

Hamlin Town Board Meeting July 12, 2010

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The meeting was called to order at 7 pm by Supervisor Terry. 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 Thomas Breslawski, Councilperson Craig Goodrich, Councilperson Paul S. Rath, Councilperson David Rose, Supervisor Peter Terry.

Also present: Code Enforcement Officer Lee Nettin; Attorney Daniel Schum; Planning Board Members Tom Jenson and Peter Tonery; Conservation Board Members Jason Baxter, Nick Kramer, Dave Walch, and Ed Evans; Library Trustee George Bott; and resident Paul Lapinski.

PUBLIC FORUM

Supervisor Terry reminded all those present of the rules of Public Forum and opened the Public Forum. No one wished to speak.

PRESENTATION BY DAVE WALCH, CHAIRMAN OF CONSERVATION BOARD

Dave Walch, Chairman of the Conservation Board, presented the following:

Over the last year and a half we have had three new members come on our board, and all three of them have integrated into the Conservation Board processes very quickly. They have been very supportive and they are already entrenched in the work that we do. They took their liaison responsibilities on without a question and are doing a bang up job.

Current Activity:

- We have achieved almost 70% of our current training hours required this year for the Board.
- We continue to engage in Site Inspections as they arise, in a timely, thoughtful, detailed manner.
- Liaisons to other town and county meetings, report out at monthly CB Meetings.
- Provide an open forum for resident's environmental or conservation concerns – we encourage public comment and input at monthly meetings.
- Continue to work toward improved interaction with Building Department, other support boards, and town boards.
- Support Free Fishing Day.
- Continue nurturing improved protocol and relationship with Hamlin Beach State Park management.

Special Events:

- Annual Earth Day at the Park Event (estimated 2010 attendance was 500).
- Work to establish Friends of Hamlin Beach State Park – already have a core group of interested residents and we are meeting monthly.
- Assist in coordinating and co-chairing the annual International Coastal Cleanup Event held at the park in September.
- Conservation Board Members continue to engage in the archeological and historical aspects of the CCC/POW encampment at Hamlin Beach State Park.

APPROVAL OF THE INFORMATIONAL MEETING MINUTES OF JULY 6, 2010

Resolution # 153 Motion was made by Councilperson Rose, seconded by Councilperson Rath, to approve the minutes from the Informational meeting of July 6, 2010.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF JUNE 14, 2010

Resolution # 154 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, to approve the regular Town Board meeting minutes of June 14, 2010.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution # 155 Motion was made by Supervisor Terry, seconded by Councilperson Rose, to authorize payment of bills from their respective funds.

MONTHLY TOTALS			ABSTRACT 7
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	6345-6346	1050.67	
	6460	3880.00	
	6461	177.89	
	6463-6470	5305.87	
	6478	198.78	
	6488-6490	275.75	
	6530-6544	7794.93	
	6546-6618	95280.70	
Account Total			\$ 113,964.59
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Library	6473-6474	411.87	
	6491	59.90	
	6495-6510	5405.37	
Account Total			\$ 5,877.14
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Highway	6476	43.40	
	6511-6529	31164.31	
Account Total			\$ 31,207.71
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Sewer	6471-6472	172.28	
	6492-6494	1217.64	
Account Total			\$ 1,389.92
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Light	6475	1302.53	
Account Total			\$ 1,302.53

Trust	6477	1566.11	
	6479-6480	10228.07	
	6481-6482	21198.06	
	6483	152.28	
	6485-6486	1585.58	
	6487	1461.27	
			\$ 53,213.00
Redman/Cook Road	1-2	204.47	
			\$ 204.47
Church Road	3-9	16817.16	
			\$ 16,817.16
GRAND TOTAL:			\$ 206,954.89

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

CORRESPONDENCE:

- a. A letter from Time Warner RE: Changes as of 8-3-10.
- b. A letter from the Supervisor to Mr. Luther, Investigator for the NYS Liquor Authority RE: 1549 Lake Road.
- c. Ag. & Markets inspection report for the Municipal Shelter used.
- d. A copy of a letter sent by Mr. Garland Director of Environmental Services thanking the Town and staff for support and cooperation during the last Household Hazardous Waste Collection.
- e. A copy of the executed agreement to exempt the zoning and subdivision matters list in schedule A from the review by MC Dept. of Planning and Development.
- f. A letter from Mr. Voelkl RE: his gratitude with the Highway Department and Town Clerk's Office.
- g. A letter from Nixon Peabody RE: Verizon Wireless.
- h. Building Inspector's monthly report for June 2010.
- i. Dog Control monthly report for June 2010.
- j. A letter from Time Warner Cable RE: changes.
- k. A letter from NYS Liquor Authority RE: Hamlin Station Bar & Grill.
- l. A letter to Mr. Grande RE: 2 Summer Haven.

APPROVAL TO TRANSFER FUNDS FROM RECREATION CAPITAL REVENUE TO PARKS CONTRACTUAL ACCOUNT

Resolution # 156 Motion was made by Councilperson Rath, seconded by Councilperson Rose, requesting Town Board approval to transfer \$6,930.71 from the Recreation Capital Revenue account #A2590 to Parks Contractual account #A7110.4 to further fund the Lion Charlie Maier Lodge.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

SEQR DETERMINATION FOR AMENDMENT OF “IN-LAW APARTMENTS”

Resolution # 157 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, requesting Town Board resolution that upon review of the SEQR Law, a local law amending the Town of Hamlin Zoning Law of 1991 revising the procedure for establishing in-law apartments in Section 125 be determined to be a negative declaration of a Type II Unlisted Action.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

APPROVAL TO AMEND PROCEDURE FOR ESTABLISHING IN-LAW APARTMENTS

Resolution # 158 Motion was made by Councilperson Rose, seconded dually by Councilperson Goodrich and Councilperson Breslawski, requesting Town Board resolution to approve the local law amending the Town of Hamlin Zoning Law of 1991, revising the procedure for the establishment of in-law apartments in Sections 125-18, 19, 20, 21, 25, and 26, and to repeal §125-49 “In-Law Apartments” and replace with §125-49 “Special Use Permits for In-Law Apartments”.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

SEQR DETERMINATION ON AMENDMENT OF CHAPTER 39 – “UNSAFE BUILDING” LAW OF TOWN OF HAMLIN

Resolution # 159 Motion was made by Councilperson Rath, seconded by Councilperson Rose, requesting Town Board resolution that upon review of the SEQR Law, a Local Law amending the Code of the Town of Hamlin revising the procedure for securing unsafe buildings in §39 “Unsafe Building” Law of the Town of Hamlin be determined to be a negative declaration of a Type II Unlisted Action.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

APPROVAL TO AMEND CHAPTER 39 OF TOWN CODE “UNSAFE BUILDING LAW OF TOWN OF HAMLIN”

Resolution # 160 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, requesting Town Board resolution to approve the Local Law amending the Code of the Town of Hamlin regarding procedures for securing unsafe buildings in §39-4 “Investigation and Report” and §39-11 “Emergency Provisions”.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

APPROVE SUPERVISOR'S SIGNATURE ON INTERMUNICIPAL AGREEMENT RE: COOPERATION TO REDUCE STORMWATER POLLUTION AND PROTECT WATER QUALITY IN MONROE COUNTY

Resolution # 161 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to have the Supervisor sign the Intermunicipal Agreement regarding Cooperation to Reduce Stormwater Pollution and Protect Water Quality in Monroe County.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

APPROVAL TO AWARD BID FOR EXCAVATOR TO ADMAR

Resolution # 162 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose, requesting Town Board resolution to award the bid for the Mini-Excavator 8-Ton Kubota to Admar Supply Company, Inc. for the amount of \$61,000.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

DISCUSSION:

1) Condition of floor in new Lion Charlie Maier Lodge.

Councilperson Breslawski stated that there is no vapor barrier in the cement so the floor gets wet on a humid day. It needs to be addressed because it's a safety issue. Patty Jo is getting pricing for central air.

Councilperson Rose stated that both furnaces would need separate air because each furnace heats a different part of the building. He also asked if we could circumvent the prevailing wage.

Highway Superintendent Steve Baase said there were 3 accident reports filed the first day the building was used, and he had to mop it numerous times that day. He received two quotes for central air; Isaac Heating was \$5,600 for both air conditioning units.

Building Inspector Lee Nettin stated that regardless of whether there is a vapor barrier or not, the moisture is in the air and it is condensing on the floor.

There were questions regarding whether the Town or the Lion's Club is responsible for the building.

Attorney Daniel Schum stated that the responsibility lies with the Town, and we must pay prevailing wages.

APPROVAL TO PURCHASE AIR CONDITIONING UNITS FROM ISAAC HEATING

Resolution # 163 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to purchase the air conditioning units for the Lion Charlie Maier Lodge for \$6,200 coming from the Recreation Capital Reserve Account #A2590.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

2) *Training Session on the 239-M waiver with the County.*

Training session has been set for Tuesday night, July 20th for the support boards. Ken has offered to help instruct. Lee will acquaint the support board members with the provisions of the 239-M waiver.

REPORTS:

Councilperson Breslawski – Recreation had Free Fishing day on June 27th at Hamlin Beach. It was a beautiful day. They had 125 people who signed in and there were quite a few more that were down there but did not sign in. The Lion's Club provided the food. There weren't many big fish caught; the largest fish was only 9 inches.

It has been mentioned to me by a few people that there are some youths hanging around Town Hall cursing and loitering at night and avoiding the security. It was suggested that security change up their route a little. Apparently, they know when they are coming.

The Library Trustees are currently reviewing options for how to reinvest the McGrath Award to give them the maximum return while still maintaining 100% FDIC coverage. We should expect an audit of that fund this year. Friends of the Library Book Sale is going to be held on August 12th through August 14th at St. John's. They will be moving the books to the sale on August 11th in the morning; they will be moving them back on August 15th at around 1 pm. Anyone willing to lend a hand moving books or help with the sale can contact Nancy Jennejahn, President of Friends of the Library. The Hamlin Clarkson Herald has a nice front page article about the 10th Anniversary of the Library. It had some good quotes from our librarian as well as other officials. Someone submitted a nice article to the Tri-County complimenting the wonderful Library staff.

I will be meeting with Patty Jo, Steve, and some of the other Recreation Commissioners on July 14th to work on a Memo of Understanding with the Lion's Club for the Lion Charlie Meier Lodge, and to go over some other topics of interest.

I received a letter from the New York State Liquor Authority advising us that there would be a Public Hearing on July 7th. I received it on July 9th, and the Town received it on July 6th. I am awfully disappointed with Governor David Paterson, Dennis Rosen the Chairman, Jeanique Greene, Noreen Healey the Commissioners, and this whole division of Alcoholic Beverage Control State Liquor Authority for sending this to us regarding Hamlin Station. It's the old Railroad Avenue property where we have had a lot of problems in the past. Granted, it is under new ownership, I would still like to have the chance to voice the concerns of the residents of the Town of Hamlin, but they only gave us one day notice of the public hearing.

Councilperson Goodrich – Our Dog Control Officer, Jim Atkins was reviewed by the Dept. of Agriculture and he got a satisfactory rating. He had 14 calls last month.

Hilton/Parma Fire District had a meeting on July 7th. They had 97 ambulance calls. They are in the process of testing their hoses right now. They did get a \$1,000 Rural Fire Protection Grant.

He also went through what was discussed at the Zoning Board meeting.

Councilperson Rose – Nothing to report on the Seniors; everything is going fine there.

He went through what was discussed at the Planning Board meeting.

Councilperson Rath – Morton Fire District had concerns on Redman Road, which I brought to the Highway Superintendent. They wanted me to publicly praise our Building Inspector; he's doing a great job and really communicating with them. I have been hearing from all the fire chiefs in the area that you are doing a great job.

There have been many comments about how nice the park looks this year. It has been well maintained this year, even despite the budget cuts.

Highway Superintendent Steven Baase – We have been working on the water line; it is all done. We hooked it up Wednesday, Thursday we flushed, and on Friday we started a pressure test.

Our new loader was delivered. I am working on scheduling our work for the year.

We have had a lot of complaints about people parking along Lion's Drive up close to the houses. We are going to place rocks along the driveway so people won't park there. The Recreation people love it. They were even asking if they could paint the rocks.

He showed the sewer maps that they are currently using which are old and outdated. Steve continued: I have been talking with Rich Maiers from a surveying firm, and he has offered his services. He would take one of our guys around, and put every sewer lid in the Town of Hamlin plus our storm drainage on the map. We would have it all put in a computer program which could be used on a laptop, plus a hard copy with all the latitude and longitude marks on it. He would also get us two hand-held GPS units. The cost will be approximately \$4,000 for the entire Town of Hamlin sewer districts.

Building Inspector Lee Nettnin – I have begun a contractor survey sheet; it's a simple form asking about contractors. Whenever I issue a permit, I give them one to fill out, so they give their opinion or recommendation on a contractor. These will be open for residents to view.

1715 Lake Road update: All the utilities have been disconnected. I have had no contact from the owner of 1713, which is the semi-attached building to the north. I have had no contact in the past month from the owner of 1715. I have received the asbestos abatement document from Stohl Environmental that outlines a bid that we would put out to the public and we will attach that to our own remainder of the bid. Supervisor Terry, Steve Baase, JP and I will be meeting July 15th to begin work on the write up so we can put it out to the public.

Councilperson Breslawski stated that he doesn't believe it's the Town's place to take recommendations and opinions of contractors for citizens to view.

Attorney Daniel Schum stated that he doesn't think it's a proper area for the town to become either a proponent or opposed to a contractor and making it available to the public. If someone wanted to make a comment, they could put it in the newspaper opinion section; otherwise the Town is subject to criticism. It is a public service, and I don't disagree with the comment that we are here to serve the public, but there would be some representation that the Town has endorsed them. I don't think it is a good practice.

Conservation Board Jason Baxter – We have a meeting this Wednesday at the park with the Friends group. There are still a couple of items that we have to iron out, and then the website should be up and functional.

Library Trustee George Bott – Thanks again for all the support from the Town Board and everyone being at the 10th Anniversary celebration. Everyone seems to have enjoyed it very much. Also there was a good article in the Hamlin Clarkson Herald.

Again we have had a busy month. It may have something to do with bad weather; we are running about 10% higher than we were last year at this time. Attendance as well as circulation continues to grow at the Library and we are pleased with that.

Let me bring your attention to some July Programs: We offer Tie Dying on July 14th, and Sand Casting on July 21st. Steve is going to support us with some big piece of equipment on July 28th at the Big Machines Day. The Fire Department will be there; the kids really love it. If you have a chance, take a look at the website to remind you of the programs, which seem to be growing very well. We have some good programs.

We continue to look at growth opportunities; you've seen some of that in the Herald. The committee and board continue to review that and work on it, and we will continue to keep you updated as we progress.

ADJOURNMENT

Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, to adjourn the meeting at 8:12 pm as all business has been concluded.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

Respectfully,

Kathi A. Rickman, MMC
Hamlin Town Clerk