

**Hamlin Town Board Meeting
October 15, 2013**

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 Chad Fabry; Conservation Board Members Ed Evans and Jeanine Klopp; Assessor Clerk Liz Spencer; Library Director Kay Hughes-Dennett; Library President Sue Evans; Board of Ethics Co-Chair Linda Rabjohn; Assessment Review Board James Krempasky; Town Justice Paul S. Rath; Town Justice Richard W. Moffett; Court Clerk Patience McPherson; Recreation Director Patty Jo Groenendaal; Recreation Commissioners Karl Burroughs and Brandon Niedzwiecki.

Residents: Sandra Amedick, Gina Baase, Sandra Baase, Jessica Baxter, Shawn Baxter, Jenn Breslawski, Mark Breslawski, Erich Burroughs, Jaime Burroughs, Rose Burroughs, Roberta Fey, Ronald Fey, Walt Fisher, Ashley Goltermann, Kurtis Goltermann, Laurie Goltermann, Debbie Hartmann, Shirley Hollink, Mary Hueser, Tom Jensen, Karen Kuebler, Megan Lochner, JoAllen Malara, Nancy Pierce Marsden, Pam Nesbitt, Eric Peters, Timothy Phillips, Donald Rabjohn, James R. Schiebel, Ken Weitzel, Michelle Weitzel, Tracy Wietz, Rick Wright, Brennan Zaremba and Craig Zaremba.

RESOLUTION OF APPRECIATION FOR PAUL NAU

Resolution # 301 Unanimously approved.

RESOLUTION OF APPRECIATION

WHEREAS, Paul Nau served on the Conservation Board of the Town of Hamlin from January 2010 through August 2013, and,

WHEREAS, Paul Nau demonstrated practical knowledge and good sense in making sound decisions which were in the best interest of the Town of Hamlin, and,

WHEREAS, Paul Nau served as Town of Hamlin liaison to the Fishing Advisory Board,

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

FURTHER BE IT RESOLVED, that Paul Nau be furnished a copy of this Resolution, which is spread upon the minutes of the October 15, 2013, Town Board meeting.

HAMLIN JUSTICE COURT PRESENTATION BY PAUL S. RATH, TOWN JUSTICE

It has been another busy year. We have closed approximately 900 cases, which is down a little from last year. However, the fines and surcharges have increased approximately \$4,000 to just under \$78,000.

We did see an increase in the number of Town Ordinance violations, specifically the Dog Control Ordinance. These went from 29 in 2011 to 74 in 2012.

Patience McPherson continues to play a critical role in the efficient operations of the Court. She handles all of the day to day paperwork and month end summaries in order for us judges to file our reports with the State and pay the monies collected over to the Town. She also secured a grant for new computer equipment this year. We are not in any need of equipment at this time, so we won't be applying for a grant this year.

We appreciate the Towns support in the hiring of an attorney to represent the Town on local ordinances for those residents that may have questions regarding their charges. In addition, the Dog Control Officer (Dave) and his assistant (Caroline) frequently attend our court sessions and address any concerns the residents have regarding the dog violations.

The Judges, on an annual basis, are required to complete 12 hours of continuing education as well as visit each of the jail facilities over our term.

Our budget was submitted within the guidelines specified by the Supervisor, and the Board and we will continue to maintain the building and courtroom within the budget.

RECREATION DEPARTMENT PRESENTATION BY PATTY JO GROENENDAAL, DIRECTOR

The Recreation Department has grown and changed with the needs of the Hamlin community. The department instituted the on-line registration program "Rec1" in January. This is a streamlined registration program with no user processing fees and has been a savings from the on-line registration program previously used. Rec1 has many additional features and options to include social media links. This is integral as social media has become an important tool in free marketing for our recreation programs.

The Babe Ruth Travel Baseball program was able to fill four teams. However, it was felt to be a struggle to manage the needs of the coaches within our budget limits.

Youth programs have continued to be consistent with participation numbers and the Special Event programs have been well attended. It should be noted that Fiscal Year 2013 has seen a growing need by families requesting hardship. To date, five families have been granted assistance for Recreation programs.

Amy Behage, the instructor from "Total Health", has provided a wonderful opportunity for Hamlin residents to have affordable or free exercise programs five days a week.

We are projected to exceed the 2013 budgeted revenue. We want to increase the participation of the Youth Group numbers. Right now is our big drive to get kids encouraged to join the Youth Group with the School of Screams program. They love it and we hope we can keep them involved in other things throughout the year.

Lastly, this department wouldn't run without the staff that I have. They are wonderful and they all have their special talents and strengths. I am very fortunate to have them.

PUBLIC FORUM

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

Tom Jenson, 1 Roadside Drive

On September 9th, I addressed the Hamlin Town Board about the discrepancies in the Resolution of Appreciation I received in August of this year. After I left for the evening, the Supervisor made his response to my comments.

The Supervisor's response was that he originally voted no because of a police report that had to be filed on me for threatening him. It seems that anyone that was there when the "threats" were allegedly issued cannot seem to remember any threats whatsoever. I did ask that ALL Hamlin residents be included in the holiday greetings posted on the sign in front of Town Hall. I myself, being a Christian, appreciate the Merry Christmas, but not all Hamlin residents are Christians and should not be left out of seasonal greetings from the town. No threats were issued. And at no time did the police interview me about the alleged threats. If they were called because I had threatened anyone, they would have had to talk to me at some time during an investigation. His statement on the record at last month's meeting that he had to call the police on me was pure fabrication.

The Supervisor also said that he voted in favor of the resolution because everything in it was factually true. The second resolution was never voted on in a public meeting, making it illegal and in violation of the Open Meeting Law, if it was ever actually voted on at all.

*The Supervisor has damaged my reputation publicly with his fabrications and the reputation of his office as that of a trustworthy representative of the people. Since I am not running for any office, and have no plans on running for any office, this is **NOT** political grandstanding.*

Walt Fisher, 970 Hamlin Center Road

I have some questions regarding compensation for deputies and full time positions. As it relates to Deputies, on the surface it appears that they are being compensated for being available rather than performance. I support the fact of Deputy Positions, but challenge the fact that they perform and are needed equally for 26 pay periods. These people that are in these supporting roles clearly identify a range of compensation. However when you look at some of the content, it makes a lot of sense to me to have a range based on a scale of merit.

For full time positions, it would be nice to have readily available what the expectations of those positions are. How can we have individuals voted into those positions and walk into a single compensation bracket? Why do we not have a range of compensation for those positions the same as we have for supporting positions? It makes sense for the Judges to have a single compensation; they have a certain background that pre-qualifies them. We don't vote them in to train them to become Judges but rather to serve as a Judge.

Lastly as it relates to the full-time positions, compensation has been attached to certain positions. If I make the assumption that a position is truly a full-time position, and then given additional assignments which is compensated also, how can you be doing both jobs at the same time? How can we have elected officials be compensated and in a full time position be given other compensated responsibilities that appear to be performed during their normal full time hours?

The Public Forum was closed.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF SEPTEMBER 9, 2013

Resolution # 302 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board approval of the regular Town Board Meeting Minutes of September 9, 2013. Polled Votes: Councilperson Baxter aye, Councilperson Goodrich no, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES OF SEPTEMBER 19, 2013

Resolution # 303 Motion was made by Councilperson Maier, seconded by Councilperson Rose, requesting Town Board approval of the Special Town Board Meeting Minutes of September 19, 2013. Polled Votes: Councilperson Baxter aye, Councilperson Goodrich no, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution # 304 Motion was made by Councilperson Baxter, seconded by Councilperson Maier, requesting Town Board approval for the authorization of payment of bills from their respective funds.

MONTHLY TOTALS			ABSTRACT 9
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	12106-12107	927.57	
	12110	42.06	
	1-2	262.84	
	8-13	5527.33	
	61-155	53712.83	
Account Total			\$ 60,472.63
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Library			
	12105	67.24	
	12108	88.47	
	14-17	998.93	
	30-40	4542.41	
Account Total			\$ 5,697.05
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Highway			
	23	43.40	
	41-60	38912.28	
Account Total			\$ 38,955.68
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Sewer			
	21-22	346.54	
	25-29	3378.23	
Account Total			\$ 3,724.77
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Light			
Account Total	24	2357.47	\$ 2,357.47
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Employees Trust			
	12101-12104	3627.66	
	3-7	28952.41	
	18-20	1764.13	
Account Total			\$ 34,344.20
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** Visa Charges = 401.35			
These are not included in the Grand Total			
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GRAND TOTAL			\$ 145,551.80

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich no, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

APPROVE AUTHORIZATION OF TRANSFERS

Resolution # 305 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board approval of the authorization of transfers as follows:

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
AA.1990.4 Contingent	AA.3510.2 DCO Equipment	\$ 125.22
AA.1990.4 Contingent	AA.3510.4 DCO Contractual	\$ 681.31
AA.7110.1 Parks Salary	AA.7110.4 Parks Contractual	\$ 907.06
AA.1990.4 Contingent	AA.3510.11 Assistant DCO	\$ 560.00
AA.8010.13 Clerk to Support Boards	AA.3620.12 Clerk to BI Salary	\$1,814.91
AA.8010.4 ZBA Contractual	AA.8020.4 Planning Board Contingent	\$ 56.42

Polled Votes: Councilperson Baxter aye, Councilperson Goodrich no, Councilperson Maier aye, Councilperson Rose aye, Supervisor Breslawski aye. Motion carried.

Supervisor's Monthly Report acknowledged and filed.

CORRESPONDENCE:

- a. Comptroller Thomas P. DiNapoli's Weekly News, September 8, 2013
- b. Governor Cuomo: 12 Years Since That Tragic Day
- c. Letter from Veteran's Outreach Center, re: Home Front Flags
- d. Letter from County Executive Maggie Brooks, re: Award of \$27,800 for the Town Line Road Sidewalk Loop Project
- e. Office of the Monroe County Sheriff Community Notification: Level One Sex Offender Keith C. Cook
- f. Office of the Monroe County Sheriff Community Notification: Level One Sex Offender Tanya M. Cook
- g. Comptroller Thomas P. DiNapoli's Weekly News, September 15, 2013
- h. Governor Cuomo: Enjoy Autumn at NYS Parks
- i. Comptroller Thomas P. DiNapoli's Weekly News, September 22, 2013
- j. Comptroller Thomas P. DiNapoli's Weekly News, September 29, 2013
- k. News from Maggie Brooks, Monroe County Executive: PARKS NEWS & PHOTO: Orangutan Naming Contest at Seneca Park Zoo
- l. Freshwater Future: Asian Carp
- m. Comptroller Thomas P. DiNapoli's Weekly News, October 6, 2013
- n. Supervisors email to Dave Maynard, October 3, 2013, re: Donation Money
- o. Copy of Town of Hamlin Revenue Report and General Ledger, re: Dog Control Donation Funds Deposited And Never Left Account

PUBLIC HEARING SCHEDULED FOR 2014 TOWN OF HAMLIN BUDGET ON 11/12/13

Resolution # 306 Motion was made by Councilperson Maier, seconded by Councilperson Rose, requesting Town Board resolution to schedule a Public Hearing for the 2014 Town of Hamlin Budget at 6 pm on November 12, 2013.

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

\$73,962 RELEASED FROM LETTER OF CREDIT FOR SECTION 2 OF HAMLIN MEADOWS

Resolution # 307 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to release \$73,962.00 from the Letter of Credit for Section 2 of the Hamlin Meadows Subdivision.

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

APPROVAL FOR RECREATION DEPARTMENT TO PURCHASE GATOR FOR \$5,300.00

Resolution # 308 Motion was made by Councilperson Baxter, seconded by Councilperson Rose, requesting Town Board resolution to approve the Recreation Department to purchase a used Gator from Linda and Larry Stephen for a total of \$5,300.00 with \$3,348.98 to be paid from the 2013 Budget and the remainder to be paid in January, 2014.

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

APPROVE TO ADD MOWING AND EMERGENCY ENCLOSURES TO COUNTY TAX BILLS

Resolution # 309 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to add \$963.80 to the Town and County tax bills, per Town Code 35-5 as follows:

<u>Tax Account #:</u>	<u>Address</u>	<u>Amount</u>
013.03-2-18.1	3792 Brick Schoolhouse Road	\$150.00
008.15-2-18	5821 West Wautoma Road	\$130.00
<u>2012 Mowing After Cut Off:</u>		
012.03-2-21	3004 Church Road	\$ 60.00
014.02-1-16	59 Ketchum Road	\$ 60.00
021.03-3-24	1766 Lake Road	\$ 60.00
021.01-4-1	1396 Lake Road	\$ 60.00
<u>Emergency Enclosures:</u>		
029.07-5-42	44 Greenridge Crescent	\$443.80
	<u>Total</u>	<u>\$963.80</u>

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

DISCUSSION:

1. ***Hamlin Hornets Pizza Party Request*** – They requested a Charlie Maier Lodge rental retroactive waiver for 10/12/13. Patty Jo stated that it is a youth sport organization, and the facility was left in beautiful condition afterward.

LODGE RENTAL FEE WAIVER APPROVED FOR HAMLIN HORNETS ON 10/12/13

Resolution # 310 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to waive the Use Fee for the Lion Charlie Maier Lodge for the Hamlin Hornets on October 12, 2013.

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

2. ***Voucher #00012086*** - tabled

REPORTS:

Councilperson Baxter reported on the following:

- Hilton-Parma Fire District passed their budget.
- Recreation – Patty Jo covered a lot of Recreation. The graffiti was fixed on the air hockey field, but now there is more graffiti out there. (Steve Baase said that it was already taken care of.) School of Screams is coming up at the end of the month. They have 10 new members in the youth group.

- Update to Town Website – Our website is kind of archaic, and it would be nice to update the colors and background. They would like to have the ability to post notes up on the website. We talked about creating videos for some of the programs to try and get interest and keep interest going.
- The Before and After School numbers are low, but they are doing okay.

Councilperson Goodrich reported on the following:

- The Chamber of Commerce just donated \$500 to Life Solutions, which was a result of the raffle that they had earlier during the year based upon the New York State Lottery.
- The Hamlin Ambulance was very appreciative of the Town money, but can use more like everyone. They had a raffle and they used the raffle money toward a new ambulance.

Councilperson Rose reported on the following:

- This month the Seniors are having a pizza and wing party at their monthly meeting. The November meeting will be catered by Carmestro's. The Christmas party will be held at the Tavern 19.
- Planning Board - They are coming up with some changes for Zoning that they would like to see.
- The Library is coming along well and hopefully Steve will be able to start breaking ground soon.

Councilperson Maier reported on the following:

- The Fire District had 575 calls for the year to date. They have their Public Hearing tonight for their budget at 7 pm. On October 9th they opened bids for the addition to the Morton Fire Station and upgrades to one of their pumpers. It should be awarded at the next meeting and then they will get started on that.
- Conservation Board didn't have any referrals; it was mostly discussion on the other meetings they attended.

Highway Superintendent Steven Baase reported on the following:

- Just about all the scheduled County work is done. There are a couple of projects still coming in.
- We finished the blacktopping behind the Hamlin Fire Department.
- We are back in Town from a lot of our jobs. We are doing a lot of ditching and culvert replacement. Part of that ditching is for the County, and another one might come in next week, so we are still bringing in County money.
- We are patching potholes today. We borrowed the Town of Ogden's hotbox to keep the blacktop at a hot temperature when you are going all through the housing tracts patching over the holes. It cools off in the big trucks and you end up throwing a bunch of it away. We are trying to get that done before the weather turns.
- We had a low turnout for junk days for the second year in a row. There were five dumpsters this year. We are getting 17 or 18 pallets of electronics that we collected. Due to the low turnout, I would like to review it again next year and maybe offer it for one weekend only, if at all.
- Brush pickup begins next week. They have ground the brush down in the pit. They have not come to haul it out of there. I have been calling them. There are 600 yards of chips down there.
- I am working on snow and ice contracts with the County and the State. The State is just starting theirs. I have the County's and I will need a resolution to accept the snow and ice contracts. The price that they are paying to the Town dropped a little. The price of salt has dropped \$4 per ton since last year.

2013/2014 M.C. INTERMUNICIPAL AGREEMENT FOR SNOW & ICE CONTROL SERVICES

Resolution # 311 Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board resolution to authorize the Supervisor, upon the Town Attorney's approval, to sign the Monroe County Intermunicipal Agreement for Snow and Ice Control Services for the 2013/2014 plowing season for \$231,367.62.

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

- The Route 19 Bridge – it has been changed to a 16 ton limit.
- Radios – I have been trying to get prices on radios so I can have them by the winter time. I called Harris Communication, Motorola and Flower City. I will call TADA tomorrow. The price from Harris Communications may come down to \$30,000 for the mobiles to equip all the trucks, and the handhelds will be \$5,000. The total will be approximately \$35,000.
- I went to the Monroe County Municipal Auction and bought a 1998 Badger for \$11,000. We can use it for a replacement or for parts. Our excavator is 21 years old and should something serious happen; it's \$210,000 to replace it.

APPROVAL TO TRANSFER FUNDS FROM HIGHWAY EQUIPMENT RESERVE

Resolution # 312 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to approve a transfer of funds from the following accounts:

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
HD Highway Equip Reserve Acct.	DA5130.2 New Equip Acct.	\$11,000.00

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

Building Inspector Chad Fabry reported on the following:

- It was a typical month. There were 31 permits, about 70 inspections and only a few complaints.

Library Director Kay Hughes-Dennett reported on the following:

- October is our first full month for all of our regular programs. September is only about a ½ month, and we are back to Summer Reading proportions. We don't have enough room to do everything in one room, so it will be nice when we have the new Library.
- We had a very nice donation of all our pumpkins for our pumpkin painting class from Dave Leverenz, a local farmer.
- We have received 90% of the Library Construction Grant, \$419,522,000, and we also received a grant from Senator Robach for \$15,000. The Library applied for another grant from the NextGen Grant from the Rochester Community Foundation for Youth and Children's Educational Programs.

Conservation Board Ed Evans reported on the following:

- The members of the Conservation Board got together and went over the requirements for the training by the year end. Everyone is registered for whatever they need to fulfill their 4 hour duties and it will be completed by the deadline.
- The State Park is in the process of turning the farmhouse on Moscow Road adjacent to the CCC site over to the Friends of Hamlin Beach State Park. The order has already been placed to the Monroe County Water Authority to hook up the water. After the water is hooked up, you will begin to see the thing converted into another local historical museum and research center. The old iron gate on Moscow Road was about to be taken down and they will place it a few hundred feet north so as to create a new travel way. It will be a one way in where the old gate was, and the exit will be next to the farm house.

Supervisor Breslawski reported on the following:

- He read a lengthy report regarding Town employees and elected officials using a Town website and a Facebook page as a political tool in the upcoming election. He read many excerpts from the private messaging portion of the Facebook page. He believes that they are colluding in a manner to fix the election. He stated that he turned the 569 pages of documents that he had as “proof” to the District Attorney and the Board of Elections to review. He asked for several resignations to be on his desk by morning. To request a copy of the full transcript of his report, please contact the Town Clerk.
- He assured everyone that he will remain vigilant in his duties to safeguard the town and its resources for the residents.
- The budget meeting will be rescheduled to a later date.

Councilperson Rose added:

Tom, you came down to my house last week and demanded that I get the passwords to shut that website down, correct? Then why are you saying that I was part of this? I told you I was not going to be arrested for something that was illegal. I have proof; my wife was there. You were in our kitchen and it was about 5:30 at night. So you are out of place there.

ADJOURNMENT

A motion was made by Councilperson Breslawski, seconded by Councilperson Maier to adjourn the meeting at 8:18 PM as all business had been concluded.

Polled Votes: Councilperson Baxter no, Councilperson Goodrich no, Councilperson Maier aye, Councilperson Rose did not vote, Supervisor Breslawski did not vote.

Respectfully submitted,

Kathi A. Rickman
Hamlin Town Clerk