

Hamlin Town Board Meeting  
December 12, 2005

The regular scheduled meeting of the Hamlin Town Board was held in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. Town Supervisor Austin F. Warner, III called the meeting to order at 7pm and explained the location of the fire exits for those present. Councilperson Shirley Hollink 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: Attorney Ken Licht, Assessor Melanie Fahmer, Highway Sup. Town Ingraham, Water Sup. Eric Peters, Deputy Town Supervisor Mary Hueser, Bd. of Assessment Review Member James Krempasky, Conservation Bd. Members Tammy Palumbo and Glen Quetschenbach, Planning Bd. Member Judy Hazen, Jim Breslawski, Ken DeRoller Assessor from Kendall, Don Carpenter from DDS Engineers, Residents Nancy Jennejahn, Anthony Sargent, Thomas Breslawski, Frank Park, Ken Griswald, Nicholas Breslawski, Jim Redick, Linda Wietz, Cindy Roach, Tom Jensen, Mike Marchetti, Lloyd Lochner, Peter Tonery

**PUBLIC FORUM**

Lloyd Lockner stated at the water meeting at the Church where you stated you would be getting some facts and figures. Town Supervisor Warner stated he had that information and provided it to the board members which we will discuss later in the meeting on how to get the information to the people.

Ken DeRoller, Assessor for Town of Kendall asked Councilperson Rose when the next Hamlin Kendall Water Meeting was going to be held. There has been a resignation of another member and with so many new members they need to be brought up to speed. Councilperson Rose stated they would be having an Organizational Mtg. the first of the year and I don't know the location yet. We will go from there.

Nancy Jennejahn of Walker Lake Ontario Rd. stated that the town would be violating the current Comprehensive Plan if they would consider the request for rezoning of land on Walker Lake Ontario Rd. The board did violate the Comprehensive Plan when they rezoned the property on Hamlin Parma Tn. Ln. Rd. Smaller lots such as the Ryan Homes is not a workable plan.

Public Forum was then closed.

**PRESENTATION FOR REZONING OF TAX ACCOUNT 22.02-2-20**

Donald Carpenter of DDS Engineering was present to present the project to the board. The request is for re-zoning of 82 acres on the south and east of the corner of Walker Lake Ontario Rd. and Brick Schoolhouse Rd. The present zoning is R-VL and we would like R-M. It is not the highest zoning we could request but it is a workable plan and rural in nature. This subdivision complies with both the current Comprehensive Plan and the proposed one. This is not a great departure from what is already there.

Town Supervisor Warner asked the board members if they had any questions, Councilperson Rose asked if there would be sewer and would there be a pump station. Mr. Carpenter stated by the looks of what he is seeing so far it will be gravity through the rear. Councilperson Hollink asked several questions regarding the EAF presented. The first question was the statement of undevelopment when there is 4 acres of Federal Wetlands. Mr. Carpenter explained the difference of an EAF for rezoning and another one will be done for the subdivision for the Planning Bd. Another question was timing for development with a May 2005 date and the board which grants the re-zoning; he responded by that is a typo more like 2007 and some confusion with who grants the zoning in some towns. Last question of no Federal agencies involved marked on the EAF. Mr. Carpenter gave the explanation of no creek crossing, no filling therefore no reason for the DEC or Federal Agencies. West Creek will be within 80 feet.

Nancy Jennejahn questioned no contact with these outside agencies and if it was alright for her to contact them to verify the information being provided. Councilperson Rath asked about the guarantees if the rezoning went through that the lots on Brick Schoolhouse Rd. would be the 2 acres. Mr. Carpenter stated that can be addressed in several ways, conservation easement, deed restrictions, or a 278 development. Councilperson Rath stated the new comprehensive plan calls for two methods of egress. That could be possible the engineer stated. Councilperson Rose asked if the water main would be extended and sewer lines for the existing homes. Mr. Carpenter mentioned the location of a manhole and easements to allow that improvement to others.

Attorney Licht stated the Planning Board will have to give their input and that he didn't know at this time if the zoning addresses 278 development. Based on the information provided Councilperson Rath suggested getting information from the Planning Board at their next meeting and when they look at it give us their best recommendation come back in January to the Town Board and we have plenty of time to advertise. Town Supervisor asked for a resolution.

**Resolution #230:** A motion was made by Councilperson Rath, seconded by Councilperson Rose to ask the Planning Board for review and recommendation on the request to the Town Board for rezoning of Tax Account 22.02-2-20 and provide the information to them for the January Town Board Meeting. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**PRESENTATION BY LARRY GURSSLIN REGARDING SENIOR CITIZEN ZONING AND CONDOMINIUMS**

Mr. Gursslin passed out a copy of the current Senior Citizen Zoning and stated there are several interested seniors but the condo drawings presented to the town need further defining or adding of the word condo's according to the Building Inspector. Councilperson Rose stated we have no correspondence from Dick regarding this. Councilperson Rath stated that Larry had been at all the meetings with input on design of the code. Councilperson Rath further stated that when this was being passed I stated I didn't want to see the first project come in an ask for variances or ask for exceptions. Mr. Gursslin mentioned under 4a of the code the setbacks. Councilperson Rath stated it allows townhouses not condo's and Councilperson Rose stated two family dwellings as well. Councilperson Rath stated we should not move any further until we hear from Dick. Mr. Gursslin further stated the dialogue with Melanie and Dick regarding taxes as condo's not patio homes and fireplaces and bay windows for setbacks. Town Supervisor Warner stated once again that you were at all the meetings and we looked at the code very carefully. Mr. Gursslin stated the change is based on the Building Inspector. Our Attorney and us are happy with the code. The board tabled further discussion until the Building Inspector could provide correspondence to the board.

**RESOLUTION OF APPRECIATION FOR DENNIS ROACH**

**Resolution #231:** A motion was made by Town Supervisor Warner and unanimously seconded by the entire board for the following:

Resolution of Appreciation

WHEREAS: Dennis Roach served as Hamlin Recreation Commissioner from June 2003 through November 2005,  
BE IT RESOLVED, that the Hamlin Town Board recognizes the time and effort given to the young people of Hamlin by Dennis Roach,  
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 December 12, 2005.

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

At this time Town Supervisor Warner and Deputy Town Supervisor Hueser presented Councilperson Shirley Hollink with a floral arrangement thanking her for her many years of dedicated service to Town of Hamlin as a Councilperson.

Being the last official Town Board Meeting at this time Town Supervisor Austin F. Warner, III was presented a thank you card and gift certificate from the employees of the Hamlin Town Hall for his dedicated service for the last six years.

**APPROVAL OF MINUTES OF NOVEMBER 14, 2005 TOWN BD. MEETING**

**Resolution #232:** A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of November 14, 2005 Town Board Meeting as presented. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd abstain, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF MINUTES OF HAMLIN-KENDALL WATER MEETING OF NOVEMBER 16, 2005**

**Resolution #233:** A motion was made by Councilperson Rath, seconded Councilperson Hollink to approve the minutes of the Hamlin-Kendall Water Meeting held on November 16, 2005 as presented. Members polled, Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd abstain, and Town Supervisor Warner aye. Motion carried.

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

**Resolution #234:** A motion was made by Councilperson Rose, Councilperson Rath to approve payment of bills from their respective funds as follows:

General – Abstract #12	#1005 - #1085	\$116,473.83
Library	#0183 - #0198	\$ 7,203.48
Highway	#0343 - #0375	\$ 57,333.73
Consolidated Water	#0142 - #0155	\$ 33,302.27
Sewer District	#0086 - #0092	\$ 4,355.87
Hamlin Walker Water	#0040 - #0042	\$ 4,061.94
Hamlin Kendall Water #1Ext. #6	#0019 - #0020	\$ 1,261.98
Newco Water	#0021 - #0022	\$ 549.25
North Hamlin Water	#0011	\$ 19.12
Moscow Rd. Water	#0012	\$ 342.18
Hamlin Kendall Water	#0063 - #0066	\$ 10,199.74
Huntington Park	#0007 - #0009	\$ 4,595.00
Hamlin Clarkson Tn. Ln. Rd.	#0013	\$ 119.58

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

**AUTHORIZATION FOR TRANSFERS FOR DECEMBER**

**Resolution #235:** A motion was made by Councilperson Rath, seconded by Councilperson Hollink to approve the following transfers from fund balances to 9010.8 accounts to pay retirement on December 15, 2005 saving the town \$1,090.00 in interest payments.

From A599 Appropriated Fund Balance to A960 Appropriations total \$112,988.00 distributed to accounts:

A9010.8	\$ 80,322.00
DA9010.8	\$ 21,451.00
SW1-9010.8	\$ 3,800.00
SP-9010.8	\$ 175.00
SW2-9010.8	\$ 1,230.00
SS1-9010.8	\$ 1,500.00
SW13-9010.8	<u>\$ 4,500.00</u>
	\$112,988.00

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

Supervisors Monthly report acknowledged and filed.

**CORRESPONDENCE**

1. A copy of a letter from Time Warner RE: them buying Comcast.
2. A copy of the Hamlin Library Board minutes of 10-5-05 and a copy of the Hamlin Library Board of Trustees meeting 11-2-05.
3. A copy of the Recreation Commission Meeting of 10-11-05.
4. A copy of the Recreation Commission Meeting of 11-15-05.
5. A copy of a letter from Dennis Roach resigning from the Recreation Commission due to his newly elected position.
6. An e-mail from Art Holcomb thanking Austin and Tom for the two signs that were put up in Walker.
7. A copy of a letter from James Nesbitt asking for re-appointment to the Hamlin Planning Board.
8. A letter from James Doan asking for re-appointment to the Hamlin Conservation Advisory Board.
9. A copy of a letter from John Stoia asking the Town Board re-appoint Patty Jo Groenendaal as Assistant Recreation Director for 2006.
10. A copy of the Walker Fire District meeting of 11-6-05.
11. A copy of the Walker Fire District meeting of 11-1-05.
12. A copy of the TFOC report.
13. A copy of a letter from NYS DOT RE: ALL WAY STOP SIGNS at Brick Schoolhouse Road and West Fork & East Fork Intersections.

14. A copy of the Fire Marshal's monthly report for November 2005.
15. A copy of the Building Department's monthly report.
16. A copy of the Dog Control Officer's monthly report for November 2005.
17. A copy of the Assessor's monthly report for November 2005.
18. A copy of letter from Marsha Prince asking for re-appointment as Assessment Clerk for 2006.
19. A copy of letter from Patience McPherson asking for re-appointment as Court Clerk for 2006.
20. A copy of letter from Patience McPherson asking for re-appointment of Mary Ann Knapp as Deputy Court Clerk for 2006.
21. A copy of letter from John Stoia to Town Board regarding reappointment of Patricia Batty as Recreation Director for 2006.
22. A copy of letter from John Stoia to Town Board regarding reappointment of Katrina Hurd-LaFever as Senior Coordinator for 2006.
23. A copy of letter to Town Board asking for reappointment as Clerk to Support Boards and Clerk to Building Inspector for 2006.
24. A copy of letter to Town Board asking for reappointment as Fire Marshal and Civil Defense Coordinator for 2006.
25. A copy of letter from Charles Welch to Town Board asking for continuation as attorney for ZBA and Planning Bd.

### **PUBLIC HEARING**

Town Supervisor Warner opened the public hearing at 7:35pm. Melanie Fahmer explained the Veterans exemption put in place in 1988. County now passed legislation due to the cap and the passing of time and price of homes. Veteran 15% with cap, 10% combat zone and 50% disability reduction. The floor was opened to the public for their comments. There were none. Public Hearing was closed at 7:38pm.

**Resolution #236:** A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve amending Chapter 104 to include Alternative Veterans Exemption by Local Law #11-2005, Monroe County has no comments. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

### **HOLIDAYS FOR 2006 AT THE TOWN HALL**

**Resolution #237:** A motion was made by Councilperson Rath, seconded by Town Supervisor Warner to approve the list of holidays for the Town Hall for 2006. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**REQUESTING APPROVAL OF MEETING DATES FOR TOWN BOARD FOR THE YEAR 2006**

**Resolution #238:** A motion was made by Councilperson Rath, seconded by Councilperson Todd to set the schedule of meeting dates for the Town Board Meetings for 2006 as the second Monday of the month except for October which will be moved to Tuesday for Columbus Holiday.

Discussion: Councilperson Todd stated wasn't there some discussion on going back to Monday. Councilperson Rath stated I think I was the only one in favor of it, with Councilperson Hollink adding she was. Councilperson Rath stated I guess we give the employees a holiday, we shouldn't expect them to come to work. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**REQUEST FOR OUT OF DISTRICT WATER USER**

There is a request for out of district water use by Hamlin Community Baptist Church at 50 Hamlin Clarkson Tn. Ln. Rd., Town of Hamlin and 3 Clarkson Hamlin Tn. Ln. Rd., Town of Clarkson.

Water Sup. Eric Peters mentioned these properties are located in an orphan area and would like to tap on to the Guion Water District as an out of district user. Church is counting on it and when setting up the concept it was in their plan. 3 Clarkson Hamlin Tn. Ln. Rd. has really bad water and the cost of taking care of the well will be high, I have talked with the gentleman who is taking care of it. Councilperson Rose stated he had mixed emotions on the out of town as not being a citizen of Hamlin as well as for Guion. He noted the costs Guion had, why a free ride for the others. When Attorney Licht was asked about any legal issues he stated there are none but could be a practical issue. Councilperson Rose stated he really has a problem with this on the expense of Guion's and the other district paying four or five hundred for 30 years. Councilperson Todd stated you all know how I feel and I am not going to rehash it. Eric mentioned the Town of Clarkson has no problem but suggested the board take care of the church which is our resident. The board discussed whether the church had fire protection and the future district. At this time Rev. Parker from the church stated he spoke to the County on their approval of the well until water was there. We didn't know Guion was putting in water until after we started the building. Councilperson Rath stated the church will bare the costs of the tap-in.

Councilperson Rath suggested a resolution with Councilperson Rose stating he couldn't second that so they decided to break each request into a separate motion.

**Resolution #239:** A motion was made by Councilperson Rath, seconded by Town Supervisor Warner to allow Hamlin Community Baptist Church of 50 Hamlin Clarkson Tn. Ln. Rd. as an out of water district user subject to the signed standard agreement.

Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd no and Town Supervisor Warner aye. Motion carried.

A separate motion was made to allow 3 Clarkson-Hamlin Tn. Ln. Rd. to be an out of water district user by Councilperson Rath with contingent on a letter from the Town Supervisor of Clarkson and letter of agreement from owner. Town Supervisor Warner asked was there a second. There was none therefore the board moved onto other business.

### **INCREASING ACCOUNT DA5110.4 FOR GRANT RECEIVED**

**Resolution #240:** A motion was made by Councilperson Hollink, dually seconded by Councilperson Todd and Councilperson Rath to increase account DA5110.4 in the amount of \$32,128.94 which is payment received from grant for Basketball Court. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

### **ALLOW A STOP SIGN AT COUNTRY CREEK LANE BY MONROE COUNTY DOT**

Highway Sup. Tom Ingraham presented the request to install a stop sign by Monroe County Dept. of Transportation. This is a normal procedure through subdivision approval.

**Resolution #241:** A motion was made by Councilperson Todd, seconded by Councilperson Rath to allow Monroe County Dept. of Transportation to install a stop sign at the corner of Country Creek Lane east bound and Hamlin Parma Tn. Ln. Rd. Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

### **REAPPOINTMENT FOR DUANE MILLER AND GEORGE BOTT TO HAMLIN LIBRARY BOARD OF TRUSTEES**

**Resolution #242:** A motion was made by Councilperson Rose seconded by Councilperson Rath to reappoint Duane Miller and George Bott to the Hamlin Library Board of Trustees for a five year term expiring on December 31, 2010. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

### **SETTING ORGANIZATIONAL MEETING FOR JANUARY 3, 2006**

**Resolution #243** A motion was made by Councilperson Rath, seconded by Councilperson Todd to set the Organizational Meeting for January 3, 2006 at 6pm. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**EXTENDING TERMS OF APPOINTED OFFICIALS TO ORGANIZATION  
MTG.**

**Resolution #244:** A motion was made by Councilperson Rath, seconded by Councilperson Rose to extend the terms of appointed officials to the Organizational meeting to be held on January 3, 2006. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

**REPORTS/COMMENTS**

Deputy Town Clerk wished everyone a Merry Christmas. Councilperson Todd and Councilperson Hollink had nothing to report, but wished everyone a Happy Holiday.

Highway Sup. Tom Ingraham stated they are busy plowing snow and putting up snow fences. He wished everyone a happy holiday and that it was a nice working with Councilperson Hollink and Town Supervisor Warner, and good luck.

Water Sup. Eric Peters thanked everyone who had attended the Water Informational Mtg. and asked the questions. The department is pulling meters and doing maintenance on pumps, other wise things are quiet. Happy Holidays.

Deputy Town Supervisor Mary Hueser stated nothing to report as the boards are recessed until the New Year and Happy Holidays.

Assessor Melanie Fahmer stated they are taking in STAR applications and preparing the exemptions for mailing. Councilperson Rath had nothing to report. Councilperson Rose reported a public hearing for January 3<sup>rd</sup> for a quilt shop on Brick Schoolhouse Rd. Attorney Licht had nothing but wished everyone a Merry Christmas.

Town Supervisor Warner reported that he has confirmation that Stop Signs will be installed in the first quarter of the new year at the intersection of Brick Schoolhouse Rd. on West Fork and East Fork with plenty of signage. Also the cost comparison for Town of Hamlin Kendall Water customers has been given to the board and he will be discussing with everyone including Mr. Becker and Mr. Roach on how to get this out to the people. Town Supervisor Warner stated it was a pleasure serving the community for the last six years and I want to thank my Deputy Mary Hueser and Town Attorney Ken Licht for all the help

**ADJOURNMENT**

A motion was made by Councilperson Rose, seconded by Councilperson Todd to adjourn the meeting at 8:05pm. Members polled, all ayes. Meeting adjourned.

Respectfully submitted,

Sherry J. Dobson,  
Deputy Town Clerk

