

**Regular Town Board Meeting
September 8, 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 Father Bill Spilly, St. Elizabeth Ann Seton Church.

Present: Councilperson Jason Baxter, Councilperson Jennifer Goodrich, Councilperson Dave Rose, Councilperson Martin Maier, and Supervisor Eric Peters. Also present: Dog Control Officer Dave Maynard, Assistant Dog Control Officer Caroline Thompson, Assessor Liz Spencer, Town Justice Richard Moffett, Highway Superintendent Steven Baase, Recreation Director Anke Applebaum, Library Director Kay Hughes Dennett, and Building Inspector Cheryl Pacelli.

Residents: Tom Maier, Jeromy Spencer, Dottie Butcher, Cindy Lutrell.

PUBLIC FORUM

Supervisor Peters reminded all those present of the rules of Public Forum and opened the Public Forum. He then inquired if anyone would like to speak; with no response the Public Forum was closed.

REQUESTING TOWN BOARD APPROVAL:

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF 08/11/2014

Resolution #206 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, requesting Town Board approval of Regular Town Board Meeting Minutes of 08/11/2014. 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 #207 Motion was made by Councilperson Rose, seconded by Councilperson Maier, 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: 9</u>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	2014-787	248.41	
	2014-919 to 2014-920	325.43	
	2014-927 to 2014-930	3921.53	
	2014-937 to 2014-938	24430.88	
	2014-979 to 2014-1031	35285.98	
Account Total			\$ 64,212.23
Library			
	2014-931 to 2014-932	506.69	

	2014-945 to 2014-955	3726.09	
Account Total			\$ 4,232.78
Highway	2014-940	43.40	
	2014-956 to 2014-976	68530.57	
Account Total			\$ 68,573.97
Sewer	2014-933	204.10	
	2014-939	50.36	
	2014-941 to 2014-944	207.18	
Account Total			\$ 461.64
Light	2014-934	1176.04	
Account Total			\$ 1,176.04
Employees Trust	2014-788	284.82	
	2014-921 to 2014-922	1754.77	
	2014-925 to 2014-926	22823.81	
	2014-935 to 2014-936	2014.35	
Account Total			\$ 26,877.75
** Visa Charges			\$ -
**These are not included in the Grand Total			
GRAND TOTAL			\$ 165,534.41

SUPERVISOR'S MONTHLY REPORT ACKNOWLEDGED AND FILED.

Supervisor Peters advised that Board that there was a special request from Library Director Kay Hughes-Dennett to report on the Library at this time. Her report is noted in the "Discussion" section.

CORRESPONDENCE:

- a. Monroe County Sheriff's Office – C Zone Report 8/7-8/13/14
- b. NYSEG/RGE News Release re: Green Dot MoneyPak Card Scams
- c. Affidavit of Publication (2)
- d. Memo 7/29/14 from Kenneth Licht, Town Attorney re: Amending Section 187-20
- e. Recreation Commission Meeting minutes 8/12/14
- f. Copy of Invitation Notice for Public Informational Meetings 8/26/14
- g. Assessor's Qualifications Letter
- h. Time Warner Cable "Eyes and Ears Amber Alert Initiative"
- i. NYS Dads Take Your Child To School Day 9/16/14
- j. Programming Notice from Time Warner Cable 8/20/14
- k. NYSEG/RGE Notice 8/20/14 – Newsweek Names Iberdrola Most Sustainable
- l. Notice cancelling the August 2014 Meeting of the Monroe County Parks Advisory Committee (PAC)

HAVING COMPLETED THE MINIMUM REQUIREMENTS SET FORTH BY THE STATE OF NEW YORK, REQUESTING TOWN BOARD RESOLUTION TO APPOINT LIZ SPENCER THE ASSESSOR OF THE TOWN OF HAMLIN AT A SALARY OF \$35,000/YEAR.

Supervisor Peters noted that the salary is pro-rated.

Resolution #208 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, appointing Liz Spencer the Assessor of the Town of Hamlin at a salary of \$35,000/year. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

The Board applauded Liz Spencer on her efforts and congratulated her on the appointment.

REQUESTING TOWN BOARD RESOLUTION TO ADOPT A LOCAL LAW AMENDING SECTION 187-20 OF THE DOG LICENSING AND CONTROL LAW.

Supervisor Peters referenced the preceding discussion and noted that he can see both sides of the matter. The Town Attorney, Ken Licht, was questioned regarding possible need to re-publish the information about the Local Law. He advised that it would be necessary if the fees were to be changed since it would be considered a “significant change.” Supervisor Peters suggested that it be rewritten, and Councilperson Maier noted that there is a cost involved in processing the tickets. Supervisor Peters queried whether having a “zero” fine was the same as a dismissal; Town Justice Moffett stated that the law says “up to a \$250 fine or 30 days in jail” so if there was a zero fine the person could face 30 days in jail. He added that in 13 years he’d never fined anyone “zero.” Councilperson Rose inquired of Town Justice Moffett about the justification for his other comment about it being up to his discretion – that a person wouldn’t have to pay a fine due to hardship? Town Justice Moffett stated that the way it’s set up now is with a \$75 fine which is steep for this type of thing; we have a lot of working, middle class people in Town as well as those in trailer parks or apartments and for some of them the dog is their only family. If they have a medical emergency or something happens and they forget to pay for the dog, then they get an additional \$75 expense. If they have 2 dogs, by law that’s \$150. He stated he then dismisses the charge in the interest of justice, and feels that the courts should decide the fine. The Town decided to have a dog control officer whose job it is to write tickets, he added, and to make sure people license their dog. The Dog Control Officer shouldn’t worry about what the fine is; that’s the courts job. Town Justice Moffett compared the issue as similar to what a police officer does: they write tickets but don’t have anything to do with the courts decision. He stated that the court should be allowed flexibility, and that if they find circumstances in a case that warrant a change from standards, they should be allowed the flexibility to make an adjustment – like issuing a \$25 fine instead. Town Justice Moffett stated he has no problem putting someone in jail, but stressed consideration must be given to those who do not have ability to pay. Councilperson Maier inquired about a comparison to a speeding ticket, and Town Justice Moffett noted that there is a “zero” minimum fine for speeding tickets. The issue of state surcharges was also discussed, which the State assesses for every ticket. Supervisor Peters inquired regarding how often such issues come up. Town Justice Moffett stated that the Dog Control Officer has done an excellent job in the past year, especially regarding the issue of unlicensed dogs, but you have some people who just won’t come to court. Town Justice Moffett finalizing the conversation by stating that every dollar collected in the Town of Hamlin (through fines, etc.) should stay in Hamlin.

Dog Control Officer Dave Maynard stated that if someone owns a dog, they should be able to afford that dog which includes paying to license it; where a person resides (trailer park, house, etc.) should not matter. However, he noted that he spends an inordinate amount of time at one of the trailer parks in Hamlin in an attempt to enforce the dog control laws. Some people get tickets for unlicensed dogs and despite town intervention still fail to license their dogs. The point of licensing the dogs is to ensure they have their rabies vaccinations; this is the only way we can monitor that these dogs have shots. The fine

was \$50 last year; DCO Maynard advised that he and Councilperson Craig Goodrich had raised it to \$75 to justify the ticket and amount of time spent. He added that just last month he had two dogs without rabies shots; had a child been bitten by one of these dogs it could have caused unnecessary testing and treatment. A strong point has to be made so people are aware of the rationale. DCO Maynard went on to say that all this aside, we should not say that people who live (for example) on Apple Hollow are any different than someone who lives in a trailer park. He also stated that per Article 7 you can not take such fees away from the dog shelter – all such fees have to go back to Dog Control.

Town Clerk Kathi Rickman asked permission to speak. Once granted, she advised that, for example, if someone's dog license is due in the month of June, the renewal form gets sent out May 15th. This means that they have a month and a half to pay their license. She added that the DCO does not issue a ticket for noncompliance until the end of July. This means that they have 2 ½ months to pay, and if they have 2 dogs they can always pay one each month. There are also free and discounted rabies clinics available so they don't have to pay (or pay very much) to get their dogs' rabies shots.

DCO Maynard added that as far as hardship is concerned, the shelter offers a 2-week period of free kennel care for those who have medical issues/are hospitalized and need someone to take care of their dog.

Town Justice Moffett stated that regardless of what the Town Clerk stated, he's had several cases where the wrong number was called because the wrong number was listed. This puts the accusatory statement at issue. He's advised the defendant that Dog Control tried to contact them, only to have the defendant state that the phone number listed is not theirs. Justice Moffett referenced his earlier statement and again said the "Dog Control Officers job is to go out and write the ticket for the unlicensed dog; the fine is 'none of their business'" and should be the court's decision.

Councilperson Rose inquired "how many times do you get the second and third offense?" Town Justice Moffett stated that he "used to be a dog catcher" and added that he'd have to go through the record for facts and figures. Councilperson Rose advised that he was leaning towards a "first offense, second offense, third offense" way to address the issue so leniency decreases with each offense. Town Supervisor Peters stated that a concern of his would be that \$25 would become "normal." He noted that other locales were looked at and Hamlin is one of the least expensive areas for dog violations. He thought that adding flexibility would be good, though. The matter was tabled pending a workshop being scheduled for further discussion.

Resolution #209 Motion was made by Councilperson Rose, seconded by Town Supervisor Peters, to table the decision to adopt a Local Law amending Section 187-20 of the Dog Licensing and Control Law.

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

REQUESTING TOWN BOARD RESOLUTION TO REPEAL LOCAL LAW #1 OF 2014 WHICH ESTABLISHED THE FOURTH WEDNESDAY OF MAY AS THE DATE FOR MEETINGS OF THE BOARD OF ASSESSMENT REVIEW.

Resolution #210 Motion was made by Councilperson Rose, seconded by Councilperson Baxter, to repeal Local Law #1 of 2014 which established the fourth Wednesday of May as the date for meetings of the Board of Assessment Review.

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

REQUESTING TOWN BOARD RESOLUTION TO ACCEPT THE GRANT OF \$42,119 FROM THE NEW YORK ARCHIVES FOR THE DIGITIZATION OF PAYROLL RECORDS AND

TOWN BOARD MINUTES. THIS HAS BEEN AWARDED TO NYSID (NEW YORK STATE INDUSTRIES FOR THE DISABLED), A NEW YORK STATE PREFERRED SOURCE PROVIDER, AND NYSID'S ASSOCIATE MEMBER, IMAGING & MICROFILM ACCESS, INC. (IMA) IN THE AMOUNT OF \$42,119.

Resolution #211 Motion was made by Councilperson Maier, seconded by Councilperson Baxter, to accept the grant of \$42,119 from the New York Archives for the digitization of payroll records and Town Board minutes.

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

REQUESTING TOWN BOARD RESOLUTION TO RESUME SCHEDULING THE ZONING WORKSHOPS ON THE 4TH THURSDAY OF THE MONTH BEGINNING SEPTEMBER 25TH AT 7:00PM AT THE TOWN HALL.

Highway Superintendent Steve Baase requested that information regarding the zoning workshops be forwarded to everyone's attention; Supervisor Peters agreed.

Resolution #212 Motion was made by Councilperson Rose, seconded by Councilperson Baxter,. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

DISCUSSION

Councilperson Jason Baxter reported:

- July was very busy month: they had 12 adoptions from the dog shelter and took care of one dog from Parma; there were no referrals for dogs from Gates. In August, they had 2 dogs from Parma, 1 from Gates, and 42 dogs from Hamlin with 26 adoptions. They just had 13 puppies the other day too! He stated that they've had their hands full, and he commended the DCO and volunteer staff at the shelter for a job well done.
- Recreation held a Volunteer Movie Night – there was an issue with the Hornets. Further discussion with them may be warranted regarding electrical usage. Councilperson Baxter stated that there used to be covers on the outlets but “kids” have kicked them off and they're no longer there. Possible ways to resolve the matter were discussed amongst the Board members. Councilperson Rose advised that he did not feel the general public should have access to the Town's outlets on the poles in the fields as it could expose the Town to further issues or liability. The Recreation Department is also planning a Halloween Party.

Councilperson Jennifer Goodrich reported:

- AVA Jamboree
- She attended the Seniors Barbeque.
- Zoning Board met and discussed applications.
- There was a dog that was adopted from our shelter to a nursing home; it was on the front page of the Democrat & Chronicle!

Councilperson Dave Rose reported:

- Everyone has the minutes from the 9/2/14 Planning Board Meeting. The Brightly project is going to be scheduled for next month.
- The Senior Citizen picnic was well attended. He thanked all the Board members and everyone else who came out and cooked; they had everything prepared and ready on time.
- This week the Senior Citizens will be going to Canada to see a play.

- The blacktop for the Morton Building has to be milled down to allow access to the south side of the building to allow the trucks access through the parking lot.
- There were 4 applications for the fire marshal position.
- The Library is in the process of moving and if anyone has had the opportunity to go inside it's really wonderful. They're working on the overhead projector which will have WiFi access in the meeting room. All presentations will have WiFi. He kindly observed that the Highway Department will most likely be glad when the project is completed, to which Highway Superintendant Steve Baase concurred.

Councilperson Martin Maier reported:

- The Fire District had 517 calls YTD and they also received a grant for recordkeeping. They would also like it if the Town would consider buying another lockbox for the Highway Department and the Dog Shelter. The Library has one that they purchased; it would be appreciated if they could put the key to the Charlie Maier Lodge in it as well. They would also like a key for the Court in the event of an emergency. The cost of the box is approximately \$275. Town Justice Moffett inquired why the Fire Department would need access to the Court building, and Councilperson Maier advised that it would be in the event of a fire so they could "get inside the building." He added that it would only be during off-hours. Town Justice Moffett indicated his position that fire personnel could just contact him and he would come open the building for them. Councilperson Maier questioned the feasibility of this proposed course of action, inquiring whether the Justice would want the fire department to wait for him to come open the building if there was a fire; the lockbox would be in place as a precaution. Councilperson Maier further advised that there is absolutely no ordinary access to it; the only way to access it is if the fire department sets off a tone downtown and they unlock it (there is no key to it).
- Councilperson Rose attended the Conservation Board meeting for him as he was not available. Councilperson Maier said he reviewed the minutes and observed that there were referrals from Martin Road, Benedict Beach Road, and Martin Road.

Town Clerk Kathi Rickman reported:

- Nothing to report.

Highway Superintendant Steve Baase reported:

- They've been working on Hamlin Center Road; they milled one side and got it filled back in. A County representative was out last week and met with the Town Engineer. They were trying to determine if they had enough money to complete the other side this year; it was determined that it may be completed this year.
- Wiler and Martin Roads were both cold-mix paved.
- They are currently working on Greenleaf Road on a County project.
- The grader is out on Kings Highway doing a job in Irondequoit because that Town does not have a grader.
- On Monday, they are going to start milling out roads in the housing tracts: all of Settlers Lane, part of Close Hollow, and the entrance to Brookedge. They will probably have it all milled in one day, clean it out the next day, and have the pavers come out afterwards (Thursday or Friday).
- They're going to make the parking lot for the new library bigger; this will add 4 parking spaces for patrons. It will extend to the West.
- They are finishing the grounds in the front of the new Library.
- They will be helping the Town of Sweden in a few weeks.
- They're doing a lot of work with the County; contracts are approximately \$100,000. The Highway Department has received over \$60,000 already.
- The State has still not paid the Town of Hamlin for snowplowing last year.

- The Highway Department purchased 490 tons of salt last week. The bids came out that stated the salt prices will be raised 21%; purchasing now saved the Town nearly \$5,000. The storage is now full for this year.

Assessor Liz Spencer reported:

- She's started working on the exemptions for 2015.
- She thanked the Town Board for their support and the appointment.
- Has been on over 125 site visits in Town. She noted that there are some empty homes (vacant). Councilperson Rose stated that he's heard good commentary about her doing site visits out in the community; he stated these haven't been done in awhile and he appreciated her efforts.

Library Director Kay Hughes-Dennett reported:

- The Library started moving today. They've got about half the books moved and a little less than half the shelving. They'll be working the next two days to complete the move; it's been going very well. The building is beautiful. They re-open on 9/22/14 and they want everyone to come! Supervisor Peters inquired if they were planning a grand opening celebration since he would like to come. Library Director Hughes-Dennett stated the tentative date for the celebration is 10/18/14 (Saturday) at 10am; she will be sending letters out as soon as the library computers are operational. Supervisor Peters stated that he will be in Washington, DC that day, to which Library Director Hughes-Dennett responded "bummer." She added that she hoped Asst. Town Supervisor Dave Rose could attend in Supervisor Peters' absence. She extended gratitude to the Board and the Highway Department for all their work and support for the new library.

Building Inspector Cheryl Pacelli reported:

- The report she read covered the period 8/4-9/8/14. 44 Building permits were issued during that period. There were also 6 SUP referrals and only 1 single family use (Hamlin Meadows).
- Complaints are being managed as they come into the office. Most people are being very cooperative; they just want to know what the codes are and to find out if they'll need a permit for their project.

Councilperson Rose commended Building Inspector Pacelli, stating that the Board has sought such reports for "a long time" and it's nice to be receiving them now.

Recreation Director Anke Applebaum reported:

*Written report submitted; verbatim content indicated below:

- 1) Eagle Scout, Chris Carlson has delivered 4 beautiful benches that are now in the tennis and basketball courts, and two brand new picnic tables located in the pavilion by the playground. They are very sturdy and beautifully made.
On September 20th, our youth group is meeting with Girl Scout Cheyenne Zaremba to assemble the benches that she has been making to be later placed around the Town Hall grounds.
- 2) 28 Freshman Volunteers came from Brockport College on Saturday, August 23 and helped clean the gym equipment, all the tables and chairs in the Charlie Maier lodge and helped making some props for our upcoming School of Screams event.
- 3) I have applied for a Municipal grant through the Lowe's Foundation, in hopes of funding a new store room for all of our chairs and tables which currently take up space in the kitchen in the Charlie Maier Lodge. I have also found out that through the New York State Recreation and Parks Society, of which we are members, that I can also apply for grants through them and that

they will be our grant writers. Apparently they have been offering this service for some time and I am the first to have asked about it, so I was told to “think big!”.

On Saturday, we had our first meeting of the Friends of Hamlin Parks & Recreation in order to get going with our 501(c)(3) status group. This group will then work towards funding recreation facilities and programs. Our next meeting will be on Friday, November 7th, at 7pm and anyone interested in joining us is welcome.

- 4) Our next big event is the School of Screams and we encourage anyone interested in being a haunt actor to apply by October 10th. All chosen volunteers will attend a free Haunting and Make-up Class, prior to the event.

REPORTS: Town Supervisor Eric Peters

- He would like to schedule interviews for the Fire Marshal position. The Board discussed and it was determined that the interviews will occur on 9/15/14 at 6:15pm. There are 4 potential applicants.
- He thanked Ken Applebaum for the presentation he made; it raised a lot of good questions.
- He stated he has invitations to a few events if there’s any Board member(s) interested in attending: Providence Housing Anniversary Gala, East House/Judy Collins event, and the RTS Transit Center event.
- The Junk Jamboree was held and went well, and the Sundae Smackdown raised \$186 for the dog shelter. He stated he also attended the Seniors picnic and the chicken barbeque in Walker.
- Having recently lost his father, Supervisor Peters thanked everyone for their support over the past few weeks.
- He also wanted to publicly state that we have an outstanding board and outstanding staff in the Town Hall who have really stepped up to the plate and work hard to do things for the Town. He stated that they’re all really appreciated. He said he just wanted to say “thank you.”

ADJOURNMENT

Motion to adjourn was made by Councilperson Rose, seconded by Councilperson Baxter, to adjourn the meeting at 8:00pm 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