## Hamlin Town Board Meeting October 13, 2009

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Road, Hamlin, New York. The meeting was called to order at 7:00 pm by Supervisor Roach. The location of the fire exits and defibrillator was 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.

Present: Councilperson Tom Breslawski, Councilperson Paul Rath, Councilperson Dave Rose, Councilperson Mike Marchetti, and Supervisor Dennis Roach

Also Present: Attorney Ken Licht; Assessor, Don Wells; Code Enforcement, Lee Netnin; Conservation Board members, Craig Goodrich, Jason Baxter, and Nick Kramer; Assistant Historian, Bob Kruger; Planning Board member, Tom Jensen; Highway Superintendent, Tom Ingraham; Deputy Highway Superintendent, Steve Baase; Recreation Director, Patty Jo Groenendaal; Recreation Chairperson, Angel Male

Residents present: Paul Lapinski, Dot Lapinski, Rodney Zulkosky, Richard Hill, Marshall King, Jim Nesbitt, Lloyd Lochner

#### PROCLAMATION TO HAMLIN FRIENDS OF THE LIBRARY

#### **PROCLAMATION**

Whereas, The Friends of the Hamlin Public Library is a volunteer group of dedicated and concerned residents which understands the importance of a well-funded community library in the Town of Hamlin; and

Whereas, The Friends of the Hamlin Public Library have conducted annual fund-raisers, including book sales, spaghetti dinners and fall harvest meals, which enable our Library to support special collections, additional programming and special events throughout the year; and

Whereas, The very gift of the Friends' time and commitment to the Library sets an example for all in how volunteerism leads to positive civic engagement and the overall betterment of community life;

Therefore, be it resolved that the Hamlin Town Board, in conjunction with the "National Friends of the Library Week" proclaims October 18-24th as "Friends of the Hamlin Library Week" in Hamlin and encourages the residents of the Town of Hamlin to join and support the Friends of the Hamlin Public Library and thank them for all they do to enrich our Library and, therefore, enhance our community.

Unanimously approved by:

The Town Board of the Town of Hamlin Town Supervisor Dennis Roach Councilperson Thomas Breslawski Councilperson Michael Marchetti Councilperson Paul S. Rath Councilperson David Rose Supervisor Roach introduced Patty Jo Groenendaal, Recreation Director

# PRESENTATION BY THE HAMLIN RECREATION COMMISSION BY PATTY JO GROENENDAAL, RECREATION DIRECTOR

## Goals accomplished in 2009

- Increased office hours including weekend hours
- Increased the number of programs offered by 53% (2008-112/2009-172)
- 2009 to 2008 comparables: Revenue increased by \$4,560.24 as of October 9<sup>th</sup>
- 8.53% of revenue was collected through on-line software
- Completed fencing and improving baseball field #2

#### **2010 Goals**

- Continue improving the baseball fields
- Resurface the gymnasium floor
- Continue offering new and innovative programs
- Continue increasing youth group participation and involvement
- Find alternative program resources (i.e.- materials, cash donations)

Supervisor Roach stated: Very good job Recreation staff and also the Recreation Commission, which is a volunteer group that spends a lot of time on it. Make a Difference Day is Saturday, October 24<sup>th</sup> and the group is helping the Rotary and the Food Shelf.

Patty Jo thanked Craig Goodrich who is donating pizza for the Haunted Hallway event, and Tom Jensen for the use of his Halloween items.

#### **PUBLIC FORUM**

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

#### Jim Nesbitt, 3952 Brick Schoolhouse Road

On October 2, 2006, the Hamlin Planning Board issued a Special Use Permit to Met Towers for a maximum of three years from the date the Building Permit was issued, plus a \$6,500 bond to be posted for removal. The developer has made no effort to extend that Special Use Permit. The tower went up about 3 weeks after the first Monday in October, 2006. I would like to know what action the Town is going to take. We have the \$6,500 bond money, the three years is up, and the developer does not have any interest in them. They should be coming down.

Supervisor Roach is putting it on the Planning Board schedule for November.

#### APPROVAL OF THE PUBLIC HEARING MINUTES

**Resolution # 244** Motion was made by Councilperson Rath and seconded by Councilperson Rose to approve the Public Hearing minutes of September 14, 2009 as presented.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

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## APPROVAL OF THE TOWN BOARD MINUTES

**Resolution # 245** Motion was made by Councilperson Rose, seconded by Councilperson Rath to approve the Regular Town Board minutes of September 14, 2009 as presented. Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

## AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

**Resolution # 246** Motion was made by Supervisor Roach, seconded by Councilperson Breslawski authorizing the payment of bills, with the exception of voucher #5136, from their respective funds as follows:

MONTHLY TOTALS			ABSTRACT 10
<u>ACCOUNTS</u>	VOUCHER#	<u>AMOUNT</u>	ACCOUNT TOTALS
General	4983	108.20	
	4984-4991	3615.09	
	5005	299970.23	
	5006	1444.79	
	5008	1000.00	
	5009-5010	55804.33	
	5012-5013	827.59	
	5017-5019	1555.34	
	5027-5028	8425.00	
	5069-5166	34561.28	
			\$
Account Total			407,311.85
Library	4992-4996	792.32	
	5014	45.06	
	5020-5021	21.23	
	5032-5042	3210.63	
Account Total			\$ 4,069.24
Highway			
	4998	270.00	
	5015	43.40	
	5043-5068	134548.51	
Account Total			\$ 134,861.91
Sewer	4997	209.68	
	5016	41.30	
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5029-5031

167.25

Account Total			\$ 418.23
Trust	5001-5003 5007	3815.46 18775.52	
	5011	1118.00	
	5022-5023	2002.49	\$
Account Total			25,711.47
Light			
	5118-5119	961.39	
	5132	90.73	
Account Total			\$ 1,052.12
Huntington Park			\$ -
Account Total			\$ -
			\$
GRAND TOTAL:			573,424.82

Councilperson Rose stated that there is one exception to be noted. Rochester Pro Sealers, voucher #5136 in the amount of \$985.00 should be withheld until we have more discussions with them.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

## **APPROVAL TO AUTHORIZE TRANSFER OF FUNDS**

**Resolution # 247** Motion was made by Councilperson Rose and seconded by Councilperson Breslawski for authorization of transfers from their respected funds as follows:

From A/C	<u>To A/C</u>	<u>Amount</u>
DA5142.4	DA9060.8	\$ 5,000.00
DA5148.4	DA9060.8	\$10,000.00
DA9030.8	DA9060.8	\$ 5,000.00
AA7020.2	AA7140.1	\$ 1,100.00

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

#### **CORRESPONDENCE:**

- a. Executive Director, Monroe County Fair letter and copy of an article.
- b. Monroe County #1 BOCES letter RE: Invitation to a Community Forum on the Statewide Educational Technology Plan.
- c. Director of Monroe County Public Health letter RE: Flu Season.
- d. RG & E letter RE: Persons to contact in case of a natural gas emergency.
- e. Copy of Supervisor's letter to Senator Maziarz RE: Funding for Emergency Generators.
- f. Copy of Supervisor's letter to Assemblyman Hawley RE: Funding for Emergency Generators.
- g. NYS DOT letter RE: Workshop on Developing a Pedestrian Safety Action Plan.
- h. Press release and contact information for Alternatives for Battered Women.
- i. Building Inspector's report for the month of September 2009.
- j. DCO's report for the month of September 2009.
- k. Copy of agreement between Town of Hamlin and The Center for Municipal Solutions RE: Verizon Wireless Telecommunications Facility.
- 1. Time Warner Cable letter RE: Request Forms for Airing Tapes on Government and Public Access Channels.
- m. Proposed 2010 Budgets from Hamlin, Morton and Walker Fire Districts.
- n. Genesee/Finger Lakes Regional Planning Council flyer RE: Fall 2009 Regional Local Government Workshop.
- o. Board of Trustees, Hamlin Public Library Meeting Minutes, September 2009.
- p. Assemblyman Steve Hawley memo RE: Local Government Conference 2010.
- q. Highway Superintendent's Annual Inventory of Highway Machinery, Tools and Equipment.
- r. Computel Consultants letter RE: Proposal to Conduct Billing Analysis to Identify Underpaid Cable Franchise Fees.
- s. Karen and Doug Leidig letter RE: Request to Place Collection Box in Town Hall for Annual Matt's Coats for Kids Drive.
- t. Stanley Lyons letter RE: Resignation from Recreation Commission effective December 31, 2009.
- u. Supervisor's letter RE: Renewals or Resignations.

## RECEIPT OF 2009 INVENTORY OF HIGHWAY MACHINERY, TOOLS AND EQUIPMENT PER HIGHWAY LAW

**Resolution # 248** Motion was made by Councilperson Rath, and seconded by Councilperson Rose acknowledging receipt of the 2009 inventory of Highway Machinery, Tools and Equipment per Highway Law, Section 142(3).

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

# PRE-APPROVAL OF A NO-COST GYM USE REQUEST BY HAMLIN HORNET'S CHEERLEADERS

Resolution # 249 Motion was made by Councilperson Breslawski and seconded by Councilperson Marchetti to confirm the Recreation Director's pre-approval of a no-cost gym use request by the Hamlin Hornet's Cheerleaders on Tuesday, September 22, Tuesday, September 29, and Wednesday, September 30. A current insurance form is on file. Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

#### COLLECTION BOX IN TOWN HALL FOR MATT'S COATS FOR KIDS DRIVE

**Resolution # 250** Motion was made by Councilperson Breslawski, and seconded by Councilperson Marchetti allowing a collection box in the Town Hall for the annual Matt's Coats for Kids drive.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

# $\frac{\textbf{RESCHEDULE THE BUDGET PUBLIC HEARING AND SPECIAL TOWN BOARD}}{\textbf{MEETING}}$

**Resolution # 251** Motion was made by Supervisor Roach, and seconded by Councilperson Rose to reschedule the Budget Public Hearing and Special Town Board meeting from 6:30 pm, Tuesday, October 27, 2009 in Town Hall Chambers to 6 pm, Monday, October 26, 2009 in the Town Hall Chambers.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

#### **DISCUSSION:**

Requests to Waive Permit Penalty Fee from:

- 1. David Dudley, 5922 West Wautoma (Deck)
- 2. Richard Hill, 1 Juniper Drive (Re-roofing)
- 3. 3. J&K DeLorenzo, Inc. dba Westside Developers (Re-roofing)

## PERMIT PENALTY FEE WAIVED FOR DAVID DUDLEY

**Resolution # 252** Motion was made by Supervisor Roach, and seconded by Councilperson Breslawski to accept David Dudley's request to waive the penalty fee of \$125.00 for a deck.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

#### PERMIT PENALTY FEE WAIVED FOR RICHARD HILL

**Resolution # 253** Motion was made by Supervisor Roach, and seconded by Councilperson Rose to accept Richard Hill's request to waive the penalty fee of \$125.00 for re-roofing due to the fact that the website was unclear on this issue.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

## REQUEST DENIED TO WAIVE PERMIT PENALTY FEE FOR J & K DELORENZO, WESTSIDE DEVELOPERS

**Resolution #254** Motion was made by Supervisor Roach, and seconded by Councilperson Rose to deny J & K DeLorenzo, Inc's request to waive the penalty fee of \$125.00.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Consideration of proposed revised rates for services - Clarkson Union Cemetery.

Parks Superintendent Tom Ingraham has researched rates of other local cemeteries and discussed the rates with some local funeral home directors. Based on his research, he has established proposed revised rates for the Clarkson Union Cemetery, which you have copies of. The table reflects our old rates, average of rates in the area and proposed new rates. I request Town Board resolution approving the revised Rate Table for the Clarkson Union Cemetery. Please maintain a copy of the table in both the Town Clerk's office and the Highway Department office and post on the web site. We should revisit this yearly.

#### REVISED RATE TABLE FOR THE CLARKSON UNION CEMETERY

**Resolution # 255** Motion was made by Councilperson Rath, and seconded by Supervisor Roach to approve the revised Rate Table for the Clarkson Union Cemetery. Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

## Status of Support Boards' Continuing Education accomplishments and upcoming reappointments.

The Support Board Clerk has provided the Chairs of the Support Boards and us a list of who is up for reappointment at the end of this year and the status of continuing education. Everyone has completed their training with the exception of Peter Tonery, Planning Board, who is currently looking into signing up for his training, and Jason Baxter, Conservation Board, who has completed two hours and will be applying for his remaining two hours of training. I have further advised the Chairs and the Department Heads that all letters of intent for annual reappointment or end-of-term reappointment are due to the Town Clerk by November 6. This will give us and the new administration time to advertise and interview for vacant positions prior to the January organizational meeting. I would also remind Department Heads that the Employee's Manual requires all employees to have an annual review in June of each year. I ask that those performance evaluations also be submitted to the Personnel Office by November 6, if they haven't been already.

## Enactment of an inter-municipal agreement with the Town of Parma to establish an outof-district sewer district.

You have been provided with a proposed inter-municipal agreement between the Town of Hamlin and the Town of Parma in which the Town of Hamlin agrees it will accept in its current sewer system all sewage originating in the Town of Parma district comprised of four new single family homes to be constructed in the King-Hamlin subdivision and that all costs of connection, operation and maintenance of the connection will be at the sole cost of Town of Parma at the inspection and approval of the Town of Hamlin. The Parma Town Board approved on behalf of the Town of Parma at its October 6<sup>th</sup> meeting for a term of ten years. Ken has reviewed the proposed inter-municipal agreement and finds it appropriate. Tom Ingraham has been in contact with Parma and understands the intent. We currently have an inter-municipal agreement with the Town of Clarkson and there is a cost to that one. We charge \$100 per year plus the amount of sewer tax that is levied to the beneficiary of the sewer district. We need to remain consistent in our agreements. Ken will contact the Parma attorney to make sure the proper language is in the agreement.

## Consideration of retaining Computel Consultants to do a no-cost analysis/assessment of cable franchise fees.

We've received a proposal from Computel Consultants to complete an analysis of our cable franchise fees for the purpose of identifying possible underpayments. Computel charges no upfront cost but works on the contingency that they would be paid 50% of any refund due with any future increased franchise fees going 100% to the Town. I determined that the company has recently worked with the Towns of Clarkson and Henrietta. I spoke to Bill Ey in Clarkson who said they have a very successful relationship with Computel and have recovered funds with them. As we near the time that we need to do the 10-year renewal with Time Warner Cable, this might be an appropriate time to pursue something like this.

## APPROVAL TO RETAIN COMPUTEL CONSULTANTS TO DO A NO-COST ANALYSIS OF CABLE FRANCHISE FEES

**Resolution # 256** Motion was made by Councilperson Rath and seconded by Councilperson Marchetti for approval to retain Computel Consultants to do a no-cost analysis/assessment of cable franchise fees.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

#### Hamlin Lions' proposal to name the new Recreation Building.

Councilman Rose introduced the Hamlin Lions' proposal to name the new Recreation Building. It would be appropriate to name it after Charlie Maier who was a past supervisor and was also the support and introduction of the Lion's to the Town of Hamlin. This year will mark the 25<sup>th</sup> anniversary of the Lion's Club in Hamlin and it would be appropriate after all Charlie did to institute the club to name the building after him. I request a resolution supporting the Hamlin Lion's to name the new building the Lion Charles Maier Building.

#### NEW BUILDING TO BE NAMED THE LION CHARLES MAIER BUILDING

**Resolution # 257** Motion was made by Councilperson Rose, and seconded by Supervisor Roach supporting the Hamlin Lions to name the new building the Lion Charles Maier Building.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

#### **REPORTS:**

**Councilperson Breslawski** – Kay Hughes Dennett, Library Director, hopes to offer more programs. The Trustees will send letters to Senator George Maziarz and Assemblyman Steve Hawley asking them for the Department of Budget Funds to be released. Hamlin is due to receive \$2,800.00 and we have only received \$600 to date.

Angel Male has resigned as Chairperson but will remain on the Commission holding the Secretary position. The Commission will be electing a new Chairperson.

Patty Jo is looking for adult volunteers for the Hamlin Haunted Town Hall on October 23<sup>rd</sup> and 24<sup>th</sup>. Volunteers need to arrive at 6:00 pm. Contact Recreation Office for more information.

**Councilperson Marchetti** – I spoke with the Hamlin Fire District and everything is going good.

**Councilperson Rose** – This last month we had 86 Seniors at our meeting and everything is going well.

On the Planning Board, we issued a Special Use Permit for approval to sell firearms at 655 Wiler Road. This is a retired FBI agent and he is now in the investigating business. Every so often he has a client that needs a hand weapon and he just wanted to have permission so that if someone wanted to purchase a hand gun, that he could sell them one. He has to be licensed through the Federal Government. Also Kevin Noon is seeking a Commercial Site Plan for a home-improvement business for Sage & Sons. He will be running a showroom in the old hardware store and will have different things on display for home improvements. Dave and Sherry Danzig were issued a Simple Lot Combination for the Dakota Subdivision on Roosevelt Highway.

**Councilperson Rath** – The Conservation Board held their meeting at Hamlin Beach State Park this month. A representative from Monroe County Planning gave a presentation how they review projects and give recommendations. Tucker Lane was discussed in depth.

**Thomas Ingraham, Highway Superintendent** – This past month we have been busy around here on different projects. The Lion's Club building is all framed up, the siding is on and we will start the roofing. We will put the sewer in this week and the water in also. We are getting estimates on all the materials we will need. We have paved the parking lots and next week we are hoping to top the whole parking lot. The Town Hall ADA entrance has the concrete work done and we have to top the parking lot. Everything will done except for painting the lines on the parking lot. We are waiting on the rest of it.

Supervisor Roach stated: The contractor's portion of that had to be delayed; they had to test for asbestos because we will be moving that inner wall. The rest of the concrete work and the interior doors, etc. are held off. We have extended that bid in order to get the determination back from the asbestos test. They are hoping to have that bid in for approval in time for our Special Town Board Meeting on October 26<sup>th</sup>.

Thomas Ingraham said that trash is all over with. It wasn't too busy down there. The residents were very happy that we had a fall clean up. We collected 29 CRT monitors, 25 TV's, 3 dehumidifiers, an air conditioner, 5 refrigerators, 72 tires, and they loaded eight 30-yard dumpsters. Brush pick-up begins October 26<sup>th</sup>.

## EXTEND THE NEW YORK STATE SNOW AND ICE CONTRACT

**Resolution # 258** Motion was made by Supervisor Roach, and seconded by Councilperson Rose to approve the Snow and Ice Contract No. DO14716 between the State of New York and the Town of Hamlin which will expire on June 20, 2012 unless further extended. The contract will be for \$167,342.61.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

**Don Wells, Assessor** – I had a meeting with GAR Associates last week and saw their first review of the assessment process. They are putting together a model as part of the process and so far everything looks good residentially. We are extending the land values. I was disappointed with the mailing. I questioned why many of the errors occurred since they were on the property. They have addressed most of the issues, and I am very happy with the way they are approaching things. GAR was very happy with the mailing. Sitting down with GAR last week, I was impressed with the model. I had a meeting with Clarkson and Ogden to finalize the data. Everyone is considering adjusting land values. In about two to three weeks we will have real numbers.

Denny stated that he appreciated Don's patience and noticed that when people come out of the Assessor's Office they appear to be satisfied. They were happy that their concerns were addressed and they seemed to understand the situation.

Michael Marchetti stated that he attended the informational meeting. GAR put on a very good meeting. You could tell when the meeting started that there were some frustrated people in the audience, but by the end of the meeting they did a great job of explaining the whole process. I don't think anyone left mad; the only issue was that all the seats weren't full.

**Lee Nettnin, Building Inspector** – We had a very busy month.

**Bob Kruger, Assistant Historian** – Nothing to report.

**Supervisor Roach** – **Verizon** – On September 25th, the Code Enforcement Officer retracted the building permit on the proposed upgrade to the Verizon Cell Tower located at 91 Railroad Avenue due to a faulty conclusion in the structural assessment letter. Work has not yet started. Verizon was notified via certified mail that the building permit had been retracted and that Town Board would reconsider the issuance of a special permit to accommodate the proposed update per our Wireless Telecommunications Facilities application process.

Concurrently, I retained the Center for Municipal Solutions to represent and assist us in the application process.

Lake Shore Sewer District – The Town Engineer has completed a nearly year-long effort to produce a pre-eligibility package for the Town of Hamlin Lake Shore Sewer Facility. JP presented the report to key personnel and stakeholders on September 30th. The package will be used to determine our eligibility to obtain low-costs loans or grants from USDA Rural Development. There is still some information which has to be confirmed – amount of contribution to be made by the State Park, the verification of EDU, the availability and willingness of a commercial lender, and the willingness of the Town of Parma to join in for their residents on East Wautoma Road. Concurrently, based on previous applications, the Town of Hamlin is now listed on the Clean Water State Revolving Fund for Water Pollution Control's Intended Use Plan for Federal fiscal year 2010, which puts us in line for other sources of funding. Once all sources of funding have been identified and a fairly accurate annual cost per EDU can be determined, Town Board can, if it appears fiscally feasible, pursue the establishment of a special Lake Shore Sewer District.

**Package from Paris, Maine** – As you recall, we provided a Resolution of Congratulations to the residents of Paris, Maine in conjunction with their Hannibal Hamlin bi-centennial celebration. I have received a nice letter of thanks and package of information regarding the celebration. It will be temporarily available in the Town Clerk's office for public review as desired before being permanently transferred to the Historian.

#### **ADJOURNMENT**

**Resolution # 259** Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to adjourn the meeting at 8:05 pm as all business has been concluded.

Polled votes: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Roach aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, MMC Hamlin Town Clerk