Hamlin Town Board Meeting
March 14, 2016

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 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 Chris Bode.

Present: Councilperson Jason Baxter, Councilperson Jennifer Voelkl, Councilperson Martin Maier, and Supervisor Eric Peters. Councilperson Dave Rose was excused.

Also present: Highway Superintendent Steve Baase, Deputy Town Clerk and Senior Consultant Michelle Johnson, Pastor Chris Bode, Town Attorney Ken Licht, Building Inspector Cheryl Pacelli, Conservation Board Member and Town Historian Dave Walch, Librarian Kay Hughes-Dennett, Assessor Dan Stanford, Planning Board Linda DeRue and Recreation Director Anke Applebaum.

Residents: Dottie Butcher, John DeRue, Lee Craft and Cindy Lutwiller.

PUBLIC FORUM

With no one wanting to address the board, Supervisor Peters subsequently closed the forum.

APPROVAL OF TOWN BOARD MINUTES

Resolution #109 Motion was made by Councilperson Baxter seconded by Councilperson Voelkl, requesting Town Board approval of the Town Board meeting minutes of February 24, 2016.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier abstain, Supervisor Peters aye. Motion carried.

APPROVAL OF PUBLIC HEARING MINUTES

Resolution #110 Motion was made by Councilperson Voelkl seconded by Councilperson Baxter, requesting Town Board approval of the Public Hearing minutes of February 24, 2016.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier abstain, Supervisor Peters aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS

Resolution #111 Motion was made by Councilperson Maier, seconded by Councilperson Voelkl requesting the Town Board approval of the authorization of payment of bills from their respective funds.

MONTHLY TOTALS TOWN OF HAMLIN

ACCOUNT	VOUCHER#	AMOUNT	ACCOUNT TOTALS

General	2016-227	7,718.20		
	2016-231 - 2016-232	310.63		
	2016-254 to 2016-315	77,822.25		
	2016-346	107.11		
	2016-349	1,497.50		
Account Total			**$**	**87,455.69**
Library	2016-228	782.91		
	2016-233	145.31		
	2016-241 to 2016-253	4,932.88		
	2016-255	87.50		
Account Total			**$**	**5,948.60**
Highway	2016-227 - 2016-228	17,706.44		
	2016-255	485.00		
	2016-316 to 2016-344	14,954.35		
Account Total			**$**	**33,145.79**
Sewer	2016-239 - 2016-240	95.67		
	2016-339	18.53		
	2016-255	28.50		
Account Total			**$**	**142.70**
Light				
Account Total			**$**	**-**
Huntington Park	2016-255	57.25		
Account Total			**$**	**57.25**
Employees Trust	2016-227	1,807.79		
	2016-234 - 2016-236	2,655.33		
	2016-237	49.68		
	2016-255	260.00		
Account Total			**$**	**4,772.80**
Visa Charges	2016-347	459.48		

Account Total			**$**	**459.48**
ADP Charges	2016-229	727.35		
Paychex	2016-226	76.53		
	2016-230	49.33		
	2016-238	83.79		
Account Total			**$**	**937.00**
GRAND TOTAL			**$**	**132,919.31**

Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

SUPERVISOR'S MONTHLY REPORT HAS BEEN ACKNOWLEDGED AND FILED

CORRESPONDENCE

a. March 10 Climate Smart Communities Webinar
b. NYS Aggregated Purchase of Plug-in Hybrid Electric Vehicles
c. NYS GFOA Webinar 3/8/16
d. Understanding the FMLA , 3/2 and 3/9
e. C Zone News – 3/2/16, 3/9/16
f. Weekly Weather Brief from NWS, 3/2 and 3/9
g. March NetAuction Open for Bidding Now
h. Genesee/Finger Lakes Regional Planning Council EBlast
i. NYSLRS Employer E-News, Feb 2016
j. EEOC Proposes Employer Information Report Revision
k. Xerox-Buildings 209, 201 and 119 – No Further Action Proposed
l. Speak up for parks from your home
m. Erie Canalway E-News 2/29/16
n. Unlimited entry to NY State Parks
o. Smart City Crowdfunds; Enticing Millennials to Govern
p. Smart cisterns, NLC strategies and more
q. Leveler Newsletter – March 9
r. Pond at Country Creek Lane
s. Day of Caring Before & After contest details
t. Amerks Pink the Rink for Breast Cancer Coalition on 3/20/16
u. Hamlin One of New York's Most Affordable Places
v. Route 272 Reduced to one lane over Culvert Between Route 18 and Route 104 in Murray
w. March 2016 Monroe County Parks Advisory Committee Meeting Cancelled

INCREASE APPROPRIATED FUNDS

Resolution #112 Motion was made by Councilperson Maier, seconded by Councilperson Baxter
Requesting Town Board resolution to :

Increase Appropriated Fund Balance Acct#	L0599.00	$15646.00
Increase Expense Accts: Grant programming	# 7410455	$646.00
Technology and programming	#7410456	$15,000.00

Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

REAPPOINT STEVE HUNDLEY ON BOARD OF ASSESSMENT REVIEW COMMITTEE

Resolution #113 Motion was made by Councilperson Baxter, seconded by Councilperson Maier
Requesting Town Board resolution to appoint Steve Hundley as of September 2015 for a three year term to the board of the Assessment Review Committee.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

FINAL ORDER TO DEMOLISH AND REMOVE BUILDING AT 1396 LAKE ROAD

Supervisor Peters received correspondence from the Attorney for Ocwen to have access to the property. He was not pleased with their action being done at the last minute, as he feels they have extended the dates several times in good faith for them. The Building Inspector and Fire Marshal will set up a walk through this week with them to take a look at the property. No more extensions will be set, they will be moving forward with the process of demolition.

Resolution #114 Motion was made by Supervisor Peters, seconded by Councilperson Maier
Requesting Town Board resolution to approve the following:

WHEREAS, the Building Inspector of the Town of Hamlin provided written notification dated September 28, 2015 to the Hamlin Town Board that the building at 1396 Lake Road was in violation of numerous requirements of the Uniform Fire Prevention and Building Code, and that the unoccupied building should be boarded, locked or protected to prevent entry by unauthorized persons, and

WHEREAS, the assessment records of the Hamlin Assessor indicate that the owner of 1396 Lake Road is William Stone pursuant to a deed recorded January 3, 2007 in Book 10404 of Deeds at Page 318, and

WHEREAS, the building inspector reported that the mortgagee, Ocwen Financial Corporation, had assumed some responsibility for the maintenance of the property at 1396 Lake Road, and that she had been in contact with Ocwen's property management company regarding the condition of the premises, and

WHEREAS, on October 13, 2015 the Town Board adopted a resolution that proceedings should be commenced pursuant to Chapter 231 of the Code of the Town of Hamlin ("Unsafe Buildings Law of the Town of Hamlin") to determine if the building at 1396 Lake Road is an unsafe building, and

WHEREAS, a hearing with respect to the building was held by the Town Board on November 9, 2015 at which time the fire marshal reported that he had inspected the building on October 16, 2015 and had observed deterioration, including large portions of the roof missing, and that in his opinion the building was unsafe and would not be able to be restored; the building inspector agreed with such conclusion, and

WHEREAS, notice of the November 9, 2015 hearing was mailed by certified mail to the owner of the premises and to the aforesaid mortgagee, but neither the owner nor any representative of the mortgagee appeared at the hearing, and

WHEREAS, on November 25, 2015 the Town Board adopted a resolution which declared the building at 1396 Lake Road an unsafe and dangerous building, and further ordered that pursuant to section 231-6 and 231-7 of the Unsafe Buildings Law of the Town of Hamlin, a notice be prepared and served upon the owner and, additionally, upon the mortgagee, that demolition and removal of the structure be commenced within 15 days of service of the notice and further ordering that a hearing be held at 6:30 pm on January 11, 2016 with respect to the matter, and which notice further provided that in the event of the neglect or refusal of the owner to comply with the order to demolish and remove the building, the Town Board would be authorized to provide for its demolition and removal and to assess all expenses in connection therewith against the land on which the building is located, and

WHEREAS, a notice of said resolution was duly prepared and mailed by registered mail as well as by certified mail to the owner at his last known address as appearing on the records of the assessor, and a copy mailed by registered and certified mail to Ocwen Financial Corporation, and

WHEREAS, said notice was further duly recorded in the office of the Clerk of the County of Monroe on December 22, 2015, and

WHEREAS, a copy of said notice was duly secured near the front entrance of said building at 1396 Lake Road, and

WHEREAS, the Town Supervisor received an email on January 11, 2016 from a project manager for Secure Solutions, LLC, which email advised the Supervisor that his company was actively seeking quotes on behalf of the owner "to demolish the property as requested" and

WHEREAS, the public hearing was duly held on January 11, 2016 but there was no appearance by or on behalf of the owner, and

WHEREAS, the Town Board adopted a resolution on January 11, 2016 deferring further action until January 27, 2016 to allow the owner or the property management company time to present an action plan for the demolition of said building, and

WHEREAS, on January 25, 2016 Madeleine Cooney, an attorney for Ocwen Financial, contacted the building inspector and requested the name of the individual for the property management company who had contacted the Town Supervisor, which information was provided to said attorney, and

WHEREAS, on February 5, 2016 Hamlin's attorney, Kenneth D. Licht, sent an email to the attorney for Ocwen Financial asking whether her client had prepared any plan regarding 1396 Lake Road and advising her that the Town Board was meeting on February 8, 2016 to further consider the matter, and

WHEREAS, on February 5, 2016 Ocwen's attorney responded to Hamlin's attorney that "hopefully I will have an answer for you by Monday morning [February 8]", and

WHEREAS, neither Ocwen's attorney nor any other representative of the owner or mortgagee presented any plan prior to the Town Board meeting on February 8, 2016, and there was no appearance by or on behalf of the owner or Ocwen Financial at said meeting, and

WHEREAS, the Town Board adopted a resolution of February 8, 2016 that in the event the owner or representative of the owner failed to present a plan for the demolition of the building at 1396 Lake Road prior to the meeting of the Town Board on March 14, 2016, the Town Board would proceed to demolish the building in accordance with the provisions of section 231-10 of the Unsafe Buildings Law of the Town of Hamlin, and

WHEREAS, at mid-day on March 14, 2016 Ocwen’s attorney sent an email to Hamlin’s attorney requesting an adjournment of another month to permit her client the opportunity to gain access to the building for the purpose of determining whether it could be repaired, but neither the owner nor any representative of the mortgagee of the premises has otherwise contacted the town or presented any plan to demolish the building,

NOW, IT IS HEREBY ORDERED AS FOLLOWS:

1. The building at 1396 Lake Road, Town of Hamlin is an unsafe building and must be demolished and removed.

2. The owner has failed and neglected to remove the building pursuant to the order of the Town Board.

3. The Town of Hamlin shall provide for the demolishing and removal of the building situate at 1396 Lake Road either by contract or by town employees.

4. All expenses incurred by the town with respect to the demolishing and removal of said building shall be assessed against the land upon which the building is located and shall be levied and collected as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy.

Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

SIGN THE EXTENSION OF THE CONTRACT WITH PENN POWER SYSTEMS

Resolution #115 Motion was made by Councilperson Baxter, seconded by Councilperson Maier Requesting Town Board to sign the extension of the contract with Penn Power Systems for Emergency Generator Maintenance.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

PURCHASE A 2016 CHEVY SILVERADO FOR HIGHWAY DEPARTMENT

Resolution #116 Motion was made by Supervisor Peters, seconded by Councilperson Baxter Requesting Town Board to purchase for the Highway Department a 2016 Chevy Silverado 3500 HD 4WD Double cab work truck from Joe Basil Chevrolet under the Chautauqua County Contract for a price of $32,913.84.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

DISCUSSION

Mowing Bids – Preston Lawn Care and Landscaping was the low bid with one provision that if the lawn is 11 inches or higher it will require a bush hog for $250 plus the trip cost. Supervisor Peters asked the Building Inspector if she felt that she would be able to catch any jobs that need to be done before they get to 11 inches. She indicated she was confident that she would be able to.

MOWING BID AWARDED

Resolution #117 Motion was made by Supervisor Peters, seconded by Councilperson Maier requesting Town Board to award the mowing bid to Preston's Lawn Care & Landscaping as long as they can provide their proof of insurance. If they are unable to provide the needed documents then the bid will be awarded to Goodrich Enterprises being the second lowest bidder and insurance paperwork available.
Polled Votes: Councilperson Baxter aye, Councilperson Voelkl abstain, Councilperson Maier aye, Supervisor Peters aye. Motion carried.

The Supervisor received a letter was received from Henry Dude regarding the Country Creek Lane pond. They had received some suggestions of how to fix the issues with the pond from Chatfield Engineers. He asked the Highway Superintendent if he felt that they could look at the suggestions and come up with a way to fix it and take care of it this year. The Highway Superintendent indicated that he felt he could take care of it in May when it is dry.

Councilperson Voelkl asked if we would be getting the Employees Handbook done by HR Works. Supervisor Peters indicated that they were.

REPORTS

Councilperson Baxter reported on the following:

- Hamlin Volunteer Ambulance – Their meeting is being held at the same time this is so unable to get a report for tonight.
- Dog Shelter – They are busy with the puppies. They have live stream videos on Facebook. The Rabies Clinic will be held on May 6 from 5:00 – 8:00 this year.
- Hilton-Parma Fire District – They have 90 percent coverage on their ambulance calls and had 6 mutual aids, some of which were in Hamlin.

Councilperson Voelkl reported on the following:

- Zoning - They had a public hearing for a pole barn that was approved. There is an area variance for an addition on the front of a house on Chase Road that they will have a public hearing at the next meeting.
- Hilton Parma Hamlin Chamber of Commerce – They are looking for applications and suggestions for a Business Person and/or Business of the year. You can submit on their website. The winner is to be announced in June.
- Dog Shelter – She was asked to see if the Highway Department could do some caulking for them. There has been much publicity over the Shepherd that is being rehabbed after being in the wild for 3 months.
- JC Water Level Plan - there was a press event held in Rochester in February which was an effort to communicate opposition to the US-Canada Int'l Joint Commissions, Lake Ontario-St.Lawrence River Plan 2014. Representatives from Monroe, Niagara, and Orleans County legislatures were present including Hamlin's County legislator Mike Rockow, and Congressman Chris Collins.
- Website – she would like to look into other website redesign. She indicated she received the email about possible change of the Hamlin Express newsletter, but she feels that the newsletter is good as it is.

Councilperson Maier reported on the following:

- Conservation – They looked at 2 parcels that are separate and going to be demo and rebuild of a house as one lot. Tree Giveaway will be April 23 from 9 – noon in the Town Hall parking lot.
- Hamlin-Morton-Walker – They have 126 calls year-to-date. They were very appreciative to the Highway Department for the help they gave them putting up their new sign. Recruitment team is working with the grant money and interviewing other Fire Districts in the area.

Town Clerk Rickman reported on the following:

- Chris Collins office will be represented here on March 16 from 10 – 11:30.

Highway Superintendent Steven Baase reported on the following:

- He has been patching pot holes and fixing signs.
- DEC contacted him to put docks in, he believes because of some complaints. He will look into if the water is at a level that he can.
- He went to Albany last week. They had more signatures then ever, but things are being held up in the Senate by the Democrats.

Building Inspector, Cheryl Pacelli reported the following:

- 19 permits issued.
- She had 155 phone calls this month.
- Several people asking about what is going on with the clearing of the trees around the IGA.
- Larry's Auto is starting to get cleaned up by his brother. She has given him until April 30 to get cleaned up or the Town may have to take some action.
- She is attending Finger Lakes Building Official Association Required Yearly Training Classes from 3/14 – 3/17.

Permits Issued:
Additions – 1
Comm. Minor Repair - 1
Conservation Development – 1
Deck - 1
Demolition – 2
Fence – 1
Fireplace -1
Generators - 1
Minor Repair - 2
Major Repair – 1
Mobile Home – 1
Re-Roofing – 2
Residential C of O - 4
Shed – 4
Sign – 1
Special Use – 3

Councilperson Voelkl asked if she had heard the results from the Balloon Test. She has not heard yet.

Senior Consultant Michelle Johnson reported on the following:

- 90 people attended last month meeting
- They are going to the Spragues Maple Farm and Casino on March 15.
- Sign ups are going well for the trips and plays that are set up for them.

Fire Marshal Tom Maier did not attend but sent the following report:
February 2016 Report,

- Monthly fire extinguisher checks completed for Town of Hamlin Buildings.
- Attended the monthly Fire Marshals Meeting
- Working with Marks Pizza new location with fire alarm systems and knox box
- Annual Fire Inspections Completed
  Bradford Manor
  1713 Lake Road
  1703 Lake Road
  Farmers Table Re-check completed all okay
  Mayer's Winery
- Responded to calls on fire place and chimney questions
- Responded with Hamlin Morton Walker Fire District for a report of a barn fire on Brick School House Road

Assessor Dan Stanford reported on the following:

- There are only 13 exemptions left to be handed in.
- He has done some evaluations and adjustments.
- He is holding a class on April 9 from noon -1:00 on 3 steps to a Fair and Equitable Assessment at the Library.
- He was asked if the new software the Building Department is using is helping with his assessments. He indicated it was helping and he has a good software program that he uses also.

Recreation Director Anke Applebaum reported on the following:

- The new staff is going good so far.
- Sports Registration is starting to pick up.
- The Storage room will be starting in mid-April.
- She has put in several grants in hopes to get some new outdoor exercise equipment and help with the new pickle ball court that will be put in the old hockey court.

Librarian Kay Hughes-Dennett reported on the following:

- They have contracted a new web designer that is very professional and reasonable.
- Snow birds are coming back and it is getting busier.
- They are working on Summer Reading program and are having some interesting things coming to the library like an Irish dancer on Thursday.

Town Historian and Conservation Board Member Dave Walch reported on the following:

- He is working on an article for the Hamlin Express and setting up open hours for the History Center.

Supervisor Eric Peters

- They were able to get their Annual update handing in early this year.
- They are looking at the quotes on websites.
- HR Works is working on the handbook.
- Auditor is going to be starting on the 18th. The court is aware also and will provide whatever they need.
- Reminder: March 23 Town Board Meeting is cancelled
- Zoning Workshop will not be held this month since there is nothing pressing to be discussed.

Councilperson Baxter reported that The Friends of Hamlin Beach State Park received a grant award of $14,889 to install interpretive signs for a self-guided walking tour of the former Civilian Conservation Corps/Prisoner of War site on park grounds, and signs attributing the Friends for its work protecting the historic CCC/POW camp and in the care of bluebird and purple martin houses within the park.

ADJOURNMENT

A motion was made by Councilperson Baxter, seconded by Councilperson Maier to Adjourn the meeting at 7:55 pm as all business had been concluded.
Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Maier aye, and Supervisor Peters aye. Motion Carried

Respectfully submitted,

Kathi A. Rickman, MMC
Hamlin Town Clerk