

**Town of Hamilton Regular Board Meeting Minutes
Thursday July 14, 2016 at 6:30 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY**

Present: Eve Ann Shwartz, Suzanne Collins, Chris Rossi, Peter Darby. Absent: David Holcomb, Bert Glazier. Others Present: Sue Reymers, Brynley Wilcox, Grattan Johnson

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:35 p.m.

Public Comments:

Mr. Grattan Johnson commented that he was sorry that Bert Glazier was not here because he is noticing that our roads are better than other people’s roads. He is sure he knows that, but not sure how many people pat him on the back.

GENERAL:

Approval of Minutes

RESOLUTION 2016-62: Approval of Minutes for June 9, 2016

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

Resolved that the minutes from June 9, 2016 be approved.

Claims for Payment:

RESOLUTION 2016-63: Audit of Claims

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

Resolved that the bills contained on Abstract #7 have been reviewed by the Town Board and are authorized for payment totaling \$95,769.38 plus \$240.00 in pre-pays in the following amounts:

General Fund A	No.	175	<i>through</i>	207	\$55,899.79
General Fund B	No.	29	<i>through</i>	31	\$785.57
Highway Fund DB	No.	81	<i>through</i>	101	\$38,652.02
Lighting Districts	No.	13	<i>through</i>	14	\$432.00
Pre-Pays					\$240.00

Supervisor/Bookkeeper - Brynley Wilcox

2015 Audit: Mr. Darby and Ms. Wilcox met with Dan Farrow from Cwynar on July 11. Three new comments in addition to last year’s comments. Nine out of fifteen previous comments have been cleared or shown improvement. The remaining ones are likely to remain, such as separation of duties, because we are so small This is true for many other towns in the same situation. Of the three new comments, the first is the Excavator. The town purchased an Excavator over the phone for \$95,000, but needed a paper trail. Town of Cazenovia sent a copy of the resolution to sell it. The second had to do with the accounting software. Quickbooks was cited as not being appropriate municipal software.

All municipal software for accounting is very expensive, lacks the functionality, and is very rigid. Many small municipalities use Quickbooks because it is easy to use and inexpensive. The third citation was the allocation of revenue or expenditure – for example, when we get a bill for worker’s compensation, we allocate so much because of the budget, but the auditor said there is no rhyme or reason. Sales tax is another example, it’s done to balance the budget. He wants justification for why these things are done. At this point, Dan Farrow is waiting on letters from Steve Jones and the County before the final report will be submitted to the Town.

2014 John Deere Loader: The loader was sold to a business in New Hampshire for \$128,500. Originally the hope was to flip the loader every year at cost, but market seemed to be saturated in 2015. John Deere 2016 Loader is on order for \$149,663.

The back hoe is for sale and the Town of Fenner is interested. Mr. Darby commented that upgrading to the wheeled excavator and the big unknown with the excavator is the resale market and when we should turn it over. The excavator we just got is about 3 years old. The capital plan needs more updating.

Copy Machine Contract: Switched from Usherwood to BME. Allowed image cost is the same, overage image cost is less. Count taken (automatically) each quarter instead of each month. All service/maintenance/parts/toner are covered by the plan (same as last plan). Estimated annual savings: \$350.

2% Foreign Fire Tax Money: Resolution is needed to process the distribution of monies to the fire departments/districts.

Question: What is the Foreign Fire Tax Program? Answer: The foreign fire tax program as set forth in New York Insurance Law §9104 and §9105 requires foreign and alien insurance companies to pay a 2% tax on premiums written for insurance against loss or damage by fire on property located in the State. Excess line brokers licensed to place insurance business with an unauthorized insurer as set forth in New York Insurance Law §2118 are required to pay a 3% tax on fire insurance premiums on property located in the State. The tax collected from the insurance companies and brokers by the Department of Financial Services is distributed to fire departments, fire districts, fire department benevolent associations, and the Firemen's Association of the State of New York (FASNY).

Ms. Wilcox mentioned that SOMAC submitted a request for funds in the amount of \$41,000. It’s lower than expected. Ms. Reymers shared that she and Vinny Faraone met and reviewed their Profit and Loss. It was noted that their donation income was higher than expected this year due to a bequest, and a grant. Mr. Faraone needs to meet with the bookkeeper to get more information on some of the donation income. Also, they received 100% of the Town of Lebanon’s funds and Colgate’s funds. Some of the 2015 gift showed up in 2016 due of the confusion back in December. They are searching for a new Treasurer.

Once they appoint someone, follow-up is needed on their progress with their capital plan and 2017 budget. The board briefly discussed what to do with any leftover balance, if any, from taxing for the ambulance in A Fund.

RESOLUTION 2016-64: Funds Transfer

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

Resolved that \$120,000 be transferred from the Community Bank Money Market Account to NBT Checking Account in the following amounts: A Fund=\$70,000, DB Fund = \$50,000.

RESOLUTION 2016-65: NYS Insurance Fire Tax Distribution

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

Resolved that the Fire Tax total of \$1,819.14 be distributed as follows: Hamilton Fire: \$982.33; Hubbardsville Fire: \$636.70; Earlville Fire: \$200.11.

RESOLUTION 2016-66: 2016 Budget Amendments

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

Resolved that the 2016 Budget be modified as follows:

Code	Description	From:	To:	Difference:
A1330.4	Tax Collection Contractual	1,000	1,050	50
A1620.2	Buildings Equipment	3,000	3,600	600
A1910.4	Unallocated Insurance	18,718.23	19,718.23	1,000
A3510.4	Dog Control Contractual	200	210	10
A5132.1.2	Garage Stipends	3,165	3,200	35
A6410.4	Publicity Contractual	2,500	3,000	500
A1990.4	Contingent Account	20,000	17,805	(2,195)
Code	Description	From:	To:	Difference:
DA5130.2	Machinery Equipment	0	68,824.68	68,824.68
DA5031	Interfund Transfers	0	68,824.68	68,824.68
Code	Description	From:	To:	Difference:
B8020.1	Planning Board Clerk	0	500	500
B8020.4.2	Planning Cont. Comp Plan	2,000	2,600	600
B1990.4	Contingent Account	10,000	8,900	(1,100)
Code	Description	From:	To:	Difference:
DB5130.2	Machinery Equipment	0	206,000	206,000
DB5031	Interfund Transfers	0	206,000	206,000
DB5140.4	Brush & Weeds Contractual	0	3,000	3,000
DB5110.4	General Repairs Contractual	33,000	30,000	(3,000)
DB5142.2	Snow Removal Cap. Outlay (Salt Shed)	0	20,000	20,000
DB5031	Interfund Transfers	206,000	226,000	20,000
Code	Description	From:	To:	Difference:
CC8810.4	Cemeteries Contractual	0	160	160
C5031	Interfund Transfers	0	160	160

RESOLUTION 2016-67: Receive and File Financials

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

Resolved that the July 2016 monthly financials be received and filed.

TOWN REPORTS:

Highway Superintendent - Bert Glazier

Patched and CHIP Sealed the following roads: Harris, Hoose, Kelly, Kiley, Smith, South Slope, Wickwire, Bonney, Rundell, Chappel, Cole, Wilkinson, Lower Humphrey. Picked up seven (7) dead deer. Replaced three (3) culverts. Mowed roadsides along: Upper Payne, Cole, Sacco, Lower Horton, Middle Horton, Crumb, Wickwire, Rhodes, Cemetery at Hamilton Center.

Bridge, NY: Clerk Reymers reported that the Bridge NY grants were announced. Preliminary findings from the application guidelines, which were confirmed in a conversation between Mr. Glazier and the County, require the completion of the engineering study, design work, and assessed construction costs before applying for funding. Applications are due September 9 for 2016. There is funding for large culverts and for bridges. The inventory list of bridges and culverts that have been identified for each region, and Madison County is in region 2, did not have Williams Road bridge listed as a bridge because it's considered a large culvert. According to Brad Newman at the County, we will be applying for a bridge anyways, which provides more funding. Supervisor Shwartz stated that there has been discussion on sharing the costs of the engineering work with the Highway County Department since the bridge will be handed over to them upon completion. They want to ensure it was done correctly. Clerk Reymers stated that there are certain technical requirements that need to be met in order to secure funding. Also there are federal requirements that need to be met. It was decided that it would be best to have a meeting with Madison County Highway and Town Highway Committee to get a plan of action together on this project. Clerk Reymers will coordinate a meeting.

Town Clerk - Sue Reymers

Total June Fees Collected: \$2,275. Town Revenue: \$612.47; NYSDEC: \$763.43; NYSDOH: \$135; NYSAGMKTS: \$27; Madison County: \$737.10.

# of Licenses & Permits	June
Hunt/Fish Licenses	31
Marriage Licenses	6
Dog Licenses	25
Dog Replacement Tags	1
Landfill Tickets	54

Build Permits Apps	3
Plan/Zone Apps	1

Grants Update: Laura Martino said Magee grant is on file and still active. So we can move forward with the current paperwork. The Salt Shed grant has been signed by everyone so we can move forward with that.

Tax Collection - Sue Reymers

Per Madison County Treasurer's office and the County Attorney - individual tax bills do not need to be printed for the town to stamp. We can print on demand with the Tax Collection software. Now, we will save about 5,000 copies - saving paper and ink as well as time stamping the bills paid.

RESOLUTION 2016-68: Authorize Supervisor to sign Agreement for Tax Collection

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

Resolved that Supervisor Shwartz be authorized to enter into a shared services agreement with Madison County Treasurer's office for Tax Collection for 2017.

RESOLUTION 2016-69: Authorization for Town Clerk Checking Accounts

On a motion of Councilmember Collins, seconded by Councilmember Rossi, following resolution was: ADOPTED: Ayes: 4, Nays: 0

Resolved that Carol Dewey be removed from the Town Clerk Checking Accounts and Elisa Robertson be added to the accounts effective July 14, 2016.

Dog Control Officer-Larry Butts: No report this month

Codes Enforcement Officer-Donald Forth: Will report next month

Planning Board Meeting:

Supervisor Shwartz updated the Town Council on the July 12 Planning Board Public Hearing on Special Use Permits for Zahn's Solar Project and Poolville Community Center's Event Center.

COMMITTEE REPORTS:

SOMAC - David Holcomb: Already reported on earlier.

Comprehensive Plan - Chris Rossi

We are at the point where the board has received the Draft Comprehensive Plan and we are prepared to accept it tonight. It then needs to go to public hearing within 90 days from tonight's meeting. The date has been selected: Tuesday, September 27, 2016 @ 6:30 p.m. at the Hamilton Public Library, which has been pre-booked. Nan Stolzenburg will be there. The board discussed on how the meeting should be held. All agreed that there should be a

power point presentation on the plan. The board also discussed press releases, flyers around town, and a mailing to inform the public. Hard Copies of the Plan: libraries and Town Office, website, too. Postcard: all residents. Posters: kiosk, town, village, libraries, Hubbardsville Mall, etc.

Climate Action Working Group is meeting again on Tuesday, July 19. Their work is relevant because it matches goals in the Comprehensive Plan.

RESOLUTION 2016-70: Authorization to Accept the Comprehensive Plan as Presented

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

Resolved that the Comprehensive Plan Draft be accepted as submitted from the Comprehensive Plan Committee.

Partnership for Community Development – Peter Darby

A \$10,000 grant was received from CNY Community Foundation for trail project for signage and web design. PCD also has over a million in proposals out for various projects. The board is pleased with the new Executive Director. Mr. Darby suggests asking Jennifer to do a presentation during our budget time.

38 Milford Street – Suzanne Collins/Peter Darby

The Geotechnical Engineers are ready to come in and test the soils for foundation work. Attorney Jim Hughes is working on the contract with Bell & Spina.

RESOLUTION 2016-71: Authorization for Supervisor to sign contract for Geotechnical Engineering Services

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

Resolved that the Town Supervisor be authorized to sign the contract with CME Associates for Geotechnical Engineering Services.

Doug Arena wants to meet with Sue Reymers to review the clerk space and storage. They will be meeting next week. Supervisor Shwartz shared that Bell & Spina is meeting with the Village of Hamilton's Planning Board to review our site plan, which was finally settled.

Court Consolidation & Shared Services– Suzanne Collins

Shared Services Agreement has been signed by Supervisor and Village and on file. The town needs to appoint both clerks.

RESOLUTION 2016-72: Appointment of Justice Clerks

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

Resolved that Sandra Crumb and Dorothy Janczuk be appointed as Justice Clerks for the Town of Hamilton from June 1 - December 31, 2016.

OLD BUSINESS:

Salt Shed

There are still a few items to reconcile pertaining to the salt shed including letter of warranty to state 1 year from final payment. Steve Jones advised that final payment get released upon their resolution.

RESOLUTION 2016-73: Amendment to previous Resolution Approving Bills - authorize final payment for salt shed post correction to warranty letter

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

Resolved that the final payment be mailed upon correction to warranty letter for 1 year from final payment.

NEW BUSINESS: None

Concerns of the board:

Supervisor Shwartz has been listening to information about commercial solar arrays in NYS. It turns out that residential and commercial solar arrays are supposed to be tax exempt. Towns can opt out of them being tax exempt. Our assessor has been using a different approach. She is not using a cost approach, but a value approach. She does not see the market value yet in solar improvements on residential properties. However, should there be a commercial solar array built, and our landowners are receiving letters for these companies to lease their properties, we need to be educated on the topic. On the Joint Landowners Committee (JLC)'s website, there is a presentation from June specifically aimed at municipalities. This is one of the issues. If we stick to the law and allow the properties to be tax exempt, we can still apply for PILOT payments. There are still opportunities for the town to get paid. School districts can also opt out. Ms. Rossi noted that the Comprehensive Plan identifies that commercial solar needs review. Supervisor Shwartz continued that the town can require bonds for decommissioning. The attorney for the JLC stated that it's been difficult to negotiate with the solar companies because they plan on flipping the property. The Farm Bureau and JLC are working to educate people.

Supervisor's Report: Madison County Activities:

The report from the consultant on emergency medical services was presented on Tuesday to board of supervisors. Tuesday night it was presented to the community. The study is comprehensive. A lot of recommendations focus on how to improve education and training for the ambulance core members. There are many people that need to be recertified. Clearly, one major issue is that the private ambulance service in Oneida does not have same dispatching, GIS on their vehicles, but all non-profits have done it. There is a lack of coordination. Problem with more than one (1) call in the community. Report shows we don't have good data. Serious recommendations on fly car systems, and a

County wide management system. It will be going to go to public safety committee to be reviewed. The will create a working group to create a community standard level of care. In other words, time you expect response time. How big your community is, population, etc. It will be a long process. There was also information about first responder system for fire. There will be working groups on the different issues that are County wide. They will talk about what is an appropriate standard.

RESOLUTION 2016-74: Executive Session

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

Resolved that this Board move into an Executive Session for the purposes of discussing contracts for 38 Milford Street at 8:21 p.m.

RESOLUTION 2016-75: Return to Regular Session

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

Resolved that the Board return to regular session at 9:21 p.m.

With no further business, on a motion of Councilmember Rossi, seconded by Councilmember Darby, the meeting was adjourned at 9:22 p.m. Carried unanimously.

Respectfully submitted,
Suzanne Reymers
Town Clerk