

**Town of Hamilton Annual and Regular Board Meeting Minutes
Thursday, January 10, 2019 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY**

Present: Eve Ann Shwartz, Peter Darby, Christine Rossi. Absent: Mary Lee Dinski, David Holcomb. Others Present: Sue Reymers, Brynley Wilcox.
Other Present: Harvey Kliman, Grattan Johnson, Justice Donald Haight.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:38 p.m.

Public Comments: None.

ANNUAL ORGANIZATIONAL MEETING:

Staffing and Contractual Appointments

One-year Appointments, Commencing January 1, 2019 & expiring December 31, 2019:

RESOLUTION 2019-1: Annual Appointments for positions as listed.

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the following appointments for 1/1/2019 – 12/31/2019 as follows:

- Historian - Jack Loop
- Dog Control Officer – Gordon Baker
- Code Enforcement Officer/Zoning Enforcement Officer - Mark Miller
- Deputy Town Clerk/Collector/Registrar of Vital Statistics – Elisa Robertson
- Planning Board/Zoning Board Clerk & Secretary – Elisa Robertson

RESOLUTION 2019-2: Annual Contractual Appointment for Town Attorney.

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Costello, Cooney & Fearon be the town attorneys for 1/1/2019 – 12/31/2019.

2 Year Appointments: Commencing January 1, 2019 and expiring December 31, 2020:

RESOLUTION 2019-3: Appoint Jason Florenz as Highway Superintendent

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Jazon Florenz be appointed as Highway Superintendent for a two-year term commencing January 1, 2019 and expiring December 31, 2020.

RESOLUTION 2017-4: Appoint Sue Reymers as Town Clerk/Collector, Registrar of Vital Statistics, Records Management Officer and Records Access Officer

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Sue Reymers be appointed as Town Clerk/Collector, Registrar of Vital Statistics, Records Management Officer and Records Access Officer.

Planning Board, Zoning Board of Appeals, Appointments:

RESOLUTION 2019-5: Planning Board Appointments

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the following be appointed:

- Mary Galvez - 3-year term, Commencing 1/1/2019-12/31/2021
- Darrell Griff - 4-year term, Commencing 1/1/2019-12/31/2022
- Mike Welshko - 5-year term, Commencing 1/1/2019-12/31/2023.

RESOLUTION 2019-6: Planning Board Annual Chair Appointment

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Darrell Griff is Chair for the Planning Board for 1/1/2019-12/31/2019.

RESOLUTION 2019-7: Zoning Board of Appeals Appointments

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the following be appointed:

- Lydia Slater - 5-year term, commencing 1/1/2019 and expiring 12/31/2023
- Bill Nolan - 1-year term, commencing 1/1/2019 and expiring 12/31/2019.

RESOLUTION 2019-8: Zoning Board of Appeals Annual Chair Appointment

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Harmon Hoff is Chair for the Zoning Board for 1/1/2019-12/31/2019.

Appointments by Town Supervisor

- Supervisor Shwartz appointed Peter Darby as Deputy Supervisor.
- Supervisor Shwartz appointed Peter Darby as Budget Officer.

Town Committees

- Highway Committee - Peter Darby, David Holcomb
- Economic Development/Partnership for Community Dev. Liaison - Peter Darby with help from Mary Lee Dinski
- Recreation and Youth Committee - Mary Lee Dinski
- Zoning Update Committee - Chris Rossi
- Hamilton Climate Preparedness Working Group (HCPWG) - Chris Rossi
- Communications/Website - Chris Rossi
- Building Committee - Peter Darby, Mary Lee Dinski, Eve Ann Shwartz
- Liaison to Village of Earlville - David Holcomb

- Liaison to Village of Hamilton – Mary Lee Dinski
- Liaison to SOMAC – David Holcomb

Annual Reorganizational Resolutions

RESOLUTION 2019-9: Official Newspaper

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that Oneida Daily Dispatch be our official newspaper with the Mid-York Weekly as back-up.

RESOLUTION 2019-10: Declare NBT & Community Bank as Official Banks

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that NBT & Community Bank be the town's Official Banks.

RESOLUTION 2019-11: Issuance of Payroll – Bi-Weekly and Monthly

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that Resolution to authorize the issuance of payroll on either a bi-weekly/monthly basis.

RESOLUTION 2019-12: Authorizing Town Board Meetings

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that the Town Board Meetings be held on the Second Thursday of each month, at 6:30 p.m. at the Court House. *Legal notice to follow informing public.*

RESOLUTION 2019-13: Mileage Reimbursement Rate

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved to set the 2019 Town mileage reimbursement rate to match NYS rate of .58 cents per mile.

RESOLUTION 2019-14: Authorization for Pre-Pays

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that authorization is given for payments of certain monthly bills such as office rent, electric, telephone, internet, village court rent, health and dental and postage, etc. be paid as pre-pays.

REGULAR MONTHLY MEETING:**Proposed Local Law "A Local Law Updating the Town of Hamilton Flood Damage Prevention Regulations"**

1. **Committee Summary of Changes**
2. **Public Hearing**

Harvey Kliman gave an overview of the proposed local law. Basically, the purpose of the law is the same as the previous law, but there have been many changes that put this local law in compliance with state and federal approach to floodplain management and protection of the public welfare.

RESOLUTION 2019-15: Open the Public Hearing on Proposed Local Law "A Local Law Updating the Town of Hamilton Flood Damage Prevention Regulations"

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that the public hearing be opened at 7:41 p.m.

No one spoke.

RESOLUTION 2019-16: Close the Public Hearing on Proposed Local Law

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0
Resolved that the public hearing be closed at 7:45 p.m.

DEPARTMENT REPORTS:**Town Justice-Annual Report- Donald Haight**

Justice Haight presented his annual report, including recent changes to NYS laws, concerns over court security, features of the new court house, and arraignments.
(ATTACHMENT A)

Highway Superintendent

The council reviewed Mr. Florenz's written report as follows:

GARAGE:

- Painted the salt brine fill wall
- Well test performed by A.W. Kincaid to examine capacity and recovery of system prior to geothermal installation

GENERAL REPAIRS:

- Fixed driveway issue on Horton Road.
- Picked up downed trees on Spring, Bonney Hill, Cole Hill and Wickwire Roads.

EQUIPMENT:

- Changed front U-bolts and oil pan on #16 (2011 International).
- Picked up 2019 Mack (see pictures).
- Met with 5-Star about 2019 backhoe.

SNOW REMOVAL:

- Finished installing salt brine units for #15 & #17 (see pictures).
- Made 31 runs between December 14th and January 10th
 - Used approximately 1,344 yards of a 1:4 salt/sand mix
 - 24,100 gallons of salt brine
- Waiting on 980 regular miles and 182 brine miles to be reimbursed by the County (approximately \$21,000).

SALT BRINE:

- See pictures of Alderman Road – brine vs. no brine.
- Using last year's prices, we estimate an approximate savings of \$40 per run with #16 now having brine on the truck.
- However, with the increased prices of sand and salt, we're actually spending more per run than last year (\$380 vs \$325).

OTHER:

- Attended Climate Smart Communities meetings.

There was a brief discussion on brine vs salt, costs and County reimbursements.

Supervisor/Bookkeeper – Brynley Wilcox (ATTACHMENT B)2018-2019 SNOW & ICE AGREEMENT:

- \$17,566.30 was received from the County
 - Plow Dates: 10/18/18 – 11/23/18
- 2018 YTD: \$ 145,547.97
- BUDGET: \$ 110,000.00
- OVER BUDGET: \$ 35,547.97

CHARTER COMMUNICATIONS FRANCHISE FEES:

- \$3,053.08 was received from Charter Communications
- 2018 YTD: \$ 11,729.93
- BUDGET: \$ 10,000.00
- OVER BUDGET: \$ 1,729.93

NYSDOT CHIPS:

- \$175,985.76 was received from the NYSDOT via direct deposit
- 2018 YTD: \$ 175,985.76
- ELIGIBLE FOR: \$ 178,563.86
- ROLLOVER: \$ 2,578.10

END OF YEAR REQUIREMENTS:

- W-2's and 1099's will be mailed out and W-3 and 1096 will be filed by the end of this month.

2018 AUD:

- A draft of the Town's AUD will be ready for the February meeting. It is due to the State by April 1, 2019.

RESOLUTION 2019-17: Audit of Claims

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the bills contained on Abstract #1 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	1	<i>through</i>	34	\$17,556.73
General Fund B	No.	1	<i>through</i>	9	\$360.13
Highway Fund DB	No.	1	<i>through</i>	16	\$21,503.62
Lighting Districts	No.	1	<i>through</i>	2	\$410.46
Prepays					\$140,326.24

RESOLUTION 2019-18: Funds Transfer

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that \$48,000 be transferred from the Community Bank Money Market account to the NBT Bank Checking account to cover January bills and January/February payroll: A Fund: Money Market to Checking in the amount of \$48,000.

RESOLUTION 2019-19: 2018 Budget Amendments/Modifications

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the 2018 budget amendments be accepted as follows:

Code	Description	From:	To:	Difference:
A1010.4	Town Board Contractual	500	590	90
A1420.4	Attorney Contractual	11,000	11,350	350
A1460.4	Records Mgmt Contractual	1,030	2,950	1,920
A1620.2	Building Equipment	5,000	9,000	4,000
A1620.4	Building Contractual	23,250	29,900	6,650
A3310.4	Traffic Control Contractual	3,000	5,000	2,000
A3520.4	Animal Control (Other)	0	100	100
A4025.4	Drug Testing Contractual	0	245	245
A5010.4	Superintendent Contractual	2,500	2,850	350
A5132.1.1	Garage Mechanic Personal Wages	50,000	54,000	4,000
A5132.1.2	Garage Stipends & Uniforms	5,500	5,650	150
A5650.4	Off-Street Parking Contractual	0	110	110
A6410.4	Publicity Contractual	4,000	4,500	500

A1990.4	Contingency	11,431.73	0	(11,431.73)
A1410.4.1	Deputy Clerk Personal Wages	26,000	23,000	(3,000)
A1410.4	Town Clerk Contractual	5,475	3,475	(2,000)
A5132.4	Garage Contractual	45,000	42,000	(3,000)
A9050.8	Unemployment Insurance	2,295.24	1,261.97	(1,033.27)
B3620.1	CEO Personal Wages	24,960	26,256	1,296
B3620.4	CEO Contractual	1,500	1,564	64
B8020.4.3	Planning Board Training Contr.	500	750	250
B1990.4	Contingency	10,000	8,390	(1,610)
DB5110.1	General Repairs Personal Wages	89,000	91,600	2,600
DB5110.4	General Repairs Contractual	30,000	32,000	2,000
DB5130.2	Machinery Equipment	160,000	289,000	129,000
DB5148.1	Snow Removal Personal Wages	31,000	62,000	31,000
DB5148.4	Snow Removal Contractual	40,000	69,000	29,000
DB9010.8	State Retirement	16,565	20,870	4,305
DB9030.8	Social Security	13,479.50	15,700.50	2,221
DB9060.8	Health Insurance	20,000	20,500	500
DB5031r	Equipment Reserve FB	80,000	209,000	129,000
DB2300	Services for Other Govt's	110,000	145,000	25,000
DB1120	Non-Property Tax (Sales Tax)	350,000	396,626	46,626

Ms. Wilcox reviewed the year-end financials including the 2018 Balance Sheet, 2018 Profit and Loss, Fund Balance and the budget spreadsheet with 2018 actuals to compare with 2019 Budget.

Town Clerk - Sue Reymers

CLERKS Office

- Financial Report for December 2018
 - Collected \$824.00
 - Town keeps: \$405.68
 - #s of licenses Sold and Money distributions:
 - DECALS: 4 (\$41.07)
 - Dog Licenses: 20 (\$36.00)
 - Landfill tickets: 25 (\$341.25)

LED Street Lights

In the process of getting an official letter to NYSEG declaring our interest in the conversion of NYSEG-owned standard cobra head street lighting to NYSEG-owned LED street lighting under the NYSEG LED Street Light Conversion Program.

The unexpired life cost to convert forty-two (42) NYSEG-owned cobra head street lights to LED replacements is \$1,828.04. There is no grant funding for this, but Amanda Mazzoni at CNY Regional Planning will do a cost benefit analysis to show how quickly it will be paid off by savings. Most pay off within a year or so. Amanda needs copies of the NYSEG bills and inventory of lights in the district. I will send that to her asap.

Ms. Wilcox stated that the Lighting District fund balances will pay for the costs of conversion. A review of the balance sheet showed the amount of fund balance. Future costs for the lighting districts should go down in the future. The council felt that the lights should keep on the warmer tone (yellow), 2700-3000 Kelvin, and face down to shield the sky.

Approval of Minutes**RESOLUTION 2019-20: Approval of Minutes from December 13, 2018**

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the minutes from December 13, 2018 be approved.

Codes Enforcement Officer

The board reviewed Mark Miller's monthly report. Clerk Reymers updated the board on the last Planning Board meeting.

- Issued 1 order to remedy for 3 unregistered vehicles and peeling siding on Payne Street.
- Conducted 9 construction inspections.
- Conducting inspections and monitoring progress of large-scale projects:
 - **new home construction**
 - Gibson/Alderman Rd, Kogut/Willey Rd,
 - West/Quarterline Rd,
 - Locke/Bonney Hill Rd,
 - Rusch-art studio/Hamilton St.- C of O Issued
 - **large scale renos:**
 - Tan/Payne St, Sewell/Rte 12
- Reviewed incoming documents for 1 subdivision (Houser, Borden Rd)
- Attended Planning Board meeting for 2 Special Use Permits and 1 subdivision.
- Reviewed incoming documents for Special Use Permit-1866 Quarterline Rd.
 - Applicant is proposing a mixed-use property (retail, meeting/party space, and lodging).
 - 2 rooms to be rented out separately or as upper 2 floor rental.

- Main floor to be rented out for rotary type events, holiday parties or meeting space.
- Retail space is meant to service lodgers at this time.
 - Update: Public hearing has been scheduled for February meeting.
- Reviewed incoming documents for Special Use Permit-8450 S. Hamilton Rd.
 - Applicant is proposing an auto repair/service garage. He does not intend to offer vehicles for resale or become a vehicle dismantler.
 - Special Permit Application was approved with conditions.
- Labeling and indexing of all construction blueprints, special use/site plans, subdivisions, annexations and surveys. This will help us assess our storage needs and we will be able to readily access older prints to better serve Town residents.
- There are currently 50 building permit files open.
- Currently monitoring the construction and progress of 1 recently approved Special Use Permits according to conditions set forth by the Planning Board.

Historian - Annual Report

The report will be provided next month.

COMMITTEE REPORTS:

Town Office Building Committee

The bid packaging is being put together for February. A building committee meeting should be scheduled to review the final plans.

SOMAC

The board reviewed the year-end 2018 Data Call report provided by SOMAC. Ms. Rossi asked if we had the year end 2017 numbers to compare. The number of calls within the Village of Hamilton are highest and there is question as to the fairness of the taxation for services when the Village has the highest volume. Supervisor Shwartz will contact SOMAC and ask for a Capital Budget Timeline because we have a fund balance that we reserved of funds collected on behalf of SOMAC that they have not used yet. This was an issue that was developing during the budget process. Mr. Darby brought up the fire truck that the Town was asked to fund 9 years ago by the Village.

Partnership for Community Development

Mr. Darby reported that since the PCD hired Jennifer Marotto Lutter, the PCD has secured over \$1 million in grants and created 36 new jobs per their November 2018 report. Since then, the PCD secured \$625,000 grant to assist in the operational costs, over 5 years, for the Thought in Action - PCD/PCD Entrepreneurship Program. Basically, the PCD is partnering with Colgate's Thought in Action to create an incubator. It will fund a position for the program. It will provide a lot of support for businesses. Hamilton Forum on the Housing Strategy is January 22.

Recreation and Youth Committee - Nothing to report.

Zoning Update Committee

The committee has been plugging along. The floodplain law is ready for adoption. The ZUC is still working on conservation subdivision and finished a draft to share with Nan Stolzenburg at the last meeting. Hope to finalize the density of development at the next meeting. At the next meeting, the ZUC will review what was accomplished in 2018 and what yet needs to be done on the checklist along with a timeline. As always, the Comprehensive Plan is guiding the work. On January 15, town council members are invited to join the ZUC to discuss priorities.

Hamilton Climate Preparedness Working Group (HCPWG)

The group finished working on the town resiliency assessment. Ms. Rossi described aspects of the assessment. The next step is to do a town vulnerability assessment with the help of students from Colgate Professor Ian Helfant's class this spring. The assessment will help determine what in our town is vulnerable to climate change. The other thing that the group is working on is community outreach and education. All of this will give the town points towards the Climate Smart Communities application.

Ms. Shwartz asked Mr. Darby to give a report on the water test at the highway garage for the geothermal project. Geothermal will be installed at the garage from a \$50,000 NYSERDA grant because we became certified as a Clean Energy Community. This was instead of the original plan to use the funds for the heating/cooling at the town office building. Mr. Darby reported that the CNY Regional Planning is helping us develop an RFP for geothermal. One of the questions was could we put in an open loop. The town paid \$2,700 to have the well tested. They pumped 80 gallons per minute from the well for four hours without any decline in the water level. So, there is plenty of water to do an open loop. We can put in a much bigger system for the same money because we don't want to go too much above the \$50,000 grant to fund it. Where the water will be discharged needs to be determined. Overall, this is good news.

OLD BUSINESS: None

NEW BUSINESS:

Association of Towns

Clerk Reymers reviewed the materials from AOT.

RESOLUTION 2019-21: Assignment of Delegates for Association of Towns

Conference

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Mary Lee Dinski be assigned as a delegate for the Town of Hamilton for the Association of Towns Conference and Meeting in February with Eve Ann Shwartz being an alternate.

Frontier Complaints

Supervisor Shwartz updated the board that at the end of the year there was a lot of trouble with Frontier service in Lebanon including interruptions in phone and internet service, along with poor service response time. This while broadband buildout was supposed to be coming to a close in Lebanon. Hamilton did not get any buildout on broadband, but parts of Lebanon was awarded to Frontier. Frontier assured the County back in August 2018 that they those things were going to be live and on-going at the beginning of this year. It turns out that they are going to be charging people for access, additional funds. Mr. Goldstein has a phone number/website for people to file complaints for phone service and reliability. Ms. Shwartz needs to get the phone number/website for internet service complaints. She believes that Hamilton should do the same thing in our community by publicizing these numbers for complaints. Trying to get an investigation by the Attorney General's office. NYS just settled with Frontier for a fine. Clerk Reymers will get the information out there for complaints. The town office will collect any information on complaints.

Adoption of Proposed Local Law "A Local Law Updating the Town of Hamilton Flood Damage Prevention Regulations"**RESOLUTION 2019-22: Adoption of Local Law "A Local Law Updating the Town of Hamilton Flood Damage Prevention Regulations"**

The following resolution was offered by Councilor Peter Darby, who moved its adoption, seconded by Councilor Chris Rossi, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. E-2018, "Flood Damage Prevention Regulations," was presented and introduced at a regular meeting of the Town Board of the Town of Hamilton held on December 13, 2018; and

WHEREAS, a public hearing was held on such proposed local law on this 10th day of January, 2019, by the Town Board of the Town of Hamilton and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Hamilton in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. E-2018 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. E-2018.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Hamilton, Madison County, New York, does hereby enact proposed Local Law No. E-2018 as Local Law No. 1-2019 as attached to these minutes. (ATTACHMENT C)

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Darby	Councilor	Voted	Yes
David Holcomb	Councilor	Voted	Absent
Chris Rossi	Councilor	Voted	Yes
Mary Lee Dinski	Councilor	Voted	Absent
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Concerns of Town Board - None

Supervisor’s Report on Madison County Activities

The County entered into a 10-year agreement with Enterprise Fleet for their vehicles which will save over a million dollars over the 10 years. The County is building a new highway building with the Town of Eaton as a shared services project. The County is contracting to buy a piece of property, approximately 25 acres, close to Route 20 near Heritage Farm. This will be instead of the Morrisville garage location. It’s on primary agricultural land. NYS is funding towards it because of it being a shared services project. It’s more land than currently needed, but future projects could go there as well.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Rossi, the meeting was adjourned at 9:24 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers
Town Clerk