Regular Town Board Meeting
Tuesday, October 13, 2020

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 Peters. Everyone was invited to participate in the Pledge of Allegiance and a moment of silence for the deceased residents of Hamlin and the family of Jerry Hoffman.

Present: Councilperson Jason Baxter, Councilperson Jennifer Voelkl, Councilperson Phil Hurlbutt, Councilperson Joel Yager, Supervisor Eric Peters.
Also present: Town Clerk - Patty Jo Groenendaal, Highway Superintendent - Steve Baase, Code Enforcement Officer - Cheryl Pacelli, Town Attorney - Maureen Werner
Jim Baase, Xiary Li, Rick Wright, Sue Marino, Clarke Mahaney, Nicholas Russo

INVOCATION: Led by Pastor Nick Russo

PUBLIC FORUM:
Jim Baase, Empire Long Distance Corp. A locally owned and operated Fiber optic Telecommunications Provider. Servicing two states, New York and Pennsylvania, with over 21,500 customers. Map was provided to town board to show the coverage. They offer phone, internet, Digital TV, Security & Monitoring, Metro Ethernet and Dark Fiber. Offering a Non-Blocking network. Internet is so important at this time with students and adults doing so much at home now. Hoping the Town does not charge a Right of Way fee.

Sue Marino, CNS is the consultant for the wireless facilities, cell towers and modifications of cell towers. They discovered an upgrade to the Verizon tower on Cook Road with Fiber optics. To their knowledge Empire has not applied for any permits to install their fiber optics to the Cook Road tower. Empire is profiting from an unauthorized use of the town's right of way. A copy of the NYS constitution Article VIII Local Finances Section 1, was given to the board stating

No county, city, town, village or school district shall give or loan any money or property to or in aid of any individual, or private corporation or association, or private undertaking…

Therefore, the fiber optic at that tower is for one purpose, Verizon. Our recommendation are Empires use of the towns right of way is not a separate issue from Verizon's committing process as it's sole purpose to provide fiber to Verizon. Empire's right of way agreement should remain a condition on the Verizon's approval for the July 25th recommendation.

Public Forum Closed at 7:17 pm

APPROVAL OF TOWN BOARD MINUTES:

Resolution #140 Motion made by Councilperson Yager and seconded by Councilperson Hurlbutt requesting the approval of the Regular Town Board meeting minutes from September 23, 2020

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

APPROVAL OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS:

Resolution #141 Motion made by Councilperson Hurlbutt and seconded by Councilperson Voelkl requesting the approval of payment of bills from their respective funds. The payment of bills from their respective funds.

MONTHLY TOTALS			**ABSTRACT: 10**
ACCOUNT	**VOUCHER#**	**AMOUNT**	**ACCOUNT TOTALS**
General	2020-1162	70.95	
	2020-1168 to 2020-1169	1061.80	
	2020-1174	100.00	
	2020-1175	99.00	
	2020-1176 to 2020-1177	409.98	
	2020-1215 to 2020-1241	18816.55	
	2020-1244	225.00	
Account Total			**$ 20,783.28**
Library	2020-1164 to 2020-1165	188.56	
	2020-1170	44.36	
	2020-1178 to 2020-1179	535.06	
	2020-1180 to 2020-1191	6036.38	
Account Total			**$ 6,804.36**
Highway	2020-1196 to 2020-1214	13311.16	
Account Total			**$ 13,311.16**
Sewer	2020-1192 to 2020-1195	483.19	
Account Total			**$ 483.19**
Light			
Account Total			**$ -**

Hamlin-Lakeshore	2020-1242 to 2020-1423	49264.30	
Account Total			**$ 49,264.30**
Redman Road			
Account Total			**$ -**
Employees Trust	2020-1160 to 2020-1161	25145.24	
	2020-1166 to 2020-1167	2093.14	
	2020-1171 to 2020-1172	309.76	
Account Total			**$ 27,548.14**
Paychex	2020-1163	69.83	
	2020-1173	97.76	
Account Total			**$ 167.59**
Visa Charges	Crosby's	24.74	
	Facebook	48.28	
	Walmart	236.76	
Account Total:			**$ 309.78**
GRAND TOTAL:			**$ 118,671.80**

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

SUPERVISOR'S MONTHLY REPORT ACKNOWLEDGED AND FILED

CORRESPONDENCE:

a. Volume 7 AOT's Legislative Newsletter
b. Town & Country Dry Cleaners Site (Brighton) - Cleanup of Site Contamination to Begin
c. Keeping Communities Connected When It Matters Most
d. HR Focus October Issue: Are Your Handbooks Up To Date? Preparing for Open Enrollment, Compliance Updates
e. MCZ News Weekly 9/30/20
f. MCZ News Weekly

APPOINT NICOLE CURCIO AS SOLE APPOINTED ASSESSOR:

Resolution #142 Motion made by Councilperson Baxter and seconded by Councilperson Yager requesting appointment of Nicole Curcio as Sole Appointed Assessor for the Town of Hamlin to the term that ends September 30, 2025.

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

RELEASE OF $26,833.50 FROM THE COUNTRY CREEK SEC. 3 LETTER OF CREDIT

Resolution #143 Motion made by Councilperson Baxter and seconded by Councilperson Yager requesting the release of $26,833.50 from the Country Creek Sec. 3 letter of credit. This is the final release.

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

ACCEPT DEDICATION OF COUNTRY CREEK SEC. 3 TO THE TOWN OF HAMLIN:

Resolution #144 Motion made by Councilperson Yager and seconded by Councilperson Baxter requesting the Town Board to accept dedication of Country Creek Sec. 3 to the Town of Hamlin.

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

RELEASE OF $75,165.54 FROM THE HAMLIN MEADOWS SEC. 3 LETTER OF CREDIT:

Resolution #145 Motion made by Councilperson Hurlbutt and seconded by Councilperson Voelkl requesting the Town Board to release $75,165.54 from the Hamlin Meadows Sec. 3 letter of credit. This is the final release.

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

ACCEPT DEDICATION OF HAMLIN MEADOWS SEC. 3 TO THE TOWN OF HAMLIN:

Resolution #146 Motion made by Councilperson Yager and seconded by Councilperson Hurlbutt requesting the Town Board to accept dedication of Hamlin Meadows Sec. 3 to the Town of Hamlin.

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

PUBLIC HEARING FOR THE TOWN OF HAMLIN 2021 OPERATING BUDGET:

Resolution #147 Motion made by Councilperson Baxter and seconded by Councilperson Voelkl requesting Town Board to schedule a Public Hearing for the Town of Hamlin 2021 Operating Budget at 6:15 pm on October 28th at the Hamlin Town Hall.

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

FRANCHISE AGREEMENT WITH THE TOWN OF HAMLIN AND SPECTRUM NORTHEAST LLC:

Resolution #148 Motion made by Councilperson Hurlbutt and seconded by Councilperson Yager requesting the Town Board to approve The Franchise Agreement ("Franchise") between the Town of Hamlin, New York, hereinafter referred to as the "Grantor" and Spectrum Northeast, LLC, an indirect subsidiary of CHARTER COMMUNICATIONS, INC., hereinafter referred to as the "Grantee."

WHEREAS, in a full public proceeding affording due process to all parties, Grantor considered and found adequate and feasible Grantee's plans for constructing and operating the cable television system, and Grantor considered and determined that the financial condition, character, legal and technical ability of the Grantee are sufficient to provide services, facilities and equipment necessary to meet the future cable-related needs of the community; and

WHEREAS, the Grantor finds that the Grantee has substantially complied with the material terms of the current Franchise under applicable laws, that this Franchise complies with New York Public Service Commission's ("NYPSC") franchise standards under Title 16, Chapter VIII, Part 895 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and that the grant of a nonexclusive franchise to Grantee is consistent with the public interest; and

WHEREAS, the Grantor and Grantee have complied with all federal and State-mandated procedural and substantive requirements pertinent to this franchise renewal; and

WHEREAS, Grantor desires to enter into this Franchise with the Grantee for the construction and operation of a cable system on the terms set forth.

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

REPORTS:

Peters – Received a petition for Installation of water mains to supply the western part of Cook Road and part of County Line Road to commission an engineering study for the extension of water.

APPROVAL FOR MRB TO CONDUCT AN ENGINEERING STUDY FOR WATER AT COOK RD./COUNTY LINE:

Resolution #149 Motion made by Councilperson Baxter and seconded by Councilperson Voelkl requesting the Town Board to allow MRB Group to conduct an engineering study for water along part of County Line Road and Cook Road.

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

Have been working on the 2021 Budget. Public Hearing for budget is scheduled.

The Council of Governments County Meeting will be this Friday.

Baxter – Hilton Parma Fire District had 37 Fire calls for the month of September bringing it up to 270 to date. EMS calls 71 YTD. No calls of significance but provided aid to Brockport and Lakeshore.
Hamlin Volunteer Ambulance had 579 calls; 60 more than last time. Nearly doubled the amount of calls for September compared to last year. Only missed one call last month. They have made some changes to the budget to address the Town Board concerns.
Conservation - Ed Evans presented at the meeting a new brochure on the Yanty Creek Marsh and Yanty Marsh Nature Trail. He is looking for support and funding to get these printed. Maybe the Friends of Hamlin Beach State Park can help with printing cost. Funding should be separated for town and state projects. Look into Interviews for the open positions. Two referrals look at before any determination can be made. Old water authority building demolition is ready for teardown.

Voelkl – Brick Schoolhouse Road Public Hearing for a 2nd structure, Approved.
Newco Drive Public Hearing accessory structure waterside, Approved.
Newco Drive Public Hearing Side setback, denied need to renew plans.
Hamlin Fire District property transfer 14' rear setback, Approved.
Benedict Beach Public Hearing variances need lot size and lot width.
Brick Schoolhouse Garage on two properties suggested combining the lots.
Summer Haven Coastal Erosion Hazard Permit.
Newco Drive Public Hearing for dock & shed.
Newco Drive Public Hearing for 2nd shed for storage.
West Wautoma Coastal Erosion Hazard concrete pad, Approved.
Shore Acres for a Fence, Approved.
Chamber of Commerce will start their meetings back up.

Yager – Library circulation numbers are same as last year. Contacted the schools on how they can assist. They are working on a pre-school craft & sensory program. They are working on election for officers for the Friends of Recreation and new members are always welcome.
The Free Rabies Clinic Drive-through is October 23rd from 5:30 – 7:30 pm at the Clarkson Highway Department. There are still appointments available.

Hurlbutt – Hamlin Morton Walker Fire District had 324 calls. A recruit class is scheduled for the three new recruits. The roof on the Hamlin Fire Hall is done. Morton District will be handing out cider, donuts and candy for Halloween.
Planning Board Special Use Permit for Firearm in home business, approved with the stipulation that all State and Federal requirements are filled.
Hamlin Fire District property transfer 14' rear setback, Approved.
Summer Haven Conservation Corridor Development Permit Dock, Approved.

Shore Acres Conservation Corridor Development Permit Fence, Approved.
Roth's Cove Accessory Use Permit for pond, declined needs specs.
Fawn Meadow amended plan, Approved.
Chase Road Public Hearing split site plan approval.

Groenendaal – The number of Hunting licensing has increased along with Marriage licenses compared to last year.

Baase – working on paving, headstones and catch basins. Junk days were normal amount with 6 dumpsters. Brush starts on October 26th. Starting the Kendall waterline next week. Planted 4 trees from conservation in the park.

Pacelli – 38 permits issued with a permit fee cost of $3,038. Valuation of $688,414.48.
17 C of O and C of C issued. 321 Phone calls into the office. Sent out 23 violation notices. Fires at 1478 Lake Road West Fork and 2782 Roosevelt Highway.

Discussion: Introduction of Assessor, Nicole, to department heads. Hurlbutt asked what will office hours look like? Nicole is flexible and plans to do Wednesdays while Mike is here. Baase asked about the History Center Roof. Peters answered that they needed three quotes and need to stay within historical building guidelines. Voelkl mentioned the great things Jerry Hoffman did for the town and sympathy's go out to the family.

ADJOURNMENT:
Motion was made by Councilperson Hurlbutt, Seconded by Councilperson Voelkl, requesting Town Board approval to adjourn the meeting at 7:40 pm as all business had been concluded. Polled votes: Councilperson Baxter aye, Councilperson Voelkl aye, Councilperson Hurlbutt aye, Councilperson Yager aye, and Supervisor Peters aye. Motion Carried

Respectfully submitted,

Patty Jo Groenendaal
Hamlin Town Clerk