

The regular monthly meeting of the Hamilton Town Board was held on Thursday, March 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; D. Holcomb, C. Todd and C. Rossi, Town Council; B. Glazier, Highway Supt.; Sue Reymers, Bookkeeper; Mayor Miller; Donald Haight, Justice; Deb & Harvey Kliman; David Keith; Bruce Moseley, Tom Fagan; and Daniel Kain (NYS Deferred Compensation Plan).

Supervisor Shwartz started the meeting by Welcoming everyone, and Judge Haight bought donuts and coffee, from Dunkin Donuts, for everyone.

A Motion was made by D. Holcomb, seconded by C. Todd and carried that there is a new Policy of limiting comments from the public to three minutes per person; to help us move the meeting along.

P. Darby would like the option of Eve Ann over-ruling that Policy if she thinks it is needed. Eve Ann agreed.

David Keith said he owns a house in Hubbardsville and he has been having a Codes battle with the Town of Hamilton for five years. He said he went to Court last month and he has been unemployed, and is broke, and he is giving in—he can't fight this anymore. You people could drop the charge. He put a new roof on it – five inch plywood – that is not the issue—the issue is that he cut off some twenty rafter tails; that is what Jeff Worden is hanging his hat on. That has cost you about \$20,000; he said – in lost taxes and legal fees—so it would be prudent for you to drop the charges and let him get on with fixing the house up. C. Rossi asked what are the charges – and D. Keith said: modifying the rafters on the South side of the house. Eve Ann said: without a Building Permit – the question is whether or not Mr. Keith needed a Building Permit to take that action. Eve Ann said our former Codes Officer indicated that he did need that Building Permit, and it happened a long time ago—before almost any of us were on this Board. D. Keith said it was the Summer of 2008 – and he had photos of the house plus a rafter to show them. He has been to Court about this and has hired a Professional Engineer and Mr. Worden just dismissed the words of a Professional Engineer. He

said he is at a loss. Eve Ann said you sent a letter to everyone on the Town Council which lays out the information, and he said yes, he did. We appreciate that, Eve Ann said, but it is in litigation right now – so I do not think any Town Board members can comment on it right now; but we can listen to you and hear your request. D. Holcomb said he has been on the Town Board since 1999, and he has not heard any of this stuff. The work was done in 2008 and a Stop Work Order was put on the place in 2011, D. Keith said; and that makes no sense to him. The Town Board thanked Dave Keith for coming.

Tom Hodge then spoke. He said he was here for support of naming the Village Triangle Park – Maf & Judy Plesniarski Park. C. Todd asked what support do you want, given that this is the Town, and this is a Village park. Tom said David Holcomb suggested that he come speak to the Town, because Maf & Judy helped everyone as businessmen and friends, in growing up here. Eve Ann said they are key people in our Community and she understands the impulse to honor them; and there are some other retail people that have that same spirit, and make people feel very welcome in our Town. Eve Ann is a little nervous about having the Town go on Record only because it is the Village's business-it is the Village's property, it is the Village's park, and it does set precedence; and that is the whole issue here. Eve Ann said once you do it, will a lot of other people come forward. Then they can do what I did, Tom said--and go get a lot of signatures and letters--and work on it. D. Holcomb said they were a piece of Hamilton that is long gone, they took care of everybody, they had payment plans for families. Erecting a sign, bronze plaque, garden were possible suggestions. Deb Kliman, as a Village Trustee, spoke to say the Village's Parks Advisory Committee would be having a meeting, and Mr. Hodge could come to that. Judge Haight said they contributed much to the community, and Maf was a WWII Vet and Bronze Star winner. C. Todd said she understands the significance of the store and Maf & Judy, but what about others who have lived here 50,60, 70 years and their families want recognition of their loved ones. This is surfacing more and more – question of precedent needs to be considered carefully; it will open the discussion to a much larger activity. About a decade ago, the Village Green was re-designed there were some memorial benches offered to family members and Ed Clark's family purchased a memorial circle – those spots are available for other families and people who want to memorialize someone. C. Todd suggests more discussion and D. Holcomb

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said it is a yes or no issue. How about a Fund to provide sports equipment for kids at school, who can't afford it, Eve Ann said. There are lots of ways they can be honored, Eve Ann said, with more of a lasting impact on people everyday – the idea is a great idea, but what is the best idea; so I agree with Carolyn-I'd like to hear more ideas. Eve Ann would like to hear what is evolving at the Village, and she would be happy to consider a Resolution honoring them, next month.

Mayor Miller asked about the electrical needs of Bruce Rivington – Eve Ann said he is talking about processing his raw milk to make various dairy products. There is a Food Hub that is going in at Canastota (a Grant has been received from the State) – you are shipping water/milk some place and processing it. There are also some possible cross-contamination/product integrity issues – reasons why Bruce wants to keep his facility here. The Board wants to check a map (Palmer's old property) as to where this is located. This would help with jobs for us, and our tax base, all good things – Eve Ann said. Eve Ann commends the Village for being willing to work on this.

Daniel Kain, on behalf of the New York State Deferred Compensation Plan, was here to give a presentation . He gave Hand-outs and Enrollment Booklets. He explained it is like a 401K Plan. It is called a 457B Supplemental Retirement Plan; he said. Other Local Municipalities have adopted this program and made it available to their employees. It would be bi-weekly or monthly payroll deductions, sent into them by the Town. They offer pre-tax contributions, when an employee leaves the Town, they have access to this money- and will pay taxes on it when they take it out; with no 10% penalty. At age 59 and ½, you can take \$20,000 a year without tax-at age 70 and ½ you must take some money out. There is a \$20 fee per year to be in the Plan. They offer Plan Options – ex. Stable Fund, etc.

He said there are contribution limits of \$17,500 per year; \$23,000 per year if over 50 years old, and \$35,000 for within 3 years prior to retirement. Minimum of 1% contribution, he said, and If anyone is interested he will come back. Daniel works for Nationwide Retirement Solutions, and they run the plan. He said you can Adopt this Plan, and then offer it to current/future employees. Bert will explain it to his employees. Eve Ann thanked Daniel for coming. Eve Ann would like employee feedback.

A Motion to pay the General Bills was made by P. Darby, seconded by C. Rossi and carried. C. Todd said she will check on \$450 American Legion amount.

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

B. Glazier then gave his Highway Report. February/1st part of March Report : Excell Rd. and Smith Rd. tree work. They have a one ton they are going to auction off, they painted the frame, buffed it, it is ready to go – to put on Auctions International. They have plowed and sanded numerous times. A backhoe was delivered and the other one was taken away. The culvert for \$9,000 in Long Island – he thinks they would take the offer-but there would be additional high costs to get it here. At Oswego Iron & Steel we can buy for: eight thousand, eighty three hundred – a 40 foot tube (8ft./9ft. tube) . It is concrete, and all bolted together, he said. This is for Hill Road. There is a lot of galvanized pipe out there, Bert said.

Resolution # 11 was made by P. Darby, seconded by C. Rossi and carried allowing the purchase of a 40 foot squash (pipe), for the Highway Dept. Vote was unanimous.

Bert said: Regarding the Bernie Bus meeting -Carolyn, Peter and Bert went. Peter said it would be the Village, Town, Colgate and Bernie Bus – Bernie would construct the building and pay for it; then each municipality would pay their share, based on their use. The ability to wash vehicles would be there. It will house quite a few vehicles. They would own their own Parts Unit and sell them reasonably. Location, sewer, water are issues. The Mayor said the Village will be moving forward with a DPW Building - at Airpark-the sooner the better. Bruce Moseley asked if the School would be interested; and also C. Todd said what about Colgate's Master Plan. Peter will initiate an email getting the Mayor, Sean, and Colgate involved. It will improve the tax base, wherever the building is located, Eve Ann said.

G. Hayes had surgery and that is why he was not present. C. Todd said.

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Sue Reymers then gave her Report to Town Supervisor, Monthly Balance Sheet, Profit & Loss Budget vs. Actual. Sue said all the Town's tax money has been received, \$422 was received from the Mid York PILOT, and she handed out a Resolution sheet explaining the need to move Funds. Sue also handed out examples of having higher Deductibles on the Town's Property Insurance, and the result in savings.

A Motion to go to a \$10,000 deductible on the Town's Insurance was made by P. Darby, seconded by D. Holcomb and carried.

Resolution # 12 was made by P. Darby, seconded by C. Todd and carried allowing the Bookkeeper to move Funds as requested, per "Exhibit A" attached.

Eve Ann said Sue is also working on getting the Titles to the Ambulances transferred into the correct name. Sue is also still working on the Supervisor's AUD Report. The old copier needs to be donated; and Sue suggested Roger's Conservation.

A Motion was made by C. Rossi, seconded by C. Todd and carried to donate the Town's old copier to Roger's Conservation.

Eve Ann and Peter met with David Hale & Joanne at Colgate – they discussed Colgate's voluntary contribution to the Town, and our Budget and how we organize it; along with other issues. Mr. Hale wanted to know more about the Town's overall financial state. Eve Ann said - we also discussed that Colgate's actions have big impacts on our community and we need them to be more open. Example: taking over Snyder property – prime development land for commercial development- and turning it into a non-profit building and grounds location, was not a well thought out project from our point of view. They talked about the taxation issue in general, and the potential reval coming down the road in a few years, and how Colgate was one of the luckiest beneficiaries of assessor David Roach-they got a big drop. When it goes back up again-it is about everybody paying their fair share, Eve Ann told them. Peter said they were comfortable with not giving Colgate special consideration, but they did not want to be targeted.

Cathy then gave a Tax Collection Report update. She said she and Carol (Deputy) had sent out 346 Tax Reminder Notices to tax payers who had not yet paid their property taxes, as by Law must be done in March. The Tax Collector also said she sent Madison County a check for an additional \$250,000 - in tax money collected here, on their behalf. Eve Ann said, okay, great, thank you.

Eve Ann said Paul left his Codes Report for the month, and there is not a lot happening. Eve Ann said she told Mr.Keith one of the things this Town Board did was to change our Codes Enforcement Officer. C. Todd said she has been working on the Building Permit form, and today she got Paul's changes. She put in the Town Board's boxes an Application for a Building Permit form, using the Village's as an example.

C. Todd will continue to work on a whole package to present to the Town Board. The hardest part will be the fees, Eve Ann said.

Planning Board members will be appointed next month, Eve Ann said.

C. Rossi then talked about the Energy Working Group (EWG). She said New York is in a holding pattern with natural gas – as they are doing a health study. The EWG has put in a request for two students to intern with them. Chris said the Energy Working Group (EWG) is urging Madison County to reopen its consideration of a Countywide Road Protection Plan and take leadership on this issue.

Chris said we should move forward on the Comprehensive Plan, public input is essential. Peter felt the Town should pay for as much of the work as possible, as councilmen give a lot of their time already. Nan Stolezenburg of Community Planning and Environmental Associates and Jeanie Gleisner from the CNY Regional Planning and Development Board submitted the following:

Nan: \$7,000 to review, amend and update existing Comprehensive Plan; and her fee is \$100 an hour.

Jeanie: \$17,500 to update existing Comprehensive Plan; and her hourly fee is \$65 an hour.

Chris said Nan has worked with attorney Joe Catalano; and her work was used at the County level as an example.

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Resolution # 13 was made by P. Darby, seconded by C. Todd and carried to meet with Nan Stolezenburg, and use her services in updating the existing Town of Hamilton's Comprehensive Plan.

D. Holcomb reported on SOMAC next. David said he talked to Steve Jones, Esq., and asked how would a Tax District work; and Steve will work on it. The Town of Lebanon is interested in this matter, too.

C. Rossi spoke about the Road Use issue –signing a Contract with Delta - she named other Towns that were interested in signing up with us; and other possible Towns that might be interested in signing up with us, to get the discount rate. Chris would like to hold off a little longer on this.

Shared Services reminder – Backhoe, Joint Garage, Village Office ; have been discussed.

Records Retention Update: C. Todd said that is why Judge Haight is here. She thanked Sue for submitting an application to the Colgate Institute Summer Fellow Program, we are waiting to hear back on that application. When they applied for this summer intern – they included the Courthouse. G. Hayes is interested in this issue, he called the County Clerk's Office and spoke with Denise Roe, who is also interested in Records Retention, digitizing – and they are interested in knowing what the Town is doing. We need another more specific discussion with her about this. Carolyn went into the basement here to see the records, and she thanked Peter Darby for fixing the trap door. She counted 164 boxes and on the shelves – tax assessment books for several years . Along with other boxes, probably about 200 boxes total. The Records Retention Committee (RRC) needs to develop a Plan to look at these materials – ex. Dog license forms – keep them for the legal amount of time needed and then discard them; they do not need to be digitized.

Two reasons for going through this process – one is storage and the other is retrieval of information.

Don Haight said he thinks the Village should be involved in this also because in the Courthouse downstairs there is a room set aside for records –with an unsecure door. The Town has about 30 boxes of Court Records there that go back to 1922. The Village has over 100 boxes down there. They have run out of shelf space and are now putting boxes on the tables down there. Last year the Village got a Grant and remodeled the bathrooms, they had a leak downstairs, and could have had major damage to some of their boxes. He also worries about the furnace there. The older records-they have no way to retrieve them. He would like records retrievable on a computer- and put in a safe, dry place. Records 1910 and earlier have to be kept, C. Todd said. She gave examples of the schedule for the length of keeping some records. Payroll records have to be kept 55 years, she said. C. Rossi asked about saving on microfilm--because pdf, word document, the software changes. Yes, that is an issue C. Todd said. The Mayor said the Village is so busy right now, this is not a high priority for them. Oneida County is the third County that can file deeds, etc. electronically; C. Todd said. Peter said to digitize-hand scan it, would take a lot of time, hire someone.

Eve Ann thought Judge Haight should be on the RRC, and Jack Loop (Historian) wants to keep track of any historic records.

Bruce Moseley asked if the Regional Archivist has been contacted because maybe you can obtain money to hire someone to come in and scan the documents.

Eve Ann said the intern coming in could mark what is in each box. Eve Ann thanked Carolyn, and said it is wonderful she is doing this.

Eve Ann said PCD had a meeting on Housing needs in Hamilton. The current buyers want more modern , maintenance free homes. B. Marshall owns a lot of rental property homes; some of the village homes are second homes for Colgate individuals and used only once in a while. PCD did not have solutions – it was the beginning of discussions about it. Eve Ann will look at this in our Comprehensive Plan; using data collected.

Eve Ann reported the County was appointing Mark Simone to be the new County Administrator to supervise County employees.

A Motion was made by P. Darby, seconded by C. Todd and carried to go into Executive Session regarding pending tax assessment/code enforcement cases.

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

A Motion to Accept the February 14, 2013 Town Board Minutes was made by P. Darby, seconded by C. Todd and carried.

A Motion to Adjourn the Meeting was made by C. Todd, seconded by C. Rossi and carried at 10:45 p.m.

Respectfully submitted,

Catherine S. Hotaling
Town Clerk

