

Hamlin Town Board Meeting
June 9, 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 7:03 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 Moment of Silence for former Councilperson John Hazen, Velma Batty, mother-in-law of our Recreation Director and all the deceased residents of Hamlin.

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

Also present: Planning Board Member Tom Jensen, Conservation Board Members Mark Reeves, David Walch, Ed Evans and Aaron Lafaro, Attorney Ken Licht, Assessor Melanie Fahmer, Highway Superintendent Tom Ingraham, Building Inspector B.J. Maier, Library Director Adrienne Lattin, Hamlin Beach State Park Manager Marty Howden and Assistant Historian Bob Kruger. Residents present: Carol McFarlane, Paul Lapinski, Nancy Jennejahn, Stan Lyons, Larry Gore, and Diane Norton.

Supervisor Roach recognized Hamlin Beach State Park Manager Marty Howden for the exceptional job he is doing.

RESOLUTION OF APPRECIATION

WHEREAS, Martin Howden is serving in a highly professional, responsive and cooperative manner as Park Manager, Hamlin Beach State Park and,

WHEREAS, Martin Howden has established new, high levels for maintenance, upkeep and appearance at the Park during all seasons of the year and,

WHEREAS, Martin Howden has taken the initiative to create a new spirit of cooperation between the Hamlin Beach State Park and the Town of Hamlin sparking joint initiatives including Hamlin Earth Day and participation in the Hamlin Wheel Fest and ,

WHEREAS, Martin Howden has made a special effort to accommodate and support special groups and individuals such as the Hamlin Seniors, the Hamlin Conservation Board, and the Town of Hamlin Historian,

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Martin Howden for his outstanding performance, support of the Town and his ongoing efforts to make Hamlin Beach State Park a special place to visit and Hamlin a desirable place to live.

FURTHER BE IT RESOLVED, that Martin Howden be furnished a copy of this Resolution, which is spread upon the minutes of the June 9, 2008, Town Board meeting.

Unanimously approved,

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

**PUBLIC HEARING REGARDING LOCAL LAW AMENDMENT TO TOWN
CODE CHAPTER 58**

Supervisor Roach spoke regarding the consideration of a Local Law to amend Chapter 58 of the Town Code (Flood Damage Prevention). He explained that there were changes to the flood insurance rate maps, those changes go into effect August 28, 2008. The Town of Hamlin has been directed by the DEC to replace the existing Flood Plain Management Regulations, Chapter 58, with their new Model Code. The Local Law will accomplish the purpose required, presuming it is adopted prior to July 28, 2008, and allowing the Town of Hamlin to maintain continued eligibility for participation in the National Flood Insurance program.

Larry Gore, spoke of his concerns regarding the flood insurance and what it covered as far as structures on the property.

Supervisor Roach assured Mr. Gore that they would get responses to his questions back to him in writing.

Public Hearing regarding Local Law Amendment to Chapter 58 was closed at 7:13 pm.

PUBLIC FORUM

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

Dianne Norton, Church Road spoke regarding a petition she submitted from people who own property on Church Road between Martin Road and Lake Road East Fork who do not have public water. She stated her concerns and wishes to have public water on that section of Church Road.

Supervisor Roach asked Attorney Licht to give Mrs. Norton some background regarding her petition, and how to get her informal petition to become a formal petition.

Supervisor Roach spoke briefly regarding the cost of having water brought to Church Road.

Jim Wilcox, Church Road, spoke regarding the amount of money he spends a year on water for drinking, cooking, his swimming pool, laundry. He feels that the over \$2,000 per year he now spends to buy water would be better paying for “real” water.

Paul Lapinski, Redman Road, spoke regarding industrial wind turbines and asked if any Town Board members had communicated with Iberdrola, how would the public be aware of any application and how would applications be handled.

Marty Howden thanked the Town for the Resolution of Appreciation.

Public Forum was closed at 7:30 pm.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF MAY 12, 2008

Resolution #147 Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the regular Town Board Meeting minutes of May 12, 2008.

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

APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES OF MAY 20, 2008

Resolution #148 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the special Town Board Meeting minutes of May 20, 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 #149 A motion was made by Supervisor Roach seconded by Councilperson Rose 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.

Supervisor’s Monthly report acknowledged and filed.

Correspondence:

- a. NYS DEC letter RE: Renewal of SPDES General Permit.

- b. NYS Comptroller filing of the Brick Schoolhouse East Water District.
- c. Monroe County Chief Financial Officer letter RE: 1st Quarter 2008 Sales Tax Distribution.
- d. Monroe County Water Authority letter RE: Country Creek Estates Phase 2.
- e. Hamlin Volunteer Ambulance Inc. minutes for 4-10-08.
- f. NYS Board of Real Property Services letter RE: Certificate of Final Special Franchise Full Value.
- g. Association of Towns', Planning and Zoning Summer School 2008.
- h. E-mails from Paul Lapinski.
- i. Copy of a letter sent to S. Merrill RE: Asphaltting the Downs Meadow Court.
- j. Copy of a letter sent to Daniel Schum RE: Railroad Avenue Acquisition.
- k. Copy of a letter sent to Kevin O'Buckley, NYS DOT RE: Request for Review of Intersection, NYs Rts.19 & 18.
- l. Copy of letters sent to County Executive Brooks, Gov. Paterson, Congressman Reynolds, Senator Schumer, Senator Clinton, Congresswoman Slaughter, Mr. Minarik, Senator Maziarz and Assemblyman Hawley RE: Lake Levels.
- m. An e-mail from Troy Nesbitt.
- n. Revised Chapter 58, Hamlin Town Code: Flood Damage Protection.
- o. NYS Dept. of State letter RE: Grant Applications, Title 11, Environmental Protection Fund.
- p. Maggie Brooks' letter RE: the 2008 Annual Action Plan for Housing and Community Development.
- q. Copy of the letter sent to NYS Attorney General RE: Professionals on Payroll.
- r. NYWEA letter RE: Upcoming Stormwater Infrastructure Tour.
- s. Copy of Assemblyman S. Hawley's letter to NYS DOT RE: Intersection of NYS Rts. 18 & 19.
- t. NYS Executive Chamber letter RE: Response to Supervisor's Lake Level Concerns.
- u. Copy of the Monroe County 2009-2014 Capital Improvement Program.
- v. NYS Office of Attorney General letter RE: "Community Forum on Priorities for Great Lakes Protection."
- w. Monroe County Clerk CD RE: "Proceedings of the Legislature of Monroe County for 2006."
- x. Copy of Maggie Brooks's letter to the Chair, International Joint Commission RE: Lake levels.
- y. An e-mail from NYS ORPS RE: Tentative 2008 Equalization Rate.
- z. NYS DOT letter RE: Completion of Investigation, Intersection Route 18 and Redman Road.
- aa. Copy of NYS DOT letter sent to Residents RE: Shrubs Restricting Sight Distance. Intersection NYS Rt. 18 and Redman Road.
- bb. Copy of Assemblyman S. Hawley's letter to IJC RE: Lake levels.
- cc. RGRTA letter RE: 2008-09 Comprehensive Plan.

- dd. Monroe County Dept. of Health letter RE: Approval of the Roosevelt Highway Water Supply Plan.
- ee. Beehler Construction letter RE: Deferment of Recreation Fee Payment.
- ff. Assessor's report for the month of June 2008.
- gg. Building Inspector's report for the month of June 2008.
- hh. Monroe County Planning and Development letter RE: Continued Membership in the Monroe County's Consolidated Plan Consortium.

Supervisor Roach stated that on May 27, 2008 a joint Public Hearing was held in the Town of Clarkson attended by a quorum of both Town Boards and a majority of residents residing along Hamlin Clarkson Town Line Rd between Roosevelt Highway and Route 19. Comments were heard from residents of both towns regarding the proposed joint Town of Clarkson and Town of Hamlin Town Line Road Water District No. 2. Each Town will be creating a separate water district. By way of an inter-municipal agreement, which will be prepared by the Town of Clarkson, the Town of Clarkson will administer the water district and notify the Town of Hamlin what is owed for taxes.

TOWN BOARD RESOLUTION TO ACCEPT FULL ENVIRONMENTAL ASSESSMENT FORM (EAF) COMPLETED BY CHATFIELD ENGINEERS.

Resolution #150 Motion was made by Councilperson Rose, seconded by Councilperson Rath to accept the Full Environmental Assessment Form (EAF) completed by Chatfield Engineer and a determination that the proposed Town of Clarkson and Town of Hamlin Town Line Road Water District No. 2 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 abstain, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

APPROVAL OF THE CREATION OF THE TOWN OF CLARKSON AND TOWN OF HAMLIN TOWN LINE ROAD WATER DISTRICT NO. 2.

Resolution #151 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to approve the creation of the Town of Clarkson and Town of Hamlin Town Line Road Water District No. 2. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

REVIEW SEQR LAW TO DETERMINE A NEGATIVE DECLARATION OF AN UNLISTED ACTION TO AMEND CHAPTER 58 OF THE TOWN CODE

Resolution #152 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti that upon review of the SEQR Law a negative declaration of an Unlisted Action be determined to amend Chapter 58 of the Town Code (Flood Damage Prevention).

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

APPROVAL OF LOCAL LAW #4-2008 TO AMEND CHAPTER 58 OF THE TOWN CODE (FLOOD DAMAGE PREVENTION)

Resolution #153 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to approve a Local Law to amend Chapter 58 of the Town Code (Flood Damage Prevention).

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

DISCUSSION:

- a. Annual Board Presentations begin July 14 with Conservation Board.
- b. Participation in Town of Murray Bicentennial Parade, Saturday, August 1. This will have to be declined as no one is available.
- c. Request from Coast Guard Auxiliary for recognition of Flotilla 4-8's 30 years of service. This will take place on September 24, 2008.

APPROVAL TO DESIGNATE SEPTEMBER 24, 2008 COAST GUARD AUXILIARY DAY FOR RECOGNITION OF FLOTILLA 4-8

Resolution #154 Motion was made by Councilperson Rose, seconded by Councilperson Rath to designate September 24, 2008 Coast Guard Auxiliary Day for recognition of Flotilla 4-8's 30 years of service.

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

- d. Desire to pursue company to tape Town Board meetings for Government Access needs through Time Warner Cable Channel 12. Town Board agrees that there is no need for this service at this time.
- e. Review/approve bids for acquisition and installation of emergency standby generator.

APPROVAL OF BID FROM BUZYNISKI ELECTRIC TO PROVIDE A STAND-BY GENERATOR AT TOWN HALL

Resolution#155 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to approve the bid received from Buzyniski Electric in the amount of \$17,500 to provide a stand-by generator at Town Hall.

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

APPROVAL TO TRANSFER \$8,375 FROM THE CAPITAL RESERVE ACCOUNT TO GENERAL FUND ACCOUNT #AA1620.2

Resolution #156 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to transfer \$8,375 from the Capital Reserve Account to the General Fund Account #AA1620.2, Town Hall Equipment, and to pay that amount to Buzyniski Electric to order the generator and switches. That amount will be reimbursed to the Capital Fund when the Town receives the Grant Money.

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

- f. Review/approve bids for materials for Brick Schoolhouse Road East Water District.

Highway Superintendent Tom Ingraham explained that Chatfield Engineering researched the bids and has recommended Blair Supply. All bids received as follows:

	Base Bid	Auxiliary Bid
Vellano Brothers	\$238,003.32	\$368,258.72
EJ Prescott	\$253,695.70	\$387,840.87
Ramsco	\$240,936.33	\$523,558.88
MJ Pipe & Supply	\$238,825.90	\$373,464.37
Blair Supply	\$235,531.00	\$364,144.00

APPROVAL TO ACCEPT BID FROM BLAIR SUPPLY IN THE AMOUNT OF \$364,144.00

Resolution #157 Motion was made by Councilperson Rose, seconded by Councilperson Rath to accept the bid from Blair Supply in the amount of \$364,144.00, contingent upon Monroe County's agreement to pay the difference in upgrading from 8-inch to 12-inch main.

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

- g. Reval of Town: Feedback from GAR.

Assessor Melanie Fahmer explained that she met with GAR who will come and talk to the Town Board or just the Supervisor and Assessor to discuss questions before she puts together a package for Town review.

APPROVAL TO SCHEDULE A WORKSHOP JUNE 19, 2008 AT 6 PM TO DISCUSS REASSESSMENT OPTIONS

Resolution #158 Motion was made by Supervisor Roach, seconded by Councilperson Breslawski to schedule a Town Board Workshop on June 19, 2008 at 6 pm for the purpose of considering reassessment evaluation options.

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

- g. Consider request from Beehler Construction to defer recreation fee payment until building permits are issued for Country Creek Phase II Sub-division.

Councilperson Breslawski noted that site plan approval was granted in March 2008, prior to the new Development Regulations being received and it would be setting a precedent that would have to be extended to everyone. Supervisor Roach asked about Hamlin Meadows receiving consideration for a deferment based upon the Planning Board Chair's statement at the May 20, 2008 Zoning Review Workshop, that it would be granted when final site plan approval was given. Councilperson Marchetti said that that didn't occur and that the Support Board Attorney said it would have to be submitted to Town Board. Councilman Rath suggested that we use a cutoff date of June 2, 2008, since that was the date Planning Board scheduled the public hearing for the new development regulations. Any site plan approved on or after June 2 could be considered for a recreation fee payment deferment until building permits were issued, if a written request is submitted to Town Board.

- h. Switching active full-time employees' health insurance to EPO5 effective July 1 and establishing an HRA account.

Supervisor Roach briefly discussed that as previously approved, the new health insurance plan would become effective July 1, 2008. An important feature is the addition of a health reimbursement account (HRA). Representatives from EBS, the agency which will be administering the HRA fund met with employees on June 4, 2008. They explained the debit card that will be used to pay for the out-of-pocket expenses. The plan seemed to have a general acceptance from employees. The HRA account would be available to active, full-time employees only. Enacting of the HRA account and the amount of funding is the only thing left to be done before the insurance goes into effect.

APPROVAL OF FUNDS FOR HRA HEALTH INSURANCE ACCOUNT

Resolution #159 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to establish a Health Reimbursement Account (HRA) for each active, full-time employee for the Town of Hamlin, and to fund each account in the amount of \$500 and not to exceed that amount for the period of July 1 to December 31, 2008 and in the amount of \$1,000 and not to exceed that amount for each year thereafter beginning on January 1 and ending on December 31. Said HRA to be used for eligible health-related expenses and any balance remaining to belong to the Town of Hamlin. Said funding to be excluded from the employees' gross income and not taxable. (Brief discussion continued regarding retirees. Current retirees will remain with their current policy/plan.)

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

APPROVAL TO UPDATE THE TOWN OF HAMLIN EMPLOYEE HANDBOOK TO REFLECT THE PROVISIONS OF THE HEALTH ACCOUNT FUNDING

Resolution #160 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to update the Town of Hamlin Employee Handbook for Non-Elected employees, Section 4.05 Health Insurance Plans to reflect the provision of the Health Reimbursement Account authorized funding amount and requirements.

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

Supervisor Roach publicly thanked Pat MacIntosh and all those that did the research on the program, the employees who were willing to listen and accommodate themselves to a different plan, and to the Town Board for considering this plan. This plan does not significantly change health insurance for employees but will be saving the Town over \$50,000 this year and over \$100,000 in the next year for health insurance premiums, prior to the HRA funding allocations.

- i. Receipt of informal petition to establish a water district on Church Road.

APPROVAL TO ACCEPT INFORMAL PETITION TO ESTABLISH WATER DISTRICT ON CHURCH ROAD

Resolution #161 Motion was made by Councilperson Rose, seconded by Councilperson Rath to accept the informal petition to establish a water district on Church Road and by so doing to authorize the Town Engineer to prepare the cost estimates for said water district.

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

REPORTS:

Councilperson Breslawski: The Library is busy with budget planning, long range planning and handbook review. They will be open 42 hours a week as of July 1, 2008. They have had a significant number of donations from businesses that have not donated before for the summer reading program.

Spoke with Recreation regarding the backstops that have been damaged and repaired. Hamlin Hornets Pop Warner Football team questions from last meeting have been answered. The equipment shed will be removed at the end of the season, the restoration and insurance will be part of the contract, the food will be pre-packaged so there will not be a food handling license required. The Hornets are requesting permission to do a fund-raiser on Town property. It is not approved to be done on Town property. Brief discussion continued regarding fundraising and the contract.

Wheel Fest is over and went well. Supervisor Roach thanked the Wheel Fest committee and those who volunteered.

Councilperson Breslawski stated that he was at the Library Board of Trustees' meeting and in discussing the Larkin proposal, he feels that maybe the letter sent by the Town Board was misinterpreted. He did not receive a "yes" or "no" answer. Councilperson Rath stated that he was disappointed in the answer, what the Board wanted was a yes or no and not to push it off to another committee. Supervisor Roach stated that

it's the Library Board's decision to make not the Town Board's. Brief discussion continued regarding a Community Center and the Library. It was agreed that the Supervisor should communicate with the President of the Board of Trustees asking for a definitive answer on the Larkin proposal prior to the July 14 Town Board meeting.

Councilperson Marchetti: Nothing to report.

Highway Superintendent Tom Ingraham: Reported that expenses for spring clean up were around \$7,600 to \$7,700 and Highway took in approximately \$9,400 in scrap metal. They had 250 loads of brush pick up which is up about 125 to 130 loads from previous years. Started the Route 18 water line. Currently working four 10-hour days.

Assistant Historian Bob Kruger: Reported that he received information through e-mail regarding the Peace Officer Memorial Day and half-staffing the flag and that he has found e-mail an effective means of communication. He spoke to Rick Zinmeister via e-mail and let him know that he would help out with small tasks such as half-staffing the flag so Rick wouldn't have to drive to the Historical Building. There are woodchucks invading the outhouse. The Bell Tower is leaning towards the southwest. One corner is rotted out and he is looking for suggestions as to how to fix it.

Building Inspector BJ Maier: Reported they are doing several pool permits and has been working on getting someone to mow for the Town because of tall grass violations. He has currently received two bids and is waiting on the third. There was one working fire.

Assessor Melanie Fahmer: Reported they had assessment review on May 27, 2008 and had several residents appear. They continue to enter building permits submitted from Building Department.

Councilperson Rath: Nothing to report.

Councilperson Rose: Reported that Town Clerk, Supervisor and he attended the local government seminar sponsored by Assemblyman Steve Hawley in Albany. There were several interesting topics discussed including requiring residents of mobile home parks having a shingle to indicate current owner. Senior Citizens have their executive meeting on June 10, 2008.

Supervisor Roach: Reported that the IJC or International Joint Committee should be reaching their decision on the plan to regulate the Lake Level. We have sent another round of letters to the IJC and all our County, State and Federal legislators asking for them to support a plan that best protects our shoreline property owners. The last local public hearing for the IJC will be Wednesday, June 11, 2008 at the Greece Community and Senior Center.

Supervisor Roach asked for and received confirmation that Support Board members are authorized to carry over continuing education hours received in excess of four to the following year.

Supervisor Roach asked Councilperson Rose whether there would be a Zoning Review Workshop in June. It was determined that there would not be one scheduled in June.

ADJOURNMENT

A motion was made by Councilperson Marchetti, seconded by Councilperson Rath, to adjourn the meeting at 8:35 p.m. as all business has been concluded.
Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk