

Hamlin Town Board Meeting
February 11, 2008

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake R., Hamlin, New York. The meeting was called to order at 7 pm by Supervisor Dennis 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 Moment of Silence for all the deceased residents of Hamlin.

Present: Supervisor Dennis Roach, Councilperson Tom Breslawski, Councilperson Michael Marchetti, Councilperson Paul Rath, and Councilperson David Rose.

Also present: Assessor Melanie Fahmer, Building Inspector BJ Maier, Attorney Ken Licht, Highway Superintendent Tom Ingraham, Planning Board Member Tom Jensen, Conservation Board Member Mark Reeves. Residents: Al MacWilliam, Judith and Edward Doan, Linda and Donald Rabjohn, Nancy Jennejahn, Bob Kruger, Flora Borkholder, Pam Nesbitt, Kim Spellan, Jack Shevlin, Ann Yockel, Kathy Habgood, Lloyd Lochner.

RESOLUTION OF APPRECIATION FOR CONNIE SEIFERT

Supervisor Roach introduced the following Resolution of Appreciation

**RESOLUTION OF APPRECIATION
(POSTHUMOUS)**

WHEREAS, Connie R. Seifert was a faithful and dedicated servant of the Town of Hamlin, serving as Court Clerk from September 1970 to March 1976 and,

WHEREAS, Connie R. Seifert loyally served as a member of the Hamlin Fire Department and,

WHEREAS, Connie R. Seifert, through her involvement with the Town of Hamlin, the Hamlin Fire Department, the Hamlin Seniors, her church and many other civic activities, had a profoundly positive influence on the lives of many in the Town,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends appreciation, posthumously, to Connie Seifert for her dedicated years of community service and the many contributions she made to the Town Court and to the residents and,

FURTHER BE IT RESOLVED, that the Hamlin Town Board extends its sympathy to Connie Seifert's family and decrees that they be furnished a copy of this Resolution, which is spread upon the minutes of the February 11, 2008 Town Board meeting.

Unanimously approved,

Town Supervisor Dennis Roach
Councilperson Thomas Breslawski
Councilperson Michael Marchetti
Councilperson Paul S. Rath
Councilperson David Rose

PUBLIC FORUM

Supervisor Roach opened the Public Forum inviting those that signed up to speak.

Pam Nesbitt 3952 Brick Schoolhouse Road. Stated her concerns regarding setting the time for Public Hearings later than 6 pm for those people who work and can't get home by 6 pm.

Kim Spellan 382 Morton Road. Stated her concerns regarding limiting residents to 3 minutes to speak their concerns about Wind Tower laws, feels that another Public Hearing should be held. She questioned Supervisor Roach about a comment made at the joint Wind Tower Committee/Town Board Workshop regarding 'not caring if the Wind Turbines actually worked'. Ms. Spellan also questioned whatever happened to Article 10?

Supervisor Roach answered that in May 2008 the Wind Tower issues will have been going on for two years. There have been an average of 1 or more meetings per month. Anyone wishing to speak on the Wind Towers has had ample opportunity. In regards to the comment made at the Workshop that was taken out of context. Mr. Lukas stated that when he works for the county, they have sheds or something to store repair equipment. Supervisor Roach told Mr. Lukas that it wasn't the Town's concern about the Wind Tower person keeping his tower running. Mr. Roach stated he didn't care if the tower is down. The Town does not lose money, the developer loses money. It is not the Town's responsibility to ensure that the developer keeps his Wind Tower running. If the money is being lost it's the developer not the Town's. Article 10 is still unclear; the Town Board doesn't know the status as it's still in Albany. The Town Board is still concerned about Article 10; it could still affect the Town. Further discussion was held between Ms. Spellan and Supervisor Roach regarding her request for another public hearing.

Flora Borkholder 391 Morton Road. Stated her concern for the safety of Board Members.

Troy Nesbitt 52 Cook Road. Questioned why the Town Board schedules meetings for 6 pm. Supervisor Roach answered that the meetings are scheduled at 6 pm with the thinking that they may possibly run long. Mr. Nesbitt asked why Attorney Spitzer wasn't present at the Public Hearing held February 7, 2008. Supervisor Roach answered that Attorney Spitzer charges \$250 per hour and with the possibility of 5 hours for the meeting, the Town Board made the decision on behalf of the taxpayers not to spend over \$1,000 for him to be there. Questions can be given to Supervisor Roach and they will be forwarded to Attorney Spitzer. Brief discussion continued.

Jack Shevlin 768 Redman Road. Stated concerns regarding how the setback distance was determined. Supervisor Roach answered that the setback distance is still under discussion. Brief discussion continued.

Ann Yockel 856 Redman Road. Stated her concerns regarding ice throw, Wind Turbines, safety and protection of her family. Brief discussion continued.

Kathy Habgood 142 Cook Road. Stated her concerns regarding noise, setback. Submitted testimonials for review.

Ed Doan 1263 Redman Road. In favor of Wind Towers and 1,000-foot setback.

Dave Lukas 1288 Moscow Road. Stated his concerns that he has not had his questions answered from the February 7, 2008 Public Hearing. Supervisor Roach commented that he has not seen the questions as yet, nor the minutes from that meeting. Mr. Lukas submitted questions via e-mail and wanted to make sure Supervisor Roach received them.

Tim Slossar 7 Fawn Meadow Drive. Stated he is in favor of the Wind Turbines.

Supervisor Roach closed the Public Forum at 7:45 pm.

APPROVAL OF TOWN BOARD MEETING MINUTES OF JANUARY 14, 2008

Resolution #81 Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the Town Board Meeting Minutes of January 14, 2008 as presented.

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

APPROVAL OF PUBLIC INFORMATION MEETING MINUTES OF JANUARY 14, 2008 BRICK SCHOOLHOUSE ROAD WATER DISTRICT

Resolution #82 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to approve the Public Information Meeting Minutes January 14, 2008 for the Brick Schoolhouse Road Water District as presented.

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

APPROVAL OF PUBLIC HEARING MEETING MINUTES OF FEBRUARY 4, 2008 BED-AND-BREAKFASTS

Resolution #83 Motion was made by Councilperson Rath, seconded by Councilperson Rose to approve the Public Hearing Meeting Minutes of February 4, 2008 for a local law regarding Bed-and-Breakfasts as presented.

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

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #84 A motion was made by Supervisor Roach seconded by Councilperson Rath to authorize the payment of bills from their respective funds as follows: (Note: Hamlin Library did not get their invoices to the Accounting Clerk in time to be added)

MONTHLY TOTALS			ABSTRACT
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General			
	1837-1842	3812.94	
	1852	450.00	
	1855-1857	6601.86	
	1863-1864	783.73	
	1905-1976	37585.49	
Account Total			\$ 49,234.02
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Library			
	1843-1845	382.88	
	1858-1860	437.68	
	1866	41.52	
	1977-1978	281.84	
Account Total			\$ 1,143.92
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Highway			
	1867	43.40	
	1874-1904	151178.15	

Account Total **\$ 151,221.55**

Sewer

1846-1848	276.84
1861	213.12
1868	41.94
1869-1873	1631.91

Account Total **\$ 2,163.81**

Trust

1851	3341.93
1853	23127.53
1854	209.68
1865	78.00

Account Total **\$ 26,757.14**

Light

1849-1850	1133.64
1862	355.23

Account Total **\$ 1,488.87**

GRAND TOTAL: **\$ 232,009.31**

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

AUTHORIZATION OF YEAR END 2007 TRANSFERS FROM THEIR RESPECTIVE FUNDS

Resolution #85 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski for the authorization of transfers from their respective funds as follows:

<u>From A/C</u>	<u>To A/C</u>	<u>Amount</u>
A1110.4- Justice Exp.	A1110.1-Justice Salary	\$ 532.64
A1990.4-Contingent	A1110.1-Justice Salary	\$1,747.54
A1410.11-Town Clerk Clerical Sal	A1410.2-Town Clerk Equip	\$ 205.74
A1410.4-Town Clerk Exp.	A1410.30-Dept. Town Clerk Sal.	\$ 612.29
A3010.2-Fire Marshal Equip	A3010.4-Fire Marshal Exp.	\$ 214.69
A1990.4-Cont.	A3010.4-Fire Marshal Exp.	\$ 132.55
A3620.11-Asst. Build Insp	A3620.10-Building Insp. Sal.	\$ 303.30
A3620.11- Asst. Building Insp.	A3620.4-Building Insp. Exp.	\$ 360.46

A5010.11-Dep. High. Supt.	A5010.4-High Supt. Exp	\$ 72.24
SS8110.2-Sewer Equip.	SS8110.4-Sewer Exp.	\$ 540.81
SS8120.4-Sewer Collecting System	SS9060.8-Med. & Dent. Ins.	\$1,084.10
DA5130.2-Machinery Equip.	DA5130.4-Machinery Exp.	\$2,377.20
DA5142.4-Snow Removal Exp.	DA5142.10-Snow Removal Personnel	\$ 550.10
DA9030.8-Social Security	DA9060.8-Med. & Dental	\$7,286.22
DA5142.1-Snow Removal Sal	DA9060.8-Med & Dental	\$2,368.00
L7410.1 – Library Salary	L7410.4 – Library Exp.	\$1,444.80

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

Supervisor’s Monthly report acknowledged and filed.

Correspondence:

- a. A letter from Time Warner RE: Possible program changes.
- b. A notice of order from NYS DOT RE: Change speed limit to 50 mph on Rt 18 from Redman Road to Kendall Mills road.
- c. A letter from the President of the NYS Magistrates Association RE: Consolidation.
- d. A letter from Gray Certified Public Accounting RE: Year-end closings.
- e. A notice of a Public Hearing RE: COMIDA.
- f. A copy of the Supervisor’s letter to Developers’ Diversified Realty RE: Top’s Plaza.
- g. The Radio Control Club of Rochester’s newsletter.
- h. A copy of the Supervisor’s letter to the Managers of Hidden Creek RE: a Level 2 Sex Offender.
- i. A copy of a water hook-up agreement between the Town of Clarkson and a Clarkson resident.
- j. A Memo from Monroe County CBDG Director RE: Job Change for Dawn Staub.
- k. A letter from DEC RE: Floodplain mapping.
- l. A copy of a memo on a Flood Plain Workshop.
- m. A copy of the Assessor’s monthly report for January 2008.
- n. Building Inspector’s report for the month of January 2008.
- o. A copy of a letter from Bernard Donegan, Inc. RE: Serial Bonds.
- p. A copy of a letter from Oliver Enterprises RE: Hamlin Subway.
- q. A copy of the County Fishery Advisory Board Meeting notice.
- r. A copy of a letter from Maggie Brooks RE: 4 projects she is requesting funding for.
- s. A copy of the Monroe County Youth Bureau agreement.
- t. A letter from RG & E RE: people to call in case of gas leaks.

- u. A copy of a letter from Standard & Poor’s RE: The Town of Hamlin’s rating.
- v. A copy of notice of public hearing RE: Public Service for R G & E.
- w. A copy of a letter from the Attorney General’s Office with a copy of a complaint form and a copy of publications that can be requested on line.
- x. A copy of the Sales Tax distribution for the fourth quarter 2007.
- y. A letter from USDA RE: transfer of Monroe County to Canandaigua Area Office.
- z. A notice of tentative Special Franchise from the NYS Board of Real Property Services.
- aa. A copy of a letter from the Interfaith Alliance of Rochester RE: Support.
- bb. Dog Control Officers report for the month of January 2008.
- cc. A copy of the bids for the Roosevelt water project.

RESOLUTION OF APPRECIATION FOR JAMES NESBITT

Resolution #86 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti for Town Board acknowledgement of a Resolution of Appreciation for James Nesbitt.

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

RESOLUTION OF APPRECIATION

WHEREAS, James Nesbitt served on the Planning Board of the Town of Hamlin from February 1999 until November 2007, and,

WHEREAS, James Nesbitt’s high level of performance resulted in his peer’s electing him to the chair position and,

WHEREAS, James Nesbitt devoted additional time and effort with the original committee to revise the Comprehensive Master Plan and other workshops for the good of the Town of Hamlin,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to James Nesbitt for his conscientious performance and dedicated years of service and,

FURTHER BE IT RESOLVED, that James Nesbitt be furnished a copy of this Resolution, which is spread upon the minutes of the February 11, 2008, Town Board meeting.

Unanimously approved,

Town Supervisor Dennis Roach
Councilperson Thomas Breslawski
Councilperson Michael Marchetti
Councilperson Paul S. Rath
Councilperson David Rose

RESOLUTION REQUESTING PROPOSED BRICK SCHOOLHOUSE ROAD WATER DISTRICT PROJECT AN UNLISTED ACTION

Resolution #87 Motion was made by Councilperson Rose, seconded by Councilperson Rath that the proposed Brick Schoolhouse Road Water District Project is an unlisted action under the State Environmental Quality Review Act, and further that the project will not result in any significant impact on the environment and that a negative declaration will be issued.

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

RESOLUTION APPROVING ESTABLISHMENT OF BRICK SCHOOLHOUSE ROAD WATER DISTRICT

Resolution #88 Motion was made by Councilperson Rath, seconded dually by Councilpersons Marchetti and Breslawski to approve the establishment of the Brick Schoolhouse Road Water District.

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

TOWN BOARD
TOWN OF HAMLIN

RESOLUTION APPROVING THE
ESTABLISHMENT OF THE
BRICK SCHOOLHOUSE ROAD WATER DISTRICT

WHEREAS, a formal petition for the Establishment of the Brick Schoolhouse Road Water District dated January 14, 2008, was presented to the Town Board, and

WHEREAS, said petition met the requirements set forth in Section 191 of the Town Law, and

WHEREAS, a resolution was duly adopted by the Town Board on the 14th day of January, 2008 reciting the submission of said petition, the boundary description of the

proposed district and the estimated amount proposed to be expended for the improvements and the estimated costs to typical single family residences, and specifying February 11, 2008 at 6:00 p.m. as the time and the Town Hall in the Town of Hamlin as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, and

WHEREAS, such resolution was duly posted and published as required by law, and

WHEREAS, a public hearing in the matter was duly held by the Town Board on February 11, 2008 at 6:00 p.m. at the Town Hall, and discussion upon the matter having been had and all persons desiring to be heard having been duly heard,

NOW, upon evidence given upon such hearing and upon the motion of Councilperson Paul S. Rath, and seconded dually by Councilpersons Michael Marchetti and Thomas Breslawski, it is

RESOLVED AND DETERMINED that the notice of hearing was published and posted as required by law, that the petition was signed and acknowledged as required by law and is otherwise sufficient, and that all the property and property owners within the proposed district are benefited thereby, and all the property and property owners benefited are included within the limits of the district, and it is in the public interest to grant the relief requested in the petition by creating the Brick Schoolhouse Road Water District, and it is further

RESOLVED AND DETERMINED that the maximum amount to be expended for the establishment of said Water District, including the construction of the water system including the cost of land, engineering fees, legal fees and other expenses, shall be \$641,770.76 and shall be financed by a contribution from the Monroe County Water Authority of \$471,958.48 and the balance of \$169,812.28 by serial bonds with a maturity not to exceed thirty (30) years, with the cost of the system to be levied on a benefit basis, and it is further

RESOLVED that the cost per typical single family home is estimated to be \$508.00 per year for capital construction, operation and maintenance, and it is estimated that water consumption based upon current water rates, is \$200.00 per year and that the water meter charge of the Monroe County Water Authority for a water meter is \$43.80 per year, for a total projected annual cost per unit of \$751.80, and it is further

RESOLVED that the Town Clerk shall file a certified copy of this resolution, in duplicate, at the Office of the State Department of Audit and Control at Albany, New York, together with an application, in duplicate, for permission to create this district, which application shall be executed by the Supervisor of the Town.

Dated: February 11, 2008

Dennis K. Roach, Supervisor
Michael J. Marchetti, Deputy Supervisor
David Rose, Councilperson
Paul S. Rath, Councilperson
Thomas N. Breslawski, Councilperson

**RESOLUTION REQUESTING APPROVING APPLICATION TO THE STATE
COMPTROLLER FOR PERMISSION TO CREATE BRICK SCHOOLHOUSE
ROAD WATER DISTRICT**

Resolution #89 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the application to the State Comptroller for permission to create the Brick Schoolhouse Road Water District. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

RESOLUTION APPROVING THE APPLICATION
TO THE STATE COMPTROLLER FOR PERMISSION
TO CREATE BRICK SCHOOLHOUSE ROAD WATER DISTRICT
TOWN OF HAMLIN

WHEREAS, The Town Board of the Town of Hamlin directed the Town Supervisor with the assistance of the Town Attorney to prepare an Application to the State Comptroller’s Office to establish the Brick Schoolhouse Road Water District, and

WHEREAS, The Town Board has reviewed the Application and believes the contents to be accurate, and

WHEREAS, the Town Board has determined that the proposed district for which permission is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof, and

WHEREAS, the cost of the proposed district will be assessed against the real property within the benefited area, all such property to be assessed will be benefited and no benefited property has been excluded; it is

RESOLVED AND DETERMINED, that the Town Board of the Town of Hamlin approves the Application and all related, relevant, and required documentation authorizing the creation of the Brick Schoolhouse Road Water District.

DATED: February 11, 2008

Dennis K. Roach, Supervisor
Michael J. Marchetti, Deputy Supervisor
David Rose, Councilperson
Paul S. Rath, Councilperson
Thomas N. Breslawski, Councilperson

Supervisor Roach reminded Town Board members to sign the resolutions directly after the meeting so they may be submitted immediately.

RESOLUTION TO AUTHORIZE CONTINUING EDUCATION HOURS FOR SUPPORT BOARD MEMBERS

Resolution #90 Motion was made by Councilperson Rose, seconded by Councilperson Rath to authorize 2.0 Continuing Education hours for support board (Planning Board, Zoning Board of Appeals and Conservation Board) members' attendance at the Flood Plain Workshop scheduled for 7 pm, March 18, 2008 at the Hamlin Town Hall Board Room.

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

RESOLUTION TO APPROVE ONE-YEAR EXTENSION WITH PHEASANT CREEK DOG KENNEL

Resolution #91 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to approve a one-year extension of the contract with Pheasant Creek Dog Kennel in the amount of \$3,500 as budgeted.

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

RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN THE TOWN OF HAMLIN AND ROCHESTER-MONROE COUNTY YOUTH BUREAU TO PARTICIPATE IN THE INTEGRATED COUNTY PLAN

Resolution #92 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to authorize the agreement between the Town of Hamlin and the Rochester-Monroe County Youth Bureau to participate in the Integrated County Plan for the period of January 1, 2008 through December 31, 2008. The county reimbursement to the Town is in the amount of \$6,442.00, as budgeted.

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

DISCUSSION:

- a. Letter of intent for rezoning the parcel of land adjacent to Hidden Creek Mobile Home Park. In December 2007, it was requested the Town Board consider an application to rezone a parcel of land adjacent to the south side of the Hidden Creek Mobile Home Park on the west side of Drake Road to RH. Town Board declined that and did indicate that it would entertain an application to rezone as SC, which is Senior Citizen. A representative from Morgan Management, Attorney James Bonsignore joined the discussion. He stated that they would like to amend the Zoning Code to rezone the property but also to allow manufactured housing as a permitted structure in the Senior Citizen District. Morgan Management proposes that any such housing be constructed in accordance with Chapter 108 in the Zoning Code. The second issue he spoke about was to allow the Senior Citizen Housing Manufactured Home Community be allowed to maintain a Rental Office in the Community Center building solely to manage, rent or lease home space. Brief discussion was held between the Town Board and Attorney Bonsignore. Supervisor Roach reminded Attorney Bonsignore that the Town's comprehensive Master Plan encourages Senior Communities; it prohibits the addition of new mobile home parks. Attorney Bonsignore explained that the community homes are not the typical trailer, but similar to any single-family subdivisions, the only difference is they are closer together. Discussion continued. Supervisor Roach suggested scheduling a Public Hearing to consider rezoning to SC zone. Attorney Bonsignore requested tabling the discussion until the next meeting to give him the opportunity to take it back and discuss with Morgan Management.

- b. Local Law on Bed and Breakfast. Public Hearing was held on February 4, 2008. Request was made to eliminate paragraph H.

RESOLUTION TO APPROVE LOCAL LAW TO AMEND CHAPTER 125 OF THE HAMLIN TOWN CODE REGARDING BED-AND-BREAKFAST OPERATIONS

Resolution #93 Motion was made by Councilperson Rose, seconded by Councilperson Rath to amend Chapter 125 of the Hamlin Town Code regarding Bed and Breakfast Operations. This is a Type 2 SEQR Declaration. Brief discussion was held. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried.

- c. Wind Tower Regulations. Public Hearing was held on February 7, 2008. Letter of irrevocable credit for decommission, soil removal, small WECS, local labor, and setbacks were discussed. Councilperson Marchetti stated he supports 1,000-foot setback. He feels the SEQR process will take care of any

issues regarding birds or safety. The people who own the land that want to put them on there have just as much right as the people who don't want them. It's not the Town Board's job to make laws to tell people what they can't do, but to allow them safely.

Councilperson Rose stated he supports the 1,500-foot setback.

Councilperson Breslawski stated he supports the 1,000-foot setback. He feels the 50 decibels will restrict enough along with the SEQR. He doesn't feel that we should be writing a code where a 1,500-foot circle encompasses 162 acres. We're trying to eliminate codes that require variances.

Supervisor Roach stated he supports 1,500-foot setback.

Discussion continued.

RESOLUTION TO SCHEDULE A MEETING TO CONTINUE DISCUSSION OF SETBACKS FOR WIND TOWERS

Resolution #94 Motion was made by Supervisor Roach, seconded by Councilperson Rose to schedule a meeting for February 25, 2008 at 7 pm in the Town Court to continue discussion of setbacks.

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

- d. Review of Slate of Nominees for Ethics Board. On January 3, 2008 the Nominating Committee, comprised of the three fire districts, Hamlin Volunteer Ambulance, Lions Club, Friends of the Library, VFW, Hamlin Area Ministers, and Hamlin Seniors met to formulate a slate of nominees. Everyone who was nominated was contacted of his or her nomination, 2 declined. Town Board has an obligation to select four from Part 1. Any further discussion regarding employment, background must be done in Executive Session.
- e. January 30, 2008 Supervisor Roach was contacted by the County Executive to send a letter of support to our Congressional Representative, Congresswoman Slaughter, supporting the County's 2009 Federal Transportation Appropriation Request. The letter was submitted. The projects that funding was requested for are all for rehabilitation and preventative maintenance. Projects are the Brick Schoolhouse Road bridge over Sandy Creek, Lake Road West Fork bridge over Sandy Creek, North Hamlin Road bridge over Sandy Creek, and Redman Road Bridge over Sandy Creek. Brief discussion continued.
- f. Bid for materials for the Roosevelt Highway Water District #2 have been received. Bidders include: Ramsco at \$88,404.07, MJ Pipe at \$88,380.26, Vellano at \$86,131.10 and Blair at \$85,030.07. Highway Superintendent Tom Ingraham recommended going with Blair Supply, which was the low bidder at \$85,030.07.

RESOLUTION TO AWARD ROOSEVELT HIGHWAY WATER DISTRICT TO BLAIR SUPPLY

Resolution #94 Motion was made by Councilperson Rose, seconded by Councilperson Rath to award the bid for materials for the Roosevelt Highway Water District #2 to Blair Supply at a cost of \$85,030.07.

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

- g. Intermunicipal Agreement between the Towns of Hamlin and Clarkson regarding the out of district user at 17 Clarkson Hamlin Town Line Road in the Town of Clarkson Monroe County, NY. The Agreement is what the Town asked for to enable the Clarkson resident to connect into the Guion District with the understanding that if a Hamlin Clarkson Town Line Road District formed he would be required to join that district. If that is not formed by December 1, 2009, he would be required to join our Roosevelt Highway Extension 2 District. Brief discussion continued.

RESOLUTION TO APPROVE THE INTERMUNICIPAL AGREEMENT REGARDING THE OUT OF DISTRICT USER AT 17 CLARKSON HAMLIN TOWN LINE ROAD

Resolution #95 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to approve the Intermunicipal Agreement between the Towns of Hamlin and Clarkson regarding the out of district user at 17 Clarkson Hamlin Town Line Road, changing the date December 1, 2009 to October 1, 2009 wherever appearing.

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

- h. New York State DEC has been working with FEMA to update the flood insurance rate maps. A letter was sent to the Town to contact those residents or property owners who were affected by the new flood insurance rate maps to advise them that they are now in a flood hazard zone in order to give them the opportunity to contact their insurance carrier. There is a federal authority that if they go in within a certain amount of time after being added to a new hazard area that they can update their flood insurance and grandfather their current rates. The Town identified those residents in Lake Breeze. Supervisor Roach will be putting a press release out to Hamlin Herald and on the website to let residents know about the flood insurance rate map and that they can see the map in the Building Inspector's office.

Reports:

Councilperson Rose reported on the Planning Board Minutes from February 4, 2008, and the Executive Session for the Senior Citizens to be held February 12, 2008.

Councilperson Rath reported on the Conservation Board Minutes, and noted that the Hamlin Beach State Park Manager was there. The Town Court Audit went OK. The report will be available next month.

Assessor Melanie Fahmer reported the Assessor's Office is in the last few weeks of exemption season. They have seen increased traffic over the last few weeks.

Building Inspector/Code Enforcement B.J. Maier reported that Building is slow right now; they are working with a couple of houses. On the Fire Marshal end, with last couple of wind storms the fire departments were quite busy. There was an electrical fire at 8:50 am at 913 Roosevelt Highway, the Dakota Grill. They were shut down for the day until the Health Department and Underwriters could check the violations. Fire Inspections should be completed by March Board Meeting.

Highway Superintendent Tom Ingraham reported that they've used 2,000 ton of salt and we're at about 68 inches of snow for this area. Highway has been doing some tree trimming along some of the town and county roads. Contractors are working on the lights at the corner of Brick Schoolhouse Road and East and West Forks. They are all up, but need to be wired. He will be attending Advocacy Day in March in Albany. The Governor's proposed budget has already made cuts so the Town of Hamlin will get \$2,000 less than last year. Mr. Ingraham requested a resolution to send some surplus equipment for spring auction.

RESOLUTION TO SEND TO AUCTION ITEMS SPECIFIED BY THE HIGHWAY SUPERINTENDENT

Resolution #96 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to send to Spring Auction surplus items specified by the Highway Superintendent, Tom Ingraham. Items to include: Hydraulic pump, 3 phase motor and 50 gallon hydraulic tank for a shop lift, 1990 Ford 9000 six wheel dump truck with 101,000 miles, 1997 Ford F800 six wheel truck with plow and wing with 56,000 miles.

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

Councilperson Marchetti reported on the upcoming Ambulance Corp. meeting. The Dog Control officer would like to advertise for a dog control assistant and hopefully get more than one application.

RESOLUTION TO ADVERTISE FOR AN ASSISTANT DOG CONTROL OFFICER

Resolution #97 Motion was made by Councilperson Rath, seconded by Supervisor Roach to advertise for an Assistant Dog Control Officer, with applications being accepted until February 29, 2008 at 4 pm. Interviews to be scheduled with the Dog Control Officer and Liaison.

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

Councilperson Marchetti continued his report: Zoning Board is quiet, Hilton-Parma is excited about their new firehouse, and sent a Thank You to the Fire Marshal for his assistance on the Dakota fire. Met with the Chiefs and the Town of Hamlin Fire Marshal's office on January 31, 2008 to work on some minor communication issues.

Councilperson Breslawski reported that the Library meeting was cancelled so there is nothing to report. Recreation meeting is February 12, 2008. Town Clerk has been hard at work on scheduling a Farmer's Market. There is a meeting set up on March 6, 2008, 6:30 pm, with some interested parties.

Supervisor Roach reported that he received the Standard and Poor rating on the Town's General Application bonds as an A- and a stable outlook. The Town's market value has modestly increased over the past three years and now totals \$410 million dollars, which is below average. The leading taxpayers are utilities, mobile home parks and apartments. Attended the exhibition of the new voting machines. Assemblyman Hawley sent invitations for Elected Official's Day in Albany. The Search Committee for an Architect and Engineer for the Community Center and Library will be interviewing firms February 12, 2008 at 3:00 pm, February 15 2008 at 4:00 pm, and February 29, 2008 at 3:00 pm.

Councilperson Rath reported that with Zoning Board's light schedule, they may be able to look at the shoreline residential code.

Discussion continued regarding generators and grant money.

RESOLUTION TO ADJOURN TO EXECUTIVE SESSION

Resolution #97 Motion was made by Councilperson Rose, seconded by Councilperson Rath to adjourn to Executive Session to discuss employment history of persons related to appointments.

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

Adjourned to Executive Session at 9:00 pm.

Come back into Regular Session at 9:12 pm to vote on Nominations for the following candidates for Ethics Board:

Sue Dahl, Glen Unterborn, Richard Marsden, Irene Frediani, and Janice Bradley.

Voting concluded with the following people being selected: Richard Marsden, Glen Unterborn, Sue Dahl, Janice Bradley.

RESOLUTION TO ACCEPT NOMINEES FOR ETHICS BOARD

Resolution #98 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski to appoint Richard Marsden, Glen Unterborn, Sue Dahl, and Janice Bradley to the Ethics Board.

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

ADJOURNMENT

A motion was made by Councilperson Rath, seconded by Councilperson Rose to adjourn the meeting as all business has been concluded.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, and Supervisor Roach aye. Motion carried, meeting adjourned at 9:15 pm.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk