

Town of Hamilton Regular Board Meeting Minutes
Thursday, February 12, 2015 7:00 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Eve Ann Shwartz, Peter Darby, Suzanne Collins, David Holcomb, Chris Rossi, Sue Reymers, Brynley Wilcox. Absent: Bert Glazier. Others Present: Margaret Miller-Village of Hamilton, Gerry Hayes-Village of Earlville, Nick French, Jim Leach-PCD, David Craine-NBT-Mang, Carolyn Godfrey-Mid-York, 10 other community members.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 7:03 p.m.

Public Comments:

Gerry Hayes: The Opera House is hosting it kids' art show from January 31 to March 14. Village of Earlville board agreed to go with the Town of Hamilton in its formation of a tax district for ambulance. There was a public hearing on Tuesday (2/10) night with 1 person at the hearing. There is a new animal law which replaces law from 2007. The board approved the law the other night and there is a public hearing on March 10th for that. Margaret Miller: Village started its budget workshops, next meeting is on 2/17. They will be talking about resolution for district. In the Village's case and according to the attorney, the referendum is with registered voters which is different from the town. We will announce the date at the next meeting. Carolyn Todd of 58 Payne Street spoke about the ambulance district. She and Bill have been doing research and took positions early on. They felt that they had not been educated about SOMAC. They've been reading and talking with people and have come to an understanding of SOMAC's challenges- historically, financially, etc. At the beginning, they fully realized the leadership role of the Town of Hamilton to forge a way ahead for SOMAC. They support the work of the town. They think the taxpayers are viewing this that today it costs \$0 and next year it will cost \$266,000 next year and they think that the taxpayers don't understand the history of giving. She recommends that the town should stress in their publicity that funding went from \$8,000 to \$16,000 to \$50,000, etc. Also think that SOMAC needs to work on an encapsulated summary of their case. The council thanked Carolyn for her comments. Supervisor Shwartz responded with that there will be extensive publicity before the referendum and that SOMAC is also putting together information for the public. Regina Silvestri: I was able to come to observe the ambulance committee. She checked the town webpage and the meeting was not on there. The council responded that it was an oversight and will be posted in the future.

GENERAL:

Approval of Minutes

RESOLUTION 2015-20: Approval of Minutes for January 8, 2015

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that the minutes from January 8, 2015 be approved.

Claims for Payment:**RESOLUTION 2015-21: Audit of Claims**

On a motion of Councilmember Holcomb, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 5 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.	23	<i>through</i>	58	\$ 46,409.64
General Fund B	No.	2	<i>through</i>	9	\$ 8,394.60
Highway Fund DA	No.	12	<i>through</i>	26	\$ 38,016.64
Highway Fund DB	No.	1	<i>through</i>	1	\$ 5,391.00
Lighting Districts	No.	1	<i>through</i>	2	\$ 393.40
Fire Districts	No.	1	<i>through</i>	3	\$ 140,214.00

With additions: Councilmember Darby asked to include the PCD. The amount for PCD is \$25,000 under the B Fund.

Special Guest: David Craine, Mang Insurance.

David Craine introduced himself. He is here to update the town on NYMIR packets that renews on the 15th of February and update the town on any changes to the policy.

David handed out packets to each councilmember. He reviewed the various insurance coverage including property, machinery, vehicles, general liability, crime policy, etc. He did respond to a question about the rate for 38 Milford. David confirmed the NYMIR's fee for the new building is \$530 annual additional premium of \$400,000. \$500,000 would be \$664 additional. David also reviewed in detail the OCP liability, which is a policy for NYSDOT for right-of-way and plowing. As of July 1, 2014, the state relaxed that requirement and the town is not required to carry it, but the town needs to show NYSDOT as additional insured. The cost of this policy is \$255. NYSDOT has not notified municipalities of this change. As long as you are not doing work on streets and roads that is over \$250,000, then you can eliminate this, but again, need to show NYSDOT as additional insured. Some municipalities prefer to have it in case there is a lawsuit. The council along with David Craine recommended that Brynley talk to Bert about it and review what activity the town is doing and also talk to NYSDOT. David has some literature on it. In reviewing the Public Officials Liability policy, Supervisor Shwartz asked about the land use lawsuit in the past and wondered if a claim was made. David will look into it. David concluded with general information on NYMIR and reviewed the premiums. He also pointed out that Margaret Miller was voted on the board for NYMIR.

TOWN REPORTS:**Highway Superintendent - Bert Glazier**

Clerk Reymers reported for Bert in his absence. Mr. Glazier passed along that the crew has plowed and sanded lots. They have pushed back snow banks on intersections and dead ends. There has been general maintenance on equipment with no major

breakdowns. They had a meeting with Valesky and Magee on CHIPS and hope to get 25% increase for 2015, if the Governor passes it. He attended a FEMA training on 2/6/15 for local match from NYS up to 25%. Right now, FEMA pays 75%, NYS was to cover 12.5% and now with the local match, NYS would pay up to 25%. They now have a qualified a spare driver to cover sick days. They picked up a free desk from Town of Cazenovia for Town Clerk's office. They are out fixing snow drifts tonight which is why he is not in attendance tonight.

Town Clerk - Sue Reymers

Financial Report	JAN 2015	FEB 2015	MAR 2015	APR 2015
Total Monthly Fees Collected	\$ 789.10			
Disbursements:				
Town Revenues	\$ 297.19			
NYS DEC Hunting & Fishing	\$ 44.41			
NYS Dept of Health	\$ 0			
NYS Ag & Markets	\$ 38.00			
Mad Co Treasurer (Landfill Tix)	\$ 409.50			
MISC:	\$.10			
# of Licenses & Permits	JAN	FEB	MAR	APR
Hunt/Fish Licenses	2			
Marriage Licenses	0			
Marriage Copies	3			
Dog Licenses	30			
Landfill Tickets	30			
Birth Certificates/Copies	0			
Death Certificates/Copies	5			
Building Permits	0			
Plan/Zone Applications	0			

Liquor License:

The town has received notice on January 26, 2015 from the Poolville Country Store. They intend to renew their liquor license for wine and beer only as their current license expires on 3/31/15. This is only a notification form, which by law is all that is required. As I understand it, the town need not respond. However, 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.

Planning Board: The Planning Board met on January 20th. A copy of the minutes are attached.

Tax Collector Report - Sue Reymers

Town office is stamping the bills and the warrant is satisfied. 1st payment: check #1042, \$633,283.45 received on 1/20/15. 2nd payment: check #1108, \$379,868.64 received on 1/26/15. Total = \$1,013,152.09.

Supervisor Shwartz brought to the board's attention that in January when we re-appointed Bert Glazier and Sue Reymers, we only did so for a 1 year appointment. When the town changed the Clerk and Highway Superintendent's position from elected to appointed, we had talked about staggering their term to further depoliticize their positions.

RESOLUTION 2015-22: Appointments for Highway Superintendent and Town Clerk to a two year term.

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that the Highway Superintendent and Town Clerk be a two year term starting 1/1/15 and ending 12/31/16.

Codes Enforcement Officer-Donald Forth

None. Clerk Reymers reported that he continues to work on current projects and that he will be meeting with Good Nature Brewing on their new project.

Supervisor/Bookkeeper - Brynley Wilcox

Court Report: January check (\$465), Office of State Comptroller payment (\$225) - Town Share (\$240)

Financial Updates: HSA contributions, Clothing/Cell Phone Stipends and Health Insurance Buy-outs have all been distributed. This month's abstract contains the following annual payments: All three Fire Companies, Town Historian annual wages, Police/Constable annual wages, Earlville Senior Citizens, Hamilton Senior Citizens, Hamilton Food Cupboard, American Legion—Earlville, American Legion—Hamilton with PCD being added. Credit card applications for the CitiBank Purchasing Card program have been approved. The two cards have been mailed to the Town and activated. The total credit limit for both cards is starting out at \$3,000 with \$1,500 each. One card is in Superintendent's name and the other in Bookkeeper's name. These are not connected to personal social security number. The bookkeeper's card is available for anyone who needs to use it for town business, but you need to save receipts.

Bank Reconciliations-Petty Cash, Payroll, Money Market and General Fund have all been reconciled through January.

Income: A check from Madison County for 1504.32 lane miles arrived for the reimbursement of Dec. 2-30. The check totaled \$26,370.73. (Overtime for Dec. 2014 amounted to \$7,539.45). The 2015 annual gift from Colgate has been received (\$83,624) budgeted: \$83,625. PILOT from Village of Hamilton (\$494.41) Budgeted: \$494.41. Received total amount of Tax Warrant (\$955,543.04) in two checks (\$633,283.45 on 1/15/15 and \$379,868.64 on 1/26/15). F.X. Caprara gave us \$39,420 for the 2014 F150. We purchased a 2015 F150 for \$42,420 with a net of \$3,000.

FEMA: NYS has announced that they will be providing the local match under the FEMA program. Originally, the Town would have received 75% of the flood repairs cost from the Federal Government, 12.5% from the State and be responsible for the other 12.5%. NYS will now be covering the Town's 12.5%. Anticipated assistance: \$222,859.96 rather than the \$195,002.47 we had previously thought.

Fund balance: Ms. Wilcox reviewed her report on the current fund balance as of 12/31/14 with anticipated balances for 2015 and year end.

RESOLUTION 2015-23: Authorization for Funds Transfer

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that funds be transferred as follows:

- \$50,000 from DA Checking to DA Money Market
- \$100,000 from DB Checking to DB Money Market.

The board discussed other ways to handle the funds with respect to checking versus money market along with interest rates. Ms. Wilcox is researching more options and will bring it to the board next month.

RESOLUTION 2015-24: Authorization for Additional Funds Transfer from Checking to Money Market

On a motion of Councilmember Rossi, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that all funds be transferred from the checking to the money market account leaving behind in the checking account a month's worth of bills.

RESOLUTION 2015-25: Budget Amendments

On a motion of Councilmember Collins, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that the budget amendments be accepted as follows:

Fund	Debit (increase)	Credit (decrease)
<u>A Fund – A600</u>	A1910.4-\$202.00	A1990.4-\$202.00

Ms. Wilcox did point out on the monthly financials about moving the DA Capital fund to the H Fund. The auditor recommended it as well as the state. Supervisor Shwartz reminded Ms. Wilcox to transfer the 2015 taxed DA capital funds to the H fund as well.

RESOLUTION 2015-26: Receive and File Financials

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that the January 2015 monthly financials be received and filed.

COMMITTEE REPORTS:

SOMAC - David Holcomb

They are in the process of hiring a new bookkeeper. There are interviews on Monday night. Old business will cover more.

Comprehensive Plan - Chris Rossi

The committee is chugging along and working with Nan. There is a rough draft based on all the information gathered from surveys, focus groups, meetings, etc. It's starting to come together in a format that can be edited. Following steps are public presentations and then to bring it back to the board and county for approval.

Partnership for Community Development - Peter Darby

The PCD is moving forward to redirect itself from promotional to economic development. Jim Leach is here tonight. Mr. Leach shared that they are getting out of organizing the Chocolate Train Festival. They have advertised for volunteers to take over the event. They have been organizing it for the past 6 years, which has used up limited resources. Mr. Leach continued that they have approached the Town, Village and Colgate to hire a full-time director, which they hope to do by June/July. They have asked Colgate to increase their allocation and are negotiating it with them. Supervisor Shwartz asked about the upcoming Summit. Mr. Leach clarified that it is a Symposium and that they hope to gather about 40-50 opinion leaders to talk about housing and economic development. They want to see what is on peoples' minds. They plan to follow that up with the community to provide some guidance. That will be in late March. Supervisor Shwartz thank Jim Leach for his work.

Joint Village/Town Projects - Suzanne Collins/Peter Darby

There is nothing new to report.

Deer Management Task Force - Peter Darby, David Holcomb

We are making some progress. They met two days ago with Mike Jasper of Colgate who is in charge of Colgate's property. He will identify a number of locations on the golf course and property they own across from the orthopedics. Then, we can contact neighbors to get permission. Mike can take this information back to the Colgate to get permission. This is for culling, which is baiting and shooting with bows. The Village

will follow the same practice. Mayor Miller stated that this is under discussion. Mr. Darby continued that this is the model from Trumansburg and Lansing. Sue will call the DEC to get the information. For town outside there is no model for a carpet nuisance permit. Our role there is to educate people on Deer Damage Permits (DDP) aka nuisance permits, etc. Discussion took place about the deer issue and the timing of the culling.

OLD BUSINESS:**Bonding for 38 Milford**

The town is under contract to purchase 38 Milford. It passed permissive referendum as there was no petition, so the purchase is moving forward. The attorney is handling the title. Next, the town needs to talk about how it will purchase building and fund renovations. The board reviewed and discussed a list of funding options provided by the Bookkeeper. The board discussed the various options with consideration to the fund balance and bonding. Different banks are being approached for rates. Concerns about term for bonds and the rates were discussed. The board will continue to research the options.

Ambulance District - Referendum status:

Supervisor Shwartz reviewed the status of the ambulance district. There was a resolution to schedule a referendum without the necessity of a petition that was reviewed at a special meeting on February 2. The resolution was a way to move forward rather than wait for petition. The board decided to wait until tonight to make a decision on that resolution. Supervisor Shwartz explained that each village has consented to the district but that they are being done in different ways. The Village of Hamilton has gone right to referendum while the Village of Earlville is subject to permissive referendum.

Town attorney Steve Jones prepared more information about the resolution for referendum without petition. If the board approves the resolution tonight, the referendum needs to take place not less than 60 days and no more than 75 days from tonight. There is no provision for absentee ballots unless there is a special resolution that requires personal registration. The town's referendum is a town wide vote of taxpayers. The board discussed absentee ballot and decided not to move forward with that option. The 60 days = April 13 while 75 days = April 28. The board discussed the timeline of the vote and deadline for a taxing district. There will be public education and so having the referendum at the latest possible date would allow time for the Villages to have their process and for anyone who is away for the winter to return to the area. If the voters of the Village of Hamilton vote it down, the town would have to start over with a new map, plan and report because it could no longer cover the village residents. The town attorney stated that if that happens, we could have time to cancel the referendum. Polling places would like take place in Poolville and the Villages of Earlville and Hamilton.

RESOLUTION 2015-27: Resolution of the Town of Hamilton, NY scheduling a Referendum, without the Necessity of a Petition, on the Question of an Ambulance District in said Town.

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was ADOPTED

Ayes: 5 - Shwartz, Darby, Holcomb, Collins, Rossi; Nays: 0

WHEREAS the Town Board adopted a "RESOLUTION OF THE TOWN OF HAMILTON, NEW YORK, ADOPTED JANUARY 21, 2015, APPROVING THE ESTABLISHMENT OF AN AMBULANCE DISTRICT IN SAID TOWN" and

WHEREAS said Resolution was adopted subject to permissive referendum, and

WHEREAS it appears to the Town Board that there is strong public sentiment for a referendum to be held, and

WHEREAS the Town Board would like to put the issue to a referendum without requiring that petitions be filed, and

WHEREAS the Town Board has the authority to do this under New York Town Law Section 94,

NOW THEREFORE, be it resolved that the Town Board of the Town of Hamilton does hereby call a referendum on the question of whether to form an ambulance district in the Town of Hamilton, and it is further

RESOLVED that, as provided in New York Town Law Section 91, said referendum shall take place at a special election to be held not less than 60 days nor more than 75 days after adoption of this resolution; and be it further

RESOLVED that this special election be held on a date and at a location or locations to be determined by further resolution of the Town Board and it is further

RESOLVED that, pursuant to New York Town Law section 209-e(3), for the district to be formed would require the affirmative vote of a majority of the owners of taxable real property situate in the proposed district as shown upon the latest completed assessment-roll of said town, voting on such proposition, and be it further

RESOLVED that the Town Clerk publish in the official newspaper, and post, notice of the adoption of this Resolution and an abstract thereof.

RESOLUTION 2015-28: Authorizing Date of Referendum

On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 5 Nays: 0

Resolved that the date for the referendum be set for the latest possible date on Tuesday, April 28 with times and locations to be finalized at a later date.

Ambulance Service Community Working Group

Supervisor Shwartz shared that they had their first meeting last night. They had great attendance. The website has a list of who is on committee. There are representatives from the Towns of Hamilton and Lebanon, both Villages, SOMAC, Fire Departments, hospital, Madison Lane, Colgate and community at large. The intention is to answer

question presented by the community. Last night, they discussed volunteers, funning the ambulance as a business, efficiencies, billing, etc. The next meeting is Thursday, February 26 at 7 pm at the Hospital. Any ideas or questions can be submitted to the town.

NEW BUSINESS:**Upstate Institute: 2015 Application**

Councilmember Rossi stated that she is considering applying for an intern to help with comprehensive plan committee to help with the outreach work and public relations when they need to get it out to the public. Chris will work on the application.

Solarize Madison: Resolution for Participation

Councilmember Darby shared with the group that Madison County is starting up another Solarize Madison program. Last time, Madison County went from the most expensive to least expensive solar installation because of the rebates available. If we participate again, it will just cost us some effort to publicize it.

RESOLUTION 2015-29: Authorization to Participate in Madison County's Solar Program

On a motion of Councilmember Darby, seconded by David Holcomb, the following resolution was ADOPTED: Aye: 5 Nay: 0

WHEREAS NYSERDA has initiated a program to encourage municipalities to adopt programs to support the installation of solar generated electricity and reduce greenhouse gas emissions, and

WHEREAS, the Central New York Regional Planning and Development Board has provided technical assistance to other communities and has a proven track record of success for Solarize programs in Central New York, and

WHEREAS, the Central New York Regional Planning and Development Board has invited the Town of Hamilton to participate in a proposed "Solarize Central New York" campaign to assist municipalities, businesses and residential property owners to learn more about solar technology and coordinate large scale procurement of solar installations in order to realize substantial discounts for installation of solar panels for participating communities, and

WHEREAS, the Town of Hamilton supports the Solarize NY initiative and would like to encourage its residential and commercial property owners to join with the Town of Hamilton to generate more clean energy, reduce energy costs and reduce carbon emissions, then, therefore, it is hereby

RESOLVED, that the Town of Hamilton is committed to participate with the CNY Regional Planning and Development Board in the Solarize CNY initiative, and be it further

RESOLVED, that the Deputy Supervisor is authorized to provide a letter of commitment to the CNY Regional Planning and Development Board to include in its proposal to NYSERDA for the Solarize CNY campaign to be administered

through the CNY Regional Planning and Development Board with local support provided by the Town of Hamilton for community meetings and outreach.

Concerns of Town Board:

Councilmember Rossi wanted to bring to the board's attention that there was a meeting about Colgate art center and that 22 Utica was just purchased by Colgate for the center. A question pertaining to whether or not it would remain on tax roll was discussed. Mayor Miller stated that she was confident it will.

Supervisor's Report:

Madison County Activities:

Supervisor Shwartz shared that Madison County interviewed for the emergency service position. The position will help the whole county and work with fire departments and ambulances. Hope to have the person on board in a couple of months. There is a new ad-hoc committee to research not-for-profit funding such as libraries, historical society, etc. The idea is to rationalize the process for funding. They need to evaluate them, such as are they mandated? Is this something we need or something we want? Need to categorize funding.

RESOLUTION 2015-30: EXECUTIVE SESSION

On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was ADOPTED: Ayes: 5 Nays: 0

Resolved that this Board move into an Executive Session for the purposes of real estate and personnel with an invitation to Margaret Miller to stay for the real estate portion at 9:26 p.m.

RESOLUTION 2015-31: RETURN TO REGULAR SESSION

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was ADOPTED: Ayes: 5 Nays: 0

Resolved that the Board return to regular session at 9:56 p.m.

With no further business, on a motion of Councilmember Rossi, seconded by Councilmember Darby, the meeting was adjourned at 9:57 p.m. Carried unanimously.

Respectfully submitted by
Suzanne Reymers, Town Clerk