

The regular monthly meeting of the Hamilton Town Board was held on Thursday, February 14, 2013, at 7:00 p.m., at the Town Office, 16 Broad Street, Hamilton, New York. Present were: Eve Ann Shwartz, Supervisor; Peter Darby, Deputy Supervisor; David Holcomb, Carolyn Todd and Chris Rossi, Town Council; Bert Glazier, Highway Supt., Sue Reymers, Bookkeeper; Mayor Miller, David Craine, (Insurance); Gerald Hayes, Regina Silvestri, Tom Fagan, Vinnie Faraone, Kathleen Seery (Colgate student).

Supervisor Shwartz welcomed the public and asked for comments. Regina said there is nothing on our agenda about the Madison Town Windmills Meeting; and she hopes the Town of Hamilton will take a stand, as she thinks it is a good law. Eve Ann said the Town of Hamilton has pretty extensive wind power provisions, and they are going to start reviewing our Comprehensive Plan with specifically in mind-energy development-and how that will affect the long term future of our community. The Town of Madison's Committee which they appointed-has made a draft law recommendation- which has been presented to their Planning Board to review and they may or may not have public hearings on it. Their Wind Advisory Committee was dismissed and disbanded by the Planning Board; and Meetings will now be open to the public, C. Rossi said. G. Hayes said the Village of Earlville had their meeting and they did a Resolution that they oppose NY Firearms Act; it was tabled. G. Hayes said the Village of Earlville wants to do something about record retention and he will be contacting Madison County – Ken and Denise- about this. He wondered about the scanning. C. Todd said the Hamilton Village Board did not feel this was a Shared Services Project. C. Todd said a Report will be given tonight on this. Mayor Miller asked if we were ready to move forward with Greenhouse Gas Inventory Project and Eve Ann said they are going to contact Colgate and apply for another intern.

Mayor Miller then brought up the SOMAC matter. David Holcomb said SOMAC is set up as Fire Districts, not Town Board districts, and the Town of Lebanon is part of this. One of his concerns is that with the Mutual Aid Law of NYS – if we were to create a tax district with the Town of Hamilton and the Town of Lebanon for SOMAC – it would be like a Fire Protection Tax- like is done now with the Earlville Fire Dept. and Hamilton Fire Dept.; and it would be subsidized. They would get

money every month – just like the Fire Departments do – that is a plus. Do they do transfers or just emergency calls. Do they do other communities that do not have the staff – those are operational Board decisions. Mayor Miller said it is complicated now because a call from a Hamilton residence could mean a trip to St. Luke's. David said if we go with Hamilton and Lebanon – this could take place sooner, than bringing in 3 or 4 Townships more. They discussed Cazenovia's ambulance service has a tax district. Madison has paid staff during the day, but not at night, Vinnie said. Mutual aid means covering – if another ambulance is out on a call, Vinnie said. Some Towns say do not go out of their Town, taxpayers pay their existence, and they expect them to be there; Vinnie said. These are decisions to be made; Vinnie said. SEVAC is not interested, they are dedicated people that are comfortable with their service – they take patients to Hamilton Hospital. Eve Ann said the research must be done to see how it works – how does Cazenovia's ambulance service work – how are they set up – we want to solve the problem, and have ongoing oversight. Somac's Budget is bare bones, Vinnie said. Discussion about SOMAC possibly taking over Lebanon – expanding it's territory. D. Holcomb said let's see what Lebanon wants to do. Peter said Steve Jones could help: talk to Cazenovia, and then the Board would have to decide on mutual aid. D. Holcomb said he would like to meet with CAVAC and their Board of Directors, and see how they operate. SOMAC anticipates losing \$75,000. SOMAC is in the middle of a fund raising campaign to pay for the ambulance they bought. They have assets to last for probably two years, Vinnie said. Peter will work with David on this matter. Eve Ann said other Supervisors and Town Boards could be informed about all this, too. Madison Ambulance is subsidized by their taxpayers; but not through a Tax District, Mayor Miller said.

Tom Fagan said he donated a Map to the Town of Hamilton; and the Supervisor and Town Board Thanked him. A Colgate Student was present also – Kathleen Seery.

A Motion to Accept the December 13, 2012 Town Board Minutes was made by C. Rossi, seconded by C. Todd and carried.

A Motion to Accept the January 10, 2013 Town Board Minutes was made by P. Darby, seconded by C. Todd and carried. D. Holcomb said he reads the minutes

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on his computer, and does not need a hard copy. The Town Board agreed, but Eve Ann would like one hard copy available for the Town Board meetings. Eve Ann also Amended the Motion to Accept the January 10, 2013 Town Board Minutes with the word: perceive-- changed to: explore--on page 858; C. Todd seconded the Amended Motion and it was carried.

David Craine then gave a presentation for the renewal of the Town of Hamilton's Insurance policies. He gave the Town Board a Commercial Insurance Proposal booklet, and went over it with them. Peter said deductibles were low on some of the property limits policies and David said he would look into the costs of higher deductibles. The zeros (0) on page 3 of the booklet – mean both locations are covered, David said, per Eve Ann's question. Eve Ann asked Bert to find a Resolution regarding: if the Town is advised of a defect in the road and does not fix it within 48 hours – the Town's degree of liability is greater than if the Town was not advised. Page 7 – get ambulances out of Town of Hamilton's name; change Title and Registration over to SOMAC, David said. Check with Steve Jones on this, David suggested. Medical expense \$5,000 – if a person slips and falls (no fault) coverage, is on page 7. NYMIR will pay replacement costs on equipment – if the equipment is 10 years or newer, David said. Peter explained that the 2006 International, 2010 International, 2012 International, and 2013 International amounts of insurance should be changed to \$193,000 replacement value. David explained that the parts attached to the trucks are insured separately. Discussion about insuring a metal structure building at the Highway Garage, and the salt barn. David said the autos are covered for liability with a primary limit of 1 million. The Chevy Pickup is a light truck and is covered under comprehensive and collision (page 10). Page 11 covers the drivers and anyone you give permission to drive-is automatically covered; David said.

David explained: Public Officials Liability (page 12) relates to decisions you make over Land-Use, Zoning, Planning – or into Employment Issues: Hiring/Firing somebody without appropriate procedures-you could get a big Lawsuit; Discriminating against somebody, Harassment against somebody. The limit is one million, plus the umbrella coverage, too. Page 13 is the 4 million umbrella coverage. Page 14 is NYS Highway Permits, and Page 15 is Premium Summary; and there is a savings there. David explained page 17 is your Crime Policy – one of the things here Sue bought up to David is that all employees are bonded

\$100,000 -- and two positions are bonded at a million and ½ each –being Town Clerk and Deputy Town Clerk – this is the Fidelity faithful performance. Sue felt as Bookkeeper she should have an excess limit, too. David put quotes down for the Town Board regarding additional premium coverage costs for the Bookkeeper. It is a compliment when you are bonded, David said. The ambulances are still in the name of Hamilton, talk to Steve about this, David said – before changing your 4 million dollar umbrella coverage. C. Todd said if the Town lowers their umbrella coverage – you could use that money to put more coverage on Sue. On page 15 Eve Ann asked what is Inland Marine – David said it covers transporting (ex.: contractor’s) equipment on land. The Town Board discussed and agreed to increase coverage on the bookkeeper, Sue, for \$1,000,000 more. Eve Ann asked David about the Blanket Bond coverage of the Tax Collector and Supervisor; and David said that is on page 17 – Madison County wants proof of this coverage-and David said he can send that to them. G. Hayes and David talked about Mang Ins. and NYMIR costs; David told him Mang is owned by NBT Bank, and NYMIR is very stable.

The Tax Collector reported Eve Ann as Town Supervisor has been paid the Town’s 2013 Budget money (\$677,334.23), the Town’s Sales Tax money (\$194,967.44), and Madison County has been sent \$1,200,000 of their tax money which was collected here; and there is currently \$196,205.75 left in the account now-mostly County tax money, but some of it is Town of Hamilton’s penalty money.

A Motion to Pay the General Bills was made by P. Darby, seconded by C. Todd and carried.

A Motion to Pay the Highway Bills was made by P. Darby, seconded by C. Todd and carried. Eve Ann asked about a bill wherein the Village was being paid – and Bert said the Town bought gasoline from them.

Bert then reported the radios were re-programmed to high ban with JPJ in Utica, and a radio was put in the new 2013 plow truck and the total cost was \$422.13. The Brookfield Tower will be our only other expense, Bert said. It is just them on the radios, that is working just fine, and the cost was low, Bert said. Goodwill with the Village – put a bar on a truck for the Village – and delivered a load of salt

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to Earlville. They plowed and sanded various times over January and February. Cut up a tree on Humphrey Road today, cleaned culvert on Cole Hill, and he would like the Supervisor's permission to email the people that have the box culvert and offer them \$9,000 – there will be costs to get it up here, too, he said. Eve Ann said absolutely, go for it. He met with Bernie Bus people and tours can be done in the afternoons – and he gave possible dates to the Town Board.

Peter talked about the Capital Equipment Purchase Plan. Approval is needed for small Dump Truck to be replaced; Peter went over his figures on his hand-out (Peter's original is attached as "Exhibit A"). Backhoe, Loader, and Pick Up to be replaced also.

A Motion was made by P. Darby, seconded by D. Holcomb and carried allowing Bert to work on purchasing Backhoe, Loader, ½ ton Pick-Up Truck, and a Ton Dump Truck. Vote was unanimous.

Eve Ann said have a schedule – as he will have to auction some stuff. Sue has been helping him, and now he emails their time sheets to her. Eve Ann asked Sue to do a Calendar for this. Thank you Peter and Thank you Bert, Eve Ann said. Garage lighting estimates will be discussed later, Bert said.

Financial Report – Resolutions are needed to modify 2012 Capital Reserve Fund, Eve Ann said. The Bookkeeper (Sue) gave a Report and 3 Resolutions she needs. Sue discussed the figures with the Town Board. Sue had calculation errors in her formulas, as she is learning.

The Bookkeeper's Resolution # 1 – was made by P. Darby, seconded by C. Todd and carried.

The Bookkeeper's Resolution #2 – was made by P. Darby, seconded by C. Todd and carried.

The Bookkeeper's Resolution #3 - was made by P. Darby, seconded by C. Todd and carried.

The Bookkeeper's Resolutions # 1- # 3 are attached as "Exhibit B".

Eve Ann said the Town Board needed to Audit and Accept the 2012 Year End Financials from the Bookkeeper. Sue said she has Bank Reconciliations available

for review, she also has a Profit and Loss for 2012 detailed Report. Eve Ann asked Sue if the End Balance of all the Accounts- matches what is in that File; with her reconciliations. Therefore total assets are \$1,054,507.13 at the end of 2012 year Fund Balance; Eve Ann said. Income/Expenses Sheets are next, Sue said. Sue said also what is in the Town's Checking/Savings Accounts. There is also a Profit/Loss Statement-Budget vs. Actual; Sue said. Also Capital Reserve Funds that are being used, Sue said. Sue is willing to work one-on-one with the Town Board, if they make an appointment.

Resolution # __9__ was made by P. Darby, seconded by C. Rossi and carried accepting the Bookkeeper's Report for the year 2012. Vote was unanimous.

Eve Ann said they have filed an Extension to submit the Supervisor's Annual Report to the NYS Comptroller's Office, because Sue has been so busy.

Eve Ann reported the Town has received the 2013 Voluntary Colgate Contribution of \$82,389. Thank you letter has been drafted and a meeting has been scheduled with Colgate reps to discuss the long term relationship.

Codes Officer Report has been given for 2012 year – We are down at the lowest point of building permits since 2008.

C. Todd gave a Report on Codes Fees – she has been working with Peter and Paul on this. The current policies, the documents, and having the project inspected by the Town of Hamilton. On January 10th they met. Each time the Codes Officer inspects a project – there is a fee collected – and Paul would like all fees collected up front. C. Todd checked with some Towns – Lincoln, Eaton, Sullivan & Madison – and they all collect all the money up front. The Committee strongly recommends changing policy so that the Codes Officer gets the fees up front. When Paul has to go back to a site – he can add that cost on to the final inspection. Fee – can be done per portions of a job done or square foot model. Review/Revision of current Code Documents will take a while. Paul is interested in doing a drive around and take note of all the businesses in the Town of Hamilton. Our records only show about 12 businesses. A Fire, Safety and Property Maintenance Inspection is due every year. The PCD had a Directory of this, Eve Ann said. What is the definition of Business in NYS Law, Eve Ann said.

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Safety in operating a business is important, Eve Ann said. She said wait until the full package is ready to vote on it, Eve Ann said. We should be keeping fees modest Eve Ann said – fees to compensate for the time, and having a codes officer. She thanked them for working on that matter.

The 2 Planning Board appointments are still pending – she does have a candidate or so interested.

Records Retention Committee – on January 30th this committee met. Regina Silvestri – is well suited/educated to do this and we are lucky to have her; C. Todd and S. Reymers are on this Committee. This Committee will supervise digitalizing, and disposing of old Town Records. C. Todd said they have a book: NYS Record Retention and Disposition Schedule MU-1, Revised 2003 –they have a Resolution they would like to pass tonight which would allow them to name this book as our reference material.

Resolution # 10 was made by C. Rossi, seconded by P. Darby and carried, that the Town of Hamilton Town Council is adopting the NYS Record Retention and Disposition Schedule MU-1, Revised 2003, which contains the legal minimum retention periods for local government records, is hereby adopted for use by all officers in our Town, in legally disposing of valueless records listed therein. Only those records will be disposed of that are described in NYS Records Retention and Disposition Schedule MU-1, with the Records Retention Committee using this as their reference material book. Complete Resolution will be attached as "Exhibit C". Vote was unanimous.

Then how to finance this, maybe Grant money through the State, there is also an option of a Colgate summer intern to help do some of this assessment – there is a lot of sorting, a lot of labor; C. Todd said. Sue suggested each dept. then look at their most current records, and work from the most current-back through time. Can we digitize this, dispose of this, etc. – records prior to 1910 have to be saved, especially archival records. C. Todd gave examples: minutes-permanent, agendas-one year, voice recordings of minutes-4 months, dog licenses-3 years, bank statements/canceled checks-6 years, annual budgets-permanent, payroll – 55 years, time cards-6 years, claims for payments-6 years; this book spells it all out.

The Town Justice said his court house office is filled with records, and he wondered what the Town is doing, C. Todd said.

Eve Ann Shwartz appointed Carolyn Todd, Regina Silvestri and Sue Reymers as the Town of Hamilton Records Retention Committee. She thanked them for their service.

C. Rossi reported on the Energy Working Group meeting with Joe Catalano and Nan Stolezenburg. She said we have a good working Comprehensive Plan, and we can take what we have- and work on updating it- to address who we are now and what our needs are for the future. Form committees, gather information, review and amend the existing plan; and we may want to hire a planner-such as Nan to take us through the process. Nan is part of a group called Community Planning and Environmental Associates, and she has a website with comprehensive plans that they have worked on already. Her hourly rate is \$100 per hour, she has an asst. planner at \$75, and she charges fifty cents (.50) per mile for travel. In addition Carolyn and Chris both attended a workshop by Madison County Planning last night. Chris from NY Dept. of State spoke and he was quoting Nan, and the model comprehensive plan was the one she sent to us. Nan recommends the Comprehensive Plan be revamped with special attention to the environment. Eve Ann said we need a ball park estimate from Nan, Peter feels Nan could do revisions better than the Town Council could do it, and anyone from the Town Council or Energy Working Group that wants to sit in on it, can, Peter said. Legally we will need surveys and public hearings Nan could facilitate, Chris said. The other possibility is the County/Colgate may give us assistance with GIS to save money. If we did second half of carbon footprint action plan study-- that work could be folded into the Comprehensive Plan as well; C. Rossi said. Can we apply for more than one intern, Eve Ann asked. Maybe one for comp plan and one for the carbon footprint, C. Rossi said. We can't just turn it over to Nan, Eve Ann said, the Town Board has to read it, and what are the issues we want to tackle. Contact Planning Bd and ZBA Bd, Eve Ann said. We will meet again with Nan, with the Town Council, the Energy Working Group, someone from Planning Bd. – C. Rossi will get in touch with Nan. Also fill out an application for interns. Road Use Law & Survey – Brookfield is on board now. C. Rossi is leaving it with Eve Ann as Supv. to talk to other Supv. about this. Eve Ann asked

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Bert to talk to Bob – tell him Brookfield is on board and the Town attorney has read the law and thinks it will be much better to use the same law. Four Towns must join to hire Delta to keep the price down – Eve Ann said maybe DeRuyter is interested, too. Eve Ann will call Dan, Jim, and Charlie. Bert will talk to the Madison Supv. and C. Rossi will talk to Steve Jones about Eaton.

Sue met with Dominick about Grant Writing for Solar, and an April deadline, Eve Ann said. We did not apply for Govt. Efficiency Program – too complicated, too late. PCD is having a meeting March 6 – Hamilton High School – regarding housing. The Comprehensive Plan should address the need for more housing, Eve Ann said. Hamilton Branding Program is going on, Eve Ann said, and Chris will participate with them. We are the 11th friendliest Town – Forbes Magazine said; do we want signs.

C. Todd said she was asked to go back to the Hamilton Village Board and ask about the Village Office being for sale. The Village Board discussed it and the MUC owns it. If the building were to be sold-there should be some public discussion, people should be able to weigh in on it, how should it be handled-people could have a lot of different opinions on it. Mayor Miller said they are in the process of getting it appraised. If it were renovated, it would be very expensive, the Mayor said. Sean Graham said “we have a plan, we have been coming up with designs for a combined building between the Village and the Town”. The Mayor said he’s done a sketch. We have room for the Town Govt. in our building, Sean told them. We are on the agenda for the discussion of a future building and C. Todd was happy to hear that. We are struggling where to put it, the Mayor said. When you have a Capital Planning Meeting, let us know, Eve Ann said to the Mayor.

Eve Ann – County Report – Planning Committee (Chair-Ralph) is launching the Buy Local Campaign for the County – encourage people to spend their money locally, generating sales tax money, which helps pay for government. They are going to be designating County gateways and have asked each Town to designate where are our gateways in our Town. Crossroads of the Village of Earlville would be the logical gateway from Route 12B—the point of this is to: identify them, possibly to put signs there, maybe get Grant money to make it more attractive there. Also, Mid-York Airpark. Any Brownfield sites, Bert, Eve Ann asked.

A Motion was made by P. Darby, seconded by C. Todd and carried to go into Executive Session to discuss pending litigation.

A Motion was made by P. Darby, seconded by C. Todd and carried to come out of Executive Session.

A Motion was made by P. Darby, seconded by C. Todd and carried to adjourn the meeting at 11:15 p.m.

Respectfully submitted,

Catherine S. Hotaling, Town Clerk

