

Hamlin Town Board Meeting
May 10, 2004

The regular scheduled meeting of the Hamlin Town Board was held in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order at 7:00pm by Town Supervisor Austin F. Warner, III. Town Clerk Kathi A. Rickman 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 Paul Rath, Councilperson David Rose. Excused: Councilperson Shirley Hollink, Councilperson George Todd.

Also present: Deputy Town Sup. Mary Hueser, Attorney Ken Licht, Assessor Melanie Fahmer, Highway Sup. Tom Ingraham, Water Sup. Eric Peters, Planning Bd. Members James Breslawski and Judith Hazen, Bldg. Inspector Dick Bauman, Secretary to Supervisor Pat MacIntosh, Fire Marshal B. J. Maier, Residents Tom & Karen Jensen, Linda Wietz, Susan & David Rinere, Gerry Hutchinson, Chelsea Porteus, Duane and Ida Miller, Fred Paye, Richard and Bonnie Hart

PUBLIC FORUM

Tom Jensen of Roadside Drive stated he asked the question at last months meeting about having the public forum at the end of the meeting but that didn't happen therefore I must ask a question on last months meeting. Why was Ed Evans not appointed to the Conservation Bd.? Town Supervisor Warner answered that the majority of the Town Board members felt there may be problems with the articles being written by him and the present climate. Mr. Jensen stated further that with the death of Mr. Jennejahn and the fact that the Conservation Bd. members wanted Mr. Evans because of his qualifications, education and connections with the State and Federal agencies it screamed out that he was the most qualified, so was this political? Town Supervisor Warner stated it is your opinion he was the most qualified. Mr. Jensen stated he didn't think there were many people who would disagree with him and mentioned there are many projects that are at a stand still.

No one else wishing to speak the public forum was closed.

RESOLUTION OF APPRECIATION FOR MARK REEVES

Resolution #118: A motion was made by Town Supervisor Warner and unanimously seconded by the Town Board present for the following:

Resolution of Appreciation
Mark Reeves

- WHEREAS Mark Reeves served on the Conservation Bd. with a term beginning in January of 2001 and,
- WHEREAS, Mark Reeves along with his fellow Board Members considered Conservation and the environment and important role in the application process for new homes and additions built in the LWRP District and along the lakeshore, he was the Conservation Board liaison to the Town Board and co-chairman of the Comprehensive Master Plan Committee and,
- WHEREAS, Mark has a background in biology which has suited him well for this position, he has enjoyed conservation activities such as installing blue bird and wood duck houses and,
- WHEREAS, Mark Reeves fulfilled his duties through open communications, and was able to render amiable decisions which did not deprive an owner of their rights as well as provide necessary protection for neighbors and all residents of Hamlin now,

THEREFORE BE IT RESOLVED, that on behalf of the residents of Hamlin, the Hamlin Town Board wishes to extend their appreciation to Mark Reeves for his exceptional years of service and,

FURTHER BE IT RESOLVED, that Mark Reeves be furnished a copy of this Resolution which is spread upon the minutes of the May 10th, 2004 Town Board Meeting.

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

RESOLUTION OF APPRECIATION FOR AL RITCHIE

Resolution #119 A motion was made by Town Supervisor Warner and unanimously seconded by the entire Town Board present for the following:

Resolution of Appreciation
Al Ritchie

WHEREAS, Al Ritchie served as Hamlin Recreation Commission from January 2002 through April 2004,

BE IT RESOLVED, that the Hamlin Town Board recognizes the time and effort given to the young people of Hamlin by Al Ritchie,

THEREFORE BE IT FURTHER RESOLVED, that this Resolution of Appreciation becomes a matter of public record within the minutes of this Hamlin Town Board Meeting held May 10, 2004.

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

APPROVAL OF MINUTES FOR APRIL 12, 2004 TOWN BOARD MEETING

Resolution #120 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of April 12, 2004 Town Board Meeting as presented. Members polled, Councilperson Rath aye, Councilperson Rose aye and Town Supervisor Warner aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #121 A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize payment of bills from their respective funds as follows:

General Abstract #5	#314 - #396	\$63,219.55
Library	#042 - #059	\$ 5,324.39
Highway	#096 - #126	\$13,905.32
Consolidated Water	#049 - #060	\$24,846.85
Newco Drive Water Dist.	#007- #008	\$ 456.11
North Hamlin Water Dist.	#004	\$ 24.00
Hamlin/Walker Water Dist.	#018 - #023	\$ 5,794.52
Hamlin/Kendall #1Ext5	#001	\$ 412.55
Hamlin/Kendall Water Dist.	#021 - #025	\$ 7,466.19
Sewer Dist.	#029 - #034	\$ 834.35
Hamlin Kendall#1Ext#6	#006 - #009	\$64,775.96
Hamlin/Clarkson Tn.Ln.	#001	\$ 15.00
Huntington Park Dist.	#003	\$ 66.95
Moscow Rd. Water	#001 - #002	\$ 537.18
Hamlin Lighting Dist.	#005	\$ 506.40
Morton Lighting Dist.	#005	\$ 152.44
Hillcrest	#005	\$ 257.69
Campbell Lighting	#005	\$ 91.57

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

TRANSFER OF LIBRARY'S 2003 UNEXPENDED BALANCE

Resolution #122 A motion was made by Councilperson Rose, seconded by Councilperson Rath to transfer the Library's 2003 unexpended balance to Library Special Projects Fund in the amount of \$319.66. Members polled, Councilperson Rath aye, Councilperson Rose aye and Town Supervisor Warner aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

CORRESPONDENCE

1. 1. A letter from Attorney O'Tool RE Senior Citizen Zoning.
2. 2. A copy of an e-mail from Colleen Rogers RE: the Hamlin Volunteer Ambulance project.
3. 3. A copy of the Library Board of Trustees meeting 4-7-04.
4. 4. A copy of the Hamlin Fire District Meeting of 2-16-04
5. 5. A copy of the Hamlin Fire District Treasurer's Report.
6. 6. A copy of the 2004 NYS Legislative Programs
7. 7. A letter from RG & E RE: toll-free phone numbers.
8. 8. A letter from Senator Maziarz RE: Executive Budget Proposal.
9. 9. A letter from Larry Sherman, DOT RE: the intersection of Route 18 and Drake Road and Redman Road.
10. 10. A copy of the Hamlin Fire District Meeting of 3-15-04.
11. 11. A copy of a letter from Time Warner RE: Customer information notice.
12. 12. A letter from Assemblyman Nesbitt RE: the Assembly Budget bill #A9556.
13. 13. Monthly report for April 2004 from Assessor Melanie Fahmer
14. 14. A letter from NYS DEC marking May 2-8, 2004 celebrating Water Week
15. 15. Monthly report for April 2004 from Building Inspector Richard Bauman
16. 16. A copy of the Monroe County Council of Governments agenda.
17. 17. A copy of the Public Service Commission Impact Statement.
18. 18. A copy of comments RE: SEQR form for the Rezoning.
19. 19. A copy of a letter from the Department of State Committee on Open Government for Peter Toner.
20. 20. A letter from Hamlin Recreation RE: Al Ritchie resignation.
21. 21. A copy of the Fire Marshal's report for April 2004

PUBLIC HEARING Local Law #2-2004

The public hearing was opened by Town Supervisor Warner at 7:05pm. Mr. Victor Tifone gave an overview of his proposal of constructing single family homes on lots 100x 200. A subdivision of 60 to 70 homes is planned adjoining the Lake Breeze Estates. The property is presently zoned C-GB and Industrial therefore a zoning change is required and being requested. The question of what is medium density was explained to a resident that was present. Mr. Tifone explained the amount of homes would depend on the engineering and drainage. A resident mentioned the wildlife that is presently there and drainage. The economy was stated as one of the problems for people leaving their houses and how they have trouble paying their taxes. Is this then a problem for the town?

Councilperson Rose talked about the environmental study by the Town Engineer that we have. It would be a good year before anything starts. He also mentioned that the property is zoned Industrial and with residential zoning you would at least have homes with Industrial you could have anything. The drainage is the big issue with the residents stating that the large amount of water coming through Lake Breeze is a problem.

Drainage was the main concern expressed previously and it is still the concern with residents as the pipes can not handle it. It was suggested that maybe some of the water issues in Lake Breeze Estates could be taken away with this proposal. Mr. Tifone stated that his engineers would work with the Town Engineer on all the issues.

It was explained by the Town Supervisor the process of rezoning first and then they would present the development to the Planning Board and go through their process and engineering. Highway Sup. Ingraham stated that today's projects have retention/detention ponds to help solve some of those problems. Councilperson Rose stated this is a rezoning hearing. The residents will be notified on the future development with a hearing notification when it comes before the Planning Bd. Councilperson Rath stated you have members of the Planning Bd. present now listening to your concerns. It was asked if there will be sidewalks. The design for them will be in the planning process as Mr. Breslawski mentioned the development regulations. History, past uses and zoning of the property in the back by Duffy Motts was explained for those present. The public hearing was closed at 7:29pm.

SEQR FOR LOCAL LAW #2-2004

- Resolution #123 A motion was made by Councilperson Rath, seconded by Councilperson Rose for the following resolution read by Town Supervisor Warner:

“The Town of Hamlin has reviewed the Long Environmental Assessment Form (EAF), prepared by LaDieu Associates, P.C. for this project. Based upon the Long EAF this project should be considered an Unlisted Action, in accordance with 6NYCRR Part 617 of SEQR. The Town of Hamlin resolves that this project will have no adverse impacts on the environment; and hereby issues a Negative Declaration.”

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

REZONING BY LOCAL LAW #2-2004

- Resolution #124 A motion was made by Councilperson Rose seconded by Councilperson Rath amending the Town of Hamlin Zoning Map by Local Law #2-2004 with approximately 51.6 acres of land located at 1406 Lake Rd. being all or part of Tax Accounts 021.01-4-4, 021.01-4-6.11 and 21.02-1-13 from Commercial General Business and Industrial to Residential (R-M). Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

NOTIFICATION AT PRELIMINARY REVIEW

Councilperson Rose stated he would like a motion that the persons on Brookedge be notified when the property that was just rezoned comes for a public hearing before the Planning Board. Town Supervisor Warner mentioned that 219 notices were sent out for tonight and they would be notified be within 500ft.

Resolution #125 A motion was made by Councilperson Rose, seconded by Councilperson Rath to have all residents on Brookedge Drive upon presentation to the Planning Board notified of the scheduled public hearing for proposed development by Sunset Builders. Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

PROPOSED CHANGES TO HAMLIN SENIOR CITIZENS BY-LAWS

Resolution #126 A motion was made by Councilperson Rose, seconded by Town Supervisor Warner to approve the changes to the Hamlin Senior Citizen By-Laws in Article III and Article IX as noted.

DISCUSSION: Proposed changes are (new) Article III, Section B: Social Members #5. May take a craft if there is space available after Regular Members have been served and #6. Must pay \$5.00 toward the cost of the catered meals. Other proposed changes are to Article IX, Section B: Craft, (changed) #4. Guest and Social Members may take a craft if there is space available. (Deleted) They must pay the full cost of the craft. Section C: Catered Meals, #3 (new) Guests and Social Member will not be charged for their meals at the Annual Picnic. Councilperson Rose who is liaison to the seniors explained the changes.

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

EXTENDING THE EBB TIDE KENNEL LEASE

Resolution #127 A motion was made by Councilperson Rath, seconded by Councilperson Rose to extend the EBB Tide Kennel lease to December 31, 2004 in the amount of \$1,800.00. Members polled, Councilperson Rose aye, Councilperson Rath aye, and Town Supervisor Warner aye. Motion carried.

PAYMENT TO RANDSCO PIPELINE, INC.

Resolution #128 A motion was made by Councilperson Rose, seconded by Councilperson Rath to make payment to Randsco Pipeline, Inc. in the amount of \$109,483.80 contingent upon approval by the USDA-Rural Development. Members polled, Councilperson Rose aye, Councilperson Rath aye, and Town Supervisor Warner aye. Motion carried

REPORTS

Highway Sup. Tom Ingraham reported on the following:

- The Spring Cleanup just finished with 120 loads of brush, trash was 43 dumpsters compared to 38 in 2003. Tires were 108 to 181 last year, propane cylinders 90 as opposed to 212 in 2003. Cardboard was up and glass was down in recycling. They are cleaning up and hauling the metal away and tires will be next week.

- No one has top soil so we are having a hard time going out and doing the winter cleanup.
- On May 17th we will be starting the Wiler Rd. water and shovel in the ground on the 20th.

Water Sup. Eric Peters reported on the following:

- Hamlin-Kendall #1, Ext. #6 boring under the creek has been completed. Verbal approval from the Health Dept.
- Busy putting meters back in cottages on the lake.
- Water Quality Report just about done and will be published in the Hamlin Clarkson Herald the end of the month.

Building Inspector Richard Bauman reported on the following:

- Building Permits up 22% this year, very active.
- We are taking a proactive approach when new business advertise to make them aware of the approvals needed for their business.
- I attended the GIS training which brought me up to speed on what it is involved to get it up and running.

Assessor Melanie Fahmer reported on the following:

- April 30th the tentative role filed.
- Last week the Assessors and Town Clerks met on the new computer system. We will need new equipment and license and only some expenses will be paid for by the County.

Councilperson Paul Rath reported on the following:

- Walker & Morton Fire Dept. had nothing.
- It was good to see 7 Conservation Board Members.
- A report on the Yanty Marsh Wall is starting back up.

Councilperson David Rose reported on the following:

- Attended a meeting on Clear Water and Bond Act and one new member of the Conservation Bd. was also there. I was looking into funding for sewers along the lake.
- Senior Citizen By-Laws changed. Next luncheon I will mention the Medical Motor Service and see if they want a presentation for this service at \$3.00 a trip. It is a good program.
- Working on the Commercial General Business report. I visited several banks and spoke to several people. Reasoning they don't grant residential loans on commercial property is in case they make these changes and they go belly up. You can not get an equity loan but you can get a home improvement loan Since 1994 there have been 22 homes sold within this zoning.
- At the Planning Board Mtg. there was a presentation by K&K for a carwash and Bowers would like to up grade their SUP for 22 dogs. A public hearing will be coming up.

- Public Library is really growing this year. Twenty new cards were issued in April. Other stats were shared to show the growth. The celebration of the new addition went well and the amount of grants and revenue received was explained. They are buying furniture for the new meeting room.

Town Supervisor Austin F. Warner, III reported on the following:

- Mr. Jensen last month asked about the public forum being at the end of the meeting and the question on the Planning Board being able to comment. I did research with other towns. He heard from 14 of the 19 towns. The Town Board meetings, 9 do at the beginning, 3 do beginning and end, 1 throughout and 1 at end. In regards to the Planning and Zoning, 12 do not have it, 1 beginning and 1 at end. I have talked with both boards and they are not in favor of it.. The Town Board is in favor of keeping it the way it is currently handled after discussing it because of going into an Executive Session.
- Next Worksession on Senior Zoning with Town Board and Planning Board will be on May 12, 2004 at 7pm and depending when we schedule it we hope to put it in the paper.
- I want to thank Heather for Records Retention and she has done a great job if you ever saw what we had been working with.
- United Way we did a great job of going over our goal and I want to thank Shirley for her efforts.

EXECUTIVE SESSION

- Resolution #129 A motion was made by Town Supervisor Warner, seconded by Councilperson Rose to go into Executive Session at 7:50pm. Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

COME OUT OF EXECUTIVE SESSION AND REENTER THE TOWN BOARD MEETING

- Resolution #130 A motion was made by Councilperson Rath, seconded by Councilperson Rose to come out of Executive Session and reenter the Town Board Meeting at 8:30pm. Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

APPOINTMENT OF DOG CONTROL OFFICER

Resolution #131 A motion was made by Councilperson Rath, seconded by Councilperson Rose to appoint Lisa Carpenter as Dog Control Officer for a three month probation period contingent on compliance with the Town of Hamlin Drug and Alcohol Testing Policy, driver's license and background check. Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Rath, seconded by Councilperson Rose to adjourn the meeting at 8:35pm as all business has been concluded. Members polled, Councilperson Rath aye, Councilperson Rose aye, and Town Supervisor Warner aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, RMC
Hamlin Town Clerk