

**Hamlin Special Town Board Meeting
November 25, 2013**

The Hamlin Town Board held a Special Town Board meeting in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The meeting was called to order at 6 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 Member Jeanine Klopp; Library Director Kay Hughes-Dennett; and Supervisor-Elect Eric Peters.
Resident: Sherry Dobson

PUBLIC HEARING OPENED

Supervisor Breslawski briefly explained the Public Hearing was to consider the 2014 Town of Hamlin Preliminary Budget. He then called the Public Hearing to order.

PUBLIC QUESTIONS:

Sherry Dobson, 19 Settlers Lane, Huntington Park - I have a question for the Town Board and the Highway Superintendent. The Huntington Park District is a line item on our taxes; we are the only subdivision in the Town of Hamlin that pays a line item for Parks. Over the years, as an employee, I kept an eye on the budget, and I could ask the Supervisor when they were going to correct the blacktopping on the bicycle paths. I don't know if it was ever done because I have walked it a couple of times and there are some places that are really sunken in and the blacktop is really deteriorating. I wanted to know what the \$3,500 for Contractual Expenses for next year includes. I have talked to him about the condition of the sidewalks and the conditions of the signs. Some of the bicycle paths are in deplorable condition. I am hoping that with the new sidewalks going in, if it's going to go in connecting up to the Huntington Park. I want to know if in the contractual if there is any budgeting for it. I am hoping that with the next budget year that they will look at it. I would like permission to purchase a dog waste disposal system, where there are bags for the dog's waste, for the Huntington Park behind my house. I would like to put one up in the area by the swings because everyone along Settlers Lane that has a fence cuts the grass out at least 10 feet because we were told to do that many years ago. We do maintain it, but I am so tired of picking up poop. I don't know if it will help, but they walk right along the back fences and just leave it there. I would like to try something.

The Highway Superintendent stated that the amount in the budget was for mowing but it can also be for the sidewalks. There are a few specific sidewalks that he has his eye on, one on Downs Meadow Court and one on Blossomdale is also in terrible shape. He is also considering making the tennis court into a basketball court because he felt that it would get more use.

Jeanine Klopp, 3987 Roosevelt Highway – On Page 12, of the budget for the Conservation Board, it appears that it covers 7 Board Members for the Conservation Board, and also there was some question as to whether we would have money for the trees from the Monroe County Soil and Water. Supervisor Breslawski stated that the budget includes 7 Board Members for the Conservation Board and the trees are still in the budget listed under 8710.4 Conservation Board Contractual.

PUBLIC HEARING CLOSED

Resolution # 327 Motion was made by Councilperson Goodrich, seconded by Councilperson Rose, to close the Public Hearing at 6:18 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.

Supervisor Breslawski opened the Special Town Board Meeting at 6:18 PM.

2014 TOWN OF HAMLIN PRELIMINARY BUDGET APPROVED

Resolution # 328 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to approve the 2014 Town of Hamlin Preliminary Budget.

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

\$74,646 RELEASED FROM LETTER OF CREDIT FOR HAMLIN MEADOWS SUBDIVISION

Resolution # 329 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to release \$74,646.00 from the Letter of Credit for the Hamlin Meadows Subdivision.

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

CONTRACT W/ RICHARD COMI FOR NEXTEL TOWER DECOMMISSIONING APPLICATION

Resolution # 330 Motion was made by Councilperson Maier, seconded by Councilperson Goodrich, requesting Town Board resolution to approve and authorize the Supervisor to execute the contract between Richard A. Comi, d/b/a The Center for Municipal Solutions, and the Town of Hamlin for Consulting Services pertaining to the Nextel Tower Decommissioning Application.

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

DISCUSSION:

- a. **Tower Consultant & Engineer Quotes** – It's a Cingular/ATT Contract. I got some price quotes from Chatfield Engineers, Fisher Associates and Richard Comi's firm. This is not taxpayer money and we are under no obligation to get quotes for this. Mr. Comi's firm is a turnkey operation that offers expertise and familiarity with the federal regulations concerning towers and our code because he wrote it and he makes sure they comply with it. He requires a bit more detail than would be necessary, but the Town would be safeguarded by his efforts. Supervisor Breslawski recommended CMS because he makes the entire process turnkey, always answers the phones himself and covers everything from code compliance on down. Attorney Ken Licht and Building Inspector Chad Fabry also recommended The Center for Municipal Solutions.

CONTRACT W/ RICHARD A. COMI FOR CINGULAR WIRELESS TOWER APPLICATION

Resolution # 331 Motion was made by Councilperson Maier, seconded by Councilperson Baxter, requesting Town Board resolution to approve and authorize the Supervisor to execute the contract between Richard A. Comi, d/b/a The Center for Municipal Solutions and the Town of Hamlin for Consulting Services pertaining to the new Cingular Wireless Tower Application.

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

- b. **Grain Communications Letter** – I received an additional letter from Grain Communications and I didn't know if or how it pertained to the original Assignment of Lease. Attorney Licht stated that he didn't think it did pertain to the original Assignment of Lease but it pertains to this document, which the S and E is sending in. It's basically an Estoppel Certificate, whereby the Town makes

representation as to what the status is. Comi found 2 issues with that in the email: the representation as to the current rent, and that the tenant may have freely subleased space on the ground and/or tower without obtaining the Town's consent. Every tenant needs to pay 10% over to the Town, and he thought that should be spelled out again to clarify. At the same time, any changes made to the current monthly rent, needs to be changed to the rent being charged. I would correct the two sentences before you sign it and send it back. There is no obligation to sign it and send it back, but it is normal business and customary to do so if it is accurate.

Highway Superintendent asked who was in charge of the Towers when there were problems because the towers were broken for a month and he couldn't contact anyone. Supervisor Breslawski said Grain Communications is now and will be SBA and he should contact Dick Comi.

APPROVAL TO EXECUTE CONSENT/ASSIGNMENT OF GCGI DEV, LLC AS AMENDED

Resolution # 332 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board resolution to approve and authorize the Supervisor to execute the request for Consent/Assignment of GCGI Development, LLC in a certain Ground Lease Agreement dated December 16, 2009, as amended, relating to the cell tower site at 91 Railroad Avenue, Hamlin, NY, to Grain Communications, LLC, or any affiliate. I would additionally request the Town Board to allow the Supervisor to sign and execute the Letter of Correction to the monthly rent in Paragraph 3 and clarification of paragraph 7 with respect to freely subleasing space to include the obligation to the tenant to pay 10% of the rent to the Town.

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

NATIONAL GRID AUTHORIZED TO INSTALL STREETLIGHTS AT HAMLIN MEADOWS 2

Resolution # 333 Motion was made by Councilperson Goodrich, seconded by Councilperson Baxter, requesting Town Board resolution to authorize National Grid to install a streetlight conductor and direct embedded fiberglass poles, 100 watt high pressure sodium lamps and coach lamp luminaires at four locations in Hamlin Meadows Subdivision Phase 2. Estimated Annual Cost: \$1,040.

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

AUTHORIZATION TO TURN DOG CONTROL FACEBOOK PAGE BACK ON

Resolution # 334 Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, requesting Town Board resolution to authorize Dog Control to turn the Dog Control Facebook page back on.

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

ADJOURNMENT

A motion was made by Councilperson Rose, seconded by Councilperson Baxter to adjourn the meeting at 6:48 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