

The regular monthly meeting of the Hamilton Town Board was held on April 12, 2012 at 7:00 p.m., at the Town Office, 16 Broad Street, Hamilton, New York. Present were: Supervisor Eve Ann Shwartz; D. Holcomb, C. Todd, and C. Rossi, Town Council; B. Glazier, Highway Supt.; L. Manchester, Supv. Secretary/Asst. Bookkeeper; W. Berry, B. Moseley, T. Fagan, G. Hayes, D. Kliman, Rochelle Harris – Assessor; and arriving later: W. Todd, H. Kliman.

Supv. Shwartz began the meeting by welcoming the public and asking them if they wished to speak. G. Hayes asked if the Town of Hamilton would be interested in combining with the Village of Earlville for fuel oil, propane prices. B. Glazier said yes, we buy under State Bid,; and he will get in touch with G. Hayes about the negotiations. Tim Huff is the new Fire Chief of Earlville, G. Hayes said, and they have a new board.

A Motion to Accept the February 27, 2012 Special Meeting Minutes was made by C. Todd, seconded by C. Rossi and carried – w/ notation: tax defer plan to phase in approximately \$120,000 (\$125,000 D. Holcomb thought) next year; and approximately \$60,000 (\$75,000-D. Holcomb thought) the following year after that.

A Motion to Accept the March 8, 2012 Town Board Minutes was made by C. Todd, seconded by C. Rossi and carried – w/ notation: B. Moseley present, no Hanover bill, no photos were ever taken as part of the 2011 year Reval process, County utilizes the heat that comes off the landfill; gasification of wood was discussed by the County's Energy Committee.

B. Glazier gave his Highway Report. He said they have been ditching. He said they worked on Preston Hill, Thayer Road, Excell Road, Bonney Road, Hoose Road, Wilkinson Road, Williams Road, Bernard Road, and Cole Hill Road. They also swept the Town roads, plus some of the County Roads (because the County brought their mowing tractor down). The sale of their old mower and tractor was \$6500. They pulled the wings off and helped Brookfield haul stone. They mowed a field in Earlville. PERMA (Safety Insurance) has a meeting in Hamilton on Thursday. They put 2 new pipes in- on Preston Hill Road, per Red Gate's request. He said the sale of the old tractor and mower was complete, and he got \$6500 for them.

Eve Ann spoke of a possible Town Wide Spring Clean Up day – maybe asking the County if the transfer station could be involved. Discussion- How does Town of Lebanon do this, maybe putting dumpsters at the Highway Garage, farmers could bring agricultural plastics, C. Rossi will talk to the Supervisor of Lebanon.

Eve Ann spoke of Environmental Concerns at the Town Highway Garage – it is built on a former landfill. Eve Ann formed a Contamination, Pollution & Solution Committee – C. Todd and C. Rossi to gather information & recommendations to understand the problem. Maybe ask the Village of Hamilton, D. Holcomb said. Eve Ann will work with the Dept. of Health and bring our attorney up to speed. Eve Ann said to get a water test done.

Upon questioning D. Kliman (Village Trustee) said the Village has talked of perhaps a new Village Office building, but it is not definite – maybe combine with the Town, regarding an office.

Rochelle Harris, Assessor, then spoke. She started February 16, 2012 here, and by May 1<sup>st</sup> must have a Tentative Roll ready for the County. She has worked on Exemptions - there were processing issues- she had to review. She checked on new constructions. She thanked B. Glazier for taking her around the area and being so helpful. She needed a new Camera, Printer, and Computer for her job. She thanked the Town Board for them. She used an old laptop from home, until these were received. A New York State representative is helping her to update her files, and will be back again on April 26 to set up her new computer. She said the Equalization Rate is 100% this year. Shelly said there is an increase of about 2.7 million to the assessed value this year; she's not fully done. Your taxable value – there is an increase of approximately 4.3 million and that comes from fixing the exemptions, she said. She said the Town is 51% exempt. 51% of our total tax base is exempt, that is a big impact fiscally on our taxpayers, Eve Ann said. That means 49% of our taxpayers are paying 100%, Eve Ann said. Eve Ann said the state aid letter and check came to her, reimbursing the Town, for going through the Reval. There were a lot of mistakes in the former Roll, Eve Ann said to Shelly. Shelly said the information was there, but it was the way the information got to her-the coding, etc. Eve Ann said Colgate gives a voluntary payment of approximately \$89,000 and that is very much appreciated.

Eve Ann said: Undistributed PILOT payments from the Mid York Senior Homes – the Village has been collecting the PILOT payments, and has not been turning them over to us; and they just discovered the error.

R. Harris said no new photos were taken in the 2011 Reval, however that was not in Maxwell's Contract; she said. C. Brophy (at County) will try to find a disc with photos of Hamilton homes. Discussion: if a student is used for taking photos-an adult will need to supervise. Shelly is only available 2 days a week or maybe hire someone; B. Glazier said - the Town outside is very wide. D. Holcomb said it was funny Maxwell stood up at the church and said he took all the pictures, and yet he could have said no, it wasn't in the Contract – so he was lying through his teeth.

Resolution # 12 was made by C. Todd, seconded by D. Holcomb and carried regarding the fact that the Earlville Fire Co. Inc. is wholly exempt, and yet when the former assessor did the Reval, Earlville Fire Co. Inc. received a Tax Bill in the amount of \$1721.80 by mistake – parcel # 213.20-1-1.12, our Tax Bill # 237. This clerical error needs to be corrected on the Town of Hamilton's Tax Roll .

Eve Ann spoke with Carol Brophy (at County); and Carol said it has been corrected at the County level already.

Resolution # 13 was made by C. Todd, seconded by C. Rossi and carried setting Thursday May 24: 2-4p.m. & 6-8 p.m., as Grievance Day in the Town of Hamilton.

C. Todd thanked Assessor R. Harris for her information. C. Todd asked Shelly where was her back-up system; and Shelly answered she replicates at the County. B. Moseley asked her if people that did not grieve their new assessments last year – could they come in and grieve this year – R. Harris said between May 1<sup>st</sup> and May 24<sup>th</sup> they can grieve it. Eve Ann said she will be doing a Press Release/Summary of this month's meeting, and could include this information.

A Motion to Pay the Highway Bills was made by C. Todd, seconded by D. Holcomb and carried in the amount of \$19,399.01; #52-71.

A Motion to Pay the General Bills was made by D. Holcomb, seconded by C. Todd and carried in the amount of \$6130.12; #62-79. C. Todd inquired about the Town Attorney 's Bill for Windmill research, and Eve Ann answered yes, he researched – where were we in the SEQR process, and what the Town's rights are in that process.

Review of Monthly Financial Statements and Highway Capital Plan to be held over until P. Darby is present; Eve Ann said. CHIPS money was received in March: \$85,689.00. Two FEMA checks were received in February: \$40,000 & \$45,000. L. Manchester said there are still some coding issues at Tackabury's. Eve Ann said she would like to hire someone, as there is an ongoing need for additional fiscal support for the Town. L. Manchester does a great job, but she does not want to do more work/time. Eve Ann would like the authority to do a search –it may be a consolidation of Linda's position/or it may not be, depending on who we find. Also, we have to satisfy County requirements-we need a modern Bookkeeper comfortable with spread sheets. P. Darby currently works very hard on the Town's finances/does spread sheets, etc. C. Todd supports Eve Ann in creating and advertising the position. Discussion that Agreement with Tackabury (Bookkeeping) is good through June 30, 2012, unless terminated.

Eve Ann went over Highway Equipment Purchases sheets Peter Darby had left for the Town Board. It is a plan to replace our large plow trucks once every 7 years, by selling the current equipment while it is still in good condition – replacing them with new ones; which will allow us to reduce our maintenance budget; which is excessive. Eve Ann said on the hand-outs: the top part was: Estimated Equipment Purchases and the bottom part of the sheet was : Actual and Amended Equipment Purchases – Years 2010 through 2027. Eve Ann and B. Glazier then discussed some figures: B. Glazier said one plow truck was sold to the Village, a backhoe was sold, a pipe was sold for \$6,000, and another truck. B. Glazier gave an example: they could sell their 2004 year truck -worth about \$60,000; and buy a new 2013 year truck for about \$120,000. \$28,900 was paid for a pickup truck and plow two years ago, on state bid, and today it is still worth about \$30,000; B. Glazier said. To save money on operation and maintenance for the Town; the Town could get a new truck every 2 years, with this plan; Eve Ann said. The new mowing tractor was \$36,300 (net price after selling the old mower and tractor for \$6500). Eve Ann said they want to come up with a long term plan telling us how much money to set aside every year in an equipment budget , starting with \$400,000 from our unexpended surplus (Capital Reserve) and not add anything to it for the next 2 years, spend it down – another new truck in:2012, 2013, as well as the

loader (\$200,000 cost by then B. Glazier said). The Town may make money, using state bid, Eve Ann said. There are inflation factors figured in on the charts (5%,5.5%). These Hand-outs that the Town Board received will be filed with the original Minutes. Eve Ann wants to have available a Statement on maintenance costs on the highway equipment. B. Glazier had to come in and clean up a lot of equipment that had been neglected. It costs a lot of money to run a safe Town. B. Glazier said it will take 3 months to get a new truck, and a month to put the equipment on it.

There were also Town of Hamilton Profit & Loss Sheets : January-March 2012; and Town of Hamilton Balance Sheet as of March 31, 2012. Eve Ann said the Town Clerk did a great job preparing (having available for everyone) all the handout sheets for the meeting.

Eve Ann discussed undistributed PILOT payments (Mid York Senior Homes). This refers to money that the Village of Hamilton collected for the School, Town, and possibly the County; however these payments stopped in '98/'99. On the issue of Statute of Limitations: the Village must go back to the 2006 year and pay everyone. 12/31/94 was the first partial payment – of \$3200, and it was distributed to the Village, Town & School. In 1995 they took in \$9600 and from there on in – it has been \$9600. The Town got 5.7% of the total tax rate (\$9600)-so the Town got \$548. D. Kliman said their new Treasurer Mary Ann is a gem and found the former Treasurer made a great many errors/oversights. Eve Ann said she wants the Town's share, and the School is having their lawyer research this. C. Todd asked that Eve Ann send a letter to the Village of Hamilton requesting a full distribution from the time the money stopped- December 31, 1998 – all the years – and follow the same distribution method that was in place. C. Todd thinks the closing paragraph should express the good will between the Town and Village. Eve Ann said okay the Board wants her to do it, and she will.

Eve Ann needs a Resolution to amend the NY CLASS Agreement. She said we were keeping our money with them, and withdrew our money – when there was not interest – they sent the Town information that they were changing their lead participant to be the Village of Potsdam, and their investment advisor is changing. We have already withdrawn our money, but we may want to go back in with them in the future, and so there is a Resolution to do.

Resolution # 14 was made by D. Holcomb, seconded by C. Todd and carried: WHEREAS, THE Town of Hamilton is currently a participant of the NYCLASS Program.....(Refer to Attached "Exhibit A" for complete Resolution).

Eve Ann reported Paul McGinnis is now on board as the Town of Hamilton's Codes Officer. He has done some camp inspections, answered phone calls, and is very easy to get along with. The Town has a 90 day Review Period that will come up the end of June –he will give a report, and he is keeping a time record of the amount of time he spends on Town business; the Village will review this, too.

A Motion was made by C. Todd, seconded by C. Rossi and carried appointing Chris Hoffman as taking the Minutes for the Planning Board, and Zoning Board of Appeals, at \$12 an hour.

W. Berry asked if she was a Town resident, and Eve Ann said this job does not require residency.

Website Discussion – C. Rossi: Town design is finished and they are waiting for them to put the secondary pages together; the Village will be finishing up. C. Todd: 1 month Maintenance Agreement; the start date is supposed to be: as of the launch date, however Matt sent out an email soliciting data to be posted to the website; and she has been talking to Cathy & Carol about this. However if we start sending him minutes, he will probably count that as day one of the Maintenance Agreement. How far back do we want to start posting minutes – January 2012, March 2012, or before 2012 – and how long should we continue to have minutes posted on the site. C. Rossi said she and Carolyn can discuss this, and report back to the Town Board. C. Rossi said the site is not established yet. W. Berry asked about posting minutes on the site before they are approved, and the Town Board said no, they should be approved. Eve Ann said there needs to be some training, at the time of the launch. Eve Ann said she will look for recommendations from the website committee at the May Town Board Meeting.

Tom Fagan then said he went to a meeting about the proposed Town of Madison Windmill Project. He said those against them - said they would be clustered, use the same transmission line, & go through Morrisville and here, to Earlville. C. Rossi said in looking at the maps it appears they will spill over into the Town of Hamilton property. Nancy Reese said there would be 146 properties in the Town of Hamilton that would be impacted, C. Rossi said. C. Rossi said they have been talking about ways they could respond/their concerns to go back to the Town of Madison– like our tax base could be devalued, flicker effects, view sights, and road use would be impacted. Stan Roe wrote a letter in the Mid York stating Town of Madison/Madison & Hamilton Schools have a stake in the project that will lower their tax bills. Eve Ann said Sean Graham (Village) is reading the DGEIS, and he will inform Eve Ann of anything relevant to the Town. Also, she was at an Energy Committee Meeting this morning in Morrisville and a representative from EDP was there to make a presentation, and she asked him questions about the pilot program and how it would work – and what would happen at the end of the pilot program –after 15 years the pilot ends, and you are supposed to be fully taxed assessed. Hamilton would then finally get the benefit from this project. He said I do not know if economically we would be able to afford to do that. Russ Carey, Supv. from the Town of Fenner, said the pilot agreements are set up so that the County has specifically decided not to participate and let the Town and School Districts have the full share of the money between them because we want to support the investment in these technologies. However, after the 15 years the County is expected to get its share. I do not know if that would work. EDP already owns the existing windmills that are in place, in the Town of Madison. That is their rationale – they can already connect to the current ones; so it is corporate power, W. Berry said. Eve Ann said she will make sure the Energy Committee will be reviewing the whole issue of the pilot agreement—she'll talk to Cindy and Carol at the County about this. Also the issue of decommissioning must be discussed. Eve Ann said the Energy Committee will get to the bottom of this.

DGEIS is on Madison Matters D. Kliman said – Eve Ann will try to obtain a paper copy of this. C. Todd suggested that when you draft these comments from the Town of Hamilton to the Town of Madison

that you include with your list -the views along the Town's boundary lines and property owners close to the property lines, what the projected views of the turbines would be from the Hamilton side. C. Todd said: the Town of Hamilton has 8 and ½ pages about the regulation of windmills in their Zoning Book.

H. Kliman and W. Todd came into the meeting at this point. They had been to the Town of Madison's Town Board meeting on proposed windmills; and said there was a huge crowd. Jane Welsh proposed that the Town adopt a Moratorium; and update their permit process and strategic plan. They said one board member (Bikowsky) excused herself, as having a conflict of interest. H. Kliman said: they have tentatively set a meeting of the Town Board and Planning Board to discuss these issues, and they have tentatively set this meeting for two weeks for Wednesday. Next week is their Public Hearing. H. Kliman said there was a question of conflict of interest between the consulting Company, and the fact that they may have been involved in planning the project. Discussion about Horizon EDP giving the Town (Madison) \$85,000 to cover the consulting costs, and legal fees; hold it in escrow. D. Kliman said J. Walsh and P. Fuller came to a Village of Hamilton meeting – they had an official project map – and all homes affected by view, etc. Mayor Miller said no one from Hamilton has ever contacted her. D. Kliman said the trucks bringing in the wind towers and blades would come from the south (12B) thru Earlville, thru Hamilton, out Madison Street, to Center Road, to Stone Road, to Quarterline Road –there is a weight limit on our roads, Sean Graham had said at their meeting. B. Glazier said they can't go over any Town Bridges. W. Berry suggested a list of questions the Town has, be put together and presented at the Town of Madison's next meeting on this and Eve Ann said yes, that is the plan. W. Todd and H. Kliman said: also Sphere Development is sub-dividing Madison Market Place for refinancing; they wanted to donate one parcel is 12.3 acres at the corner of Airport Rd. and JohnnyCake to the Town of Madison – they suggest Sphere donate that to the Chenango Canal Association; most is wet land. W. Todd said if these are done it will mean more power sub stations and more lines – D. Holcomb said it will be done more underground. H. Kliman said setbacks from structures and rights of way need to be discussed. Eve Ann said it is renewable energy. C. Todd asked if Madison would get the power; and D. Holcomb said the power will go to Albany, not here. Property lines, rights of way, setbacks were discussed. Eve Ann said we can't say no to all power – we all have lights on, heating our houses; so we have to think about the lesser of all evils. Eve Ann said we will ask questions about impact and protecting our citizens, but we are not going to be against this. C. Todd said this is the start of a huge process and she wants to educate herself as much as possible. She recognizes the conflicting nature of supporting renewable energy and where is it going to be; and how big is it going to be. If Horizon EDP took one of the windmills and gave all that energy to the Town of Madison-it would sweeten the pot. D. Holcomb said that is not going to happen; it will go to an Albany power pool and be disbursed all over the country. C. Rossi went to an energy meeting where they discussed Bradford County – they had no zoning and they had no planning – so industry is now doing the zoning and planning for them; and the Town of Hamilton needs to have its eyes wide open and plan accordingly, she said. D. Holcomb said the only way they will get this stuff through – is to buy people off. W. Berry said they should put them along Lake Erie – it's dead anyway –so why put them here. D. Holcomb said he is against the project.

C. Rossi said the Natural Gas Training at SUNY Morrisville was good, useful, and well attended. Eve Ann named some Hamilton people who attended: Mayor Miller, E. Hughes, S. Jones, C. Rossi, D. Kliman. The Madison County working group has just moved the proposed County road use law for oversize and overweight vehicles which is basically aimed at controlling the natural gas development. It could apply to wind, too, C. Rossi said. There is a May 8<sup>th</sup> meeting, she said. How is the Town of Hamilton preparing, she said. Most of Madison County is not in the Marcellus shale and will not have natural gas development, she said – But the Utica shale does lie beneath the Town of Hamilton and up to Route 20. It appears the moratorium will be lifted by the State in 2012; so it is time to start thinking about forming a Committee, because we are not prepared. In some Towns, Moratoriums have been passed and they are legal, Eve Ann said. Maybe the County can make policy recommendations to Towns, W. Berry asked.

Eve Ann said she met with Kip Hicks, the Mayor, PCD, Colgate and Hamilton Initiative representatives on how we could work together for economic development; for our Community – and they will meet again on April 27<sup>th</sup> to go over the 2007 document : Greater Hamilton Economic Development Plan – which was started under Eve Ann’s leadership at PCD. PCD is sponsoring an Entrepreneurship & Business Success Program on April 17<sup>th</sup>. B. Moseley is on PCD (for Colgate), R. Lura is on PCD (for Village), S. Millis (for Town of Hamilton), and D. Pangallo is working for PCD.

Eve Ann said: Solarize Madison County: They received \$30,000 from central New York regional planning. Renewable energy project : They are going to be hiring consultants who are certified solar installers –they will do education programs for residents and farms. They will inform about the tax incentive/credits that are available. The things happening in Madison County on renewable energy are amazing and she is proud to be on the Board of Supervisors.

A Motion to Adjourn the Meeting was made by C. Todd, seconded by C. Rossi and seconded, at 10:30 p.m.

Respectfully submitted,

Catherine S. Hotaling, Town Clerk

Exhibit A: Resolution # 14

WHEREAS THE Town of Hamilton is currently a participant of the NYCLASS program;

WHEREAS the Town of Hamilton has been notified of an amendment to the Cooperation Agreement governing NYCLASS which reflects that the Village of Potsdam will become the new lead participant and provides for changes to the Investment Advisor from time to time as determined by the Governing Board of NYCLASS.

WHEREAS the Town Supervisor recommends that the Town Board approve an amendment to the Cooperative Liquid Assets Securities System Municipal Cooperation Agreement, in which certain terms are modified to reflect the change in the Lead Participants and Investment Advisor for the Program.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamilton does hereby authorize the Town Supervisor to execute the amendment.





