

**Hamlin Special Town Board Meeting  
May 6, 2013**

The Hamlin Town Board held a Special Town Board meeting in the Hamlin Town Hall Gymnasium located at 1658 Lake Road, Hamlin, New York. The meeting was called to order at 6:00 PM by Supervisor Breslawski with the location of the fire exits and AED explained for those present.

Present: Councilperson Jason Baxter, Councilperson Craig Goodrich, Councilperson Martin Maier, Councilperson David Rose, and Supervisor Thomas Breslawski.

Also Present: Library Director Kay Hughes-Dennett, Library President Sue Evans, Library Treasurer Carolyn Hungerford, Library Trustee Dane Emens, Building Inspector Chad Fabry, Conservation Board Members Merritt Ackles and Ed Evans.

Residents Present: Nancy Ackles, Carol Bott, Joanne Tandler, Annie Breslawski, Nannete Davis, Anne Klein, Lorrie Daniels, Carol McFarlane, Art McFarlane, James Bonsignore, Josie Rickert, Don Rickert, Karl Burroughs, Brandon Niedzwiecki, Kurtis Goltermann, L. Schuler, Michelle & Cameron Bowers, George Bott, Eric Peters, Linda Ballerstein, Mark Ballerstein, Ken Applebaum, Lillian Parker, Linda DeLaura, Don DeLaura, Gretchen Carletta, Tom Dabrowski, Charlie Hungerford, Carolyn Hungerford, Carissa Meyer, Steven Meyer, Emma Milks, and John Milks.

Supervisor Breslawski explained the purpose of the Special Town Board Meeting was to hold a Public Hearing on a Local Law Repealing and Replacing Section 520-68 entitled Public or Municipal Structures, Facilities or Utilities. This law will be voted on after the completion of the Public Hearing.

**PUBLIC QUESTIONS:**

Ken Applebaum – He questioned what the unlawful portion of the law was. Supervisor Breslawski stated that the unlawful part of the law was where it refers to a construction permit; there are no standards set forth for that permit in the law. Mr. Applebaum wanted to know what the checks and balances of the law are. Attorney Richard Horwitz stated that the checks and balances of the law are the election and the fact that these things still have to be reviewed by many other agencies and also go through the SEQR process.

Kay Hughes-Dennett – I think the law should be passed.

Sue Evans – I support the passage of the law.

Dane Emens – I support the passage of this law.

Michelle Bowers – I support the passage of the law.

Nanette Davis – I support the passage of the law.

Linda DeLaura – I support the passage of the law.

Ann Klein – I support the passage of the law.

Lara Schuler – I support the passage of the law.

Kurtis Goltermann – I support the passage of the law.

Joanne Tandler – I support the passage of the law.

Brandon Niedzwiecki – I support the passage of the law.

**DISCUSSION:**

No one on the Town Board had any questions.

**PUBLIC HEARING CLOSED**

**Resolution # 194** Motion was made by Councilperson Maier, seconded by Councilperson Rose, requesting Town Board resolution to close the Public Hearing at 6:11 PM as all business was concluded.

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

**SEQR FOR LL REPEALING AND REPLACING SECTION 520-68 RE: PUBLIC OR MUNICIPAL STRUCTURES, FACILITIES OR UTILITIES**

**Resolution # 195** Motion was made by Councilperson Baxter, seconded by Councilperson Maier, requesting Town Board resolution adopting a Final Negative Declaration of Environmental Significance in relation to the proposed adoption of a Local Law repealing and replacing Section 520-68 of the Hamlin Zoning Ordinance,

WHEREAS, the Town Board of the Town of Hamlin is considering the adoption of a Local Law repealing and replacing Section 520-68 of the Hamlin Code, and

WHEREAS, a public hearing was held concerning this proposed local law on May 6, 2013 at 6:00 p.m. at the Hamlin Town Hall, 1658 Lake Road, Hamlin, New York where all interested persons were given the opportunity to be heard and were heard, and

WHEREAS, an environmental assessment form regarding the proposed local law having been prepared, completed, and reviewed pursuant to SEQRA,

NOW, THEREFORE, BE IT RESOLVED that the Hamlin Town Board acting as Lead Agency pursuant to the requirements of SEQRA determines this proposed local law to be an Unlisted Action which will have no significant adverse impact on the environment based upon the following findings:

1. The proposed local law is not an action which involves the development of land anywhere within the Town of Hamlin, and
2. The effect of the proposed local law merely clarifies current town legislation by eliminating a procedure of doubtful legal validity and which is no longer deemed desirable or consistent with town policy.

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

**LL REPEALING & REPLACING 520-68 RE: PUBLIC OR MUNICIPAL STRUCTURES, FACILITIES OR UTILITIES**

**Resolution # 196** Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board resolution adopting a Local Law Repealing and Replacing Section 520-68 of the Hamlin Zoning Ordinance,

WHEREAS, a public hearing was held concerning this proposed local law on May 6, 2013 at 6:00 p.m. at the Hamlin Town Hall, 1658 Lake Road, Hamlin, New York where all interested persons were given the opportunity to be heard and were heard, and

NOW, THEREFORE - Be it enacted by the Town Board of the Town of Hamlin as follows:

Section 1. Current Section 520-68 entitled Public or municipal structures, facilities or utilities is repealed and replaced with the following:

Section 520-68 Public or municipal structures, facilities or utilities.

Nothing in this chapter shall restrict the construction, use or maintenance of public or municipal buildings, structures or facilities or other publicly owned properties nor the installation, maintenance and operation of such public utilities and facilities as may be essential to the servicing of any district or area.

Section 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

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 by Councilperson Goodrich to adjourn the meeting at 6:15 PM as all business had 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  
Hamlin Town Clerk, MMC