

**Hamlin Town Board Meeting  
January 9, 2012**

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 Breslawski. The locations of the fire exits and defibrillator were 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 Jason Baxter, Councilperson Craig Goodrich, Councilperson Martin Maier, Councilperson David Rose, and Supervisor Thomas Breslawski. Also present: Attorney Ken Licht; Highway Superintendent Steven Baase; Building Inspector Lee Nettin; Finance Office, Pat MacIntosh; Recreation Director Patty Jo Groenendaal; Conservation Board Members Ed Evans and Nick Kramer; Planning Board Member Tom Jenson; Library Director Kay Hughes Dennett; Town Justice Paul S. Rath; Residents: Shawn Baxter, Jessica Baxter, Paul W. Rath, and Dave Drews of Master Care.

**RESOLUTION OF APPRECIATION FOR PETER P. TERRY**

**Resolution # 61** Unanimously approved.

**RESOLUTION OF APPRECIATION**

WHEREAS, Peter P. Terry served as the Supervisor of the Town of Hamlin from January 1, 2010 through December 31, 2011, and,

WHEREAS, Peter Terry served as a Trustee to the Hamlin Library, and was appointed as the Treasurer from January 1, 2009 to December 31, 2009 and,

WHEREAS, Peter Terry displayed a positive attitude towards every issue, a friendly face to all co-workers and residents whom he dealt, and a conscientious performance of his duties, and,

WHEREAS, Peter Terry presided over the installation of one water district, the removal of several buildings that beautified the Town, and facilitated a smooth transition to his successor.

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Peter P. Terry for his conscientious performance and dedicated service, and wish him well in his retirement.

FURTHER BE IT RESOLVED, that Peter Terry be furnished a copy of this Resolution, which is spread upon the minutes of the January 9, 2012, Town Board meeting.

**RESOLUTION OF APPRECIATION FOR PAUL S. RATH**

**Resolution # 62** Unanimously approved.

**RESOLUTION OF APPRECIATION**

WHEREAS, Paul S. Rath served as Hamlin Town Councilman for over 15 years, first sworn in on September 9, 1996, after his appointment, and subsequently elected five times, serving until December 31, 2011, and,

WHEREAS, Paul S. Rath additionally served as liaison to Auditing, Hamlin Fire Department, Walker Fire Department, Morton Fire Department, and the Hamlin Conservation Board, and,

WHEREAS, Paul S. Rath demonstrated a high level of professional knowledge and civic responsibility in his position serving to assist the Town in the development of sound budgeting practices and fiscal accountability, sharing his knowledge with other Town Board members and Town officials, and,

WHEREAS, Paul S. Rath displayed a vision for the future needs of Hamlin residents with his support of the formulation of the Senior Citizen Residential Zoning District and subsequent rezoning process of the lot on Route 18, the acquisition of additional property for the Town's Recreation programs and the establishment and support of the Hamlin Library, and,

WHEREAS, Paul S. Rath contributed towards the framework of the Town through his involvement in the development of the Comprehensive Master Plan, Recreation Master Plan and the time consuming process of the LWRP update, as well as numerous local laws designed to benefit the needs and concerns of the Town, and,

WHEREAS, Paul S. Rath was elected as Town Justice on November 8, 2011, and sworn in on December 29, 2011 by his father, the Honorable Judge Paul W. Rath.

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Paul S. Rath for his conscientious performance and dedicated service, and

FURTHER BE IT RESOLVED, that Paul S. Rath be furnished a copy of this Resolution, which is spread upon the minutes of the January 9, 2012, Town Board meeting.

**RESOLUTION OF APPRECIATION FOR PAUL W. RATH**

**Resolution # 63** Unanimously approved.

**RESOLUTION OF APPRECIATION**

WHEREAS, Paul W. Rath served as Town Justice for the Town of Hamlin from April 4, 1977 through December 31, 2011, and,

WHEREAS, Paul W. Rath demonstrated a high level of professional knowledge and civic responsibility in his position as Town Justice, hearing both civil and criminal cases, and,

WHEREAS, Paul W. Rath made himself available for both regular court hours, as well as on call during any time of the day or night for arraignments, and,

WHEREAS, Paul W. Rath adapted to changes as the Hamlin Justice Court moved from the crowded conditions in Town Hall to the remodeled current facility and as computers, recording and other security measures were implemented, and,

WHEREAS, Paul W. Rath earned the respect of his peers across the County and State, the Monroe County Sherriff's department and the people of the Town of Hamlin during his 35 years on the bench.

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Paul W. Rath for his conscientious performance and dedicated service and,

FURTHER BE IT RESOLVED, that Paul W. Rath be furnished a copy of this Resolution, which is spread upon the minutes of the January 9, 2012, Town Board meeting.

**PUBLIC FORUM**

Supervisor Breslawski reminded all those present of the rules of Public Forum and opened the Public Forum. No one wished to speak; the Public Forum was closed.

**APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF DECEMBER 12, 2011**

**Resolution # 64** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board approval of the regular Town Board meeting minutes of December 12, 2011.

Polled Votes: Councilperson Baxter abstain, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL OF ORGANIZATIONAL MEETING MINUTES OF JANUARY 3, 2012**

**Resolution # 65** Motion was made by Councilperson Goodrich, seconded by Councilperson Maier, requesting Town Board approval of the Organizational Meeting Minutes of January 3, 2012.

Polled Votes: Councilperson Baxter abstain, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**AUTHORIZATION OF TRANSFERS**

**Resolution # 66** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board approval for the authorization of transfers from their respected funds as follows:

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
A5130.4 Contractual	DA5130.2 Equipment	\$215.34
A1410.11 Tn Clk Clerical Salary	A1330.4 Tax Collection Contractual	\$543.98
A1410.11 Tn Clk Clerical Salary	A1410.2 Tn Clk Equipment	\$456.02
A1410.4 Tn Clk Contractual	A1420.2 Tn Clk Equipment	\$ 32.98
A3620.2 Building Inspector Equipment	A3620.4 Building Inspector Contractual	\$102.41
A3010.2 Fire Marshal Equipment	A3010.4 Fire Marshal Contractual	\$ 32.51
A7020.14 Rec Program Asst Sal	A7310.1 Youth Salary	\$ 61.71

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS**

**Resolution # 67** Motion was made by Supervisor Breslawski, seconded by Councilperson Goodrich, requesting Town Board approval for the authorization of payment of bills from their respective funds.

<b>MONTHLY TOTALS</b>			<b>ABSTRACT</b>	<b>Year End</b>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>	
General	9116-9164	48656.11		
<b>Account Total</b>			<b>\$ 48,656.11</b>	
<hr/>				
Library	9081-9102	8086.23		
<b>Account Total</b>			<b>\$ 8,086.23</b>	
<hr/>				
Highway	9103-9115	28559.10		
<b>Account Total</b>			<b>\$ 28,559.10</b>	
<hr/>				
Sewer	9078-9080	434.08		

<b>Account Total</b>			<b>\$ 434.08</b>
Light			
<b>Account Total</b>			<b>\$ -</b>
Huntington Park	9077	427.52	
<b>Account Total</b>			<b>\$ 427.52</b>
Trust			
<b>Account Total</b>			<b>\$ -</b>
<b>GRAND TOTAL:</b>			<b>\$ 86,163.04</b>
<b>MONTHLY TOTALS</b>			<b>ABSTRACT 1</b>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	9189-9200	13903.91	
<b>Account Total</b>			<b>\$ 13,903.91</b>
Library			
<b>Account Total</b>			<b>\$ -</b>
Highway	9165-9188	21724.04	
<b>Account Total</b>			<b>\$ 21,724.04</b>
Sewer			
<b>Account Total</b>			<b>\$ -</b>
Light			
<b>Account Total</b>			<b>\$ -</b>
Huntington Park			
<b>Account Total</b>			<b>\$ -</b>
Trust			
<b>Account Total</b>			<b>\$ -</b>
<b>GRAND TOTAL:</b>			<b>\$ 35,627.95</b>

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

### **CORRESPONDENCE:**

- A. Letter from Lee Nettin to Town Board members, re: Fire Prevention Officer.
- B. December 13, 2011 letter from Peter Terry to Judy Hazen.
- C. Letter from International Joint Commission (IJC), re: Thank you for your letter and enclosed resolution.
- D. Letter from Glen Unterborn, re: My term as a member of the Ethics Board
- E. Hamlin Recreation Department 2011 Year End Report
- F. Letter from Denny & Janet Hamlin to Historian Bob Kruger, re: Thank you
- G. Hamlin Dog Control Monthly Report, December 2011
- H. Hamlin Town Clerk's End of Year Report 2011
- I. Town Clerk Monthly Report, December 2011
- J. Email from Thomas D. Goodwin, Monroe County Hazard Mitigation Coordinator, re: HMGP Grant Funds Available for Hazard Mitigation Plans & Projects
- K. Email from [RBell@monroecounty.gov](mailto:RBell@monroecounty.gov), re: Monroe County Land Use Decision-Making Training Program
- L. Email from [Geoffrey.Gloak@TAX.NY.GOV](mailto:Geoffrey.Gloak@TAX.NY.GOV), re: Property Tax Monitor - 1/6/12
- M. Hamlin Town Court Year End Report 2011
- N. Building Department Year End Report 2011

### **ACKNOWLEDGEMENT OF TOWN CLERK'S 2011 YEAR-END REPORT**

**Resolution # 68** Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board acknowledgement of the Town Clerk's Year-End Report for 2011.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

### **ACKNOWLEDGEMENT OF RECREATION DEPARTMENT'S 2011 YEAR-END REPORT**

**Resolution # 69** Motion was made by Councilperson Goodrich, seconded by Councilperson Rose, requesting Town Board acknowledgement of the Recreation Department's Year-End Report for 2011.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

### **APPROVE CONTRACT WITH PHEASANT CREEK FARM KENNELS FOR 2012**

**Resolution # 70** Motion was made by Supervisor Rose, seconded by Councilperson Baxter, requesting Town Board resolution for approval to have the Supervisor sign the contract with Pheasant Creek Farm Kennels for the year 2012 at the cost of \$3,500.00, contingent upon discussions with the owner about the Town obtaining a key and also the owner following the SUP requirement of a sound barrier.

### **LEASE AGREEMENT FOR KENNEL FACILITIES**

LEASE AGREEMENT, made this 1<sup>st</sup> day of January, 2012, by and between the TOWN OF HAMLIN, a municipal corporation in the State of New York, having its office and principal place of

business at 1658 Lake Road, Town of Hamlin, Monroe County, New York, hereinafter referred to as “Lessee”, and

JASON HUMBERT d/b/a PHEASANT CREEK FARM KENNELS, having an office and principal place of business at 1649 Walker Lake Ontario Road, in the Town of Hamlin, County of Monroe and State of New York, hereinafter referred to as “Lessor”.

**WITNESSETH:**

WHEREAS, Lessor owns and operates boarding kennel facilities for dogs known as Pheasant Creek Farm Kennels, located at 1649 Walker Lake Ontario Road, in the Town of Hamlin, County of Monroe and State of New York and

WHEREAS, Lessee desires to rent kennel facilities so that it may maintain a pound or shelter for dogs pursuant to Section 115 of the Agriculture and Markets Law of the State of New York.

**THE PARTIES AGREE AS FOLLOWS:**

1. Lessor hereby leases to Lessee, for Lessee’s exclusive use, two dog kennels at Pheasant Creek Farm Kennels.
2. Lessee, Town of Hamlin Dog Control Officer or his or her designee, will use the lease facilities to provide and maintain a shelter or pound for all dogs seized by the Town of Hamlin in accordance with the provisions of Section 115 of the Agriculture and Markets Law.
3. Lessee, Town of Hamlin Dog Control Officer or his or her designee, shall have access to the leased facilities at all times to deliver and pick up seized dogs and to adopt or redeem previously seized dogs. Lessee, Town of Hamlin Dog Control Officer or his or her designee, in its use of facilities, agrees to adhere to the practices and policies of the Lessor.
4. Lessor shall provide a competent employee to care for the dogs in the leased facilities and shall provide food and water for such animals. Lessor agrees to provide all maintenance and repair as may be necessary, and shall keep the leased facilities in a clean condition. All necessary vet expenses will be responsibility of Lessee.
5. The parties agree to comply with all provisions of Article 7 of the Agriculture and Markets Law and with any rules and regulations promulgated pursuant thereto in relation with seizure, holding care and redemption of dogs.
6. Lessor agrees to provide to Lessee a monthly report of the number of “dog days” used by lessee during the preceding month. A “dog day” is defined as the use of one kennel by one dog for one day (e.g., one dog held in one kennel for three days equals three “dog days”).
7. Lessee shall pay to Lessor the sum of \$3,500.00 payable by voucher submitted to the Town Board of the Lessee.
8. This agreement shall commence on the 1<sup>st</sup> day of January 2012, and shall continue through the 1st day of January 2013.
9. This agreement may be terminated by either party upon thirty days written notice to the other party, with monies due or overpaid pro-rated on a monthly basis to the termination date.

IN WITNESS WHEREOF, the parties have executed this agreement the day and date for above written.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**ACKNOWLEDGE RESIGNATION OF JASON BAXTER FROM CONSERVATION BOARD**

**Resolution # 71** Motion was made by Councilperson Maier, seconded by Councilperson Goodrich, requesting Town Board resolution acknowledging the resignation of Jason Baxter from the Conservation Board, effective January 3, 2012.

Polled Votes: Councilperson Baxter abstain, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**ACKNOWLEDGE RESIGNATION OF RICHARD MARSDEN FROM ETHICS BOARD**

**Resolution # 72** Motion was made by Councilperson Goodrich, seconded by Councilperson Maier, requesting Town Board resolution acknowledging the resignation of Richard Marsden from the Ethics Board, effective December 31, 2011.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL TO ADVERTISE BID FOR EMERGENCY BOARD UP SERVICES**

**Resolution # 73** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to advertise for bid the annual contract for emergency board up services, with all bids due in to the Town Clerk's office by 11:00 AM on Friday, January 27, 2012, and to be opened at that time.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL TO ADVERTISE OPENING ON CONSERVATION BOARD**

**Resolution # 74** Motion was made by Councilperson Goodrich, seconded by Councilperson Maier, requesting Town Board resolution to advertise an opening on the Conservation Board with applications due to the Town Clerk's Office by 4 PM on Friday, January 27, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL TO EXECUTE AGREEMENT FOR EXPENDITURES OF HIGHWAY MONIES**

**Resolution # 75** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to execute the agreement for Expenditures of Highway Monies according to Section 284 of the Highway Law, so as to expend \$324,379.20 of Highway monies on 33.32 miles of Town Roads, for the year 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL OF AMENDATORY AGREEMENT FOR 2012 WITH MONROE COUNTY FOR ALL SEASON COUNTY/TOWN WORK**

**Resolution # 76** Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to approve the amendatory agreement with Monroe County for the All Season County/Town Work Agreement for 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**AGREEMENT WITH KENNETH LICHT FOR LEGAL SERVICES TO TOWN OF HAMLIN**

**Resolution # 77** Motion was made by Councilperson Goodrich, seconded by Councilperson Rose, requesting Town Board resolution to authorize the Supervisor to execute the retainer agreement for legal services between the Town of Hamlin and Kenneth D. Licht for the services of Attorney to the Town for 2012.

**TOWN OF HAMLIN  
RETAINER AGREEMENT FOR LEGAL SERVICES**

The Town of Hamlin (the "Town") agrees to retain the services of Kenneth D. Licht ("Licht"), with offices at 710 Latta Road, Suite 201, Rochester, New York 14612, to perform the duties as Attorney to the Town of Hamlin. It is agreed between the Town and Licht that Licht is in the private practice of law and is not an employee of the Town. It is agreed and stipulated that Licht is an attorney in private practice for many years before the Town became one of his clients, and that he continues a general practice of law after the Town became one of his clients. It is further agreed between the Town and Licht that the Town in no way controls how Licht performs his legal service for the Town, nor does the Town have any financial controls over Licht, no more than any client of Licht has such controls. The Town merely relies upon Licht to use his best professional skill to represent the Town and provide it his independent advice on the law.

The retainer which Licht will receive for services as attorney to the Town will be \$2,583.33 per month paid monthly.

Licht's duties are to render legal advice on any matter on the Town Board agenda or as requested by the Town Supervisor, to attend meetings of the Town Board and such other meetings as requested by the Town Supervisor, to prepare and/or review local laws, ordinances, resolutions, contracts and other legal documents which are subject to Town Board action, to prepare written opinions for the Town Board and Town Supervisor on questions concerning current ordinances and to provide legal advice on routine personnel matters for no additional fee. For additional legal services regarding creation of special districts and any litigation which Licht agrees to undertake, Licht will be compensated at the hourly rate of \$150.00, plus disbursements.

This agreement may be terminated by either party upon thirty (30) days written notice to the other.

All payments of retainers, other fees and expenses paid to Licht will be reported to the IRS under Licht's federal tax identification number which has already been furnished to the Town.

This agreement concerning legal services was approved by the Town Board of the Town of Hamlin and Kenneth D. Licht on the 3<sup>rd</sup> day of January, 2012, and is effective as of January 3, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**AGREEMENT WITH KENNETH LICHT FOR LEGAL SERVICES TO SUPPORT BOARDS**

**Resolution # 78** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to authorize the Supervisor to execute the retainer agreement for legal services to support boards between the Town of Hamlin and Kenneth D. Licht to perform the duties of Attorney to the Zoning and Planning Boards of the Town of Hamlin.

**TOWN OF HAMLIN  
RETAINER AGREEMENT FOR LEGAL SERVICES TO  
SUPPORT BOARDS**

The Town of Hamlin (the "Town") agrees to retain the services of Kenneth D. Licht ("Licht"), with offices at 710 Latta Road, Suite 201, Rochester, New York 14612, to perform the duties as Attorney to the Zoning and Planning Boards of the Town of Hamlin. It is agreed between the Town and Licht that Licht is in the private practice of law and is not an employee of the Town. It is agreed and stipulated that Licht is an attorney in private practice for many years before the Town became one of his clients, and that he continues a general practice of law after the Town became one of his clients. It is further agreed between the Town and Licht that the Town in no way controls how Licht performs his legal service for the Town, nor does the Town have any financial controls over Licht, no more than any client of Licht has such controls. The Town merely relies upon Licht to use his best professional skill to represent the Town and provide it his independent advice on the law.

The retainer which Licht will receive for services as attorney to the Support Boards will be \$591.24 per month paid monthly.

Licht's duties are to render legal advice regarding matters being considered by the Planning Board and Zoning Board of Appeals, to attend meetings of the Planning Board and Zoning Board, to assist, when requested, in the preparation of resolutions and decisions for such boards, to review easements and to consult with the Town Engineer, Building Inspector and Board Chairs as appropriate.

This agreement may be terminated by either party upon thirty (30) days written notice to the other.

All payments of retainers, other fees and expenses paid to Licht will be reported to the IRS under Licht's federal tax identification number which has already been furnished to the Town.

This agreement concerning legal services was approved by the Town Board of the Town of Hamlin and Kenneth D. Licht on the 3<sup>rd</sup> day of January, 2012, and is effective as of January 3, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**AGREEMENT FOR ENGINEER SERVICES WITH CHATFIELD ENGINEERS, P.C.**

**Resolution # 79** Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to authorize the Supervisor to execute the retainer agreement for engineer services between the Town of Hamlin and Chatfield Engineers P.C.

**TOWN OF HAMLIN RETAINER AGREEMENT FOR  
ENGINEERING SERVICES**

The Town of Hamlin (the "Town") agrees to retain the services of Chatfield Engineers P.C. (the "Firm"), with offices at 2800 Dewey Avenue, Rochester, New York 14616, to perform the duties of Engineer for the Town of Hamlin, with offices at 1658 Lake Road, Hamlin, New York 14464. It is agreed between the Town and the Firm that the Firm has a general engineering business and that no employee of the Firm is an employee of the Town. It is further agreed between the Town and the Firm that the Town in no way controls how Chatfield Engineers P.C. or any employee of the Firm performs services for the Town, nor does the Town have any financial controls over the Firm, no more than any client of the Firm has such controls. The Town merely relies upon the Firm and employees of the Firm to use their best professional skill to represent the Town.

The duties of the Engineer include performing services requested by the Town Supervisor, Highway Superintendent and Building Inspector, and working with the Town Planning Board. Planning Board responsibilities include review of applications, consulting with the Building Inspector, Attorney for the Town and Planning Board Chair as needed, consulting when appropriate with engineers for developers; attending Planning Board meetings and meeting memos as necessary.

The Engineer shall be paid compensation of \$90.00 per hour, to be invoiced to the Town on a monthly basis.

This agreement may be terminated by either party upon thirty (30) days notice to the other.

All payments of retainer, fees, and expenses will be paid to the Firm, and thus reported to the Internal Revenue Service under the Tax Identification Number of the said Firm, which has already been furnished to the Town.

This agreement concerning engineering services is approved by the Town Board of the Town of Hamlin and Chatfield Engineers P.C. on this 3<sup>rd</sup> day of January, 2012, and effective as of the 3<sup>rd</sup> day of January, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

### **KAREN KECK APPOINTED TO LIBRARY BOARD OF TRUSTEE'S**

**Resolution # 80** Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, requesting Town Board resolution to appoint Karen Keck to the Library Board of Trustee's for a 5 year term to expire on December 31, 2016.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

### **NAT GRID ENERGY SAVINGS PLAN APPLICATION AUTHORIZED FOR TOWN HALL**

**Resolution # 81** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution authorizing the Supervisor to sign and execute the National Grid Energy Savings Plan Application Number 1396231 for Town Hall, at a cost not to exceed \$3,944.78.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

### **NAT GRID ENERGY SAVINGS PLAN APPLICATION AUTHORIZED FOR LIBRARY**

**Resolution # 82** Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution authorizing the Supervisor to sign and execute the National Grid Energy Savings Plan Application Number 1396234 for the Library at a cost not to exceed \$1280.90.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**HIGHWAY DEPT TO PURCHASE 2012 CHEVY 4X4 EXTENDED ¾ TON PICK-UP**

**Resolution # 83** Motion was made by Councilperson Goodrich, seconded by Councilperson Rose, requesting Town Board resolution for the Highway Department to purchase a new 2012 Chevy 4x4 extended cab ¾ ton pick-up off of State bid for a purchase price of \$24,076.22.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL OF CHANGES MADE TO EMPLOYEE'S MANUAL**

**Resolution # 84** Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board approval to add the following to the Employee Manual section 4.05 HEALTH INSURANCE PLAN subtitle HEALTH INSURANCE PLAN COVERAGE AT TERMINATION.

The second paragraph of this section reads: The Town will pay the full cost of BlueCross/BlueShield health insurance premium each year for retired full-time employees and their spouses who have 20 or more years of service with the Town.

Please add: Except for employees hired after January 1, 2012. If you are hired after January 1, 2012 and have 20 years or more of service with the Town as a full-time Employee, the Town will continue to pay the full cost of BlueCross/BlueShield health insurance premium each year after retirement for the Employee only. The Employee may elect to pay for their spouse, but the Town will no longer pay the health insurance premium for a spouse of a 20 year full-time retired employee.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**ACKNOWLEDGEMENT OF HAMLIN TOWN COURT YEAR-END REPORT FOR 2011**

**Resolution # 85** Motion was made by Councilperson Maier, seconded by Councilperson Goodrich, requesting Town Board acknowledgement of the Hamlin Town Court Year-End Report for 2011.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**ACKNOWLEDGEMENT OF BUILDING DEPARTMENT YEAR-END REPORT FOR 2011**

**Resolution # 86** Motion was made by Councilperson Rose, seconded dually by Councilperson Goodrich and Councilperson Maier, requesting Town Board acknowledgement of the Building Department Year-End Report for 2011.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**APPROVAL TO ADVERTISE 2 OPEN SEATS ON BOARD OF LIBRARY TRUSTEES**

**Resolution # 87** Motion was made by Councilperson Maier, seconded by Councilperson Baxter, requesting Town Board resolution to advertise for 2 open seats on the Board of Library Trustees, with applications due to the Town Clerk's Office by 6 PM on Monday, January 30, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**DISCUSSION:**

1. ***Ethics Board Nominating Committee*** – We now have 2 open seats on the Ethics Board. We have one candidate remaining from our last nominating committee and 2 seats to fill. In the past we solicited local service organizations to provide nominees.

**SUPERVISOR TO SEND LETTER REQUESTING NOMINATIONS FOR ETHICS BOARD**

**Resolution # 88** Motion was made by Councilperson Maier, seconded by Councilperson Baxter, requesting Town Board resolution to send out a letter to the Fire Departments, the Pastor's Association in the Town of Hamlin, Life Solutions and the Lion's Club requesting nominations for the 2 open seats on the Ethics Board, having their letters of intent sent to the Supervisor by Friday, February 3, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**REPORTS:**

**Councilperson Baxter** reported on the following:

- Library – the 2011 year-to-date totals for circulation and people count were both lower than 2010, but overall intake of money was about the same. There are numerous programs that will be running for children and adults. There will be a Rochester Amerk's player visit on 1/10/12.

**Councilperson Goodrich** reported on the following:

- Hamlin Volunteer Ambulance - looking at potential expenses for this year: driveway sealing; engineering study on the sprinkler system; new engine choices for new ambulances. They had 608 calls for the year, 52 in December. Overall they had a 74.2% response rate.
- We received the Dog Control Officer's report. Jim collected 11 fees last month, and had 17 calls.
- Hilton Parma Fire District – All 3 districts will be voting on consolidation on January 18<sup>th</sup>.

**Councilperson Rose** reported on the following:

- Senior Citizens – new officers: President-Ralph Preston, Vice President-Joan Granger, Secretary-Evelyn Krekic, Treasurer-Karen Keck. We had 136 attend the Christmas party.
- In May I plan to attend Assemblyman Steve Hawley's seminar in Albany.
- Parkridge is thinking about building a 3 million dollar complex in Brockport, which will severely hurt Lakeside Health Systems. Lakeside already has all the services they plan to provide. This could potentially put the hospital out of business and it is the closest hospital for Holley, Kendall and Clarendon. The other choice they have going west would be Medina; Albion is closed up. Lakeside consistently ranks high in quality, and they are building up a decent faculty. We are

blessed to have a hospital so close; we should fight and make sure that Unity doesn't force Lakeside out of our neighborhood. I think we should create a resolution from the town to let the state know that we really don't need the extra services from Unity because we already have them.

### **RESOLUTION OF SUPPORT FOR LAKESIDE HOSPITAL**

**Resolution # 89** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution supporting Lakeside Hospital in regards to keeping the services they have and not having Unity come in and duplicate the services.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

- Zoning Review will be Thursday, January 12<sup>th</sup> at 7 PM.

### **SPECIAL TOWN BOARD MEETING SCHEDULED ON JANUARY 12, 2012**

**Resolution # 90** Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board resolution to have a Special Town Board Meeting for the purposes of a Zoning Review Workshop at 7 PM on January 12, 2012.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**Councilperson Maier** reported on the following:

- Walker Fire District is short one Fire Commissioner. It is being advertised, and they will try to resolve that in their next meeting.

**Highway Superintendent Steven Baase** reported on the following:

- The Dog Warden's truck is back and has been fixed. Front brake lines still need to be done.
- We are almost done building a shed for the History Center to store the U.S. Mail wagon.
- With the nice weather, we have been ditching.
- We have been trimming trees by Wiler Road and Route 18.
- I signed the National Grid Energy Savings Plan for the Highway Department. The total bill was for \$13,016 to replace 70 lights outside and inside, with our total cost being \$3,319.
- The Town is saving a lot of money so far this year without salting, overtime, or diesel fuel.
- I have been trying to contact Niagara Generations about our brush pile on Cook Road because of the pile back by our place. The Town signed a contract with them 2 years ago and the contract is in effect until they grind at least once. We need at least 600 ton of brush for them to come out. I will not sign a contract like that again because I have no room to store that amount of brush.
- I would like my letter included in the minutes:

*Letter from Steve Baase:*

*I would like to talk to the Town Board about a property problem. The new Grain Communication tower took up 15,000 square feet that the Highway Department could not afford to lose. I suggest the Board members take a trip down by the Highway and physically see how much area has been lost.*

*The Highway has nowhere to dump dirt and debris. There is a piece of property adjacent to the Town's property that is up for sale. These 33 acres would allow for expansion and provide us an area to store dirt and brush for years to come. I brought this matter before the Board last year with no resolve.*

*Personally, I do not like the idea of dumping the Town's waste on other people's property. What happens if the land owners have disputes with the Town in the future or sell to different people? The Town should never have let the property go to the east of the Highway. There were no thoughts given to the future. I believe the Town Board should at least consider this other property and not make the mistake of boxing the Highway in with no possibility of expansion in services. The Town needs to start looking at this problem now before it becomes an emergency in the future.*

### **APPROVAL TO INQUIRE ABOUT LAND FOR SALE**

**Resolution #91** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution for approval to have Attorney Ken Licht inquire about the back section of the land for sale on Lake Road that is adjacent to the Town's property.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**Building Inspector Lee Nettnin** reported on the following:

- Beginning January 17<sup>th</sup>, Chad Fabry from Clarkson, will be filling in as needed for Building Inspector and Fire Marshal duties. All required agencies have been notified.
- I need to put up for bid a lawn mowing contract for this year for vacant properties that we have to mow. I would like a contract in place by the Town Board Meeting on March 12<sup>th</sup>.

**Library Director Kay Hughes-Dennett** reported on the following:

- We are starting our winter and spring programming and everything is going good.

**Recreation Director Patty Jo Groenendaal** reported on the following:

- Line dancing just started today.
- We love our new office; it's working wonderfully now. Customers are coming in and there is room to come in and out of the office.

**Conservation Board Ed Evans** reported on the following:

- On the CD's that were presented to the Town Board a couple of months ago, there are pictures of the property that Highway is inquiring about. The very first one is on the property in 1984. I shot the ponds and other features of that particular piece of property.

**Supervisor Breslawski** reported on the following:

- I attended the Association of Towns training last week.
- My office hours are Monday and Thursday evenings from 4:30-8 PM. I will be in the office on Tuesday and Wednesday mornings on a floating schedule, and by appointment. I will also be available by telephone and email during all regular business hours, including Fridays.
- Tomorrow morning I will be meeting with the auditors at 10 AM; they are continuing their audit.

**ADJOURN TO EXECUTIVE SESSION**

**Resolution # 92** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to adjourn to Executive Session at 8:24 PM to discuss a particular lease where publicity would substantially affect the value and a matter pertaining to a medical condition of an employee.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**RETURN FROM EXECUTIVE SESSION**

**Resolution # 93** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to return from Executive Session at 9:00 PM.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

**ADJOURNMENT**

A motion was made by Councilperson Maier, seconded dually by Councilperson Goodrich and Councilman Baxter, to adjourn the meeting at 9:02 PM as all business has been concluded.

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, MMC  
Hamlin Town Clerk