

Hamlin Town Board Meeting
July 9, 2018

The Hamlin Town Board held their regular meeting in the Hamlin Town Hall Located at 1658 Lake Road Hamlin, New York. The meeting was called to order at 7:00 by Supervisor Eric Peters. The locations of the fire exits and defibrillator were explained to 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 Jennifer Voelkl, Councilperson Dave Rose, Councilperson Martin Maier and Supervisor Eric Peters.

Also Present: Town Attorney Ken Licht, Highway Superintendent Steve Baase, Building Inspector Code Enforcement Officer Cheryl Pacelli, Recreation Director Anke Applebaum, Deputy Town Clerk Keylee Gilfilian, Librarian Christine Gates, Planning Board Chairperson Chris Schlieter and Conservation Board Chairperson and Town Historian Dave Walch.

Residents: David Isabella, Dottie Butcher, Deb Shores, Mark Shores, David Smith, Maura Smith and Cindy Lutwiller

PUBLIC FORUM:

Resident David Isabella addressed the board in regards to the letter he submitted.

July 9, 2018
Town Board of Hamlin New York
1658 Lake Road
Hamlin, New York 14464

Dear Town of Hamlin Supervisor Eric G. Peters and Town of Hamlin Board,

At the June 11, 2018 Town Board Meeting and in a follow up letter to the Board dated June 14, 2018, I requested that the Town Board identify a decision date to either 1) Permanently Fix the Broken Drainage System at the West End of Newco Drive, or 2) Do Nothing. At the June 11, 2018 Meeting the Board said they would get back to me. As of July 9, 2018, I still await your response.

As you may be aware, I have applied for a DEC and Town Permit to construct a protective flood berm around my property at 8068 Newco Drive as a backup measure. Without the protection of the berm or a long term durable fix of the Broken Drainage System, my property remains in great peril from exposure to rainstorms and runoff. I continue to be both concerned

and very worried about both the short and long term survival prospects for my home and wish to instill and continue a sense of urgency for the Town to act and protect the properties at the West End of Newco Drive.

Of Course, the desired outcome is to Permanently Fix the Broken Drainage System – selecting the best Solution Option and creating a Project Timeline for the earliest completion date possible.

Sincerely,

David M Isabella
942 Walker- Lake Ontario Road
Hilton, New York 14468
585 964 2751

CC.

Steve Baase, Highway Superintendent, Hamlin, New York
Steven Hawley, New York State Assemblyman
Joseph E. Robach, New York State Senator
Town of Hamlin Planning Board

Resident Cindy Lutwiller addressed the board in regards to the junk code and an individual who has been going to court for this matter. He was told to keep his yard clean for six months. Her concern is it took a very long time for something to be done. If he complies for six months the process needs to start over again. She is also concerned with two other residents' storage of junk. She is concerned because other residents with not nearly as much junk receive letters and complied. These residents she is referring to have more junk then most the residents in Hamlin combined.

APPROVAL OF TOWN BOARD MINUTES:

Resolution #146 Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Jennifer Voelkl requesting Town Board approval of Town Board Meeting Minutes of June 27, 2018.

Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose abstain and Supervisor Eric Peters aye. Motion Carried.

AUTHORIZATION OF PAYMENT OF BILLS:

Resolution #147 Motion was made by Councilperson Dave Rose, Seconded by Councilperson Jennifer Voelkl requesting Town Board approval of the authorization of payment of bills from their respective funds as follows:

<u>MONTHLY TOTALS</u>			TOWN OF HAMLIN		<u>Abstract: 7</u>
<u>ACCOUNT</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>		
General	2018-0773 to 2018-0774	583.86			
	2018-0782 to 2018-0784	491.76			
	2018-0855	188.95			
	2018-0813 to 2018-0854	16930.33			
	2018-0857	1141.95			
Account Total					\$ 19,336.85
Library	2018-0775 to 2018-0777	253.11			
	2018-0785	55.00			
	2018-0787 to 2018-0799	3789.50			
Account Total					\$ 4,097.61
Highway	2018-0802 to 2018-0812	4292.53			
	2018-0856	90.46			
Account Total					\$ 4,382.99
Sewer	2018-0800 to 2018-0801	104.10			
Account Total					\$ 104.10
Employees Trust	2018-0779 to 2018-0780	27175.80			
	2018-0781	1861.68			
	2018-0786	160.76			
Account Total					\$ 29,198.24

Paychex	2018-0782	61.22	
Account Total			\$ 61.22
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Visa Charges	National Fire Protection Asso.	112.45	
	Walmart	221.30	
	Facebook Ads	148.68	
	Instagram Ads	4.30	
	AM Trust North America	358.33	
Account Total			\$ 845.06
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GRAND TOTAL:			\$ 58,026.07

Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose aye and Supervisor Eric Peters aye. Motion Carried.

Correspondence:

- a. Fire Marshal's June Activity
- b. NWS Buffalo Weekly Briefing 6/27/2018-7/3/2018
- c. AVANGRID News Release
- d. Charter Communications-Upcoming Changes June 28
- e. NWS-Prolonged Heat Wave Through Late Week
- f. Monroe County Sheriff Zone C Weekly Report-June 21-June 27
- g. Charter Communications-Upcoming Changes June 29MRB Group-Merger between MRB Group & Chatfield Engineers Completed
- h. Fishery Advisory Board-July 9,2018
- i. Letter from Resident David Isabella 942 Walker-Lake Ontario RD.
- j. Building inspector/ Code enforcement report 06/11/2018-07/09/2018

APPROVAL OF LOCAL LAW NUMBER 4 OF 2018:

Resolution #147 Motion was made by Councilperson Martin Maier, Seconded by Councilperson Dave Rose requesting Town Board Approval of A Local Law Adopting Special Provisions Regarding Modification of Site Plans in Commercial Use Districts.

Section 1. Section 520-18 (C-NB District) of the Town of Hamlin Zoning Law of 1991 is hereby amended to add subsection (A)(2.1) as follows:

520-18. C-NB DISTRICT

(A)(2.1): Modification of Approved Site Plan Because of Change in Use

Pursuant to the provisions regarding site plan approval process (see section 520-65(J) of this Chapter), certain requirements for site plan approval may be waived if an applicant merely proposes to change a use permitted pursuant to a site plan previously approved by the Planning Board to another use which is also permitted subject to site plan approval in the C-NB District.

Section 2. Section 520-19 (C-GB District) of the Town of Hamlin Zoning Law of 1991 is hereby amended to add subsection (A)(2.1) as follows:

520-19. C-GB District

(A)(2.1): Modification of Approved Site Plan Because of Change in Use

Pursuant to the provisions regarding site plan approval process (see section 520-65(J) of this Chapter), certain requirements for site plan approval may be waived if an applicant merely proposes to change a use permitted pursuant to a site plan previously approved by the Planning Board to another use which is also permitted subject to site plan approval in the C-GB District.

Section 3. Section 520-65 (Site Plan Review) of the Town of Hamlin Zoning Law of 1991 is hereby amended by adding subsection 520-65(J) as follows:

520-65. Site Plan Review

(J): Special Provisions Regarding Modification of Site Plans for Commercial Use.

1. Administrative Approval of Certain Changes in Use.

(a) With respect to a use permitted by site plan approval in a commercial use district, site plan approval is not required for a change of a previously approved use within a previously approved building or structure provided that there is no change in required parking, site drainage, access, lot coverage, or exterior alteration of the building or structure, and further provided that the proposed new use is also a use permitted subject to site plan approval. Upon a determination by the building inspector that the proposed new use meets all such requirements for exemption

from the requirements for site plan approval, the building inspector shall file a statement setting forth the date of approval of such change in use with the original approved site plan, and may issue a certificate of occupancy for the new use.

(b) If administrative approval of change of use has been issued pursuant to subsection (J)(1)(a) above, site plan approval is also not required for a change in previously approved exterior signage provided that the only change on the approved signs is the designation of the business.

2. Possible Waiver of Site Plan Review by the Planning Board.

All applications for a change of use or for other modifications to a previously approved site plan for a commercial use which do not meet the requirements for administrative approval pursuant to subsection (J)(1) hereof require site plan review by the Planning Board. Notwithstanding the foregoing, upon a finding by the Planning Board following its initial review of the application that, because of the particular character or limited nature of the change in use or modification of site improvements, the submission of a site plan, or of particular portions of the information typically required as part of a site plan, is inappropriate or unnecessary, the Planning Board may vary or waive the requirements for site plan review. The decision to vary or waive the requirements for site plan review shall be incorporated in a resolution setting forth the reasons supporting the decision. When granting a full or partial waiver from the requirements for site plan review the Planning Board may impose additional conditions it deems appropriate or necessary with respect to modification of the site plan. A statement setting forth the date such waiver was granted and the decision to permit the modification requested shall be filed with the previously approved site plan.

Section 4. Effective Date.

This local law shall become effective upon filing with the Department of State.

Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose aye and Supervisor Eric Peters aye.
Motion Carried.

DISCUSSIONS:

- A discussion was held on 8068 Newco Drive. Highway Superintendent Steve Baase has made improvements on Newco Drive including increasing the pipe size. Resident David Isabella (8068 Newco Drive) is the only resident experiencing issues. The improvements made have lowered the wet land/swamp 14 inches. If the lake gets crazy again it could flood, but everyone down there could flood. Any further improvements will be

extremely costly to the taxpayers. The Easement is owned by the State. The State would need to bring the Easement up to Code before the Town would even consider taking over the Easement. The property was purchased in the wet land, pictures from 1998 show it in the Lake. There was previously a pipe in the neighbor's yard to help drain but the neighbors have revoked town's privilege from entering it to clean out the pipe. The neighbor believes that pipe is no longer there. Moving forward the problem is associated with the property that is part of the wet land. It is not in the taxpayer's best interest to put that much money into the problem of one person's property. It is recommended the resident contact the State since it is their easement.

- A discussion was held on the Tower Lease for 91 Railroad Ave. American Towers current Lease ends in 2025. We have three options. Option 1 is to do nothing and wait until we get closer to the end of the lease. Option 2 is to receive \$30,000 up front with slightly higher increase in monthly payments. Option 3 is to receive \$20,000 up front with bigger monthly payments.

RENEW LEASE WITH AMERICAN TOWER:

Resolution #148 Motion was made by Supervisor Eric Peters, Seconded by Councilperson Martin Maier requesting Town Board approval to send American Tower a letter of intent to renew the lease where we would receive \$30,000 up front with slightly increased monthly payments with the lease agreement being reviewed by Town Attorney Ken Licht.

Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose abstain and Supervisor Eric Peters aye. Motion Carried.

REPORTS:

Councilperson Jason Baxter reported on the following

- HPFD getting ready for the upcoming carnival
- Dog Control-Have been very busy, Councilperson Jason Baxter explained he gets notified with each call. Took in two dogs from Penfield one was adopted out. Had an incident where two pitbulls attacked another dog.
- HVA- Still has great coverage rate. Looking to replace on of the ambulances which would cost about \$100,000 which they do not have at this point in time.

Councilperson Jennifer Voelkl reported on the following:

- Zoning board: Public hearing for chickens on Church rd. No one wished to speak and the variance was granted. A Public Hearing was held on moving a Shed on Walker Lake Ontario rd. to a lot that has no primary structure. No one wished to speak and the variance was granted. A public hearing was held on adding a fence to extend beyond front setbacks of a dwelling on Walker Lake Ontario Rd. A few residents spoke on the matter and the variance was granted with some modifications. A Public Hearing was held on demolishing a detached garage and adding an attached garage on Redman rd. No

one wished to speak and the variance was granted. A Public Hearing was scheduled for a resident on Sandy Shores drive for a Shed.

- Chamber of Commerce: Working to get the link on the Town of Hamlin Website.

Councilperson Dave Rose reported on the following:

- Planning Board: Soggy Nova Subdivision Preliminary and Final, BORREGO SOLAR SYSTEMS, INC presented for a large scale Solar Energy System
- Library-Meeting Wednesday
- Senior: Meeting will be held Tuesday. Picnic fourth Tuesday in August

AMEND RESOLUTION #138

Resolution #148 Motion was made by Councilperson Dave Rose Dually seconded by Councilperson Jason Baxter and Councilperson Jennifer Voelkl requesting Town Board to grant 1 hour of training for the Session regarding Environmental Review at the June 4th Planning Board Meeting to Building Inspector Code Enforcement Officer Cheryl Pacelli as well as Planning Board Members present and Conservation Advisory Vice-Chairperson Jeanine Klopp
Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose aye Supervisor Eric Peters aye.
Motion Carried.

Councilperson Martin Maier reported on the following:

- Conservation Board: One referral for deck on Newco drive no issues
- HFD: As of June 19th 315 calls YTD. Significant call on Countyline rd. where the structure was destroyed. The airbags are out of date and are looking at replacing those.

Highway Superintendent Steve Baase reported on the following:

- Start Kendall Waterline tomorrow at 9am. Start Blacktop in Hilton tomorrow at Northwood Elementary. Still replacing culverts.
- Finally got bill for the truck that needed transmission and engine work. It cost \$15,200
- Trying to fix drainage in Tracianne Drive.
- Starting to schedule summer road work
- Mowing has slowed down, but watering flowers a lot more. Working on Cemeteries
- Need to look at replacing or removing fence at the history center.
- No issues with park security

Building Inspector Code Enforcement Officer Cheryl Pacelli:

- 55 permits issued where the cost received was \$4,765 and 19 permits have been closed.
- 296 phone calls into the office.
- Sent out 8 Violation notices
- Working on notifying home owners and property maintenance companies to comply with the code for lawn mowing.
- DEC is still reviewing application for the West Side of Sandy Harbor.

- Attended fire call on Monroe Countyline rd. on 6/17/18

Assessor Dan Stafford

- Final Roll is in.

Librarian Christine Gates reported on the following:

- Summer reading program is going well
- Community participation is great. Mark's Pizzeria was there today
- Getting a lot of people through the door.

Recreation Director Anke Applebaum Reported on the following:

- Working on Fall programming
- Attended grant seminar and had a great response for the Mural project.
- Helping with a grant for the playground equipment in Huntington Park.
- Looking for a grant to resurface the tennis courts.
- \$15,000 grant check was received and cashed for the athletic wheelchairs. Working on pricing with Monroe Wheelchair.
- Meeting with the Lions Club in regards to no bathroom access from gym for individuals in wheelchairs.

Conservation Board Chairperson and Town Historian Dave Walch Reported on the Following

- Open hours on Wednesday afternoon
- Researcher coming out to look at an artifact.
- Working on an article for the Hamlin Express.

Supervisor Eric Peters

- Met with Parma, Clarkson, the Village of Hilton and RTS. They have completed their first phase of reworking high frequency routes. The Second phase will be reworking suburban routes. They have not started this phase yet and there will not be any changes until 2020. However there will probably be no local stop in Hamlin. We will see what happens with this.

DISCUSSIONS:

- A discussion was held on Possible lot donation of 1466 Lake rd.
- A discussion was held on Fawn Medow Dr. Dedication of the road request. A bond cannot be secured to bring the rose up to code before it could be dedicated.
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ADJOURNMENT: Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Jennifer Voelkl requesting Town Board approval to adjourn the meeting at 8:43 pm as all business had been concluded.

Polled Votes: Councilperson Jason Baxter aye, Councilperson Jennifer Voelkl aye, Councilperson Martin Maier aye, Councilperson Dave Rose aye and Supervisor Eric Peters aye.
Motion Carried

Respectfully submitted,

Kathi A. Rickman, MMC
Hamlin Town Clerk