as Senior Citizen Coordinator.
- g. The Library Board of Trustees Minutes of 11-7-07.
- h. A letter from Attorney Licht RE: Proposed order scheduling a public hearing for the Brick Schoolhouse Road Water District.
- i. A letter from Attorney Licht RE: Bed and Breakfast codes and definitions.
- j. A letter from Hamlin Fire Chief RE: Blockage of the road on Orchard Street.
- k. A letter from NYS Office of Consumer Services RE: Invitation to learn about Energy Efficiency Portfolio Standards.
- l. A copy of a letter from Chatfield Engineers RE: Soanes' Subdivision Road dedication.
- m. A letter from Hamlin Public Library Board of Trustees RE: Re-appointment of Carolyn Hungerford.
- n. A letter from Hamlin Public Library RE: Thank you to Town Board for their support and passing of the budget.
- o. A letter from Duane Miller RE: Resignation from the Board of Ethics effective 12-31-07.
- p. The Recreation Commission Meeting Minutes of 11-13-07.
- q. A copy of a letter from Attorney Licht RE: Country Creek Estates snow plow agreement.
- r. A letter from NYS Health Department RE: Drinking Water State Revolving Fund.
- s. A letter from Time Warner dtd 11-20-07 RE: Agreement with programmers.
- t. A copy of a flyer RE: Hattie Harris Good Spirits Club International RE: Caroling in Town.
- u. A letter from Tom Breslawski RE: Resignation from the Conservation Board effective 12-31-07.
- v. A letter from St. Pauly Textile Inc. RE: Planet Aid.
- w. A copy of letters from the Shore Acres Neighbors Steering Committee RE: Lake Level.
- x. A proposed article #4.23 Longevity Pay for the Employees Handbook.

- y. A copy of an e-mail from Sue Kingsbury RE: Wind Turbines.
- z. A letter from Mr. & Mrs. Callari RE: Wind Energy.
- aa. A letter from James Nesbitt RE: resignation from the Planning Board.
- bb. A letter from NYMIR RE: Rates for 2008
- cc. A copy of the County Fishery Advisory Board agenda for December.
- dd. A memo from Monroe County Dept of Planning RE: 2007 training attendance for Board members.
- ee. Copy of the Monroe County Amendatory Agreement for Snow Removal and Ice Control Services.
- ff. An email from Mark Palazzo, Weichert Realtors/The Rich Group RE: Hamlin Strip Center for Lease.
- gg. Fax from Attorney Licht RE: Intermunicipal Agreement with the County of Monroe.
- hh. An email from Pat MacIntosh RE: Vacation Hours
- ii. Assessor's monthly report for November 2007.
- jj. A copy of the Building Inspectors monthly report for November 2007.
- kk. A copy of the DCO's report for the month of November 2007.
- ll. A copy of the Public Service Commission on Saving Energy.
- mm. A copy of a letter from the Klopp's on Roosevelt Highway.
- nn. A copy of a letter from Fix Spindelman Brovitz & Goldman RE: Hidden Creek Manufactured Home Community.
- oo. A copy of the Radio Control Club of Rochester's newsletter.

#### **ACKNOWLEDGEMENT OF 2008 TOWN HALL HOLIDAY SCHEDULE**

Resolution #269      A motion was made by Councilperson Rath seconded by Councilperson Marchetti to acknowledge the 2008 Town Hall Holiday dates as presented. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

#### **RESOLUTION TO ADVERTISE 2008 TOWN MEETING DATES**

Resolution #270      A motion was made by Councilperson Rose seconded by Councilperson Rath to advertise the list of 2008 Town Meeting dates. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

#### **DATE SET FOR ANNUAL ORGANIZATIONAL MEETING**

Resolution 271#      A motion was made by Councilperson Rose seconded by Councilperson Marchetti to advertise January 2, 2008 at 6 pm for the 2008 Town of Hamlin Organizational Meeting. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

## **EXTENDING THE TERMS OF ALL ELECTED AND APPOINTED POSITIONS**

Resolution #272 A motion was made by Councilperson Rath seconded by Councilperson Rose to extend the terms of all elected and appointed position until the Organizational Meeting to be held on January 2, 2008. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

## **AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO APPLY FOR GRANT IN NYS SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM**

Resolution 273# A motion was made by Councilperson Rath seconded by Councilperson Marchetti to authorize the Highway Superintendent Tom Ingraham to apply for a grant in the NYS Shared Municipal Services Incentive Grant Programs. Superintendent Ingraham commented last year we came close to getting the grant but didn't. This year, Clarkson is going to be lead and Sweden has joined in as well. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

## **EXTENDING MONROE COUNTY AMENDED SNOW AND ICE AGREEMENT FOR THE 2007-2008 SEASON**

Resolution #274 A motion was made by Councilperson Rose seconded by Councilperson Marchetti to extend the Monroe County Snow and Ice Agreement for the 2007-2008 season. The update is to reflect the new roads. Superintendent Ingraham comments that road mileage went from 69.3 to 72.78. The amount paved went from 24.81 to 26.46. The payment for this year is \$198,464. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

## **EXTENDING THE MONROE COUNTY ALL SEASONS CONTRACT**

Resolution #275 A motion was made by Councilperson Marchetti seconded by Councilperson Rath to extend the Monroe County All Seasons County and Town Agreement for 2008. Superintendent Ingraham comments that the fringe rates went up 3%. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

## **AUTHORIZATION TO HIGHWAY SUPERINTENDENT TO PURCHASE EQUIPMENT**

Resolution #276 A motion was made by Councilperson Marchetti seconded by Councilperson Rath to authorize the Highway Superintendent Tom Ingraham to purchase from State bid a 2008 International six-wheel truck with snow gear, which includes a plow and wing as budgeted. Members polled: Councilperson Marchetti aye,

Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

### **REQUEST TO ADD LONGEVITY PAY TO THE EMPLOYEES MANUAL**

Resolution #278 A motion was made by Councilperson Marchetti seconded by Councilperson Rose to add section 4.23 longevity pay to the employee manual per the following proposal: Our Town provides full-time, non-elected eligible employees with longevity pay as an incentive for 25 years or more of service to the Town of Hamlin

Eligibility: Longevity pay is calculated based upon your anniversary year. It will be paid on your anniversary each year, in accordance with the schedule below:

Upon completion of 25 years of service eligible employees will receive \$500.00

Upon completion of each year after 25 years of service, \$100.00 will be added to the initial \$500.00.

Members polled: Councilperson Marchetti aye, Councilperson Rath no, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

### **ACKNOWLEDGEMENT OF THE WALKER FIRE DISTRICT AND HILTON-PARMA FIRE DISTRICT 2008 BUDGETS**

Resolution #279 A motion was made by Councilperson Rath seconded by Councilperson Marchetti to acknowledge the Walker Fire District and Hilton-Parma Fire Districts 2008 Budgets as presented. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

### **ACCEPTING RESIGNATIONS**

Resolution #280 A motion was made by Councilperson Rose seconded by Councilperson Rath to accept the resignations of Tom Breslawski from the Conservation Bd. effective December 31, 2007, Duane Miller from the Ethics Board effective December 31, 2007 and James Nesbitt from the Planning Board effective November 30, 2007. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**ADVERTISING FOR VACANCIES FROM THE CONSERVATION AND PLANNING BOARD**

Resolution #281 A motion was made by Councilperson Rath seconded by Councilperson Marchetti to advertise for one Conservation Board member and one Planning Board member accepting applications through December 28, 2007 at 4pm and holding interviews January 7, 2008 beginning at 6pm. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**SEQR DETERMINATION FOR LOCAL LAW #13-2007 CHAPTER 29 CURFEW LAW**

Resolution #282 A motion was made by Councilperson Rath seconded by Councilperson Rose for a SEQR Determination on a Local Law to adopt new Chapter 29 of the Code of the Town of Hamlin entitled “Curfew Law” that according to SEQR this would be a negative declaration of an unlisted action. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**APPROVAL OF LOCAL LAW #13-2007 CHAPTER 29**

Resolution #283 A motion was made by Councilperson Marchetti seconded by Councilperson Rath that after having conducted a public hearing, and having received a recommendation of “no comment” back from the Monroe County Department of Planning and Development to approve a Local Law to adopt new Chapter 29 of the Code of the Town of Hamlin entitled “Curfew Law” Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**SEQR DETERMINATION FOR LOCAL LAW #14-2007 REVISING THE POWERS AND DUTIES OF BOARD OF ETHICS 10-8**

Resolution #284 A motion was made by Councilperson Marchetti seconded by Councilperson Rath for a SEQR Determination on a Local Law Revising the Powers and Duties of the Board of Ethics and Revising the Method of Appointing Members of the Board of Ethics that according to SEQR this would be a negative declaration of an unlisted action. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**APPROVAL OF LOCAL LAW #14-2007**

Resolution # 285      A motion was made by Councilperson Rose seconded by Councilperson Rath that after having held a public hearing to approve Local Law #14-2007 Revising the Powers and Duties of the Board of Ethics and Revising the Method of Appointing Members of the Board of Ethics and to suspend the Ethics Board pending selection of new members. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**APPOINTMENT OF A COMMITTEE TO NOMINATE BOARD OF ETHICS MEMBERS**

Resolution #286      A motion was made by Supervisor Roach seconded by Councilperson Rath to appoint a nominating committee consisting of seven members from the following organizations: Hamlin Area Ministers (1), the Service Organizations (VFW, AVA, etc) (1), the Lions (1), the 3 Fire Districts and HVA (2), the Hamlin Seniors (1) and the Hamlin Friends of the Library (1). Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**SCHEDULE A PUBLIC HEARING FOR THE CREATION OF THE BRICK SCHOOLHOUSE ROAD WATER DISTRICT**

Resolution #287      A motion was made by Councilperson Rose seconded by Councilperson Rath to schedule a public hearing at 6 p.m.on January 14, 2008 for the creation of the Brick Schoolhouse Road Water District. As follows:

In the Matter	
of	Order of Town Board for
The Creation of the Brick Schoolhouse Water	Public Hearing on Establishment
District of the Town of Hamlin,	of Water District
Monroe County, New York	

WHEREAS, a written petition dated November 13, 2007 in due form and containing the required signatures, has been presented to and filed with the Town Board of the Town of Hamlin, Monroe County, New York, for the creation of a Water District in the Town of Hamlin, Monroe County, New York, to be known as the Brick Schoolhouse Water District, to be bounded and described as follows:

BEGINNING at a point, said point being the intersection of the centerline of Brick Schoolhouse Road (49.5' ROW) and a line parallel to and 500 feet easterly of the centerline of Walker Lake Ontario Road (66' ROW) and also being the easterly boundary line of the Town of Hamlin Consolidated Water District; thence

(1) northerly, 500 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Walker Lake Ontario Road to a point, said point being the intersection with a line parallel to and 500 feet northerly of the centerline of Brick Schoolhouse Road; thence

(2) easterly, 9,535 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Brick Schoolhouse Road to a point, said point being along the centerline of Hamlin-Parma Townline Road (66' ROW); thence

(3) southerly, 1,000 feet more or less, along the centerline of Hamlin-Parma Townline Road to a point, said point being the intersection with a line parallel to and 500 feet southerly of the centerline of Brick Schoolhouse Road; thence

(4) westerly, 9,113 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Brick Schoolhouse Road to a point, said point being the intersection with a line parallel to and 500 feet easterly of the centerline of Walker Lake Ontario Road and also being on the easterly boundary line of the Town of Hamlin Consolidated Water District; thence

(5) northerly, 500 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Walker Lake Ontario Road to a point, said point being the point of beginning.

WHEREAS, the maximum amount proposed to be expended for the improvements is \$549,356.36, of which the Monroe County Water Authority is contributing the sum of \$379,544.08, leaving a balance to be paid by the District of \$169,812.28.

WHEREAS, the estimated cost to a typical single family residence during the first year will be \$800.00 for hook-up fees, \$100.00 for internal plumbing changes, \$508.00 for repayment of bonding, \$43.80 for the annual meter fee, \$210.00 for the initial meter fee and \$200.00 for purchase of water (estimated at 80,000 gallons per year at an estimated cost of \$2.50 per 1000 gallons); and

WHEREAS, the estimated average cost to a typical single family residence after the first year will be \$508.00 per year for repayment of long term bonding for thirty years plus \$43.80 for an annual meter fee plus average water charges of \$200.00 per year, for a total cost per household of \$751.80 per year; and

NOW, on motion of Councilperson Rose, seconded by Councilperson Rath, it is

ORDERED that a meeting of the Town Board of said Town of Hamlin, Monroe

County, New York, shall be held at the Town Hall, 1658 Lake Road in said Town, on the day of January 14, 2007 at 6 p.m., to consider said petition and to hear all persons interested in the subject thereof and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises; and it is further

ORDERED that the Town Clerk give notice of such hearing by publishing in the Hamlin Clarkson Herald, a newspaper circulating in the Town, and by posting a certified copy of this resolution on the signboard of the Town of Hamlin maintained in the Town Hall at the Town Clerk's office. Such publication and posting shall be not less than ten (10) nor more than twenty (20) days before the date designated for the hearing aforesaid; and it is further

ORDERED, that in accordance with Section 206-a(1) of the Town Law, the expenses of the district, including all extensions hereafter established, shall be a charge against the entire area of the district as extended.

Dated: December 10, 2007

Denny K. Roach, Supervisor  
Michael J. Marchetti  
David Rose  
Paul S. Rath  
George Todd  
Members of the Town Board,  
Town of Hamlin, Monroe County, New York

Discussion was held regarding the Water Authority's recent notification that they would like to change the specifications of the line from 8 inch to 12 inch with the additional \$80,000 to come out of the mutual benefit fund. It was Town Board's consensus that MCWA should be responsible for the additional \$80,000 if they desired to upgrade the main. Supervisor Roach would still like to schedule the public hearing, however would also like to talk to the MCWA regarding the preliminary authorization of the proposed district. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**ACKNOWLEDGEMENT OF REVIEW OF TOWN CLERK FOR PERIOD OF JANUARY 1 THROUGH DECEMBER 31, 2006**

Resolution #288 A motion was made by Councilperson Rose seconded by Councilperson Rath to acknowledge the review of the Town Clerk for the period of January 1, 2006 through December 31, 2006. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

**TRANSFER FROM SEWER FUND INVESTMENT ACCOUNT**

Resolution #289 A motion was made by Councilperson Rose seconded by Councilperson Marchetti to transfer \$80,000 from the Sewer Fund Investment Account to the Sewer Capital Reserve Investment Account. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

### **AUTHORIZING AGREEMENT BETWEEN MONROE COUNTY AND TOWN OF HAMLIN FOR SALES TAX REVENUE FUNDS**

Resolution #290 A motion was made by Councilperson Rath seconded by Councilperson Marchetti authorizing Supervisor Roach to execute an agreement between Monroe County and the Town of Hamlin, to provide the Town of Hamlin with an amount of funds equal to any sales tax revenue reduction incurred by the Town as a result of the County's election of the intercept described in Section 2 of Chapter 58 of the Laws of New York 2005. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

Discussion was held regarding:

- Town of Hamlin Zoning Code, ~125-31B(2)(i): Bed and Breakfast in the Shoreline Residential District. There is a need for the definition of a Bed and Breakfast and consistency for requiring an SUP. Attorney will draft a Bed and Breakfast amendment to the Zoning Code for Town Board to review.
- Morgan Management proposal to rezone property at the Hidden Creek Mobile Home Park for a senior housing manufactured home community as Residential, High Density (RH).

### **REQUEST TO RESPOND TO MORGAN MANAGEMENT REZONING PROPOSAL**

Resolution #291 A motion was made by Councilperson Rath seconded by Councilperson Marchetti to authorize the supervisor to respond to Morgan Management's proposal that any application for rezoning be for Senior Citizen only. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

Discussion continued:

- Status of blockage of roadway connecting Orchard Street to King Street. According to the Building Inspector/Fire Marshal, the Water Authority has the looping of hydrants on their list but it is not a high priority with them. However, they did shut off the waterline that goes to the former Hamlin Cold Storage. Discussion continued over hydrant accessibility and the need to provide a roadway for emergency access. The Building Inspector will continue to monitor and work with the owner to provide a solution.

- Notification was made by the Rich Group that the Hamlin Strip Center/IGA Mall is for sale. The Town was offered space by the group that is purchasing it. The Town has no interest in additional space at this time.
- Reducing the maximum allowable carry over vacation days from 320 hours to 240 as is done by the State. The matter was tabled until the impact is determined, which may require a two-year transition to prevent undue penalty.
- Proposed Hamlin Clarkson TL Road water district. Town of Clarkson did a petition and is in the midst of working on a proposed district with several options. The Town Board's unanimous consensus is that the proposed agreement between the Town of Clarkson and Mikhail Sagan, a Clarkson resident, is not acceptable to the Town of Hamlin, nor legally enforceable. Supervisor will so advise the Town of Clarkson
- We have received the annual Town Court Summary Report of Cases Started. Councilperson Rath will conduct the required audit.
- Email received from Merritt Ackles, Conservation Board member, regarding fishing access on Route 19 and safety hazards with cars on either side of the road, people fishing from either side of the bridge, garbage being left, etc. Both Forks and Church Road are also affected.
- Memo was received by Steve Hawley requesting he be advised of any community events, not only this holiday season, but throughout the coming year. Town Clerk has his contact information.
- Notification came from the Office of the Emergency Management that FEMA is taking letters of intent for Grants for flood mitigation programs. Any letter of intent is due by December 14.

### **REQUEST FOR A PUBLIC HEARING TO EXTEND THE WIND TOWER MORATORIUM**

Resolution #292      A motion was made by Councilperson Rath seconded by Supervisor Roach to schedule a public hearing at 6pm, January 8, 2008, to extend the Wind Tower Moratorium in the event that regulations are not in place by the expiration date of January 15, 2008. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

Councilperson Marchetti reported on the following:

- Dog Control Officer chose not to accept the single application he received. He'd like to post again in the beginning of the year to see if he can get more applicants.

- Hilton/Parma is working hard on their new fire station.

Highway Sup. Tom Ingraham reported on the following:

- He spoke with NYS DOT regarding the safety signs on Roosevelt Highway west of Redman Road and the blinking lights at the intersection of Lake Road West Fork and Brick Schoolhouse Road

Building Inspector BJ Maier reported on the following:

- Building is slowing down. There are only three new houses being worked on right now. Met with the Locust Hill Trailer Park owner regarding property maintenance. On the Fire Marshall side, we are working with the DEC regarding the tire fire on County Line Road. Currently the owner is being fined for 48 tires.

Assessor Melanie Fahmer reported on the following:

- Monroe County passed the resolution on the Cold War Veterans exemption. We are now offering it..
- STAR rebate deadline has been extended to the end of December
- Renewals will be going out the first of the year.

Councilperson Rath reported on the following:

- The Conservation Board is meeting Tuesday night December 11, 2007.

Councilperson Rose reported on the following:

- The library Nutcracker Decoration for Children program will be on December 15
- There were 17 applications for the library clerk position . Hired was Teri Gunsher who started November 21. They will be hiring another person when the hours extend at the beginning of the year.
- The Food for Fines week brought in 160 items to donate to Life Solutions.
- Senior Citizens Christmas party is at the Village Inn on Tuesday December 11, 2007.

Supervisor Roach reported on the following:

- Blue Cross rates are up 18%
- Farewell to Councilperson George Todd. He has chosen not to run for re-election. He has completed 9 years of dedicated service to the Town. Also, Sherry Dobson will be retiring at the end of the month after 23 years of dedicated service. If you see either one of these people, wish them the best.

Happy and Safe Holiday.

**ADJOURNMENT**

Resolution #293      A motion was made by Councilperson Marchetti seconded by Councilperson Rose to adjourn the Town Board Meeting at 9:05pm. Members polled: Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, RMC/CMC  
Hamlin Town Clerk