

Hamlin Town Board Meeting  
September 25, 2019

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 7:00pm 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.

Invocation by Pastor John Ebel

Present: Councilperson Jennifer Voelkl, Councilperson Jason Baxter, Councilperson Phil Hurlbutt and Supervisor Eric Peters.

Excused: Councilperson Dave Rose

Also, Present: Town Attorney Maureen Werner, Deputy Town Clerk Keylee Gilfilian, Highway Superintendent Steve Baase, Building Inspector Code Enforcement Officer Cheryl Pacelli and Assessor Dan Stafford

Residents: Joel Yager

**PUBLIC FORUM:**

Kimberly Jennings and Loretta Tamplin addressed the board in regards to 78 Railroad Avenue. Kimberly would like to advocate on behalf of her mother. The property has been condemned and the Fire Inspector has deemed the property unsafe. Demolition of the property has not been set up yet as they have to ensure the investigation is complete. Loretta and Kimberly would like notification before the property is demolished so they can be present. The possibility of rebuilding was discussed. The owner would have to basically start over going to Planning Board. It was suggested to start with Building Inspector Code Enforcement Officer Cheryl Pacelli. Loretta would like to thank all the Fireman and everyone who came out to help.

**APPROVAL OF TOWN BOARD MINUTES:**

Resolution #164 Motion was made by Councilperson Phil Hurlbutt, Seconded by Councilperson Jennifer Voelkl, requesting Town Board approval of Town Board Meeting Minutes of September 9, 2019 with the addition requested by Councilperson Baxter. Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye and Supervisor Peters aye. Motion Carried.

**AUTHORIZATION OF PAYMENT OF BILLS:**

Resolution #165 Motion was made by Councilperson Jennifer Voelkl, Seconded by Councilperson Jason Baxter requesting Town Board approval of the authorization of payment of bills from their respective funds as follows:

<u>MONTHLY TOTALS</u>			<u>ABSTRACT: 9A</u>
<u>ACCOUNT</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	2019-1160 to 2019-1161	363.76	
	2019-1167 to 2019-1170	4116.86	
	2019-1190 to 2019-1204	6061.75	
<b>Account Total</b>			<b>\$ 10,542.37</b>
Library	2019-1171 to 2019-1172	636.00	
<b>Account Total</b>			<b>\$ 636.00</b>
Highway	2019-1182 to 2019-1189	11073.71	
<b>Account Total</b>			<b>\$ 11,073.71</b>
Sewer	2019-1173 to 2019-1174	86.77	
	2019-1181 to 2019-1181	5419.94	
<b>Account Total</b>			<b>\$ 5,506.71</b>
Clarkson-Hamlin			
<b>Account Total</b>			<b>\$ -</b>
Light	2019-1175	1513.67	
<b>Account Total</b>			<b>\$ 1,513.67</b>
Employees Trust	2019-1165 to 2019-1166	1989.35	
	2019-1176 to 2019-1177	170.00	

<b>Account Total</b>		<b>\$ 2,159.35</b>
Paychex	2019-1159	108.22
	2019-1164	107.37
<b>Account Total</b>		<b>\$ 215.59</b>
Redman Road Wtr	2019-1180	403.20
<b>Account Total</b>		<b>\$ 403.20</b>
Visa Charges	Amazon.com	87.55
	Aldi	165.02
	BJ's	91.94
	Crosby's	3.51
	Dollar General	4.00
	Friends of Animals	110.00
	MC Dept. of Planning & Development	360.00
	NYS Network for Youth Success	50.00
	USA Archery	50.00
	Walmart	164.55
<b>Account Total:</b>		<b>\$ 1,086.57</b>
<b>GRAND TOTAL:</b>		<b>\$ 33,137.17</b>

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye and Supervisor Peters aye. Motion Carried.

**CORRESPONDENCE**

- a. New Irondequoit Department of Public Works Tour
- b. Town of Hamlin Building Department-RE: Dwelling Fire
- c. Monroe County Sheriffs news Report Zone C- September 11
- d. NWS Buffalo Weekly Briefing 9/11-9/17

- e. Hamlin/Morton/Walker Fire District 2020 Proposed Budget Summary
- f. DEC Delivers: Former Woolensack Optical Site (Rochester)-NYSDEC Invites Public Comment on Proposed Expedited Cleanup of Site
- g. Genesee/Finger Lakes Regional Planning Council Eblast
- h. Charter Communications: Time Warner Cable Northeast LLC-Notice of Name Change
- i. Charter Communications-Upcoming Change

### **ACKNOWLEDGING THE HAMLIN MORTON WALKER 2020 FIRE DISTRICT BUDGET**

Resolution #166 Motion was made by Councilperson Phil Hurlbutt, Seconded by Councilperson Jennifer Voelkl, to acknowledge receipt of the Hamlin Morton Walker 2020 Fire District Budget.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye and Supervisor Peters aye. Motion Carried.

### **AUTHORIZE THE BONDING FOR REDMAN RD. WATER LINE**

Resolution #167 Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Phil Hurlbutt, Requesting Town Board Resolution for the following:  
WHEREAS, the Redman Road Water District is a Water District of the Town of Hamlin, New York, duly established by the Town Board pursuant to the Town Law;  
WHEREAS, the Town has duly complied with the requirements of the State Environmental Quality Review Act and the applicable regulations thereunder of the State of New York with respect to the purpose hereinafter described and the financing therefor; now therefor, be it  
**RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMLIN, NEW YORK,**  
(hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Hamlin shall undertake the acquisition and construction of water improvements for the Redman Road Water District, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation bonds in an aggregate principal amount not to exceed \$451,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$451,000 and

said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized. Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount.

In Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Hamlin.

Section 7. The faith and credit of the Town of Hamlin, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal of and

interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town of Hamlin together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suitor proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in

violation of the provisions of the Constitution.

Section 9.

This resolution shall take effect immediately upon its adoption.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried.

**AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A NON-DISCLOSURE AGREEMENT WITH CHARTER COMMUNICATIONS**

Resolution #168 Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Phil Hurlbutt, to authorize the Town Supervisor to execute the Non-Disclosure Agreement with Charter Communications to share information and Build Out plans filed with the PSC that are subject to strict confidentiality.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried.

**CONVEY EXCESS PROPeRTY ON GREENWOOD PARKWAY TO MARY JANE DREHER**

Resolution #169 Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Jennifer Voelkl, to Whereas prop 570-R, Parcel 3 with an area of .051 acres, was abandoned by the New York State Dept. of Transportation and was conveyed to the Town of Hamlin, and

Whereas the parcel was deemed excess property by Highway Superintendent Steve Baase and Whereas Mary Jane Dreher of 6676 Greenwood Parkway desire to acquire said excess property, Be it resolved that the Town of Hamlin shall convey said property to Mary Jane Dreher for the amount of \$625.00 to cover recording and mapping costs.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried.

**DEEM 78 RAILROAD AVE AND UNSAFE STRUCTURE**

Resolution #170 Motion was made by Councilperson Phil Hurlbutt, Seconded by Councilperson Jennifer Voelkl, Resolution in pursuant to Hamlin Town Code sec. 231-11, That upon receipt of the recommendation of the Building Inspector dated September 21, 2019 that the structure at 78 Railroad Ave. is deemed an unsafe structure, and presents an imminent danger to life, safety and health. It is further resolved that said structure be demolished as soon as practical and charges for such shall be assessed against the land it is located on. The Demolition will be completed by the Town of Hamlin Highway Department.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried

**RELEASE TEMPORARY DRAINAGE EASEMENT OF HAMLIN MEADOWS BETWEEN C14 AND C16**

Resolution #171 Motion was made by Councilperson Jason Baxter, Seconded by Councilperson Phil Hurlbutt, Resolution to release the 30' Temporary drainage easement of Hamlin Meadows in "Hamlin Meadows Condominium C" between Units C14 and C16 that was conveyed to the Town of Hamlin in 2010 and is no longer necessary The permanent 20' easement is to remain conveyed to the Town of Hamlin.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried

**DISCUSSIONS:**

- A discussion was held on possibly acquiring the piece of road behind the "Dakoata" from the County.
- Supervisor Peters had the letter for Eagle Scout Nettles for the Board members to sign.

**ADJOURNMENT:**

Motion was made by Councilperson Phil Hurlbutt, Seconded by Councilperson Jennifer Voelkl, requesting Town Board approval to adjourn the meeting at 7:38 pm as all business had been concluded.

Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, and Supervisor Peters aye. Motion Carried

Respectfully submitted,

Keylee A. Gilfilian  
Deputy Town Clerk