

Hamlin Town Board Meeting
September 13, 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 by Town Supervisor Austin F. Warner, III at 7pm who explained the location of the fire exits for those present. Kathi Rickman Hamlin Town Clerk led everyone present 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 (7:10pm), Councilperson Paul S. Rath, Councilperson David G. Rose, Councilperson George Todd

Also present: Deputy Town Supervisor Mary Hueser, Fire Marshal B. J. Maier(7:45pm), Conservation Bd. Member Tammy Palumbo, J. P. Schepp from Chatfield Engineers, Bd. of Assessment Review Member James Krempasky, Library Trustee Duane Miller, Planning Bd. Member Judy Hazen, Residents Linda Wietz, Ida Miller, Alfred Campbell, Mike Marchetti, Laura DiClemente, Bob Kaiser, Representatives of Beehler/Bower Subdivision

PUBLIC FORUM

Conservation Bd. Member Tammy Palumbo stated she had been away on vacation and mentioned she heard a rumor and the best place to end a rumor is to ask a question. I have heard that the Senior Citizen Zoning is a no go and that the senior zoning proposed for West Fork was moving up there.

Town Supervisor Warner stated rumors are rumors and explained the workshop that the board has had. I can't comment on the development stated Town Supervisor Warner but we have put a lot of hard work in a Senior Citizen Code. Councilperson Todd commented that the Senior Zoning the board is looking at is for a type of zoning to be adopted into the code book and not for a certain development.

Public Forum was declared closed.

PRESENTATION BY PARK RIDGE OUTREACH

Nancy Lewthwarte and Cynthia Underwood representing Park Ridge Outreach gave a presentation on the services provided. Their services provide counseling for ten to twenty year olds. We provide educational workshops for teachers, scouts or any other groups with other referrals from schools. We do get some calls from parents. Sometimes there are things going on that cause behavior problems. The stats on the support groups and percentage by age group were broken down for the board. She thanked the board for the on going financial support. Support from the County is not yet known.

Councilperson Rath asked if there is any coordination with the Kendall School. She stated no that is in another County. When asked by Mr. Miller how someone would get a referral the process was then explained. Also asked was the amount of students attending Kendall Schools from Hamlin it is approximately 800 to 1,000 kids. Town Supervisor Warner asked on the numbers given and can they be broken down by Hamlin residents? Probably we could, but maybe a quarter of the kids we see in the schools are from Hamlin. A question was asked on eating disorders if they have a support group. Nancy stated that would be referred on but it has been recognized. Councilperson Rath asked about the location of the support groups being located mainly on the eastside with that being where the space is. Town Supervisor Warner thanked them for coming.

APPROVAL OF TOWN BOARD MINUTES OF AUGUST 9, 2004

Resolution #169 A motion was made by Councilperson Todd, seconded dually by Councilperson Rose and Councilperson Rath to approve the Town Board minutes of August 9, 2004 as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried. Minutes approved.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #170 A motion was made by Councilperson Hollink, seconded by Town Supervisor Warner to approve the payment of bills from their respective funds as follows:

General Abstract #9	#725 - #820	\$42,060.24
Highway	#209 - #233	\$29,313.84
Consolidated	#108 - #117	\$19,799.29
Hamlin/Kendall Water District	#048 - #055	\$13,819.23
Hamlin/Clarkson Tn. Ln. Rd.	#006	\$ 555.00
North Hamlin Water District	#008	\$ 19.22
Newco Dr. Water District	#015 - #016	\$ 636.98
Hamlin/Walker Water District	#037 - #038	\$ 3,432.14
Moscow Rd. Water District	#007	\$ 187.50
Sewer District #1	#053 - #057	\$ 373.35
Hamlin/Kendall Water #1Ext #6	#021 - #022	\$ 450.41
Library	#122 - #135	\$ 4,134.62
Hamlin Lighting District	#009	\$ 403.78
Morton Lighting District	#009	\$ 126.25
Hillcrest Lighting District	#009	\$ 228.69
Campbell Lighting District	#009	\$ 80.67

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 FUNDS

Resolution #171 A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize transfers from their respective funds as follows:

<u>From A/C</u>		<u>To A/C</u>		<u>Amount</u>
A1410.1b	Tn Clerk Clerical Salary	A7550.4	Celebrations Exp	\$1,610.16
A3620.4	Bldg. Insp. Exp.	A3620.1a	Assist. Bldg. Ins Sal	\$3,200.00
A7140.4.1	Playground/Rec. Salary	A7140.4	Playground/Rec Exp.	\$2,500.00
A7310.1	Youth Salary	A7140.4	Playground/Rec Exp.	\$1,600.00

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. A copy of the minutes of the Recreation Commission, 8-12-04.
2. A copy of a letter from SUNY Brockport RE: Resource Center.
3. A copy of a letter from Time Warner Cable RE: Programming.
4. A copy of a letter from Senator Maziarz RE: LGRMIF.
5. A copy of the Hamlin Wheel Fest Treasurers Report for 2004.
6. A copy of an E-mail from Bob King RE: Illegal crops.
7. A copy of a letter from the Sandy Harbor Beach Association RE: the Fast Ferry to the Canadian American Transportation System.
8. A copy of a letter from Sandy Harbor Beach Assoc. RE: the Fast Ferry.
9. A letter from Monroe County Water Authority RE: Beehler & Bower Sub.
10. A copy of the Hamlin Volunteer Ambulance Board meeting of 8-5-04.
11. A copy of the Assessor's Report for the month of August 2004.
12. A copy of the Hamlin Library Board of Trustees of August 4, 2004.
13. A copy of a Traffic Survey Results for Rt. 18.
14. A copy of the Dog Control Officers Report for August 2004.
15. A copy of a memo from the Board of Assessment Review Appointment RE: Rocky Ellsworth.
16. A copy of the Building Inspector's Report for the month of August 2004
17. A copy of information from the Association of Towns RE: Traffic Fine Revenue.
18. Fire Marshal's report for the month of August 2004.

PUBLIC HEARINGS FOR SPECIAL DISTRICTS
BEEHLER-BOWER SUBDIVISION

Public Hearing for the Sidewalk District was opened at 7:15pm with Town Supervisor Warner reading the description of the property for the districts. The floor was opened for public comments. There were none. Town Supervisor then asked if the applicant wanted to make comments. Attorney O'Toole stated that the Planning Board told us we needed to apply for the districts so we have applied. Town Board had no comments. The maintenance would be taken care of after it was dedicated. Public Hearing closed for the sidewalk district.

Public Hearing for the Lighting District was opened at 7:20pm with the Town Supervisor Warner reading the description of the property for the districts. The floor was opened for public comments. Attorney O'Toole stated the street lights will be installed and billed to the property owners so as not a burden to tax payers. The floor was opened for public comments. No comments. Public Hearing closed for the lighting district.

Public Hearing for the Sanitary Sewer District was opened at 7:21pm with the Town Supervisor reading the district description. The floor opened for public comments. Attorney O'Toole stated the sewer fees will be paid for by the property owners. No other comments were made. Public Hearing declared closed.

Town Supervisor Warner stated a water district is not needed as they will be going with Monroe County therefore it is not an issue.

Public Hearing for the Drainage District was opened at 7:23pm with the Town Supervisor reading the district description. The floor was opened for public comments. Attorney O'Toole stated the property owners will pay for the up keep. Letter of credit will be submitted and held for two years after dedication. Being no further comments, public hearing was declared closed.

Attorney Ken Licht explained to the board that each district will need a separate resolution and the further processed that is required. In regards to SEQR has there been a review. J.P. Schepp stated the Planning Board has addressed that at their last meeting with a negative declaration. When does the board need to pass the resolutions was asked by Attorney Licht. The Planning Bd. timetable requesting final approval was given and the Town Board will scheduled the districts for their October 11th meeting.

INCREASING ACCOUNT #A1620.4 BY \$6,234.00 FOR RECORDS RETENTION GRANT

Resolution #172 A motion was made by Councilperson Rose, seconded dually by Councilperson Rath and Councilperson Hollink to increase account #A1620.4 by \$6,234.00 for the Records Retention Grant received. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

WAVE WATER BILL FOR THE HAMLIN PUBLIC LIBRARY

Resolution #173 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the waving of the fee for the water bill for the Hamlin Public Library. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

DRAINAGE STUDY BY CHATFIELD ENGINEERS FOR LAKE BREEZE ESTATES

Discussion Town Supervisor Warner stated he discussed with Paul Chatfield the West Creek Drainage Study by MRB in 1989 which includes maps etc. Town Supervisor Warner feels the cost will be less than the proposed \$1,5000 once this is reviewed.

Resolution #174 A motion was made by Councilperson Todd, seconded by Councilperson Rose to have Chatfield Engineers update the West Creek Drainage Study and review the drainage for Lake Breeze Estates. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

FALL BRUSH PICK-UP

Resolution #175 A motion was made by Councilperson Todd, seconded Councilperson Rath to schedule Brush pick-up to start October 25, 2004 until everything is picked up. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

AUTHORIZATION OF PAYMENT TO RANDSCO FOR HAMLIN-KENDALL WATER DISTRICT #1, EXT. #6

Resolution #176 A motion was made by Councilperson Rath, seconded by Town Supervisor Warner to pay \$21,940.72 for work completed on the Hamlin Kendall Water District #1Ext. #6.

Discussion: Councilperson Rose asked for a strong letter to be sent along with the check to put them on notice that the intersection of Redman and Roosevelt all sides and driveways on Drake Rd. need to be addressed corrected. J. P. Schepp and Eric Peters have made several calls regarding the situation. J. P. stated that they are retaining \$34,000 until everything is completed. Town Supervisor Warner will write the letter and remind them that the town has the right to charge them per day for work not completed.

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

APPROVAL OF EMPLOYEE HANDBOOK

Discussion Town Supervisor Warner asked Councilperson Rath if there was anything we needed to discuss. Councilperson Rath mentioned 3.01 Job Postings, stating we follow the legal notice requirements when posting job openings. We did discuss this to say we would post all openings. Town Supervisor Warner stated on the 30th we had a long discussion on this and the Highway has a lot of applications coming in. Councilperson Todd stated he was in agreement with the qualifier and will agree with this until we get sued as you all know my position. 3.14 Vacation, under discussion Councilperson Todd stated that a Supervisor can bring this to the board therefore we are leaving it up to a department head.

Resolution #177 A motion was made by Councilperson Rose, seconded by Town Supervisor Warner to adopt the employee handbook with the revisions agreed to. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Councilperson Rath asked that all employees get this new handbook in a timely fashion and sign the last page.

SETTING A PUBLIC HEARING FOR SENIOR CITIZEN ZONING

Discussion Town Supervisor Warner mentioned the changes made on the front setbacks. Attorney Licht's stated that regarding the restriction of 80%. He recommends the 80% test apply only to units and gave examples to support his recommendation. Councilperson Rath would like to add if they are coming for Senior Citizen proposal then make them come for rezoning for Senior Citizen Zoning. They all agreed and will add it.

Resolution #178 A motion was made by Councilperson Rose, seconded dually by Councilperson Hollink and Councilperson Rath to set the public hearing for Senior Citizen Zoning to be October 11, 2004 at 7pm. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

DISCUSSION ON HAMLIN BEACH STATE PARK

Town Supervisor Warner mentioned the information in the Master Plan and the question coming up all the time of Hamlin residents having to pay to get into the park. I have talked with Senator Maziarz and there is no law prohibiting this. We need a motion on the feasibility and he will get all the information for us. Town Supervisor Warner stated I think it is worth looking into. Is the Master Plan Committee recommending this asked Councilperson Rath? The numbers on the town wide survey indicated we should look into it. We are looking at cost and revenues and then we will take it from there.

Resolution #179 A motion was made by Councilperson Rath, seconded by Councilperson Rose for the feasibility of acquiring Hamlin Beach State Park from the State. Members polled, Councilperson Hollink stated she would have to abstain as she works there with the Attorney stating this is only on the feasibility; you are not voting to acquire it. She then stated this is not costing us money and was told no. Polling continued with Hollink voting aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

SUPPORT RESTORATION OF THE TRAFFIC FINE REVENUE

Town Supervisor Warner read the following resolution supporting restoration of traffic fine revenue.

WHEREAS, Vehicle and Traffic Law, §1803 governs the disposition of fines and penalties collected in connection with convictions pursuant to the Vehicle and Traffic Law; and

WHEREAS, Chapter 56 of the Laws of 2004, effective August 20, 2004, changed the distribution of the fines taking them away from municipalities and placing them in the State Treasury; and

WHEREAS, this change in the fine and penalties distribution formula will result in a loss to local taxpayers of more than \$20 million in fine monies – monies which have historically been used to fund justice court operations; and

WHEREAS, the Town of Hamlin will likely lose approximately \$20,000 in anticipated fine revenues; and

WHEREAS, this State Budget provision with its immediate effective date will result in significant 2004 deficits and will negatively impact town property tax rates for 2005;

NOW, THEREFORE BE IT RESOLVED, that the Town of Hamlin calls for the restoration of the original fine distribution formula in order to provide towns with necessary revenues to fund justice court operation; and

BE IT FURTHER RESOLVED, that the Town of Hamlin urges the passage of legislation introduced by Senator Bonacic (S.7757) and Assemblyman Cahill which amends the Vehicle and Traffic Law to restore this source of revenue to local governments; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Governor George E. Pataki; Joseph L. Bruno, Majority Leader of the Senate; Sheldon Silver, Speaker of the Assembly; Senator Elizabeth Little, Chair of the Local Government Committee; Assemblyman Robert Sweeney, Chair of the Local Government Committee; Senator Owen Johnson, Chair of the Finance Committee; Assemblyman Herman D. Farrell Jr., Chair of the Ways and Means Committee; Senator John A. DeFrancisco, Chair of Judiciary Committee; Assemblywoman Helene E. Weinstein, Chair Judiciary Committee, and Senator George Maziarz and Assemblyman Charles Nesbitt.

Resolution #180 A motion was made by Councilperson Rose, seconded by Councilperson Rath to pass the above resolution in support of restoration of the traffic fine revenue. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REAPPOINTMENT OF LINDA MACKIN AS RECREATION COMMISSIONER

Resolution #181 A motion was made by Councilperson Todd, seconded by Councilperson Rose to reappoint Linda Mackin as Recreation Commissioner for a term to expire August 1, 2009. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REAPPOINTMENT OF ROCKY ELLSWORTH TO THE BOARD OF ASSESSMENT REVIEW

Resolution #182 A motion was made by Councilperson Hollink, seconded by Councilperson Todd to reappoint Rocky Ellsworth to the Board of Assessment Review for a term to expire September 30, 2009. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

REPORTS

Councilperson David Rose reported on the following:

- Friends of the Library raised approximately \$700.00 at their book sale. They also had to pay \$200.00 for their carnival booth so they will decide if they will be doing that next year. It will be brought up discussed with the Firemen at their next meeting.
- Library stats were shared that showed the month of August being 3,001 up from the 2,484 in 2003 on usage.
- Library permanent charter is still being reviewed and will probably be ready next month.

Councilperson Paul Rath reported on the following:

- Conservation Bd. is working on the Open Space Index.
- Budgets for Walker and Morton Fire Districts are being approved.
- L.W.R. P. nothing new as of Friday.

Assessor Melanie Fahmer reported on the following:

- Reported on the new computer system.

Building Inspector Dick Bauman reported on the following:

- Very busy issuing permits.

- Having come computer problems and I am bringing in a person to resolve some of those issues.
- Will be starting court action on some junk cars.

J. P. Schepp representing Chatfield Engineers reported on the following:

- Parkway boring project contractor called for stake outs for hydrant installations on the lake.
- Hamlin/Kendall #6 completing work.

Deputy Town Supervisor Mary Hueser reported on the following:

- Hamlin Ambulance Corp. meeting has 16 members and the average age is 21 and just as many females as males showing up.
- Community Center Research Committee will be starting up meetings again starting September 22nd so they can move forward.

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

- Safety Expo coming up with the Recreation Dept. doing CPR, car seat checks and demonstrations.
- A couple of fires in town, (4 apartments) at Bradford Manor with lighting strike, Brookedge was someone working in the garage.
- Dick and I are working on the junk cars and parking at the corner. There are several problems up there, no parking should be allowed. Also kids starting a lot of problems and I want the landlords to know what is going on.

Water Sup. Eric Peters reported on the following:

- Wiler Rd. water is up and active and should be done by the end of September. The landscaping is up to Tom.
- Water Main break at Hamlin Clarkson Tn. Ln. Rd., we had a long wait for Niagara Mohawk.
- Hydrant at Banner Beach looking at problems with bolts in guardrails break off.

Highway Sup. Tom Ingraham reported on the following:

- Helping Greece for a few weeks with a paving project.
- Also doing some County work and North Hamlin drainage.
- Sending a crew to Parma next week.
- Regarding flooding with the 5 inches of rain we had, Redman, Drake, Brick Schoolhouse, Moscow, Church, Chase, Walker Lake Ontario Rd. and E. Fork were some of roads involved.
- Lake Breeze had water was up to the top of the bridge. I took pictures in regards to the tributaries King St., Car Wash, etc.
- September 30th, Steve, Dick and I will be attending a program on discharges through the Storm Water Coalition.

Councilperson Shirley Hollink reported on the following:

- Heritage Day is over and thanked everyone for attending and helping, such as Melanie for taking pictures, Mary for doing the popcorn and being there till the

end. Thank you and further stated we have received some letters of thanks in the mail. Next year it is on Saturday so Mary says we need to start planning.

- My work schedule has changed dramatically so I hope to finish the newsletter this week.

Councilperson George Todd reported on the following:

- Zoning Board has no pressing issues and they welcome the ability to choose their own Chair.
- Recreation revenue last year \$28,000 and up to \$35,000 so far this year and they still have programs. Due in part to the added softball teams and that is why the transfers tonight.
- The two incidents on the fields and relaying the correct way to enter into the grounds for the 911 calls would help direct the emergency vehicles.
- Safety Expo is free and not all fire things such as bike safety and if anyone has big wheels to donate they can do.
- Recreation is going to outreach to our service groups and organizations for help on the kick boards and dug outs.

Town Supervisor Warner reported on the following:

- I sat in for Dave at the Planning Board meeting last week - Lamperalla down on Benedict Beach there was a neighbor concern for drainage – Beehler/Bower Subdivision received preliminary approval and there was a concern for a wood buffer. Regarding Kelly Bower on the SUP for dogs she gave a business plan to the board and they asked her to refine her emergency evacuation plan. There was an Election of Chairman and Vice Chairman with Jim Breslawski being elected Chairman and Jim Nesbitt as Vice Chairman.
- Met with Assemblyman Nesbitt on sewer funding on lake front and the Resource Center as well as our displeasure with loss of revenue from the fines.
- Digital Camera's training has been completed and they are starting to take them out. I want to thank Alfred Campbell for the training.
- Meeting on lake study between Canada and USA in Greece Town Hall, I will be attending.
- Budget worksheets are back and will start meeting with department heads and you will have a budget by September 30th. Would like to set up three meetings, October 6th, October 13th, October 14th at 6pm.

ADJOURNMENT

A motion was made by Councilperson Todd, seconded by Town Supervisor Warner to adjourn the meeting as all business had been concluded. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried, meeting adjourned.

Respectfully submitted,

Kathi A. Rickman, RMC
Hamlin Town Clerk

