

**Hamlin Town Board Meeting
February 13, 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; Finance Office, Pat MacIntosh; Recreation Director Patty Jo Groenendaal; Conservation Board Members Ed Evans and Nick Kramer; Planning Board Member Tom Jenson; Library Director Katherine Hughes Dennett; Town Historian Bob Kruger; Residents: Fritz Gunther, Emily Welch and Walt Fisher.

RESOLUTION OF APPRECIATION FOR JEANNE BRIGHTLY

Resolution # 94 Unanimously approved.

RESOLUTION OF APPRECIATION

WHEREAS, Jeanne Brightly served as a Trustee for the Hamlin Library from February 8, 2010 through December 31, 2011, and,

WHEREAS, Jeanne Brightly demonstrated great dedication as Secretary to the Library Trustees, compiling minutes on a monthly basis, and,

WHEREAS, Jeanne Brightly volunteered her time, business experience and professionalism in seeking out grants and funding opportunities to expand and better the Hamlin Library, and,

WHEREAS, Jeanne Brightly provided a large tractor to the Library as part of Big Machines Day, helping this very popular program succeed.

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Jeanne Brightly for her conscientious performance and dedicated service, and,

FURTHER BE IT RESOLVED, that Jeanne Brightly be furnished a copy of this Resolution, which is spread upon the minutes of the February 13, 2012, Town Board meeting.

RESOLUTION OF APPRECIATION FOR LILLIAN PARKER

Resolution # 95 Unanimously approved.

RESOLUTION OF APPRECIATION

WHEREAS, Lillian Parker served as a Trustee for the Hamlin Library for twelve years, ending on December 31, 2011, and,

WHEREAS, Lillian Parker served several years as Vice President of the Trustees, and,

WHEREAS, Lillian Parker volunteered in several sub-committees and was instrumental in the highly successful 10th anniversary celebration event for the Hamlin Library, and,

WHEREAS, Lillian Parker, during her tenure, participated for more than twelve years and helped the Hamlin Library become the fastest growing, most successful library in Monroe County.

THEREFORE BE IT RESOLVED, that the Hamlin Town Board, on behalf of the residents of Hamlin, extends its appreciation to Lillian Parker for her conscientious performance and dedicated service, and,

FURTHER BE IT RESOLVED, that Lillian Parker be furnished a copy of this Resolution, which is spread upon the minutes of the February 13, 2012, Town Board meeting.

RESOLUTION OF APPRECIATION FOR RICHARD MARSDEN

Resolution # 96 Unanimously approved.

RESOLUTION OF APPRECIATION

WHEREAS, Richard Marsden served on the Ethics Board of the Town of Hamlin from February 11, 2008 through December 31, 2011, and,

WHEREAS, Richard Marsden demonstrated a high level of civic responsibility and leadership in his position serving as Chairperson, and,

WHEREAS, Richard Marsden displayed sensitivity and confidentiality necessary in the position as Ethics Board Chairperson, and,

WHEREAS, Richard Marsden sought to protect the best interests of the Town of Hamlin during his term on the Ethics Board,

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

FURTHER BE IT RESOLVED, that Richard Marsden be furnished a copy of this Resolution, which is spread upon the minutes of the February 13, 2012, Town Board meeting.

RESOLUTION OF APPRECIATION FOR GLEN UNTERBORN

Resolution # 97 Unanimously approved.

RESOLUTION OF APPRECIATION

WHEREAS, Glen Unterborn served on the Ethics Board of the Town of Hamlin from February 11, 2008 through December 31, 2011, and,

WHEREAS, Glen Unterborn demonstrated a high level of civic responsibility and leadership in his position, and,

WHEREAS, Glen Unterborn displayed sensitivity and confidentiality necessary in the position as Ethics Board member, and,

WHEREAS, Glen Unterborn sought to protect the best interests of the Town of Hamlin during his term on the Ethics Board,

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

FURTHER BE IT RESOLVED, that Glen Unterborn be furnished a copy of this Resolution, which is spread upon the minutes of the February 13, 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 JANUARY 9, 2012

Resolution # 98 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board approval of the regular Town Board meeting minutes of January 9, 2012.

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 # 99 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board approval for the authorization of payment of bills from their respective funds.

MONTHLY TOTALS ACCOUNTS	<u>VOUCHER#</u>	<u>AMOUNT</u>	ABSTRACT	2
			<u>ACCOUNT TOTALS</u>	
General	9201	1270.00		

	9202	Void		
	9203-9211	6316.04		
	9224	227.34		
	9225	75.00		
	9227-9228	543.87		
	9230-9233	840.35		
	9240-9241	1674.31		
	9284-9351	41223.36		
Account Total			\$	52,170.27
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Library				
	9215-9218	587.49		
	9236	69.58		
	9247-9252	3383.69		
Account Total			\$	4,040.76
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Highway				
	9219	43.40		
	9237	43.40		
	9242	881.49		
	9253-9283	59780.10		
	9352	100.00		
Account Total			\$	60,848.39
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Sewer				
	9212-9214	111.56		
	9234-9235	543.16		
	9243-9246	688.95		
Account Total			\$	1,343.67
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Light	9220	1078.63		
Account Total			\$	1,078.63
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Huntington Park				
Account Total			\$	-
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Trust				
	9221-9223	4007.82		
	9229	149.41		
	9238-9239	26157.11		
Account Total			\$	30,314.34
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GRAND TOTAL:			\$	149,796.06

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

AUTHORIZATION OF TRANSFERS

Resolution # 100 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board approval for the authorization of the following year-end transfers:

From Account**To Account**

SP7110.4	Contractual	\$33.34	SP7110.1	Salary	\$33.34
SP9030.8	Social Security	\$92.66	SP7110.1	Salary	\$92.66
SP9055.8	DBL	\$398.64	SP7110.1	Salary	\$398.64
DA5130.4	Contractual	\$215.34	DA5130.2	Equip.	\$215.34
AA1110.11	Court Clerk	\$148.50	AA1110.12	Deputy	\$148.50
AA1220.2	Equipment	\$.12	AA1220.1	Salary	\$.12
AA1220.2	Equipment	\$199.00	AA1220.4	Contractual	\$199.00
AA1990.4	Contingent	\$437.05	AA1220.4	Contractual	\$437.05
AA1990.4	Contingent	\$621.68	AA1330.4	Contractual	\$621.68
AA1355.2	Equipment	\$237.96	AA1355.11	Salary	\$237.96
AA1410.11	Clerk	\$489.00	AA1410.2	Equipment	\$489.00
AA1410.11	Clerk	\$511.00	AA1410.30	Dep. Tn Clk	\$511.00
AA1410.4	Contractual	\$390.73	AA1410.30	Dep Tn Clk	\$390.73
AA1430.11	Clerk	\$218.96	AA1430.4	Contractual	\$218.96
AA1990.4	Contingent	\$328.49	AA1430.4	Contractual	\$328.49
AA1620.1	Salary	\$665.39	AA1620.4	Contractual	\$665.39
AA3510.2	Equipment	\$32.51	AA3010.4	Contractual	\$32.51
AA3510.2	Equipment	\$73.09	AA3510.1	Salary	\$73.09
AA3510.2	Equipment	\$25.14	AA3510.12	Dog Census	\$25.14
AA3620.2	Equipment	\$49.73	AA3620.12	Clerk	\$49.73
AA3620.2	Equipment	\$592.00	AA3620.4	Contractual	\$592.00
AA1990.4	Contingent	\$1176.92	AA7020.11	Assit. Direc.	\$1176.92
AA7310.4	Contractual	\$61.71	AA7310.1	Salary	\$61.71
AA8010.2	Equipment	\$.12	AA8010.11	Bd. Salary	\$.12
AA8010.2	Equipment	\$.44	AA8010.12	Atty to Bd	\$.44
AA8010.2	Equipment	\$333.13	AA8010.13	Clk to Bd	\$333.13
AA8010.2	Equipment	\$80.73	AA8010.4	Contractual	\$80.73
AA1990.4	Contingent	\$12.95	AA8010.4	Contractual	\$12.95
AA8020.13	Clk to Bd	\$.32	AA8020.12	Atty to Bd	\$.32
AA8020.13	Clk to Bd	\$65.65	AA8020.4	Contractual	\$65.65
AA1990.4	Contingent	\$870.00	AA8030.4	Contractual	\$870.00

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 The Interfaith Alliance of Rochester, re: support of Occupy Movement
- b. Letter from BPD Municipal Finance, re: Town of Hamlin Refunding Opportunity
- c. Email: Genesee County Economic Development Center, re: Presentation of Governor Andrew Cuomo's 2012 State of the State in Batavia, NY
- d. Email: Perinatal Network of Monroe County, re: PNMC Winter Networking Session, February 9, 2012
- e. Comptroller Thomas P. DiNapoli's Weekly News, January 9-15, 2012
- f. Letter from Monroe County Dept of Public Safety, re: Thank you

- g. Letter from Charlie Plavonich, 12-7-11 re: Resignation from Library Trustees
- h. Email: Governor Andrew Cuomo, re: his Executive Budget & Reform Plan
- i. Email: Monroe County Parks Department, re: January 2012 PAC meeting
- j. Email: SunnKing Inc., re: Sign Up As A SunnKing E-Waste Collection Site!
- k. Email: Monroe County Health Department, re: E-Waste and the ecopark
- l. Comptroller Thomas P. DiNapoli's Weekly News, Jan. 16-20, 2012
- m. Email from Governor Andrew Cuomo, re: Moving New York forward
- n. Email from Steven J. Hancox, Deputy Comptroller, re: Guidance on Creation of an Excess Tax Levy Reserve Fund – Update
- o. Letter from Rochester/Monroe County Domestic Violence Consortium, re: 13th Annual Legislative Breakfast on Domestic Violence
- p. Email, Genesee County Economic Development Center, re: News from GCEDC
- q. International Code Council ICC eNews | January 27, 2012
- r. Comptroller Thomas P. DiNapoli's Weekly News January 23-29, 2012
- s. Email from Governor Andrew Cuomo, re: Putting NY Students First
- t. Time Warner Cable - February Channel Change Notification
- u. Email from Robert King, re: MCC: Locally Grown Documentary Wins DV Award
- v. Building Department Monthly Report, January 2012
- w. Email from Marie Maloney, re: Dox Electronics Information
- x. Email from RRutkowski@monroecounty.gov, re: February RAC Mtg
- y. Monroe County Department of Public Safety: 2012 Law Enforcement Conference
- z. Hamlin Dog Control monthly report 1/1/12-1/23/12
- aa. Comptroller Thomas P. DiNapoli's Weekly News 1/30/12-2/5/12
- bb. Email Governor Cuomo, re: Lower cost of government
- cc. ICC eNews | February 7, 2012
- dd. Letter from National Grid, February 2012

PAT MACINTOSH APPOINTED DIRECTOR FOR TOWN UNYMWCP COMP PLAN

Resolution # 101 Motion was made by Councilperson Goodrich, seconded by Councilperson Maier, requesting Town Board resolution to appoint Patricia MacIntosh to serve as Director for 2012 to represent the Town of Hamlin in making decisions per the Intermunicipal Agreement for UNYMWCP, our self-insured compensation plan.

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

DAVID ROSE APPOINTED ALTERNATE DIRECTOR FOR TOWN UNYMWCP PLAN

Resolution # 102 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to appoint David Rose to serve as alternate Director for 2012 to represent the Town of Hamlin per the Intermunicipal Agreement for UNYMWCP, our self-insured compensation plan.

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

STEVEN BAASE APPOINTED FACILITATOR OF UNYMWCP COMP PLAN

Resolution # 103 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to appoint Steven Baase as Facilitator for 2012 for UNYMWCP to represent the Town of Hamlin at the safety steering meetings per the Intermunicipal Agreement for our self-insured compensation plan.

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

NEW YORK ELECTRICAL INSPECTION AGENCY APPROVED FOR TOWN OF HAMLIN

Resolution # 104 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution approving New York Electrical Inspection Agency as an electrical inspector for the Town of Hamlin

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

APPROVAL TO ADVERTISE BIDS FOR LAWN MOWING DELINQUENT PROPERTIES

Resolution # 105 Motion was made by Councilperson Maier, seconded by Councilperson Goodrich, requesting Town Board resolution to advertise for bids to mow lawns of delinquent properties for 2012, with all bids due in to the Building Department Office by 11:00 AM on Friday, March 9, 2012.

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

APPROVAL TO ADVERTISE OPEN POSITION ON RECREATION COMMISSION

Resolution # 106 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to advertise for two consecutive weeks, an open position on the Recreation Commission, with applications due in to the Town Clerk's Office by Monday, March 5th at 4 PM.

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

SPECIAL TOWN BOARD MEETING SCHEDULED ON FEBRUARY 27, 2012

Resolution # 107 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to hold a Special Town Board meeting on February 27, 2012 at 6 PM for the purpose of interviewing candidates for the Conservation Board.

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

SPECIAL TOWN BOARD MEETINGS SCHEDULED FOR ZONING REVIEW WORKSHOPS

Resolution # 108 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to hold Special Town Board meetings at 7 PM on February 16th, March 8th, April 12th, May 10th and June 14th for the purpose of holding Zoning Review Workshops.

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

RESIGNATION OF CHARLIE PLAVONICH FROM LIBRARY BOARD OF TRUSTEE'S

Resolution # 109 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board to acknowledge the resignation of Charlie Plavonich from the Library Board of Trustee's, effective December 7, 2011.

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

LODGE USE FEE WAIVED FOR HAMLIN LION'S CLUB ON FEBRUARY 7, 2012

Resolution # 110 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to approve waiver of the use fee for the Lion Charlie Maier Lodge for the Hamlin Lion's Club on February 7, 2012.

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

LODGE USE FEE WAIVED FOR THE GIRL SCOUTS ON MARCH 9, 2012

Resolution # 111 Motion was made by Councilperson Baxter, seconded by Councilperson Rose, requesting Town Board resolution to approve waiver of the use fee for the Lion Charlie Maier Lodge for the Girl Scouts of Western New York on March 9, 2012.

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

TRANSFER BALANCE OF LIBRARY FUND TO LIBRARY SPECIAL PROJECT ACCT

Resolution # 112 Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, requesting Town Board approval to transfer \$7,021.27 from the balance in the Library fund to the Library Special Project account.

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

STANDARD WORK DAYS FOR NON-ELECTED OR APPOINTED EMPLOYEES

Resolution # 113 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board approval to establish standard work days for all non-elected or appointed employees as follows:

Standard Workday and Reporting Resolution:

Be it resolved, that the Town of Hamlin hereby establishes the following as standard work days for all non-elected or appointed employees and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained on bi-weekly time sheets and attendance records.

	<u>Standard Work Hours</u>
Clerks full time	8 hours
Bookkeeper to the Supervisor full time	8 hours
Deputy Town Clerk full time	8 hours
Court Clerk part-time	6 hours
Deputy Court Clerk part-time	6 hours
Clerks part-time	6 hours
Custodian part-time	6 hours
Clerk to support boards-part-time	7 hours
Seasonal-part-time	6 hours
Court Officer	4 hours
Recreational seasonal part-time	5 hours
Highway full-time	8 hours
Highway seasonal part-time	6 hours
Library Director full-time	8 hours
Library clerks part-time	6 hours

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

BID ACCEPTED FROM EMERGENCY ENCLOSURE, INC. FOR EMERGENCY SERVICES

Opening of Bids:

Emergency Enclosures	Bid Price: \$35.00/man hour plus materials
Empire Enclosures	Bid Price: \$37.74/man hour plus materials
Curb Solutions	Bid Price: \$42.50/man hour plus materials
Performance Auto	Bid Price: \$75.00/man hour plus materials

Resolution # 114 Motion was made by Councilperson Goodrich, seconded by Councilperson Maier, requesting Town Board resolution to accept the bid of Emergency Enclosures, Inc. for emergency call out services, limited to work required to secure an unsafe building in accordance with the authority granted to the Building Inspector or Fire Marshal by the provisions of Section 231-11 of the Hamlin Town Code.

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

RICHARD MARSDEN APPOINTED TO THE LIBRARY BOARD OF TRUSTEE'S

Resolution # 115 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to appoint Richard Marsden to the Library Board of Trustee's for a 5 year term to expire December 31, 2016.

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

DANE EMENS APPOINTED TO THE LIBRARY BOARD OF TRUSTEE'S

Resolution # 116 Motion was made by Councilperson Baxter, seconded by Councilperson Maier, requesting Town Board resolution to appoint Dane Emens to fill an unexpired term on the Library Board of Trustee's until December 31, 2014.

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

REFUNDING RESOLUTION ADOPTED

Resolution # 117 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board resolution adopting refunding resolution as follows:

A REFUNDING BOND RESOLUTION DATED FEBRUARY 13, 2012 AUTHORIZING THE ISSUANCE PURSUANT TO THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE TOWN OF HAMLIN, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY AS "REFUNDING (SERIAL) BONDS" AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the Town of Hamlin, New York (the "Town") has heretofore duly issued \$2,410,384 initial aggregate principal amount of Public Improvement (Serial) Bonds, 2001, such bonds being dated July 15, 2001 and maturing in annual installments in each of the years 2002 to 2030, both inclusive (the "Refunded Bonds"), as more fully described therein; and

WHEREAS, the Refunded Bonds were authorized pursuant to bond resolutions dated June 9, 1997, July 13, 1998, July 28, 1999, April 10, 2000 and April 9, 2001, to finance capital improvements consisting of water district improvements; and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$1,510,000 outstanding principal balance of the Refunded Bonds (such outstanding principal balance being stated as of the date hereof), by the issuance of refunding bonds pursuant to the Local Finance Law.

WHEREAS, such refunding will result in present value savings in debt service as required by Section 90.10 of the Local Finance Law.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMLIN, NEW YORK AS FOLLOWS:

Section 1. For the object or purpose of refunding all or a portion of the \$1,510,000 presently outstanding aggregate principal amount of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized shall be sufficient to pay; (i) the principal amount of the Refunded Bonds; (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the maturity dates thereof or the date on which the Refunded Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Refunding Financial Plan, as hereinafter defined; (iii) the costs and expenses incidental to the issuance of refunding bonds herein authorized, if any that are not to be paid from current funds available therefor, including, without limitation, the development of the Refunding Financial Plan, compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the Escrow Contract, as hereinafter defined, and fees and charges of the Escrow Holder, as hereinafter mentioned; (iv) the redemption premium, if any, to be paid on the Refunded Bonds which are to be called prior

to their respective maturities, if any; and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$1,650,000 refunding serial bonds of the Town pursuant to the provisions of Section 90.10 of the Local Finance Law, or Section 90.00, if applicable (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$1,410,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, as the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Town Supervisor pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph (f) of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Town Supervisor shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Town Supervisor. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the book-entry-only system of DTC. In the event that either DTC shall discontinue the book-entry-only system, or the Town shall terminate its participation in such book-entry-only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such book-entry-only system. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Town Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the Town maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Town Supervisor providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Town Supervisor as fiscal agent of the Town for the Refunding Bonds (collectively, the "Fiscal Agent"). Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act in connection with the Refunding Bonds as the Fiscal Agent for said Town, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Town, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Town Supervisor is also hereby authorized to name the Town Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The Town Supervisor is hereby further delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Town Supervisor, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph (j) of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Town Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph e of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that: (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law; (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which the Refunded Bonds were issued is 40 years, pursuant to Subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, computed from the date of the first obligations issued therefor; and (c) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to each of the Refunded Bonds subject to such requirements, if any, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, and, to the extent required by the Local Finance Law, the estimated present value of the total debt service savings, and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in the Exhibit attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series to refund all of the Refunded Bonds and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Refunding Financial Plan. This Town Board recognizes that the Refunding Bonds may be issued in series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, interest rate or rates borne by the Refunding Bonds and provisions for redemption thereof prior to maturity, if applicable, will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto. The Town Supervisor is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, if any, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph c of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan and, in accordance herewith, all powers in connection therewith are hereby delegated to the Town Supervisor, provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law (Section 90.00, if applicable). The Town Supervisor shall file a copy of his or her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Town Clerk within ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Town Supervisor is hereby authorized and directed to enter into an escrow contract or contracts (collectively, the "Escrow Contract") with a bank or trust company or banks or trust companies located and authorized to do business in this State as he or she shall designate (collectively, the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said Town of Hamlin, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. 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. There shall be annually levied on all the taxable real property within said Town a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder. Accrued interest on the Bonds shall be paid to the Town to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders from time to time of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated by the United States Treasury Department thereunder, as then in effect.

Section 9. Subject only to the issuance of the Refunding Bonds as herein authorized, the Town hereby elects to redeem all of the Refunded Bonds to be refunded maturing on and after the date of issuance of the Refunding Bonds that are callable at a present value savings, if any. Upon the issuance of the Refunding Bonds, the election to redeem such callable Refunded Bonds shall become irrevocable. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Town in the manner and within the time provided in the respective Refunded Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to the underwriter or underwriters duly determined by the Town Supervisor (collectively, the "Underwriter") for purchase prices to be determined by the Town Supervisor, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of delivery of a payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, if applicable, the Town Supervisor is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Town Supervisor to the Underwriter in accordance with said purchase contract upon the receipt by the Town of said purchase price, including accrued interest. The Town Supervisor is additionally authorized (but not required) to execute and deliver a financing agreement with the Dormitory Authority of the State of New York and any other agreements and documents necessary to accomplish a refinancing, all as may be determined in the discretion of the Town Supervisor.

Section 11. The Town Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms, issuance and sale of the Refunding Bonds, consistent with the provisions of Section 90.10 of the Local Finance Law (Section 90.00, if applicable), including

without limitation, the determination to issue Refunding Bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor and all powers in connection therewith not otherwise heretofore delegated thereto are hereby delegated to the Town Supervisor.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution (or a summary hereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution, which takes effect immediately, or a summary hereof, shall be published in full in each official newspaper of said Town, together with a notice in substantially the form provided in Section 81.00 of the Local Finance Law.

REFUNDING FINANCIAL PLAN EXHIBIT
to Town of Hamlin
Refunding Bond Resolution
Dated February 13, 2012

Sources and Uses of Funds:

Sources of Funds:

Refunding Bonds.....	\$1,410,000.00
Premium.....	\$ 111,236.45
TOTAL Sources of Funds	<u>\$1,521,236.45</u>

Uses of Funds:

Deposit to escrow for Outstanding Bonds P&I.....	\$1,445,882.13
Costs of Issuance (including underwriter's discount and insurance premium, if any, and other expenses).....	\$ 75,354.32
TOTAL Uses of Funds	<u>\$1,521,236.45</u>

Estimate of the present value of the total debt service savings anticipated, computed with a discount factor and effective interest cost of the refunding bonds of 3.156029%, in accordance with Local Finance Law §90.10b.2.(a).....	<u>\$ 98,555.34</u>
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Polled Votes: Councilperson Baxter aye, Councilperson Goodrich aye, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

ACCEPT PAYMENT FROM TIME WARNER CABLE AND APPROVE PAYMENT FROM SPECIAL CABLE RESERVE ACCT TO PAY 2011 TOWN/COUNTY TAXES

Resolution # 118 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board resolution to accept partial payment from Time Warner Cable for taxes in the amount of \$3,410.44 per the franchise agreement, and to approve payment from the Special Cable Reserve account #AA7150.4 in the amount \$1,095.74 to pay the 2011 Town and County taxes for Time Warner per the new franchise agreement.

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

APPROVAL OF UPDATED CREDIT CARD POLICIES AND PROCEDURES

Resolution # 119 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to approve the updated Town of Hamlin Credit Card Policies and Procedures as follows:

CREDIT CARD POLICIES AND PROCEDURES FOR THE TOWN OF HAMLIN

This document sets forth the policies and procedures for the use of Town credit cards by employees of the Town of Hamlin.

INTRODUCTION

The use of a Town credit card provides a convenient means with which to make small dollar purchases and, at the same time, reduce the costs associated with initiating and paying for purchases. The policy and procedure document is designed to replace a variety of processes including petty cash and payment requisitions. The policy and procedures contained herein are not to replace nor supplant the Procurement Policy and Procedures but to be used in conjunction with the Procurement Policy.

AUTHORIZED CARDS AND CREDIT LIMITS

Only the Accounting Office of the Town of Hamlin is authorized to obtain and issue Town Credit Cards. To minimize the number of Town Credit Cards, they are only issued to Department Heads. Currently the Town has authorized credit cards for M & T Bank (VISA), Wal-Mart and Lowes. Collectively, these credit cards are referred to as the Town of Hamlin's credit cards.

HAMLIN TOWN CREDIT CARDS AND LIMITS

M & T Bank VISA card:

Town Clerk	\$ 3,000
Highway Superintendent	\$ 3,000
Highway Superintendent	\$ 1,000 (General charge for his trips)

Note: The Highway department has an additional two (2) credit cards listed for the discretion of the Highway Superintendent to distribute, when needed, to his Deputy and/or Foreman.

Lowes card:

Highway Superintendent	\$ 2,000
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Wal-Mart card:

Town Clerk	\$ 1,200
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AUTHORIZED USERS

The Town Credit Cards may only be used by an authorized user. Department Heads are authorized users by virtue of the position. Department Heads may designate other Town of Hamlin employees in his/her department as an authorized user, provided that employee is typically authorized to make purchases for his/her department. Authorized users should be kept to an absolute minimum.

The Accounting Office is responsible for maintaining a list of all authorized Town of Hamlin credit card users. Department Heads are responsible for providing the Accounting Office with a current listing of departmental authorized users.

OBTAINING A CREDIT CARD FOR USE

The Accounting Office, upon receipt of the Supervisor's/Chief Financial Officer's acknowledgement and concurrence, is the only office authorized to order new or replacement Town credit cards and to request increases in the credit limits.

GENERAL PURCHASE INFORMATION

Before making a purchase, credit card holders/users should assure that the price to be paid is fair and reasonable. When available all purchases should be State Contract pricing unless the Department Head is able to find a price lower than State Contract. In this case all documentation must be provided including the State Contract price.

All purchases using the Town of Hamlin credit cards will follow the policies and procedures of the Town of Hamlin's Procurement policy.

Each authorized user is accountable for all charges made with their Town of Hamlin credit card and is responsible for checking the statement/receipt at the time of purchase to verify accuracy. As soon as possible after the purchase is made, the authorized user should complete a Town of Hamlin voucher for the amount of the credit card purchase and attach the original credit card receipt with all documentation required per the Town of Hamlin's Procurement Policies and Procedures.

AUTHORIZED CARD USE

Department Heads are authorized to use a Town credit card to purchase any merchandise or service required as a function of their duties for the Town of Hamlin. Examples of acceptable purchases:

Office supplies using vendors such as Staples that have been awarded the State Contract pricing, subscriptions, seminars, books, video tapes, repair parts and miscellaneous maintenance requirements.

When using the Town of Hamlin's credit card, purchases must be made at State contract pricing or the Department Head must provide documentation three (3) quotes or proposals and the lower price must be accepted. Please refer to the Town of Hamlin's Procurement Policies and Procedures.

UNAUTHORIZED OR INAPPROPRIATE CARD USE

The privilege of using the Town of Hamlin's credit card is NOT intended to avoid or bypass appropriate purchasing or payment procedures as set forth in the Procurement Policies and Procedures of the Town of Hamlin. Purchases may not exceed the individual transaction limit established for the card. The following items are NOT appropriate use of the Town of Hamlin's credit cards:

Items for personal use, items for non-town purposes, cash advances (there are no cash advances available on any of the credit cards), any item exceeding the single transaction dollar limit established for the card or the limit of purchase prescribed by the Procurement Policies and Procedures of the Town of Hamlin, any alcoholic beverages, prescription drugs, lease of equipment, temporary help.

Should an unauthorized or inappropriate charge be made with any Town of Hamlin credit card, certain disciplinary action may ensue per Article 3.13 of the Town of Hamlin Employee Manual, including the revocation of the credit card privileges, possible termination of employment with the Town of Hamlin and criminal prosecution.

PAYMENT AND LIABILITY

The Town of Hamlin's credit cards carry the Town's liability not individual liability. Invoices are paid directly by accounts payable. Personal credit rating is not affected.

SECURITY OF CARDS, LOST OR STOLEN CARDS

The Town of Hamlin's credit cards are the Town's property and should be secured in the same manner as would personal credit cards.

All Town credit cards will be maintained in a secure (locked desk, file or safe) location in the designated Department Head's or Highway Superintendent's office authorized users must return the credit card immediately after purchasing to their respective Department Head or the Highway Superintendent.

If any card is lost or stolen, immediately notify the Accounting Office. The Accounting Office is responsible for immediate notification to the appropriate credit card company and for taking action appropriate to/required by the issuing credit card company.

SALES TAX

The Town of Hamlin is Tax exempt. Users should ensure that the vendor does not include tax with any purchase.

RETIREMENT/TRANSFER/TERMINATION OF EMPLOYEE OR REVOCATION OF AUTHORIZED USER STATUS

Department Heads are responsible for ensuring that any Town of Hamlin credit card which might be in an authorized user's possession is obtained from that employee prior to that employee's retirement, transfer or other termination of employment. Department Heads are responsible for immediately notifying the Accounting Office of any authorized user who has lost authorized user or authorized purchasing status for any reason. Failure of a department to do so may result in revocation of all departmental card privileges. It is the Accounting Officer's responsibility for obtaining the departmental card from any Department Head or Highway Superintendent prior to that person's retirement, transfer or other termination of employment.

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

DISCUSSION:

- 1. Justice Court; need for prosecuting attorney** – There are a lot of Dog Control and Code enforcement issues that go back to the Justice Court with no form of prosecution that have often been dismissed. It leads to a great deal of frustration with the Code Enforcement Officer and the Dog Control Officer and the feeling that our code simply can't be enforced when it is taken to trial. The need has been brought up several times over the last couple of years for a prosecuting attorney to be supplied for the Justice Court to the Town of Hamlin for our local laws. Councilperson Rose asked Attorney Ken Licht if he would consider it. Attorney Licht stated that it is outside his practice area, especially for dogs. Also, it would involve a lot of

travel time in an area that he is not particularly comfortable with. He said he could make an appearance on the part of the Town on an occasional basis when there appears to be a special need. He stated that it is not required to have a prosecuting attorney for a violation. Supervisor Breslawski stated there was \$10,000 in the budget for litigation, which would be only for trials. Attorney Licht will make some inquiries to guide the Town on how to proceed and report back to the Board.

- 2. Building Inspector agreement with Clarkson** – Supervisor Breslawski was contacted by Clarkson Supervisor Paul Kimball about our agreement that allows our building inspectors to cover for each other during absences. Clarkson’s building inspector is a part-time job and their understanding is that this agreement was to cover vacations, illness, conferences, training etc., not extended absences. We have had 2 periods of extended absences by our building inspector in the last 9 months. It has been about 3 months out of the last 9 months. This is putting Clarkson in a position of possibly losing the part-time status of their building inspector and having to pay benefits. Clarkson has a Highway employee who is trained and has a Building Inspector License and fills in as their backup. It’s really a one-sided agreement; there is no reciprocation on our side, with regard to ever paying them back. It has become enough of a budget problem for them that their board discussed it. I have asked the Clarkson Supervisor to bill us for their mileage and time. Financially it covers them, but it doesn’t get us out of this situation, which they don’t think they can continue. The two options we have are either hiring an assistant or seeking out another town. Right now we don’t have any money in our budget for an assistant because all the assistant money went to our building inspector along with the Fire Marshal money. It was decided that Lee will be contacted and we will talk to the Town of Parma.

REPORTS:

Councilperson Baxter reported on the following:

- Library – The Library Board is now complete.
- Recreation – Very pleased with their office. It’s fully functional and they can move around without bumping into each other.
 - Katrina has 6 trips booked.
 - The Youth Group had their meeting on the 26th.
 - Babe Ruth Baseball Team formed
 - They will advertise for the open position on the Recreation Commission.

Councilperson Goodrich reported on the following:

- Hamlin Volunteer Ambulance – Jim Atkins, Dog Warden had 21 calls this past month.
- Hilton Parma Fire District – had 45 fire calls, 72 ambulance calls; they had 85% coverage. They are going for a few grants, monitoring for training, etc. They are also in the process of looking for quotes for a new fire truck. They are looking at the trunk radio system investigation.
- Hamlin Volunteer Ambulance – They are looking for quotes for new ambulances. Their ambulances are getting old. They are having an issue getting volunteers. It’s not just with the Hamlin Ambulance; several different public support groups are having difficulty finding volunteers.

Councilperson Rose reported on the following:

- Hamlin Fire Department – 567 calls for 2011, 15 calls for 2012 so far.
- Senior Citizens – They finished the year staying well within their budget. They've scheduled the various trips for the seniors for the 2012 year.
- Zoning Work Shop – This Thursday we will have another workshop session.

Councilperson Maier reported on the following:

- Walker Fire District – Art Holcomb was appointed to fill the term that was missing, and now their board is complete again.
- Morton had a couple of issues that I discussed with Steve. One was a drain that the pipe was coming apart. He has been over taking a look at it. Also they were asking if it was okay to use the hydrants on the new Cook Road water line.
- I attended the consolidation meeting. Ray DiRaddo was named as their Council for the new fire district. The new name is going to be Hamlin Morton Walker Fire District. They had quite a few questions on the legal end of it for Ray. They are having weekly meetings beginning this Thursday. They have some grant issues that they are going to cover.

Highway Superintendent Steven Baase reported on the following:

- We are doing brush cutting and cutting down trees
- Finally had some snow this weekend
- Replaced a couple of driveway culverts
- Applied for \$50,000 grant to the Community Grant for roads by Bradford Manor
- I am checking to see what jobs we will be doing this spring. Right now the oil index is skyrocketing so the price of blacktop is probably going to be higher than it was last year. We are going to be doing less work.
- We have a new contract with SunnKing. Our original contract was for 1 year and we received \$.02 per pound. We made over \$500 last year. The new contract is for 3 years and we will receive \$.06 per pound. The people in the community love being able to drop off their computers here.
- As of December 31st, the FCC is mandating cutting our radio frequencies in half. Many of our radios won't convert over to the new system. To replace all the radios and a new base, it will cost approximately \$20,000-\$22,000 through Flower City Communications. Another option is through Harris Communication. They are trying to get a contract through the County and we would be able to trade in the old radios. We can revisit this next month.
- I just received information in January from Five Star regarding the John Deere. It is \$10,000 extra this year for the mandatory retrofit. We would still have to pay the \$10 per hour buy back. Right now the loader has less than 150 hours on it. So that is only \$1500 for this year to swap it plus the \$10,000. The second sheet you see is warranties. If this loader goes past April 25th, the warranty will expire. Right now we don't pay for oil changes, flat tires, etc. It's 100% pure warranty with this swap over. We have to make a decision at the March meeting.
- Someone from the company for the brush showed up today. They are not running that plant any more. They hired a guy from the Southern Tier; it's a huge company that does logging. NYGEN is using them to keep their contracts so they don't lose them in case they decide to start back up again. This guy is doing the grinding, taking the chips, and he sells them to customers. He will dye the chips different colors and sell them to other places. They are going to be here in April to grind the brush.

Conservation Board Ed Evans reported on the following:

- I would like to remind everyone that April 21st is Earth Day in the Park, from 9 am-3 pm.
- The Hamlin Beach State Park has been engaged since January in developing a Master Plan. They have a 3-prong plan to update the Park that is going to affect the town greatly:
 1. Develop areas 5 and 6, Devil's Nose and the parking lot
 2. The Yanty Marsh area, aggressively pursuing mitigation funds from the State and also to upgrade the nature trail that the Lion's Club is involved in
 3. Development and improvements to everything south of the toll booth, which includes the CCC Camp and the old farm house

Town Historian Bob Kruger reported on the following:

- Thanked the Highway Department for completing the shed at the History Center. We are going to paint it. The mail wagon is inside already. We have some farming hand tools in storage and I think we can pull them out and put together an agricultural exhibit during the summertime.
- April 13th I am working with the Recreation Department to put on a schoolhouse program for their kids. Genesee Country Museum and an interpreter are coming out to put a program on for an hour. We are going to have Kay come observe and possibly make it a yearly event.
- June 2nd we have a booth at the Wheel Fest
- In July we may be hosting Clarkson Historical Society
- September 23rd will be Heritage Day

Supervisor Breslawski reported on the following:

- I submitted the Community Development Block Grant for \$30,585 for fiberglass replacement windows for the Town Hall.
- The auditors remain in the building. I have met with them several times. I am working with them to correct things. Some of the resolutions were needed to straighten out policies. They anticipate they will be around a while longer; it's a big project.
- Over the last couple of weeks, there were contractors in Town Hall tearing out the lights putting in new, bright, energy efficient lights in every office. We had some unused funding from last year from New York State that was extended to July 31st of this year. That was used on the ladies restroom; this bill will be submitted, along with the carpeting in the hallway, and the flooring in the Clerk's Office.
- Several residents have been stopping in to my office, both day time and evening. A lot of the residents seemed especially pleased that I have the availability at night.

ADJOURN TO EXECUTIVE SESSION

Resolution # 120 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to adjourn to Executive Session at 8:34 PM to discuss matters relating to the appointment of particular persons.

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

RETURN FROM EXECUTIVE SESSION

Resolution # 121 Motion was made by Councilperson Maier, seconded by Councilperson Rose, requesting Town Board resolution to return from Executive Session at 8:38 PM.

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

BUNNIE BEARDSLEY APPOINTED TO BOARD OF ETHICS

Resolution # 122 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board resolution to appoint Bunnie Beardsley to the Ethics Board 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.

RALPH PRESTON APPOINTED TO BOARD OF ETHICS

Resolution # 123 Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, requesting Town Board resolution to appoint Ralph Preston to the Ethics Board to fill an unexpired term to expire on December 31, 2013.

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 Rose, seconded by Councilperson Goodrich; to adjourn the meeting at 8:39 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