

Hamlin Town Board Meeting
December 8, 2003

The Hamlin Town Board held their regularly scheduled meeting at 7pm in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order by Town Supervisor Warner who explained the location of the fire exits for those present. Eric Peters 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 George Todd. Excused Councilperson Paul Rath

Also present: Residents Bev Newsome, Nancy Jennejahn, Linda Wietz, Michael Marchetti, Sandy and Tom Tuschong, Jim Martin, Peggy Leverenz, Howard Hueser, Tom Jensen, Fire Marshal B. J. Maier, Library Trustees Carolyn Hungerford and Nancy Martin, Planning Bd. Members Jim Breslawski and Judy Hazen, Deputy Town Supervisor Mary Hueser, Conservation Bd. Member Tammy Palumbo, Highway Sup. Tom Ingraham, Inter. Water Sup., Eric Peters, Assessor Melanie Fahmer, Attorney Ken Licht

PRESENTATION BY NANCY MARTIN REGARDING HAMLIN PUBLIC LIBRARY

Nancy Martin President of the Hamlin Public Library Board of Trustees would like to inform the Town Board that the Library had received two grants. The first for \$8,000 for the childrens computers due to the efforts of Honorable George Maziarz and Honorable Charles Nesbitt. This was applied for in February of 2001 so you can see the wheels move slowly. Second grant was for \$5,000 from a Foundation due to Mark Klafehns efforts. The other item was the reading of a Resolution of Appreciation (correspondence #38) for retiring Councilperson Ed Evans and his efforts, service and support to the Library and its Trustees that they made at the Library meeting held on December 3, 2003.

PUBLIC FORUM

Bev Newsome of 2744 Brick Schoolhouse Rd. stated she wished to speak on her husbands health insurance. She spoke on the lack of drug coverage when she and her husband reach 65. She mentioned the change which took place in the policy from the town for employees and the retirees due to the attempt at saving money by the Town Board. She also mentioned Epic by New York State and the limits on income. They exceed that income for coverage. Employees who retire after twenty years were receiving health, drug and dental coverage for their life and she worried what would be next to go to save money. The Town Supervisor set up a meeting with her to follow up on the concerns.

Mike Marchetti of 3847 Brick Schoolhouse Rd. requested the Town of Hamlin to do a bulk mailing like the one he did on the new Planning Bd. meeting to be held December 18th. Town Supervisor Warner felt it was well covered in the local newspapers and they would take it under consideration. Mike Marchetti asked the Town Board for their opinion on the project. Councilperson Hollink stated she does not have enough information to form an opinion yet and Councilperson Todd stated he has an opinion and it has no bearing on what the Planning Bd. has to do, it would be as a private citizen. Mike Marchetti asked about correspondence listed as #9. Attorney Licht stated it is his understanding that it is zoned R-H and appropriate for that type use. Mike Marchetti made a copy of moratoria from the inter-net so the Town Board does not have to look it up.

Steve Loft of 1310 Brookedge Drive had a tax map pulled and the current Monroe County tax map has it Abandoned Agriculture. He also asked is there a provision for the decision of the Planning Bd. to be taken to court. Attorney Licht stated that the neighbors in close proximity of the Planning Bd. area of a decision could file an Article 78 with the court within 30 days of the decision being filed with the Town Clerk.

Jim Martin of Martin Rd. stated the problem with a meeting being held in the sanctuary of a church. Did you explore any other place? Town Supervisor Warner gave the figure of 275 for St. John and 350 for SEAS. He also stated they explored moving to Brockport to a school but there is no provision for that. Mr. Martin asked about the use of the Fire Hall and pulling the trucks out. We thought of that, where would we put the people and the parking?

Sandy Tuschong of Brick Schoolhouse Rd. asked would they have access to the microphone. Town Supervisor Warner stated yes and there is a new sound system there.

Nancy Jennejahn of Walker Lake Ontario Rd. wished to speak on a few things. When Austin Warner was chosen from the floor to act as the Republican candidate his platform was to act in the best interest of the town. Somehow he has strayed from that premise on a few issues lately. The recent being the barring of a candidate who is over qualified with experience and contacts at the State and County level from the position open on the Conservation Bd. which is a serious error.

Lloyd Lochner made a comment on the lack of room at the meeting tonight.

Mike Marchetti asked if the Town Board was going to be at the public hearing held by the Planning Bd. Discussion was held on the space and procedures. Sandy Tuschong asked is there a time frame, why so close to the holidays. Town Supervisor Warner stated because it was canceled and it is a hot item.

Jim Martin asked if Councilperson Hollink and Todd would be at the meeting. Councilperson Hollink stated no as she had another meeting. Mr. Martin asked is it more important than that, she responded yes. Councilperson Todd stated he planned on it but he is on call for his work so if he gets called out, he has to work.

Steve Loft, who sets the guidelines for the Planning Board? We don't know all the details of this project. Who sets the guidelines and is there a Master Plan to follow? I have lived here 10 years. We need to raise the level of our incomes, how we act and how we take care of our property. Attorney Licht stated the State and sections of Town Law for use in reviewing items by the Planning Board. Are the Planning Boards hands tied if it is by the book, do we have a choice in this matter. Is there an option in the subdivision law to raise the level of proposals. Attorney Licht stated the legislative authority for changes in laws and who has the discretion to make those changes is the Town Board. Town Supervisor stated the Planning Bd. is the first step and we need answers to such things as drainage and burden on taxes. This will take a long time. Suggestion by Mr. Loft is to stop it if possible before a lot of money is spent.

Mike Marchetti asked if the Planning Board has to be lead agency? Attorney Licht answered no and explained the process.

Nancy Martin asked about the Master Plan and should it wait or be revised. Master Plan committee can make suggestions to the legislative body on any of those issues.

Jim Martin asked if the Planning Bd. was to turn this project down and be sued by DiMarco Group, would the town allocate special funds to defend the Planning Bd. Town Supervisor stated we would look into it.

J. Scacchetti 1127 Hamlin Parma Town Line Rd. asked about the workshop on the rezoning at last months meeting. Town Supervisor Warner stated they were split on it and will be discussing it again when they have a full board at next months meeting.

Sandy Tuschong asked why we weren't all notified on that prior proposal. Attorney Licht explained the previous minutes on their proposal and the 1997 Master Plan update makes reference to that property being Residential High Density. I assume that happened between 1991 and 1997. Councilperson Evans relayed information on the 1997 Master Plan that it was R-H as that is what was there. The exact acreage is not mentioned. Why weren't we notified was asked by Sandy Tuschong? Attorney Licht explained when the Hamlin Terrace apartments were built.

Jim Martin asked if Gerald DiMarco was the Town Attorney during the litigation in 1981. Attorney Licht gave information that what he has read so far the town retained Attorney Fred Holbrook and the DiMarco Group retained Attorney Mayberry. Mr. Martin then said a DiMarco was not the Town Attorney or is it no one can answer that. Attorney Licht stated he did not know. I hope you will guarantee a fair process at the hearing.

Town Supervisor Warner declared the public forum closed.

APPROVAL OF TOWN BOARD MINUTES FOR NOVEMBER 10, 2003

Resolution #219: A motion was made by Councilperson Todd, seconded by Councilperson Evans to approve the Town Board Minutes of November 10, 2003 as presented. Members polled, Councilperson Evans aye, Councilperson Hollink abstained as not present at the meeting, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPROVAL OF MINUTES FOR THE HAMLIN-KENDALL BUDGET MEETING OF NOVEMBER 19, 2003

Resolution #220: A motion was made by Councilperson Hollink, seconded by Town Supervisor Warner to approve the minutes of the Hamlin-Kendall Budget Meeting held on November 19, 2003 as presented. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd abstained as not present at the meeting, Town Supervisor Warner aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #221: A motion was made by Councilperson Todd, seconded by Councilperson Evans to approve the payment of bills from their respective funds as follows:

General – Abstract #12	#0945 - #1020	\$62,770.05
Highway	#0284 – #0313	\$47,854.54
Library	#0156 - #0170	\$15,540.44
Hamlin Lighting Dist.	#0011	\$ 483.70
Morton Lighting Dist.	#0011	\$ 146.70
Hillcrest Lighting Dist.	#0011	\$ 253.04
Campbell Lighting District	#0011	\$ 89.71
Huntington Park District	#0008	\$ 3,432.20
Sewer District #1	#0067 - #0072	\$ 1,582.09
Consolidated Water District	#0156 - #0171	\$24,308.71
Chase Rd. Water District	#0018	\$ 780.00
Hamlin/Kendall Water #1Ext #6	#0013	\$ 429.60
Hamlin/Walker Water	#0031 - #0035	\$ 9,302.90
Newco Dr. Water	#0021 - #0022	\$ 482.00
N. Hamlin Water Dist.	#0011	\$ 19.32
Hamlin/Clarkson Tn. Ln.	#0002	\$ 2,776.46
Hamlin/Kendall Water Dist.	#0059 - #0066	\$ 9,817.37
Moscow Water Dist.	#0040	\$ 3,824.25

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

AUTHORIZATION OF TRANSFERS FOR THE MONTH OF DECEMBER 2003

Resolution #222: A motion was made by Councilperson Hollink, seconded by Town Supervisor Warner to authorize the following transfers for the month of December 2003:

<u>From A/C</u>	<u>To A/C</u>	<u>Amount</u>
General		
8020.4	8010.4	\$ 27.26
1220.4	9091.8	4,000.00
1420.1a	9010.8	6,000.00
1620.1	9010.8	4,000.00
1910.4	9010.8	3,000.00
1940.2	9010.8	1,000.00
8710.4	8010.4	67.26
8710.4	8020.4	74.19
7310.1	7020.4	1,000.00
7310.1	7310.4	1,000.00
7140.2	7140.4	1,200.00
Highway		
5112.2	DA9010.8	6,360.70
5140.4	DA9010.8	3,639.30
5132.4d	5132.4a	368.81
5110.4	5110.1	137.32
Sewer		
9045.8	SS1-9010.8	400.00
SS1-8110.1	SS1-9010.8	500.00
SS1-8110.1	SS1-8120.4	3,000.00
Hamlin Kendall		
9040.8	SW13-9010.8	1,000.00
9045.8	SW13-9010.8	250.00
Consolidated		
9045.8	SW1-9010.8	250.00
9045.8	SW1-9010.8	651.00
SW1-8310.2	SW1-8310.1	4,000.00
SW1-8310.4	SW1-8310.1	4,000.00
SW1-9040.8	SW1-9030.8	2,000.00
Walker Water		
9040.8	SW2-9010.8	300.00

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

Supervisor's monthly report acknowledged and filed.

CORRESPONDENCE:

1. News Release from Constellation Energy Group.
2. News Release from RG & E.
3. A letter from Tammy Palumbo asking for re-appointment to the Conservation Advisory Board
4. A letter from Mr. McKay RE: his interview for Building Inspector.
5. A letter from Attorney Licht RE: Tom Mattle Campbell Sub
6. A copy of the Hamlin Volunteer Ambulance, Inc. minutes of 11-13-03.
7. A copy of a flier sent out by M. Marchetti.
8. A copy of a flier sent out RE: the Dec. 1st meeting on Hamlin Terrace Apartments
9. A letter from Attorney Licht RE: Hamlin Terrace Apartments
10. A letter from Attorney Licht RE: Verizon
11. A letter from Time Warner RE: Price Increase
12. A copy of the Library Bd. of Trustees Mtg. 11-5-03
13. A copy of the Recreation Commission Mtg. Of 11-18-03
14. A letter for congratulations from J. LaFalce
15. A copy of an agenda from Monroe County Council of Government
16. A copy of MCDC annual report from Oct. 02 –Oct. 03.
17. A copy of the Dog Control Officers report for Oct. 2003.
18. A copy of an e-mail from Councilman Evans to Supervisor Warner RE: the last meeting.
19. A letter from Senator Schumer RE: IRS refunds.
20. A copy of the proceedings of the Monroe County Legislature.
21. A copy of a letter from M C Department of Health RE: Coalition to Save Lives.
22. A copy of a letter from Dog Control Officer RE: Kennel Permits.
23. A copy of the Hamlin Fire Commissioners Meeting 10-20-03
24. A copy of an e-mail RE: the Ease Cove Senior Apartment.
25. A letter from James Doan asking for re-appointment to the Conservation Advisory Board.
26. A copy of the Hamlin's Youth Group Minutes of 11-12-03.
27. A letter from David Walch asking for re-appointment to the Conservation Advisory Bd.
28. A letter from Mark Reeves asking for re-appointment to the Conservation Advisory Bd.
29. A copy of the assessor's report for the month of November 2003.
30. A copy of the Hamlin-Kendall Water District 2004 Operating Budget
31. A letter from Cindy Olds asking for re-appointment as Clerk to the Support Bds. And Assistant Bldg. Inspector.
32. A letter from Dane Emens RE: Chris Schlieter's Re-appointment to the Planning Bd.
33. A letter from Norman Baase asking for re-appoint to the Zoning Bd. of Appeals
34. A copy of a letter from Mr. & Mrs. Coriddi RE: Low income housing

35. A copy of a letter from Diane Hennekey asking for the re-appointment of Katrina Hurd-LaFever as Senior Coordinator
36. A copy of a letter from Diane Hennekey asking for the re-appointment of Patricia Batty as Recreation Director
37. A copy of a letter from Diane Hennekey asking for the re-appointment of Patty Jo Groenendaal as Assistant Recreation Director
38. Resolution from Library Bd. of Trustees for Councilperson Evans
39. Councilperson Evans Farewell Address

**PUBLIC HEARING ON LOCAL LAW #6-2003
Partial Property
Tax Exemption for Senior Citizens with Limited Income**

Town Supervisor Warner opened the public hearing at 7:40pm. Assessor Melanie Fahmer explained the provisions of the Real Property Tax Law and the periodic changes to the income levels. There is a need to amend Local Law #10-2002 to reflect the new table of percentages and income levels. The floor was opened for comments, there were none. Public Hearing was declared closed.

**ADOPTION OF LOCAL LAW #6-2003 and NOW #5-2003 PARTIAL PROPERTY
TAX EXEMPTION FOR SENIOR CITIZENS WITH LIMITED INCOME**

Note: Local Law #5-2003 that was previously advertised for a request for rezoning was not adopted therefore the renumbering of this Local Law is required for be filed in the proper sequence.

Resolution #223: A motion was made by Councilperson Evans, seconded by Councilperson Todd to approve Local Law #5-2003 Partial Property Tax Exemption for Senior Citizens with Limited Income amending Local Law #10-2002. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**PUBLIC HEARING FOR LOCAL LAW#7-2003
Partial Property Tax Exemption for Persons with Disabilities and Limited Income**

Town Supervisor Warner opened the public hearing at 7:42pm. Assessor Melanie Fahmer gave an explanation of the Real Property Tax Law and the need to amend Local Law #9-2002 and guidelines. The floor was opened for comments.

Jim Martin asked if there is any legislation that would be available for the renters of that proposed low income housing to qualify. Melanie Fahmer explained the first is the proof of ownership that is required. Mr. Martin followed up with the question would she be attending the December 18th meeting, she replied no. Public Hearing was then closed.

APPROVAL OF LOCAL LAW #7-2003 NOW LL #6-2003 PARTIAL PROPERTY TAX EXEMPTION FOR PERSONS WITH DISABILITIES AND LIMITED INCOME

Resolution #224: A motion was made by Councilperson Hollink, seconded by Councilperson Evans to approval LL#6-2003 Partial Property Tax Exemption for Persons with Disabilities and Limited Income amending LL #9-2002. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Melanie Fahmer answered the question they would not be seeking tax relief when asked about tax exemptions on the proposed low-income housing project. This is based on a recent conversation held but she would also be looking at the project further when more information is available. They have shown nothing to demonstrate a reduction.

AUTHORIZATION THE PAYMENT OF HAMLIN-KENDALL WATER DISTRICT#1Ext 5 BILLS

Town Supervisor Warner advised the board that Kendall pays the bills but needs to have approval of both boards.

Resolution#225: A motion was made by Councilperson Evans seconded by Councilperson Hollink to approve for payment the following Hamlin-Kendall Water District #1 Ext 5 bills: Blair Supply Corp. \$75.40 and Erie County Public Health Lab \$90.00. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

SETTING DATE FOR ORGANIZATION MEETING, JANUARY 6, 2004

The Town Board discussed the scheduling of an End of the Year Meeting and schedule of the Organizational Mtg. Councilperson Hollink then stated so we are not going to have an End of the Year Meeting. Right, we will approve vouchers at the regular meeting was Town Supervisor Warner's reply. Councilperson Hollink went on record objecting and citing her reasons re-appointment and paying them.

Resolution #226: A motion was made by Councilperson Evans, seconded by Councilperson Todd to schedule January 6, 2004 at 5:45pm as the Organizational Mtg and there will be no end of the Year Mtg. Members polled, Councilperson Evans aye, Councilperson Hollink no, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

INCREASE TO LIBRARY BUDGET

Resolution #227: A motion was made by Councilperson Evans, seconded by Councilperson Todd to increase the Hamlin Public Library budget Account #A7410.4 in the amount of \$250.00 for a check received from Monroe County as a disbursement for their summer reading program. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye.

APPOINTMENT OF DONNA STASSEN TO THE ZONING BOARD OF APPEALS

Resolution #228: A motion was made by Councilperson Evans, seconded by Town Supervisor Warner to appoint Donna Stassen to the Zoning Board of Appeals effective January 1, 2004 to fill the remainder of a term expiring December 31, 2006. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

APPOINTMENT OF RICHARD BAUMAN AS BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER/SEQR OFFICER

Resolution #229: A motion was made by Councilperson Todd, seconded by Councilperson Hollink to appoint Richard Bauman as Building Inspector/Code Enforcement and SEQR Officer for the Town of Hamlin. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

CONTRACT WITH HR WORKS, INC.

Kelly representing HR Works, Inc. was present. Town Supervisor Warner stated to the board members to go to Page 1, Human Resource Audit, Page 2 Employee Handbook and Page 3 Design. Bd. Members reviewed their information. Councilperson Hollink asked about the HR Helpline which are we going with. Town Supervisor Warner stated with the handbook. Councilperson Hollink asked about the timeline for the phases. Kelly stated two to six months for all three phases.

Resolution #230: A motion was made by Councilperson Evans, seconded by Councilperson Hollink to contract with HR Works, Inc. per Page 10, Human Resource Audit, Phase I, cost \$2,200.00, Employee Handbook, Phase II, cost \$2,200.00 and HR Helpline \$495.00 per year with handbook. Fee to come from the Cable Fund. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

SETTING DATE AND TIME FOR INTERVIEWS FOR RE-APPOINTMENTS

The board discussed the date and time for setting of interviews for re-appointments.

Resolution #231: A motion was made by Councilperson Evans seconded by Councilperson Todd to set December 17th at 6pm for interviews for all reappointments for the support boards. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REPORTS

Eric Peters Interim Water Sup. reported on the following:

- ❖ Town Supervisor Warner congratulated him on his new position and having only been on the job a week Eric had a few things to report such as the Hidden Creek Water Pressure for the whole park.
- ❖ Pipe is to be delivered for the Roosevelt Water Line and they will be starting on Drake and going north.

B. J. Maier Fire Marshal reported on the following:

- ❖ Inspection having been done at Dollar General.
- ❖ Also reported was the recent wind storm and the activation of St. Johns in case it was needed. Some wires went down and response to the service getting back up.
- ❖ He will be at the December 18th meeting and would like to sit down and talk before the meeting.

Tom Ingraham Highway Sup. reported on the following:

- ❖ The machine for recording speeds was in several locations throughout the town and the average speed was just below the speed limit. On Rt. 18 for the weekend there were 3,500 cars east bound and for two days, Monday through Wednesday on Rt. 19 south 6,000 cars.
- ❖ In regards to the accident at Rt. 19 and Hamlin Clarkson Tn. Ln. Rd. a letter being sent to the DOT was shared with the board including police and fire reports.
- ❖ Working on the guardrails on the County Rds. trying to get them cleaned up.

Councilperson Shirley Hollink reported on the following:

- ❖ Lunch with Santa on Saturday had over 100 people attended. Everyone had a good time, Dinner Dogs entertained.
- ❖ Coalition to Save Lives, Reading the information from the Red Cross to purchase a defibrillator. Discussion held on purchasing them. Fire Marshal reported on the fire departments having one and suggested this being a public place we should have one. Training is not difficult.

PURCHASE OF DEFIBRILLATORS FOR TOWN HALL, TOWN JUSTICE BLDG. AND HIGHWAY BLDG.

Resolution #232: A motion was made by Councilperson Hollink, seconded by Councilperson Evans to purchase a defibrillator for the Town Hall prior to the December 31st deadline if there is existing funds available. Councilperson Todd stated based on Councilperson Evans statement would like to have the motion amended to include a purchase for the Justice Court and Highway and include training. Councilperson Hollink and Councilperson Evans amended the resolution to include the Justice Court and Highway Bldg. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Councilperson George Todd reported on the following:

- ❖ B.J. Maier is working on the disaster plan. It is pretty involved.
- ❖ Reporting on the Zoning Bd. The public hearing for the Vito property postponed for 30 days as the State is coming in to determine whether a house or garage.
- ❖ Last night the Recreation had a holiday gathering for their volunteers and they had a wonderful time. The exploratory committee met at St. Johns and they are researching several things. Korry Sherry has agreed to donate her time. The Recreation Commission asked that if we have resolutions that we share it with them. The resolution mentioned was the changing of the fees and the wording of the resolution not what they had submitted. Also they inquired on past fees and recouping them.

Melanie Fahmer Assessor reported on the following:

- ❖ Reported on the change of law for enhanced star and use of prior years tax information so they are busy with the Seniors who can now go south and getting ready for the rest of the exemptions.

Councilperson Edward Evans stated instead of giving a report on all his liaison duties He read a Farewell Address (correspondence #39).

EXTENDING OF TERMS

Resolution #233: A motion was made by Councilperson Todd, seconded by Town Supervisor Warner to extend the terms of offices and appointees until the January 2004 Organizational Mtg. Members polled, Councilperson Evans aye, Councilperson Hollink aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Todd, seconded by Councilperson Hollink to adjourn the meeting at 8:17pm. Members polled, all ayes. Meeting adjourned.

Respectfully submitted,

Kathi A. Rickman, RMC
Hamlin Town Clerk