

Hamlin Town Board Meeting
October 14, 2008

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. The meeting was called to order at 7 pm by Supervisor Roach. The location of the fire exits and defibrillator was explained for those present. Everyone was invited to participate in the Pledge of Allegiance and a moment of silence for the deceased residents of Hamlin.

Present: Councilperson Tom Breslawski, Councilperson Mike Marchetti, Councilperson Paul Rath, Councilperson Dave Rose, Supervisor Dennis Roach.

Also present: Assessor Melanie Fahmer, Attorney Ken Licht, Highway Superintendent Tom Ingraham, Building Inspector Charles Hungerford, Conservation Board Chair Dave Walch, Conservation Board Members Mark Reeves and Ed Evans, Planning Board Member Tom Jensen, President, Library Board of Trustees George Bott, Library Director Adrienne Kirby, Acting Recreation Director Patty Jo Groenendaal, Recreation Commission Members Angel Male and Stan Lyons, residents Timothy and Kelly Slossar, Paul Lapinski and Nancy Jennejahn.

Supervisor Roach presented a Resolution of Appreciation (Posthumous) for James Mercer, former Town Board employee.

RESOLUTION OF APPRECIATION POSTHUMOUS FOR JAMES MERCER

Resolution # 214 A motion was made by Town Supervisor Roach and unanimously seconded, and approved for the following:

**RESOLUTION OF APPRECIATION
(POSTHUMOUS)**

- WHEREAS, James Mercer grew up and lived most of his life in Hamlin, and,
- WHEREAS, James Mercer was employed by the Town of Hamlin as the Assistant Building Inspector from February 10, 1988 until December 11, 1992, and
- WHEREAS, James Mercer was a loyal and dedicated Town employee, who also was actively involved in the community as a Brockport School District bus driver and sportsman, and,
- WHEREAS, James Mercer was a devoted family man and warm-person, who was always capable of helping others find enjoyment in their lives,
- THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends appreciation, posthumously, to James

Mercer for his dedicated years of community service and the fond memories he leaves behind in the Town of Hamlin and,

FURTHER BE IT RESOLVED, that the Hamlin Town Board extends its sympathy to the James Mercer family and decrees that they be furnished a copy of this Resolution, which is spread upon the minutes of the October 14, 2008 Town Board meeting.

PRESENTATIONS:

1. Recreation Commission Chairperson Angel Male introduced Patty Jo Groenendaal, Acting Director for the Recreation Department who gave the presentation. Patty Jo informed those present of the programs the Recreation Department has accomplished this year. They were able to increase playground attendance by adding programs during the school vacation breaks as well as summer break. Income has increased 16.6% from October 1, 2007 to October 1, 2008. Soccer and Playground are the two biggest income programs. The Recreation registration form will be going on-line so the community can register on-line in the near future.

Supervisor Roach thanked the Recreation Department and the Commission for all the work they've done over the last year.

2. Conservation Board Chairperson Dave Walch reported on the Shoreline Sewer District Concept. He spoke of lack of sewers along the lake and a creation of a Lakeshore Sewer District. Many of the homes along the lake were seasonal cottages; however now more residents are living there year-round and the septic systems are not able to adequately support the increased usage.

PUBLIC FORUM

Supervisor Roach reminded all those present of the rules of Public Forum.

Tim Slossar, Fawn Meadow Drive. Mr. Slossar spoke regarding the water problem he has in his backyard. He had the Building Inspector, a Town Board Member and The Town Engineer out to his property last year to assess the situation. Now his neighbor has paved his driveway and there is another house being built and the situation has not been taken care of yet. He recently spoke with Charlie Hungerford, who was unaware of the problem and assured Mr. Slossar he would take care of it. He also spoke with the Building Department clerk regarding documents concerning the sewer system in his track. He felt that she was in a hurry to take her lunch break and was unhelpful. Charlie came in and within a few minutes had the documentation he needed. Mr. Slossar feels that Charlie Hungerford is a definite 'plus' for this town. He felt that the Assessors office is not doing their job as the property assessment hasn't been done in so long. He feels that there needs to be some way the community can tell the Town Board Members (via

some sort of complaint/kudos form) how the town employees are doing in their respective jobs.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF SEPTEMBER 8, 2008

Resolution #215 Motion was made by Councilperson Rose, seconded by Councilperson Rose to approve the regular Town Board Meeting minutes of September 8, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #216 Motion was made by Supervisor Roach, seconded by Councilperson Rath to authorize the payment of bills from their respective funds.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

MONTHLY TOTALS			ABSTRACT
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	3062-3063	295.00	
	3066-3071	3754.28	
	3079-3080	5575.00	
	3081	2950.00	
	3089-3092	1663.65	
	3094	3080.00	
	3096	84.69	
	3098	243.93	
	3138-3258	236245.63	
Account Total			\$ 253,892.18
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Library	3072-3074	696.39	
	3085	44.40	
	3099	30.85	
	3104-3113	5635.89	
Account Total			\$ 6,407.53
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Highway	3086	43.40	

	3095	4780.00
	3114-3137	131359.99
Account Total		\$ 136,183.39
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Sewer	3082-3084	146.05
	3100-3103	682.36
Account Total		\$ 828.41
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Trust	3077-3078	1706.07
	3087-3088	1606.51
	3093	9241.25
	3097	15282.28
Account Total		\$ 27,836.11
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Light	3075-3076	1099.30
Account Total		\$ 1,099.30
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Clarkson/Hamlin	1	3734.73
Account Total		\$ 3,734.73
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GRAND TOTAL:		\$ 429,981.65

Supervisor's Monthly report acknowledged and filed.

Correspondence:

- a. NYS Public Service Commission Notice on Rate Increases for National Grid, RG & E and Niagara Mohawk.
- b. Supervisor's letter to Chatfield Engineers P.C. RE: Future Water District Planning.
- c. Manual from NYS Dept. of State RE: Land Use Tools- Survey of Land Use Planning and Regulations in NYS, 2008.
- d. Recreation Department Note RE: Erin Ladue.
- e. News 4 Buffalo Letter RE: Cable Channels.
- f. NYS Dept. of State Letter RE: Approval of LWRP.
- g. USDA Rural Development Letter RE: Compliance Review Survey.
- h. Walk-Bike Brockport Flyer RE: Walk Bike Brockport.

- i. Assemblyman Koon Letter RE: 2008 Update.
- j. NYS Dept. of Agriculture and Markets Letter RE: Certification for Final Notice of Agricultural Dist. #5
- k. Senator Charles Schumer Letter RE: 2009 Museums of America Grant Programs.
- l. Senator Charles Schumer Letter RE: Digital Humanities Start up Grant Program.
- m. National Grid Promotion Letter RE: 10,000 trees and Growing.
- n. Senator Charles Schumer Letter RE: Brownfield's Assessment and Cleanup.
- o. Stuart Brown Associates Letter RE: Local Government Efficiency Grants.
- p. Monroe County Water Authority Letter RE: Future Water District Planning.
- q. The State Comptroller's *Newsletter*.
- r. Supervisor's Memo RE: Prospective Shoreline Sewer District.
- s. Genesee Transportation Council Letter RE: FY 2009-2010 Unified Planning Work Program Call for Projects.
- t. United Way Letter RE: Life Solutions of Hamlin Receives Donor Number.
- u. Supervisor's Letter RE: Vacation Time for Part-time Employees.
- v. Supervisor's Letter RE: Proposal for Architectural Services – South Entry ADA Alterations.
- w. Building Inspector's report for the month of September 2008.
- x. Dog Control Officers report for the month of September 2008.
- y. USDA Rural Development Letter RE: Compliance Review – Town of Hamlin Water District #6.
- z. Assessor's monthly report for the month of September 2008.
- aa. Time Warner Cable Letter RE: Programs that are About to Expire.
- bb. Chatfield Engineers, PC Letter RE: Country Creek Estates Phase 2.
- cc. Hamlin Fire District 2009 Proposed Budget Summary, September 23, 2008.
- dd. Hilton-Parma Fire District Letter RE: 2009 Proposed Budget.
- ee. Morton Fire District 2009 Budget Summary, undated.
- ff. Walker Fire District 2009 Budget Summary, September 16, 2008.
- gg. Bernard Maier Letter RE: Reappointment as Fire Marshal.

REQUEST AUTHORIZATION OF PAYMENT OF MONTHLY VOUCHERS TO CLARK, PATTERSON AND LEE

Resolution #217 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to authorize payment of monthly vouchers to Clark, Patterson and Lee for architectural feasibility study and concept review for a proposed community center and library, vouchers cumulatively not-to-exceed the amount of \$12,000, as authorized by the Town Board Resolution #262-2007. Such payments to be made from the Capital Reserve-Recreation Building Account.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

REQUEST AUTHORIZATION TO EXTEND THE NEW YORK STATE SNOW AND ICE AGREEMENT UNTIL JUNE 30, 2011

Resolution #218 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to extend the New York State Snow and Ice Agreement until June 30, 2011.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

REQUEST AUTHORIZATION TO NOTIFY BROCKPORT CENTRAL SCHOOL DISTRICT OF TAX COLLECTION ISSUES

Resolution #219 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to notify the Brockport Central School District of problems associated with not providing a school tax collector at Town Hall.

HAMLIN TOWN BOARD RESOLUTION

COLLECTION OF BROCKPORT CENTRAL SCHOOL DISTRICT TAXES

WHEREAS, Over 47% of the Town of Hamlin property owners pay Brockport Central School District taxes, and,

WHEREAS, The Brockport Central School District did not provide a School Tax Collector at the Hamlin Town Hall as has traditionally been the practice for the convenience of those Hamlin residents, who pay Brockport Central School taxes, and,

WHEREAS, The Brockport Central School District's decision to not provide a School Tax Collector at the Hamlin Town Hall was neither well publicized nor done with sufficient lead time to provide for adequate notification of the tax payers resulting in much displeasure expressed towards the Hamlin Town Hall Staff and,

WHEREAS, Residents, who pay their taxes in person, of whom many are senior citizens who pay using cash, must now drive to Brockport to pay

their taxes, which is an inconvenience, an added expense and, potentially, a hazardous situation,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of the Town of Hamlin, who pay Brockport Central School District taxes, expresses its concern over the loss of this service and requests that the Brockport Central School District reinstate the position of tax collector at the Hamlin Town Hall for future tax collections.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

APPROVAL TO RESCHEDULE THE 2009 BUDGET PUBLIC HEARING AND SPECIAL TOWN BOARD MEETING TO CONSIDER THE 2009 BUDGET

Resolution #220 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to reschedule the 2009 Budget Public Hearing followed by a Special Town Board Meeting to consider the 2009 Budget from 7 pm, Tuesday, October 28, 2008 to 7 pm, Wednesday, October 29, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

APPROVAL TO RELEASE \$17,366 FROM THE COUNTRY CREEK PHASE 2 LETTER OF CREDIT

Resolution #221 Motion was made by Councilperson Rose, seconded by Councilperson Rath to release \$17,366 from the Country Creek Estates Phase 2 Letter of Credit per Chatfield Engineer's verified Statement of Construction No. 3.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti abstain, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

APPROVAL TO RELEASE \$249,327.80 FROM THE HAMLIN MEADOWS SUBDIVISION #1 LETTER OF CREDIT

Resolution #222 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to release \$249,327.80 from the Hamlin Meadows Subdivision #1 Letter of Credit per Chatfield Engineer's verified Statement of Construction No. 1 dated October 10, 2008.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti abstain, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

ACKNOWLEDGING RECEIPT OF AREA FIRE DISTRICTS 2009 PROPOSED BUDGET SUMMARIES

Resolution #223 Motion was made by Councilperson Rath, dually seconded by Councilpersons Rose and Breslawski to acknowledge the receipt of the Hamlin, Hilton-Parma, Morton and Walker Fire Districts' 2009 Proposed Budget Summaries. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

DISCUSSION:

A. Supervisor Roach began the discussion with the Shoreline Sewer District:

As Chairman Walch presented earlier tonight and as I discussed in my letter to you on September 16, we are at a crossroads on a proposed shoreline sewer district. We need to decide whether we want to continue beyond the mere discussion of the concept and take a hard look at the economic feasibility and public acceptance of a shoreline sewer district. As mentioned by the Town Engineer, if we want to move forward, it's a chicken or egg situation. Do we first try to ascertain the level of support from the effected residents of a prospective district, without knowing what funding support might be available or do we invest \$1800-2000 to complete a Preliminary Eligibility Determination study to ascertain the type of funding we might be eligible to receive without knowing whether or not the property owners in the district would support it? Finally, do we include the entire proposed district or attempt to piecemeal it by the 8 prospective sections and/or a combination of them? The State Park has indicated a serious desire to be included but will contribute a lump sum payment versus being included in the indebtedness. My personal opinion is to invest the \$1800-2000 to determine the funding that might be available and to develop one sewer district encompassing the entire area. What are your thoughts and desires?

Councilperson Marchetti recused himself until the Chatfield discussion had ended. Councilperson Rath stated that he feels the Town Board should look into taking the \$1,800 to \$2,000 for the preliminary out of the Sewer District budget as it would potentially increase revenue in the future. Discussion continued regarding Councilperson Rath's suggestion.

APPROVAL TO AUTHORIZE CHATFIELD ENGINEERS TO COMPLETE A PRELIMINARY ELIGIBILITY DETERMINATION STUDY FOR A PROSEPTIVE SHORELINE SEWER DISTRICT

Resolution # 224 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to authorize Chatfield Engineers to complete a Preliminary Eligibility Determination study, at a cost not to exceed \$2,000 for submission to Rural Development, for the entire proposed area designated as part of the prospective Town of Hamlin Shoreline Sewer District.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti abstain, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

B. Change to Employee Manual – Determine definition of “part-time” employee and associated benefits.

Our Employee Manual is deficient in that it states, “Full-time and part-time employees are eligible for paid vacation in accordance with the schedule below.” However, it doesn’t define a “part-time employee.” We have “permanent part-time” employees, such as the payroll clerk, who work a set schedule every week of the year. We also have the more traditional part-time or seasonal employees such as security, park maintenance, etc. We need to provide a definition and Town Board input is needed so that we can develop a change to the handbook for your future review and adoption. Once we’ve determined what constitutes a “part-time” employee, then we can review and discuss appropriate benefits.

Brief discussion was held and considered that a part-time employee should be someone who works 12 months, permanent part-time with a set weekly schedule (X number of days a week, part-time 20 hours and part-time 30 hours)

C. South Entry ADA Alterations – Authorization to have Simbari Design complete a schematic design and estimate of costs.

Due to the excessive cost on the recent proposal to upgrade the front entrance to enhance its accessibility for handicap, we rejected it. However, we still are attempting to take advantage of available Community Development Block Grants before we lose those and opted to look at a hopefully less expensive alternative at the south entrance. By correspondence v., Town Board was provided with the architect’s proposal, which contains the project description. To further pursue this option, Town Board approval is necessary to authorize a \$1200 expenditure for the architect to complete a schematic design and estimated cost study.

APPROVAL FOR SIMBARI DESIGN TO COMPLETE A CONCEPT AND ESTIMATED COST STUDY FOR SOUTH ENTRY ADA ALTERATIONS

Resolution #225 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to approve Simbari Design to complete a concept and estimated cost study at a cost not to exceed \$1,200.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

D. Job Postings: Determine positions which need to be posted due to resignations/redesignations, authorize postings, and schedule interviews.

It's that time of the year for our annually appointed employees and officials and those appointed officials, whose appointments expire December 31 to submit their letters of intention for 2009. The Supervisor sent a notice out to all that these letters are due to the Town Clerk by November 10, our next regular Town Board meeting. That will allow us to determine what vacancies we might expect in order to post vacancies, conduct interviews and make all appointments at our January 2009 organization meeting. Of specific concern at this point is the fact that Pat Batty, the Recreation Director's, resignation is effective in November. It is our understanding that the Recreation Commission is in the midst of amending the by-laws to combine the Director and Assistant Director positions and to increase the hours and responsibilities of the secretary. This will require that both positions be posted as they are significantly changed. Recreation intends to have the request to post these positions in front of us at the November meeting. Our concern over the necessity to split the full-time BI/CEO/FM position into two part-time positions has been resolved. We will advertise for a full-time BI/CEO/FM position with a part-time deputy BI/CEO/FM appointed.

E. Construction in the Coastal Erosion Hazard Area:

A discussion occurred at the October 6 Planning Board as to whether there is a conflict between our local laws and the State in regards to construction in the Coastal Erosion Hazard Area. Is this something that needs to be reviewed by our two attorneys?

Brief discussion was held; Charlie Hungerford volunteered to talk with the DEC representative to schedule a workshop with the DEC representative, Town Board and Support Boards to identify if there is an issue and how best to resolve it.

REPORTS:

Councilperson Breslawski reported: Recreation Commission is in the process of amending the by-laws to combine the Director and Assistant Director positions. Recreation is currently a two-person office. On October 25 from 7-9 p.m. Recreation is doing Haunted Town Hall which is appropriate for ages 6 and up. At the Library, the Community Relations program is underway with a press release in the Herald approximately one week ago. The patron count is up about 4,500 people over last year and there were 18 participants in the first Munchkin Monday on September 29. They have a Coats for Kids donation box there from October 6 through November 14. In the *Town and Topics* latest edition on page 26 the article talks quite a bit about farmland protection which is something he'd like to have addressed in the next Zoning Review Meeting.

Councilperson Marchetti reported: No ambulance meeting this month, they had two ambulance calls. Dog Control officer is working on the census. Zoning Board was basically a conversation last month, they have been quiet. Hilton Parma Fire District is working hard on their new fire station. The Fire Marshal is dealing with a sprinkler problem at the vacant Dollar Tree store.

Brief discussion was held on the Curfew law in the city of Rochester and in Hamlin.

Councilperson Rose reported: On October 21, 2008 at the Town Hall the Senior Citizens have an Antique Appraiser coming. The fee is \$2 per item with a limit of two items per person. There are currently 248 seniors on the roll call.

Brief discussion was held on the Monroe County Sheriff's Academy. 36 people are involved. They've toured the jail in Henrietta, C Zone, and Civic Center. They've been able to speak with Judges in the different courts. In all three zones there are Victim Assistance Programs. The seniors are hoping to have one of the counselors come to the Health Fair being held at St. John's to speak about what she does. They've learned about Emergency Preparedness and will be touring 911. On Thursday October 23 from 9 a.m. to 12 noon the tactical unit will be at the Highway Garage and this will be open to the public.

Councilperson Rath: Nothing new.

CEO Charlie Hungerford reported: The office is very busy as reflected in my monthly report.

Highway Superintendent Tom Ingraham reported: Highway has been busy with Winter's Place, they just finished paving this month and the rest of the time has been spent on installing the Brick Schoolhouse Road waterline. Everyone wants water, they've all got their waterlines out to the road and ready to go. They guys are doing a fantastic job.

Assessor Melanie Fahmer reported: They've attended several meetings with GAR, held two meetings for residents which only approximately 50 people showed up out of 3,400 parcels. A meeting was held with the people out in the field taking photos, they will now start collecting data. Assessor Fahmer responded to the comments earlier made by Mr. Slossar. The Town has not done a reval since 1984 which is a Town Board decision, not a matter of the Assessor's Office not doing their job. The Assessor's office does do estimates on decks, if you call the office we will give you an estimate.

Supervisor Roach reported: The Historian applied for a Technical Assistance Grant from the NYS Council on the Arts, to help fund for the evaluation and repair estimate for the cupola/bell tower on the history center. The grant pays \$1,500, the Town pays \$750. She had Bero Architects do the required proposal for the grant. This is to request Town Board approval to expend \$750 from account AA7520.4, Historical Property Contractual, to Bero Architects for the proposal which was done after this month's abstracts were completed. However, the commitment must be made to Bero prior to November 1 or the proposal is cancelled.

APPROVAL FOR \$750 FOR THE REPAIR EVALUATION AND ESTIMATE OF THE HISTORY CENTER BELL TOWER

Resolution #226 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the expenditure of \$750 from account AA7520.4 for the repair evaluation and estimate of the history center bell tower. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Breslawski, seconded by Councilperson Rose to adjourn the meeting at 8:00 p.m. as all business has been concluded. Members polled: Councilperson Breslawski aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk