

**Regular Town Board Meeting  
November 26, 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 7:00 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 Pastor Roberta Davis.

Present: Councilperson Jason Baxter, Councilperson Jennifer Goodrich, Councilperson Martin Maier, Councilperson Dave Rose, Supervisor Eric Peters, and Town Attorney Ken Licht.

Residents: Shawn Baxter.

**PUBLIC FORUM**

Supervisor Peters reminded all those present of the rules of Public Forum and opened the Public Forum. No one wished to speak and the Public Forum was closed.

**REQUESTING TOWN BOARD APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF NOVEMBER 10, 2014.**

**Resolution #252** Motion was made by Councilperson Maier, seconded by Councilperson Baxter, requesting Town Board approval of Regular Town Board Meeting Minutes of 11/10/2014. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

**REQUESTING TOWN BOARD APPROVAL OF PUBLIC HEARING MEETING MINUTES OF NOVEMBER 10, 2014.**

Supervisor Peters noted that an amendment to Councilperson Rose’s statement was needed, changing 1.68% to 1.56%.

**Resolution #253** Motion was made by Councilperson Rose, seconded by Councilperson Maier, requesting Town Board approval of the Public Hearing Minutes of 11/10/2014 with the amendment noted above. 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 #254** Motion was made by Councilperson Maier, seconded by Councilperson Rose, 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>	<u>TOWN OF HAMLIN</u>		<u>ABS: 11A</u>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	2014-1264 to 2014-1265	364.94	
	2014-1387 to 2014-1388	5020.00	
	2014-1389 to 2014-1391	3584.90	

	2014-1418 to 2014-2014-1451	15277.06		
<b>Account Total</b>			<b>\$</b>	<b>24,246.90</b>
Library	2014-1266 to 2014-1267 2014-1392 to 2014-1393			
<b>Account Total</b>			<b>\$</b>	<b>1,328.62</b>
Highway	2014-1405 to 2014-1417	12993.04		
<b>Account Total</b>			<b>\$</b>	<b>12,993.04</b>
Sewer	2014-1394 2014-1399 to 2014-1404	522.22 958.08		
<b>Account Total</b>			<b>\$</b>	<b>1,480.30</b>
Light	2014-1395	1321.05		
<b>Account Total</b>			<b>\$</b>	<b>1,321.05</b>
Employees Trust	2014-1268 to 2014-1271 2014-1397 to 2014-1398 2014-1452	2274.04 1857.91 5022.50		
<b>Account Total</b>			<b>\$</b>	<b>9,154.45</b>
<b>Visa Charges</b>	Dog Shelter on Ridgeway Ave.	100.00		
			<b>\$</b>	<b>100.00</b>
<b>GRAND TOTAL</b>			<b>\$</b>	<b>50,624.36</b>

**SUPERVISOR'S MONTHLY REPORT ACKNOWLEDGED AND FILED.**

**CORRESPONDENCE:**

- a. Hamlin Morton Walker Fire District Meeting – 10-20-14
- b. Letters asking for reappointment from Michelle Johnson. Senior Citizen Coordinator, David Martin, Planning Board
- c. Notice of Monroe County Park Advisory Committee
- d. New deadline for the Margaret A. McGrath's scholarship program.
- e. A copy of the Wheatland agreement for the dog kennel.
- f. A letter from Time Warner regarding changes
- g. Monroe County Sheriff's office C zone report.
- h. 3 + 1 regarding banking.
- i. Download the State of Data ebook – govdelivery
- j. Applications for Iberdrola USA Foundation 2015/16 Energy & environment scholarships
- k. EfficientGov Newsletter
- l. Empire Center ICYMI: Infrastructure Conference draws ovr 100
- m. Newsletter from United Way of Greater Rochester

**REQUESTING TOWN BOARD RESOLUTION FOR THE APPROVAL TO PAY SCHOOL TAX COLLECTOR'S STIPENDS THROUGH PAYROLL.**

**Resolution #255** Motion was made by Councilperson Maier, seconded by Councilperson Rose, for the approval to pay school tax collector's stipends through payroll. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

**REQUESTING TOWN BOARD RESOLUTION TO ACKNOWLEDGE THE RECEIPT OF LETTERS OF REAPPOINTMENT FOR THE FOLLOWING PEOPLE: DAVID MARTIN, PLANNING BOARD; ANKE APPLEBAUM, RECREATION DIRECTOR; NORMAN ST. JOHN, BOOKKEEPER TO THE SUPERVISOR; BOB KRUGER, TOWN HISTORIAN; MICHELLE JOHNSON, SENIOR CITIZEN COORDINATOR; JEANNIE KLOPP, CONSERVATION BOARD; AND CHERYL PACELLI, BUILDING INSPECTOR.**

Councilperson Rose indicated that Norm St. John/Bookkeeper should be removed because he works directly for and at the pleasure of the Supervisor; he does not report to the Board and Councilperson Rose believed it would set precedence. Supervisor Peters agreed.

**Resolution #256** Motion was made by Councilperson Maier, seconded by Councilperson Baxter, to acknowledge the receipt of letters of reappointment for the following people: David Martin, Planning Board; Anke Applebaum, Recreation Director; Bob Kruger, Town Historian; Michelle Johnson, Senior Citizen Coordinator; Jeannie Klopp, Conservation Board; and Cheryl Pacelli, Building Inspector. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

**REQUESTING TOWN BOARD RESOLUTION TO RE-ADVERTISE FOR THE OPEN POSITION ON THE PLANNING BOARD WITH APPLICATIONS DUE ON DECEMBER 19, 2014 AT 4:00PM.**

**Resolution #257** Motion was made by Councilperson Maier, seconded by Councilperson Rose, to re-advertise for the open position on the Planning Board with applications due on December 19, 2014 at 4:00pm. Polled votes, Baxter aye, Goodrich aye, Maier aye, Rose aye, Peters aye. Motion carried.

**REQUESTING TOWN BOARD RESOLUTION TO RELEASE \$23,845.31 FROM THE LETTER OF CREDIT FOR SECTION 1 OF THE HAMLIN MEADOWS SUBDIVISION.**

Supervisor Peters prefaced this by stating this is the final for Section 1 and reminded the Board that this is regarding what was previously discussed. The last letter indicated that they would need this in lieu of the maintenance bond; they apparently "changed their mind." Supervisor Peters inquired whether it's a dedicated road; Highway Superintendent Steve Baase stated his belief that the dedication had not yet been accepted, to which Councilperson Rose agreed and added that there's been no resolution about it yet. Highway Superintendent Baase inquired about how much the maintenance bond was to be for, and Supervisor Peters stated he did not yet know. Superintendent Baase stated that he, J.P., and the contractor had been in discussion and added his concern about the amount of the bond, indicating that the contractor was going to be taking 200-300 construction vehicles over the road and noting that the amount had to be commensurate with any damage done to the road so the Town did not have to cover the cost of any such damage. Town Attorney Ken Licht suggested that the Town either not accept dedication until the project is complete or put up the bond. Town Supervisor Peters stated it's the final draw, not the money for the road, and would eliminate all but \$1,700 but he wasn't sure what the residual was for. Councilperson Maier stated "it's for a one year maintenance period for the sewer, storm drains, sidewalks, road bays, binders, gutters...\$1,700 for one year to address any maintenance needs." Superintendent Baase stated that damage due to the construction vehicles could easily exceed \$1,700 and he was adamant that he did not want the Town to have to cover those potential costs. Superintendent Baase added that he had no

issue with the Town Attorney's suggestion that unless he gets the bond the Town wouldn't accept dedication. Town Attorney Licht advised that if they released the money, he didn't believe "we would get the bond." He added his recommendation, with the caveat that he wasn't fully aware of all the requirements, that J.P. recommend the amount of the bond (which he assumed would be for 2 years) to cover the cost of repair. With the bond in place, release the money and accept dedication. Superintendent Baase advised that it could take more than 2 years to complete and then you may have to extend the bond. The Board briefly discussed the fact that there were at least 2-3 more sections yet to build. Councilperson Rose stated his belief that there were 5 total sections to the development. Superintendent Baase again referenced it and said \$2,000 is too low as it only equates to 2 loads of blacktop; he then inquired what the proposed cost of the bond would be. Supervisor Peters advised that his decision would be to defer decision to release the \$23,845.31 until they determine the amount of the maintenance bond for Section 1 but cautioned that they are also up against the development regulations because legally there's only a certain amount of time that you can leave it open. It was noted that the developer is responsible until the dedication. Councilperson Rose suggested further discussion, separately, about this to allow time to review Code and to solidify things before going to resolution. It was generally discussed that the roads are 22 feet wide, which initially was a significant issue; Supervisor Peters observed that this added a lot of money to the project and concurred with Councilperson Rose that they should have further discussion with the engineers and time for additional review of the Code.

**Resolution #258** Motion was made by Councilperson Rose, seconded by Councilperson Baxter, to table to resolution regarding release of \$23,845.31 from the letter of credit for Section 1 of the Hamlin Meadows Subdivision.

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 187-20 OF THE DOG LICENSING AND CONTROL LAW OF THE TOWN OF HAMLIN WITH RESPECT TO PENALTIES FOR OFFENSES.**

and

**REQUESTING TOWN BOARD RESOLUTION TO ADOPT 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 WITH FEES TO BE SET AT THE TOWN OF HAMLIN ORGANIZATIONAL MEETING.**

Supervisor Peters advised that the two pending requests for resolution, as noted above regarding adoption of a Local Law amending Section 187-20 of the Dog Licensing and Control Law, and regarding adoption of a Local Law amending Chapter 384 of the Code of the Town of Hamlin, should also be tabled pending receipt of comments from the County. He added that he expects all will be received by 12/8/14 and that the Town Board can consider adoption at that point.

**REQUESTING TOWN BOARD RESOLUTION TO ACKNOWLEDGE RECEIPT OF THE CHECK FROM THE POP WARNER LITTLE SCHOLARS/HAMLIN HORNETS TO REPAY THE TOWN FOR THE REFUND GIVEN FOR THE RENTAL OF THE CHARLIE MAIER LODGE ON OCTOBER 18, 2014 IN THE AMOUNT OF \$100.00.**

The good faith extended by the Hornets through submission of the repayment was duly noted.

**Resolution #259** Motion was made by Councilperson Rose, seconded by Councilperson Maier, to acknowledge receipt of the check from the Pop Warner Little Scholars/Hamlin Hornets to repay the Town

for the refund given for the rental of the Charlie Maier Lodge on October 18, 2014 in the amount of \$100.00.

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

**SEEKING TOWN BOARD RESOLUTION TO ACCEPT THE SNOW AND ICE CONTRACT BETWEEN MONROE COUNTY AND THE TOWN OF HAMLIN FOR THE 2014-2015 SEASON IN THE AMOUNT OF \$252,010.12.**

Highway Superintendent Baase reminded the Board that last year they passed a 5-year contract but in each Town the Superintendants either have to agree to it or opt out. He advised that he needs Board approval to sign it so payment can be received.

**Resolution #260** Motion was made by Councilperson Maier, seconded by Councilperson Rose, to accept the snow and ice contract between Monroe County and the Town of Hamlin for the 2014-2015 season in the amount of \$252,010.12.

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

**RESOLVED**, that the Town of Hamlin convey to the County of Monroe a strip of land on the north side of Hamlin Clarkson Town Line Road, which parcel is approximately 10.25 feet in width and 1552.53 feet in length and which parcel was conveyed to the Town of Hamlin for highway purposes in connection with the development of the Huntington Park subdivision. The Hamlin Clarkson Town Line Road is a county highway and the land is necessary for county highway purposes. The deed of conveyance shall be subject to approval by the Town's attorney.

**Resolution #261** Motion was made by Councilperson Baxter, seconded by Councilperson Goodrich, to accept the above resolution that the Town of Hamlin convey to the County of Monroe a strip of land on the north side of Hamlin Clarkson Town Line Road, which parcel is approximately 10.25 feet in width and 1552.53 feet in length and which parcel was conveyed to the Town of Hamlin for highway purposes in connection with the development of the Huntington Park subdivision, subject to approval by the Town's attorney.

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

**DISCUSSION:**

- Highway Superintendent Steve Baase advised the Board that he's having issues with his Handbooks and stated that they need to be changed "ASAP." He went on to clarify the following:
  - Physicals – he stated that New York State says that municipal workers and bus drivers no longer need them to drive. The Board presumed this to mean RTS-type drivers, not school bus drivers. Superintendent Baase stated that as long as municipal workers stay in the state that the physical is no longer needed. Councilperson Rose stated he doesn't think it's a bad idea to have employees take a physical, and Superintendent Baase advised that it will need to be put back in the book then because he can't force the municipal workers to do it now; he stated that we need it as a "Town of Hamlin" requirement. Councilperson Rose indicated that, for example, if hearing is damaged due to failure to wear ear protection, the physicals provide a paper trail so he thinks it should continue. Superintendent Baase advised that there's actually three things he'd like to discuss, and Supervisor Peters requested he send an email with the sum of the information to be discussed and any necessary resolutions prepared for the next meeting. He added that the Handbook can only be changed by Town Board resolution and he could have HR Works review it as well. Superintendent Baase agreed to do so by Monday, adding that two

towns have already had issues with this (municipal workers driving who had heart conditions but who had opted out of the physical).

- Councilperson Goodrich inquired about the training requirements and materials necessary for the Workplace Violence and PESH Hazardous Communication annual trainings. Supervisor Peters stated that he's expecting the powerpoint shortly. Town Clerk Kathi Rickman added that the Building Inspector and Recreation Director will be hosting a training on Monday at the lodge as well to ensure the support boards receive training. Supervisor Peters advised that the training is once a year and added that they have until the end of the year to receive the training.
- Superintendent Baase inquired if the Board was aware that the State opened one of the lanes of one of the previously closed Parkway bridges today. He said they fixed the eastbound and are working on the westbound lane. Supervisor Peters stated that he believed they may have alternating traffic over that bridge. Superintendent Baase stated that the bridge to the west isn't expected to open until the end of December. He added that cars will no longer have to take the detour down Moscow Road, which is good because he believed it was getting dangerous.
- Superintendent Baase stated he is involved in discussion with the State because the Town has yet to be paid for snowplowing from last year in the amount of \$80,000. He added that there are a few Towns that haven't been paid yet and they're all engaged in similar discussions with the State. Councilperson Rose suggested that Superintendent Baase contact Senator Robach; he is on the Transportation Committee and may be able to assist. Councilperson Rose noted that the Highway Department already put the \$80,000 up front, and that it comes out of his budget until it's repaid by the State. Superintendent Baase stated he could call the State on Monday. Councilperson Rose advised he would like a letter sent as well.

**SEEKING TOWN BOARD RESOLUTION TO HAVE THE TOWN SUPERVISOR SEND A LETTER TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO INQUIRE WHY THE TOWN OF HAMLIN HAS YET TO RECEIVE PAYMENT FOR SNOWPLOWING FROM THE 2013-2014 SEASON.**

**Resolution #262** Motion was made by Councilperson Rose, seconded by Councilperson Maier, to have the Town Supervisor send a letter to the New York State Department of Transportation to inquire why the Town of Hamlin has yet to receive payment for snowplowing from the 2013-2014 snowplowing season.

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

**ADJOURNMENT**

Motion to adjourn was made by Councilperson Baxter, seconded by Councilperson Maier, to adjourn the meeting at 7:40pm 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