

**Hamilton Town Council Regular Meeting Minutes**  
**Thursday, February 11, 2021 at 6:30 p.m.**  
**Via Zoom Videoconferencing**

Present: Mary Lee Dinski, Eve Ann Shwartz, Peter Darby, Shari Taylor, Darrell Griff.  
Others Present: Sue Reymers, Town Clerk, Brynley Wilcox, Bookkeeper, Luke Dowsland, Highway Superintendent. Public: Jim Leach, Chris Rossi, Deb Hotaling, Kathleen Palmer.

**Call to order & Welcome:** The meeting was called to order at 6:31 p.m.

**Public Comments:**

Chris Rossi report on Zoning Update Committee and HCPWG.

The Zoning update committee is close to having a draft document to share with the Town Council for their review. The committee meets again on Feb. 16 and will be working on Flag lots and Light Industry and then do a general review to address any outstanding issues. Target date for hand-off is April.

I met with Sue and Shari to review the comprehensive plan action matrix. We have completed many of the non-regulatory tasks such as adopting a Right to Farm law and are in process with items such as working more closely with the PCD. One of the outstanding items, creating a brochure about living in a farming community, presents a great opportunity to work with FFA. The zoning updates will address many of the regulatory actions on the list. Reminder that the Comp Plan will be due for a 5-year review in 2022. (The board reviewed the Comp Plan review with Chris Rossi.)

The Hamilton Climate Preparedness Working Group has finalized a draft of the joint municipal Climate Action Plan (CAP) for the Village and the Town. The CAP committee will send the draft to the Town Council and Highway Superintendent for their review before meeting to discuss via Zoom. The Town's input will help shape the document so it's realistic and implementable.

HCPWG discussed the Finger Lakes Climate Fund and is inviting a representative to speak at one of our meetings. Town Council members will be invited to attend. The students who worked on the project told the group that the FLCF was interested in working with Hamilton, having us partner with them or act as a subsidiary group. Laura Caughlan expressed interest in having the PCD be involved in the initiative if moves forward.

Clean Energy Communities is offering another opportunity to gain grant money by undertaking new action steps. Updating Mark's energy code training, adopting the State's Energy Stretch code (a more stringent energy code), and holding public info

sessions on our green energy systems are some of the ways to gain points and qualify for grants. This needs more discussion.

### **DEPARTMENT REPORTS:**

#### **Highway Superintendent - Luke Dowsland**

#### **EQUIPMENT:**

- Serviced #15 and #16.
- #18 has been having wiring issues, we've been steadily trying to figure out the problem.
- Replaced a seal in #24's plow.
- Put new tires on #16.
- Took #24 to Utica Commercial Truck for warranty work.
- Replaced the cutting edge on 24's and 25's plow.
- Finished getting the grader set the way we're used to (switched all the hydraulic controls).
- Replaced the master cylinder on the grader.

#### **SNOW REMOVAL:**

- Plowed and sanded 30 times since the January meeting, we've used roughly 1,080 yards of sand/salt mix and roughly 36,000 gallons of salt brine.
- The new sand screen was dropped off from Clifford Welding, they did an excellent job. It's going to last us a long time.
- Continued to make all of our own salt brine.

#### **OTHER:**

- Truck 18 caught on fire, Brynley and I are working with the insurance company to get the claim settled.
- Got a sander put in #25.
- Replaced the weather stripping around the south garage door.
- Ethan made a snow pusher for the skid steer out of scrap steel we had at the garage.

Mr. Dowsland additionally updated the board that the highway plows the county landfill transfer station because it is more efficient than the skid steer that they use. It's a handshake deal for shared services. They also use the town's loader from time to time. Supervisor Shwartz shared that the County Solid Waste has been reviewing the cost of services pertaining to the Hamilton and Cazenovia transfer stations. They cost more money to run than they take in, but they are a good service for the communities.

Discussion turned to plow trucks and the impact of the truck #18 that was lost to fire. The new plow truck is on track to arrive in November of this year. There are shared services with Brookfield and County Highway to back us up for plowing if needed. Our insurance will cover the full replacement cost of the plow truck. Supervisor Shwartz

informed the board that we had just recently decided to keep our insurance at replacement cost for all five vehicles, regardless of the age of the vehicles, which was a good decision, because we almost changed it and reduced it to a much lower number that would have been in line with the age of the vehicle. Mr. Dowsland shared that there was another truck (#17) with wire issues that was caught in time by the town’s mechanic; it’s now fixed and the wires are re-routed.

**Supervisor/Bookkeeper – Brynley Wilcox**

**2020-2021 SNOW & ICE AGREEMENT:**

- \$22,569.97 was received from the County for Plow Dates: 12/02/20 – 12/31/20
- 2021 YTD: \$ 22,569.97 (\$32,000 pending from 1/21/2021)
- BUDGET: \$ 120,000.00

**MADISON LANE PILOT:**

- \$603.73 was received from the Village of Hamilton

**COLGATE GIFT:**

- \$86,113.00 was received from Colgate University

**GOOD NATURE PILOT:**

- \$1,345.40 was received from Good Nature Brewery

**2020 AUD:**

- The 2020 AUD is ready to be submitted pending Board review
- Due to the State by April 1st, 2021

**RESOLUTION 2021-30: Audit of Claims**

On a motion of Councilmember Darby, seconded by Councilmember Dinski, 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.	20	<i>through</i>	58	108,542.83
General Fund B	No.	3	<i>through</i>	19	46,556.31
Highway Fund DB	No.	11	<i>through</i>	30	48,547.48
Street Lighting SL	No.	3	<i>through</i>	3	126.00
SF-Street Fire	No.	1	<i>through</i>	3	229,484.00
Prepays					300.77
<b>TOTAL:</b>					<b>433,557.39</b>

**RESOLUTION 2021-31: Authorization for Annual Donations/Payments to Non-Profits**

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

Resolved that the annual donations/ payments be paid to the following:

- American Legion – Earlville
- American Legion – Hamilton

- Earlville Library
- Earlville Food Cupboard
- Hamilton Food Cupboard
- The Bell Tree
- Hamilton Senior Citizens
- Partnership for Community Development (PCD)
- Town of Brookfield – radio tower usage
- Colgate University - HCPWG
- Hubbardsville Fire District
- Village of Hamilton - Fire Protection Contract
- Village of Earlville - Fire Protection Contract
- Village of Hamilton - Concerts on the Green

**RESOLUTION 2021-32: Receive and File Financials**

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

Resolved that the January Monthly financials be received and filed.

**Town Clerk - Sue Reymers****CLERK'S OFFICE**

- Processed month end clerk income and distributed funds for January. It's been quiet for front desk sales, which is typical this time of year.

**PLANNING BOARD:**

- Planning Board has a meeting on February 9.
  - Public hearing was held on the Peters property. They need a Special use Permit to build a cabin on a steep grade on Poolville Road.
  - Heritage Farm (Dunhams) submitted an application for a Special Use Permit for outdoor ceremonies and events.

**OTHER PROJECTS:**

- Noise Law received back from Nan and needs staff responses then can go to the attorney.
- Subdivision Law also is being reviewed by staff.
- Still waiting for new fax # to be set up. Delays due to vaccine clinic demands on IT staff.
- Working on .gov address for the new website.
- Will start on Utilities Local Law and Permit soon.
- Sent farm lease from Mad Co. Solid Waste for 9-mile swamp property to Attorney to create one for our purposes.
- Comp Plan annual review completed with Chris Rossi and Shari Taylor on 2/3/21.

- Bill Clark came in again in January to hang a few more items. He is also working on refurbishing the display case that I purchased from Oneida Library for \$30.

MID-YORK WEEKLY Archives Update:

- On Thursday, January 21, we moved the newspaper archives upstairs. Most are bound in books and labeled. Joan Prindle plans to purchase some boxes for the last 10 years are so which are unbound.
- Joan Prindle sent her appreciation in our housing of our local newspaper. She will keep me in the loop with any future decisions involving the papers.

**RESOLUTION 2021-33: Approval of Minutes - 1/14/2021 & 2/1/2021**

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

Resolved that the minutes for January 14, 2021 and February 1, 2021 be approved.

**RESOLUTION 2021-34: Records Retention Destruction**

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

Resolved that the records retention destruction of old records be approved as described in attached document. (ATTACHMENT A)

**Codes Enforcement Officer - Mark Miller**

January Activity

- Approved 2 new Building permits.
- Approved 3 Zoning Permit applications.
- Reviewed incoming site plans and paperwork for 2 special use permits (Heritage Barn and Peters’ home construction on slope >15%).
- Conducted 6 construction inspections.
- Investigated 2 complaints. Orders to remedy sent for failure to obtain building permit (Mills/Bonney Hill Rd, Preston/Earlville Rd.).
- Followed up on property maintenance violations.
- Attended Planning Board meeting. Peters special use permit, Rivington subdivision.
- Solicited bids for board up/clean up on Willey Rd.
- Met with contractors and homeowners to discuss potential projects.

Permit #	Date	Owner's Name	Location of Project	Description of Work	Permit Fee
2021-1	1/5/21	Crown Castle	7362 Mason Rd	Antennae replacement	\$90
2021-2	1/7/21	Harmon Hoff	689 Borden Rd	Pellet stove	\$140

**COMMITTEE REPORTS:****SOMAC**

Mr. Darby shared that things have been slow for SOMAC with students away but are now getting out of quarantine and will reengage. SOMAC had a couple of days without 24-hour coverage due to staff shortage. They have been doing more mutual aid. There was concern about inequity in mutual aid, but it breaks even in the end. There have been no incidences where they could not respond locally while handling mutual aid. There has been some building renovation to the spare building to convert it to dorm space for students. SOMAC is concerned about the county's request for a Certificate of Need (CON). Supervisor Shwartz shared that the CON was to allow the County to set up vaccination distribution for more homebound citizens. It was not meant to replace the local ambulances. There was a brief discussion about regionalization and the repairs of the vehicles. Peter will remind SOMAC that the all the vehicle repairs should go through the town. Eve Ann will return Morgan's phone call and remind his as well about the vehicles.

**Partnership for Community Development**

Ms. Dinski has been working on a subcommittee for the HUB. The Hamilton Business Alliance (HBA), the Incubator and everything is going under the PCD. It will be a one stop shop and consolidated to make it easier and give the PCD ability to seek additional funding for the programs. It should be beneficial for local businesses and less confusing.

**Recreation and Youth Committee** - Nothing to report.

**Zoning Update Committee** - Already reported on.

**SPECIAL PROJECTS:**

**Hamilton Climate Preparedness Working Group** - Already reported on.

**Earlville for Earlville**

- **NYS Main Street Grant Program update:** Shari updated the board that the County did apply for the MSG for the Village of Earlville. Shari and Sue was dropped from the communications that the application went in, so there are no details to share at this time.

**9 Mile Swamp Access Property**

Luke, Eve Ann, and Darrell met on the property but there is not much happening right now due to winter. It was apparent that design help is needed. Darrell spoke with Scott Ingmire on January 25 and he is going to do some research for us and get back to Darrell. Peter asked about widening the road for safety by adding a turning lane. Luke answered that it is our road and that could be done. Eve Ann said that is why we need a planner to look at the while thing and provide ideas. Mary chimed in that we discussed this before and thought we agreed to wait for Jennifer to return to work to get her input.

Eve Ann responded that talking to the County is another alternative to start to gather information. Mary will bring it up at the next PCD meeting and email Jen for when she gets back to work. Eve Ann updated the board that the lease for the farming is being worked on with our attorney.

**OLD BUSINESS:**

**Spectrum Franchise Agreement Resolution**

**RESOLUTION 2021-35: IN THE MATTER OF SCHEDULING A PUBLIC HEARING FOR CONSIDERATION OF GRANTING A CABLE TELEVISION FRANCHISE HELD BY SPECTRUM NORTHEAST, LLC IN THE TOWN OF HAMILTON**

The following resolution was offered by Councilmember Peter Darby, who moved its adoption, and seconded by Councilmember Mary Dinski, to wit:

**WHEREAS**, an application has been duly made to the Town Board of the Town of Hamilton, County of Madison, New York, by Spectrum Northeast LLC, 1/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of a renewal agreement for Spectrum Northeast LLC's cable television franchise for eight (8) years commencing with the date of approval by the Public Service Commission; and

**WHEREAS**, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a resolution in the Town of Hamilton, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said resolution; and

**WHEREAS**, the adoption of said resolution is a Type II action for purposes of environmental review under SEQRA thus concluding the environmental review process.

**NOW THEREFORE, BE IT RESOLVED AND DETERMINED** that the Town Board conduct a public hearing for consideration of granting the cable franchise agreement of Spectrum Northeast LLC and the Town of Hamilton for eight (8) years commencing with the date of approval by the Public Service Commission and expiring eight (8) years hence that will be convened using the telephone/video conferencing medium known as ZOOM on March 11, 2021 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested will be heard (due to the current Covid-19 pandemic meetings shall be held using ZOOM until further notice when meetings shall resume being held at the Town Hall located at 38 Milford Street in the Town of Hamilton). The public may mail or electronically submit comments on the proposed resolution to the Town Clerk by noon on March 10, 2021.

The question of the adoption of the foregoing resolution was duly put to a vote

and upon roll call, the vote was as follows:

<b>Darrell Griff</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Shari Taylor</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Mary Lee Dinski</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Peter Darby</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Eve Ann Shwartz</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**Emergency Health Plan (Due 4/1)**

The plan needs reviewed by Eve Ann and a final version will be sent to the board prior to the March meeting. The Council will approve it at the 3/11/21 meeting. Mary also attended a meeting on employees and COVID. She will report on it next month as there are a few things to consider.

**ZBA Vacancy (Term 1/1/20-12/31/24)**

**RESOLUTION 2021-36: Zoning Board of Appeals Appointment**

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

Resolved that John Pumilio be appointed to fulfill the vacant seat held previously by Bill Nolan for a 5-year term which commenced 1/1/2020 and expires on 12/31/2024.

**NEW BUSINESS:**

**Comprehensive Plan Annual Review Report** - Already done.

**Resolution for Destruction of Records** - Already done.

**Standard Workday**

**RESOLUTION 2021-37: ESTABLISHING STANDARD WORKDAY FULL & PART-TIME ELECTED AND APPOINTED OFFICIALS/NYS RETIREMENT SYSTEM**

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

**RESOLVED**, that the Town Board of the Town of Hamilton be and hereby establishes the following as a standard workday for full-time elected and appointed officials for the purpose of reporting to the New York State and Local Employees' Retirement System:

**ALL FULL-TIME ELECTED & APPOINTED OFFICIALS**

**8 HOUR DAY -- ALL TITLES/ALL POSITIONS (AS LISTED)**

Town Clerk | Highway Superintendent | Laborers/Machine Equipment Operators

**AND BE IT FURTHER RESOLVED** that the Town Board of the Hamilton be and hereby establishes the following as a standard workday for part-time elected and appointed officials for the purpose of reporting to the New York State and Local Employees' Retirement System:

ALL PART-TIME ELECTED & APPOINTED OFFICIALS  
6 HOUR DAY -- ALL TITLES/ALL POSITIONS (AS LISTED)

Town Supervisor and Deputy Town Supervisor | Town Council Members  
Zoning Board Members and Planning Board Members  
Town Justice | Assessor | Codes Enforcement Officer  
Deputy Town Clerk | Dog Control Officer | Historian

**Concerns of Town Board:** None.

**Supervisor's Report: Madison County Activities:**

Supervisor Shwartz shared that there is an issue at the County with the Thin Blue Line Flag that is display at the Sherriff's office. The County is focusing a lot on vaccinations and is working with numerous social service agencies. Shari Taylor is on the Vaccination Equality Committee for the County and updated the board on their efforts. The recently discussed on how to handle those who don't trust the vaccine. There are about 25% of healthcare workers that don't trust it. It will be more of an issue when more vaccines are available. There was a discussion on how the vaccinations are going at local places. Discussion turned to how the town can help by generating a list of seniors who potentially may need assistance in getting vaccination appointments. The Clerk's office will review the handicap placard files as well as the senior exemptions to create a list. Peter Darby will talk to SOMAC about the feasibility of having their volunteers call the list. Supervisor Shwartz will contact the County to see how we can plug into their efforts. Mary Dinski to contact Sue about setting up a time to discuss the ways to reach out to our community.

**EXECUTIVE SESSION**

**RESOLUTION 2021-38: Executive Session**

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

Resolved that this Board move into an Executive Session for the advice of counsel on a property and potential litigation at 8:12 p.m. Darrell Griff is recusing himself from the Executive Session and left at 8:13 p.m.

**RESOLUTION 2021-39: Return to Regular Session**

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

Resolved that the Board return to regular session at 9:05 p.m.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Taylor, the meeting was adjourned at 9:06 p.m. Carried unanimously.

Respectfully submitted, Suzanne K. Reymers, Town Clerk