

Hamlin Town Board Meeting
December 8, 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 Members Mark Reeves and Ed Evans, Planning Board Member Tom Jensen, Assistant Historian Robert Kruger, President, Library Board of Trustees George Bott, Library Director Adrienne Kirby, Library Trustee member Peter P. Terry, Paul Lapinski, Nancy Jennejahn, Lloyd Lochner

PUBLIC FORUM

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

No one wished to speak. Public Forum closed at 7:02 pm.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF NOVEMBER 10, 2008

Resolution #244 Motion was made by Councilperson, Rose seconded dually by Councilpersons Marchetti and Breslawski to approve the regular Town Board Meeting Minutes of November 10, 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 #245 Motion was made by Supervisor Roach, seconded by Councilperson Rath to authorize 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	3405-3406	1039.48	
	3408	6085.00	
	3409	198.78	
	3410-3416	2352.12	
	3426	114.98	
	3479-3607	230412.86	
Account Total			\$ 240,203.22
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Library	3417-3419	251.37	
	3427-3428	47.87	
	3440-3453	8339.71	
Account Total			\$ 8,638.95
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Highway	3422	43.40	
	3454-3478	47813.78	
Account Total			\$ 47,857.18
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Sewer	3420-3421	76.60	
	3436-3439	1158.27	
Account Total			\$ 1,234.87
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Trust	3424	1563.37	
	3425	15890.60	
	3429-3431	1852.72	
	3432	80125.00	
Account Total			\$ 99,431.69
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Light	3407	916.90	
	3423	206.90	
Account Total			\$ 1,123.80
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Huntington Park	3434	3522.38	\$ 3,522.38
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Hamlin/Kendall #5			
Account Total			\$
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GRAND TOTAL:			\$ 402,012.09

AUTHORIZATION TO PAY \$11,225.00 TO GUION CONSTRUCTION

Resolution #246 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to pay \$11,225 to Guion Construction for work done on the courthouse floor which includes removing the bench and existing floor, replacing the existing floor and reinstalling the bench. Payment to be charged to the approved 2008 Justice Court Assistance Program Grant.

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

AUTHORIZATION TO PAY \$3,095.72 TO BROCKPORT CARPET FOR COURTHOUSE CARPET

Resolution #247 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to pay \$3095.72 to Brockport Custom Carpet for replacing the carpet and cove base in the Town Court, such payment to be spread among the remaining balances of the Justice Equipment and Justice Contractual Expenses and the contingency accounts as appropriate.

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

AUTHORIZATION OF TRANSFERS FROM THEIR RESPECTIVE FUNDS

Resolution #248 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to authorize transfers from respective funds.

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

Supervisor's Monthly report acknowledged and filed.

Correspondence:

- a. A copy of the Morton Fire District audit.
- b. A copy of the Supervisor's letter to William Fritsch, MC Planning and Development RE: Use of CDBG for ADA Improvements at Town Hall.
- c. Town Meeting Dates for 2009.
- d. A copy of the Audit for the Town Clerk's Office and Recreation Dept.
- e. Senator Schumer letter RE: National Cyber Security Awareness Month.
- f. Quarterly Sales Tax Distribution.
- g. NYS Public Service information on HeatSmartNY.
- h. A copy of the Certificate of Commendation to Patrick Wilson.
- i. A copy of the Supervisor's letter to property owners RE: Potential Church Road Water District #2.
- j. Proposed schedule of Town Hall Holidays for 2009.
- k. Chatfield Engineers, PC letter RE: Recommendation for second draw for Hamlin Meadows Section I. And third draw of Hamlin Meadows I
- l. A copy of the Supervisor's letter to District Attorney Green RE: Prosecutions of criminal violations of a municipal code, ordinances or local laws.
- m. A copy of Chatfield Engineers, PC letter to Supervisor Kimball RE: the Hamlin Clarkson Water Line.
- n. Status of the Support Board training for 2008.
- o. Email from William Fritsch, MC Planning and Development RE: CDBG Projects.
- p. Chris J. Schlieter letter RE: Request Waiver of 2 hours CE training.
- q. Building Inspector's monthly report for November 2009.
- r. DCO monthly report for November 2009.
- s. Assessor's monthly report for November 2009.
- t. Monroe County Youth Bureau letter RE: Possible Funding Cuts.
- u. NYS Public Service Commission Notice RE: Technical Conference.
- v. Town of Hamlin Town Court Year End report for 2008.
- w. Notice of Recertification Certificate for Melanie Fahmer, Assessor.
- x. Monroe County Proposed Intermunicipal Agreement for Fleet Services, et al.
- y. NYS DEC Region 8 letter RE: National Flood Insurance Program Community Assistance Visit
- z. NYMIR letter Re: NYMIR's Proposed Rate Adjustment for 2009.

ACKNOWLEDGEMENT OF 2009 TOWN HALL HOLIDAY SCHEDULE

Resolution #249 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to acknowledge the 2009 Town Hall Holiday dates as presented.

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

AUTHORIZATION TO ADVERTISE 2009 TOWN MEETING DATES

Resolution #250 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to advertise the list of 2009 Town Meeting dates. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

Resolution #251 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose to conduct the annual Organizational Meeting at 6 pm, Monday, January 5, 2009. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

EXTENDING THE TERMS OF ALL ELECTED AND APPOINTED POSITIONS

Resolution #252 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to extend the terms of all elected and appointed positions until the Organizational Meeting to be held on January 5, 2009. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

AUTHORIZATION TO PAY SECOND AND THIRD DRAW FOR HAMLIN MEADOWS IN THE AMOUNT OF \$45,611.00 AND \$180,489.00

Resolution #253 Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the second and third draw for Hamlin Meadows in the amount of \$46,611.00 and \$180,489.00. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

AUTHORIZATION FOR TOWN ENGINEER TO DEVELOP BOUNDARY MAP FOR PROPOSED CHURCH ROAD WATER DISTRICT #2

Resolution #254 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose to authorize the Town Engineer to develop a boundary map,

description and cost estimates appropriate for a formal petition for the proposed Church Road Water District #2.

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

AUTHORIZATION TO DESIGNATE THE TOWN OF HAMLIN BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER AS ‘ADMINISTRATOR, COASTAL EROSION HAZARD AREA’

Resolution #255 Motion was made by Councilperson Marchetti, seconded dually by Councilpersons Rath and Rose to designate the Town of Hamlin Building Inspector/Code Enforcement Officer as “Administrator, Coastal Erosion Hazard Area,” with responsibility for administering and enforcing the provisions of the Code of the Town of Hamlin, Chapter 42, “Coastal Erosion Hazard Area,” with specific powers and duties as more fully described in Article 42-29 of the Code.

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

ACKNOWLEDGE RECEIPT OF THE HAMLIN TOWN COURT SUMMARY REPORT

Resolution #256 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to acknowledge the receipt of the Hamlin Town Court, Summary Report of Cases Started.

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

AUTHORIZATION TO APPOINT COUNCILPERSON RATH TO COMPLETE ANNUAL REVIEW OF TOWN JUSTICE COURT

Resolution #257 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to appoint Councilperson Rath to complete the annual review of the Town’s Justice Court per the Justice Court Act.

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

AUTHORIZATION TO TRANSFER \$7,500 FROM A7140.2-PLAYGROUND & RECREATION EQUIPMENT AND \$7,500 FROM A7110.4-PARK CONTRACTUAL (TOTAL OF \$15,000) TO CAPITAL RESERVE - RECREATION/PARK BUILDING

Resolution #258 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to transfer \$7,500 from A7140.2-playground & recreation equipment and \$7,500 from A7110.4-park contractual (total of \$15,000) to Capital Reserve - Rrecreation/Park Building.

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

AUTHORIZATION TO TRANSFER \$80,000 FROM SEWER CAPITAL FUND ACCOUNT TO SEWER CAPITAL RESERVE ACCOUNT

Resolution #259 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to transfer \$80,000 from the Sewer Capital Fund Account to the Sewer Capital Reserve Account.

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

DISCUSSION

a. Planning Board member Chris Schleiter's request to waive two (2) hours of annual continuing education to allow for continuation on the Planning Board: Brief discussion was held and it was agreed that Mr. Schleiter's request be returned with the requirement to either complete the two (2) hours by the end of 2008 or to request reappointment to the Planning Board.

b. Town Clerk's and Recreation Department's plans of action to accomplish recommendations of annual audit: Supervisor Roach requested the Town Board members' attention to the two departments' plans of action and to note their monthly review responsibilities.

c. Proposed ADA renovations at Town Hall south entry: Supervisor Roach recommended that he set up a meeting with the Building Inspector, Design Engineer, Highway Supervisor and County Planning Specialist to better define the scope of work, and what work Highway can do and to better refine the total cost. Town Board members agreed.

d. Both discussion items d and e pertain to proposed Inter-municipal agreements between the Town and the County. These two are Highway and Sewer related and are in line with the recent State Efficiencies in Government Initiatives. Both IMAs have been reviewed by County and Municipal attorneys, including our own. Although our overall

involvement in either will probably be minimal, they will certainly be beneficial, if necessary. Our Highway Superintendent indicates that all the County Highway Superintendents have met with the County DOT on this and are amenable.

AUTHORIZE THE TOWN OF HAMLIN TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH MONROE COUNTY TO UTILIZE THEIR FLEET SERVICES

Resolution #260 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to enter into an Inter-municipal agreement, with the County of Monroe to utilize the Monroe County Fleet Services for mechanical, preventative maintenance and body work to its fleet vehicles at a cost of \$55 per hour, plus parts and further authorizing the Supervisor of the Town of Hamlin to execute such agreement. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

AUTHORIZE THE TOWN OF HAMLIN TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF ROCHESTER, COUNTY OF MONROE, OTHER TOWNS AND VILLAGES WITHIN MONROE COUNTY

Resolution #261 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to authorize the Town of Hamlin to enter into an Inter-municipal agreement, and any amendment thereto, with the City of Rochester, the County of Monroe, the other Towns and Villages within Monroe County, the Rochester Pure Waters District, the Irondequoit Bay South Central Pure Water District, the Northwest Quadrant Pure Waters District and the Gates-Chili-Ogden Sewer District for the mutual sharing of machinery, tools and equipment, for a period commencing January 1, 2009 through December 31, 2033, with the mutual consent of the parties upon each annual renewal, and further authorizing the Supervisor of the Town of Hamlin to execute such agreement. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

f. Proposed property exchange agreement for the extension of Railroad Avenue. Supervisor Roach received the proposed agreement by Attorney Dan Schum regarding the exchange of real property to extend the right of way for Railroad Avenue. Attorney Schum has asked the Town's desire to hold a workshop with him to discuss or to provide him any desired changes and then the go-ahead to proceed. Town Board consensus is to have Attorney Schum proceed without need for a workshop.

REPORTS

Councilperson Breslawski reported: Recreation is interviewing for the Director and Administrative Assistant. The Library circulation is up, people count is up, Munchkin Monday had 51 participants in November, 383 items were collected during Food for Fines week, and a full box of coats was donated to Matt's Coats for Kids.

Councilperson Marchetti reported: Nothing to report.

Councilperson Rose reported: Seniors met to review meal and transportation fees. December 9 is the Christmas party at the Village Inn. The floor was replaced at the court. Did not attend the Planning Board meeting because of interviewing for the Building Inspector position. Conservation Board member Ed Evans put on a very good presentation on the CCC camp for the Seniors. Good job.

Councilperson Rath reported: Fire department elections are to be held December 9. Conservation Board member Ed Evans passed along some information he recently received at the last Conservation Board meeting.

Highway Superintendent Tom Ingraham reported: National Grid lighting and electric needs to set up a district for Hamlin Meadows. Brief discussion between Attorney Licht and the Town Board. Each petition requires a public hearing with filing fees paid by the applicant. The map has not yet been filed. A public hearing needs to be set up for lighting, sidewalk and drainage.

AUTHORIZATION TO SCHEDULE PUBLIC HEARINGS FOR LIGHTING, SIDEWALK AND DRAINAGE ISSUES FOR HAMLIN MEADOWS JANUARY 12, 2009 AT 7 PM.

Resolution # 262 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to schedule Public Hearings to discuss Hamlin Meadows lighting, sidewalk and drainage issues, 7 pm, January 12, 2009 in the Town Board Chambers.

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

Superintendent Ingraham continued: Brick Schoolhouse Water has 3 more taps that workers were unable to get to as they are under the road. They are bringing in a third party to make the attempt. Hopefully it will be finished by the end of next week. People are starting to hook into the water system. Clean up will be done in the spring. They've been putting up snow fence. Bids were taken for the sweeper. They were opened last Thursday, December 4, with a meeting to be held Thursday December 11. Bids were taken on demo models and brand new models.

BI/CEO/FM Charlie Hungerford reported: Things are slowing down. They are currently working on 2006-2007 jobs that are still open (approximately 115). Hopefully all will be cleaned up by the end of the year.

Assessor Melanie Fahmer reported: Star applicants have slowed down. They've been keeping up with the Building Department. GAR is still in the field. There is a project meeting next week. Assessor Fahmer believes that GAR is either on or ahead of their target date. Supervisor Roach asked if GAR would come to a Town Board Meeting to give a status report. Assessor Fahmer replied she would check.

Asst. Historian Robert Kruger reported: Nothing to report. Happy Holidays to all.

Acting Library Director Adrienne Kirby: Nothing to add. Gearing up for next year.

ADJOURNMENT TO EXECUTIVE SESSION

Resolution #263 Motion was made by Supervisor Roach, dually seconded by Councilpersons Rose, and Rath to adjourn to Executive Session at 7:45 pm to discuss personnel matters leading to the appointment of particular persons to vacant positions on the Planning Board and on the Town Hall Staff.

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

RETURN FROM EXECUTIVE SESSION

Resolution #264 Motion was made by Councilperson Rath, seconded by Councilperson Rose to return from Executive Session at 8:15 pm as all business had been concluded.

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

INTENTION TO APPOINT MARK REEVES TO PLANNING BOARD VACANCY

Resolution #265 Motion was made by Councilperson Rath, seconded by Councilperson Rose to acknowledge the intention to appoint Mark Reeves to fill the vacancy on the Planning Board and to appoint Charles Hungerford to the full-time Building Inspector/Code Enforcement Officer/Fire Marshal position. Both appointments to be done at the January 5, 2009 Organizational Meeting.

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

Supervisor Roach indicated that the decision on the Assistant Building Inspector/Code Enforcement position is held in abeyance pending a physician's determination on the physical qualifications of a candidate.

**AUTHORIZATION TO ADVERTISE FOR CONSERVATION BOARD
VACANCY**

Resolution #266 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to advertise for the Conservation Board vacancy created by the pending appointment of Mark Reeves to Planning Board. Applications to be accepted through 4 pm December 30, 2008 at the Town Clerk's office. Interviews to be held in 2009, date to be determined.

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 8:20 pm 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