

Hamlin Town Board Meeting May 10, 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 Nettin; Assessor Don Wells; Conservation Board Members Jason Baxter, Ed Evans, and Nick Kramer; Planning Board Member Tom Jensen; Library Director Kay Hughes-Dennett; Library Trustee George Bott; and Dave Carlon of GAR. Resident: Paul Lapinski.

PUBLIC FORUM

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

Tom Jensen, 1 Roadside Drive

My comments are on the In-Law Apartments. I truly believe that they were originally changed from having to need an SUP because of the number of people that were having family members move back in with them. That is why they took it out of having to have an SUP to have an in-law apartment. It was strictly done as a convenience to the residents of the Town of Hamlin. I don't believe that an SUP is appropriate; they don't need an SUP for a lot of other things in this town. I really feel that the Local Law requiring an SUP is just going to be a hindrance to the members of the public in Hamlin itself.

Larry Gursslin, 165 West Avenue, Hilton, NY

Read a letter to formally seek local zoning and building permit compliance from the property owner at 2 Summerhaven Drive in the Town of Hamlin. There is a 6-foot stockade fence and a large shed on the property without any building permit ever being issued.

PRESENTATION BY DAVE CARLON, GAR

Dave Carlon presented some of the findings from the informal hearings and an update of the next process, which is the Board of Assessment Review (BAR).

We have another month before we finish this project under the contract, and then we will have our final meeting in June. We mailed the notices out and had the informal hearing process, which was the opportunity for the property owners to meet with our staff and the assessor. Some chose to meet with us, some chose to meet with the Assessor, and some met with both. We had 487 of those meetings (13.8% of the town). We estimate that we will have about 80-100 grievances at the BAR.

We had a meeting today with the Board of Assessment Review which will be on Tuesday, May 25th. We are going to provide the BAR with some information to help them make their determinations. We will have the property record, the inventory, and the sales book for them to deliberate. In order to help them understand how we did the project, I have given them a listing of all the neighborhood codes, a chart that shows by neighborhood what the average assessment was, the average change, and what the average sales price is. They have a snapshot of what went on in the different neighborhoods.

Councilperson Rath questioned the accuracy of the first GAR assessment, since the latest information shows a ten million dollar decrease.

Assessor Don Wells added that any time a town goes through a reval, the land gets set back to a standard. If any land value has been altered for any reason in the last 26 years, all that goes away. Every land adjustment now gets set at a price per acre, size, and frontage. Many of these adjustments that came in were in two key areas: land and waterfront.

Dave Carlon stated that a lot of the grievances were from “do not enters”. A significant number were vacant land where there was wetland or farmland that in the past the farmer never got the agriculture exemption. We value it as residential land, and the farmer shows up and states that he has farmed it all of his life.

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES OF APRIL 12, 2010

Resolution # 128 Motion was made by Councilperson Breslawski, seconded by Councilperson Rose, to approve the regular Town Board meeting minutes of April 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 # 129 Motion was made by Supervisor Terry, seconded by Councilperson Rath, to authorize payment of bills from their respective funds.

MONTHLY TOTALS			ABSTRACT	5
ACCOUNTS	VOUCHER#	AMOUNT	ACCOUNT TOTALS	
General	6168-6171	695.09		
	6176	3290.00		
	6177	198.78		
	6180-6181	1234.00		
	6182-6186	2079.51		
	6252-6318	38846.48		
Account Total			\$	46,343.86
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Library	6174	35.54		
	6190-6191	188.90		
	6195	36.57		
	6197	59.67		
	6201-6213	6954.77		
Account Total			\$	7,275.45
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Highway	6193	43.40		
	6214-6251	35638.55		
Account Total			\$	35,681.95
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Sewer	6175	30.85		
	6192	55.15		
	6198-6200	747.93		
Account Total			\$	833.93

Trust	6097-6098	11677.46	
	6172-6173	1741.01	
	6178	144.07	
	6179	22209.81	
	6187-6189	1757.96	
Account Total			\$ 37,530.31

GRAND TOTAL: **\$ 127,665.50**

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 Attorney Licht RE: the Forest property.
- b. A letter Mr. Krahe RE: an Eagle Scout.
- c. A letter from League of Women Voters RE: "Who Represents You".
- d. A draft agreement of the Stormwater Coalition.
- e. A letter from Attorney Licht RE: Recreation Capital Reserve Fund.
- f. A letter from Attorney Schum RE: Forest Property.
- g. A letter from American Lung Association RE: Smoke-Free Parks and Playgrounds.
- h. A letter to Mr. Burley RE: his visit last week.
- i. A copy of a proposed law RE: In-Law Apartments.
- j. A copy of a letter from Lee Nettin RE: Unsafe structure.
- k. A copy of a permit from DEC to the Brockport Yacht Club.
- l. A list of people to notify from RG&E in case of a gas leak.
- m. Building Inspector's monthly report for April, 2010.
- n. DCO's monthly report for April, 2010.
- o. A notice from Time Warner RE: channel changes.
- p. Letter from Dept of State RE: LWRP has been accepted by the state and federal government.

APPROVAL OF RECREATION COMMISSION BY-LAWS

Resolution # 130 Motion was made by Councilperson Rose, seconded by Councilperson Breslawski, requesting Town Board resolution to approve the Recreation Commission By-Laws as amended.

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

APPROVAL OF 5TH DRAW ON HAMLIN MEADOWS LETTER FOR CREDIT

Resolution # 131 Motion was made by Councilperson Breslawski, seconded by Councilperson Rath, requesting Town Board resolution to approve the 5th draw on the Hamlin Meadows Subdivision Section 1 Letter for Credit in the amount of \$111,374.36.

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

APPROVAL TO SECURE 74 CLOSE HOLLOW DRIVE

Resolution # 132 Motion was made by Councilperson Rose, seconded by Councilperson Goodrich, requesting Town Board resolution to authorize the Building Inspector to secure the vacant house at 74 Close Hollow Drive.

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

APPROVAL FOR LOCAL LAW AMENDING ZONING LAW BE DETERMINED TO BE A NEGATIVE DECLARATION OF AN UNLISTED ACTION

Resolution # 133 Motion was made by Councilperson Rath, seconded by Councilperson Breslawski, requesting Town Board resolution that, upon review of the SEQR Law, a Local Law amending the Town of Hamlin Zoning Law of 1991 revising the procedure for establishing In-Law Apartments in §125 be determined to be a negative declaration of an Unlisted Action.

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

AMENDMENTS TO CHAPTER 125 “IN-LAW APARTMENT”

The supervisor called for a motion, but after more discussion, no motion was made to request Town Board resolution approving amendments to Chapter 125 “In-Law Apartment”. It will be going back to the Zoning Review Committee.

APPROVAL TO AWARD BID FOR 2010 LOADER TO FIVE STAR EQUIPMENT**Opening of Bids:**

George & Swede	Hyundai HL757-9	\$124,000.00
Five Star Equipment	John Deere 624K Loader	\$125,069.00
Tracey Road Equipment	New Holland W170B	\$126,874.00
Milton CAT	CAT 938H	\$130,165.00
Monroe Tractor	Case 721E	\$131,982.00

Highway Superintendent Steve Baase stated: George & Swede and Five Star Equipment prices were very close. The Hyundai is not manufactured in the United States, while the John Deere is. I worry about getting parts for repairs. I also took into account resale value. Cindy Wolcott from Teitsworth Auctioneers said that CAT will bring in the most money; John Deere will bring in the next highest, while the rest are thousands of dollars less. She stated that this has been the case for many years. John Deere’s warranty is 1 year/unlimited hours. Hyundai’s warranty is 3 years/3000 miles. I would recommend going for the John Deere for \$125,069.00.

Resolution # 134 Motion was made by Councilperson Rath, seconded by Councilperson Rose, requesting Town Board resolution to award the bid for a 2010 loader to Five Star Equipment for \$125,069, based on the recommendation from our Highway Superintendent. Even though George & Swede was the lowest bidder, based on resale value, parts availability, and it meets the requirements required by our Highway Superintendent.

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

DISCUSSION:**1) *Hamlin-Kendall Joint Water Districts.***

Supervisor Terry has been approached by the Kendall Supervisor asking that we get together and resolve it.

Councilperson Rose said he would like to see this get resolved. Basically there is no water district in Hamlin or Kendall, and we have monies and equipment to divide between the two townships. The longer we go unresolved, the less value we have for the equipment.

After much discussion, it was decided that Supervisor Terry will contact the Kendall Supervisor to set a meeting date.

2) *Draft proposal for Stormwater Coalition 5-year Intermunicipal Agreement with Monroe County.*

Highway Superintendent Steven Baase said the Town has been in a Stormwater Coalition Intermunicipal Agreement for a couple of years. It is mandatory to be a part of it when you are classified as an MS4 town, which is a town of over 10,000. Hamlin has not reached that point yet; we are currently a non-regulated town, which is half price. We also have the benefit of the Monroe County Health Department helping out if we have problems. The Planning Board is using the soil water a lot right now for building, and those services are free as long as we are part of this.

Supervisor stated that it came to us because it is a 5-year renewal and the county asked for review and suggestions on the draft proposal. We have none, so it will go back to them and they will submit a final draft to us for our approval.

3) *Schedule workshop for proposed local law concerning Agricultural Protection Zoning.*

Workshop concerning Agricultural Protection Zoning will be held on Tuesday, June 1st, 2010, at 6:00 pm in the Court House.

4) *Redman-Cook Road Water District.*

We had a petition sent to us from 15 original houses on Redman and Cook and then we looked at three more houses extending that district by 1,900'. If we incorporated all of Cook Road, we could pick up another 18½ EDU's for the extra 4,000', for a total of 36 ½ EDU's.

Councilperson Rath added that it would decrease the cost from \$947 to \$799, a reduction of \$148.

The Town will ask JP to do the cost figures for extending the district.

REPORTS:

Councilperson Breslawski – I met with the Library Trustees and they are finishing up the final touches on their 10th Anniversary event. It's going to be taking place on the Library grounds and the adjacent vacant space on June 6th from 1-3 pm, with the Dady Brothers taking the stage at 2:00 pm. Refreshments will be provided by the Friends of the Hamlin Library.

I would like to point out what a great job Kay and the Library staff and Patty Jo and the Recreation staff are doing for using the Hamlin Herald to get the program information to the public. I would like to say thanks for making use of the local press release newspaper to get the programs out there.

Thank you to the Conservation Board as well as Councilman Goodrich for putting on the Earth Day event. It was a very impressive event. It was the biggest Earth Day there so far.

Tomorrow night I will be meeting with the Recreation Commission. They will be discussing and coming up with a recommendation for the rental fee for the new Charlie Maier building. I anticipate that will be coming to us at our next meeting.

Councilperson Goodrich – Hilton-Parma Fire District had 65 ambulance calls last month and 45 fire calls. They were discussing the potential burnout of their EMT's. Typically, it's 7 years and then they burn out. They had an issue at Hilton East; they were disposing a copier. I told them that when they get rid of a copier, they need to make sure to purge the memory system on it. Typically the copiers today have memory, and whatever you made copies of is burned into the memory, and could have vital information on people such as social security numbers, address, etc.

Hamlin Volunteer Ambulance is having an Open House on May 23rd, 2010. They are also having Band Night on June 19th, 2010 at the VFW, from 5 pm until..... No digital receivers yet; they are still looking.

Councilperson Rose – The Planning Board is using the Monroe County Soil and Conservation in regards to ponds. There wasn't too much that transpired because the County hadn't gotten back with their review yet on some of the projects.

The Seniors Citizens had 93 seniors in attendance last month. Everything is going well there.

Councilperson Rath – Just to mention the state approval of the LWRP because it is a big thing that we waited numerous years on from them. It was great to finally get a letter.

Highway Superintendent Steven Baase – We have been pretty busy lately. We have a lot of top soil and seeding done around the back building. All the lawns are fixed from snow damage and around the handicapped parking lot.

The sewers haven't been flushed in 7 or 8 years, so we started doing that. Unfortunately, I am causing a lot of problems for myself because of the condition they are in. I have had to back off because we are doing brush right now. After the water line is done, we will start back up flushing everything. It's going to be a lot of work; it's been neglected for a long time.

The spring clean-up is done. I don't know what the actual bill is because I haven't received one yet from the waste haulers. We did get approximately \$3,100 in scrap metal. From my estimation, this should cover at least 2/3's – 3/4's of the price of the actual waste haul. We started brush pick-up today, and will hopefully finish this week.

We laid half the concrete by the Lion's building today.

Our water line is slated to start May 24th. We have a pre-construction meeting this week with the engineers and the Water Authority. We have been getting soil samples for them, and will get them to our engineers tomorrow to be tested.

I had a meeting last week with all the Superintendents in Monroe County and the State. They are holding back all the chips money until further notice and the County is holding back their projects.

For the equipment that just went down to auction, we made around \$23,000; after deductions, it's \$20,700.

Building Inspector Lee Nettin – At 1715 Lake Road, RG&E has informed me that the gas has been severed at the main. Stohl Environmental has conducted their asbestos review and I have a hard copy of that. We can now put together the demolition bid package. It has to be written up and the information I received is that it is a pretty extensive package and could be upwards of 50 pages. Tim Brogan

contacted me and is interested in removing some of the contents of the building; I will be meeting with him later this week.

Assessor Don Wells – The tentative roll came out May 1st. There is a copy in our office, one at the Library, and also on the Town website. The informal meetings are still going on and will continue until May 25th.

Conservation Board Jason Baxter – Hamlin Earth Day was a great success. Roughly 500 people attended the event. The Dady Brothers took the stage at 1:00 and were very well received. The beach clean-up was well attended; a lot of people took part in that. There were some new vendors and attractions, and we plan to bring additional new vendors and attractions next year. There was a good attendance among the “green” vendors. At the end, there was a tour of Springbrook Marsh and the CCC/POW Camp, which 47 people took part in.

Conservation Board Ed Evans – There are some new developments in the CCC/POW Camp that you would be interested in, beside the fact that you have the LWRP; the CCC Camp was mentioned in the LWRP. It’s the responsibility of the town because of the LWRP to preserve historic sites. I just wanted to let you know that it’s all being taken care of; you won’t have to worry about that at all. These photographs were taken this morning. It shows a chipper and the backside of the little crew that was there today. A Planning Board member donated \$250 worth of rental money for that chipper. Another Planning Board member sent in a sizeable donation to the Lions Club, who takes care of the donations. Donations are coming in, and it’s coming along real well. I would like to extend an invitation to all Town Board members and Ken Licht, who is a history buff. Anytime anyone of you want a personal, private tour of that site, just call me and I will meet you up there in 10 minutes and I will take you through.

Library Director Kay Hughes-Dennett – The 10-Year Anniversary in on the 6th of June and I hope to see you all.

ADJOURNMENT

Motion was made by Councilperson Rose, seconded by Councilperson Breslawski, to adjourn the meeting at 8:29 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