

Hamlin Town Board Meeting
February 9, 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 Warner at 7:00pm who explained the location of the fire exits for those present. Councilperson George Todd 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: Deputy Town Supervisor Mary Hueser, Conservation Bd. Member Mark Reeves, Planning Bd. Members Judith Hazen, Jim Nesbitt, David Martin, James Breslawski, Bd. of Assessment Review James Krempasky, Library Trustee Duane Miller, Secretary to Supervisor Pat MacIntosh, Deputy Highway Sup. Steve Baase, Highway Sup. Tom Ingraham, Eric Peters Interim Water Sup., Melanie Fahmer Assessor, Dick Bauman Bldg. Insp., Residents Tom and Karen Jensen, Linda Wietz, Ida Miller, Mike Marchetti, Peter Toney, Steve Lauth, Jim Fairchild

PUBLIC FORUM

Tom Jensen of Roadside Drive asked for an explanation from the Supervisor and Town Board why after asking twice to be put on the Conservation Bd. and the support of the Conservation Bd. that the Supervisor refuses to put the most qualified person Ed Evans on the board. Town Supervisor responded for one thing they are not done with the search. There were eight qualified candidates and we are doing some research and once we have made a decision it will be put out to the public. Mr. Jensen asked why after the first application was he denied and he is working with the Conservation Bd. and he is qualified and for some reason you do not want him on the board. Town Supervisor Warner stated it is not one persons decision and we will get back to you when the decision has been made.

David Martin from Lake Rd. East Fork and member of the Planning Board spoke on behalf of Jim Breslawski due to the recent articles in the newspaper on his residency. He is a member of the Planning Board and we are proud to have him as a member. He is a businessman, receives his mail and votes in Hamlin. Where he sleeps at night, I don't know whether that should be an issue. He is a good man and he should be retained. I have read things that Mr. Tonery and Mr. Martin are saying about him in the editorials, things that are untrue. They are intelligent men and they should focus their energy in another direction to help the town and not tear the town apart.

Mr. Peter Tonery of 937 Moscow Rd. thanked Mr. Martin for his comments and stated we think Mr. Breslawski is on the board illegally. Mr. Tonery further stated that Mr. Breslawski has not been a resident perhaps before 1993, not even in the County and it is

what the law states. It is an issue of law and it is this boards responsibility to follow the law.

Jim Nesbitt of 3952 Brick Schoolhouse Rd. and member of Planning Board stated that Mr. Breslawski has been on the board for a couple of years and at the time of appointment it was addressed by the Town Attorney and then appointed by the Town Board. You set the laws and you addressed that then. It is only being brought up at this time because of another issue and I hope you don't forget that.

Steve Lauth of 1310 Brookedge Dr. asked about the time frame on the next meeting for East Cove. Town Supervisor Warner stated it hasn't been scheduled and that would be a Planning Board decision. The questions and answers from the developer are available from the Town Clerk or in the Library. Mr. Lauth asked about the request for a moratorium with Town Supervisor Warner stating they have had discussions with the Planning Board, Comprehensive Committee and Town and Planning Bd. Attorneys. When asked about the date of Comprehensive Plan the Town Supervisor stated they are hoping for the end of the year.

Judith Hazen of 3344 Brick Schoolhouse Rd. a member of the Planning Bd. reiterated the statements regarding Mr. Breslawski as a valuable member of the board.

Public Forum was declared closed.

PRESENTATION FOR THE ROSEVILLE SUBDIVISION

Attorney Keith O'Toole representing the developers of Roseville Subdivision which is presently vacant land on Roosevelt Hgwy. and Hamlin Center Rd. for Senior Housing with a Homeowner Association with the seniors owning the unit but not the land that it is on. We need a law to be put in place and therefore we need to discuss this and also speak to the Comprehensive Plan Committee per your attorney and we are hoping to get a referral to that committee and your blessings this evening.

Town Supervisor Warner was hoping for more information tonight. Attorney O'Toole stated he was sorry for the misunderstanding but that this was just to make you aware and to avoid possible rumors.

Councilperson Hollink asked about the previous proposal that was brought years ago by Mark and would the access to this property be off Rt. 19 or 18. Councilperson Rose asked about the access of Rt. 19 for emergency vehicles being they are seniors. Mark Kronenberg stated it is cost prohibited to use Rt. 19 mentioning turning lanes and a traffic signal. Councilperson Rose mentioned the route of emergency vehicles getting to this property with an explanation of the delay at the light.

Attorney O'Toole stated for purpose of clarification that Mr. Kronenberg has plans for the commercial development and that this is a different project with access off Rt. 18 and approvals through New York State as it is a state highway.

Councilperson Rath stated you are looking for a referral to the Comprehensive Plan Committee with possible changes to the code. Councilperson Todd asked why to the Comprehensive Plan and not the Planning Bd. Councilperson Rath explained that if we didn't have Comprehensive Plan Committee they would be coming to us to change the code. Councilperson Hollink stated her concern is if you are waiting for the Comprehensive Committee you could be waiting a long time. Councilperson Rath suggested having a worksession and give the information to the committee. February 18th at 6:30pm the Town Board scheduled a worksession.

APPROVAL OF TOWN BD. MEETING MINUTES FOR JANUARY 12, 2004

Resolution #73: A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the January 12, 2004 meeting minutes as presented. 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 #74: A motion was Councilperson Hollink, seconded by Councilperson Todd to approve the payment of bills from their respective funds as follows:

2003 - Abstract #14

General	#1111 - #1119	\$1,202.52
Library	# 190 - # 191	\$8,743.80

2004 - Abstract #2

General	#016 - #093	\$40,803.66
Library	#001 - #011	\$ 4,828.85
Highway	#003 - #033	\$60,144.54
Consolidated Water	#005 - #016	\$24,663.52
Sewer	#002 - #007	\$ 842.28
Hamlin Lighting Dist	#001	\$ 536.37
Morton Lighting Dist.	#001	\$ 160.76
Hillcrest Lighting Dist.	#001	\$ 268.38
Campbell Lighting Dist.	#001	\$ 95.56
Hamlin/Walker Water Dist.	#002 - #005	\$ 4,015.89
Newco Dr. Water Dist.	#001 - #002	\$ 467.32
North Hamlin Water Dist.	#001	\$ 19.46
Hamlin/Kendall Water Dist.	#001 - #006	\$ 8,256.32
Hamlin/Kendall #1Ext6	#001	\$ 6,331.20

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

AUTHORIZATION OF TRANSFERS FOR THE MONTH OF FEBRUARY 2004

Councilperson Rath asked if these were transfers for 2003. He was told yes.

Resolution #75: A motion was made by Councilperson Rose, seconded by Councilperson Todd to approve the following transfers for February 2004:

<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	<u>AMOUNT</u>
A6672.4 Prog. For aging	A6772.1 Senior Craft Instructor	\$ 4.35
A7410.1 Library Salary	A7410.4 Expense 2003	\$4,012.83

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

Supervisor's Monthly report acknowledged and filed.

CORRESPONDENCE

1. Dog Control Officers report for November and December 2003.
2. A copy of the 2003 Maintenance Aid Cert.
3. A copy of the Recreation Commission Meeting of 1-8-04
4. A copy of a letter from Mr. Gustafson RE: sewer on West Wautoma
5. A copy of a letter from Ms. Krekic RE: the roads.
6. A letter from Ms. Haka RE: no more horses at 1589 Redman Road.
7. A letter from Unity Health Systems thanking us for our contribution.
8. A copy of a letter from Attorney Licht RE: the Indemnification of officers and employees.
9. A letter from Senator Schumer RE: MREIDL program
10. A copy of the Hamlin Fire Dist. Meeting 1-6-04
11. A letter from Supervisor Lemcke RE: the intermunicipal agreement between the three towns.
12. A copy of a letter from Dr. Lenhard RE: the Humbert's.
13. A copy of a letter RE: Press Release from RG&E.
14. A copy of the News Release from RG&E
15. A copy of the Assessor's monthly report for January 2004.
16. A copy of a letter from D. Walch RE: B. Jennejahn.
17. A copy of a letter from Mr. & Mrs. Legere RE: the Humbert.
18. A memo from Monroe County RE: the Consolidated Plan Consortium Steering Committee Meeting Minutes.
19. A copy of a letter from Mr. Richardson, Regional Engineer RE: 5733 W. Wautoma Beach.
20. A copy of an e-mail RE: Community Development Funding.
21. A copy of a letter from Ed Evans RE: the return of the "Acknowledging Service Rendered Cert."
22. A list from RG & E in case of an emergency.
23. Building Inspectors January 2004 report
24. Fire Marshal's January 2004 report

AMENDING OF THE HAMLIN SENIOR CITIZEN BY-LAWS

Councilperson Rose stated at the last meeting of the Seniors he was asked to bring this request of an increase from \$.50 to \$1.00 per meeting to the Town Board.

Resolution #76 A motion was made by Councilperson Rose, seconded by Councilperson Rath to amend the Hamlin Senior Citizen By-Laws meeting fee from \$.50 to \$1.00 per person. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

PAYMENT TO RANDSCO PIPELINE - HAMLIN-KENDALL #1 Ext#6

Resolution #77 A motion was made by Councilperson Hollink, seconded by Councilperson Rose to approve payment to Randsco Pipeline, Inc. in the amount of \$131,676.76 contingent upon approval by the USDA-Rural Development from the Hamlin-Kendall Water District #1, Ext #6. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

SEQR FOR BASKETBALL COURT IMPROVEMENT

Resolution #78: A motion was made by Councilperson Hollink, seconded dually by Councilperson Todd and Town Supervisor Warner for the following:

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Hamlin has declared itself Lead Agency to comply with SEQR and,

WHEREAS, the Town Board has considered the environmental significance and potential impact of the basketball court improvements located behind the Hamlin Town Hall in the Town of Hamlin, and

WHEREAS, the Town of Hamlin Town Board has accepted the short Environmental Assessment Form on this project, prepared by Chatfield Engineers and in accordance with 6NYCRR Part 617; the project is an Unlisted Action.

BE IT RESOLVED, that the Town of Hamlin Town Board hereby states the project will not result in any adverse environmental impacts and issues a Negative Declaration under SEQR.

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

SEQR FOR THE DRIVEWAY AND PARKING FOR RECREATION FIELDS

Resolution #79: A motion was made by Councilperson Rose and seconded by Councilperson Rath to approve the following SEQR for the driveway and parking for the recreation fields as follows:

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Hamlin has declared itself Lead Agency to comply with SEQR and,

WHEREAS, the Town Board has considered the environmental significance and potential impact of the driveway and parking for recreation fields located behind the Hamlin Town Hall in the Town of Hamlin, and

WHEREAS, the Town of Hamlin Town Board has accepted the short Environmental Assessment Form on this project, prepared by Chatfield Engineers and in accordance with 6NYCRR Part 617; the project is an Unlisted Action.

BE IT RESOLVED, that the Town of Hamlin Town Board hereby states the project will not result in any adverse environmental impacts and issues a Negative Declaration under SEQR.

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

ACCEPTING COMMUNITY DEVELOPMENT GRANT FOR DRIVEWAY AND PARKING LOT FOR THE RECREATION FIELD

Resolution #80: A motion was made by Councilperson Todd, seconded by Councilperson Rose to accept the Community Development Grant for a driveway and parking lot for the recreation field in the amount of \$35,000.00 and authorizing execution of the contract.

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

SEQR FOR WILER ROAD WATER DISTRICT

Resolution #81: A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the following SEQR for the Wiler Road Water District:

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Hamlin has declared itself Lead Agency to comply with SEQR.

WHEREAS, the Town Board has considered the environmental significance and potential impact of the installation of approximately 5,600 linear feet of 8" water main, valves hydrants and appurtenances along portions of Wiler Road and Roosevelt Highway in the Town of Hamlin and Clarkson.

WHEREAS, the Town of Hamlin Town Board has accepted the Environmental Assessment of this project, prepared by Chatfield Engineers.

Resolved, that the Town of Hamlin Town Board hereby issues a Negative Declaration under SEQR for this project.

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

REQUESTING INCREASE BUDGET IN DA5130.4

Highway Sup. Ingraham stated the only thing left was the \$250.00 deductible check from the insurance check received for damage to the sander from an accident. Councilperson Hollink asked if anyone was hurt, no was the reply. Town Supervisor commended the Highway employees on their work.

Resolution #82 A motion was made by Councilperson Todd, seconded by Councilperson Hollink to increase budget in Account DA5130.4 by \$3,061.50 due to the receiving of an insurance check for damage to sander from an accident January 18, 2004. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REQUESTING INCREASE BUDGET IN A5132.4

Resolution #83: A motion was made by Councilperson Todd, seconded by Councilperson Hollink to increase budget in Account A5132.4 by \$650.00 for a check received from the NYSEADA, New York Energy Smart Equipment choices program for new lighting in the Highway Garage. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

SEQR FOR THE BORING OF THE LAKE ONTARIO STATE PARKWAY AT WALKER LAKE ONTARIO ROAD

Resolution #84: A motion was made by Councilperson Todd, seconded by Councilperson Rose for the following SEQR for the boring of the Lake Ontario State Parkway:

WHEREAS, in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Hamlin has declared itself Lead Agency to comply with SEQR.

WHEREAS, the Town Board has considered the environmental significance and potential impact for the boring of Lake Ontario State Parkway in the Town of Hamlin, and

WHEREAS, the Town of Hamlin Town Board has accepted the short Environmental Assessment Form on this project, prepared by Chatfield Engineers and in accordance with 6NYCRR Part 617; the project is an Unlisted Action.

BE IT RESOLVED, that the Town of Hamlin Town Board hereby states the project will not result in any adverse environmental impacts and issues a Negative Declaration under SEQR.

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

ENTER AGREEMENT WITH MONROE COUNTY COMMUNITY DEVELOPMENT FOR BORING UNDER LAKE ONTARIO STATE PARKWAY

Resolution #85 A motion was made by Councilperson Rose, seconded by Councilperson Rath to enter into an agreement with Monroe County Community Development for and installation of 1200 L.F. of 8 inch water line and related appurtenances on Walker Lake Ontario Road and boring under the Lake Ontario State Parkway with the installation of hydrants in the amount of \$79,959.00 Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried

DISCUSSION ON WEST WAUTOMA SEWER FEASIBILITY

Town Supervisor Warner discussed with the board on the feasibility of adding Benedict Beach, Newco and Westphal for sewers and have Chatfield Engineers do some checking to see if we could get the costs down. Councilperson Rath stated it would mean crossing Sandy Creek. Councilperson Todd asked if anyone expressed interest. No one had expressed an interest but the town would initiate this to see if this was a way to keep the cost down. Town Supervisor Warner felt it was not a bad idea along the lake front, Councilperson Rath agreed.

AUTHORIZATION OF VOUCHER FOR STUART BROWN

Resolution #86: A motion was made by Councilperson Rath, seconded by Councilperson Hollink to approve payment to Stuart Brown Associates in accordance with the authorization for their assistance to the Town of Kendall in the administration of RD's loan/grant award for water system improvements to serve the Town of Kendall Water District No. 5, request is herewith made for the completion of Milestone 4 in the amount of \$1,200. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

REPORTS

Eric Peters, Interim Water Sup. reported on the following:

- The Hamlin Kendall #1 Ext.6, there is discussion on how to get under Sandy Creek. The contractor was not aware of the rock. They are considering boring a different way and they are looking at the costs. It has been a tough winter.
- The last two and a half weeks we have 81 hours of snow removal from hydrants. He asked anyone who has a hydrant on their property it would be nice to help us out by shoveling.

Tom Ingraham, Highway Sup. reported on the following:

- A snow report so far is December 33", January 115" and so far February 2".
- He thanked all his employees for all their hard work, especially Steve. There are long hours and hard work keeping the roads safe and open. We have used twenty-two hundred and fifty tons of salt so far.
- An application for Hazard Mitigation grant in the amount of \$85,000 was made last month.
- An application was just put in for the Community Development grant for \$45,000 for basketball courts to be made bigger, fencing and marked.
- March 9 and 10th Highway Sup. are going to Albany to lobby for more CHIPS money.

Councilperson Shirley Hollink reported on the following:

- Mary Smith and I are playing phone tag, nothing to report as far as the Historian since I haven't heard from her.
- We are attending the Association of Towns Meeting in NYC next week.
- Sorry that Mark has left I wanted to thank him for the Pizza and Wings fest contest for Easter Seals. Not many Hamlin residents were there but it was a nice fund raiser. Krony's didn't win, but it was a worthwhile event.

Councilperson George Todd reported on the following:

- The list of concerns from the Judges on their building was given to each board member. They would like an alarm for \$275.00 for low heat which was the biggest issue. Also they have a 3" gap from the building settling. The Building Inspector is working on a report. It is a nice building and the contractor was going to fix the siding on the corner and it hasn't been done. They have had trouble also with a pipes freezing. We need to look in the future a new gas furnace as this one with being two years old they have put \$300.00 into it already.
- Zoning Board of Appeals nothing other than what is in the minutes.
- Mary Hueser Deputy Town Supervisor reported on Recreation and that they are setting up their programs.

Dick Bauman Building Inspector reported on the following:

- An update on his inspection of the court building was a continuation of Councilperson Todd's report. He explained the 9 or 10 inch wall was rising. A discussion has taken place with the contractor and we are monitoring it and we will be making a decision later.

REPORTS (continued)

- He is re-organizing the building department room and hopefully this new format will help us work to be more efficient.

Melanie Fahmer Assessor reported on the following:

- We have been working with J. P. and Parma on the sewer district that is being considered.
- We have been busy with exemptions.

Councilperson Paul Rath reported on the following:

- Morton Fire didn't have enough commissioners present to hold a meeting.
- Walker Fire Mtg. discussion on hydrants and they are still having a hard time justifying the \$25.00 hydrant fee.
- Community Center the feasibility study is still going on and at the last meeting they had some general public present and they are still getting input.

Councilperson David Rose reported on the following:

- Seniors have hours now with Katrina from 10am to 2pm on the second and third Tuesday each month.
- Library expansion is coming along and really looks nice; the director will have an office. They have hired Mrs. Latin on February 2nd for twenty hours a week under title Library Trainee. Nancy Martin voted in as President, Lillian Parker as Vice President, Duane Miller as Secretary and Sue Evans as Treasurer for the Board of Trustees. A well done handbook was done by Duane, very professional looking. 6,500 letters being sent by the Friends of the Library every quarter to Hamlin and Kendall residents.
- As far as the Planning Bd. didn't have a chance to attend.

EXECUTIVE SESSION

Resolution #87: A motion was made by Town Supervisor Warner, seconded dually by Councilperson Todd and Hollink to go into Executive Session for a personnel and litigation matter at 8:00pm. 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

Resolution #88: A motion was made by Councilperson Todd and Town Supervisor Warner to come out of Executive Session and adjourn the meeting at 8:45pm. 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

