

Hamlin Town Board Meeting  
October 11, 2005

The regular scheduled meeting of the Hamlin Town Board was held on Tuesday 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. 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 Shirley Hollink, Councilperson Paul Rath, Councilperson David Rose, and Councilperson George Todd

Also present: Deputy Town Supervisor Mary Hueser, Assessor Melanie Fahmer, Water Sup. Eric Peters, Highway Sup. Tom Ingraham, Bldg. Inspector Dick Bauman, Attorney Ken Licht, Bd. Of Assessment Review Member James Krempasky, Conservation Bd. Member Glenn Quetschenbach, Residents, Lloyd Lochner, Thomas Breslawski, Mike Marchetti, Denny Roach Recreation Commissioner, Tom Jensen, Alfred Campbell

**PUBLIC FORUM**

No one wished to speak.

**APPROVAL OF TOWN BOARD MINUTES OF SEPTEMBER 12, 2005**

Resolution #200      A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of September 12, 2005 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 #201      A motion was made by Councilperson Todd, seconded by Councilperson Hollink to authorize the payment of bills from their respective funds as follows:

Abstract #10 – General	#760 - #868	\$37,851.61
Library	#144 - #164	\$18,237.62
Highway	#283 - #309	\$22,389.51
Consolidated Water	#113 - #128	\$69,649.72
Sewer	#065 - #074	\$ 2,505.14
Hamlin Lighting	#009	\$ 444.09
Morton Lighting	#009	\$ 135.89
Campbell Lighting	#009	\$ 84.51
Hillcrest Lighting	#009	\$ 238.66
Wiler Rd. Water District	#005	\$ 244.00
Huntington Park District	#005 - #006	\$ 541.50

Hamlin Walker Water District	#034 - #037	\$ 4,676.72
Newco Drive Water District	#016 - #018	\$ 2,049.13
Moscow Rd. Water District	#009 - #010	\$ 702.57
North Hamlin Water District	#009	\$ 19.12
Hamlin Kendall Water District	#057 - #060	\$22,689.09
Hamlin Clarkson Tn. Ln. District	#010 - #011	\$ 281.22
Hamlin Kendall Water #1Ext. #6	#015 - #016	\$ 167.45

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 #202 A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize the following transfers from their respective funds:

<u>From A/C</u>	<u>To A/C</u>	<u>Amount</u>
SW2-8340.4	SW2-8310.4	\$322.67
SW13-8310.2	SW13-8310.4	\$500.00
SW13-8340.4	SW13-8310.4	\$2,192.33

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

**AUTHORIZATION TO INCREASE BUDGET EXPENSE ACCOUNT A7410.4**

Resolution #203 A motion was made by Councilperson Rose, seconded by Councilperson Rath to authorize the increase in budget expense account A7410.4 in the amount of \$200.00. 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. Copy of minutes of the Recreation Commission Mtg. of August 9, 2005
2. Copy of minutes of the Recreation Commission Mtg. of September 6, 2005
3. Copy of minutes of the Hamlin Volunteer Ambulance September Mtg.
4. Copy of minutes of the Life Solutions meeting of September 19, 2005
5. Copy of letter from State DOT regarding intersection of Rt. 360 and Rt. 19
6. 2005 Challenge Fund Campaign letter of September 2005
7. E-Mail from Bob King regarding outbreak of Dog Flu
8. Correspondence from Wayne Zyra, President of Monroe County Legislature regarding guidelines using the Office of General Services fuel contracts and

- copy of resolution adopted by Greece Town Bd. regarding policy to limit the use of eminent domain.
9. Copy of letter to Town Clerks from Monroe County Bd. of Elections update on changes on payment of election inspectors and designation and payment for use of polling sites in Monroe County.
  10. Copy of September 2005 Assessor's Monthly report
  11. Copy of September 2005 Building Inspectors Monthly report
  12. Copy of September 2005 Fire Marshal report

### **PUBLIC HEARING FOR LOCAL LAW #9-2005 – CONSISTENCY LAW**

Town Supervisor Austin F. Warner, III asked for comments from Councilperson Rath who gave the following explanation. Any action taken in the LWRP zone needs to have a review. This Local Law was amending the specific references to policies in the Consistency Law (121-5 (g). This would make items easier for any future changes. Town Supervisor Warner opened the public hearing at 7:06pm with no one wishing to make comments. Public hearing was declared closed at 7:07pm Attorney Licht relayed the information regarding SEQR and that there was no substantial changes more of a clarification of wording that was redundant. The Town of Hamlin as lead agency sees no significant impact and therefore a negative declaration was prepared. Attorney Licht further stated the comments have been received from Monroe County regarding the referral made to them according to General Municipal Law Section 239-m

Resolution #204 A motion was made by Councilperson Rath, seconded by Councilperson Rose that the Town of Hamlin as lead agency for Local Law #9-2005 amending the Hamlin Waterfront Consistency Law has determined there is no significant impact and makes a negative declaration in regards to SEQR. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Resolution #205 A motion was made by Councilperson Rath, seconded by Councilperson Rose to adopt Local Law #9-2005 amending 121-5 (g) of the Hamlin Waterfront Consistency Law 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 AMENDED LOCAL WATERFRONT REVITALIZATION PROGRAM**

Councilperson Rath explained this has been a long process having sent the comments in to the State and we have been updating them since 2003.

Resolution #206 A motion was made by Councilperson Rath, seconded dually by Councilperson Rose and Councilperson Hollink for the following resolution read by Town Supervisor Warner:

**Resolution of the Town Board  
Adopting the Town of Hamlin  
Amended Local Waterfront Revitalization Program**

WHEREAS, the Town of Hamlin initiated amendment of its fully approved Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law: and

WHEREAS, a Draft Local Waterfront Revitalization Program amendment was prepared and circulated by the Department of State to potentially affect State, Federal and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Hamlin Town Board as lead agency, filed a Negative Declaration Notice of Determination of Non-significance for preparation of the Local Waterfront Revitalization Program amendment, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hamlin Local Waterfront Revitalization Program amendment is hereby adopted, and that the town Supervisor is authorized to submit the Local Waterfront Revitalization Program amendment to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

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

**ACCEPT DEDICATION OF THE GUION WATER DISTRICT**

The town has been asked to take dedication of the Guion Water District. Water Sup. Eric Peters was asked if everything is okay in turn he stated the paper work is completed and when asked about the maintenance bond it has been posted. The number of taps as five and the new church will be coming to the town at a later date to be included. They have been told the necessary procedures.

Resolution #207 A motion was made by Councilperson Rose, seconded by Councilperson Rath to accept dedication of the Guion Water District. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ACKNOWLEDGING THE WALKER FIRE DISTRICT BUDGET FOR 2006**

Resolution # 208 A motion was made by Councilperson Rath, seconded by Councilperson Rose to acknowledge the Walker Fire District 2006 Budget as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ACKNOWLEDGING THE MORTON FIRE DISTRICT BUDGET FOR 2006**

Resolution #209 A motion was made by Councilperson Hollink, seconded by Councilperson Todd to acknowledge the Morton Fire District 2006 Budget as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ACKNOWLEDGING THE HAMLIN FIRE DISTRICT BUDGET FOR 2006**

Resolution #210 A motion was made by Councilperson Rose, seconded by Councilperson Rath to acknowledge the Hamlin Fire District 2006 Budget as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ADDITION OF DELINQUENT WATER BILLS TO THE 2006 TOWN AND COUNTY TAX BILLS**

The Town Board has the list of delinquent water bills totaling \$9,226.26. The amount is down this year with Water Sup. Eric Peters stating they have been very aggressive in collecting overdue bills. This amount is about half of last years. Town Supervisor Warner stated approximately 23 are less than \$40.00.

Resolution #211 A motion was made by Councilperson Rose, seconded by Councilperson Rath to add the delinquent water bills totaling \$9,226.26 to their 2006 Town and County Tax Bills. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**ADDITION OF PROPERTY MAINTENANCE FEES TO THE 2006 TOWN AND COUNTY TAX BILLS**

Resolution #212 A motion was made by Councilperson Todd, seconded by Councilperson Hollink to add the property maintenance fees to the 2006 Town and County Tax Bills totaling \$3,050.00. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**PRESENTATION FOR CHANGES TO CHAPTER 93-3 SNOWMOBILES**

Highway Sup. Tom Ingraham stated he has been approached by the Hilton Snow Flyers for use of a portion of Wiler road. They had hoped to use some of the property owned by Mr. Rabjohn but that isn't going to happen. Jim Meyer President of the Hilton Snow Flyers further explained his case and that the request for use of a section of Wiler Rd. on the west side from the old Hojack line going north to the West Creek Bridge is approximately 826 feet.

The club which has 412 members maintains trails from Hamlin Beach to Mumford and the trails are strictly for use by snowmobilers. When snowmobilers join the club their insurance rate is cheaper. The registration snowmobile is \$45 if in a club and will be going up to \$100 if not. The signage we use is put out the day after hunting and pulled the last week of March. We have two groomers for use on the trails. Councilperson Todd pointed out that these clubs do a lot for the community. It was mentioned that they do have a legislators ride which you were all invited to. We also teach courses, adopt a highway. The route to be used and the signage necessary was discussed. Certain signs must conform to the highway standards. Jim stated he agrees with the Highway Sup that it is a dangerous turn. The club does carry insurance. Councilperson Rose asked for Attorney Licht to look into the law. Attorney Licht requested clarification on the route and length.

Resolution #213 A motion was made by Councilperson Rose, seconded dually by Councilperson Rath and Todd to schedule a public hearing for 7pm on November 14, 2005 to amend Chapter 93-3 titled Snowmobiles by L.L.#10-2005. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**TEMPORARY NO PARKING SIGNS TO BE POSTED ON WALKER LAKE ONTARIO RD.**

Councilperson Rose and Rath presented the information on two activities in the area of the Walker Fire Dept. so they are requesting for safety reasons the posting of no-parking signs on the 1st Saturday in November from Walker Rd. to Brick Schoolhouse Rd. This would also make it easier for the emergency vehicles. A craft show and sled race in the area of the North Star Sportsman that is held creating a parking problem on the sides of the roads.

Resolution #214 A motion was made by Councilperson Rose, seconded by Councilperson Rath to post Temporary No-Parking signs on Walker Lake Ontario Rd. from Walker Rd. to Brick Schoolhouse Rd., Saturday November 5<sup>th</sup>. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**SIXTH DRAW FROM LETTER OF CREDIT FOR COUNTRY CREEK ESTATES**

Highway Sup. Tom Ingraham reported everything is looking good but we won't take dedication until the subdivision is done.

Resolution #215 A motion was made by Councilperson Rose, seconded by Councilperson Todd for a sixth draw from the Letter of Credit from Country Creek Estates in the amount of \$1,998.00. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

## **REPORTS**

Councilperson Rose reported on the following:

- Seniors: The membership is up to 194 with a possible 6 more joining. Thursday there are two buses going on the fall trip. They shortly will need to look for a new place to meet as the VFW holds 140 persons.
- Planning Bd.: The senior proposal had their map filed but there was a mistake with the tax number so it was going to be refiled. Also several projects were reviewed such as the Martin and Schiebel Subdivision. Councilperson Hollink asked isn't Schiebel dual zoning with Councilperson Rath stating no.
- The Library extended the contract for the Librarian.

Councilperson Rath reported on the following:

- Fire Budgets have been completed
- LWRP finally done
- Attended a Workers Compensation meeting with mention of Tom attending a training. Osha likes the lime green as a defensive color. He also mentioned a cell phone law and guidelines for usage in town vehicle. Councilperson Rath asked about hearing tests with Tom replying every two years and a base line has been established.
- Conservation Bd. reported they are completing their referrals. Councilperson Rath asked Town Supervisor Warner if he was sending someone to the water seminar, he stated at this point he was not.

Melanie Fahmer Assessor reported on the following:

- She had attended the Assessor's conference and they had programs on emergency preparedness and records retrieval.
- Also this evening the Monroe County Legislature was amending the qualifications for veterans exemption so she will be bringing that information to the board in the near future.
- The office is busy putting on the delinquent water bills and property maintenance charges for the upcoming Town/County Tax bills.

Richard Bauman Building Inspector reported on the following:

- Shed permits have increased. Fireplace, cornstoves and woodburning stoves are in demand. We are also trying to cleanup the old permits and issuing junk car violations.

Mary Hueser Deputy Town Supervisor reported:

- Reported on the Recreation and that Bkpt. Junior baseball league dissolved and some of the money is going to their Community Center and a portion to Clarkson and Hamlin. It was good that they thought of us and Pat is buying some equipment.
- Also Melanie is researching for various places for a proposed community center.

- In regards to Dog Control coverage from different towns, a contract needs to be drawn up and Buddy Lester is working on it. Councilperson Hollink asked if we need one for Parma as we help cover there once in a while.
- Hamlin Fire District Budget is in.

Eric Peters Water Sup. reported on the following:

- No breaks this month and we did two taps in.
- Seasonal take outs have started. In regards to the lift station the dry run went well.

Tom Ingraham Highway Sup. reported on the following:

- Hauled three loads of mulch in.
- Basketball court has been topped, lined and fenced.
- Black top the sidewalk we need to do landscaping.
- Have some County jobs before the brush pick up starts on the 24<sup>th</sup> of October.

Councilperson Shirley Hollink reported on the following:

- Reminder about the Harvest Happening on October 26<sup>th</sup> from 11 to 1pm.

Councilperson George Todd reported on the following:

- The VFW has an Eagle Scout who will be working on the trail and he could use some wood chips. Advised to contact the Highway Sup.
- Free Bus Shelters are available for any fire dept. but will need to make arrangements to pick them up.

Town Supervisor Austin Warner reported on the following:

- Reported on the Hamlin Kendall joint meeting held. He asked Attorney Licht to explain further. Attorney Licht relayed the information that was discovered at the joint Hamlin Kendall Water meeting and the complication due to the district being established in 1960 ad valorem. Once a district is ad valorem always ad valorem. The number of units of 221 ½ and amount of \$2,747.28 was given. He explained the need of a resolution from the taxing authority. Kendall will be having a meeting Thurs. night. Councilperson Rose asked about another public hearing stated he is uncomfortable without a new hearing as Church Rd. and County Rd. persons were not aware of this.

### **PUBLIC HEARING SET FOR JOINT HAMLIN KENDALL WATER MEETING**

Resolution #216      A motion was made by Councilperson Rath, seconded by Councilperson Rose to set a public hearing for November 2, 2005 at 7pm to be held in Hamlin Town Hall for Water District #1Ext. #6 for the purpose of discussing an annual charge for a second water supply line to be constructed in connection with the district in the amount of \$2,747.28 to be assessed on an ad valorem basis to the property owners. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Town Supervisor Austin Warner continued his report:

- Update on the Comprehensive Plan. Attorney Licht gave an update on the procedures for updating the Comprehensive Plan which included the number of times you must have citizen participation and public inspection followed up with a public hearing. Also mentioned are the involved agencies such as County Planning necessary SEQR review and also Agriculture District procedures. The board discussed meeting with the committee so at the time of the hearing we are aware of the information. November 17<sup>th</sup> at 7pm was decided for the Town Board and committee to meet.

**MOTION TO GO INTO EXECUTIVE SESSION FOR A PERSONNEL MATTER.**

Resolution #217 A motion was made by Town Supervisor Warner, seconded by Councilperson Todd to go into Executive Session at 8:30pm for a personnel matter. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**MOTION TO COME OUT OF EXECUTIVE SESSION**

Resolution #218 A motion was made by Councilperson Todd, seconded by Councilperson Rose to come out of Executive Session at 8:56pm. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**MOTION TO ADJOURN**

A motion was made by Councilperson Rose, seconded by Councilperson Todd to adjourn the meeting as all business had been concluded at 8:57pm. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Respectfully submitted,

Sherry J. Dobson,  
Deputy Town Clerk