

**Regular Town Board Meeting
November 10, 2014**

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, NY. The meeting was called to order at 7 pm by Supervisor Peters. 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. Invocation by Rev. Paul B. Heidt.

Present: Councilperson Jason Baxter, Councilperson Jennifer Goodrich, Councilperson Martin Maier, Councilperson Dave Rose, and Supervisor Eric Peters. Also present were Assessor Elizabeth Spencer, Library Director Kay Hughes-Dennett, Historian Bob Kruger, Fire Marshal Thomas Maier, and Highway Superintendent Steven Baase.

Residents: Joel Yager, David Isabella, John DeRue, Linda DeRue, Cindy Lutwiller, Brian Houseman, and Reid Foertsch.

Also In Attendance: Richard Goldberg, Esq., Hamlin Volunteer Ambulance Manager Rick Wright, and Richard W. Lynch, Business Owner.

PUBLIC FORUM

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

Richard Goldberg, Esq. – He stated that he appeared before the Town Board back in May on behalf of David Isabella and various neighbors about the Habberger property located at 796-812 Walker Lake Ontario Road. “I’ve also talked to Ms. Pacelli on several occasions about these problems and we’re concerned...we’d just like some sort of indication of what’s been done or what will be done and some sort of timeline. Ms. Pacelli did fax me the Building Code of New York State, a section of it, indicating that agricultural buildings are exempt from the building code. That’s only in regards to buildings that are used directly for agricultural purposes. There are two partially collapsed buildings on the property and those would not be exempt under the code. There’s also issues, apparently the Habergers sell vegetables and things at the Public Market and they would be subject to health and sanitation codes, which we don’t believe or have any information to believe they would be noncompliant. We don’t believe that the Agricultural Markets Law exempts them; certainly it doesn’t exempt them with any buildings that aren’t used for agricultural purposes and I think there are several there that are partially collapsed and aren’t used for anything. They should be torn down; it’s a safety violation. And also we respectfully submit that if they are, which they are apparently selling vegetables at the Public Market that that would be subject to state and local requirements in regards to health. The Monroe County Health Department should be made aware of that. If we don’t we can’t really say anything about that they’re doing. We would respectfully request that some indication of what’s been done and some sort of deadline or timeline. I’m not sure about other towns but in the city they do 30 day orders. We are concerned about that, and Mr. Isabella has lived out here for years. He’s a neighbor and he has other neighbors who were here earlier and we introduced pictures, but we respectfully submit that the Town has more authority than it looks at the surface for several reasons. One is the properties and buildings that are not used for agricultural purposes on the property would be subject to building code requirements that they are clearly in violation of. A partially collapsed building, if there was a fire there, those old buildings should be torn down and we think that should be subject to the Hamlin Town Code. And we also believe that together with the Health Department, that they are in violation of health and sanitation codes and they’re using that property to grow vegetables and take them to the Public Market. If they are in violation of health code

with the produce they would be subject to the Monroe County Health Code and the Monroe County Health authorities to inspect it. Legally, if there are problems with rodents and rats, we've had people testify in May as to that. We think that the agricultural exemption does not apply to these things. It wouldn't apply to the buildings that aren't used for agriculture and it wouldn't apply if there are still health codes that supercede anything else. My client Dave Isabella is quite concerned about that. There's a neighbor who testified earlier from the property across the street that he used to see rodents and rats coming out of there and it's a concern; it's a blight to the fact we have values. More importantly, if they are conducting business, which they are, that they're not in compliance with health and safety inspections. We are respectfully requesting, we came out here in May, it's been almost six months now, we are respectfully requesting some sort of timeline, some sort of indication of what the Town plans to do. My client did speak to somebody at the Monroe County Health Department and if the Town could talk to this man, his name is Eric Hemmerman, he could explain further what these health code violations alleged are and how they would still be enforceable at the Habberger farm. We would just like something to be done, we would like those buildings torn down. The partially collapsed buildings are not used for anything; they're not used for agricultural purposes and wouldn't be subject to exemptions of the building code for that reason. And further we would like some type of inspection whether it's done in coordination with the Health Department to see what they're doing and I think it's a genuine health issue. They used to have a stand there; they don't anymore but they sell to the Public Market and would be subject to Monroe County Health Code standards. We'd like something done along those lines."

Councilperson Rose asked whether the Health Department indicated if they would come out and review the property. Mr. Goldberg indicated that they didn't. Mr. Isabella stated that they didn't go that far because they wanted to give that option to the Board. Mr. Isabella also advised that the most serious is the Agriculture and Markets Law; they could be disenjoined from doing business. He added that they "want to move forward, one way or the other," by the time they leave the meeting tonight unless Ms. Pacelli could "provide a solid rundown of what violations have been identified, the time limit that they've been given for compliance, and a way to control what has been observed so they're not moving one pile to the next. We're going into the winter season now and March is always a time when they replenish that roadside dump, so business as usual." Mr. Isabella indicated that they dump by the side of the road and it's visible to the neighborhood.

Supervisor Peters invited Building Inspector Cheryl Pacelli to respond. She stated that she had sent them (the Habergers) two letters: one was by regular mail and one was certified. Joseph, a brother, apparently received the one by regular mail and came to her office where she stated she told him the property was untidy. Ms. Pacelli added that she can't go on the property and noted that unless you're invited on the property you can't proceed onto it so she discussed what she could see from the road. She stated that Mr. Habberger is aware that the items she can see from the road have to be cleaned up. Ms. Pacelli advised that she gave him until the end of growing season to have it done and added that as far as she's concerned growing season is done. Her next recourse, she advised, is to send him an appearance ticket for violation of the Hamlin Town Code. Mr. Isabella interjected that growing season will continue because they'll be growing in their greenhouses soon. Ms. Pacelli stated that she can't guarantee they'll appear at court. Mr. Goldberg added his belief that if a summons was filed that Ms. Pacelli would have the right to go on the property but he believed it would need to be supervised. He also noted that she could get a court order to go on the property to see what has and has not been done. Ms. Pacelli stated they (she) would go to court and see what could be done. Mr. Goldberg and Mr. Isabella inquired about a timeline to send the appearance ticket, to which Ms. Pacelli responded "this week." Ms. Pacelli stated she has given them some time, and noted that when she drove by it appeared to be "picked up a little bit" but that it wasn't to the extent she wanted. Mr. Goldberg thanked Ms. Pacelli for her assistance.

Supervisor Peters asked if anyone wished to speak. No one responded, and Supervisor Peters closed the Public Forum.

PRESENTATION BY RICHARD LYNCH

Mr. Lynch advised that he owns Accent Woodworks on Railroad Avenue. He stated that they're "a little confined for space" on the property and added his belief that the building is approximately the same size as the property. Mr. Lynch stated that he approached Christine Manna, who owns the Hamlin Station, and she had expressed interest in selling him some of her property. Mr. Lynch proposed buying 60 feet of property from Ms. Manna, assuming that he could put a 40x60 pole barn on that property. He stated that he'd rather have a lean-to but it would be too tall so he thought a free-standing pole barn would be more appropriate, placed in the middle of the property. Mr. Lynch advised that his appearance tonight was to see if the Board would potentially allow this.

Supervisor Peters noted that Mr. Lynch had provided them with a map, and observed that Mr. Lynch wanted to place it on the east side; Mr. Lynch stated this was correct. The Board inquired what was on the property now to which Mr. Lynch responded rubbish, some trees, leftover railroad ties, grass, and other "junk." Councilperson Rose inquired whether it interfered with anything, to which Mr. Lynch responded "no." Supervisor Peters inquired whether Mr. Lynch owned the property yet, to which Mr. Lynch responded "no." Supervisor Peters advised Mr. Lynch that the Board could not grant Mr. Lynch anything because he does not own the property and clarified that the map was a concept drawing. Mr. Lynch concurred and stated that he didn't want to purchase the property if it wasn't something he was going to be able to do. Councilperson Rose inquired if the area was zoned commercial, and Building Inspector Pacelli responded that it is zoned industrial. Mr. Lynch stated he would like to set the building out approximately 10 feet from the existing structure and indicated he was aware of the need for site plan approval from the Planning Board. He added that the building would be mostly for storage and contain items such as lumber and a forklift. He stated that he also has a portable sawmill out in Kendall that he'd like to move it to the new structure as well. Supervisor Peters inquired whether Ms. Pacelli had any other input or questions, to which she responded 520-20C(2) refers to Town Board approval prior to the site plan permit approval process. Supervisor Peters agreed with the Code but stated the Board is not in that position because Mr. Lynch doesn't own the land. Ms. Pacelli stated that Mr. Lynch may need to come back before the Board, and Mr. Lynch responded that he would have to have the site plan prepared. He was just wondering if the Town Board would consider the setbacks. Supervisor Peters advised that the next step would be to have something more concrete for the Board. Mr. Lynch stated that he would contact the owner and begin to move forward. He then thanked the Board.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF OCTOBER 22, 2014.

Resolution #239 Motion was made by Councilperson Baxter, seconded by Councilperson Rose, requesting Town Board approval of Regular Town Board Meeting Minutes of 10/22/2014. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

APPROVAL OF THE AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #240 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting town board authorization to pay the bills from their respective funds. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

<u>MONTHLY TOTALS</u>			TOWN OF HAMLIN	<u>ABS: 11</u>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>	
General	2014-1254	100.00		

	2014-1257	2321.26	
	2014-1272 to 2014-1309	7660.00	
	2014-1323 to 2014-1366	13663.83	
Account Total			\$ 23,745.09
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Library	2014-1258	280.80	
	2014-1367 to 2014-1386	14358.37	
Account Total			\$ 14,639.17
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Highway	2014-1313 to 2014-1322	8281.34	
Account Total			\$ 8,281.34
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Sewer	2014-1259	631.86	
	2014-1310 to 2014-1312	1034.56	
Account Total			\$ 1,666.42
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Light	2014-1260	1228.60	
Account Total			\$ 1,228.60
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Employees Trust	2014-1255 to 2014-1256	22083.13	
	2014-1262	1734.79	
	2014-1263	1306.22	
Account Total			\$ 25,124.14
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Visa Charges	Vistaprint	24.55	
			\$ 24.55
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GRAND TOTAL			\$ 74,709.31

SUPERVISOR'S MONTHLY REPORT ACKNOWLEDGED AND FILED.

REQUESTING TOWN BOARD APPROVAL TO MAKE THE FOLLOWING BUDGETARY TRANSFERS:

Budget	From Account	To Account	Amount to Increase / Decrease
<u>Assessor</u>			
Transfer money to correct Expense Account	AA.3040.00	AA.1355.11	\$ 1,060.31
<u>Building Inspector / Fire Marshall</u>			
Tranfer money to correct Salary Account	AA.3620.40	AA.3620.10	\$ 11,000.00
Tranfer money to correct Salary Account	AA.3620.12	AA.3620.10	\$ 5,183.17
Tranfer money to correct Salary Account	AA.3010.40	AA.3010.20	\$ 317.44
<u>Dog Control - Budget Moves</u>			
Increase Revenue Accounts	AA.1550.00		\$ 7,000.00

Increase Revenue Account	AA.2544.00		\$ 4,500.00
Increase Expense Account	AA.3510.11		\$ 2,104.96
Increase Expense Account	AA.3510.20		\$ 383.54
Increase Expense Account	AA.3510.40		\$ 8,000.00

General

Transfer Money to correct Expense Account	AA.9060.80	AA.9060.82	\$ 6,000.00
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Library

Transfer Money to correct Expense Account	L.7410.10	L.7410.11	\$60,280.00
Transfer Money to correct Expense Account	L.7410.40	L.7410.20	\$ 3,000.00
Transfer Money to correct Expense Account	L.9030.80	L.9030.81	\$ 1,250.00

Highway

Transfer Money to correct Expense Account	DA.9030.80	DA.9030.81	\$ 7,540.00
Transfer Money to correct Expense Account	DA.9060.80	DA.9060.82	\$10,000.00
Transfer Money to correct Expense Account		DA.5142.10	\$ 6,274.58

Sewer

Transfer Money to correct Expense Account	SS.9030.80	SS.9030.81	\$ 125.00
Transfer Money to correct Expense Account	SS.8120.20	SS.8120.40	\$ 1,200.00

Resolution #241 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, authorizing the above listed budgetary transfers.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

CORRESPONDENCE:

- a. Reappointment letters from Jeanine Klopp, Conservation Advisory Board, Cheryl Pacelli, Building Inspector/CEO and Support Board Clerk, and Kathi Rickman, Tax Collector.
- b. Hamlin Morton Walker Fire District Meeting Minutes of 10-7-14.
- c. Hamlin Volunteer Ambulance Meeting Minutes of 11-3-14.
- d. Newsletter from HR-Works
- e. Reshaping Rochester Awards -12-2-14
- f. Rochester Works – New Grant updates and Training.
- g. EfficientGov – Online Portal for Civil Action
- h. Time Warner current rates
- i. NYSEG and RG & E to use Helicopters to inspect Natural Gas Transmission Right of Ways.
- j. Fall 2014 Regional Local Government Workshop.
- k. Fishery Advisory Board, Agenda and minutes
- l. NYS Dept of Public Service information
- m. Hot Topics from NYS & Local Retirement System
- n. A copy of a letter from Chatfield Engineers asking for a release of money for Beehler Construction.

- o. Incident Report RE: Thursday night Nov. 6th.
- p. EfficientGov – Grant Intel
- q. Be a Healthy Hero Veterans Day Break.
- r. HR Works upcoming Seminar.
- s. NYS DEC – Notice of Complete application – Hilton Sno-Flyers

REQUESTING TOWN BOARD RESOLUTION TO RELEASE \$16,108.20 FROM THE LETTER OF CREDIT FOR THE HAMLIN MEADOWS SUBDIVISION.

Supervisor Peters referenced the letter from Chatfield Engineers and inquired whether this was satisfactory to Highway Superintendent Steve Baase. Superintendent Baase advised of his concern that there's still only one entrance into Hamlin Meadows, adding that there's 60-70 homes in there and many pieces of heavy equipment that will be damaging the road – Superintendent Baase inquired why the rest of the Hamlin community should have to pay for it. He added that the developer is the one “tearing the roads apart and he should have to pay for it.” Councilperson Rose concurred and stated “that’s a good point.” Superintendent Baase added that if there were a second entrance for construction he wouldn’t be so concerned about it. Superintendent Peters inquired whether a construction/second entrance had initially been stipulated, to which Superintendent Baase responded that the agreement was before he was superintendent but he believed that part had been taken out. Councilperson Rose indicated he believed they had wanted to put another one off Route 18 but the State rejected it. As such, they held with just the one entrance. Councilperson Rose suggested accepting it but having them sign a waiver that if there’s any damage due to construction equipment going over that dedicated portion that they’d be responsible. Another person suggested filing a bond for correction or deferring acceptance of the application pending resolution of this matter through bond or agreement with the developer. Supervisor Peters stated, according to the letter he received from J.P. (Chatfield, Engineers) that after the release of the approximately \$16,000.00, there would still be \$25,545.00 remaining on the letter of credit, and the developer is proposing to keep this in the letter of credit in lieu of providing relief on the bond. The issue was returned to Superintendent Baase’s attention to consider if the \$25,000 would be commensurate with the cost to repair any damage. He advised that it would be difficult to determine at this time because there’s no way to know the extent of any damage; he added that if it’s superficial the \$25,000 would most likely be sufficient because you can re-top it for that cost. When Supervisor Peters inquired about the present state of any damage, Superintendent Baase stated that when they (construction) still had the binder down – before the top was put down - you could see where the utilities that ran underneath the road were starting to sink. He made them go through with the paver (before they put the top down) and pave over the divots so everything would be level before they put the final layer on. He added that we have other housing tracts have road sinkage as well; it’s normal. Supervisor Peters again confirmed that there was never a plan for a second entrance because the State wouldn’t allow it (a construction entrance). Councilperson Rose again stated that at one time a second entrance was considered but the Planning Board didn’t consider it. Town Attorney Ken Licht suggested a simple agreement, adding that cash could be substituted in the agreement, and indicating when it can be released and specifying what the responsibilities of the developer would be and what documentation would be required. Councilperson Rose added that any subsequent section to the tract should have that same agreement; he stated his belief that there are supposed to be four sections. Supervisor Peters reminded the Board that at this time all the developer is requesting is a release from the letter of credit and that at this time the maintenance bond was a proposal on the developer’s part. Councilperson Rose advised that the Town must ensure the maintenance bonds don’t expire. Supervisor Peters inquired of Superintendent Baase regarding his comfort level with the proposal, and Superintendent Baase stated he would be comfortable because when asked to repair things the developer has been amenable. Councilperson Rose stated he did not want to release it until the bond was received. Supervisor Peters stated that the developer is currently seeking the

\$16,000 to cover costs expended for work completed. Councilperson Rose inquired that if the developer starts on Section 2 another bond would be required, which was responded to affirmatively.

Resolution #242 Motion was made by Councilperson Maier, seconded by Supervisor Peters, to release \$16,108.20 from the letter of credit for the Hamlin Meadows Subdivision. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO ADD THE FOLLOWING AMOUNTS TO THE TAX ACCOUNT NUMBERS INDICATED FOR GRASS CUTTING, PROPERTY MAINTENANCE, AND EMERGENCY ENCLOSURES FROM JANUARY 2014 TO SEPTEMBER 2014.

TAX ACCOUNT#	ADDRESS	AMOUNT
021.01-4-1	1396 Lake Road	\$240.00
014.02-1-17	47 Ketchum Road	\$240.00
015.04-1-6	695 Hamlin Parma TL Rd	\$225.00

\$100 Administrative Fee added per address per Town Code 213-5B

Resolution #243 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, to add the above indicated amounts to the Tax Account numbers indicated for grass cutting, property maintenance, and emergency enclosures from January 2014 to September 2014. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO ACKNOWLEDGE ATTENDANCE AT THE MONROE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT FALL 2014 LAND USE DECISION-MAKING TRAINING PROGRAM THEREBY EARNING 4 CEU'S FOR THE FOLLOWING, JOHN DERUE, CHERYL PACELLI, STEVE RUTHERFORD, AND DAVID WOLFE.

Resolution #244 Motion was made by Councilperson Rose, seconded by Councilperson Maier, to acknowledge attendance at the Monroe County Department of Planning and Development Fall 2014 Land Use Decision Making Training Program thereby earning 4 CEU's for the following, John DeRue, Cheryl Pacelli, Steve Rutherford, and David Wolfe. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION FOR THE APPROVAL OF THE SURETY FORM AND THE AMOUNT OF THE OFFICIAL UNDERTAKING FOR THE FAITHFUL PERFORMANCE OF THE DUTIES OF THE TOWN CLERK AND RECEIVER OF TAXES, KATHI A. RICKMAN, MMC FOR THE FOLLOWING:

Type of undertaking: Crime Policy

Insurance Policy: Traveler's Casualty Insurance Company of America

Amount: \$500,000.00

WITH A COPY OF SAID BOND HAVING BEEN FILED IN THE TOWN CLERK'S OFFICE AND THE MONROE COUNTY CLERK'S OFFICE FOR THE PURPOSE OF COLLECTING 2015 TOWN AND COUNTY TAXES.

Resolution #245 Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, to approve the Surety Form and the amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes, Kathi A. Rickman, MMC for the following: Type of Undertaking (Crime Policy); Insurance Policy (Traveler's Casualty Insurance

Company of America); Amount (\$500,000.00). This is with a copy of said bond having been filed in the Town Clerk's Office and the Monroe County Clerk's Office for the purpose of collecting 2105 Town and County taxes.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO ADOPT A LOCAL LAW AMENDING SECTION 520-66(J) OF THE TOWN OF HAMLIN ZONING LAW OF 1991 TO PERMIT A COMBINATION OF CONTIGUOUS PARCELS FOR TAX MAPPING PURPOSE WITHOUT PLANNING BOARD REVIEW.

Resolution #246 Motion was made by Councilperson Rose, seconded by Councilpersons Maier and Goodrich, to adopt a Local Law amending Section 520-66(J) of the Town of Hamlin Zoning Law of 1991 to permit a combination of contiguous parcels for tax mapping purpose without Planning Board review.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO CANCEL THE SCHEDULED REGULAR MEETING ON THE 24TH OF DECEMBER 2014.

Supervisor Peters advised that a notice should be published.

Resolution #247 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, to cancel the scheduled regular meeting on the 24th of December 2014.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO SCHEDULE A PUBLIC HEARING ON A LOCAL LAW AMENDING SECTION 187-20 OF THE DOG LICENSING AND CONTROL LAW OF THE TOWN OF HAMLIN WITH RESPECT TO PENALTIES FOR OFFENSES FOR NOVEMBER 26, 2014 AT 6:30PM.

Resolution #248 Motion was made by Councilperson Maier, seconded by Councilperson Rose, to schedule a Public hearing on a Local Law amending Section 187-20 of the Dog Licensing and Control Law of the Town of Hamlin with respect to penalties for offenses for November 26, 2014 at 6:30pm.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO SCHEDULE A PUBLIC HEARING ON A LOCAL LAW AMENDING CHAPTER 384 OF THE CODE OF THE TOWN OF HAMLIN, THE "PEDDLING, VENDING, AND SOLICITING ORDINANCE OF THE TOWN OF HAMLIN" TO INCLUDE REGULATIONS FOR THE LICENSING AND ACTIVITIES OF ITINERANT VENDORS FOR NOVEMBER 26, 2014 AT 6:30PM.

Resolution #249 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, to schedule a Public Hearing on a Local Law amending Chapter 384 of the Code of the Town of Hamlin, the "Peddling, Vending, and Soliciting Ordinance of the Town of Hamlin" to include regulations for the licensing and activities of itinerant vendors for November 26, 2014 at 6:30pm.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

REQUESTING TOWN BOARD RESOLUTION TO ADOPT THE TOWN OF HAMLIN 2015 BUDGET AS PRESENTED.

Town Historian Bob Kruger inquired whether the "Miscellaneous" section listed under "Revenue" included the estate left by Mr. Fishbaugh. Supervisor Peters stated that it does not; it is listed separately

in a different section. Councilperson Rose added a stipulation that the budget can be modified during the year; Supervisor Peters concurred, stating the budget is often modified during the year dependent upon revenues.

Resolution #250 Motion was made by Councilperson Maier, seconded by Supervisor Peters, to adopt the Town of Hamlin 2015 Budget as presented.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

DISCUSSION:

As indicated in preceding text.

REPORTS:

Councilperson Jason Baxter reported:

- Last month, the Dog Shelter collected slightly more than \$700 in adoption fees and responded to 25 calls. They had one dog from Parma and one dog from Gates. He also noted that the furnace is in and warming the shelter.
- The Hamlin Volunteer Ambulance continues to be in need of a new ambulance; they are diligently working to raise the remaining funds. They are also exploring the possibility of getting new jackets so when they get a call everyone has a jacket.

Councilperson Jennifer Goodrich reported:

- The Zoning Board had a few items on the agenda. There were a couple hearings for Traciann Drive: one to extend a fence on the front of the lot, and another for an area variance for Jeromy and Liz Spencer on Walker Road. They have 3 lots and will be constructing pole barns. The public hearing was scheduled for November 17th. There was another area variance in consideration for Jeff and Lora Partyka on Lake Road. They would like to turn the current construction into a café, add an awning, and have the fruit and vegetable stand up against the building. There are some current, existing variances but they just need to refile. There will be a public hearing.
- Recreation did not meet last month because there were only 1 or 2 people who were going to be able to attend. They will meet this week instead.
- She brought up a call the Town received about lights seen in the parking lot by the Library at 1-1:30am and inquired if Highway Superintendant Steve Baase was aware. He stated there is no security on duty now; she stated she was aware but wondered if anything had transpired. He stated there was no vandalism noted.

Councilperson David Rose reported:

- The Library is reviewing and updating their policy handbook so they have the changes ready for the 2015 meeting. The card count went up; this October they had 54 people sign up for library cards which is an increase over last year. They are staying within their budget fairly well with only 1 line item adjustment.
- Planning Board – there is a public hearing for Jeff and Lora Partyka commercial site plan on 12/1/14. They will be seeking approval on the site plan. There is another public hearing that same date for Randall Bobek to subdivide a single 2.12 acre parcel off a 76 acre farm. There is also an application for Peter Yackel, a preliminary and final for site plan approval – this has created a problem because he wants to build a barn first and build a loft to live in while he builds his home. There is currently nothing to address this specifically, but Councilperson Rose stated he can understand why he would want to do that so no one steals his materials during the night.

This may need to be addressed in a Zoning Workshop. Finally, there is a preliminary and final for Markel to modify the storage box he has.

- The Seniors got six new members last month. There were 87 members at the meeting and the Library provided a presentation to them. The month before, Tops Markets gave flu shots to the approximately 43 Senior citizens who wanted them.

Councilperson Marty Maier reported:

- The Fire Department had 643 calls year-to-date. The Morton Fire Station project was pushed back a little; they're supposed to start epoxying the floor today. They need 3 days cure time before they'll be able to put any equipment back. He also confirmed that the issue with the drainage to the building was taken care of.
- He stated he did not attend the Conservation Board meeting due to a scheduling conflict with the budget meeting.

Town Clerk Kathi Rickman reported:

- Nothing to report.

Highway Superintendent Steve Baase reported:

- Trying to get things ready for winter. 3 of their trucks are ready. They are also still doing some ditching for the County as well as in Town. By the next meeting he hopes to start putting snow fences up. Grass mowing is just about done and they're going to do some leaf mulching as well.

Building Inspector Cheryl Pacelli reported:

(written report transcribed below for the period 10/14/2014 to 11/10/2014)

16 Building permits issued this month for the following:

- Addition – 1
- Alteration - 2
- New Home – 1 167 Walker Road
- Framing –
- Wood Stove – 2
- Remodel –
- Fence –
- Solar –
- Deck – 2
- Shed – 2
- Roof – 2
- Pool –
- Demo – 1 - 2125 North Hamlin Rd, barn
- Foundation –
- SUP – 1
- **Total revenue from Building Permits: \$1315.40**
- **Public Hearing Fees received: \$150.00** Prince, Markle
- **Phone calls into office – 140**
- Business is slowing down due to the winter approaching. Still canvassing the neighborhoods for violations. Plan on starting to organize all file records, especially the trailer park files.

Fire Marshal Tom Maier reported:

(written report transcribed below for the period 10/14-11/07/14)

Inspections: October:

- 10/14/2014 Town Board Meeting
- 10/15/2014 Living Hope Assembly of God *Smoke Detectors and Emergency Lights*
Return Visit 11/19/2014
- 10/15/2014 Life Solutions
No
Issues
- 10/16/2014 Hamlin VFW
No return needed
- 10/20/2014 Precision Chemical Systems
No
Issues
- 10/20/2014 Hamlin Terrace Apartments
No
Issues
- 10/20/2014 Subway
No
Issues
- 10/21/2014 Morton Baptist Church
No return needed
- 10/21/2014 Dollar General Store *House Keeping and Emergency Lights*
Return visit 11/19/2014
- 10/22/2014 Lifetime Assistance Inc.
No
Issues
- 10/22/2014 Lifetime Assistance Inc.
No
Issues
- 10/22/2014 Lifetime Assistance Inc.
No
Issues
- 10/22/2014 Lakeshore Luxuries
No
Issues
- 10/22/2014 Hamlin Town Court
No
Issues
Hamlin Town and Country
- 10/23/2014 Liquor
Replace an emergency light, annual inspection of their fire extinguisher
- 10/23/2014 2nd floor apartments at 1486 Lake Road
Change exit door to swing out change door handle to meet code, emergency light needs to have repairs, install ABC fire extinguisher in hallway.
- 10/23/2014 Hamlin Post Office
Repair emergency lights, need to install smoke and Co detectors, extinguisher need annual inspection
- 10/23/2014 Hamlin Inn

Need to clear clutter through out structure, label electrical panels that are not in use, replace or repair emergency lights that are not working, lock door to 3rd floor not to be occupied until its brought up to code

- 10/24/2014** Cutting Crew
Clear back emergency exit, clear debris around hot water tank, have extinguishers annual checks completed
- 10/24/2014** China Moon
Repair or replace emergency lights in rear of business, have hood extinguisher semi annual checks completed, have extinguishers annual checks completed
- 10/24/2014** Hamlin Chapel Church
No issues
- 10/27/2014** Mandatory Training @ Hamlin Library 10:00am-12:00pm
- 10/28/2014** Pettinari's Pizza and Deli
No return visit required
- 10/28/2014** Top's Market and Fuel Area
No Issues
- 10/28/2014** Hamlin Annex (Merritt Hall)
No Issues
- 10/29/2014** Hwy Department 91 Railroad Ave
No return needed
- 10/29/2014** Dog Shelter 80 Railroad Ave
Install Smoke and Co Detectors
- 10/29/2014** Just Stuff 1486 lake Road Unit #7
Need smoke and Co detector, need new fire extinguisher, need new repairs or new Batteries in their emergency lights. Return visit on 11/12/2014

END OF	Total Inspections
OCTOBER	36

Inspections: **November:**

- 11/1/2014** Responded to 3593 Roosevelt Hwy for a report of a chimney fire with Hamlin Morton Walker Fire District. Home owner states that the inside pipe temperature increased to 900 degrees but decreased before our arrival. The increase of temperature was due to the build up of creosote . Home owner made repairs wood stove was put back in service.
- 11/4/2014** Responded to the Hidden Creek Trailer Park for a report of smoke coming from the bottom of the home, on my arrival I reported to OEC that they had visable fire showing under the home, assisted Monroe County Fire Bureau with the investigation.
- 11/5/2014** Annual inspection of Bradford Manor Apartments
Need Fire Extinguishers in all Buildings

11/7/2014 Recheck of Walker Baptist Church

All problem areas are being taken care of a few more emergency lights to go.

Thomas Maier
Hamlin Fire Marshal

Recreation Director Anke Applebaum reported:

- The School of Screams was well attended; they had 153 people attend on the first night and 238 attended on the second night. Among the volunteers this year was an improvisational crew and she hopes they will return next year; they gave the event a very professional flair.
- They are going to have the beginnings of a community garden which she will personally teach.
- She would like to discuss the possibility of 2 separate brochures in the future; this may allow the Recreation Department to reach a broader audience. She felt that many people want to know what's going on in Hamlin but don't think to go online.
- The pre-school Hornets event was well attended. There was a tractor hayride offered through Charlie Hungerford. She extended gratitude separately to Partyka Farms for their donation of fresh cider & donuts and to Leverenz Farms for all the pumpkins.
- The Holiday Tree Lighting event will be on Saturday, December 13th from 4:30pm-6:00pm. It will be a bedtime story with Santa theme and children are encouraged to wear pajamas. There will be a visit from Santa and a photographer will be present as well for holiday pictures.

Hamlin Volunteer Ambulance Manager Rick Wright reported:

- Their calls are up approximately 20% this year. He also reiterated the issue with the ambulance.

Conservation Board member Dave Welch reported:

- Nothing to report.

Town Historian Bob Kruger reported:

- There's a group coming through on Wednesday to tour the schoolhouse.

Town Supervisor Eric Peters reported:

- His plan was to discuss budgets, which was already covered. He was very pleased at how everyone responded and worked well together.
- The Department Head Meeting and the Zoning Board workshop were without issues.

ADJOURNMENT

Motion to adjourn was made by Councilperson Baxter, seconded by Councilperson Maier, to adjourn the meeting at 8:06pm as all business had been concluded.

Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, MMC
Hamlin Town Clerk