

Hamlin Town Board Meeting  
August 8, 2005

The regular scheduled meeting of the Hamlin Town Board was held in the Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order by Town Supervisor Austin F. Warner, III who explained the location of the fire exits for those present. Highway Sup. Tom Ingraham 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, Councilperson Paul Rath, Councilperson Rose, Councilperson Todd

Also present: Deputy Town Supervisor Mary Hueser, Conservation Bd. Members Tammy Palumbo and Craig Goodrich, Secretary to the Supervisor Pat MacIntosh, Bd. of Assessment Review Members James Krempasky, Residents Tom Jensen, Gordon Wright, Gerry Hutchinson, Lori Moses, Mike Marchetti, Denny Roach, Kathleen Bauch-Begemann, Nancy Jennejahn

**PUBLIC FORUM**

Gordon Wright of 1217 Lake Rd. West Fork presented a petition that he read for those present from several concerned citizens of Hamlin regarding the intersection of Brick Schoolhouse Rd. and Lake Rd. W. F. The volume of traffic seems to be increasing and they are moving faster. I realize that something can't be done tonight but would like the board to be made aware of our concerns.

Tammy Palumbo of Hamlin Center Rd. stated that while walking our dogs with the neighbors the subject of looking at a walking trail.

Public forum declared closed.

**PRESENTATION ON LAKE LEVELS BY CRAIG GOODRICH AND  
RESOLUTION REGARDING REGULATION OF ST. LAWRENCE RIVER  
OUTFLOWS**

Craig Goodrich reported on the July 21<sup>st</sup> meeting on lake levels and the three plans A,B&D that were presented to those attending that meeting. The board discussed with Craig Goodrich the results of the meeting held and the purpose for the desire to increase the lake levels for hydro electric and shipping purposes. It is recommended to further investigate alternative operation plans or to retain the current criteria and operating plan. Draft resolutions have been given to the board and with discussion they have decided to go with Option B.

Resolution #172      A motion was made by Councilperson Rose, seconded by Town Supervisor Warner for the following:

WHEREAS, the International Joint Commission (IJC) is a bi-national organization established by the Boundary Waters Treaty of 1909 between the United States and Canada; and,  
WHEREAS, the IJC approved the construction of the St. Lawrence Power Project in the 1952 and, after conducting public hearings, approved Criteria for the operation of the system in 1956; and,  
WHEREAS, the approved Criteria specifically state that the system is to be regulated to minimize the occurrence of extreme high and low water levels on Lake Ontario and the St. Lawrence River with a target four-foot range on Lake Ontario; and,  
WHEREAS, the IJC and its boards have regulated the outflow of the St. Lawrence River in accordance with the orders of approval and Criteria since 1959; and,  
WHEREAS, communities and individual property owners have relied upon the approved Criteria and target water levels in the design and placement of structures and public infrastructure and in the regulation of the placement of such structures; and,  
WHEREAS, the IJC formed an International Lake Ontario-St. Lawrence River Study Board and commissioned the Lake Ontario St. Lawrence River Study (LOSL Study) in 2000, which is nearing completion; and,  
WHEREAS, the International Lake Ontario St. Lawrence River Study Board is considering the recommendation of three new regulation plans which do not follow the approved Criteria and may have a significant impact on Lake Ontario and the St. Lawrence River water levels for years to come; and,  
WHEREAS, all of these candidate plans will result in an increased range of water levels, which will negatively impact the shoreline areas of Lake Ontario and the St. Lawrence River through increased erosion and flooding and that will imperil public safety, individual and public property and public infrastructure; and,  
WHEREAS, the 1909 Treaty between United States and Canada was to safeguard shoreline owners, and,  
WHEREAS, the Town of Hamlin, holds the protection of public safety as its highest duty; and,  
WHEREAS, the Town Board of Hamlin, has concluded that none of the Plans under consideration provided the same level of protection as envisioned in the approved Criteria; and,  
NOW, THEREFORE BE IT RESOLVED, the Hamlin Town Board hereby urges the International Lake Ontario – St. Lawrence River Study Board and the International Joint Commission to further investigate alternative operation plans to produce a more acceptable alternative; and,  
NOW, THEREFORE BE IT FURTHER RESOLVED, the Hamlin Town Board hereby urge the International Joint Commission to retain the current Criteria and operating plan for regulating outflows from the St. Lawrence River if no better alternative is identified by the LOSL Study.

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

**APPROVAL OF TOWN BOARD MINUTES OF JULY 11, 2005 MEETING**

Resolution #173 A motion was made by Councilperson Todd, seconded by Councilperson Rath to approve the minutes of the July 11, 2005 meeting 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 #174 A motion was made by Councilperson Rath, seconded by Councilperson Hollink to approve payment of bills from their respective funds as follows:

General Abstract #8	#591 - #676	\$29,877.62
Library	#109 - #126	\$ 5,709.38
Highway	#220 - #247	\$66,540.32
Consolidated Water	#088 - #099	\$38,392.59
Sewer	#050 - #054	\$ 876.11
Hamlin Lighting	#007	\$ 410.67
Hillcrest Lighting	#007	\$ 228.60
Morton Lighting	#007	\$ 126.95
Campbell Lighting	#007	\$ 80.66
Hamlin Kendall Water	#047 - #053	\$14,196.83
Hamlin Walker Water	#024 - #027	\$ 1,724.66
Hamlin Kendall #1 Ext #6	#013	\$ 44.46
N. Hamlin Water	#007	\$ 19.12
Newco Water	#013 - #014	\$ 784.78
Hamlin Clarkson Tn. Ln. Rd. Water	#009	\$ 166.59

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 RESPECTIVE FUNDS**

Resolution #175 A motion was made by Councilperson Rose, seconded by Councilperson Rath to authorize the following transfers from their respective funds:

<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	<u>AMOUNT</u>
A3610.1 BAR Salary	A1355.4 Assessor Expense	\$3.29
A3610.4 BAR Contractual	A1355.4 Assessor Expense	\$3.48

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

Supervisor's Monthly report acknowledge and filed.

**CORRESPONDENCE**

1. An e-mail from a resident of Greenridge Crescent.
2. A copy of a letter from Steve Kondolf, Lieutenant of the Hamlin Volunteer Ambulance regarding a grant they received.
3. A copy of the Hamlin Volunteer Ambulance minutes of 7-13-05.
4. A letter from Salvation Army RE; the sale of the property on County Line Road in Kendall.
5. Pictures of Camp Troutburg.
6. A copy of the corrections to the 2004 Annual Report from the Emergency Communication of Rochester.
7. Hamlin Library Director's Report for 6-1-05.
8. A letter from Maggie Brooks RE: the award of \$35,000 for the Recreation Shelter and ADA restroom Facilities.
9. The Assessor report for the Month of July 2005.
10. An E-mail for Mr. Holcomb asking for the road signs with Walker, NY to be put on the North and South ends of Walker Lake Ontario Road.
11. A copy of the Walker Fire District Meeting Minutes of 7-5-05
12. A copy of an e-mail re: 44 & 52 Greenridge Crescent.
13. A copy of a letter from Susan Morrow MMC, President of IIMC RE: Kathi Rickman, Town Clerk having earned the designation of Certified Municipal Clerk.
14. A copy of the Building Inspector's monthly report for July 2005.
15. A copy of a letter from Rebecca Connolly, MMC Town Clerk from Somerset Congratulating Kathi on achieving the CMC title.
16. A copy of a letter from Susan Morrow, MMC President of the IIMC congratulating Kathi on her distinguished CMC title.
17. A copy of a letter from Toni Brandt, Accreditation Specialist from IIMC congratulating Kathi on achieving the CMC designation.
18. A copy of a letter from Assemblyman Nesbitt congratulating Kathi on having been selected for a NYS Archives Grant.
19. A copy of the Fire Marshal's report for July 2005.
20. A copy of a letter from Mr. & Mrs. Fox RE: the intersection of Brick Schoolhouse Road and Lake Road West Fork.

**INSTALLATION OF LIGHTS AT COUNTRY CREEK ESTATES**

Resolution #176      A motion was made by Councilperson Rose, seconded by Councilperson Rath to authorize Niagara Mohawk to install four 100 watt high pressure sodium lamps and coach luminaries along with associated cable in the Country Creek Estates Subdivision at an annual cost of approximately \$987.00.

Highway Sup. Tom Ingraham explained the lighting plan and specifications. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Before starting items 10 through 15, Town Attorney Ken Licht explained that on the night of the public hearing he did not ask if the Monroe County comments had been received. We had received comments from Bob King of Extension Service. This does not constitute comments of Monroe County Planning even though they had requested it. The thirty day comment period has passed. We have now received comments and there is a particular situation as the vote was taken. To elevate any questions I have advised the Town Supervisor for the board to take another vote.

**APPROVAL OF LOCAL LAW #3-2005 – 125-50 KEEPING OF ANIMALS AND POULTRY**

Resolution #177 A motion was made by Councilperson Rose, seconded dually by Councilperson Rath and Councilperson Hollink to approve Local Law #3-2005 which amends Chapter 125-50 Keeping of Animals and Poultry.

Councilperson Todd asked about the amending and should it be worded different. It was explained that the Local Law #3-2005 amends Chapter 125-50.

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

**APPROVAL OF LOCAL LAW #4-2005 – 125-76(B) CRITERIA FOR APPLICATION FOR VARIANCES**

Resolution #178 A motion was made by Councilperson Rath, seconded by Town Supervisor Warner to approve Local Law #4-2005 which amends Chapter 125-76(B) criteria for consideration for application for variances. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF LOCAL LAW #5-2005 – CHAPTER 51-6 FIRE PREVENTION**

Resolution #179 A motion was made by Councilperson Hollink, seconded by Councilperson Rose to approve Local Law #5-2005 which amends Chapter 51-6 Fire Prevention. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF LOCAL LAW #6-2005 – CHAPTER 125-61 REFUSE DISPOSAL**

Resolution #180 A motion was made by Councilperson Todd, seconded Town Supervisor Warner to approve Local Law #6-2005 which amends Chapter 125-61 Refuse Disposal. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF LOCAL LAW #7-2005 – CHAPTER 125-52 PONDS**

Resolution #181 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve Local Law #7-2005 which amends Chapter 125-52 Ponds. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**APPROVAL OF LOCAL LAW #8-2005 – CHAPTER 124-47 b(18) INCREASING TEMPORARY SIGNS**

Attorney Licht explained that there was a clerical error and that the number should reflect 18 instead of 19 which was amended two years ago. The resolution at the last meeting was to reduce the size of the sign.

Resolution #182 A motion was made by Councilperson Rath, seconded by Councilperson Rose to approve Local Law #8-2005 which amends Chapter 125-47(b)(18) temporary signs to be 20 square ft. with the time being erected to be 30 days. Members polled, Councilperson Hollink no, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

**DRAW NUMBER FOUR FOR PHASE I OF COUNTRY CREEK ESTATES**

Resolution #183 A motion was made by Councilperson Rath, seconded by Councilperson Hollink to approve the fourth draw from Letter of Credit of Country Creek Estates Subdivision in the amount of \$48,360.04.

Highway Sup. Tom Ingraham gave a status report on what has been completed so far, which included road base and gutters.

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

**REPORTS**

Eric Peter Water Sup. reported on the following:

- Four breaks located all over the system, Kendall, Church Rd., Walker Lake and Huntington Park. Consumption in June was up 10% putting the system under stress.
- Sewer plugged on Rose Circle, chunks of asphalt created the problem, someone must have popped the top.
- A report on the total cost on a complete replacement for the lift station was given and the fact we would need to have additional funds to be budgeted.

Tom Ingrahm Highway Sup. reported on the following:

- Paving W. Wautoma Beach, Creekview, Morton Fire Hall, Basketball Courts. The fence for the courts will be going up next week. Also have done some gutter work..
- Doing some work in Greece for the County and later will be resurfacing N. Hamlin Rd.

Councilperson Shirley Hollink reported on the following:

- Talked with Mary today and we are going to postpone/delay Heritage Day and I take responsibility on that by not following through with things. She is planning an open house in September and if there are any winners for the Heritage Award they will be presented at that time. Also she is looking at the same time frame for her book. I also am going to check on the bricks in by that time. As far as the roof project is concern on the barn she is waiting for the gentleman to come back from vacation.
- Also information on the Hawaiian Luau to be held next week at Hamlin Beach by Recreations was announced for sign ups.

### **REAPPOINTMENT OF DENNY ROACH TO THE RECREATION COMMISSION**

Resolution #184 A motion was made by Councilperson Todd, seconded by Councilperson Rath to reappoint Denny Roach to the Hamlin Recreation Commission 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.

Councilperson George Todd reported on the following:

- The question of crowd control for the fly over at the VFW in conjunction with Operation Patriot was asked. It is a pretty big deal with 1000 bikes. Nancy Jennejahn reported on the ride starting between 9am and 10am at Charlotte. It is expected to be over by 5pm.

Town Clerk Kathi A. Rickman reported she has finished her last course at Cornell. I am now a CMC, Certified Municipal Clerk. Town Supervisor Warner read the letter of achievements from the Board of Directors which stated how proud the town should be of the Town Clerks accomplishments.

Deputy Town Supervisor Mary Hueser reported on the following:

- Congratulations to Kathi. On her achievement.
- Report on the Hamlin Firemen's Carnival to be held this week.
- Hamlin Ambulance Corp receiving \$20,000.
- The Youth Group will be participating in the Brockport Art Festival with the Canibal display.

Bldg. Inspector Richard Bauman reported on the following:

- Top's fueling station is open and we are busy with pool and deck permits.
- He read an e-mail received on 44 and 52 Greenridge Crescent. He stated that at last months meeting the town tried to pass a maintenance code and junk vehicle and I can only hope that the committee takes another good look at it. The process of violations was explained for those present.

Assessor Melanie Fahmer reported on the following:

- Filed the tentative Assessment roll.
- The new computer system is up and running and we are getting the grasp of it.

Councilperson Paul Rath reported on the following:

- LWRP comments are back from different agencies and we are working on them with nothing significant.
- Walker Fire making request for signs to identify them, welcome to Walker.
- Morton Fire has an inquiry on checks received by other depts. that we are looking into what checks they are referring to.

Councilperson David Rose reported on the following:

- East Cove got final approval for the subdivision to cut out 7 acres out of the larger parcel. He thinks that everyone should go under the senior citizen zoning just as we are asking Mr. Beehler do. Town Supervisor Warner asked if the Planning Bd. asked this. Attorney Licht stated he had a copy of the restrictions and if there is a design to the State standards. He asked the Attorney if we can look at the differences. Councilperson Rath agreed with Councilperson Rose explaining the Senior Citizen zoning was created for senior projects and above by them. Councilperson Rose asked the attorney to look in to it for future discussion.
- Guion Subdivision came in for five lots and before he can build we need to take dedication of the water main.
- Beehler and Kronenberg project may be 35 to 40 lots less to maintain a tree barrier.
- Also the 72 lots on 51 acres south of Lake Breeze came in and would like variances for some of the lots to take on some of the responsibilities and cost to divert the runoff from West Creek.
- Two owners are converting the cottages into year round homes. We haven't heard anything more from Louise Slaughter for sewers have we? Town Supervisor Warner gave an update on available funds and we could try again next year.
- Status of gym for the ceiling replacement was asked of Town Supervisor. The Supervisor explained the grants received to do the gym and entrance and we are moving along on that. Also the Supervisor was asked about the GIS with no information on the grant back yet.
- \$6,000 talked about for the Library funding. I think they are waiting us to appropriate it before they do the purchasing. We just got the information from them stated Town Supervisor Warner. I have some questions on this on the

training expense and other items noted at the bottom that he can help reduce the cost. I'd like to see that. Councilperson Rath has no problem with releasing them the \$6,000. I am sure they will be looking at reducing the costs.

Councilperson Todd stated he didn't know. Councilperson Hollink had questions with one being the \$200,000 and what are their plans for that. Councilperson Rath stated what we are looking at this motion as a follow up on the original resolution to provide money from the cable fund. He introduced a resolution for release of funds. Town Supervisor Warner would like a letter that they did look into that. Councilperson Hollink stated the amount of computers depends on the funds and have they looked at using some of the \$200,000. Councilperson Rose stated it is tied up on the other end.

### **RELEASE OF FUNDS FOR THE PUBLIC LIBRARY FROM CABLE REVENUE FUND**

Resolution #185 A motion was made by Councilperson Rath, seconded by Councilperson Rose to release \$6,000 from the cable revenue fund as a follow up to previous resolution with contingency they look into the help for reducing the costs. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Town Supervisor Warner aye. Motion carried.

Last item Councilperson Rose would like a motion to waive the fees for the Hamlin Volunteer Ambulance sign permit. Councilperson Hollink did we make a blank motion at the beginning of the year for the Fire Dept. and Ambulance if not we need to do one for the Fire Dept. as I noticed a permit on the monthly report. Councilperson Rose stated he didn't think that had been done at the beginning of the year.

### **WAIVING OF FEE FOR HAMLIN AMBULANCE SIGN PERMIT**

Resolution #186 A motion was made by Councilperson Rose, seconded by Councilperson Rath to waive the fee for the Hamlin Ambulance Sign Permit Fee including variance. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

### **WAIVING OF FEE FOR THE HAMLIN FIRE DEPARTMENT DEMOLITION PERMIT**

Resolution #187 A motion was made by Councilperson Hollink, seconded by Councilperson Rose to waive the fee for the Hamlin Fire Dept. demolition permit. Members polled, Councilperson Hollink aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Town Supervisor Warner aye. Motion carried.

Discussion briefly on the Subdivision known as East Cove and the following of senior citizen zoning. Attorney Licht is going to look into it and get back to the board.

Town Supervisor Warner reported on the following:

- Please support our Hamlin Firemens Carnival and Parade.
- He got in touch with Top's property manager to see if they can mow all the grass in front.
- Happy to report another grant in the amount of \$7,664.00 due to the efforts of Kathi and Stu Brown.
- I talked with Dane Emens, Planning Bd. member and he is doing better and getting married at the end of the month.
- Wake watchers meeting on August 15, 2005 with information on the check points fro the Fast Ferry.
- What step does the Recreation Community Center need to do next or what would the board like them to do. Councilperson Rose stated they haven't been doing much over the summer but they were going to visit the sites.
- August 23<sup>rd</sup> the Seniors picnic, elected officials are to cook hots and hamburgers with Kathi in charge.

### **ADJOURNMENT**

A motion was made by Councilperson Todd, seconded by Councilperson Rose to adjourn the meeting at 8:10pm 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/CMC  
Hamlin Town Clerk