

**Town Board Meeting
October 13, 2003**

The Hamlin Town Board held their regular scheduled meeting at the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order at 7:00 pm by Town Supervisor Warner who explained the location of the fire exits for those present. Bldg. Inspector Larry Gurslin led everyone in the Pledge of Allegiance and a Moment of Silence for all deceased residents of Hamlin.

Present: Town Supervisor Austin F. Warner, III, Councilperson Edward Evans, Councilperson Shirley Hollink, Councilperson Paul Rath, Councilperson George Todd

Also present: Tom Ingraham Highway Sup., David Rose Water Sup., Pat Macintosh Secretary to the Supervisor, James Breslawski Planning Bd. Member, James Krempasky Bd. of Assessment Review, Craig Goodrich Conservation Bd. Member, Attorney Ken Licht, Residents and others who attended and signed in, William Naugle, Nancy Jennejahn, Linda Wietz, Rick Wright, Lloyd Lochner, Alfred Campbell, Mark Ball from Suburban News

Town Supervisor Warner apologized and stated that the Public Hearing to be held regarding re-zoning on Hamlin Parma Town Line Rd. was cancelled and rescheduled for the November 10, 2003 Town Board Meeting.

PUBLIC FORUM

Tom Mattle of 22 Fawn Meadow a builder in town plus other towns. I am concerned on the possible firing of the Building Inspector and I am here to say I strongly disagree with the thinking tonight of the Town Board and the way they are going about it. I am concerned for the problems created for the builders in town and the residents who want a deck permit. What is the turn around time? Who is going to answer the phone? Do we call Greece? As a resident and taxpayer are the taxes going to increase? We are going outside the town and who knows more about our town. I have been working with Larry since he started and he is always on time and there.

Mrs. Sabourin of 590 Hamlin Clarkson Town Line Rd. stated they have put on two additions since they moved into Hamlin a year and a half ago and have had no problems working with Larry and if you go to Greece you are asking for problems, I moved from there.

**APPROVAL OF MINUTES FOR TOWN BOARD MEETING HELD
SEPTEMBER 8.2003**

Resolution #174: A motion was made by Councilperson Rath, seconded by Councilperson Evans to approve the minutes of the Regular Town Board meeting held on September 8, 2003 as presented. Members polled, Councilperson Evans aye,

Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF MINUTES FOR INFORMATIONAL MEETING HELD SEPTEMBER 29, 2003

Resolution #175: A motion was made by Councilperson Hollink, seconded by Councilperson Evans to approve the Informational Meeting minutes of September 29, 2003 as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF MINUTES FOR SPECIAL TOWN BOARD MTG. HELD SEPTEMBER 29, 2003

Resolution #176: A motion was made by Councilperson Evans, seconded by Councilperson Rath to approve the minutes of the Special Town Board Meeting held on September 29, 2003 as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF MINUTES FOR SPECIAL TOWN BOARD MEETING HELD OCTOBER 4, 2003

Town Supervisor Warner stated he would like the minutes to reflect that the letter read by Councilperson Rath was incorrect that Larry was not on vacation and that the Supervisor had talked with Larry on Thursday morning and later left a message on his voice mail at noon.

Resolution #177: A motion was made by Councilperson Todd and seconded by Councilperson Hollink to approve the Special Town Board Meeting Minutes of October 4, 2003. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #178: A motion was made by Councilperson Todd, seconded dually by Councilperson Rath and Councilperson Hollink to authorize the payment of bills from their respective funds as follows:

General - Abstract #10	#700 - #808	\$53,047.18
Highway	#230 - #257	\$59,658.98
Library	#117 - #135	\$ 4,064.48
Hamlin Lighting District	#009	\$ 416.74
Morton Lighting District	#009	\$ 128.77
Hillcrest Lighting District	#009	\$ 231.81

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Campbell Lighting District		#009	\$	81.86
Huntington Park District	#05		\$	550.00
Sewer District	#054 - #058		\$	347.90
Consolidated Water District		#127 - #140	\$28,291.81	
Hamlin/Kendall Water #1 Ext. #6		#010 - #012	\$	5,916.70
Walker Water	#024 - #026		\$	4,490.92
Newco Water	\$017 - #018			793.71
North Hamlin Water Dist	#009		\$	19.20
Hamlin/Kendall Water	#048 - #054		\$11,455.18	
Moscow Water District	\$030 - #036		\$17,521.03	

Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

AUTHORIZATION OF TRANSFER FOR THE MONTH OF OCTOBER 2003

Resolution #179: A motion was made by Councilperson Hollink, seconded by Councilperson Rath for the following transfers for the month of October 2003.

From Account	To Account	Amount
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A7310.4 Youth Expenses	A7140.4 Playground & Rec. Exp.	\$2,200.00	
A7310.4 Youth Expenses	A7020.2 Rec. Dept. Equip.		\$ 26.00
980 Training Reimb.	A1355.4 Assessor Contr. Expn.		\$ 53.04

Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Supervisor's monthly report acknowledged and filed.

CORRESPONDENCE

1. A copy of the Hamlin Ambulance Explorers minutes of 8-19-03
2. A copy of a letter from Mr. Nealon, Recreation Director of Sweden/Clarkson Community Center RE: Recreation.
3. A copy of a report of impact of corruption scandals on the economy of NY
4. A letter to Senator Maziarz on mowing and drainage on State roads.
5. A copy of News Release for the Rump Group A copy of a letter from
6. Attorney Licht RE: Bell Atlantic Mobile. A copy of a letter from Chatfield
7. Engineering RE: Wiler Road Water District.
8. A copy of Sullivan Policy Sentinel.
9. A copy of an article called "Stand up and be counted".
10. A copy of an article called "is the Rump Group' de-politicized"?

11. A copy of a letter from Mr. Nancy to the Supervisor and Town Board RE: the rezoning of Hamlin Parma Town Line Road.
12. A copy of the Recreation Commission Meeting of September 16, 2003.
13. A copy of the Hamlin Recreation Youth Group of August 13, 2003.
14. Monroe County Council of governments meeting agenda for September 16, 2003.
15. A copy of a letter from County Executive RE: WRPSCA and SWN.
16. A copy of a letter Gary Pence Thanking the Council of Government for allowing him to present Monroe County's Homeland Security Plan.
17. A copy of Rochester Trolley and Rail Corp.
18. A copy of Monroe County Storm Water Coalition Fact Sheet.
19. A copy of the Hamlin Fire District meeting minutes of Aug. 18, 2003.
20. A copy of a flyer that was put out by a resident RE: the rezoning.
21. A thank you to Mr. Warner for attending their 25th anniversary celebration.
22. A copy of the Hamlin Volunteer Ambulance meeting of Sept. 11, 2003.
23. A copy of a letter from ViaHealth.
24. A copy of the Han-Ain Library Board Meeting of Sept. 3, 2003.
25. A letter from Ms. DeLosh, W. Wautoma Beach RE: Cable
26. A copy of the Building Inspector's report for the month of September 2003.
27. A copy of the filing of Local Law #4 - 2003.
28. A copy of a letter written to Judge Rath RE: Mr. Vito
29. A copy of E-mail From Mr. Bott, Library Board member RE: budget.
30. The Assessor's monthly report for September 2003.
31. A copy of the Walker Fire District meeting of Sept. 2, 2003.

INCREASING ACCOUNT DA5110.4 FOR GRANT FOR TENNIS COURT

Councilperson Hollink asked if they had gotten all the money, Tom Ingraham stated he was waiting for some more (\$6,950) that had been requested.

Resolution #180: A motion was made by Councilperson Rath, seconded by Councilperson Evans to increase Account #DA5110.4 to off set account 980 in the amount of \$19,295.58 for payment received from grant for tennis court.

Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

REQUESTING MONROE COUNTY DOT FOR A STOP SIGN AT FAWN MEADOW DR. GOING SOUTH

Resolution #181: A motion was made by Councilperson Todd, seconded by Councilperson Hollink to have Monroe County Department of Transportation put a Stop sign going south on Fawn Meadow Drive at the corner of Clarkson Hamlin Town Line Rd. Members polled, Councilperson Evans aye, Councilperson Hollink aye,

Councilperson Rath aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

ADDITION OF PROPERTIES TO THE HUNTINGTON PARK WATER DISTRICT

David Rose explained the request by four property owners for water on Roosevelt Hgwy, the costs to hook up and the necessary easements to the town.

Resolution #182: A motion was made by Councilperson Todd, seconded by Councilperson Evans to approve four properties 2435, 2443, 2463 and 2489 Roosevelt Hgwy. to the Huntington Parkway Water District with the property owners paying the cost, granting easements and to sign the agreement if a district would come down Roosevelt Hgwy they would have to be included in that district. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

ADDITION OF 1458 MOSCOW RD. TO THE MOSCOW RD. WATER DISTRICT AS AN OUT OF DISTRICT USER

Dave Rose explained the request by Daniel Mattle of 1458 Moscow Rd. for water. The location of the present water main was explained. This property is located on the northwest corner and their request was made when the district had been formed. They will have to bore under the road. Councilperson Todd asked about out of district water user. Councilperson Rath asked about them signing an agreement if the district is extended on Redman Rd. to Cook.

Resolution #183: A motion was made by Councilperson Rath, seconded by Councilperson Evans to approve 1458 Moscow Rd. as an out of water district user based on the property owner paying the expense of boring and hooking up, granting the necessary easements and to sign the agreement that if a district is formed they would become a part of that district. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF BILLS FOR THE HAMLIN-KENDALL WATER DISTRICT #5 AND HAMLIN'S BEACHWOOD PARK WATER DISTRICT

Resolution #184: A motion was made by Councilperson Evans, seconded by Councilperson Hollink to approve the payment of the following bills for the Hamlin Kendall Water District #5 and Hamlin's Beachwood Park Water District, Randsco Pipeline \$251,516.24, LeBella Associates \$17,100.00 and Orrick, Herrington & Sutcliffe L.L.P. for \$1,590.00. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF PROPERTY CLEAN UP CHARGES FOR THE 2004 TOWN AND COUNTY TAX BILLS

Councilperson Rath asked Mr. Gursslin on the figure which was explained as \$700.00 administrative with the total being \$3,800.

Resolution #185: A motion was made by Councilperson Hollink, seconded by Councilperson Rath to approve the amount of \$3,800.00 to be assessed back for property clean up to the individual properties on the 2004 Town and County Tax bills. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF DELINQUENT WATER BILLS FOR THE 2004 TOWN AND COUNTY TAX BILLS

Town Supervisor Warner felt that this years figure was better than last year and they have gotten a handle on it. The time period for the amount was explained by David Rose.

Resolution #186: A motion was made by Councilperson Evans, seconded by Councilperson Rath to approve the amount of \$17,432.37 to be billed to the individual properties for delinquent water bills on their 2004 Town and County Tax bills. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ACKNOWLEDGEMENT OF THE HAMLIN FIRE DISTRICT 2004 BUDGET

Resolution #187: A motion was made by Councilperson Rath, seconded by Councilperson Hollink to acknowledge the 2004 Hamlin Fire District budget as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ACKNOWLEDGEMENT OF THE MORTON FIRE DISTRICT 2004 BUDGET

Resolution #188: A motion was made by Councilperson Rath, seconded by Councilperson Hollink to acknowledge the 2004 Morton Fire District budget as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ACKNOWLEDGEMENT OF THE WALKER FIRE DISTRICT 2004 BUDGET

Resolution #189: A motion was made by Councilperson Evans, seconded by Councilperson Rath to acknowledge the 2004 Walker Fire District budget as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ACKNOWLEDGMENT OF THE HILTON-PARMA FIRE DISTRICT 2004 BUDGET

Resolution #190: A motion was made by Councilperson Evans, seconded by Councilperson Hollink to acknowledge the 2004 Hilton-Parma Fire District budget as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

EXTENDING OF NEW YORK STATE SNOW AND ICE AGREEMENT UNTIL 2006

Resolution #191: A motion was made by Councilperson Todd, seconded by Councilperson Hollink to extend the current New York State Snow and Ice Agreement until 2006 estimated at \$109,649.00. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVE SETTLEMENT AGREEMENT WITH NIAGARA MOHAWK

Resolution #192: A motion was made by Councilperson Evans, seconded by Councilperson Todd for the following:

THIS SETTLEMENT AGREEMENT AND RELEASE ("Agreement"), entered into this 13th day of October 2003 is by and between Niagara Mohawk Power Corporation ("Niagara Mohawk"), and the Town of Hamlin ("Municipality").

WHEREAS, the parties had claims against each other, whether informally or before the State of New York Public Service Commission or otherwise, regarding certain street lighting charges in connection with Niagara Mohawk's street lighting service provided to the Municipality, for the period from any time in the past through August 31, 2003 ("Claims"); and

WHEREAS, the parties have agreed to settle, release and discontinue their respective Claims.

NOW, THEREFORE, the parties, through their duly authorized representatives and intending to be bound, agree as follows:

1. The Municipality agrees not to oppose Niagara Mohawk Tariff filings to reflect the following:
 - a. Statue of Limitations. The 6-year period is initiated from the date of customers complaint.
 - b. Netting. Niagara Mohawk may set off underbillings of equipment types within a given month against overbillings of the same or other equipment types within the same account.
 - c. Lighting District. Multiple lighting districts constitute a single municipal account for purposes of reconciliation (district netting).

2. Niagara Mohawk agrees it will not pursue collection of amounts underbilled prior to September 1, 2003 in connection with street lighting service provided to the municipality.
3. The Municipality agrees that it will not pursue refunds of amounts overbilled prior to September 1, 2003 in connection with street lighting service provided to the Municipality.
4. Subject to the provisions of all applicable laws and regulations concerning or relating to public access to records maintained by public entities, the parties acknowledge that the terms and conditions of this Agreement are confidential, constitute trade secret and proprietary information, the disclosure of which could significantly harm either of the parties. The parties hereto agree to keep the terms of this Agreement, any correspondence, notes meetings, telephone conversations, and any other form of communication confidential, and will not disclose same to third parties without the prior written consent of the other party hereto except as necessary to comply with applicable law. Niagara Mohawk and Municipality reserve the right to disclose the terms of this Agreement to the State of New York Public Service Commission, the State of New York Department of Public Service, and a court of law, as required; provided that the party making the disclosure seeks appropriate confidentiality protection for the disclosed terms.
5. The municipality agrees to invoke and execute appropriate actions required to cancel and render null and void the "Street Lighting Agreement" dated October 6, 1994 by and between the municipality and Niagara Mohawk, including but not limited to all associated documentation such as schedules and attachments. The municipality further agrees, to adopt and execute contract documentation as specified in Niagara Mohawk Tariff 214, Service Classification 2 (SC@) for the current street lighting service level mutually agreed upon as a condition of this Settlement Agreement and Release. The parties agree that the SC2 contract will supercede the October 6, 1994 Street Lighting Agreement documentation. The actions and execution of the aforementioned agreements will be considered sequential and immediate so that no lapse of service or billing is to be considered by either party.
6. In consideration of Niagara Mohawk's payment of \$19,900.18 to the Municipality, which payment shall be made payable to the Municipality and remitted to Cost Control Associates as the Municipality's agent, and of the parties' respective assents to the terms set forth in (1), (2), (3), (4), and (5) above, each party, for itself and for its successors, representatives, lending institutions and assigns, shall and hereby does release, remise, acquit, and forever discharge the other party, its successors, representatives lending institutions and assigns, of and from any and all manner of claims, demands, damages, debts, liens, sums, costs, obligations, proceedings, causes or action, or suite, of any nature whatsoever, whether in tariff, law, equity or otherwise, which it now has or which it may hereafter become entitled, arising in any way out of, or with respect to, the Claims, or any matter related thereto, including such claims and damages related to Niagara Mohawk's charges for street lighting service not yet ascertainable, if there be any, as well as those known. This Agreement shall be inclusive from at any time in the past through August 31, 2003. Such payment shall be made

within 30 days of Niagara Mohawk's receipt of all executed Agreements, and accompanying municipal resolutions authorizing designated individuals to execute the Agreements, from the Municipality. If timely payment is not made, the settlement amount in this paragraph will be increased for interest at the rate of 1.5% per month as normally required by the State of New York Public Service Commission rules and regulations.

7. This agreement expresses the entire understanding of the parties with respect to the subject matter of the Agreement and the settlement of the claims and the subject matter thereof. This Agreement expresses the entire understanding of the parties with respect to the subject matter of the Agreement and the settlement of the Claims and the subject matter thereof. This Agreement supersedes any prior written or oral representations, agreements or understandings with respect hereto, except that any prior settlement agreements for street lighting matters remain in full force and effect. Except as otherwise provided in Paragraph (1), nothing herein shall defeat or compromise any rights that the Municipality or Niagara Mohawk may have under the applicable filed tariffs for refunds or back bills arising in periods commencing after August 31, 2003, subject to any Tariff provisions.
8. Neither this Agreement nor anything contained herein, nor any action taken by the parties in performance of their obligations hereunder, shall be construed as evidence of the validity of any claim asserted by any party, nor an admission of the same by any party.

Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

TOWN BOARD MINUTES ON WEB SITE

Town Supervisor Warner asked about the Town Board Minutes and minutes of the Support Boards being placed on the Website for residents. Approved or unapproved. The board was asked for their comments. Councilperson Hoilink stated she has a concern for the timing of them being put on as the newsletter was asked to be put on and still has not. Town Supervisor Warner stated he would check on that. Councilperson Rath stated he has no problem with the unapproved minutes being put on with a disclaimer otherwise by waiting till they are approved it will be old news. Councilperson Evans felt better late than never with a disclaimer and would make a motion on that.

Resolution #193: A motion was made by Councilperson Evans, seconded by Councilperson Rath to approve the Town Board Minutes and Support Board Minutes be placed on the Hamlin Website with a disclaimer that they are unapproved. Members polled, Councilperson Evans aye, Councilperson Hollink no, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

PUBLIC HEARING SET FOR 2004 TOWN BUDGET

Resolution #194: A motion was made by Councilperson Rath, seconded by Councilperson Evans to set November 5, 2003 at 7:00 PM as the date and time for the public hearing for the 2004 Hamlin Town Budget to be held in the Hamlin Town Hall. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

PUBLIC HEARING FOR REZONING-ON HAMLIN-PARMA TOWN LINE RD.

Resolution #195: A motion was made by Councilperson Evans, seconded by Town Supervisor Warner to schedule a public hearing for LL #5-2003 re-zoning from C-NB to R-M Tax Account #023.01-1-7.1 located on Hamlin Parma Town Line Rd. for November 1011', 2003 at 7 pm. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REPORTS

Larry Gurslin Code Enforcement Officer reported on the following:

- Cindy has finishing her training and has passed her last class of the five required.
- Recommendation to include in the inspection for Special Use Permits not only by the Building Inspector but also by the Fire Marshal.
- Several further recommendations were suggested in regards to the recreation fee and stop work order.
- An independent survey on building permits was received.

David Rose Water Sup. reported on the following:

- Thursday, October 16th bid openings will be at 11 am., six bids so far.
- District #5 the main is in except 200 ft. and the contractor was very good, neat and with no complaints; they are doing the landscaping now.

Tom Ingraham Highway Sup. reported on the following:

- The County and Town road work they have been doing was explained. Grading of the baseball field was done as well as a tree that needed to come down in the Ryan Tract.
- Bush pickup will be October 27th.

Councilperson Shirley Hollink reported on the following:

- October 29th the Harvest Party and if any department would need candy they are to let her know. She explained activities planned that include a hayride.

Councilperson George Todd had nothing to report

Town Supervisor Austin Warner reported on the following:

- Thanked those who were responsible for getting out the Master Plan survey. Kathi stated it was not only her but Sherry, Heather, Joyce, the whole gang. He stated when he went to the Post Office on that Saturday there were already 160 returned.

Councilperson Ed Evans reported on the following liaison and non-liaison items:

- Report was given on the Yanty Marsh and the second phase of protection. Also updated everyone on the Great Lakes Research project in Hamlin Beach State Park. Also I received a complaint on Hamlin Beach State Park that I will pass along.
- I have been contacted by Scouts and there are a whole bunch of scouts coming up that will need Eagle Projects
- Councilperson Rath and I met last week on the budget and we have a whole bunch of questions for Austin.
- Library Trustees have the floor plan so they are moving along on expansion. Stats are in for September and they are up 21%. They would like Fire Insurance information on their coverage could someone get that information back to them.
- Fire Marshal contacted him during the recent hurricane in regards to the disaster plan. I need to get in touch with him on several other items.
Park Security is still in place as long as the weather holds up until Halloween.
People in the Ryan Tract have been asking for increasing it to start at 7 pm.
- LWRP. Albany had contacted me and needed some information and Sherry was able to get the necessary information to be sent to them. They received it and said we are golden to sit tight. The chances are slim that it will be done by December 31st my last day in office.
- Walker Fire Dept. requesting information on hydrant rentals. Councilperson Evans was told Dave Rose had talked with them a year ago. Every year at budget time they ask.
- Planning Bd., I have nothing to add to the minutes
- Zoning Bd., George was there
- Senior Citizens, Austin was at the regular meeting he can report on that.

Last the following was read into the minutes. I want to thank the people who showed up here to support Larry and I want to thank Paul for what he did at the Hamlin Town Board two Saturday mornings ago. At that time, a meeting had been scheduled to decide Larry's future as a Code Enforcement Officer. I couldn't be there, Paul couldn't be there and Larry couldn't be there, but that didn't matter. There was some kind of emergency that needed Larry FIRED and the meeting would go on anyway! Well, Paul changed his family's plans and unexpectedly showed up to read some very important thoughts into the minutes of the meeting. Thanks largely to him, the firing of a Town Official was held off until some semblance of proper procedure could be scheduled. That should take place later this evening. And finally, I want to thank Larry for maintaining a professional composure through ail this. For the past two years certain individuals kept hounding Larry with all kinds of job performance complaints and I kept hounding him to produce proof that the

claims were unfounded. And he did! Every time! But the hounding continued. Sometimes bordering on harassment.

Since 1983, I have worked with many building inspectors and not one of them was perfect. Some were too laid back. Some were too much like Rambo. Some lost their temper with clients. Some concentrated on snooping. Each had his own style in dealing with what I consider an impossible job.

Larry has been different. He learned on the job like all those before him did but he in my opinion, analyzed each of his mistakes and wrote to us about each and everyone. With a board member always looking to discredit him, he hung in there anyway and got more letters of praise than any former building inspector every got in spite of the faulty codes he has to work with. (And we have just recently seen an example of this board's reluctance to fix those codes, one by one, in order of importance and in a timely fashion.)

I apologize for having to read this prepared statement but that is the best way to get such information into the minutes in its entirety. This page will be passed along to the person who types up the minutes and anyone wishing to can pick up a copy can do so in the Town Clerk's Office later this month. Paul's comments at the Saturday morning meeting are already available. What happens in the executive session that will follow this meeting, however, will not appear in the minutes. If you are interested in what happens to Larry, stick around in the hall until the executive session is over. In open session after the executive session, the Board will probably make a motion to vote upon even though Larry has already been told that the decision has already been made if he does not resign.

Councilperson Paul Rath reported on the following:

- November 14'11 there is training being offered at \$40.00 per person for all board members and he would suggest members of the Planning Bd. and Zoning Bd. of Appeals attend.

EXECUTIVE SESSION

Resolution #196: A motion was made by Councilperson Todd, seconded by Councilperson Rath to go into Executive Session for a personnel matter at 7:55 pm and move that session into the Town Supervisors Office. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

COME OUT OF EXECUTIVE SESSION AND OPEN THE TOWN BOARD MEETING

Resolution #197: A motion was made by Councilperson Todd, seconded by Councilperson Rath to come out of Executive Session and Open Town Board Meeting back in the gym at 9:35 pm. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

TERMINATION OF CODE ENFORCEMENT OFFICER LARRY GURSSLIN

Resolution #198: A motion was made by Councilperson Todd, seconded by Councilperson Hollink to terminate Larry Gursslin as Bldg. Inspector/Code Enforcement Officer/SEQR effective immediately.

Councilperson Rath stated he does not feel that the town has met the burden of proof in terminating this employee effectively.

Members polled, Councilperson Evans no, Councilperson Hollink aye, Councilperson Rath no, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

AGREEMENT FOR MUNICIPAL SERVICES

Resolution #199: A motion was made by Councilperson Hollink, seconded by Councilperson Todd to have the Town Supervisor sign an Municipal Agreement for Technical Services with the Town of Greece. Members polled, Councilperson Evans no, Councilperson Hollink aye, Councilperson Rath no, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ADVERTISEMENT FOR BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER/SEOR

Resolution #200: A motion was made by Councilperson Hollink, seconded by Councilperson Todd to advertise to accept until November 14, 2003 at 4pm applications for Building Inspector/Code Enforcement Officer/SEQR with interviews on November 20, 2003. Members polled, Councilperson Evans no, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Evans, seconded by Councilperson Hollink to adjourn the meeting at 9:40 pm. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried, meeting adjourned.

Respectfully submitted,

Kathi A. Rickman, RMC
Hamlin Town Clerk