

**Hamlin Town Board Meeting  
April 12, 2010**

The Hamlin Town Board held their regular scheduled meeting in the Hamlin Town Hall located at 1658 Lake Rd., 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, and Supervisor Peter Terry.

Also present: Attorney Ken Licht; Highway Superintendent Steven Baase; Building Inspector Lee Nettnin; Conservation Board Members Jason Baxter, Ed Evans, Jeanine Klopp, and Nick Kramer; Planning Board Members Tom Jensen and Peter Tonery; Library Director Kay Hughes-Dennett; Friends of the Library President Nancy Jennejahn; Residents: Lloyd Lochner and Tom Ingraham.

**PUBLIC FORUM**

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

No one wished to speak.

**APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF MARCH 8, 2010**

**Resolution # 113** Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, to approve the regular Town Board meeting minutes of March 8, 2010.

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

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

**Resolution # 114** Motion was made by Councilperson Rose, seconded by Councilperson Breslawski, to authorize payment of bills from their respective funds.

<b>MONTHLY TOTALS</b>			<b>ABSTRACT      4</b>
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>
General	5878	66.00	
	5880	131.68	
	6003-6004	1986.43	
	6010-6014	6857.60	
	6015	1003.74	
	6016-6018	834.37	
	6025-6026	2848.78	
	6029	85.23	
	6033-6036	3005.36	
	6099-6167	99590.96	
<b>Account Total</b>			<b>\$ 116,410.15</b>

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Library	6008-6009	628.61	
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	6024	42.89	
	6030-6031	105.46	
	6037-6038	411.07	
	6048-6057	4369.91	
<b>Account Total</b>			<b>\$ 5,557.94</b>
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Highway	6023	43.40	
	6058-6095	65404.04	
<b>Account Total</b>			<b>\$ 65,447.44</b>
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Sewer	5879	490.42	
	6005	162.82	
	6022	57.07	
	6040	133.28	
	6044-6047	670.32	
	6096	128.00	
<b>Account Total</b>			<b>\$ 1,641.91</b>
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Trust	5882-5883	2360.47	
	6019-6020	1766.86	
	6027-6028	22353.88	
	6042-6043	1627.95	
<b>Account Total</b>			<b>\$ 28,109.16</b>
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Light	6006-6007	1388.95	
	6039	191.50	
<b>Account Total</b>			<b>\$ 1,580.45</b>
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<b>GRAND TOTAL:</b>			<b>\$ 218,747.05</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. A letter from DEC RE: Permits.
- b. A letter to the Different Departments RE: Presentations to the Town Board.
- c. A posting from the Monroe County Legislature RE: Proposal for the inclusion of Predominantly Viable Agricultural Lands into Certified Monroe County Agricultural Districts.
- d. An E-mail sent to the Residents on Redman and Cook Roads RE: The Water District.
- e. A letter from Time Warner RE: Channel changes.
- f. A letter from Attorney Licht RE: DRC Referrals.
- g. A letter from the Planning Board RE: DRC Referrals.
- h. A letter from the Zoning Board RE: DRC Referrals.
- i. Proposed Local Law "In-Law Apartment".
- j. Letter for Zoning Board to Town Board RE: Refund for Public Hearing Fee.
- k. A letter from Building Inspector Lee Nettnin RE: Operating Permits.
- l. The Building Inspector's Monthly report for the month of March, 2010.
- m. DCO monthly report for the month of March, 2010.
- n. A letter from Time Warner RE: Changes.
- o. Copy of draft job description for the Assistant Historian.

**AMENDMENT TO THE TOWN OF HAMLIN SCHEDULE OF FEES**

**Resolution # 115** Motion was made by Councilperson Breslawski, seconded by Councilperson Goodrich, requesting Town Board resolution to amend the Town of Hamlin schedule of fees in order to add operating permits to the list.

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

**FEE SET FOR OPERATING PERMITS IN THE TOWN OF HAMLIN**

**Resolution # 116** Motion was made by Councilperson Rose, seconded by Councilperson Rath, requesting Town Board resolution to set the amount of the operating permit fee at \$0 (zero).

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

**PUBLIC HEARING SET TO AMEND ZONING LAW PERTAINING TO IN-LAW APARTMENTS**

**Resolution # 117** Motion was made by Councilperson Breslawski, seconded dually by Councilperson Goodrich and Councilperson Rose, requesting Town Board resolution to schedule a public hearing on the Local Law to amend several sections of our Town Code pertaining to “In-Law Apartments” and to repeal §125-49, which pertains to “In-Law Apartments”. I propose to set a Public Hearing at the next board meeting on May 10<sup>th</sup>, 2010 at 6:30 pm.

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

**BID FOR 2010 WHEEL LOADER SCHEDULED FOR MAY 7, 2010**

**Resolution # 118** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to go to bid for a 2010 wheel loader with 3 ½ yard general purpose bucket. Bid opening scheduled for May 7, 2010 at 11 am.

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

**APPROVAL TO CHANGE CEMETERY FEE TO INCLUDE A SET FEE**

**Resolution # 119** Motion was made by Councilperson Rath, seconded by Councilperson Goodrich, requesting Town Board resolution to accept the changes in cemetery price to include a set fee for placement of headstones. Fees to be \$125 for 3’, \$150 for 4’, and \$175 for 5’ and up.

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

**APPROVAL TO SEND SURPLUS EQUIPMENT TO MUNICIPAL AUCTION**

**Resolution # 120** Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, requesting Town Board resolution to send the following surplus equipment to municipal auction:

1977 snow blower  
2001 Chevy Silverado club cab pick-up  
1992 Ford 1-ton super duty  
1983 Trojan 2000 Wheel loader  
1997 MI-T-M pressure washer  
1000 gallon fuel tank with dike  
50 gallon fuel tank  
Misc. office supplies  
Old cement mixer on trailer

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

**APPROVAL FOR STATE BID FOR 2010 1-TON PICK-UP WITH STAKE BODY DUMP BED**

**Resolution # 121** Motion was made by Councilperson Rose, seconded by Councilperson Rath, requesting Town Board resolution to go out for state bid for a 2010 1-ton pick-up with stake body dump bed.

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

**WASTE MANAGEMENT BID ACCEPTED FOR DUMPSTER PRICES AT SPRING CLEAN-UP**

**Resolution # 122** Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, requesting Town Board resolution to accept the bid from Waste Management for the dumpster prices at the spring clean-up event. Prices: \$130 hauling fee and \$43 per ton to dump.

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

**FEE WAIVED FOR HAMLIN HORNETS FOOTBALL**

**Resolution # 123** Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, requesting Town Board resolution to waive the use fee on May 1, 2010.

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

**DISCUSSION:**

1) *Peter Tonery request for fee refund on area variance sought and granted.*  
Discussion withdrawn.

2) *How to fund demolition of 1715 Lake Road.*

Supervisor Terry stated, "The order to demolish the property was effective by resolution at the February Town Board meeting, and the work has begun. Our town engineer has outlined a general process for us to follow, and we are in phase one of that. We have to do a pre-demolition

asbestos survey. If the asbestos needs to be abated, we require an abatement plan prepared by an engineer in an environmental firm. We have to contract to have the asbestos abated. We have to hire a third-party air monitoring contractor to monitor during abatement. We then have to contract the demolition. We need to decide how to cover the expense of the demolition before we get reimbursed at the completion of the project.”

It was discussed how the town would be reimbursed for demolition expenses. Attorney Licht stated, “The cost of the demolition would become a tax, which would presumably be foreclosed by the tax. We would come before private liens and mortgages, but not before taxes. The current tax owed is over \$25,000.”

Councilperson Rath stated that once we re-levy the county, we would get paid.

Supervisor Terry stated, “If and when we get the asbestos survey completed, we will then move ahead with all the steps in place.”

**3) *Waiver agreement with county: Agreement to exempt Zoning and Subdivision matters with Monroe County.***

There was discussion on whether to enter into the waiver agreement.

**AGREEMENT TO EXEMPT ZONING AND SUBDIVISION MATTERS WITH MONROE CTY**

**Resolution # 124** Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to have the Supervisor sign the Agreement to Exempt Zoning and Subdivision matters with Monroe County.

Polled Votes: Councilperson Breslawski no, Councilperson Goodrich aye, Councilperson Rath no, Councilperson Rose aye, Supervisor Terry aye. Motion carried.

**4) *Assistant Town Historian job description drawn up by Town Historian.***

Supervisor Terry stated, “I asked Mary Smith to draft this description with the idea that this would be useful to describe the position to attract a qualified candidate who would be able to eventually move to the position of Historian”.

There was discussion as to whether the Assistant Town Historian would eventually take the Historian position and eliminating the Assistant position. If so, the description should closely mirror the Historian job description.

**5) *Update on the Redman/Cook Water District.***

Supervisor Terry stated: “They have been given a formal petition to circulate. As of now, there are 11 EDU’s represented and 11 testimonial letters. We are seeking a couple more signatures, and then it will come back to me. I will then present it to the board, and we will move from there.”

**6) *Recreation Building funding.***

Additional anticipated funds needed to finish are \$15,294. Tom Ingraham detailed all remaining projects left to complete the building. It was decided to use funds from the Recreation Capital Reserve Fund.

**RECREATION BUILDING FUNDING**

**Resolution # 125** Motion was made by Councilperson Rath, seconded by Councilperson Rose, requesting Town Board resolution to authorize the transfer of \$15,294 from Recreation Capital Reserve Fund to Recreation Building Fund.

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

**REPORTS:**

**Councilperson Breslawski** – I received a copy of an email from some residents on Brick Schoolhouse Road, which talked about dangerous, disruptive, illegal ATV use around the Rose Circle area. In addition to advising them to call 911, I would like to have the Supervisor contact the Sheriff's Department C-Zone requesting that they step up patrols in that area. When the weather gets nicer, they could get their ATV units out there.

Since the possibility of water in the Redman/Cook area has come up, several residents said they would like to have public water too, but are in an area where they are never going to get it. Someone suggested that we have water for purchase. Kendall and Clarkson have water for purchase in their Highway Department.

The Library Trustees approved spending up to \$3,500 from their Special Project Account on five refurbished computers for staff use, a backup drive, and a server that will give them better control over the patrons' use of the computers. The old computers may be kept for possible future use. This was quite a deal that Kay was able to find. (\$220 each for refurbished computers, \$850 for the server, \$99 for the back-up drive, and installation and network charges were added.) These will be used to replace the staff computers.

Friends of the Library had their spaghetti dinner on March 28<sup>th</sup>. They served over 220 people and made over \$500 for the group. It was a pretty big success for them once again.

Mark down June 6<sup>th</sup> on your calendar for the Library's 10<sup>th</sup> anniversary celebration. It will take place at the Library. They have been given permission to use the old drugstore for overflow crowd. The Dady Brothers have agreed to perform.

The Recreation Commission is meeting tomorrow night. They intend to vote on and pass revised bylaws and will come to Town Board next month for our approval. Most of the changes in there are related to the organizational structure.

**Councilperson Goodrich** – Hamlin Dog Control for the month of March had 19 calls.

Hamlin/Parma Fire District had 71 ambulance calls. They are no longer going to Hilton East. They are getting quotes for landscaping around the fire hall. They are also looking at getting mutual aide with Spencerport; they would take care of north of 31. They are looking at buying some pagers at about \$315 each.

Hamlin Ambulance potentially has two new members coming up. The Fire Department is also looking at combining three districts into one. They had 38 calls last year during the Month of March, 41 calls this year for the month of March, and 124 calls so far this year.

I started looking at the Chamber of Commerce for the Town, and I started the United Way so I will be visiting all the town employees.

**Councilperson Rose** – Everyone received their Planning Board minutes.

Conservation Board - Jason will explain Earth Day here to the public.

The Seniors meet tomorrow at 9:00 and their regular meeting will be held on April 27<sup>th</sup>.

**Councilperson Rath** – I have nothing new from the fire district. Hamlin, Morton, and Walker have agreed to proceed with getting a grant to hire a consultant to look at the feasibility of consolidation.

Conservation Board has Earth Day coming up. On the waiver agreement with the county that we passed, we need to clearly communicate to the boards when it becomes effective. We also need to get training for the Boards on specific incidences on what applies and what doesn't apply.

**Highway Superintendent Steven Baase** – The grant for the speed radar just came through for \$5,000. I am in the process of checking prices. The Smart 800 with the statistics package is \$7,695, without the statistics package is just a little over \$5,000. The stationary single is \$3,400.

We started sweeping. The towns have all been borrowing the sweeper that we jointly bought a year ago. We got it last Friday and it broke Friday afternoon. We took it in to have repairs done. We will pick it up tomorrow and start sweeping the housing tracks.

We've got everything cleaned up. March is a big month to inspect and repair all the big equipment. We have the plows painted. We are getting some dry top soil to fix people's yards from plow damage.

The County came out with their jobs for the year. We aren't doing bad; we have five different roads that we can work on here in town. I have a meeting with the county tomorrow to see if we can get some more county jobs.

This week I will take a ride with Patty Jo, the Recreation Director, out to the fields. She would like to make some changes; she wants to add a field.

I have had four complaints about culverts caving in. The state and the county no longer take care of this. Some other towns have agreed to replace the culverts for their taxpayers if they agree to purchase the black top and materials. The town supplies the labor and they give the town a check for all the materials. I was thinking about starting a program like that.

The Church Road water district got pushed back; I will find out more tomorrow. If we don't get any more jobs, it's looking like the last week in May to start the water line. If we pick up another job, it might be in June. I talked to the Water Authority about it. As soon as I find out, we will let the residents know. I can't give up the County work because it's good money.

**Building Inspector Lee Nettin** – I would like to comment on an item that Councilperson Breslawski brought up on the ATV on Brick Schoolhouse Road. I also received the same complaint. I sent a letter to the property owner of one of the main offenders.

1715 Lake Road Update:

- I Received 3 bids for an Asbestos Environmental Survey. Stohl Environmental LLC had the most reasonable bid. Supervisor Terry accepted the contract from Stohl on 4-9-10. Samples will

be collected from the site soon and I should have the results in about one week from collection date.

- Electric power has been entirely removed from the building.
- On 3-18-10 I called RG&E to remove the gas service and that should be completed by mid April.
- There has been no evidence of trespass since I boarded up the doors.
- As soon as I receive the Asbestos Survey, we should begin writing up specifications for the demolition bid.
- Action item: Suggestions needed for individuals to help writing up the demo bid-Ken Licht or J.P. Schepp.
- I wrote a letter to the owner, Tim Brogan, regarding the contents of the building, giving Mr. Brogan until April 26 to respond to my letter if he wishes to take anything from the building.

**Conservation Board Jason Baxter** – Earth Day will be held on April 24<sup>th</sup>, 10 am to 2 pm. There are various events happening. Some of the featured events are: a green car show, poetry reading, the Dady Brothers will be playing 1 pm to 2 pm, Beach clean-up begins at 11:30 am. Hamlin Lions are in charge of all the food (hot dogs and pizza). SUNY Brockport Radio will be there, and after the event they are going to have the Spring Brook Marsh Tour, followed by a tour of the CCC camp. There will be a free tree seedling give-away for 300 people.

**Library Director Kay Hughes-Dennett** – Nothing to report.

### **ADJOURN TO EXECUTIVE SESSION**

**Resolution # 126** Motion was made by Councilperson Rose, seconded by Councilperson Breslawski, to adjourn to Executive Session at 8:13 pm to talk about property purchase.

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

### **RETURN FROM EXECUTIVE SESSION**

**Resolution # 127** Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, to return from Executive Session at 8:22 pm.

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

### **ADJOURNMENT**

Motion was made by Supervisor Terry, seconded by Councilperson Rath, to adjourn the meeting at 8:23 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,

Mary Ann Knapp  
Deputy Town Clerk