

Hamilton Town Council Regular Board Meeting Minutes
Thursday, August 10, 2023, at 7:00 p.m.
Town Hall 38 Milford Street, Hamilton & Via Zoom Videoconferencing

Present: Shari Taylor, Darrell Griff, Dana Krueger, Travis DuBois. Absent: Eve Ann Shwartz. Others Present: Sue Reymers, Town Clerk; Luke Dowsland, Highway Superintendent. Absent: Brynley Wilcox, Bookkeeper. Public-In Person: David Rice, Brian Shenk (Naples, NY), William Stull, Jody Palmer, Deb Hotaling. Zoom: Tom Taylor, Chris Rossi, Jim Leach.

Call to order & Welcome: The meeting was called to order at 7:00 p.m.

Public Comments: Brian Shenk introduced himself as a public official from Naples, NY and shared that their community is facing similar issues so he was here to observe our process.

FUEL BIDS: Opening of Fuel Oil/Diesel Fuel Bids & Resolution to Select Successful Bidder
Luke Dowsland proficiently opened the bids and read them aloud. Two bids were received: Broedel Fuel Group and Buell Fuels. Luke reminded the Town Board that the last time we had Buell Fuels we had to fire them because the town consistently ran out of fuel, their service was horrible, and that Broedel is a tax payer in the Town of Hamilton. Clerk Reymers reminded that board that the town has a Best Value Law and copies were provided in their packets. After reviewing the options and a \$208 difference between the two, Broedel will be awarded the bid. Luke will inform them. The canvass of bids will be posted on the website.

RESOLUTION 2023-59: Award Bid for Fuel to Broedel Fuel Group

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

Resolved that Broedel Fuel Group be awarded the bid for fuel oil and diesel.

DEPARTMENT REPORTS:

Highway Superintendent Report - Luke Dowsland

GENERAL REPAIRS:

- Replaced a cross culvert on Kiley Rd.
- Replaced all the signs on Kiley Rd.
- Kiley is done except for paving.
- Hauled all the stone for the Williams Rd. shoulders
- Put shoulders on Williams Rd.
- Patched various places around town
- Swept all the stone and oiled roads

EQUIPMENT:

- Fixed 2 blown tires on 16
- Fixed a hydraulic leak on 17
- 15 blew a radiator hose and fan
- 24 is in the shop getting worked on now. Hopefully we'll have it back within the next couple of weeks.

TREE REMOVAL:

- 5 trees came down after a small wind storm on 7/18

CHIPS:

- Stone and oiled Borden, Peterson, Smith, Bonney and South Slope
- Brookfield and Sherburne helped us with the stone and oiling
- All of our CHIPS projects are done for the year
- Submission for payment will take place in Mid-November for December payment.

OTHER:

- Helped Town and Village of Sherburne stone and oil.
- Continued to help Brookfield crusher run a road
- Helped the Village of Earlville mill their streets
- Kept up mowing everything

SOMAC:

- Service 511, 512, and 513
- Replaced a blower motor on 513
- Replaced the shift linkage on 511
- Brought 513 to NERV in Syracuse to have the air conditioning fixed
- Spent about 10 hours working on SOMAC equipment

Supervisor/Bookkeeper – Brynley Wilcox

KILEY ROAD PROJECT:

- \$25,000.00 was received from Madison County Soil & Water
 - Road project on Kiley Road

TRAFFIC DIVERSION:

- \$808.50 was received from Madison County (Court related)
 - Q1 & Q2 Traffic Diversion Fees

REAL PROPERTY:

- \$7,811.18 was received from NYS Office of Real Property Tax Services
 - State Aid for 2022 Re-Val

SOMAC EFFICIENCY STUDY:

- \$17,100 has been paid so far to CGR
- \$ 7,125 was received from Colgate University
- Pending receivables:
 - Community Memorial Hospital
 - Town of Lebanon/Madison County

CLEAN-UP DAYS:

- *Saturday, September 30, 8:00 am to 4:00 pm*
- At the Highway Garage. Town has to haul it. There are vinyl signs around town.
- Brief review of how it will work this year. The County has new restrictions on the program. E-waste will be accepted like last year.

Abstract #8

- Councilmember KRUEGER to sign vouchers
- Councilmember GRIFF to sign vouchers in SEPTEMBER

Town’s Payroll is going paperless:

- Effective 1/1/2024 – 100% direct deposit. There is an app on your phone that can be used to access paycheck information. People can use their work email.
- Brynely gave a brief overview of the program. A memo will be provided to everyone.

RESOLUTION 2023-60: Audit of Claims

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

Resolved that the bills contained on Abstract #8 have been reviewed by the Town Board and are authorized for payment in the following amounts:

Pre-Pays					4,513.20
General Fund A	No.	195	<i>through</i>	213	19,356.99
General Fund B	No.	43	<i>through</i>	54	771.77
Highway Fund DB	No.	90	<i>through</i>	101	84,579.15
Street Lighting SL	No.	15	<i>through</i>	16	250.44
Total					104,958.35

Town Clerk – Sue Reymers

Clerk’s Office:

- July cash disbursements aka Month End completed. Bank Reconciliations are up to date.
- Hunting license sales started on 8/1 and per usual we are busier at the front desk.

Cybersecurity:

1. Attended NYMIR Hosted Webinar on Budgeting for Cybersecurity on 7/19.
2. CST Group, Inc. was on the webinar and offers cybersecurity services to consider.
3. Our insurance company CFC performs Email Phishing Campaigns to test us. So far, no one that has been tested has clicked on any of the testing emails.
 - a. CFC is our Cyber Insurance Company as we switched from NYMIR this year. I have an app on my phone to monitor the campaigns and can also use it to report an incident or contact them if we have questions or issues.

IT – ACC Tech

- I met with Nick Fratello of ACC Tech on Friday July 21 to get them to finalize the .gov email migration. The plan is to set-up the .gov emails, migrate the emails over, then migrate the OneDrive Files.
- We also discussed Cybersecurity and the management of our Network. We are currently on what they call ‘Time and Materials’ meaning it breaks, we call them, they fix it and bill us. Managed care is a fixed fee where they more proactively manage the network and various aspects of security. A lot of insurance companies are increasing their requirements for businesses and municipalities to be more proactive and have certain things done. I have no specifics for us at this stage which led to our next conversation about evaluating our needs...

- ACC Tech can do a Gap Analysis to see what areas we need to improve. They have staff that specialize in this area. So, we can consider having them do an evaluation and/or get another company to do so. An independent review may be prudent.
- Multi-Factor Authentication: Another topic that came up. We should be using MFA for our Office 365 emails and our online accounts such as banking, insurance, etc.
- Password Manager: another good option for each computer.
- Town of Geddes got a grant for \$50,000 to help upgrade their security and network, but Nick did not know the details.
- The last thing we discussed was the need for new computers. Our 3 desktops are aging out. I emailed him what we need. Two of the old computers will be reallocated to the Town Supervisor and 2nd Clerk Desk.
- I have two meetings scheduled with ACC Tech. 1) 8/30 to discuss Network Health Review and 2) 8/11 to discuss the new computers.

Codes Enforcement Officer - Chuck Ladd

July Activity:

- Attend July 11th Planning Board meeting.
- Follow up on open permits.
- Complete open permit inspections and file reports manually, digitally.
- Drive after inspections and look for any new Complaint/violation/permits needed.
- Permits issued. See attached report.

JULY 2023 GENERAL COMPLAINT UPDATES:

- 1- 2 properties on Poolville rd. have been issued Order to Remedy letters for property maintenance violations(tall grass). One has not complied, and the next step will have an appearance ticket issued after the 30 day compliance period has expired. The other property has just been cited for the property maintenance violation.
- 2- 1 property on Poolville rd. has been issued a violation and an Order To Remedy violation letter for the property maintenance violation of excessive garbage , rubbish and multiple unregistered vehicles. The 30 day notice to comply period will end next week. After that there will be an appearance ticket issued.

Respectfully submitted, Chuck Ladd

Permit Monthly Report

07/01/2023 - 07/31/2023

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount	
July 2023							
BP-2023-019	07/03/2023	Excell Properties, LLC	Addition	2292 Route 12 SBL#: 171.-1-31.12		\$414.00	
BP-2023-020	07/03/2023	Michael Bagnall	Garage/Storage Building	1132 Harris Rd SBL#: 201.-1-17.11		\$140.00	
BP-2023-021	07/10/2023	David Cassulis	Porch	8281 Rhodes Rd SBL#: 155.-3-2		\$70.00	
BP-2023-022	07/11/2023	Mark Walden	Decks	2360 Bonney Rd SBL#: 154.-3-26.111		\$100.00	
BP-2023-023	07/17/2023	Jeffrey Moyer	Garage/Storage Building	7287 Mason Rd SBL#: 154.-1-21.14		\$140.00	
BP-2023-024	07/17/2023	Michael Coyle	Alteration	89 Hamilton St SBL#: 169.9-2-8		\$90.00	
BP-2023-025	07/18/2023	Leon Vanbenshoten	New Structure	8240 South Hamilton Rd SBL#: 200.-1-48.2		\$244.80	
BP-2023-026	07/25/2023	Lynn Compton	Garage/Storage Building	Gorton Rd SBL#: 184.-1-17			
					July 2023 Total:	\$0.00	\$1,198.80
					Reporting Period Total:	\$0.00	\$1,198.80

COMMITTEE REPORTS:

Cemetery Committee - Nothing to report.

Highway Committee - Already done.

Partnership for Community Development Liaison Report - Dana Krueger

Next meeting is this Tuesday. Dana shared latest news including Gillibrand coming to Hamilton to announce grants, Rural Equity Summit, upcoming dinner ‘Under the Stars’, the Hamilton Chamber of Commerce program, social media efforts, etc.

SOMAC Liaison Report - Travis DuBois

Meeting was last Tuesday night. He reviewed the financials including changes in payroll, ambulance repair costs, and a review of recent call volume. The board approved an MOU with Madison County. Highlights include that a SOMAC rig with 1 SOMAC member and a Madison County member, SOMAC can bill for it. If SOMAC had no employees and the County sends 2 employees but uses the SOMAC rig, the County will bill for it and reimburse SOMAC for \$10 per mile.

SPECIAL PROJECTS:

9 Mile Project

1. Special Use Permit Application: Public Hearing on application before the Town Planning Board is now scheduled for Tuesday, September 12 at 7 p.m.
2. CREST Grant Update (Senator May - \$135,000)
 - Financial Documents for DASNY were completed June 26.
 - Email received August 8 asking for more information on SEQRA and SHPO as part of the contract process.

3. CNY Foundation Grant for \$45,000
 - The final report and request for payment was made by PCD. The CNYCF will pay PCD who will then write the check to the Town to reimburse us for the purchase of the ADA accessible Kayak Launch. Luke with follow-up with PCD.
4. 911 Address – we asked Madison County Tax Mapping for a 911 address and they assigned us 2 for the two entrances.
 - **River Access – 2060 Wickwire Road**
 - **Parking Lot & Pavilion – 2036 Wickwire Road**
 - I asked Madison County if we could use 2036-2060 Wickwire to avoid confusion and he said no.
 - I emailed the board on July 20 to get feedback. Which address would we use to advertise its location? How do communicate to visitors that should they need to call 911, what to say to them?

The board reviewed the two address options and decided to use **2060 Wickwire Road** as the address for 9 Mile Park.

Earlville for Earlville Project – Shari Taylor

Meeting was past month but lightly attended. Spoke about Earlville Days, the Craft Fair and two local young men wanting to help the skate park.

Hamilton Climate Preparedness Working Group (HCPWG) – Chris Rossi

There is a table at the Farmers Market this Saturday from 9 am – 12 pm. They will be providing information on home energy savings for Village and Town residents. Thanks to Sue for providing some information.

Housing: Affordable/Vacant – Restore NY Grant

Eve Ann Schwartz, Jocelyn Gavitt and Brigette Hughes from the PCD, and I met with Restore NY on July 24 to learn more on how to approach managing the grant. More can be reported in September meeting when Eve Ann is back.

Zoning Update – Nothing to report.

Short Term Rentals – Moratorium expires October 15, 2023

OLD BUSINESS:

NYSERDA Grant for Clean Energy Project - \$10,000

EV Charging Station: Sue reported that Eve Ann, Luke, and I met on 7/17 to move forward with the grant paperwork as we have heard from them. We decided to switch to installing a ChargePoint since we already manage one. Luke got a quote. We plan to install it ourselves but were concerned about whether or not NYSERDA would allow that.

On 7/19, Sue met with Jeff Scharl and Amanda Mazzoni to review the draft contract and ask the various questions we had on the grant. We are now waiting for the final contract to be emailed to sign. A reminder that it's a reimbursable grant. We only get \$10,000. The online NYSERDA portal is how we will upload documents for them. Already have an account which we used for the geothermal. In answer to our question, NYSERDA does not care who installs it, but the Make Ready Program, which will pay up to 90% of the installation costs, does need an approved installer. Luke was able to arrange for the Town of Hamilton to be certified. Also, Travis shared that we have an application in with NYSEG and waiting to hear.

For the contract:

- We MUST install a Networked Level 2 Charging Station with 2 ports because that is what we described in the application.
- The planning stage must be completed by 12/31/2023.
- We have until 12/31/2024 to finish the project but can get an extension if needed.

Real Property Tax Exemptions Volunteer Firefighters and Ambulance Workers Opt-in
 Shari Taylor reported that the Earlville Fire Department asked the Village of Earlville about it. Luke said the Town of Madison is going to pass it.

NEW BUSINESS:

Resolution to Adopt Employee Handbook Updates

The 2022 Employee Handbook needed updates due to changes in NYS Laws. Below is a summary of the changes. The changes were made by Public Sector HR per our contract.

SECTION	TOPIC	SUMMARY OF REVISION
402 / 423	Breaks for Nursing Mothers	Removed from Sec 402, included new policy as new Sec 423. Expands current policy to provide additional rights, including privacy, for mothers who are expressing milk. The expanding regulation goes into effect in June 2023.
803	Right to a Harassment and Discrimination Free Workplace Policy	Policy revised to include changes made to NYS Sexual Harassment regulations. This policy basically mirrors the Model Policy recently released by NYS customized for Town government.
808	The Pregnant Workers Fairness Act	New Policy to comply with the federal Pregnant Workers Fairness Act which goes into effect in June 2023
1001	Organizational Communications	Added a paragraph titled Required Postings and Notifications to comply with NYS Labor Law Section 201.

RESOLUTION 2023-61: Approval of the Updates to the Employee Handbook

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

Resolved that the updates as summarized above are approved for the Employee Handbook.

**Introduction of Proposed Local Law B of 2023 & Scheduling of Public Hearing
 "A Local Law Opting Out of the Real Property Tax Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487"**

Public Hearing to be scheduled for September 14, 2023.

Shari Taylor read through the SEQR form, one of the most boring stories she ever read.

RESOLUTION 2023-62: Introduction of Proposed Local Law B of 2023 & Scheduling of Public Hearing “A Local Law Opting Out of the Real Property Tax Law Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487”

Councilor Krueger introduced proposed Local Law No. B-2023, “A Local Law Opting Out of the Real Property Tax Law Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487,” and made the following motion, which was seconded by Councilor DuBois:

WHEREAS, proposed Local Law No. B-2023 is being introduced and considered for enactment pursuant to the New York State Constitution and New York Municipal Home Rule Law §10; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an Unlisted Action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a Short Environmental Assessment Form shall be required in connection with this matter; and

WHEREAS, the said Short Environmental Assessment Form has been prepared and has been reviewed by the Town; and

WHEREAS, The Town Board has considered the adoption of said Local Law and has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may reasonably be expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED, that the Town Board has determined that this action shall have no significant adverse impact on the environment, that accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a Negative Declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. B-2023 at the Town Hall located at 38 Milford Street in the Town of Hamilton on September 14, 2023 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Travis DuBois	Councilor	Voted	Yes
Dana Krueger	Councilor	Voted	Yes
Darrell Griff	Councilor	Voted	Yes
Shari Taylor	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	ABSENT

The foregoing resolution was thereupon declared duly adopted.

**Introduction of Proposed Local Law C of 2023 & Scheduling of Public Hearing
“A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton”**
Public Hearing to be scheduled for September 14, 2023.

RESOLUTION 2023-63: Introduction of Proposed Local Law C of 2023 & Scheduling of Public Hearing “A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton”

Councilor Griff introduced proposed Local Law No. C-2023, which shall regulate the use of Short-Term Rentals within the Town of Hamilton, and made the following motion, which was seconded by Councilor Krueger:

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is a Type I action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a full environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that the Town Board has renders the following findings and hereby determines that this action shall have no significant adverse impact on the environment based upon the responses elicited from the review of Part 2 of the Short Environmental Assessment Form:

- (1) Enacting the proposed local law will not create a substantial change in existing air quality, ground or surface water quality or quantity; nor will enacting the Local Law result in an increase traffic or noise levels or a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (2) There will not be any removal or destruction of large quantities of vegetation or fauna; nor will there be substantial interference with wildlife or habitat or other natural resources;

- (3) Enacting the Local Law will not impair a Critical Environmental Area, as designated pursuant to Subdivision 617.14(g) of the Regulations;
- (4) The Local Law does not present a material conflict with the Town’s plans or goals for development within the Town; to the contrary, the Local Law adheres to such goals.
- (5) There will be no impairment of the character or quality of important historical, archeological, architectural or aesthetic resources or of community or neighborhood character;
- (6) The action does not create a hazard to human health; and
- (7) There will be no change in the use, or intensity of use, of land nor any impacts to recreational resources or open space as a result of the enactment of the proposed Local Law.

RESOLVED AND DETERMINED that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. C-2023 at the Town Hall located at 38 Milford Street in the Town of Hamilton on September 14, 2023 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Travis DuBois	Councilor	Voted	Yes
Dana Krueger	Councilor	Voted	Yes
Darrell Griff	Councilor	Voted	Yes
Shari Taylor	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	ABSENT

The foregoing resolution was thereupon declared duly adopted.

The Town Clerk will publish legal notices for both proposed local laws and submit the GML for the Short-Term Rental Local Law.

Concerns of Town Board:

None.

Supervisor’s Report: Madison County Activities:

No report.

EXECUTIVE SESSION**RESOLUTION 2023-64: Executive Session**

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

Resolved that this Board move into an Executive Session for Resolution on Special Use

Permit Application & Zoning Law Requirements for pending negotiations on land use at 8:04 p.m.

RESOLUTION 2023-65: Return to Regular Session

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

Resolved that the Board return to regular session at 8:40 p.m.

RESOLUTION 2023-66: Special Use Permit Application & Zoning Law Requirements

The following resolution was offered by Councilor Krueger, who moved its adoption, seconded by Councilor DuBois, to wit:

WHEREAS, in December 2020, the Town of Hamilton acquired approximately 7 acres of property along Wickwire Road in the Town of Hamilton (the "Property") to protect and preserve public access to the Sangerfield River; and

WHEREAS, in acquiring the Property, the Town Board recognized that the location is a popular area for the public to launch kayaks and canoes and to otherwise recreate and access the Nine Mile Swamp; and

WHEREAS, the Town of Hamilton has worked with the Partnership for Community Development and interested community members to develop a Town park, to be known as "Nine Mile Park", that will provide universal accessibility to the Sangerfield River, a parking lot with improved sight line visibility that will allow for the safe access and parking of approximately 22 vehicles, a wood pavilion, and a natural play area for use by residents and visitors; and

WHEREAS, although the Town of Hamilton, as a municipal entity, is not subject to the terms of its Subdivision and Zoning Laws, in the interest of transparency, the Town of Hamilton chose to apply to the Town of Hamilton Planning Board for a Special Use Permit to develop the Property into Nine Mile Park; and

WHEREAS, it has been brought to the attention of the Town Board that the question has been presented to the Planning Board whether Section 6.2-2 of the Town's Zoning Law, titled "Agricultural Buffers," which requires a 50-foot buffer wherever agricultural uses and other new uses unrelated to the agricultural operations abut, should be applied to the Town's proposal; and

WHEREAS, it is acknowledged that the stated purpose of the buffer is to reduce the exposure of the abutting uses to the odors, noise, and other potential nuisances related to the agricultural operation (particularly those impacts upon adjacent dwellings), and that the Zoning Law places the responsibility of providing the 50-foot buffer on the proponent of the non-agricultural use "when lots are created or subdivided" near agricultural properties or uses; and

WHEREAS, it is recognized that because the obligation to provide a buffer exists “when lots are created or subdivided,” such an obligation is not a part of the Special Use Permit process; and

WHEREAS, to the extent concerns have been raised by an adjoining property owner/ occupant that a buffer between Nine Mile Park and abutting agricultural operations should be provided (even though not required), the Town Board notes that requiring a 50-foot buffer along the boundary line with property owned by Rolling Hills of Madison County will effectively reduce the intended parking by 50% through the elimination of 11 parking spaces; and

WHEREAS, to address the concerns of the adjoining property owner/ occupant without compromising the safety and access provided by the plans for the Property, the Town Board, despite no legal obligation to do so, does propose to install a dense, perennial hedge delineating the south boundary of the parking area, abutting property owned by Rolling Hills of Madison County.

NOW, THEREFORE, BE IT RESOLVED that the Town of Hamilton Town Board, having authorized the construction of the “Town of Hamilton Nine Mile Park,” which will consist of suitable structures, apparatus, and parking facilities, on the 7-acre property owned by the Town on Wickwire Road (Tax Map No. 171.-1-8), does hereby recognize of the inapplicability of Section 6.2-2 of the Zoning Law on the pending Special Use Permit application and the inapplicability of the Town’s Zoning Law in general to the Town; be it further

RESOLVED that, to the extent a Special Use Permit application is before the Town of Hamilton Planning Board for an advisory review and recommendation, the Town Board is not seeking review or comment from the Planning Board on the request presented by Rolling Hills of Madison County that the Town of Hamilton, as part of the Special Use Permit process.

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

Dana Krueger	Councilor	Voted	Yes
Shari Taylor	Councilor	Voted	Yes
Darrell Griff	Councilor	Voted	Yes
Travis DuBois	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Absent

The foregoing resolution was thereupon declared duly adopted.

With no further business, on a motion of Councilmember Griff, seconded by Councilmember DuBois, the meeting was adjourned at 8:45 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, RMC
Town Clerk