

Hamlin Town Board  
November 8, 2004

The regular scheduled meeting of the Hamlin Town Board was held in the Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order by Town Supervisor Austin F. Warner, III at 7:00pm who explained the location of the fire exits for those present. Janet Haight 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 Shirley Hollink, Councilperson Paul Rath, Councilperson David Rose, and Councilperson George Todd.

Also present: Mary Hueser Deputy Town Supervisor, Tom Ingraham Highway Sup., Eric Peters Water Sup., Melanie Fahmer Assessor, Dick Bauman Bldg, Insp., Attorney Ken Licht, Pat MacIntosh Secretary to the Supervisor, James Krempasky Bd. of Assessment Review, Tammy Palumbo and Craig Goodrich Conservation Bd. Members, Library Trustee Duane Miller, Elliotte Bowerman representing the Brockport Post, Residents Monica Seeley, Sandra Nelson, Diane Hennekey, Howard Hueser, Linda Wietz, Janet Haight, Lucy Mosher, Linda Goula, Ida Miller, Nancy Jennejahn.

**RESOLUTION OF APPRECIATION FOR JANET HAIGHT**

**RESOLUTION OF APPRECIATION  
JANET HAIGHT**

- WHEREAS,** Janet Haight has focused her entire life around caring, first as a wife, then as a mother of four and grandmother of nine and lastly the community in which she has lived and,
- WHEREAS,** Janet Haight has been a member of the Walker Bible Baptist Church, active member of the Hamlin Senior Citizens, Hamlin Republican Election Coordinator and still has managed to enjoy traveling, playing Euchre on Tuesday nights and cards with the ladies on Wednesday at the Town Hall and,
- WHEREAS,** Janet Haight as a retired Hilton School Bus Driver safely transported our children to and from school for many years and,
- WHEREAS,** In recognition of ten years of service to LAFASNY as an Officer, as Secretary for Western New York Ladies Auxiliary and fifty years of service to the Walker Fire Department Ladies Auxiliary,
- BE IT RESOLVED,** on behalf of the Town of Hamlin we wish this fine lady and community servant many more years of happiness and it is with great pleasure as Supervisor for the Town of Hamlin to enter this Resolution of Appreciation into the official Town Board Meeting Minutes of November 8, 2004.

**PUBLIC FORUM**

Linda Goula of N. Hamlin Rd. came to the board in regards to a letter she had written to the Town Board on the conditions of a nearby residence and problems she has been dealing with such as stray animals, pigs, sheep goats, and turkeys. She has called several agencies such as the Human Society, Sheriff's and they don't want to have anything to do with it. I don't know what to do. There has been no power there; a generator is running. Dick Bauman Bldg. Inspector has tried to solicit help from Ag. & Mkt. several times and will try them again in the morning.

Sandy Nelson of 1211 N. Hamlin Rd. also mentioned the damage that is being done by the animals and when I complained I came home to find two dead pigs hanging from a tree. She also complained on the general conditions of the property and the conditions on how the resident is living. Town Supervisor Warner asked Dick Bauman if he has written a letter to the owner of the property. Mr. Bauman explained he has written a couple of letters in the past and he would clean up the yard and it would last for awhile. I guess I need to take him to court for the junk vehicles. Dick Bauman stated until I find something in the code I have nothing to address on the animals. Sandy Nelson stated from the code on the keeping of the animals it mentions the public safety and welfare. Councilperson Rose asked Attorney Licht to look into the code and write a letter. Councilperson Hollink asked is there a violation of living there without electricity. Discussion continued with the Attorney looking into it.

Nancy Jennejahn of Walker Lake Ontario Rd. stated she is surprised since we are primarily agriculture that we don't have something in the codes to address larger animals.

Mr. Steffenhagen of Lake Rd. West Fork stated when his huskies got out and went to Norman Baase's farm when he was farming the Sheriff's department stated they could shoot it; what is different now?

Pat Carpenter of Alder Bush Lane asked if there was any update on the drainage. Town Supervisor Warner stated they have just gotten the information and will be reporting on this later in the meeting. A unidentified resident mentioned the article in the Hamlin Clarkson Herald on Flood Issues and mitigation.

Peter Toney Moscow Rd. read a statement that on Election Day James Breslawski was asked to take an oath after being challenged when he came into vote. Everyone on the board knows he lives in Clarkson. By not taking that oath he is admitting that he is not a Hamlin resident and I ask the board tonight to introduce a resolution requesting that he step down from his position on the Planning Bd. as the seat he occupies belongs to a true Hamlin resident.

Councilperson Todd made comments getting back regarding the previous statement on mitigation that the engineer has suggested we do this. Public Forum declared closed by the Town Supervisor.

**PRESENTATION COMMUNITY CENTER COMMITTEE**

Dianne Hennekey and Denny Roach were present for a presentation on the survey that they have been working on the last year and half. No one had a copy of the survey that was suppose to be sent to the Supervisor.

Lori Moses who also is on the committee then reviewed the survey that will be used to measure several different levels. Some of the questions may seem a bit redundant she stated but that is to make sure they answer the questions the same way. Denny Roach added the committee is fully aware of the survey that the town recently did. We know there is the need but we need to find out the level of support and we feel this survey will be the crossroads of support if it is out there. He hoped when the board had time to look at it that the committee could come back to the board. Councilperson Todd didn't think we needed to give them permission we have already empowered them. Councilperson Rath added some comments to that fact. Mr. Roach stated the committee would do the stuffing and we need the financial support. Dianne Hennekey stated we need some advise as we have no budget but have gotten some prices on sending this out. Town Supervisor Warner gave her some advise on talking with the Postmaster on what is needed for mailing. Discussion continued on how to send out the survey.

Resolution #203        A motion was made by Councilperson Todd, seconded by Councilperson Rath for the exploratory committee to send out a questionnaire with a set address and returnable envelope with costs not to exceed \$3,600. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**PRESENTATION FOR REZONING FROM RESIDENTIAL MEDIUM TO SENIOR CITIZEN ZONING.**

Attorney O'Toole made a presentation for rezoning of a Residential Medium tax parcel consisting of over 50 acres to Senior Citizen zoning located on Roosevelt Hgwy and adjoining the Tops property. This request is pursuant to the newly adopted Local Law. There is no big money spent on engineering and we don't want to get ahead of ourselves. It will be constructed according to the new law.

Melanie Fahmer Assessor had a question on dual zoning. Attorney O'Toole mentioned the two parcels and a portion of a third parcel would be presented to the Planning Bd. Attorney O'Toole suggested a condition of the rezoning could address that issue.

Resolution #204        A motion was made by Councilperson Rath, seconded by Councilperson Rose to set a public hearing for December 13<sup>th</sup>, 2004 at 7pm for the rezoning of Tax Account #021.03-3023.2, #021.03-3-8 and (7.49 acres) of #29.02-1-1.114. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**PRESENTATION FOR WALKER BAPTIST CHURCH REZONING FROM C-NB to R-VL**

Chris Schultz representing Schultz Engineering presented the map showing the need for rezoning for expansion of use for the Walker Baptist Church and proposed school. We are requesting rezoning of the entire property to R-VL based on recommendations of the Planning Board.

Resolution #205 A motion was made by Councilperson Rose, seconded by Councilperson Rath to schedule public hearing for December 13<sup>th</sup>, 2004 at 7pm for the rezoning of Tax Accounts #022.040-01-14 #022.040-1-13 from Commercial Neighborhood Business to Residential Very Low for the Walker Baptist Church. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF TOWN BOARD MINUTES OF OCTOBER 11, 2004**

Resolution #206 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of October 11, 2004 as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF PUBLIC HEARING MINUTES FOR 2005 BUDGET**

Resolution #207 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of the public hearing held on November 3rd, 2004 for the 2005 Town of Hamlin Budget. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

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

Resolution #208 A motion was made by Councilperson Rath, seconded by Councilperson Todd to approve the payment of bills from their respective funds as presented:

General Abstract #11	#0933 - #1047	\$38,020.18
Library	#0153 - #0169	\$ 4,692.16
Hamlin Kendall Water	#0059 - #0069	\$23,979.56
Consolidated Water	#0129 - #0141	\$21,224.87
Highway	#0259 - #0286	\$24,233.66
Newco Dr. Water	#0019 - #0020	\$ 609.80
Hamlin/Clarkson Tn Lin	#0008	\$ 360.00
Moscow Rd. Water	#0011	\$ 195.00
N. Hamlin Water	#0010	\$ 19.22

Hamlin/Walker Water	#0043 - #0046	\$ 5,242.09
Sewer District	#0066 - #0075	\$ 4,038.56
Hamlin Lighting	#0011	\$ 468.35
Campbell Lighting	#0011	\$ 87.33
Hillcrest Lighting	#0011	\$ 246.48
Morton Lighting	#0011	\$ 140.74

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

**AUTHORIZATION OF TRANSFERS FROM THEIR RESPECTIVE ACCOUNTS**

Resolution #209 A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize the transfer of funds from the following accounts:

<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	<u>AMOUNT</u>
SW2-8310.1 – Salary	SW2-8310.4 – Expense	\$725.75
7140.1 Playgr./Rec Salary	7140.4 – Playgr/Rec. Expense	\$795.00
7310.1 – Youth Salary	7310.4 – Youth Service Exp.	\$400.00
7020.1d – Gym Inst.	7310.4 – Youth Service Exp.	\$375.00
7020.1e – Program Asst.	7020.4 – Admin. Exp.	\$850.00

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

Supervisors Monthly report acknowledged and filed.

**CORRESPONDENCE**

1. A letter from Unity Health System thanking us for supporting their program.
2. A letter sent to Mr. & Mrs. Hart RE: STAR.
3. A letter thanking Austin & Dave Rose for attending the Huntington Parkway Neighborhood Watch organization meeting.
4. A copy of the Hamlin Fire District Meeting of 9-20-04.
5. A copy of the Hamlin Volunteer Ambulance meeting of 10-14-04.
6. A copy of the Recreation Commission Meeting 10-14-04
7. A copy of the Hamlin Library Board of Trustees meeting 10-6-04
8. A letter for Ms. Patt RE: the Town Codes and getting things done.
9. A letter thanking us for letting the CITA use the soccer fields.
10. A letter from Jerry Goldman RE: East Cove Senior Apartments.
11. A letter from James Quatro RE: the Library.
12. A letter from Stephen Quatro RE: the Hamlin Public Library.
13. A letter from Carmen Quatro RE: the Hamlin Public Library.

14. A copy of a letter from Dept of Transportation RE: amendments to new Section 1117.
15. A letter from Daniel Quatro RE: the Hamlin Public Library.
16. A copy of the DCO Monthly report for October.
17. A copy of the Walker Fire District minutes October 2004.
18. A copy of Local Law #3-2004 being filed.
19. A copy of the Building Inspector's report for the month of October 2004.
20. A copy of the Fire Marshal's report for the month of October 2004.
21. A copy of the Assessors report for October 2004

### **APPROVAL OF 2005 TOWN OF HAMLIN BUDGET**

Resolution #210      A motion was made by Councilperson Todd, seconded by Town Supervisor Warner to adopt the 2005 Town of Hamlin Budget. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

### **GRANTING ADDITIONAL FUNDS FROM SPECIAL CABLE FUND TO LIBRARY**

Councilperson Rose would like to introduce a resolution to approve an additional \$6,000 from the Cable Fund to assist in the payment of computers for the Library. Discussion was held with Councilperson Todd stating this is in addition to the money we have designated from that fund for the Library. The board discussed three bids and documentation for the board. Councilperson Hollink asked we don't have the documentation and they get it without a resolution. Councilperson Rose and Councilperson Hollink discussed the agreement and the additional money use. Town Supervisor Warner stated that he would look at talking with the State Senator for some assistance. Councilperson Todd stated he would like to see the parameters that the County is requiring. Discussion continued before the following motion was made.

Resolution #211      A motion was made by Councilperson Rose, and seconded by Councilperson Rath that upon obtaining the quotes and breakdown of all expenses the Town Board will review for acceptance and release of \$6,000 from the Cable Fund towards the purchase of computers. Members polled, Councilperson Hollink no not thinking this did not need a resolution at this time, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd no, and Town Supervisor Warner aye, to look at the information provided. Motion carried.

### **PAYMENT TO RANDSCO PIPELINE, INC. HAMLIN KENDALL #1EXT#6**

Resolution #212      A motion was made by Councilperson Todd, seconded by Councilperson Hollink to approve payment to Randsco Pipeline, Inc. in the amount of \$6,023.32 contingent approval of the USDA-Rural Development. Members polled,

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

**TOWN HALL EMPLOYEE 2005 HOLIDAYS**

Resolution #213 A motion was made by Councilperson Hollink, seconded by Councilperson Todd to approve for Town Hall Employees the 2005 Town Hall Holidays as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ADOPTION OF THE MONROE COUNTY PRE-DISASTER MITIGATION PLAN**

Resolution #214 A motion was made by Councilperson Rose, seconded by Councilperson Rath to adopt the Monroe County Pre-Disaster Mitigation Plan. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**ACKNOWLEDGEMENT OF MEETING DATES FOR 2005**

Discussion: The Board Members discussed the change of Columbus Day Meeting with mixed feelings of having the employees come in on their day off and Bd. members who have other meetings to attend.

Resolution #215 A motion was made by Councilperson Rose, seconded by Councilperson Todd to acknowledge the meeting dates for 2005 as presented. Members polled, Councilperson Hollink no, Councilperson Rath no, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**BONDING OF TAX RECEIVER KATHI A. RICKMAN**

Resolution #216 A motion was made Councilperson Rose, seconded by Town Supervisor Warner to approve the following:

Section 1. The Town Board hereby approves the surety form and amount of the Official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes, Kathi A. Rickman for the following:

Type of Undertaking:	Crime Policy
Insurance Policy:	Travelers Casualty Insurance Company of America
Amount:	\$500,000.00

With said Bond having filed a copy in the Town Clerks Office and

Monroe County for collecting the 2005 Town and County Taxes.

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

**PAYMENT BY TOWN OF KENDALL TO LABELLA ASSOCIATES, INC.  
HAMLIN KENDALL WATER DIST. #1EXT. #5**

Resolution #217 A motion was made by Councilperson Rath, seconded by Councilperson Rose to approve the payment of \$515.38 by the Town of Kendall to pay LaBella Associates, Inc. for Hamlin Kendall Water District #1Ext. 5. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**CHANGE OF ORDER#1 LAKE ONTARIO STATE PARKWAY BORING**

Discussion: Councilperson Rose gave an overview which included on how the County wanted it drawn down to a zero balance so some hydrants were put in. Eric Peters was okay with this.

Resolution #218 A motion was made by Councilperson Rose, seconded by Councilperson Rath to accept the Change Of Order #1 of the Lake Ontario State Parkway Boring at Walker Lake Ontario Rd. in the amount of \$18,891.00. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Resolution #219 A motion was made by Councilperson Rose, seconded by Councilperson Rath to add to the abstract the bill from Chatfield Engineers in the amount of \$420.00. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**RELEASE FOR PHASE 1 COUNTRY CREEK ESTATES FROM LETTER OF CREDIT**

Resolution #220 A motion was made by Councilperson Rath, seconded by Councilperson Rose to approve the release of \$9,832.50 for Phase 1 of Country Creek Estates from the Letter of Credit. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**REPORTS**

Councilperson Todd reported on the following:

- Thanked the board for allowing the Exploratory Committee the expenses for the next step sending out the questionnaire.

Councilperson Shirley Hollink reported on the following:

- Lunch with Santa is December 4<sup>th</sup>
- Four bricks have been sold so far.

Tom Ingraham, Highway Sup. reported on the following:

- Road projects done for the season so we are working on some drainage items.
- Brush pick up completed.
- Leaf mulch is at the Highway Bldg. free for those who want it.
- Getting ready for the upcoming winter.
- County started their communication changes on the tower and Town Supervisor Warner wanted to thank him for all his work getting that done.
- Meeting held this morning with J. P. from Chatfield Engineer on West Creek. He did find out some of the storms rates and some four mitigation ideas and costs. Looking at different options for funding.

Eric Peters Water Sup. reported on the following:

- All major water projects are done.
- 63 meters pulled for lakefront properties, 4 new taps (three houses and one business).
- Hydrants and valves replaced and boring came under the budget.
- Reminder on the Hamlin Kendall Water Meeting.

Mary Hueser Deputy Town Supervisor reported on the following:

- Hamlin Recreation
- Ambulance hopes to have their 2005 ambulance in place by March. September 40 calls. 9 only had no crews so the coverage was good. Due to FCC regulations they are going to need to change their high band and it includes pagers.
- Hamlin Fire District approved their budget.

Dick Bauman Bldg. Inspector reported on the following:

- Run on pole barns, three house starts and new canopy at K&K. We are working also with Tops to get approval for distribution of gas.
- We are still have problems with software, don't know where that is going.

Melanie Fahmer Assessor reported on the following:

- New computers arrived Friday and will up running shortly.
- Busy with Star exemptions a lot of people before they head south for the winter.

Councilperson Paul Rath reported on the following:

- There are minutes from the Fire Departments and Morton is still trying to get their truck in service
- Mentioned to Mary the Fire Departments and some grants for funding and help with the radios. Suggestion to contact Chuck as he wrote one for Walker.

Councilperson David Rose reported on the following:

- Report from the Planning Board approval for opening a small machine shop. Also the relocation of a house on the Podgers Subdivision.
- Hamlin Seniors were reminded of the Senior Star. I explained to them on Katrina being a separate line item on the budget.
- Regarding the Library he thinks it would be a great honor in such a short time for them to receive their certification. Boy Scouts using the meeting room and they are looking into a bulletin board and the control of it so people don't just come in and put up business cards

**.EXECUTIVE SESSION**

Resolution #221 A motion was made by Town Supervisor Warner, seconded by Councilperson Rose to go into Executive Session at 8:35pm for possible litigation. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**COME OUT OF EXECUTIVE SESSION AND ADJOURNMENT**

Resolution #222 A motion was made dually by Councilperson Rath and Councilperson Rose, seconded by Councilperson Hollink to come out of Executive Session at 8:55pm and adjourn the meeting. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, RMC  
Hamlin Town Clerk