

Hamlin Town Board Meeting
Tuesday, October 10, 2006

The regular scheduled meeting of the Hamlin Town Board was held on Tuesday, October 10, 2006 in the Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order at 7 pm by Town Supervisor Dennis Roach who explained the location of the fire exits and defibrillator for those present. Everyone present participated in the Pledge of Allegiance and a Moment of Silence for all deceased residents of Hamlin. Supervisor Roach introduced Attorney Daniel Schum who would be sitting in for Attorney Licht.

Present: Town Supervisor Roach, Councilperson Mike Marchetti, Councilperson Paul S. Rath, Councilperson David Rose, and Councilperson George Todd

Also present: Highway Sup. Tom Ingraham, Assessor Melanie Fahmer, Code Enforcement Officer B. J. Maier, Attorney Schum, Town Court Clerk Patience McPherson, Judge Paul W. Rath, Conservation Bd. Members Tom Breslawski and Mark Reeves, Residents Tom Jensen, Cindy Roach, Lloyd Lochner, Kim Spellan, Nicole Surcu, Cheryl Maier, Jack and Chris Shevlin, Paul and Dorothy Lapinski, Renee Cliff, Matt and Amanda McDonald, Michael Piccinillo, Ann Yockel, Charles and Ann Yochel, Joyce Bender, Sue Kingsbury, and David Lukas

PUBLIC FORUM

Nicole Sercu of 1600 Lake Rd., who is working on the playground updated the board on the committee's bottle drive held this weekend that raised over \$250.00. There will also be a youth dance held on Friday, October 13th. Next meeting is October 18th at 6:30 pm. People who want to continue with the bottle drive can take the bottles to Sunnking (behind Domino's Pizza) on S. Main Street in Brockport and tell them it is for the Hamlin Playground.

Jack Shevlin of 768 Redman Rd. presented a petition signed by 92 residents objecting to the proposed MET Towers, to the Planning Board, and is submitting it now to the Town Board. Supervisor Roach asked that it be read for the record.

Kim Spellman of 382 Morton Rd. mentioned the news tonight and indicated some health concerns on the effects of the wind turbines. They did state that all the research has not been completed yet and would ask the board to wait until the findings are done.

Dave Lukas of 1288 Moscow Rd. stated he moved from Gates to Hamlin for the quietness. I have worked for the last 32 years as an environmentalism with did waste water treatments for the City of Rochester. He mentioned the property values and direct location of the proposed windmill within eyesight. Ninety-two people in the immediate area are on the petition objectioning to windmills.

Paul Lapinski of 417 Redman Rd. read from 1997 Comprehensive Plan Mission Statement. "Please listen to the people."

Jack Shevlin asked about the proposed location of the windmills. Supervisor Roach stated he can't yet answer the question. Supervisor Roach at this time explained that we are in the process. The previous administration was approached by a developer for wind towers. At that time we had no laws on the books so we took the first step with MET Towers by putting a law in place. The testing is from one to three years which will give us time to see if they are feasible, if it is the best for thing for the town and to put Laws in effect. Second we could look at where they will be placed and what the set backs should be. I invite the committee to meet regularly to research this further and take help with deciding what is best for the town. It is not a done deal. We need to look and ask; "does it benefit the town and if so, develop a law that protects the town.

We recognize that there is a group of residents who are opposed to wind towers, but we invite you to sit down and work with us on this cooperative effort and plan with us so we are in the drivers seat and not a developer. Councilperson Rath felt that is a good point and the need for a committee. We are in the starting point. Supervisor Roach stated we are very close to completing the Comprehensive Plan and evolve that committee into the wind tower committee. All meetings are open to the public. Supervisor Roach mentioned the process since April to educate the general public on the MET law. I encourage all to review the legal postings in the Hamlin Clarkson Herald and articles in the Brockport Post. We will be having public hearings on the Comprehensive Plan. One goal is economic growth and development to strength Hamlin's tax base. I remind you that the Comp. Plan is a vision not a law. Supervisor Roach read a statement in the planning consideration that mentions seeking alternative energy generation projects. If it is not in the Comprehensive Plan you can not write laws on it. He thanked everyone for coming.

Public forum was closed at 7:30 pm.

PRESENTATION BY THE TOWN JUSTICES

In continuing our monthly department presentations Judge Paul Rath representing the Town Justice Court was introduced by Supervisor Roach who praised their service to the town.

Judge Rath explained the past reporting process and the cumbersome duties of reporting each ticket. Now with computers and the electronic reporting the process is much easier. Court Clerk Patience McPherson then explained electronic ticketing and provided the statistics. All that information is electronically transferred and is very useful for other law enforcement officers. Now we turn over the money to the Supervisor who then sends it on to Albany while in the past we wrote the checks. Supervisor Roach thanked them for their presentation.

APPROVAL OF TOWN BOARD MINUTES OF SEPTEMBER 11, 2006

Resolution #258 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the minutes of September 11, 2006 Town Board meeting as presented. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Supervisor Roach aye. Motion carried. Minutes approved.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Supervisor Roach explained the new accounting software and that the abstracts are now being processed through the accounting department and not the Town Clerk's Office. Deadline for submittal for vouchers is 30th of each month.

Resolution #259 A motion was made by Supervisor Roach, seconded by Councilperson Rose to authorize the payment of bills from their respective funds as follows:

General & Library Abstract #10	#777-864	\$74,059.41
Highway	#279 - #306	\$22,579.76
Sewer	#053 - #057	\$ 1,658.49
Hamlin Lighting	#9	\$ 495.45
Hillcrest Lighting	#9	\$ 254.12
Campbell Lighting	#9	\$ 90.28
Morton Lighting	#9	\$ 149.48
Moscow Rd. Water	#010	\$ 3.74
Consolidated Water	#163 - #171	\$ 680.28
Hamlin Walker Water Dist.	#047 - #048	\$ 102.19
Hamlin Kendall Water Dist.	#082 - #084	\$ 330.04

Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

AUTHORIZATION OF TRANSFERS FROM THEIR RESPECTIVE FUNDS

Resolution #260 A motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the following transfers from their respective funds:

<u>FROM ACCOUNT</u>	<u>TO ACCOUNT</u>	<u>AMOUNT</u>
A7410.2 Library Equipment	A7410.4 Library Expense	\$5,275.24

Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

CORRESPONDENCE

- a. A copy of Attorney Light's local law draft of new state building code.
- b. A copy of the Radio Control Club of Rochester's newsletter.
- c. A copy of a letter from Kendall Supervisor Vick RE: interest on taxes.
- d. A copy of Recreation Commission Meeting of 9-12-06.
- e. A copy of a letter from Mr. Tonery RE: Signs.
- f. A copy of a letter from Tom Remillard RE: Cell phone antenna.
- g. A copy of inventory of Highway machinery, tools & equipment.
- h. A copy of an e-mail from Ms. Bourget, Secretary U.S. Section RE: Lake Ontario water levels.
- i. Hamlin Library Board of Trustees minutes of 9-6-06.
- j. A copy of the Stormwater Coalition of Monroe County long term funding presentation 9-19-06.
- k. A copy of a letter from Stephen Lewandowski RE: Outreach Coordinator Lake Ontario Coastal Initiative.
- l. A copy of the Hamlin Volunteer Ambulance, Inc. minutes of 9-13-06.
- m. A copy of Unified Planning work Program call for Projects from Genesee Transportation Council.
- n. A letter from Attorney Licht RE: Larry Merritt Building.
- o. A copy of a letter from James Walsh RE: Lake Ontario Coastal Initiative.
- p. A packet of information from DEC's Division of Water.
- q. A memo from the Supervisor RE: Junk Vehicles.
- r. A copy of County Fishery Advisory Board meeting notice and agenda.
- s. A copy of the Walker Fire District meeting minutes of 9-5-06.
- t. A copy of letter from Supervisor Lester RE: Sweden Senior Center.
- u. Assessor's report for the month of September 2006.
- v. Building Inspector's monthly report for September 2006.
- w. DCO report for the month of September 2006.
- x. A copy of an e-mail RE: RG & E and Voice your Choice program.

Item K: Mr. Lewandowski will be appearing at our December meeting and asks that the Town Clerk to put that presentation on the agenda. The Conservation Bd. is encouraged to attend the five minute presentation.

INCREASE REVENUE ACCOUNT

Resolution #261 A motion was made by Councilperson Rath, seconded by Councilperson Marchetti to increase Revenue Account 980 in the amount of \$588.88 and Expense Account in the amount of \$588.88 to reflect an insurance check received for damages to the History Center caused by a car accident. Members polled, Councilperson

Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

APPROVAL TO ADD DELINQUENT WATER CHARGES TO THE 2007 TOWN AND COUNTY TAXES IN JANUARY

Resolution #262 A motion was made by Councilperson Rose, seconded by Councilperson Todd to add the delinquent water charges of \$68,193.43 to the 2007 Town and County Tax Bill in January. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

APPROVAL TO ADD PROPERTY CLEAN-UP CHARGES TO THE 2007 TOWN AND COUNTY TAXES IN JANUARY

Resolution #263 A motion was made by Councilperson Rath, seconded by Councilperson Todd to add the property clean-up charges of \$3,550.55 to the 2007 Town and County Tax Bill in January. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

ACKNOWLEDGEMENT OF THE MORTON, WALKER AND HAMLIN FIRE DISTRICT BUDGETS

Resolution #264 A motion was made by Supervisor Roach, seconded by Councilperson Todd to acknowledge receipt of the Morton, Walker and Hamlin Fire District Budgets as presented. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

APPROVAL OF LOCAL LAW #7-2006 – OPEN BURNING

Supervisor Roach stated that the public hearing was held last month and there were several items suggested to be included as an amendment. These amendments have been forwarded to the fire chiefs and are included in the amended version of the proposed law.

Resolution #265 A motion was made by Councilperson Marchetti, seconded by Councilperson Rath to approve Local Law #7-2006, Open Burning Law as amended. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

SCHEDULE A PUBLIC HEARING FOR 2007 TOWN BUDGET AND SPECIAL TOWN BOARD MEETING

Budget workshops have been held, changes noted will be made to the tentative budget which will be posted on the website.

Resolution #266 A motion was made by Councilperson Rose, seconded by Councilperson Todd to schedule a Public Hearing for October 30, 2007 for the 2007 Town of Hamlin Budget to be followed by a Special Town Board Meeting at 7pm to approve the 2007 budget. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

EXTENDING OF NEW YORK STATE SNOW AND ICE AGREEMENT UNTIL JUNE 30, 2009

Highway Sup. Tom Ingraham explained for those present the process on renewing a contract.

Resolution #267 A motion was made by Supervisor Roach, seconded by Councilperson Rose to extend the New York State Snow and Ice Agreement until June 30, 2009. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

TEMPORARY DEDICATION FOR COUNTRY CREEK LANE

The board discussed the reasoning for taking temporary dedication. Councilperson Rath asked if we are plowing a private road, what is the responsibility of the developer to keep the road open? Councilperson Rose stated the road was built to town specifications and through the planning process we have indicated we would take dedication. When asked about paying taxes, the Assessor explained who was being billed for the taxes and that most of those homes were started after March 1st. Councilperson Rath then stated then we are paying for the plowing. When asked about the road, Highway Sup. Tom Ingraham informed that it has a binder on it at this time and won't be finished off until the homes are finished.

Resolution #268 A motion was made by Councilperson Rose, seconded by Councilperson Marchetti to accept temporary dedication for Country Creek Lane for snow and ice removal for the 2006-2007 winter season. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

AUTHORIZATION FOR SUBMITTAL OF THE SHARED MUNICIPAL SERVICE INCENTIVE GRANT APPLICATION

Highway Sup. Tom Ingraham explained that this is the second time the State has come out with this type of grant. They are trying to get municipalities to share equipment and costs. I met last week with Parma and Clarkson, and talked about it and came up with this. Parma will be the lead. Any revenues we get from this machine will go into a fund

for upkeep of the machine. The agreement will have specific information on the maintenance.

Resolution #269 A motion was made by Councilperson Rose, seconded by Councilperson Todd for the following:

WHEREAS: the Town of Hamlin is eligible to receive grant funding under the NYS Department of Shared Municipal Services Incentive Program that provides funds to undertake projects that encourage inter-municipal cooperation; and

WHEREAS: the Towns of Clarkson, Hamlin and Parma, three municipalities within Western Monroe County which share common borders, and maintain separate fully functional Highway Departments for their respective towns; and

WHEREAS: all three municipalities have expressed an interest in developing an intermunicipal partnership relating to the purchase, utilization, and maintenance of a sweeper machine comparable to a VT 650 Alliant sweeper; and

WHEREAS: the elected Highway Superintendents met and agreed upon all aspects associated with this formed collaboration, recognized henceforth as The CHP Partnership, and all partnership accountability was spelled out and agreed upon by the above-mentioned elected officials within the Shared Municipal Services Incentive Grant Program application; and

WHEREAS: the Town of Parma has been designated as the lead applicant which shall administer the grant and enter into all required agreements with NYSDOS while the Towns of Clarkson and Hamlin have been designated as co-applicants; and

WHEREAS: the Shared Municipal Services Incentive Program will fund 90% of the cost associated with the purchase of this sweeper machine, requiring a 10% cash match; and

WHEREAS: should grant funding be secured, the Town of Parma would fully commit to The CHP Partnership and all the specifics specified within the Shared Municipal Services Incentive Grant Program application; therefore

BE IT RESOLVED: that the Hamlin Town Board hereby authorizes the process of submitting a prepared Shared Municipal Services Incentive Grant Program application with NYSDOS prior to the October 23, 2006 application deadline; and

BE IT FURTHER RESOLVED: that if the above-mentioned application is successful, the Hamlin Town Board agrees to enter into a bid process for the procurement of a sweeper machine, which would commit an upfront cost not to exceed \$60,000 toward the overall purchase of the sweeper machine, with a 90% reimbursable amount coming back to the Town after all required administration aspects of the grant have been realized.

Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

DISCUSSION

Item (a) Town Supervisor Roach stated he was sure this would be discussed when B. J. gives his report but they have run into a problem doing the junk cars in Hamlin with the farmers. It has been explained that they use some farm vehicles seasonally and park them and take the registration off when they are not using them. There may be a perception problem so with the boards approval I would like to refer this to our Attorney for a revision of the junk car description in our zoning law. Councilperson Rose asked about the inspection. B. J. explained farm vehicles don't need to be inspected going from farm to farm. Supervisor Roach stated his concern is that they are not identified. Councilperson Todd asked about winter cars and is this covered by this ordinance. He stated, "I don't see the difference."

Item (b) Some of our Seniors have been participating in the Town of Sweden's senior lunch program. Supervisors of the neighboring towns have been sent a letter from Town of Sweden's Supervisor Lester asking if we would like to participate at a cost of \$2.00 per lunch for each senior who participates. Supervisor Roach stated that the costs \$50,000 for this program. He needs to respond to Supervisor Lester regarding this matter. Ogden's response is they can participate in the program at a lesser cost. Supervisor Roach suggests that we decline the invitation to participate but look at the possibility of implementing of this nutritional program in our 2008 budget. It would be nice if we had a senior citizen center to administer that program. The board discussed the program and notification to our residents. Supervisor Roach would be talking to the reporter for the HAMLIN CLARKSON HERALD on some other items and will also mention this.

NOTIFICATION TO TOWN OF SWEDEN ON SENIOR LUNCH PROGRAM

Resolution #270 A motion was made by Supervisor Roach, seconded by Councilperson Rath to send a letter to the Supervisor for the Town of Sweden stating that the Town of Hamlin is not interested in participating in the Sweden Senior Lunch Program. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

Item (c) Supervisor Roach has the new site plan for the Hilton-Parma Fire District. He also provided the information on the fire district tax increases as 22% in 2006, 9.7% in 2007 and 33% (BAN) in 2008

Item (d) Supervisor Roach will be participating in the Civil Preparedness Regional Workshop on Monday, October 23rd with the Fire Chiefs and Director of Operations for Hamlin Ambulance.

Items (e) Supervisor Roach reminded everyone on the Comprehensive Master Plan Meeting and Zoning Workshop for Tuesday October 17th. I also have Chapter 5 for implementation. As I explained to those present tonight goal is to wrap up the Comprehensive Plan. Councilperson Rose was asked to take a look at the Chapter for the new building codes with the committee and bring it back to the Town Board so we can take the steps to have it in place by January 1st.

REPORTS

Councilperson Todd reported on the following:

Registration at a Planning Workshop at Mt. Morris, are we going to register?

Supervisor Roach stated he would get him a registration.

Recreation Commission is meeting tonight. The same groups are appearing before the commission that appeared before our board last month.

Councilperson Marchetti reported on the following:

Ambulance meeting date was changed.

The Assistant Dog Control Officer has resigned. Lisa was told she has to do the census and that she probably would not be having an assistant until the beginning of the year.

Highway Sup. Tom Ingraham reported on the following:

We are busy getting the equipment ready for winter.

October 23rd will be brush pick-up week.

County work done on North Greece Rd.

Drainage work being done

Wiler Rd. #2 grading work done.

Working on the lift station and it is scheduled to be installed the last week of October.

In regards to the park playground, testing has been sent in. They would like to keep it. Don't know how the testing will go as it has been awhile since we sealed it. In my conversations with several people I can't get them to commit themselves.

Code Enforcement Officer B. J. Maier reported on the following:

142 stops with over 200 junk cars. I have a few more roads.

Fire prevention is underway this week, Brockport and Kendall Schools this week.

Planning Bd. has revisited several issues, such as Heritage Woods, it needs a lot of dirt to be brought in so it is back to the drawing board.

Working with the Conservation Bd. Communication with other boards are going better.

Assessor Melanie Fahmer reported on the following:

With people coming in to pay their school taxes we have had a boom on STAR applications. Checks have been mailed for the rebate from the State and the Mobile Home Parks are the only ones left to get their's as it was a special entry. The delinquent water accounts took us four days to put in the computer as we kept on getting kicked out of the system.

Supervisor Roach mentioned the interesting article from the Clarkson Assessor and asked Melanie if notice needed to be sent to our residents. She stated that it is not required unless an update has been done and if you are using the assessment on a continuing basis. It is necessary every spring to send a notice if there is an increase in an assessment such as for an addition or garage. It is not necessary for decreases.

Councilperson Rath reported on the following:

Fire Budgets are in. Supervisor Roach mentioned seeing a sign for an Open house this week at the Hamlin fire department from 11 am to 3 pm.

The Conservation Bd. has been busy with the last Planning Board items.

Workman's Compensation has had a positive year.

Councilperson Rose reported on the following:

Report on the Planning Board, Nuts Corner received approval to open as a restaurant, from Thursday through Sunday, serving alcohol. There is also approval for an auto sale business on Lake Rd. for 10 cars.

Library has received their check from the McGrath Estates in the amount of \$325,000.00

Senior Citizens have a trip coming up.

Councilperson Marchetti mentioned the parking of the vehicles for the new Lake Rd. business on both the north and south side and whether it was adequate. A follow up may be necessary by the Code Enforcement Officer.

Highway Sup. Tom Ingraham mentioned he would be attending a NYMIR seminar tomorrow.

EXECUTIVE SESSION

Resolution #271 A motion was made by Supervisor Roach, seconded by Councilperson Marchetti to go into Executive Session at 8:45 pm to discuss a personnel issue. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Supervisor Roach aye.

COME OUT OF EXECUTIVE SESSION

Resolution #272 A motion was made by Councilperson Todd, seconded by Supervisor Roach to come out of Executive Session at 9:03 pm. Members polled, Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Supervisor Roach aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Todd, seconded by Councilperson Rose to adjourn the regular scheduled meeting at 9:04 pm as all business had been concluded. Members polled, Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye and Supervisor Roach aye. Motion carried.

Respectfully submitted,
Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk