

Hamlin Town Board Meeting  
August 11, 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 Michael Marchetti, Councilperson Paul Rath, Councilperson Dave Rose, Supervisor Dennis Roach.

Also present: Assessor Melanie Fahmer, Attorney Ken Licht, Highway Superintendent Tom Ingraham, Planning Board Members Linda Morey and Tom Jensen, Building Inspector Charles Hungerford, Judge Paul W. Rath, Judge Richard Moffett, Court Clerk Patience McPherson, Assistant Historian Bob Kruger, Library Board of Trustee Member George Bott, Recreation Commissioner Stan Lyons. Residents present: Paul Lapinski, Lloyd Lochner.

**Public Hearing**

Local Law amending the Town of Hamlin Zoning Law of 1991 to allow swimming pools as an accessory use to single family dwellings in the commercial/neighborhood business and commercial/general business zoning districts.

Supervisor Roach explained that the Town has had two (2) permit applications for swimming pools from residents residing in the commercial/general business zone districts. Currently, the owners must come before the Zoning Board to obtain a variance.

The minor change in the local law would allow residents who reside in the commercial/general business or the commercial/neighborhood business zoning districts single-family dwellings will allow as an accessory use a swimming pool. This would relieve the owners need to come to the Zoning Board for a variance.

Supervisor Roach opened the meeting up for comments from residents and Town Board Members regarding the proposed Local Law. No comments were made.

**REQUEST TO CLOSE PUBLIC HEARING**

Resolution #178 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to close the Public Hearing regarding a Local Law amending the Town of Hamlin Zoning Law of 1991.

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

## **PRESENTATIONS**

Presentation was given by Judge Paul W. Rath of the Hamlin Town Court. Judge Rath gave a brief review of 2007. He stated that everything is now being done electronically. This year, Court Clerk Patience McPherson has filed paperwork for grant money, which the court has received. Currently they were able to secure; a walk through magnetometer, a hand held magnetometer, a desktop computer, money to repair the courtroom floor, and security cameras for the court building. The state has also provided every court in New York State with a laptop computer and requires all proceedings to be audio recorded. The security audit has been done and made available to the Town Board. The court is now accepting credit cards for fines and bail money. There has been a drastic change in the mandatory surcharge schedule per New York State for Town and Village Courts.

Presentation was given by Planning Board Chairperson Linda Morey. Over the past year the Planning Board has tried to shorten the process for those residents meeting the criteria to allow them preliminary approval and grant them final in the same night. They have also fostered open discussions with the Board Members as well as residents. A speaker came in to a Planning Board meeting, which enabled them to get a training obligation in; they also invited a neighboring Planning Board to join them as well. Many members walk the site, drive by and look at the site to become familiar so they can participate in discussions, some of the members participated in the code review meetings, others participated in the review of the developmental regulation, two members were part of the Wind Tower Committee. For the future, we need to have more in-house meetings. The Planning Board would also like to meet with the new Code Enforcement Officer to see what his needs might be and maybe streamline the process. The information sheets must also be updated.

Supervisor Roach inquired as to what Chairperson Morey meant when she said, 'more in-house meetings' whether that be with all the boards or just Town Board. Chairperson Morey stated that instead of going to Mt. Morris for yearly training, the Planning Board felt training type meetings could be held here with just the Hamlin Planning Board to allow them to ask pertinent questions of their own area.

## **PUBLIC FORUM**

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

No one wished to speak.

## **APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF JULY 14, 2008**

Resolution #179      Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the regular Town Board Meeting minutes of July 14, 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 JULY 22, 2008**

Resolution #180 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the special Town Board Meeting minutes of July 22, 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 #181 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.

**MONTHLY TOTALS**

**ABSTRACT**

<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General			
	2793	4750.00	
	2794-2800	4056.20	
	2817	149.03	
	2863-2938	390450.68	

**Account Total** **\$ 399,405.91**

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Library	2801-2805	433.40
	2818-2819	84.95
	2826-2844	4757.09

**Account Total** **\$ 5,275.44**

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Highway	2810	43.40
	2845-2862	55504.91

**Account Total** **\$ 55,548.31**

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Sewer	2806-2809	129.34
	2823-2825	454.42

**Account Total** **\$ 583.76**

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Trust	2653-2654	2410.73
	2813-2814	1696.84
	2816	9479.75
	2820-2822	1594.15

**Account Total** **\$ 15,181.47**

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Light	2811-2812	1046.73
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**Account Total** **\$ 1,046.73**

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Huntington Park

**Account Total** **\$ -**

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**GRAND TOTAL:** **\$ 477,041.62**

**AUTHORIZATION OF TRANSFERS FROM THEIR RESPECTIVE FUNDS**

Resolution #182 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>
AA3620.10 (BI Equipment)	AA3620.40 (BI Contractual Exp.)	\$302.47

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. Invitation to an open house at Oak Orchard Community Health Center August 15, 2008.
- b. Letter from Senator Schumer RE: 2009 Weed and Seed Communities Competitive Program.
- c. Letter from Monroe County Water Authority RE: Commitment for the Roosevelt Highway Water District #2.
- d. Copy of a letter from Supervisor Roach to the Church Road Property owners RE: Update on Your Petition for Public Water.
- e. Letter from NYS, Director of the Office of Consumer Services RE: New York's Electricity Outlook.
- f. Letter from NYS DOT RE: Roosevelt Highway between Hamlin Center Road and Hamlin Clarkson Town Line Road.
- g. Memo from the NYS Library Program RE: Grant Writing Workshops.
- h. Invitation to the 5<sup>th</sup> annual Terri Schmitt Memorial Legislative Reception August 21, 2008.
- i. Letter from NYS Office of Real Property Services RE: Distribution of 2008 STAR Administrative Aid.
- j. NYS Public Service Commission Notice Soliciting Comments RE: Verizon New York Inc.'s Network Review Plan.
- k. Copy of the Local Law RE: Swimming pools as accessory use to single family dwellings in the commercial/neighborhood business and commercial/general business zoning districts.
- l. Letter from Monroe County Water Authority RE: Brick Schoolhouse Road Water District #2.
- m. Copy of a letter from Supervisor Roach to the Sweden Supervisor RE: Sweden Senior Center Nutrition Program.
- n. Letter from Recreation Commissioner RE: Reappointment of Nicole Cring to 8-1-2013.
- o. Letter from NYSDEC RE: Lake Ontario Water Level & Decision of the International Joint Commission.
- p. Invitation from the Office for the Aging RE: 35th anniversary celebration, October 8<sup>th</sup>, 2008.
- q. Letter from Ms. Jeannie Randall RE: Lake Levels.
- r. Letter from Citizens Campaign for the Environment RE: Healthy Lakes, Healthy Lives Tour.
- s. Letter from James Chandler, International Joint Commission RE: Lake Levels.
- t. Letter from the Hiatts RE: Lake Levels.
- u. Community Notification, Level 2 Sex Offender.
- v. Memo from Supervisor Roach RE: 2009 Budget Worksheets.
- w. Memo from Supervisor Roach RE: Future Water Districts.
- x. Email from NYS Office of Real Property Services RE: 2008 Final State Equalization Rate.
- y. Assessor's Monthly Report – July 2008.
- z. Letter from State of NY, Dept. of State RE: Local Government Efficiency Grant Program.

- aa. Email from Beehler Construction RE: Conservation Overlay District in Country Creek Estates.
- bb. An e-mail from Paul Lapinski on wind energy.
- cc. A memo from Time Warner RE: changes.
- dd. Building Inspectors report for July 2008.
- ee. A copy of a letter from County Finance Office RE: Sales Tax distribution for the Second Quarter.
- ff. Information on Rochester PTAC (Rochester Procurement Technical Assistance Center).
- gg. A copy of a letter RE: Hattie Harris Good Spirits Club and the global leaders on display in the Penfield Town Hall.
- hh. A copy of a letter from Senator Schumer RE: America's Historical and Cultural Organizations Grant Program.
- ii. Email from Town Clerk RE: Paying Taxes Online.
- jj. Letter from Law Offices of Timothy R. McGill RE: Bond Resolutions for Brick Schoolhouse Road East and Roosevelt Highway Ext. 2 Water Districts.
- kk. Letter from Monroe County Board of Elections RE: Invitation to Preview New Voting Equipment.
- ll. State Board of Real Property Services Certificate of the Final State Equalization Rate for the 2008 Assessment Roll.
- mm. Letter from NYMIR RE: Emergency Hotline Number.

**APPROVAL TO PERMIT THE TOWN OF HAMLIN TOWN COURT TO SUBMIT A GRANT APPLICATION**

Resolution #183 Motion was made by Councilperson Rose, seconded by Councilperson Rath to permit the Town Court to submit a grant application in accordance with the Justice Court Assistance Program 2009.

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

**APPROVAL TO IMPLEMENT THE GRANT AWARDED TO HAMLIN TOWN COURT FOR FLOOR REPAIR**

Resolution #184 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to implement the grant awarded to the Hamlin Town Court for floor repair.

Brief discussion was held regarding repair bids.

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

**APPROVAL TO REAPPOINT NICOLE CRING TO THE RECREATION COMMISSION FOR A FULL TERM TO EXPIRE AUGUST 1, 2013.**

Resolution #185 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to reappoint Nicole Cring to the Recreation Commission for a full term to expire August 1, 2013.

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

Supervisor Roach stated that prior to considering the next two resolutions on bonding our two new water districts, it was brought to our attention by our bonding firm that the resolution establishing Roosevelt Highway #2 district was incorrect. We need to amend it prior to approving the bonding of same. Specifically, Resolution #200-2007 of August 13, 2007 incorrectly stated the maximum amount to be expended for the establishment of the district as \$237,535.75. The correct amount should have been \$237,961.50, which is what was listed on the formal petition and approved at the Public Hearing and by the State Comptroller. Only the resolution was inadvertently incorrect. Accordingly, I request a resolution to amend the second "RESOLVED AND DETERMINATION" Clause of Resolution #200-2007 of August 13, 2007 to read as follows: "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 \$237,961.50 and shall be financed by a contribution from the Monroe County Water Authority in the amount of \$115,061.84 and the balance of \$122,899.66 by serial bonds with a maturity rate not to exceed thirty years, with the cost of the system to be levied on a benefit basis, . . ."

#### **APPROVAL TO AMEND RESOLUTION #200-2007 OF AUGUST 13, 2007**

Resolution #186 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to amend Resolution #200-2007 of August 13, 2007 to read as follows:

"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 \$237,961.50 and shall be financed by a contribution from the Monroe County Water Authority in the amount of \$115,061.84 and the balance of \$122,899.66 by serial bonds with a maturity rate not to exceed thirty years, with the cost of the system to be levied on a benefit basis, . . ."

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

#### **APPROVAL TO BOND THE ROOSEVELT HIGHWAY #2 WATER DISTRICT**

Resolution #187 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti:

BOND RESOLUTION DATED AUGUST 11, 2008  
AUTHORIZING GENERAL OBLIGATION BONDS OF  
THE TOWN OF HAMLIN TO FINANCE WATER

SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Hamlin Roosevelt Highway Water District No. 2 is a Water District of the Town of Hamlin, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller;

WHEREAS, the Town has duly complied with the requirements of the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder with respect to the purpose hereinafter described and the financing therefore; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMLIN, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Hamlin shall undertake the acquisition and construction of water improvements for the Town of Hamlin Roosevelt Highway Water District No. 2, and the acquisition of land or rights in land necessary therefore, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$122,899.66 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$237,961.50 and said amount is hereby appropriated therefore. The plan for financing of said purpose is (a) to provide up to \$122,899.66 of such maximum cost by issuance of obligations as herein authorized, and (b) \$115,061.84 of such cost will be provided by a contribution from the Monroe County Water Authority.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized,

pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Hamlin.

Section 7. The faith and credit of the Town of Hamlin, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefited or user charges therefore, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Hamlin together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said

bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

**APPROVAL TO BOND THE BRICK SCHOOLHOUSE ROAD EAST WATER DISTRICT**

Resolution #188 Motion was made by Councilperson David Rose, seconded by Thomas Breslawski:

BOND RESOLUTION DATED AUGUST 11, 2008  
AUTHORIZING GENERAL OBLIGATION BONDS OF  
THE TOWN OF HAMLIN TO FINANCE WATER  
SYSTEM CAPITAL IMPROVEMENTS WITHIN THE  
TOWN, AUTHORIZING THE ISSUANCE OF BOND  
ANTICIPATION NOTES IN CONTEMPLATION  
THEREOF, THE EXPENDITURE OF SUMS FOR SUCH  
PURPOSE, AND DETERMINING OTHER MATTERS  
IN CONNECTION THEREWITH.

WHEREAS, the Town of Hamlin Brick Schoolhouse Road Water District is a Water District of the Town of Hamlin, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller;

WHEREAS, the Town has duly complied with the requirements of the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder with respect to the purpose hereinafter described and the financing therefore; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMLIN, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Hamlin shall undertake the acquisition and construction of water improvements for the Town of Hamlin Brick Schoolhouse Road Water District, and the acquisition of land or rights in land necessary therefore, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$169,812.28 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$641,770.76 and said amount is hereby appropriated therefore. The plan for financing of said purpose is (a) to provide up to \$169,812.28 of such maximum cost by issuance of obligations as herein authorized, and (b) \$471,958.48 of such cost will be provided by a contribution from the Monroe County Water Authority.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all

contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Hamlin.

Section 7. The faith and credit of the Town of Hamlin, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefited or user charges therefore, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Hamlin together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

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

Having conducted a public hearing on this date, I Request Town Board resolution that upon review of the SEQR Law a negative declaration of an Unlisted Action is determined to enact Local Law to allow swimming pools as an accessory use to single family dwellings in the commercial/neighborhood business and commercial/general business zoning districts.

**APPROVAL THAT UPON REVIEW OF THE SEQR LAW A NEGATIVE DECLARATION OF AN UNLISTED ACTION IS DETERMINED TO ENACT LOCAL LAW TO ALLOW SWIMMING POOLS AS AN ACCESSORY USE TO SINGLE FAMILY DWELLINGS IN THE COMMERCIAL/NEIGHBORHOOD BUSINESS AND COMMERCIAL/GENERAL BUSINESS ZONING DISTRICTS.**

Resolution #189 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski that upon review of the SEQR law a negative declaration of an Unlisted Action is determined to enact Local Law to allow swimming pools as an accessory use to single family dwellings in the commercial/neighborhood business and commercial/general business zoning districts.  
Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

**APPROVAL TO ENACT LOCAL LAW TO ALLOW SWIMMING POOLS AS AN ACCESSORY USE TO SINGLE FAMILY DWELLINGS IN THE COMMERCIAL/NEIGHBORHOOD BUSINESS AND COMMERCIAL/GENERAL BUSINESS ZONING DISTRICTS**

Resolution #190 Motion was made by Councilperson Rose, seconded by Councilperson Rath for approval to enact a Local Law to allow swimming pools as an accessory use to single family dwellings in the commercial/neighborhood business and commercial/general business zoning districts.  
Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

**APPROVAL TO SCHEDULE 2009 BUDGET RELATED WORKSHOPS, PUBLIC HEARING AND SPECIAL TOWN BOARD MEETING**

Resolution #191 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to schedule 2009 budget related workshops, public hearing and special town board meeting as follows:  
6 pm, Tuesday, Sept. 9, 2008 (Workshop-Tentative Budget)  
6 pm, Tuesday, Oct. 7, 2008 (Workshop-Preliminary Budget)  
6 pm, Tuesday, Oct. 21, 2008 (Workshop-Preliminary Budget)  
6 pm, Thursday, Oct. 23, 2008, if needed (Workshop-Preliminary Budget)  
7 pm, Tuesday, Oct. 28, 2008 (Public Hearing and Spec. Town Board meeting).

Supervisor Roach reminded the Department Heads that the input for the tentative budget is due to me by August 25.

**APPROVAL TO RELEASE \$66,825.30 FROM THE LETTER OF CREDIT  
BEING HELD FOR COUNTRY CREEK ESTATES PHASE 2**

Tabled until Highway Superintendent Tom Ingraham reviews the latest figures.

**APPROVAL TO ALLOCATE THE 2008 STAR ADMINISTRATIVE AID  
EQUALLY BETWEEN THE ASSESSOR AND ASSESSOR CLERK**

Resolution #192 Motion was made by Councilperson Breslawski, seconded by Supervisor Roach to allocate the 2008 STAR Administrative Aid in the amount of \$1,788.43 equally between the Assessor and Assessor's Clerk.  
Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Discussion:

Conducting a 100% reevaluation of the Town of Hamlin; contracting for professional services to conduct the reevaluation; and, authorizing the negotiation of quarterly payments from the General Revaluation Account and the Special Projects-Cable Account over a three-year, non-interest payment program.

Whereas the last full reevaluation of the Town of Hamlin was completed in 1978 and the last update done in 1983-84, resulting in the current unfair and inequitable property assessments, I request Town Board resolution to return the Town to Full Market Value (100%) by conducting a complete reevaluation to begin in September 2008 with the completion goal of the July 2010 final roll.

**APPROVAL TO RETURN THE TOWN TO FULL MARKET VALUE (100%) BY  
CONDUCTING A COMPLETE REEVALUATION TO BEGIN SEPTEMBER  
2008 WITH COMPLETION GOAL OF JULY 2010**

Resolution #193 Motion was made by Supervisor Roach, seconded by Councilperson Rath to return the Town to Full Market Value (100%) by conducting a complete reevaluation to begin in September 2008 with the completion goal of the July 2010 final roll.

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

We've conducted two workshops and reviewed proposals from two consulting firms, Assessment and Valuation Services and GAR Associates, Inc. Both firms offered full 100% data collection or partial collection. However, AVS does not get involved in the data collection, data entry, pulling cards and answering phones or dealing with residents' questions. GAR is essentially a turnkey operation where they do it all. Is there further discussion on what the two firms offered? Is there a motion to contract with one of these firms and if so a full collection or a partial?

GAR has offered several payment programs. I move to approve a negotiated three-year, non-interest repayment with quarterly payments being made from the General-

Revaluation Account (balance of \$32,268 ) and the Special Projects-Cable Account (\$259,040).

**APPROVAL TO CONTRACT WITH GAR ASSOCIATES TO CONDUCT THE REEVALUATION**

Resolution #194 Motion was made by Councilperson Marchetti, seconded by Councilperson Rath to contract with GAR Associates to conduct the reevaluation for 100%.

Brief discussion was held.

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

**APPROVAL TO MAKE PAYMENTS ON A QUARTERLY BASIS FROM THE GENERAL REEVALUATION ACCOUNT AND THE SPECIAL PROJECTS-CABLE ACCOUNT**

Resolution #195 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti for approval to make payments to GAR on a quarterly basis from the General Revaluation Account and the Special Projects-Cable Account over a three-year, non-interest payment program.

Brief discussion was held.

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

Per our Resolution #171-2008 of last month, we requested sealed quotes for emergency closure services to be submitted by 4 pm on August 7, 2008. The only quote received was from Emergency Enclosures, Inc. with charges per a fee schedule on an as required basis. Accordingly, I request Town Board resolution authorizing the Town of Hamlin to enter into a standard agreement with Emergency Enclosures, Inc. to provide emergency closure services to the Town on an as needed basis per the fee schedule provided. (It is noted that this agreement is for the Town's use when property has been abandoned, etc. Expenses incurred will be added to the property owner's taxes.)

**AUTHORIZING THE TOWN OF HAMLIN TO ENTER INTO A STANDARD AGREEMENT WITH EMERGENCY ENCLOSURES, INC. TO PROVIDE EMERGENCY CLOSURE SERVICE AS NEEDED**

Resolution #196 Motion was made by Councilperson Marchetti, seconded by Councilperson Rose to enter into a standard agreement with Emergency Enclosures, Inc. to provide emergency closure services to the Town on an as needed basis per the fee schedule provided. Agreement to expire December 31, 2009. (It is noted that this agreement is for the Town's use when property has been abandoned, etc. Expenses incurred will be added to the property owner's taxes.)

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

The Highway Department is proposing to enter into a Municipal Lease Agreement to fund the new truck.

Highway Superintendent Tom Ingraham: 6 wheel truck that was bought off GS bid in January will be ready for pick up in September. We're going with a two-year lease the cost of the truck is \$129,316.32, which is in two lease payments of \$66,732. The current municipal rate is 4.61%. This lease is through M&T bank. That rate may change a little by the time we get to it. One payment will be made right away and the other in a year.

**APPROVAL TO ENTER INTO A MUNICIPAL LEASE AGREEMENT TO FINANCE HIGHWAY DEPARTMENT'S NEW TRUCK**

Resolution #197 Motion was made by Councilperson Rose, seconded by Councilperson Marchetti to enter into a municipal lease agreement with M&T Bank for a two (2) year period for payments of \$66,732 each.

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

Discussion continued regarding the Availability of Local Government Efficiency Grant Program (formerly Shared Municipal Service Incentive). The 2008 State Budget funded another round of shared service grants and changed the name to Local Government Efficiency Grant Program. All departments have been given a copy of the Governor's letter, which lists eligibility criteria and gives examples. Highway Department has partnered with both other Towns and the County on this program in the past.

Brief discussion was held regarding determination of action to take on email request from Beehler Construction regarding moving the Conservation Overlay District. Based upon discussion with the Building Inspector and the recommendation of the Conservation Board, I would recommend no changes to the overlay district themselves but perhaps we consider a streamlined or expeditious manner to accommodate any variance applications.

**APPROVAL TO RELEASE \$66,825.30 FROM THE LETTER OF CREDIT BEING HELD FOR COUNTRY CREEK ESTATES PHASE 2**

Resolution #198 Motion was made by Councilperson Rose, seconded by Councilperson Rath to release \$66,825.30 from the letter of credit being held for Country Creek Estates Phase 2.

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

Discussion continued regarding future water district costs and options.

**APPROVAL TO SCHEDULE A WATER DISTRICT WORKSHOP SEPTEMBER 9, 2008**

Resolution #199 Motion was made by Councilperson Rath, seconded by Supervisor Roach to schedule a water district workshop following the budget workshop September 9, 2008.

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

Brief discussion regarding Architect's proposal for Town Hall Entry Addition. Supervisor Roach will be meeting with Bill Fritsch, County Planning and Dev. as to what our options would be to allow us to salvage as much of the CBDG grants as possible.

Discussion held to review Monroe County Towns Merchant Agreement and Town of Hamlin Internet Processing Professional Services Agreement for on-line tax payments.

**APPROVAL FOR SUPERVISOR TO SIGN M&T AGREEMENT AND HAMER ENTERPRISES AGREEMENT TO AUTHORIZE PAYMENT OF TAXES BY CREDIT CARD**

Resolution #200 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to authorize the Supervisor to sign M&T Agreement and Hamer Enterprises Agreement to authorize payment of taxes by credit card.

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

Reports:

Councilperson Rath reported: Assessor's reevaluation and Emergency Enclosures has already been covered, there is a change in the Building Inspector who will have a different cell-phone number, other contact numbers will remain the same.

Councilperson Rose reported: The meeting place for the senior meeting has been changed as the Redman's Club is closed due to illness. Antique appraisal will be held in November information for that is forthcoming. Deputy Campanella will be holding 'boot camp' for eight weeks beginning September 11, 2008. Senior picnic will be held August 26 at Hamlin Beach Park area 4. Town Board members will be cooking for them. Councilperson Rose requested the Town send a letter to Greg Speer regarding the Recreation Building. There is \$15,000 budgeted and \$35,000 in grant money.

**APPROVAL TO SEND LETTER TO GREG SPEER TO INQUIRE STATUS OF RECREATION BUILDING**

Resolution #201 Motion was made by Supervisor Roach, seconded by Councilperson Breslawski to send a letter to Greg Speer to inquire the status of the Recreation Building.

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

Councilperson Rose continued: He will be going to the County Planning Seminar on October 7, 2008. Councilperson Breslawski filled in for Councilperson Rose at the Planning Board meeting.

Councilperson Marchetti: Nothing to report.

Councilperson Breslawski reported: The Library has been busy; they had 1,000 patrons the week of July 14-19, then again the following week. August 4 they had 268 patrons. There is some concern from the Library Director regarding the rug contract and how much the payment has gone up from \$624 in January to \$810 in July. Planning Board meeting on August 4, 2008 was short. Morgan Management received preliminary and final for Section 6, and the Community Center pending the Drake Road water main. The Cable subdivision at 6908 Benedict Beach received preliminary and final and 7016 Benedict Beach received final. Recreation has Alvin and the Chipmunks as an outdoor movie to be shown here at Town Hall on August 20, 2008 at 8pm. There are also a couple of trophies Recreation won for the Can-animals sculptures from the Brockport Arts Festival. The Friends of the library have their book sale coming up August 21-24 at St. John's.

Assessor Melanie Fahmer reported: Notice was received regarding a STAR rebate for the 2008-2009. Been keeping busy with permits, everything else is business as usual.

Building Inspector/CEO Charlie Hungerford reported: Getting his feet in the job, trying to set up a meeting with the Planning Board to discuss how they are going to work together.

Highway Superintendent Tom Ingraham reported: Did some blacktopping on Fencewood and Cook Road, did some touch up on Newco Drive and Church Road from Martin Road to Walker Lake Ontario Rd. Next week, we hope to be surface treating Drake Road for the County up above Route 18, all of Moscow Road, Church Road and Route 19 down Martin Road. The Route 18 water line finally passed everything as of this morning the Health Department passed us. We hope to start hook up in the next week. We've done most of our restoration. All the material is in for the Brick Schoolhouse Road water line; we hope to break ground by the first of September. Had a pre-construction meeting for the Drake Road water line. Redmond Construction is going to be doing the work and they hope to begin by the first of September also. County auction is coming up the first part of October and Highway would like to send a 1990 14-foot airflow sander.

**APPROVAL FOR HIGHWAY TO SEND A 1990 14 FOOT AIRFLOW SANDER TO COUNTY AUCTION**

Resolution #202      Motion was made by Councilperson Rath, seconded by Councilperson Rose for the Highway Department to send a 1990 14 foot Airflow Sander to the County Auction coming up in October 2008.

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

Supervisor Roach reported: Thanks to Assistant Historian Bob Kruger for installing plywood. We were visited Wednesday by Congresswoman Slaughter. We had some good representation of some of the issues that impact her office; Jim Doan –Ag and CCD; Tom Breslawski-Ag, Farmland Protection, Immigration; Craig Goodrich-Lake level and shoreline sewer district; Jim Reichert-Veteran Affairs; Denny Roach-background on Town, renewable energy; presented her a copy of Mary Smith's book. Received some complaints regarding carnival noise. Particularly Thursday night and again on Saturday night for the lengthy duration ending at 1:30am.

### **ADJOURNMENT**

A motion was made by Supervisor Roach, seconded by Councilperson Marchetti to adjourn the meeting at 8:38 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