

Hamlin Town Board Meeting  
February 14, 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 14464. The meeting was called to order at 7:pm by Town Supervisor Austin F. Warner, III who explained the location of the fire exits for those present. Everyone present participated in the Pledge of Allegiance and a Moment of Silence for all deceased residents of Hamlin led by Postmaster Terry Wright.

Present: Town Supervisor Austin F. Warner, III, Councilperson Shirley Hollink, Councilperson Paul Rath, Councilperson David Rose, Councilperson George Todd

Also present: Attorney Licht, Assessor Melanie Fahmer, Bldg. Inspector Dick Bauman, Highway Sup. Tom Ingraham, Water Sup. Eric Peters, Bd. of Assessment Review member James Krempasky, Planning Board member Judy Hazen, Fire Marshal B. J. Maier, Residents Tom Jensen, Lloyd Lochner, Linda Wietz, Leonard and Charlotte Hansel, Irene Frediani, Orval Gump, Postmaster Terry Wright with his family and friends, several employees of the Hamlin and Hilton Post Office.

**PUBLIC FORUM**

Town Supervisor Warner opened the public hearing with no one wishing to speak.

**RESOLUTION OF APPRECIATION FOR TERRANCE WRIGHT**

Town Supervisor Warner acknowledged Postmaster Terry Wright and his family. Terry Wright is retiring and Town Supervisor Warner read letters and Citations from Congresswoman Louise Slaughter, State Senator George Maziarz, Assemblyman Charles Nesbitt. Town Supervisor Warner also introduced the following Resolution of Appreciation from the Town of Hamlin.

Resolution #71            A motion was made by Town Supervisor Austin F. Warner, III and unanimously approved for the following.

**RESOLUTION OF APPRECIATION**

Terrance Wright

- WHEREAS,**            Terrance Wright a resident of Hamlin and past member of the Hamlin Planning Board serving from 1984 to 1990 always took great strides to consider our communities future growth and,
- WHEREAS,**            Terrance Wright having been appointed Postmaster on April 5, 1980 at a time when our Post Office handled an estimated 5,000 pieces of mail with three rural routes growing to its present 68,000 pieces per week to five rural routes and 325 box holders and,
- WHEREAS,**            As Hamlin's second longest serving Postmaster we also recognize his assistance to the Town, in particular, his helpfulness to our Town Historian, with the support of his colleagues they have made Hamlin's Post Office truly a friendly place to do business and,

**WHEREAS,** Terrance Wright prepares for retirement in March 2005 he will conclude a career in which he truly believed it was more than a position he held but was a commitment to provide quality service,  
**BE IT RESOLVED,** this governing body extends congratulations on behalf of a grateful community and extends best wishes to you for a long and fulfilling retirement with many rounds of par golf and,  
**FURTHER BE IT RESOLVED** the Hamlin Town Board now enters this Resolution of Appreciation into the official minutes of the February 14, 2005 Town Board Meeting.

Members polled, all ayes. Motion carried.

### **PRESENTATION FOR CHANGES TO THE RECREATION BY-LAWS**

Recreation Commissioner John Stoia presented the changes to the Recreation By-Laws. There are some changes, as we want to reflect all the work the Senior Citizen Coordinator has been doing. The By-Laws also include a flow chart. All these changes meet the needs of the community and should open communications. Councilperson Rose stated Katrina doesn't have a problem with this. Councilperson Hollink asked if this affects the Senior By-Laws with Councilperson Rose stating it doesn't. When asked about the Senior Citizen Coordinator evaluation, Mr. Stoia stated the Recreation Commission would still do her evaluation but would ask the senior board for their input. Councilperson Todd asked for a change in the flow chart to reflect the Senior Board and Town Board link. The change can be made on the flow chart.

Resolution #72 A motion was made by Councilperson Rose, seconded by Councilperson Todd to approve the Recreation By-Law revisions with the correction to the flow chart. Members polled, all ayes. Motion carried.

### **APPROVAL OF TOWN BOARD MINUTES OF JANUARY 10, 2005**

Resolution #73 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of January 10, 2005 as presented. Members polled, all ayes. Motion carried.

### **PUBLIC HEARING MINUTES OF THE WILER RD. WATER DISTRICT #2 OF JANUARY 26, 2005**

Resolution #74 A motion was made by Councilperson Rath, seconded by Councilperson Hollink to approve the minutes of the public hearing for the Wiler Rd. Water District #2 held on January 26, 2005. Members polled, all ayes. Motion carried.

### **APPROVAL OF HAMLIN-KENDALL JOINT WATER ORGANIZATIONAL MEETING OF JANUARY 12, 2005**

Resolution #75 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of the January 12, 2005 Hamlin-Kendall Joint Water Organizational Meeting. Members polled, all ayes. Motion carried.

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

Resolution #76 A motion was made by Councilperson Hollink, seconded by Councilperson Todd to approve the payment of bills from their respective funds as follows:

2004 General Abstract #14	#1220 - #1238	\$ 7,268.49
Library	#0213 - #0236	\$ 6,300.64
2005 General Abstract #2	#0009 - #0110	\$163,023.00
Consolidated Water	#0002 - #0018	\$ 27,800.05
Highway	#0001 - #0044	\$ 91,053.09
Library	#0001 - #0006	\$ 679.45
Hamlin/Walker Water	#0001 - #0004	\$ 7,026.88
Sewer	#0001 - #0011	\$ 2,908.33
Newco	#0001 - #0002	\$ 505.96
N. Hamlin Water	#0001	\$ 19.24
Hamlin/Clarkson	#0001	\$ 995.77
Hamlin/Kendall	#0001 - #0007	\$ 12,751.29
Chase	#0001	\$ 1,086.99
Hamlin/Kendall#1Ext#6	#0001 - #0003	\$ 8,491.26
Moscow Rd Water	#0001 - #0002	\$ 1,312.00
Wiler Rd Water	#0001 - #0002	\$ 1,338.99
Huntington Park	#0001	\$ 300.00
Hamlin Lighting	#0001	\$ 568.86
Morton Lighting	#0001	\$ 169.12
Hillcrest	#0001	\$ 277.32
Campbell	#0001	\$ 98.92

Members polled, all ayes. Motion carried.

**AUTHORIZATION OF YEAR END TRANSFERS FROM THEIR RESPECTIVE ACCOUNTS**

Resolution #77 A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize the following year-end transfers from their respective accounts:

From Account	To Account	Amount
A1110.1 Justice Salary	A1110.4 Justice Expense	\$1,651.62
A2000.4 Town Hall Fuel	A2003.4 Town Hall Light	\$ 317.26
A7520.4 Historical Prop. Exp.	A7520.1 Historical Salary	\$ 4.82
SS1-9030.8 Social Security	SS1-9060.8 Medical Insurance	\$1,368.83

A1990.4 Contingent	A1450.1 Election Salary	\$3,255.72
A1990.4 Contingent	A3620.1 Building Inspector Salary	\$1,586.12
A1990.4 Contingent	A3620.1a Asst. Bldg. Insp. Salary	\$ 869.86
A1990.4 Contingent	A7550.4 Celebrations	\$ 97.97
A7410.2 Library Salary	A7410.4 Library Expense	\$6,980.04

Members polled, all ayes. Motion carried.

Supervisor's Monthly report acknowledged and filed.

### **CORRESPONDENCE**

1. A letter from United Way RE: their campaign for 2005.
2. A Thank you letter from Ms. Castro to Assemblyman Nesbitt RE: Hamlin Beach State Park.
3. A letter from Time Warner RE: the National Teacher Awards.
4. A copy of the February News from the Asset Coordinator, Patty Jo.
5. A copy of the Walker Fire District Organizational Meeting of 1-4-05.
6. A copy of the Recreation Commission Meeting minutes of 1-11-05.
7. Dog Control Officers report for December 2004.
8. A copy of an e-mail from Dan Wegman RE; Street lighting in the Huntington Park.
9. A copy of a filed notice for Local Law # 1 –2005.
10. A copy of the Hamlin Youth Group minutes of 1-11-05
11. A copy of the DCO monthly report for the month of January 2005.
12. A copy of the Assessor's monthly report for January 2005.
13. A copy of a letter RE: open swim at the Brockport High School.
14. A copy of a letter RE: the Fast Ferry.
15. A copy of a letter from Mr. Connor's West Wautoma Beach Road RE: sewer.
16. A copy of a letter from Chatfield Engineer RE; the Sewer Capacity.
17. A copy of the Progress Report for USDA.
18. A letter from Attorney Licht RE: Animal Enclosed Regulations.
19. The Building Inspector's Year-End report for 2004.
20. A copy of the Building Inspector's monthly report for January 2005.
21. A copy of the Fire Marshal's Year-End for 2004.
22. A copy of the Fire Marshal's January monthly report for 2005.

### **PUBLIC HEARING – LOCAL LAW #2-2005 RE-ZONING**

The public hearing for Local Law #2-2005 rezoning of Tax Accounts #029.02-1-1.115 with R-M1 and C-GB with 6.810 acres, #021.03-3-8 zoned R-M1 with 18.538 acres and #21.03-3-23.200 zoned R-M1 with 28.885 acres of land to Senior Citizen Zoning (SC)

was opened with the Town Supervisor explaining the purpose of the hearing and turning the presentation over to Attorney Keith O'Toole representing the applicants of Mark Kronenberg and James Beehler. The presentation included the request from residential to Senior Citizen zoning. The property is located with public water and sewer, which lends itself to this type of proposal. A design project has not been done yet but we will comply with the zoning requirements on density. Town Supervisor explained for those present the questions of drainage etc. would be addressed as it goes through the Planning Bd. that this request is for a change of zoning only and then opened the floor for public comments and questions of Attorney O'Toole.

Deloris Gratto of 70 Close Hollow asked the current zoning? Answer residential. Resident of Hamlin Clarkson Tn. Ln. Rd. asked if it is now residential why rezone? Answer was a homeowners association and the density for residential structures.

Bernadette Kirchgessner of 2608 Roosevelt Hgwy. asked where the roadway would be placed with an answer of where the State tells us. Follow up question was would a request for a reduction in the speed limit be requested. Attorney O'Toole stated that would be the request of the community.

Peter Tonery of Moscow Rd. asked how this would benefit the town. Attorney O' Toole the prime objective is provide senior housing which is not right now here. Special provisions for the needs of seniors can then be addressed in the housing with designs that address such items as stairways and doorways, etc. Also seniors don't want to plow, etc.

Judy Hazen from the Planning Board asked what is the time frame for starting this project with an answer of they will get started as soon as they can.

Mr. Gratto of 70 Close Hollow asked about the zoning and asked if he could see the map? Town Board members have maps that he reviewed. The map was explained. They could not see how close it is to Hamlin Center.

Lloyd Lochner of Sandybrook Dr. asked about the Homeowners Association? The developer will do it and all residents will be members with majority ruling.

The question was asked again about the access point with the answer being the NYS DOT will make the determination and only give us one. The statement was made by a resident of the dangers of the intersection and with the speed limit for anyone especially for senior citizens. Our concern is that it is a dangerous area.

Mr. Petro of 2811 Roosevelt Hgwy. asked about the Wetland that he heard mentioned tonight and questioned the trees and buffer area. An explanation of the lots planned and the green space was explained. Attorney O'Toole stated the Wetlands won't be maintained per Army Corp.

Mr. Hansel of 1844 Lake Rd. asked about the distance from his property line? The maps were reviewed and 650' was the answer. Tom Jensen asked about the closeness to Top's

will there be a separate entrance? Attorney O'Toole stated there will be walking trails/sidewalks. Linda Wietz of Lake Rd. asked about the price of the homes with an answer of \$125,000.

Councilperson Rose mentioned having a land locked parcel with Attorney O'Toole stating it won't be when we go to the Planning Bd. and combine there will be one access. At a point of discussion with the Attorney for the applicant Assessor Melanie Fahmer asked if he would be putting this together as one parcel as Mr. Kronenberg had some previous reservations about his commercial zoning. Town Supervisor Warner asked why they weren't doing this in phases especially if this doesn't fly. Attorney O'Toole stated it has to be a certain acreage for having it maintained and for cost and financial reasons. We will develop it section by section because we own the land and we will be able to post a letter of credit and put in the improvements. The code allows for more houses than we are planning to build when asked about the number of units. Councilperson Todd asked about the map and the portion commercial. The Assessor stated by what they are stating this evening it is coming off. Councilperson Rath relayed information and restrictions of the SC zoning. Councilperson Hollink asked about the dual zoning with Attorney O'Toole stating they will all be merged and if necessary can be a condition of approval. Lot combination will be the first thing we ask. Linda Wietz of Lake Rd. asked about the price of the homes with an answer of \$125,000. The discussion continued with the residents with the public hearing closing at 7:55pm. The Town Supervisor stated they are waiting for comments and the Building Inspector stated they are given to the 21<sup>st</sup> of February.

#### **APPOINTMENT OF STANLEY LYONS RECREATION COMMISSIONER**

Resolution #78        A motion was made by Councilperson Todd, seconded by Councilperson Rose to appoint Stanley Lyons as Recreation Commissioner for a term to expire on August 1, 2006. Members polled, all ayes. Motion carried.

#### **ACKNOWLEDGEMENT OF TOWN CLERKS YEAR END REPORT**

Resolution #79        A motion was made by Councilperson Rath, seconded by Councilperson Hollink to acknowledge the Town Clerk's Year End Report for 2004. Members polled, all ayes. Motion carried.

#### **TOWN BOARD AUTHORIZATION FOR SELLING SURPLUS EQUIPMENT AT SPRING AUCTION**

Resolution #80        A motion was made by Councilperson Rath, seconded by Councilperson Rose to authorize the sale of the Water Departments 1985 Ford 555A backhoe and 1997 Ford F-350 Utility Body truck as surplus equipment at the spring municipal auction to be held on May 21, 2005 with monies to be returned to the Water Dept. Members polled, all ayes. Motion carried

**ADVERTISING FOR BIDS FOR A TRACTOR FOR MOWING PARKS & RECREATION FIELDS**

Resolution #81 A motion was made by Councilperson Todd, seconded by Councilperson Hollink to authorize the Park's Superintendent to advertise for bids for a new four-wheel drive tractor with factory cab and loader for mowing the parks and recreation fields with the bids to be opened at 11am on March 9<sup>th</sup>. Members polled, all ayes. Motion carried.

**ADVERTISING FOR BIDS FOR ROTARY FINISHING MOWER FOR PARKS & RECREATION FIELDS**

Recreation #82 A motion was made by Councilperson Rath, seconded by Councilperson Todd to authorize the Park's Superintendent to advertise for bids for a new fifteen-foot tri deck tow type rotary finishing mower for mowing the parks and recreation fields with bids to be open at 11am on March 9<sup>th</sup>. Members polled, all ayes. Motion carried.

**AWARDING OF BID FOR HIGHWAY ROOF PROJECT**

Bids received were:

- |                              |             |
|------------------------------|-------------|
| 1. Monolithic Coating        | \$29,990.00 |
| 2. Weathertight Installation | \$32,204.30 |
| 3. Elmer W. Davis            | \$39,787.00 |
| 4. Coating Systems Co., Inc. | \$34,840.00 |

Resolution #83 A motion was made by Councilperson Rose, seconded by Councilperson Hollink to award the bid for the Highway project to Monolithic Coating, Inc as low bidder in the amount of \$29,990.00. Members polled, all ayes. Motion carried.

**ACCEPTING SHORT EAF FOR RECREATION SHELTER AND BATHROOM FACILITY**

Resolution #84 A motion was made Councilperson Rath, seconded by Councilperson Rose to accept the short EAF prepared by Chatfield Engineers for the Recreation Shelter and Bathroom Facilities, Community Development Project in accordance with 6NYCRR Part 617; the project is a Type II exempt action. This project will not result in any adverse environmental impacts and the Town of Hamlin declares a Negative Declaration. Members polled, all ayes. Motion carried.

**SUPPORT OF ENVIRONMENTAL PROTECTION FUND GRANT FROM THE NYS DEC FOR THE MONROE COUNTY STORM WATER COALITION.**

Resolution #85 A motion was made by Councilperson Todd, seconded by Councilperson Hollink for the following:

Resolution authorizing the items listed below pursuant to the Clean Water/Clean Air Bond Act of 1996.

**WHEREAS**, Town of Hamlin herein call the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

**WHEREAS**, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

**NOW, THEREFORE, BE IT RESOLVED BY** the Hamlin Town Board

1. That Thomas Ingraham, Highway Superintendent or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance.
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation.
4. That this Resolution takes effect immediately.

Members polled, all ayes.

### **AUTHORIZE THE PURCHASE OF A 10 TON ASPHALT ROLLER**

Resolution #86        A motion was made by Councilperson Rose, seconded by Councilperson Todd to authorize the Highway Superintendent to advertise for bids for a used 2003, or newer 10-ton asphalt roller to be purchased under a lease purchase agreement with the bids to be open on March 9<sup>th</sup> at 12noon.

Discussion: Councilperson Rath asked why under a lease agreement. Highway Sup. mentioned the cost of the equipment and spreading the funds over a period of time with additional purchases being considered.

Members polled, all ayes. Motion carried.

### **PARTNERSHIP WITH TOWNS OF SWEDEN AND CLARKSON FOR FAMILY SWIM**

Resolution #87        A motion was made by Councilperson Rath, seconded by Councilperson Rose to into a partnership with the Towns of Sweden and Clarkson with each town paying \$560.00 for 14 sessions of Family swim at the Brockport High School pool. Members polled, all ayes. Motion carried.

The Town Board set February 23<sup>rd</sup> at 6pm for a worksession on the three proposals for the entrance and gym upgrades.

**SEWER CAPCITY STUDY**

Resolution #88        A motion was made by Councilperson Rose, seconded by Councilperson Rath to have Chatfield Engineers complete the study for a cost of \$675.00. Members polled, all ayes. Motion carried.

**ACCEPTING THE EAF FOR WILER RD. #2 WATER DISTRICT**

Resolution #89        A motion was made by Councilperson Todd, seconded by Councilperson Rath to accept the EAF for the Wiler Rd. #2 Water District as prepared by Chatfield Engineers. Members polled, all ayes. Motion carried.

**SEQR DETERMINTATION FOR THE WILER RD. #2 WATER DISTRICT**

Resolution #90        A motion was made by Councilperson Rose and Councilperson Rath 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,

WHEREAS, the Town Board has considered the environmental significance and potential impact of the installation of approximately 6,000 linear feet of 8” water main, valves, hydrants and appurtenances along portions of Roosevelt Highway in the Towns 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 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, all ayes. Motion carried.

Assessor Melanie Fahmer noted that there maybe an additional lot on the Clarkson side, which would not increase the price.

**REPORTS**

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

- Looking into securing a generator and possible funding for St. John for Civil Defense Shelter.
- Took a grant-writing workshop from the Red Cross.

- Working with Fire Departments on their concerns for the Top's fueling station.
- Fire at Dakota Grill from smoking outside and the plastic shield they were using.
- Purchased a digital camera for inspections and fire documentation.
- Meeting with fire departments and Walker purchased a new off road vehicle.

Eric Peters Water Sup. reported on the following:

- Repaired a hydrant in Kendall.
- Working on Water Quality Report.
- Had several frozen services and main break on Brick Schoolhouse Rd.
- Received Community Development check.
- Ordering a backhoe.

Tom Ingraham, Highway Sup. reported on the following:

- Update on installation of County equipment on the Tower
- Sent our 48 letters to the Lake Breeze residents regarding documentation needed to secure funding for the flooding and only received a few responses. Contact has been made to the resident who wanted to be the point man.
- New Stop signs are up at Redman and Roosevelt.

Councilperson Shirley Hollink reported on the following:

- Keeping it short will just report I will be working with Recreation on the newsletter combining it to come out next month.

Councilperson George Todd reported on the following:

- As Town Board and Liaisons we need to keep the Recreation informed on what is going on.

Richard Bauman, Bldg. Inspector reported on the following:

- Two new hard drives have been installed, had some problems at first but they have been worked out.
- I hosted a meeting with Brockport, Clarkson and Parma of Bldg. Inspectors to talk about consistency in enforcing the codes. Was very productive and would like to continue the dialogue on a regular basis.

Melanie Fahmer Assessor reported on the following:

- Very busy with exemptions.
- An update on the condo law and how Pittsford is handling of the tax cuts with a moratorium on conversions to condos.
- I have also been working with Dick and Jim Breslawski on Planning Board issues.

Councilperson Paul Rath reported on the following:

- Conservation Minutes are available.
- Nothing new from the Fire Depts.
- No report from Albany regarding the LWRP revision.

Councilperson David Rose report on the following:

- Senior Citizen meeting attendance was down, some have gone south or were sick.
- Trips for the seniors are all set.
- Planning Bd. issues reported on was Walker Baptist Church, Proposed Winery, Tops fueling (see their minutes).
- Library attendance from neighboring towns were given with Clarkson at 263, 173 from Parma, 154 Brockport and 2,039 from Hamlin.
- I would like to introduce a motion for an assistant to the Fire Marshal, Chuck Mosele in a non-paid position; he has been doing a lot of safety education.

### **ASSISTANT FIRE MARSHAL**

Resolution #92        A motion was made by Councilperson Rose, seconded by Councilperson Rath to appoint Charles Mosele as Assistant Fire Marshal and Safety Educator a non-paying position.

Discussion:    Councilperson Hollink raised the question of why an assistant was needed when the department already has several other persons and in previous years the department had full time hours with two persons. The board discussed at length the operations of the office with Councilperson Todd expressing his agreement with Councilperson Hollink. B. J. Maier, Fire Marshal mentioned the need if he is out of town to have someone cover. He mentioned John lives out of town and Dick lives in Kendall. It was stressed that Mr. Mosele would be volunteering his time but needs to be covered by the town. Discussion continued briefly.

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

### **REPORTS (continued)**

Town Supervisor Austin Warner reported on the following:

- Reported on the conversations with various agencies such as Army Corp in regards to the drainage, sewer and dredging for possible funding.
- Also relayed conversations with President and Vice President of ES&L and we are going to get a new ATM machine and kiosk.

### **ADJOURNMENT**

A motion was made by Councilperson Todd, seconded by Councilperson Rath to adjourn the meeting at 9:05pm as all business had been concluded. Members polled, all ayes. Motion carried.

Respectfully submitted,

Kathi A. Rickman, RMC  
Hamlin Town Clerk

