

**Hamilton Town Council Regular Meeting Minutes**  
**Thursday, December 9, 2021, at 7:00 p.m.**  
**Hybrid-In-Person at Town Hall and Zoom Videoconferencing**

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

**Call to order & Welcome:** The meeting was called to order at 7:01 p.m.

**Public Comments (5 minutes):**

Travis DuBois, President of the Poolville Community Center requested if the center could store a few boxes of historic records at the town office.

**RESOLUTION 2021-120: Approval for Supervisor to enter into a Shared Services Agreement with the Poolville Community Center to Store Records**

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

Resolved that the Town Supervisor be authorized to enter into a shared services agreement with the Poolville Community Center to store records in the Archives Room.

**DEPARTMENT REPORTS:**

**Highway Superintendent – Luke Dowsland**

**GENERAL REPAIRS:**

- Jetted pipes on Harris, South Slope, Payne, Spring Hill, Borden and Preston Hill.
- Installed a new driveway culvert on Hill Road.
- Fixed a driveway culvert on Preston Hill Road.
- Put delineators up around town to help us find the road when it's snowing and blowing.
- Filled in a washout on Alderman Road.
- Put two new stop signs up; one on Spring Street and one on Spring Hill Road.

**EQUIPMENT:**

- Replaced a hydraulic line on 15's spinner.
- Serviced 15.
- Replaced a window switch on 16.
- Took 16's wing toe cylinder to Marcy Hydraulics to have it re-sealed
- Serviced 16.
- Put wings and salt brine tanks on all the trucks.
- Fixed a flat tire on the grader.
- We have started stripping and prepping the jet trailer to be painted.

**TREE REMOVAL:**

- Checked for down trees from two wind events.
- Cut 4 trees up out of the road that blew down.

**SNOW REMOVAL:**

- Sanded six times.
- Used about 220 yards of sand and 7,200 gallons of brine.
- Got all the brine systems and brine maker up and running.

**OTHER:**

- Repaired SOMAC 513 from a major deer hit.
- Serviced SOMAC 514.
- Finally got the Village of Sherburne's wire back to them from the geothermal project..
- Helped Dan in the town office put together shelves upstairs.
- Blacktopped a trench at the transfer station at the request of Greg Gelewski. It took us about 3 hours to complete the whole thing.
- Started our winter hours. The whole crew is here from 3:30 to 11:30 Monday thru Friday. We will switch to shifts on January 3<sup>rd</sup>. Dan will be starting December 13<sup>th</sup> to learn the run before winter really kicks in. Brian will be starting on January 3<sup>rd</sup> when we switch to shifts.

Luke explained the long process of what happens after the town commits to the purchase of a new plow truck to get it road worthy.

**Supervisor/Bookkeeper – Brynley Wilcox****SALES TAX REVENUE:**

- \$145,853.66 was received from the County
  - Q3-2021 distribution
  - 6.31% over Q3-2020 distribution (\$137,201.90)
- YTD: \$518,520.15 (\$90,920.15 over budget)
- Budgeted: \$427,600.00
  - \$337,600 in DB1120 + \$90,000 from FB

**HOST COMMUNITY BENEFIT:**

- \$38,573.00 was received from the County
  - Yellow Brick Road Casino revenue
  - 5.3% over 2020 distribution (\$36,632)

**MILFORD STREET BUILDING GRANT:**

- \$100,000.00 was received from New York State

**MORTGAGE TAX:**

- \$28,107.28 was received from the County
  - April – September 2021 Mortgage Tax
  - 38.21% over Apr-Sep 2020 distribution (\$20,336.17)

- YTD: \$45,850.60 (\$15,850.60 over budget)
- Budgeted: \$30,000.00

FRANCHISE FEES:

- \$3,499.58 was received from Charter Communications
  - Q3-2021 franchise fees
- YTD: \$12,786.03 (\$2,386.03 over budget)
- Budgeted: \$10,400.00

FUND BALANCE ESTIMATE:

- See separate spreadsheet for end-of-year fund balance estimates

**RESOLUTION 2021-121: Audit of Claims**

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

Resolved that the bills contained on Abstract #12 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	339	<i>through</i>	366	24,002.29
General Fund B	No.	85	<i>through</i>	90	1,493.62
Highway Fund DB	No.	196	<i>through</i>	207	14,826.60
Lighting Districts	No.	14	<i>through</i>	15	221.05
Prepays					141.71
<b>TOTAL:</b>					40,685.27

**RESOLUTION 2021-122: Authorization for Bookkeeper to Initiate Payment for Bills received before the end of the year**

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

Resolved that the Bookkeeper may initiate payment for any bills that are received before the end of the year.

**Town Clerk - Sue Reymers**

Grants:

- DOS (Magee \$50,000) MWBE waiver pending; value \$2,874.74. Latest contact 11/4.

Town’s Technology (hardware and software):

- SOFTWARE-Clerk and Codes: BAS sent proposals.
  - Clerk Advanced Bundle: \$9,350. Note: ongoing services \$1,750 annually.
  - IPS Basic Bundle (codes): \$16,396.00. Note: On-going: \$4,121 annually.
    - \$1,571 one-time costs over budgeted amount, but server is ~\$5,000+ under budget.
- HARDWARE: Proposal received from ACC Tech to upgrade server from a peer-to-peer server system.

- Cost: \$14,523.47. Note: Monthly Software Subscription: \$775.00
- Budgeted \$20,000.
- Credit Cards: Pending set-up.
- Website: .Gov pending update by Civicplus developers
- PHONES: Waiting for new phones to arrive. Transition to Phone Tree pending.

WHAT's New in ARCHIVES:

- Luke and Dan were able to set up the new shelving for the building plans.
- Woodlawn Cemetery boxes have not been received yet. A shared services agreement is needed. Pending.
- Village of Hamilton, Historic Commission: A shared services agreement was sent to VOH. Pending their return.
- Assessment and Tax Rolls from previous to 1970 have been reviewed and a resolution is needed to destroy them. I verified that Madison County has these same records and that satisfies any requirement for permanent retention.

Holiday Staff Schedule:

Request to close town office week between Christmas and New Year like last year. Staff would use their Paid Time Off.

**RESOLUTION 2021-123: Approval of ACC Tech Quote for Network Server**

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

Resolved that the ACC Tech quote for a new network server be approved in the amount of \$14,523.47.

**RESOLUTION 2021-124: Approval of BAS (Edmundsgovtech) Quote for Clerk Software**

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

Resolved that the BAS (Edmundsgovtech) quote for a Clerk Software be approved in the amount of \$9,350.00.

**RESOLUTION 2021- 125: Approval of BAS (Edmundsgovtech) Quote for Codes Software**

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

Resolved that the BAS (Edmundsgovtech) quote for a Codes IPS Software be approved in the amount of \$16,396.00.

**RESOLUTION 2021-126: Close Town Office week of December 27**

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

Resolved that the town office will be closed week of December 27.

**RESOLUTION 2021-127: Records Retention Destruction for Old Assessment/Tax Rolls**

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

Resolved that the Assessment and/or Tax Rolls from 1911-1969 be destroyed per the NYS LGS-1 as described in attached document and whereas Madison County has copies on file as a permanent record. (ATTACHMENT A)

**RESOLUTION 2021-128: Approval of Minutes 11/11**

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

Resolved that the minutes be approved for November 11, 2021.

**Codes Enforcement Officer****November Activity**

- Approved 3 new Zoning Permits.
- Reviewed incoming documents for 1 variance request (2089 Spring St).
- Conducted 16 construction inspections.
- Currently performing Code related duties for the Village until the position is filled. Performed 9 construction inspections.
  - Village has hired new CEO.
- Followed up on property maintenance violations.
- Attended ZBA meeting for 1 variance request.
- Attended Clean Energy Communities energy code training. The Town gained 200pts toward our CEC rating.
- Met with contractors and homeowners to discuss potential projects.

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

Mr. Darby had no report. Supervisor Shwartz shared that the fundraising campaign is coming along slowly.

**Partnership for Community Development**

Ms. Dinski reported that there is a business in the Village seeking grants for a retail cannabis. Ms. Shwartz shared that Highland farms is seeking farmland protection with PCD and Southern Madison Heritage Trust assisting. Supervisor Shwartz touched on the idea of the Village and Town having a comprehensive strategy for short term rentals. She discussed it with Russ Lura who thought it would be a good idea. Mary will follow-up on these topics.

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

**Woodlawn Cemetery Committee** – Nothing to report.

**SPECIAL PROJECTS:**

**Zoning Update Committee** – Next meeting is December 15 at 5 pm but Supervisor Shwartz asked to move it to 6 pm. It was agreed.

**Hamilton Climate Preparedness Working Group** - Nothing to report.

**Earlville for Earlville**

Shari Taylor reported that they hosted their second public session in Earlville for the park. Only two people attended. Jessica Graybill resigned from the Village Board. No idea if she was replaced yet. Next steps for the park will be more formalized designs so PCD can start to seek grants. The first session's public feedback was incorporated into the park plans. There is no budget yet.

**9 Mile Swamp Access Property**

There is a meeting scheduled for December 21 at 9 a.m.

**OLD BUSINESS:**

**Town Office Building: HVAC, Grand Opening**

HVAC systems need fine turning. Peter will bring Travis up to date. Humidity has been a challenge with too much of it in the summer with the HRV, so it was turned off at times. The system needs intervention. The temperature is always set at the same temp. It does not go down at night. It could go down 1 degree at night. Peter will bring everyone together to assess it which will include Scott, Mark, Travis, and Sue. The grand opening is delayed again due to COVID.

**Assessment Update** – No update at this time.

**NEW BUSINESS:**

**Upcoming Board Appointments**

Planning Board

- Mary Galvez–Term Ends 12/31/21. Next Term is 5 years (1/1/22 - 12/31/ 26)
- Travis DuBois replacement (Term ends 1/1/2022)

Zoning Board of Appeals

- Jeff Schindler–Term Ends 12/31/2021, Next Term is 5 years (1/1/2022 - 12/31/ 2026)

There are a couple of positions to fill. Supervisor Shwartz asked for name ideas.

**AOT - Assign Delegate and Alternate Delegate for AOT Annual Business Meeting  
RESOLUTION 2021-129: Designate Eve Ann Shwartz and Mary Dinski for AOT  
Annual Meeting Representative.**

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

Resolved Eve Ann Shwartz be voting delegate and May Dinski be the alternate for the AOT annual meeting 2022.

### **Contract Resolutions**

#### **Ambulance Contract with SOMAC**

##### **RESOLUTION 2021-130: Authorize Supervisor to Sign SOMAC Contract**

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

Resolved that the Town Supervisor be authorized to sign the ambulance contract with SOMAC for 2022 for the budgeted amount of \$338,980.00.

#### **Contract with Cwynar & Co. for 2021 Audit**

##### **RESOLUTION 2021-131: Authorization to Contract with Cwynar for Annual Audit**

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

Resolved that the Town of Hamilton contract with Cwynar & Co. to perform an annual audit for financial statements for 2021 for the bookkeeper, town clerk and justice accounts.

#### **Bookkeeping Services with Bryn on the Books**

##### **RESOLUTION 2021-132: Authorize Supervisor to Sign Bookkeeping Contract**

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

Resolved that the Town Supervisor be authorized to sign the contract for bookkeeping services with Bryn on the Books for 2022-2024.

**COVID Testing Plan Modifications** – under Executive Session.

**Concerns of Town Board:** None.

**Supervisor's Report: Madison County Activities:** Joe Ostrander passed away who was an Oneida Supervisor. The County landfill is in the process of hiring a consultant to assess the future of the landfill as there is a lot of stress on it financially and operationally. Transfer stations are losing money, the recycling market has been depressed for a couple of years and there is a contract with ARC to sort out the recycling but it costs a lot of money, the ARE (Agricultural Renewable Energy) Park is not working out as planned to bring in news businesses. It's time for a complete re-evaluation. The landfill is too small and not big enough to be viable. Previous management of employees has been difficult. Hopefully in May there will be a plan. There is also possibly a new bill where food needs to be composted. Also, the landfill is not generating as much energy as it was before. Mary Dinski left 8:11 p.m.

**RESOLUTION 2021-133: Executive Session**

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

Resolved that this Board move into an Executive Session for the purposes of personnel at 8:12 p.m. Travis DuBois was invited to stay as an incoming Councilmember.

**RESOLUTION 2021-134: Return to Regular Session**

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

Resolved that the Board return to regular session at 9:07 p.m.

**RESOLUTION 2021-135: COVID Testing & Vaccination Change in Requirements**

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

Resolved that the following be effective immediately for all personnel:

- COVID testing will no longer be required if an employee is unvaccinated.
- If an employee is fully vaccinated\* (per CDC Guidelines), and that employee either tests positive for COVID or needs to quarantine and miss work because of a COVID related exposure, then the town will pay the employee for normal hours worked while the absence is in effect.\*Employees must provide proof of vaccination or obtain a letter from their doctor explaining exemption from the vaccine. Each exemption letter will be valid for one year and must be updated by the employee in order to maintain the exemption.
- If an employee is un-vaccinated, and that employee either tests positive for COVID or needs to quarantine and miss work because of a COVID related exposure, then the employee will be required to use their Paid Time Off (and/or Comp Time) while their absence is in effect.

**RESOLUTION 2021-136: COVID Pay for 2021**

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

Resolved that the ARPA funds be used to give a one-time pay of 2% to all employees who did not receive a raise in 2021, based on their 2021 salary according to the bookkeeper's spreadsheet.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Taylor, the meeting was adjourned at 9:14 p.m. Carried unanimously.

Respectfully submitted,  
Suzanne K. Reymers, RMC  
Town Clerk