

Hamlin Town Board Meeting
March 9, 2009

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 7:00 pm by Supervisor Roach. The location of the fire exits and defibrillator was explained for those present. Everyone was invited to participate in the Pledge of Allegiance and a moment of silence for the deceased residents of Hamlin.

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

Also present: Attorney Ken Licht, Building Inspector/CEO Charlie Hungerford, Assessor Melanie Fahmer, Planning Board members Tom Jensen and Mark Reeves, Conservation Board members Ed Evans and Nick Kramer, Highway Superintendent Tom Ingraham, Deputy Highway Superintendent Steve Baase, Assistant Historian Robert Kruger. Residents present: John and Linda DeRue, Peter Terry, Joshua Henhawk, Pam and Jim Nesbitt, Marty Maier, Lloyd Lochner, Troy Nesbitt, Anthony Callari, Rod Zulkosky, Nancy Jennejahn.

PUBLIC FORUM

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

Joshua Henhawk 3026 Roosevelt Highway. Mr. Henhawk stated his concern regarding speeding vehicles passing by his house. He is in the 40 mph zone and the cars are going more than 60 mph past his house. He also stated his concern for the littering along that part of the road. Supervisor Roach stated that he would address Mr. Henhawk's concerns with the Sheriff's Department and the State DOT.

Linda DeRue 317 Redman Road. Mrs. DeRue stated she had some corrections to the minutes regarding the wind tower statement that Supervisor Roach read at the last meeting. Supervisor Roach thanked Mrs. DeRue for her comments, but told her that since it was his statement he reserves the right to make corrections to it.

Supervisor Roach asked if anyone else wished to speak. Public Forum was closed.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF FEBRUARY 9, 2009

Resolution # 117 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski to approve the Regular Town Board Meeting Minutes of February 9, 2009. Supervisor Roach noted Mrs. DeRue’s comments. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL OF THE SPECIAL TOWN BOARD MEETING MINUTES OF FEBRUARY 24, 2009

Resolution #118 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to approve the Special Town Board Meeting Minutes of February 24, 2009. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #119 Motion was made by Supervisor Roach, seconded by Councilperson Breslawski to authorize payment of bills from their respective funds. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

MONTHLY TOTALS

<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	3944	1000.00	
	3949	3425.00	
	3950-3953	6441.98	
	3954-3955	236.96	
	3970	738.86	
	4014-4073	29415.81	
Account Total			\$ 41,258.61

Library	3813	114.60	
	3956	628.81	
	3967-3969	272.32	
	3978-3988	8665.27	
Account Total			\$ 9,681.00

Highway	3972	43.40	
	3989-4013	46754.15	
Account Total			\$ 46,797.55
Sewer	3957-3958	405.50	
	3971	45.76	
	3974-3977	154.58	
Account Total			\$ 605.84
Trust	3945-3948	605422.99	
	3961	2707.47	
	3963	18703.40	
	3964-3966	1832.35	
Account Total			\$ 628,666.21
Light	3959-3960	1035.22	
Account Total			\$ 1,035.22
Huntington Park			\$ -
Hamlin/Kendall #5			
Account Total			\$ -
GRAND TOTAL:			\$ 728,044.43

Supervisor's Monthly report acknowledged and filed.

Correspondence:

- a. Monroe County notice RE: Upcoming Meetings for Capital Improvement Program.
- b. Monroe County letter RE: Sales tax distribution for the fourth quarter of 2008.
- c. RG&E letter RE: List of people to contact in an emergency.

- d. MCWA letter RE: approval of Mutual Benefit Contribution.
- e. Copy of Attorney Licht letter to NYSORPS RE: Real Property Law Section 425.
- f. Email from Peter Tonery RE: Thank you for the Interview.
- g. E-mail from Time Warner Cable RE: Upcoming channel agreements.
- h. MC Dept of Health letter RE: Review of the Hamlin Clarkson TL Road Water District.
- i. NYS DEC letter RE: Upcoming review of the wetland maps.
- j. Assessor's report for the month of February 2009.
- k. Building Inspector's monthly report for February 2009.
- l. Copy of Attorney Licht to NYS OPRHP RE: No.s 7 & 8 Summer Haven Drive.
- m. State of New York Office of Real Property Services letter RE: 5-year STAR Exemption Disqualification.
- n. Chatfield Engineers, PC Letter RE: Proposal for Engineering Services, Church Road Water District #2.
- o. Senator George Maziarz letter RE: Status of Member Initiative Money.
- p. Delta Laboratories, Inc. letter RE: Earth Clean-up Day Event.
- q. Chuck Mosele letter RE: Letter of Continuance.
- r. Heather Norman letter RE: Re-appointment.
- s. Building Inspector letter RE: Recommendations on Re-appointments.
- t. State Board of Real Property Services letter RE: Notice of Tentative special Franchise Full Value.
- u. U.S. Census Bureau letter RE: Complete Count Committee Guide.
- v. DCO monthly report for February 2009.

APPROVAL OF ANNUAL REPORT OF AUDIT OF TOWN JUSTICE COURT FOR 2008.

Resolution #120 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to acknowledge the annual report audit of the Town Justice Court for 2008.

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

Supervisor Roach reminded all those present that the Town Board approved the establishment of the Church Road Water District No. 2 at the last Special Town Board meeting. The Town is now proceeding to submit the application to the State Comptroller. Supervisor Roach thanked those department heads who provided documentation to add to the packet and asked that if anyone else has anything to add to get it to Attorney Licht as soon as possible.

APPROVAL TO AUTHORIZE CHATFIELD ENGINEERS, PC TO PROVIDE ENGINEERING SERVICES FOR THE PROPOSED CHURCH ROAD WATER DISTRICT NO. 2

Resolution #121 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to authorize Chatfield Engineers, PC to provide engineering services for the proposed Church Road Water District No. 2 in the amount of \$38,064.00 per Chatfield Engineers Proposal CE#07-838 of March 3, 2009.

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

Supervisor Roach stated also at the Special Town Board Meeting the Town Board authorized the Highway Superintendent to go out for bid for a used truck and sewer jetter. He has received one bid.

APPROVAL TO AWARD USED TRUCK AND SEWER JETTER BID TO ROYAL TRUCK AND EQUIPMENT, COOPERSBURG, PA.

Resolution #122 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to award the bid for a used 1995 Ford F-800 truck mounted with a 1995 Vac-Con sewer jetter in the amount of \$27,700 to Royal Truck and Equipment, Coopersburg, PA. Full amount to be paid from the Sewer Account SS1-8120.2 Brief discussion was held between Highway Superintendent and Town Board members.

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

APPROVAL TO AUTHORIZE PROPOSED CHANGES TO RECREATION BY-LAWS

Recreation recently revised by-law primarily to reflect the positional changes that were recently made in eliminating the Assistant Director and expanding the Administrative duties.

Resolution #123 Motion was made by Supervisor Roach, seconded by Councilperson Rath to authorize proposed changes to the Recreation By-Laws contingent upon editing corrections.

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

APPROVAL OF WAIVER OF GYM AND FIELD RENTAL FEES FOR NON-PROFIT ORGANIZATIONS

Recreation Director and Recreation Commission have also requested the waiver of gym and field rental fees for non-profit organizations. In cases of short lead-time Recreation Director can approve the request and notify liaison of the decision, which can then be brought up to the board at the next meeting.

Resolution #124 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to approve the waiver of gym and field rental fees for non-profit organizations provided such requests are submitted to the Town Board for approval with the exception of those dates requested prior to a Town Board Meeting which the Recreation Director will approve and immediately inform the Town Board liaison and will advise the Town Board at the next meeting.

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

APPROVAL AUTHORIZING THE SUPERVISOR TO SUBMIT A RESTORE NY GRANT

Consideration of application for RESTORE NY Grants

Resolution #125 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to authorize the Supervisor to submit a RESTORE NY Grant.

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

APPROVAL TO SCHEDULE THE ANNUAL BOARD PRESENTATIONS

The Board decided to continuation of annual board presentations from those boards and departments, which aren't here to give monthly reports.

Resolution #126 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to schedule the annual board presentations as follows:

Monday, July 13, Conservation Board

Monday, August 10, Planning Board and Town Court

Monday, September 14, Library

Tuesday, October 13, Recreation Commission

Monday, November 9, Zoning Board of Appeals

Supervisor Roach will notify the Chairs of each committee of the schedule.

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

Reports:

Supervisor Roach reported that Assessor Melanie Fahmer is retiring effective Friday April 24 and thanked her for over 20 years of service.

Assessor Melanie Fahmer reported: The Department has finished taking exemptions for the year and is currently processing them and putting them in the tentative assessment roll. The Reval group is back in the field.

Councilperson Rath asked about Grievance Day and whether or not the current Assessor would be available for it since it will be filed before her resignation takes effect. She will check her calendar and get back to the board.

Conservation Board Member Ed Evans gave a brief report on the Earth Day at Hamlin Beach State Park.

Supervisor Roach stated he passed onto the Conservation Board some information given to him by a resident regarding a Canadian Fishery organization that has been contracted by the U.S. to treat waterways for the sea lamprey larva. They indicated that they would be treating Sandy Creek on April 19.

Assistant Historian Bob Kruger reported: The History Center lost their flagpole after a traffic accident about a month and a half ago. An insurance claim was submitted for a replacement 20-foot commercial pole. He suggested that when it gets put up it could get moved more to the North side and possibly use the Heritage Bricks as foundation around the flagpole. A small group of shingles on the south side of the History Center came off sometime in January. Historian Mary Smith has asked her neighbor, who is a roofer/sider, if he would replace them. As of this date that has not been done. We also still haven't heard anything on the Technical Assistance Grant for fixing the bell tower.

Supervisor Roach added that the check had come from the insurance company for the replacement flagpole. The check amounted to \$740 for the flagpole and the street sign. Mary indicates that the roofer has been reminded again and a second roofer has been contacted so basically whoever gets back to us first will get the job. The Technical Assistant Grant, like most New York State Funding Grants is waiting appropriation. Bob expressed his concern that we need to get this fixed this year if at all possible to prevent possible loss.

Building Inspector/CEO Charlie Hungerford reported: Working on Commercial inspections to get them caught up and current, a grant was sent into FEMA for \$27,000 to get some fire prevention equipment to help us with some of the programs with the Seniors and school students. We're also getting some smoke detectors and carbon monoxide detectors as part of the package to hand out to people in existing homes that do not have any.

Supervisor Roach stated that he was contacted by the VFW regarding any type of recommendations for AED's. They were looking for the 'best' deal. Grants are no longer available for them since they are currently affordable. Brief discussion was held regarding where they could be obtained.

Highway Superintendent Tom Ingraham: Nothing to report.

Councilperson Paul Rath: Nothing to report.

Councilperson Mike Marchetti: Nothing to report.

Councilperson Tom Breslawski reported: The library is having community tours scheduled for March 11 at 10 am and March 18 sometime in the afternoon. They haven't decided on a time yet. The trustees are looking into further options to back up the bequest account they have. Recreation has acquired an indoor batting cage. It pulls out of the wall, the kids can practice and it folds back into the wall. Recreation Commission will be going on a walk March 21 to consider a possible walking/nature trail. An interested resident has offered to help apply for the grant. As of 6 pm March 9, 2009 Recreation has had 110 registered users for their on-line registrations. They have enrolled in 42 programs and brought in \$1,281.50 in one month.

Supervisor Roach reported: He attended a New York Power Authority seminar last week in which the Power Authority promotes free energy audits of governmental buildings. They have the money to do them with the non-interest payback from the money that you're saving from the conservation methods. Unfortunately, the Town of Hamlin doesn't qualify. The Conservation Board was also looking into something like that for the Town. A letter was received from Senator Maziarz last week which indicated that the governor has 'swept' all member initiative items, grant money, which includes reimbursement for our emergency generator. The Governor wants to use the money to reduce the deficit. It's being contested because it was money that was in the budget for last year, which has already been expended. Brief discussion continued regarding the grant for the History Center. Next Zoning Review Workshop is Thursday, March 19, 2009 at 7 pm.

ADJOURNMENT TO EXECUTIVE SESSION

Resolution #127 Motion was made by Supervisor Roach, seconded by Councilpersons Rath to adjourn to Executive Session at 7:40 pm to discuss personnel issues related to two re-appointments and the applications for Building Custodian. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

RETURN FROM EXECUTIVE SESSION

Resolution #128 Motion was made by Councilperson Breslawski, seconded by Councilperson Marchetti to return from Executive Session at 7:50 pm as all business had been concluded.

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

APPROVAL TO RE-APPOINT HEATHER NORMAN CLERK TO THE BUILDING DEPARTMENT, SUPPORT BOARDS

Resolution #129 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to re-appoint Heather Norman as clerk to the Building Department and Support Boards for a 6-month period.

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

APPROVAL TO RE-APPOINT CHUCK MOSELE AS ASSISTANT BUILDING INSPECTOR/CEO/FIRE MARSHAL

Resolution #130 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to re-appoint Chuck Mosele as Assistant Building Inspector/CEO/Fire Marshal for a 3-month term to continue medical monitoring.

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

APPROVAL TO SCHEDULE INTERVIEWS FOR BUILDING CUSTODIAN

Resolution #131 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to schedule interviews for Building Custodian candidates on Monday March 23, 2009 at 6 pm in the Supervisor's office.

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

Councilperson Marchetti stated that he finished United Way collection and it's gone back to United Way. Thanks to everyone who contributed.

ADJOURNMENT

A motion was made by Councilperson Breslawski seconded by Supervisor Roach to adjourn the meeting at 7:55 pm as all business has been concluded.

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

Respectfully submitted,

Kathi A. Rickman, RMC/CMC

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Hamlin Town Clerk