

**Hamlin Town Board Meeting  
August 9, 2010**

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 pm by Supervisor Terry. 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 Thomas Breslawski, Councilperson Craig Goodrich, Councilperson Paul S. Rath, Councilperson David Rose, Supervisor Peter Terry.

Also present: Attorney Ken Licht; Code Enforcement Officer Lee Nettin; Court Clerk Patience McPherson; Court Justices Paul Rath and Richard Moffett; Planning Board Members Linda Morey and Tom Jensen; Conservation Board Member Jason Baxter; Library Director Kay Hughes-Dennett; residents Wendell Grimm, Paul Lapinski, Lloyd Lochner and Dan Mattle.

**PUBLIC FORUM**

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

**Tom Jensen, 1 Roadside Drive**

At the July 12<sup>th</sup> Town Board meeting, Councilperson Breslawski expressed displeasure with Governor David Paterson and Commissioners of the Alcoholic Beverage Control State Liquor Authority for short notice on a Public Hearing about Hamlin Station.

I would be greatly surprised if Governor Paterson even knew about this hearing himself. His name on top of the state letterhead hardly indicates that the notification came from him.

The fact that the town notified you 3 days later would prove more of a factor than the 24 hour notice from the State Liquor Authority.

I appreciate your concern for the Town and the residents in that neighborhood, and encourage you to continue in your efforts to protect our community.

Councilperson David Rose introduced Linda Morey, Chairman of the Planning Board.

**PRESENTATION BY PLANNING BOARD**

Linda Morey, Chairman of the Planning Board, presented the following:

- This year to date, we have had 6 site plans, 6 subdivisions, 3 lot combinations and 1 SUP.
- With one exception, everyone has exceeded required training hours for the year.
- This is the first year with no membership changes. I think we are doing a lot better working together because we are more familiar with each other.
- Our new attorney has fit in very well. He has been a great help to us.
- We worked with you and our attorney to enter into an agreement with Monroe County to streamline simple requests. Hopefully that is going to make a difference.
- We are attempting to work more efficiently with the Conservation Board to address their needs and make sure we are in sync with each other.

- Before each meeting, I touch base with the Building Inspector, the Highway Superintendent, if he needs to be involved, the Engineer and Attorney so that we are all on the same page. We know what we are doing before we get to the meeting, and if something needs to be investigated further, we have the chance to do that before we get into the meeting.
- Our agendas are lighter than before but many projects are more complex and challenging, especially lake front property.
- Dave has been great as our liaison and he keeps us up-to-date. We appreciate the support from him and the support from you.

Councilperson David Rose introduced Judge Rath, Judge Moffett and Court Clerk Patience McPherson.

### **PRESENTATION BY TOWN COURT**

Paul Rath, Court Justice, presented the following:

Not a lot has changed since our report from last year. We received a JCAP grant (Justice Court Action Plan) to put fencing around the oil tank. If the funds are made available, we will again be applying for a grant to put cameras up on the outside of the court house.

Our case load is down this year. We get a number of tickets from Hamlin Beach State Park and because of budget cuts they are down officers so that accounts for part of the decline.

Last year we collected \$77,139.00 of which \$36,404.00 was returned to Hamlin. This amount is down about 20% from last year.

Judge Moffett added that as of August 15<sup>th</sup>, anyone convicted of a DWI charge will have to have an ignition switch put into their vehicle, at a cost of approximately \$75 to install and \$75 per month for 18 months. It has to be put in any vehicle that they have access to.

### **APPROVAL OF PUBLIC HEARING MINUTES OF JULY 12, 2010**

**Resolution # 164** Motion was made by Councilperson Rose, seconded by Councilperson Rath, to approve the Public Hearing minutes for both In-Law Apartments and Unsafe Buildings of July 12, 2010.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF JULY 12, 2010**

**Resolution # 165** Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, to approve the regular Town Board meeting minutes of July 12, 2010.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

**AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS**

**Resolution # 166** Motion was made by Supervisor Terry, seconded by Councilperson Rose, to authorize payment of bills from their respective funds.

<b>MONTHLY TOTALS</b>			<b>ABSTRACT</b>	<b>8</b>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>	
General	6622-6627	4537.94		
	6641	4112.50		
	6643	1665.00		
	6687-6752	36830.25		
<b>Account Total</b>			<b>\$</b>	<b>47,145.69</b>
<hr/>				
Library				
	6630-6632	471.78		
	6657-6668	7859.86		
<b>Account Total</b>			<b>\$</b>	<b>8,331.64</b>
<hr/>				
Highway	6669-6686	150512.93		
<b>Account Total</b>			<b>\$</b>	<b>150,512.93</b>
<hr/>				
Sewer	6250-6251	134.44		
	6652-6656	61540.55		
<b>Account Total</b>			<b>\$</b>	<b>61,674.99</b>
<hr/>				
Light	6252	1064.83		
<b>Account Total</b>			<b>\$</b>	<b>1,064.83</b>
<hr/>				
Trust	6634-6635	21342.13		
	6636-6638	3334.01		
	6640	198.78		
			<b>\$</b>	<b>36,745.58</b>
<hr/>				
Redman/Cook Road	3	325.00	<b>\$</b>	<b>325.00</b>
<hr/>				
Church Road	10-16	11545.66	<b>\$</b>	<b>11,545.66</b>
<hr/>				
<b>GRAND TOTAL:</b>			<b>\$</b>	<b>305,475.66</b>

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

Supervisor's Monthly report acknowledged and filed.

### **CORRESPONDENCE:**

- a. Notification that we are at 100% per the State ORPS.
- b. A letter written by Supervisor Terry RE: the intersection of RT 18 & Redman Road.
- c. A letter from Mr. & Mrs. Ezrow RE: Redman & Cook Road Water District.
- d. A copy of an e-mail from Peter Tonery RE: the Town Board Meeting of July 12, 2011.
- e. Building Inspector's report for the month of July 2010.
- f. DCO report for the month of July 2010.
- g. Copy of a letter from Brockport School District RE: collection taxes.
- h. A letter from Mr. Rice, Monroe County DOT RE: intersection of Redman Road & RT 18.
- i. A letter from Mr. Goehring, NYS DOT RE: RT 18 & Redman Road.
- j. Final Certificate from NYS Real Property Tax Service RE: 2010 assessment.
- k. Time Warner changes and time lines.
- l. A thank you from Ms. Hughes-Dennett, Library Director RE: the front-end loader for the reading program.

### **APPROVAL FOR COURT CLERK TO APPLY FOR A COURT GRANT**

**Resolution # 167** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to allow the Court Clerk to apply for a Justice Court Grant.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL TO CONTRACT WITH BCSD TO COLLECT SCHOOL TAXES**

**Resolution # 168** Motion was made by Councilperson Breslawski, seconded by Councilperson Goodrich, requesting Town Board resolution to have the Town of Hamlin contract with the Brockport Central School District to collect school taxes for those Hamlin residents in the Brockport Central School District.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **DISCUSSION ABOUT ADDING AN OUT OF DISTRICT WATER USER FEE TO IRMA BADGE**

There was discussion about adding an out of district water user fee to Irma Badge. It was decided that since she has already been paying her fair share of the current indebtedness that we could waive the Out of District User fee.

### **DISCUSSION ABOUT ADDING AN OUT OF DISTRICT WATER USER FEE TO DANIEL MATTLE**

Dan Mattle has been using water from the Moscow Road Water district since its inception. He has yet to have on his annual Town and County tax bill the assessment for the Out of District Water User Fee or a charge for his share of the indebtedness of the district.

Supervisor Terry suggested that a motion be made to add an out of district water user fee, and to have Mr. Mattle's portion of the current indebtedness of the Moscow Road Water District added to account #005.01-1-4, 1458 Moscow Road, Daniel Mattle. It was decided that more research needed to be done before a decision is made.

### **APPROVAL TO NAME DRIVEWAYS ACCESSING PLAYING FIELDS BEHIND TOWN HALL**

**Resolution # 169** Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, requesting Town Board resolution to name the two driveways accessing the playing fields behind Town Hall as follows: Baseball Drive (west entrance) for the roadway from Roosevelt Highway to the baseball area playing fields, and Soccer Lane (east entrance) for the roadway from Hamlin Center Road to the soccer area playing fields.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL TO PUT OUT BID FOR DEMOLITION CONTRACT ON 1715 LAKE ROAD**

**Resolution # 170** Motion was made by Councilperson Rose, seconded by Councilperson Breslawski, requesting Town Board resolution to put out a bid for demolition contract for the building located at 1715 Lake Road, and to have bid opening on Friday, September 10, at 11am.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL TO TRANSFER FUNDS TO INCREASE HIGHWAY EQUIPMENT ACCOUNT**

**Resolution # 171** Motion was made by Councilperson Breslawski, seconded by Councilperson Goodrich, requesting Town Board resolution to transfer \$19,069.00 from Revenue Account fund DA2770.10 and increase Highway Equipment Account DA5130.2 by \$19,069.00 to reflect the transfer.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL FOR CHAD FABRY TO COVER FOR B.I. IN LEE NETTNIN'S ABSENCE**

**Resolution # 172** Motion was made by Councilperson Rose, seconded by Councilperson Rath, requesting Town Board resolution to empower Chad Fabry, Building Inspector, Town of Clarkson, to cover Building Inspector/Fire Marshal duties in the Town when Town of Hamlin BI/FM Lee Nettin is absent.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **APPROVAL TO REAPPOINT ANGEL MALE TO RECREATION COMMISSION**

**Resolution # 173** Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, requesting Town Board resolution to reappoint Angel Male to the Recreation Commission for a 5-year term ending August 1, 2015.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

## **APPROVAL TO DEDICATE THE EXTENSION OF RAILROAD AVENUE TO THE TOWN**

**Resolution # 174** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to dedicate the extension of Railroad Avenue to the Town of Hamlin.

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

### **DISCUSSION:**

1) ***Zoning Code Chapter 125 as it appears currently in print.***

There are many typos, which probably won't get properly corrected until it is professionally read and edited. Mary Ann Knapp brought this to my attention. She went through it and worked on it and felt that it needed work; she didn't want to change the scope. We have applied for a grant to have it codified and if we receive the grant, we could put this on-line. Kathi Rickman stated that the book has been corrected, but someone needs to proof it. It was decided that Ken would take a look at it. Councilperson Rose said we need to be careful when editing to make sure we don't change the intent of the zoning.

2) ***2011 budget process and timeline.***

Worksheets are going out tomorrow and need to be returned by September 7<sup>th</sup>. The cover letter guidance is asking the town departments to return their request for funding with the sum total level as the 2010 budget. Supervisor Terry suggested a motion be made to conduct budget workshops at 6:30 pm in the Town Hall on the following dates: September 21, October 5, October 19 and October 21 (if needed). For information a budget public hearing and special town meeting to approve the budget is tentatively scheduled for October 27.

3) ***Redman-Cook Water District update.***

Councilperson Rath stated that he currently has a petition and will be circulating it in the next couple of weeks to get the signatures that are needed on it. It will hopefully be finished by the end of the month.

Resident John DeRue discussed whether Dan Mattle had paid any portion of the indebtedness of the Moscow Water District.

### **REPORTS:**

**Councilperson Breslawski** – At the Library they had Big Machine Day on July 28<sup>th</sup>. They had approximately 50 participants that were able to sit inside a town loader, a couple of sheriff's car, ambulance, fire truck, tractor, and a tractor trailer truck. It was a big success. They are also looking for a new children's librarian due to the resignation of the current librarian. This is a 10 hour position that is open and they have a lead on one interested person.

Recreation held the Volunteer Appreciation Night on July 30<sup>th</sup> in conjunction with the outdoor movie night. The movie was Monsters vs. Aliens. This was a very well attended event; there were about 250 people. The community has embraced the outdoor movie night; it's free and it's close by. They estimated 350 people at the last one.

The Town Clerk has provided the new dog licensing law set to take effect January 1, 2011. We will take a look into the costs, and what the various break down is between the state and the town, hoping to avoid having to raise fees.

**Councilperson Goodrich** – At the Hilton Parma Fire District meeting, they mentioned that the carnival was a success for them; it wasn't for us. They also mentioned that the carnival vendor was not coming back to Hamlin next year. They had 130 ambulance calls, 18 were given away.

The dog warden had 21 calls. He is having an issue with large Mastiff dogs and pit bulls.

Zoning Board – Lorraine Vyverberg was seeking relief from Town Code 125-39C to put a barn in front of the foundation at 811 Chase Road. It was a self-created problem and was denied. Capstone Properties received relief; a side setback was approved for a deck.

Hamlin Ambulance had 67 calls in July, 325 calls for this year so far. They said to thank the entire town of Hamlin for the donations. They now have a couple of digital scanners. It has been a great asset to them.

**Councilperson Rose** – Planning Board - Rick Bower will be coming before the Town Board seeking rezoning to expand his subdivision. He will be seeking a public hearing for changing the zoning.

Seniors will be having their next meeting on August 24<sup>th</sup> at Hamlin Beach State Park Area 4 Shelter 5. This will be the annual picnic for the seniors, and I need volunteers from the Town Hall to cook the hot dogs and hamburgers. I am recruiting help from the Town Board members and staff at the Town Hall that could break away and help cook. We need to get there by 10:30 am and have everything done by 11:45 am.

**Councilperson Rath** – We all received an overview of the Workers Comp Plan – it's a good plan and we have saved about \$135,000 by being on this plan.

**Highway Superintendent Steven Baase** – We have been working on the Church Road water line. It passed all its tests and we only have two more services to get everyone hooked up. The Water Authority just started turning on the water today so that people can actually hook up. While we were installing the water line, we found four rotted cross culvert pipes on Church Road. In September we have to go through and replace the four pipes underneath the road.

We true and leveled Chase Road, Morton Road, Route 18 Extension, and a portion of Redman Road with blacktop. Tomorrow we will mill off and blacktop Curtisdale Road. We are going to oil and stone the north end of Lake Road West Fork and Brick Schoolhouse Road next week. The County is paying for all the stone and Suit-Kote is paying for the oil. We are going to dig ditches and weeps along the south end of Lake Road West Fork and Church Road next week. The week of the 23<sup>rd</sup> we are going to oil and stone Chase Road, Church Road, Redman Road, Rose Circle and Fox Hollow and crack seal a few town roads.

We should have wood chips for the residents in a couple of weeks. I made an agreement with the Town of Greece. They want to borrow our tractor trailer with the dump body for a month to haul some stuff for them. They are going to come and grind what we have at the Highway Department for free for the loan of our equipment.

The Fall Pick-up will be the third week in October.

I made two temporary signs with numbers on them to put at Baseball Drive and Soccer Lane. We had an incident last week where a child was hurt at the Charlie Maier Lodge and the ambulance drove by three times because there is no number there. There needs to be an address number on the sign because that is what the 911 Center uses when they send the emergency vehicles out.

Councilperson Breslawski asked when the road would be fixed on North Hamlin Road. The County was doing some work on the sides of the roads down there and they left a couple of damaged spots in the center of the road. Steve said hopefully it will be done next week.

**Building Inspector Lee Nettin** – Update on 1715 Lake Road – not much going on other than the bid proposal that we have been working on. I did write a letter to the property owner informing him of our bid and demolition schedule. I have not had a response from him.

New York State Codes are going to be sending us new codes in December of this year and hopefully I will be getting books at no cost.

**Library Director Kay Hughes-Dennett** – The Library is just finishing up their summer reading program that was six weeks long tomorrow, here at the Town Gym. We are having Professor Klutzo and his H2O Variety Show. We have been very busy and we appreciate the loan of that very impressive front end loader; the kids really enjoyed it. I want to do it every year; it was a lot of fun.

I believe I have a children's librarian lined up.

**Conservation Board Jason Baxter** – Things are going pretty good. We recently had our latest Friends meeting. We had 15 people attend the meeting. We are very close to a memorandum of understanding and the final hurdle is getting incorporated. Our next meeting is September 8<sup>th</sup>.

Ed Evans will be doing a talk at the North Star History Center on August 27.

## **ADJOURNMENT**

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

Polled Votes: Councilperson Breslawski aye, Councilperson Goodrich aye, Councilperson Rath aye, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

Respectfully,

Kathi A. Rickman, MMC  
Hamlin Town Clerk