

Town of Hamilton Regular Board Meeting Minutes
Thursday, February 9, 2017 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Eve Ann Shwartz, Peter Darby, David Holcomb, Chris Rossi. Absent: Suzanne Collins. Others Present: Sue Reymers, Jason Florenz, Brynley Wilcox.
Public: Village of Hamilton Mayor Bob McVaugh, Jim Leach.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:36 p.m.

Public Comments: Mayor Bob McVaugh gave an update on Village happenings, including the deer culling and the potential for issues of the new refugee and immigration legislation set forth by the US President on our community, as well as concerns over Valesky's manufacturer's tax exemption and the new requirements for arraignments at the Court. There will be a meeting on February 21 at the Court House to discuss the refugee topic. Supervisor Shwartz took this moment to update the board about the Lake Moraine Dam safety issue. The Madison County Emergency Management Department has conducted a preliminary emergency preparedness exercise in case the dam fails which included Hamilton Fire Department, SOMAC, etc.

Public Hearing (6:40 p.m.)

Proposed Local Law #1-2017 - "A local law to provide for the appointment of alternative members of the Planning Board and the Zoning Board of Appeals of the Town of Hamilton."

Supervisor Shwartz opened the public hearing at 6:55 p.m. There were no public comments.

RESOLUTION 2017-21: Closing of Public Hearing on Proposed Local Law #1-2017

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that the public hearing on proposed local law be closed at 6:56 p.m.

RESOLUTION 2017-22: AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF HAMILTON OF LOCAL LAW # 1 OF 2017

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Hamilton for a public hearing to be held by said Town Board on February 9, 2017 at 6:40 p.m. at the Court House, 60 Montgomery Street, Hamilton, New York to hear all interested parties on a proposed local law entitled "A local law to provide for the appointment of alternate members of the Planning Board and the Zoning Board of Appeals of the Town of Hamilton"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town; and

WHEREAS, each member of the Town Board duly received a copy of said proposed law in final form the required amount of time prior to final passage of the local law; and

WHEREAS, said public hearing was duly held on February 9, 2017 at 6:40 p.m. at the Court House, 60 Montgomery Street, Hamilton, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Town Board of the Town of Hamilton, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamilton hereby adopts, by roll call vote, said Local Law #1 entitled "A local law to provide for the appointment of alternate members of the Planning Board and the Zoning Board of Appeals of the Town of Hamilton", a copy of which is attached hereto and made a part of this Resolution, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law book of the Town of Hamilton and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

ON MOTION OF Councilmember Rossi, seconded by Councilmember Darby

Shwartz: yes x no ___

Darby: yes x no ___

Holcomb: yes x no ___

Rossi: yes x no ___

Collins: **ABSENT**

Vote: AYE: 4, Nay: 0

(ATTACHMENT A)

GENERAL:

Approval of Minutes

RESOLUTION 2017-23: Approval of Minutes from January 12 & 19, 2017

On a motion of Councilmember Holcomb, seconded by Councilmember Rossi, the following resolution was: **ADOPTED: Ayes: 4 Nays: 0**

Resolved that the minutes from January 12 & 19, 2017 were approved as submitted.

Claims for Payment:

RESOLUTION 2017-24: Audit of Claims

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: **ADOPTED: Ayes: 4 Nays: 0**

Resolved that the bills contained on Abstract #2 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	39	<i>through</i>	74	\$47,536.12
General Fund B	No.	5	<i>through</i>	13	\$34,297.88
Highway Fund DB	No.	20	<i>through</i>	38	\$63,828.57

Lighting Districts	No.	3	<i>through</i>	4	\$485.58
Fire Districts	No.	1	<i>through</i>	3	\$172,151.76
Prepays	No.				\$1,823.25

Supervisor/Bookkeeper – Brynley Wilcox

2016-2017 SNOW & ICE AGREEMENT:

- **\$19,853.90** was received from the County:
 - 1,146.54 lane miles; Plow Dates: 11/21/16 - 12/15/16
- **\$15,664.02** was received from the County
 - 884.20 lane miles; Plow Dates: 12/15/16 - 12/27/16
- **\$21,492.61** was received from the County
 - 1,219.00 lane miles; Plow Dates: 12/29/16 - 01/11/17
- 2017 YTD: \$ 57,010.53; BUDGET: \$ 120,000.00

VILLAGE OF HAMILTON 2017 PILOT:

- **\$542.91** was received for the Madison Lane Apartments PILOT agreement
- BUDGET: \$515.00

SALES TAX:

- **\$95,417.66** was received from the County
 - About \$3,000 (3%) more than last year's Q4 payment
- BUDGET: \$ 350,000.00

END OF YEAR REQUIREMENTS:

- W-2's and 1099's were mailed out and W-3 and 1096 were filed (with the SSA and IRS, respectively) by the end of January

2016 AUD:

- The 2016 AUD is ready to be submitted pending Board review

Ms. Wilcox reviewed the abstract summaries with the Town Board.

RESOLUTION 2017-25: Funds Transfer

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that \$300,000 be transferred from the Community Bank Money Market account to the NBT Bank Checking account to cover February bills and February/March payroll.

- A Money Market to Checking in the amount of \$ 89,057.49
- B Money Market to Checking in the amount of \$ 36,257.39
- DB Money Market to Checking in the amount of \$ 846.36
- DB Capital Reserve to Checking in the amount of \$ 1,687.00
- SF Money Market to Checking in the amount of \$ 172,151.76

RESOLUTION 2017-26: Budget Amendments

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that the budget amendments be accepted as follows:

Code	Description	From:	To:	Difference:
A2705	Gifts & Donations	0	83,600	83,600
B1001	Real Property Taxes	(961.51)	0	961.51
B5031	Interfund Transfers (Use of FB)	12,000	95,600	83,600
DB1001	Real Property Taxes	53,021	52,059.49	(961.51)

TOWN REPORTS:

Highway Superintendent - Jason Florenz

GARAGE:

- Update on new LED lighting in garage (photos were distributed)
- Uniforms arrived on Tuesday, February 7th

GENERAL REPAIRS:

- Mailed CHIPS paperwork for reimbursement of Hill & Bailey Rd guiderails (\$6,707.12)
- Installed markers on new guiderails with reflectors
- Fixed water problem on Larkin Road and plugged culvert on Spring Street

EQUIPMENT:

- Sold 2006 Ford F150 on Auctions International for \$5,300
- Wheeled excavator was listed but did not reach minimum bid amount

Mr. Florenz did state that Admar Equipment, Town of Smithfield and Town of Lincoln are interested in it. The board discussed co-ownership of the wheeled excavator.

- Purchased 2017 Ford F150 (traded in 2016 Ford F150)
- 2011 International has a new engine
- Received a quote for a Toolcat rental from Warner Sales & Service on Broom to clean-up the roads

SNOW REMOVAL:

- Made 25 runs between January 12th and February 9th
 - Used approximately 1,246 yards of a 1:3 salt/sand mix
 - 10,550 gallons of salt brine
- We currently have 1,143.56 miles that have been submitted to the County for reimbursement but not yet paid
- 970.23 ton of salt ordered/paid for so far this winter

Mr. Florenz and the board discussed the expansion of salt brining the roads, including equipment needs and theory of it saving money. The board also wondered about the co-ownership of the paver. Clerk Reymers and Ms. Wilcox will look into it.

Town Clerk/Collector - Sue Reymers

	JAN 2016	JAN 2017	Notes
Total Fees Collected	\$635.00	\$859.00	
Disbursements:			
Town Revenues	\$361.98	\$268.51	No building permits this month
NYSDEC Hunt/Fish	\$23.62	\$47.24	
NYS Dept of Health	\$0	\$22.50	
NYS Ag & Markets	\$31.00	\$33.00	
Mad Co (Landfill)	\$218.40	\$477.75	Sales doubled this year compared to last year.

Liquor License - Poolville Country Store: The Clerk's office received notice on January 30, 2017 from the Poolville Country Store for a renewal of their liquor license. The license is for wine, beer and cider only; their current license expires on April 1, 2017. This is only a notification form, which by law is all that is required. Please note that per the NYS Alcoholic Beverage Control Law Article 8, Section 110-B, Notification to Municipalities, sub-section 5) A municipality may express an opinion for or against the granting of such application. Any such opinion shall be deemed part of the record upon which the liquor authority makes its determination to grant or deny the application. It will be on file at the Clerk's office.

NYS DOT Bridge NY Program: I received notice on February 3, 2017 that we did not receive funding for the Williams Road Bridge. I will be contacting NYS DOT as well as Madison County Highway to get feedback on our application with the intention that we will apply again next funding round.

Frontier Letter: The letter was sent on January 25, 2017 to the President of Frontier; Manager of Frontier in Norwich, NYS Attorney General, Public Service Commission, Valesky and Magee's offices.

TAX PAYMENTS from Madison County to Town of Hamilton:

- 1st payment: Received 1/19/2017; Check # 13504 - \$647,633.37
- 2nd payment: Received 1/27/2017 Check #13612 - \$241,029.39
- Total Received: \$888,662.76.

2020 Census: The clerk's office received the first step for the Census 2020, which is basically updating contact information. In July 2017, we will receive our formal invitation to participate in Census Local Update of Census Addresses Operation (LUCA), which is the only opportunity for us to review our list of residential addresses.

315 & 680 Overlay: Starting February 11, 2017, everyone must use the new dialing procedures. You must dial the 10 digit number, even if it's a 315 area code.

Codes Enforcement Officer-Donald Forth

The January 2017 report showed one new permit for the Poolville Country Store for remodeling a rental room, specifically a bathroom.

Historian - Jack Loop

Mr. Loop sent in his annual report for activities during 2016. (Attachment B)

COMMITTEE REPORTS:**SOMAC - David Holcomb**

The board did a resolution to purchase the Oriskany Falls Ambulance as they went out of business. They are selling it for \$47,000. For \$45,000, they can assume the loan from NYS as they still owed money on it. The bank interest rate is low. It also came with a stretcher and some other equipment which is worth \$20,000. SOMAC was planning on replacing one of the big box trucks next year at a probably cost of \$140,000, so this ambulance is a great deal. It's possible they could be picking up more territory. There was a brief discussion on changes in emergency services and potential for regional ambulances. Central Oneida and Waterville are taking over Oriskany Falls territory.

Comprehensive Plan - Chris Rossi

We are ready to adopt the plan by resolution. It went to the County, they thought it was good. They had some suggestions and we tweaked it a little bit. We have an action plan. Upon adoption of the plan, a copy gets sent to the County, a copy will be posted online and few printed copies at the office. Clerk Reymers will arrange for final details and printing of the plan as well as its distribution.

RESOLUTION 2017-27: Adoption of the Town of Hamilton Comprehensive Plan

WHEREAS, a Comprehensive Plan is a statutorily recognized instrument under Town Law §272-a for the immediate and long-range protection, enhancement, growth and development in a Town; and

WHEREAS, a properly crafted comprehensive plan assists with the protection of the health, safety and general welfare of the citizens of the Town; and

WHEREAS, the Town of Hamilton Town Board identified that an updated comprehensive plan was needed to properly plan growth and development, protect the environment and enhance the health, safety and welfare of the community and residents; and

WHEREAS, the Comprehensive Plan steering committee (Committee) conducted a study of the Town of Hamilton that included a full inventory and analysis of the environmental, economic, housing, demographic, cultural and historical resources in Hamilton; and

WHEREAS, the Committee solicited and utilized the input of the public through a written survey, open public meetings, focus groups, and a public hearing to formulate the plan; and

WHEREAS, the proposed Plan includes the long-term vision, goals, objectives and strategies to guide the future growth in the Town; and

WHEREAS, the Committee has drafted this plan, and held a public hearing pursuant to Town Law 272-a; and

WHEREAS, the Committee has submitted the Plan to the Town Board and they have reviewed the draft Plan; and

WHEREAS, adoption of a comprehensive plan pursuant to Town Law 7-722 has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and the Town Board declared itself Lead Agency; and

WHEREAS, the proposed action will not require permits and approvals from any other local, regional and State agencies prior to adoption of the plan; and

WHEREAS, the Madison County Planning Board is required to review the Town Comprehensive Plan pursuant to the applicable standards of New York State General Municipal Law 239-m and this approval is considered an advisory opinion under SEQRA and the agency is not considered to be eligible for lead agency status in this action, and

WHEREAS, the Town submitted the draft plan to the Madison County Planning Board; and

WHEREAS, the Town received approval from the Madison County Planning Board; and

WHEREAS, the Town declared that the Town of Hamilton Comprehensive Plan described herein will not have any significant adverse environmental impacts, and determined that an environmental impact statement will not be required; and

WHEREAS, the Town Board filed a negative declaration and Environmental Notice Bulletin, according to SEQRA, NYS 6 NYCRR Part 617.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF HAMILTON, MADISON COUNTY, NEW YORK:

THAT THE Town Board of the Town of Hamilton hereby determines that the Comprehensive Plan and its Appendices, attached hereto and made a part hereof, is hereby adopted as the Comprehensive Plan of the Town of Hamilton, and

THAT THE Town Board shall file a final copy of the Town of Hamilton Comprehensive Plan with the Town of Hamilton Town Clerk and with the Madison County Planning Department as required in 272-a.

**ON MOTION OF Councilmember Chris Rossi,
Seconded by Councilmember Peter Darby**

Shwartz: yes x no

Darby: yes x no

Holcomb: yes x no

Rossi: yes x no

Collins: ABSENT

Vote: AYE: 4, Nay: 0

RESOLUTION 2017-28: Adoption of Comprehensive Plan Action Plan for 2017

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4, Nays: 0
Resolved that the 2017 Comprehensive Plan Action Plan be adopted as presented (ATTACHMENT C).

The board briefly discussed how to implement the action plan.

OLD BUSINESS:

Comprehensive Plan - Done already.

NEW BUSINESS:**Standard Work Day Resolution****RESOLUTION 2017-29: Establishment of Standard Work Day**

On a motion of Councilmember Holcomb, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4, Nays: 0

BE IT RESOLVED, that the Town of Hamilton, Location Code 30079, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

6 Hour Work Day: Town Supervisor, Deputy Town Supervisor, Town Council Member, Town Justice, Deputy Town Clerk, Assessor, Codes Enforcement Officer, Planning Board Clerk, Tax Collector, Deputy Tax Collector

8 Hour Work Day: Town Clerk, Highway Superintendent, Laborers/MEOs

Clerk Reymers got the Council back on track with the agenda as two Committee Reports were missed.

Partnership for Community Development - Peter Darby

Mr. Darby stated that there were no new grants. The airport study is underway. Jennifer has initiated monthly entrepreneurs meetings. The last one focused on funding with someone from the Small Business Association in Syracuse. Next month they are working on the pitch. Going well and well attended. They signed a Memo of Understanding with the Poolville Community Center to handle their funds for renovations. There is work being done to bring on new board members for the PCD.

Clerk Reymers explained that the Poolville Community Center received a new grant of \$20,000 from the Mid-York Foundation for a new handicap lift to replace the aging ramp. The work will be done by the board members. The stairs were replaced in front of the building in the fall at a cost of \$10,000, which hit the small amount of savings. The MOU is for three years. Ms. Reymers is on the board for the PCC.

Supervisor Shwartz asked Jim Leach what the rollout plan was for the housing grant. Mr. Leach was not certain. Information will be in the newsletter. Supervisor Shwartz wants to see the dollars be extended to the town outside, the Hamlets and Village of Earlville. Presentations in the area were suggested.

38 Milford Street – Suzanne Collins/Peter Darby

The committee settled on a final floor plan. The square footage is smaller and the building is very efficient. A copy of the floor plan was circulated to the board. The committee is working on keeping costs close to \$500,000.

NEW BUSINESS: Resumed

CEO Search and Timeline

It will be advertised in the next two weeks. Interviews will be last week of February or early March. There was already an inquiry into the position.

NYS DOT – Bridge NY Grant Denial and Next Steps

Done during Clerk's report.

Clean Energy Communities (CEC) & Climate Smart Communities (CSC)

Colgate Univ. Upstate Institute – Webpage on CSC

Ms. Rossi reported that we applied for an Upstate Institute Fellow for the summer of 2017. One of the action items on both the CSC and CEC programs was outreach to the public and education. We thought we could fulfill both those things and one of the steps we talked about implementing in the Comprehensive Plan was to get an intern to help with those things. The person would update the webpage.

CSC – Energy Benchmarking with Colgate Env. Class

Ms. Rossi continued that the Colgate Environmental Class has been working on the CSC program and now they are also going to help this semester with the CEC program. We are trying to satisfy as many action items on both programs and the Comp Plan. They are going to be looking at energy benchmarking, specifically looking at our municipal buildings, updating the greenhouse gas study that was done in 2011. Hopefully, when we tick off some of these steps, we will be able to apply for grants, mostly through the CEC program.

Concerns of Town Board:

Mr. Darby shared that he attended the presentation by the Finger Lakes Technology Group. They are bringing up fiber up 12 and 12B. It does not address our issue of getting high speed internet into the outlying areas. They did say that 5G is a few years away. They believe that people will use their cellphones to get internet. There is no way for companies to be profitable with fiber in the countryside unless it's subsidized.

Refugee/Immigration Ban: Ms. Rossi asked for this to be on the agenda because we need to be educated on it. Not sure how it will impact our town and the County. There was a brief discussion on the ban's implications and the role of local government.

Supervisor's Report:

Madison County Activities

Update on Lake Moraine Dam - already updated on this. The County is considering a proposal to ban plastic bags. There was a discussion initially of a fee on the bags, like NYC. Then the merchants would collect the money and take care of disposing the bags. Plastic bags are a problem for the environment. The landfill committee decided to explore the all-out ban. There was a suspension of the NYC program, so it's in question. The County is receiving an award from the DEC for the Climate Smart Communities on February 15.

RESOLUTION 2017-30: Executive Session

On a motion Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that this Board move into an Executive Session for the purposes of legal counsel at 8:24 p.m.

RESOLUTION 2017-31: Return to Regular Session

On a motion Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4 Nays: 0

Resolved that the Board return to regular session at 8:30 p.m.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Holcomb, the meeting was adjourned at 8:31 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers
Town Clerk