

Town of Hamilton Regular Board Meeting Minutes
Thursday, October 8, 2015 at 6:30 pm
Held at Town Office, 16 Broad Street, Hamilton, New York

Present: Eve Ann Shwartz, Peter Darby, Chris Rossi, Suzanne Collins, Dave Holcomb, Don Forth, Sue Reymers, Brynley Wilcox, Michelle Myrto, Bert Glazier
Others Present: Regina Silvestri, Grattan Johnson, Carolyn Todd, Bill Todd

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:32 p.m.

RESOLUTION 2015-111: EXECUTIVE SESSION

On a motion of Councilmember Chris Rossi, seconded by Councilmember Dave Holcomb, the following resolution was ADOPTED: Ayes: 5 Nays: 0
Resolved that this Board move into an Executive Session for the purposes of zoning issues 6:35 p.m.

RESOLUTION 2015-112: RETURN TO REGULAR SESSION

On a motion of Councilmember Peter Darby, seconded by Councilmember Suzanne Collins, the following resolution was ADOPTED: Ayes: 5 Nays: 0
Resolved that the Board return to regular session at 6:48 p.m.

Public Comments: Regina Silvestri I think the Town Board is aware that the Planning Board has under consideration an application for expansion of a factory on the corner of Payne Street and Spring Street. I like to make sure this Board knows that the plant was family and resident owned up until last year. The plant and the land it sits on are owned by an out of state pharmaceutical firm, which has requested a 5,000 sq ft expansion. The former smaller plant may have been grandfathered but the proposed expansion is not. It is illegal by its own town laws. This factory is in the only zoned residential area in the Town of Hamilton. I was asked tonight to present this to the Town Board by the 20 or more property owners, who respect this residential zoning and hopes that this Board does as well. She will type it up and hand a copy to the Town Office tomorrow. There will be many letters.

Councilmember Collins asked if anyone has signed a petition.

Regina Silvestri says they are trying to figure out what to do and how to do it and get all the facts because the first the residents heard of this was the last Planning Board meeting. We listened to what the applicant said and the residents are not in favor. The Planning Board sounded like they were going to give themselves the 62 days to decide. The residents are getting all their concerns together.

Supervisor Shwartz hoped that the residents are directing their concerns to the Planning Board because they are the ones that are making the decision. Regina Silvestri says that the Town Board will be cc'd on what comments are being sent to the Planning Board.

Supervisor Shwartz say that they do not have jurisdiction to override the Planning Board. The Town Board does not have legal authority to do that. They are appointed to the Planning Board. They are to enforce the law as they see fit. We have provided legal counsel and support to the Planning Board.

Regina Silvestri says the law is very clear and if they approve it there will be a lot of explaining to do. I was just asked to make you aware. They are very upset. The fact that it is not family owned anymore. People accepted that. The company now shows no regard.

GENERAL:

Approval of Minutes

RESOLUTION 2015-113: Approval of Minutes for August 13, 2015

On a motion of Councilmember Suzanne Collins, seconded by Councilmember Peter Darby, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the minutes from August 13, 2015 be approved.

RESOLUTION 2015-114: Approval of Minutes for September 10, 2015

On a motion of Councilmember Suzanne Collins, seconded by Councilmember Chris Rossi, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the minutes from September 10, 2015 be changed and approved.

RESOLUTION 2015-115: Approval of Minutes for September 29, 2015

On a motion of Councilmember Peter Darby, seconded by Councilmember David Holcomb, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the minutes from September 29, 2015 be approved.

Claims for Payment:

RESOLUTION 2015-116: Audit of Claims

On a motion of Councilmember David Holcomb, seconded by Councilmember Chris Rossi, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the bills contained on Abstract #10 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	225	<i>through</i>	242	\$8,902.82
General Fund B	No.	27	<i>through</i>	29	\$1,034.32
Highway Fund DA	No.	99	<i>through</i>	109	\$7,159.97
Highway Fund DB	No.	37	<i>through</i>	42	\$2,655.09
Lighting Districts	No.	17	<i>through</i>	18	\$386.00
Cemetery Trust	No.	2	<i>through</i>	2	\$73.05

PUBLIC HEARING-LOCAL LAW #3 of 2015 to override the tax levy limit

Supervisor Shwartz opened the public hearing at 7:01 pm.

RESOLUTION 2015-117: Move to close the Public Hearing

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

Resolved that the public hearing be closed at 7:04 pm.

RESOLUTION 2015-118: Approve Local Law #3 of 2015, entitled, A local law to override the tax levy limit established in General Municipal Law 3-c

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Hamilton introducing proposed Local Law #3 of 2015 entitled "A Local Law to Override The Tax Levy Limit Established in General Municipal Law 3-c and scheduling a public hearing on said proposed local law of October 8, 2015 at 7:00 pm at the Town of Hamilton Office, 16 Broad Street, Hamilton, New York to hear all interested parties on said proposed local law, and

WHEREAS, notice of said public hearing was duly advertized in the official newspaper of the Town, at least 5 days prior to said public hearing, and

WHEREAS, notice of said public hearing was posted in the Town Clerk's office, and

WHEREAS, each member of the Town Board received a copy of said proposed local law in final form in accord with the Municipal Home Rule Law, and

WHEREAS, the Town board after due deliberation finds it in the best interest of the Town to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamilton hereby adopts, by roll call vote, said local law and designates it as Local Law #3 of 2015 entitled "A Local Law to Override The Tax Levy Limit Established in General Municipal Law 3-c" a copy of which is attached hereto and made part of this Resolution, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town, to give due public notice of its adoption, and to give due notice of the adoption of said Local Law to the Secretary of State

On a motion of Councilmember Peter Darby, seconded by Councilmember David Holcomb, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Roll call vote: Shwartz-yes; Collins-yes; Holcomb-yes; Darby-yes; Rossi-yes

TOWN REPORTS:

Highway Superintendent - Bert Glazier

Mowed one more time. Borrowed Alex's boom mower to knob brush back in places that would be a problem in the winter. Finished truck #16 and now the spare truck. On all the trucks checked the brakes and drums, painted the bodies and frames and put tires on a couple of the trucks. On Thayer Road we patched a large section of the road, which is the Town of Madison road. They weren't going to fix and we plow the road. Supervisor Shwartz asked why we plow this road. Superintendent Glazier says that they plow Bailey Road for us. It is an equal swap. Hopefully they fix it next year. They patched it to get by. Supervisor Shwartz asked if we should send a letter. Superintendent Glazier says he has talked to him about it. Supervisor Shwartz would like to discuss this further in January maybe sending a letter.

Superintendent Glazier continued with his report stating that they helped the Village haul material from the Village Garage to the transfer station. Attended a FEMA meeting with Eve Ann, it was an emergency management training. Helped Eaton haul some millings. Put an overhead door on the old salt shed, so it could be used for cold storage. The salt will be put in the new salt shed and some will be premixed. Because it is under cover they don't have to mix it all. Will have some premixed piles in the building when ready. An employee that was out will return back to work on October 19th with no restrictions. A part timer left October 8th to go work for the Town of Eaton.

Town Clerk - Sue Reymers

Monthly Fees collected for September \$7,662.00. Town Revenue: \$1,149.94, NYSDEC \$5,709.86; NYSDOH \$90.00; NYSAM \$57.00; Mad County Landfill \$655.20. Total number of Licenses & Permits: Hunt/Fish 205, Marriage License/Copies 7, Dog License 39, Wanderers Rest Redemptions 1, Landfill Tickets 48, Birth Cert./Copies 2, Death Cert./Copies 1, Building Permits 2, Plan/Zone Application 1.

Valesky: Town Hall: Submitted initial application \$ 100,000. Waiting for next step.

Magee: Town Hall: \$50,000 submitted waiting to hear from them.

NYSDEC: Salt Shed Grant: \$255,000 submitted on 7/30/15 waiting to hear from them.

FOIL request form-Because of an increase in requests for documents a FOIL form was made. Attorney Steve Jones is reviewing it.

NYS Town Clerk Associations Directors-We met on Oct 4 and Oct 5 for training. The main goal is for professional development and credits.

Senator Valesky Visit-On September 22nd Valesky came for a tour of Earlville, Poolville and Hamilton. We met at the Earlville Library, Municipal skate park in Earlville, Poolville Community Center, 38 Milford Street and then to the Airport/Airpark.

Dog Control Officer-Larry Butts

8-16-15	Stray Dog	Issued appearance ticket	Paid fine
9-2-15	Stray Dog	Picked up dog	Owner picked up dog
9-7-15	Dogs ran off	Dogs returned home	

Codes Enforcement Officer-Donald Forth

For September there were two permits; foundation and remodeling. Locations: 7079 East Main Street; 2024 Spring Street. Permit Fees Totaling \$310.00

Earlville Food Cupboard-Sue Reymers

Thuvia Stopford provided a letter, a budget and notation about her budget. The Board discussed the Earlville Food Cupboard has no municipality donations. The budget has \$1,000 in it. The Cupboard in Hamilton supports more families and has generous donations.

Supervisor/Bookkeeper - Brynley Wilcox

Income-Aid & Incentives to Municipalities (AIM) state aid came in for \$ 44,184.
2016 Health Insurance-Our current plan the premium will increase 7.3% SimplyBlue Plus Silver 2. The co-insurance will change to 80%/60% instead of 90%/70%. The only comparable would be SimplyBlue Plus Silver 4 to what we currently have, but it would be additional 1%, so 8.3% not 7.3% premium. The co-insurance would be 85%/70%. And the HSA contribution would go from \$1,800/\$3,600 to \$2,200/\$4,400. We are keeping the same plan we are now. 11.1% was put into the budget for any changes. For a single the premium is \$466.23 to \$500.22. Currently the employee pays 5% for insurance and the Town will be increasing it by 1% each until the Town is paying 10% of the insurance. There will be a recommendation to the Board by November on making changes to the insurance payments.

2014 Audit-Met with Dan Farrow from Cwynar & Company. They did a full audit. There were 3 new things from the audit. Bank reconciliations because we use Quickbooks. In Quickbooks you set your yearend date and it takes your net income and puts in an unrestricted access account and it doesn't happen until midnight on Dec 31st. This means you cannot close your books until the 1st. Which makes your books not equal your bank statements. If you go to the 1st they equal the make bank statements, but on the books they don't equal. There might be a work around to make this work, so I can close the books on the 31st. Their recommendation is how

you should account for things, but our program does not allow us to do that. Documentation of Tax Exempt properties went through the assessor's files to find verification that the properties were tax exempt. Vendor payments are having written the code on the voucher and having a different code in Quickbooks. It's just going back and changing what is on the voucher to match Quickbooks. Councilmember Darby says that Dan Farrow told him of all the municipalities he audits our expenditures and revenues are budgeted much closer to reality. Ms. Wilcox says the next few papers are from prior year's comments from the audits and the status shows that they have been cleared. Segregation of duties over cash will never go away because of the size of our municipality. You would need one to keep books, one to cut checks and one to reconcile bank statements.

2015 CHIPS-The state extended an additional year for Emergency Weather Recovery (EWR), so we have an additional \$16,396.27 reimbursement. Spoke with Dave Clements and he directed me to a list called Eligible CHIPS project activities. On the second page of this under other there is transportation storage or transportation maintenance building. I asked if this would count towards the Town garage and he said yes along as it is not shared with your Town Office. Putting on a new roof, work on it or make it energy efficient. He said this would all be covered and some municipalities build a salt dome or salt shed. You can also build or fix a bridge. \$109,510.49 was spent on roads and now we will submit through CHIPS to be reimbursed for that money. We reimburse for the \$16,396.27 emergency money first because this may not roll over. Then submit for CHIPS for the \$109,510.49 or more because you can be reimbursed for equipment and labor. The only advance to rolling over and not putting it our account is less paperwork, but if it is our account we are insured the money and can build our fund balance. We can be reimbursed and put the access into a reserve. Will be checking with Dave Clements to see if CHIPS money can be used for the expenses of getting the bids, bid documents, legal notices and Barton & Loguidice.

RESOLUTION 2015-119: Authorization to transfer Funds

On a motion Councilmember Peter Darby, seconded by Councilmember Suzanne Collins, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that \$50,000 in Money Market Account from Oneida Savings Bank to NBT Checking for payment of October bills, and October and November payroll as follows: Highway Fund DA \$20,000; Highway Fund DB \$30,000.

RESOLUTION 2015-120: Budget Modification

On a motion Councilmember Chris Rossi, seconded by Councilmember Suzanne Collins, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the budget be modified as follows:

	Fund A	From	To
Increase	A6410.4- Publicity	\$1,800	\$2,000
Increase	A9050.8-Unemployment Ins	\$2,006	\$2,270
Decrease	A1990.4-Contingent	\$9,587	\$9,123
	Fund B		
Increase	B8020.1-Planning Board Clerk	\$204	\$250
Decrease	B1990.4-Contingent	\$9,100	\$9,054

COMMITTEE REPORTS:

SOMAC - David Holcomb

We will be meeting Monday night and so will the Town of Lebanon. They will be making a decision on going with Sherburne or SOMAC. If they go without Sherburne it will be \$42,000 and if they go with Sherburne it will be \$27,300. The budget for SOMAC is \$250,000 minus \$37,500 from Colgate and minus \$25,000 from Lebanon. The budget is right on track if all works out this way. The Lebanon and SOMAC contract should specify if SOMAC goes into Sherburne territory SOMAC will bill for their services.

Ambulance Services Community Working Group - Eve Ann Shwartz

Kyle Sylvester sent an email showing the response times for SOMAC which were much better than the Sherburne proposal. Compared to other years this is dramatically better. It shows under Kyle Sylvester operation and Vinny Faraone supervision. This is from January 1, 2015 to today. Response time for SOMAC:

- 2014: 3.98 minutes Priority 1, 21.25 minutes Priority 2, 8.80 minutes for all 911 calls both Priority 1 and 2.
- 2015: 2.3 minutes Priority 1, 3.4 minutes Priority 2, 3.0 minutes for all 911 calls both Priority 1 and 2.

We had a presentation from William Acee (Sherburne Mayor) and Jansen Casscles (1st Assistant Chief, Sherburne Fire Department). They have a mix of volunteer and paid staff. They provide paid staff for 14 hours a day. Volunteers cover the rest of the day. Sherburne has fewer calls than SOMAC. They are paid through the Village of Sherburne budget. The Village of Sherburne controls the budget, but the Town taxes. The Village contracts with the Town. This is through the fire district tax. They also have no housing cost because the ambulance is housed at the fire department. Their employees are receiving retirement benefits because they are village employees. They can save on things SOMAC can't such as comp. There is a lot of work to maintain the volunteer base and to maintain a good relationship with volunteers. The other half of the meeting was about SOMAC's financial report. It was also about the improvements of staffing. How full and part workers are being handled. Finding ways to work with Colgate. Colgate Safety are taking students to the ER for minor things and not calling SOMAC, like you would if someone fell in the Village. There

are additional opportunities for SOMAC to receive additional calls. Colgate has committed to contribute \$37,500 for 2016. There will be meetings on an as need to basis. The information that has been gathered from all the meetings will be presented to the public.

Comprehensive Plan – Chris Rossi

We just completed the three informational meetings and the public hearing. It all went well. We had a good attendance and have received some written comments. The Comprehensive Plan Committee will be meeting again and be reviewing the comments and going back to the plan and doing some editing. Some people had some concerns about zoning, opportunities that weren't thought of, as well as points needing a larger or smaller role in the plan. Most of the concerns fell into certain categories. Once edited the plan will be turned over to the Town Council, and there will be another hearing, so the plan will not just be going through with a rubber stamp. The next meeting is Thursday, October 19th at 7:00pm in Poolville.

Partnership for Community Development – Peter Darby

All the projects that were reported about last meeting are all continuing. Ross Lura and Councilmember Darby will be meeting with Zoning Revisions Committee about their presentation. There are number of provisions that are a concern, one is the ability to attract developers. An example would be the Wayne's property and their recommendation is anything that is to be developed there requires that the ground level be retail or commercial. And on top of that there would be permitted 6 units max of 4 each, 24 occupants. No one can make money with that few occupants. The area they call the peripheral area, which includes the lot next to the Courthouse to the Core of the Village. (Wayne's property would be part of the core). The peripheral would be limited to 2 units. Both properties should be able to hold a dense population than that. There is a question if there really is a need for additional retail space, but if you don't build the retail space how do you know.

38 Milford Street Building Committee – Suzanne Collins/Peter Darby

We have a meeting Thursday, October 15th at 11:30am with Don Forth, Sue Reymers and Suzanne Collins. Need to talk to Don about some questions that Beth Crawford had. We need more information on if a sprinkler system is required or it's not required but still should do it. Just going down the questions and get answers to what is needed or wanted. The records retention area trying to figure out what time of protection should be used either sprinkle or fire proof safes. You can put the sprinkler in the rest of the building just not in the records room. Sue Reymers will call NYS Archives to see what they recommend.

Councilmember Darby wanted to know if all the Board was in agreement with donating the upstairs space to the PCD. He would like to offer them the space. He

feels it would be beneficial for them. Remodeling the upstairs to be office spaces. If they are going to be in there I want to consult with them on design. We were going to finish off the space. It will cost us more to put in doors and hallway. If we are putting individual offices maybe talk about skylights. I don't think it is a free offer it will cost us something. Supervisor Shwartz says we are getting more from the building by finishing off the space. Maybe use the donation has part of our donation to them. There could be later down the road another non-profit that could use the space or allow the Town to expand. Councilmember Collins disagrees with it. I understand renovating the upstairs for an office but not for the PCD. I don't think the Town, Village or Colgate should house them in any way. There should be someone who just needs an office and should not have use of the meeting rooms. Supervisor Shwartz thought it would be ok for them to reverse the meeting space and would hope that others would do the same. We want the building to be used. Councilmember Darby agreed with Councilmember Collins that ideal that none of them should house the PCD. The Mayor McVaugh said it would be great to move it away from Hamilton Initiative and Colgate. Councilmember Collins says she doesn't agree with it. It's premature because we don't know how much it is going to cost us to renovate the space. It's premature to offer to the PCD right now. Supervisor Shwartz says let's take the PCD out do we still want to renovate the space for this or future expansion or for another non-profit. Maybe our community changes and we need the space to commentate for it. We could put this space as alternate on a bid package to see the different prices. Mr. Johnson wanted to know how big the new space would be to the space we already have. It was explained to Mr. Johnson that there will be utility room, record storage, meeting area and private offices. We want to make the most efficient use of the building. The discussion was about how to use the upstairs area for and what the cost would be.

OLD BUSINESS:

Highway-Salt Shed-Bert Glazier

There is a meeting with contractors, Barton & Loguidice on Friday October 9th. They are going to run over and see how we are doing. The walls are built. He was going to get in next week to do grading and prep work done to set the walls, then get the blacktop in.

Ambulance Contract-Eve Ann Shwartz

Once we finalize where we are in the Town we will be finishing that up for this year.

NEW BUSINESS:

Minority/Women Business Enterprises Policy Resolution-Sue Reymers

Just wanted to introduce this to the Board to consider. This is a policy the State would like us to adopt because we will be getting state funding. This policy will come in an application or after an award. If we choose to adopt this policy that we

name a Compliance Officer to make sure we are meeting these needs. Attorney Steve Jones has reviewed it and made some edits. It has been revised that we name someone you is familiar with the law and that are following the requirements. Will be calling the County to see how they use it and how it follows suit with the Town.

Finalize Budget Date Hearing: Thursday, November 5th, 7:00 pm, Hamilton Library.

Concerns of Town Board: None

Supervisor's Report:

Tuesday went to emergency management training for what Towns are responsible for on closing roads, declaring state of emergency, relationship between State of Emergency and getting funding from FEMA. This showed we need to go forward and create an emergency plan for the town. They didn't give any resources on how to help the towns to assist them, but told about the legal responsibilities and power the town has and how it fits into the FEMA funding. It was interesting Morrisville College is equipping the public safety building in the basement were there will be telephone lines, computers, as an operation base for people to go.

Madison County Activities:

The Ad-hoc Committee for non-profit funding from the County met and decided that there would be a 2% increase in funding for all those who requested an increase in funding. There are a couple potential projects. There is a Free Energy Center in Fenner with its new educational center. They are looking for \$5,000 from the County. Bridges-Alcohol and Drug Counseling and Services Program. The will be filling in and taking the place of some services that have gone out for middle school students. The budget season is coming up.

RESOLUTION 2015-121: EXECUTIVE SESSION

On a motion of Councilmember Peter Darby, seconded by Councilmember Suzanne Collins, the following resolution was ADOPTED: Ayes: 5 Nays: 0
Resolved that this Board move into an Executive Session for the purposes of personnel at 9:01 p.m.

Respectfully Submitted by
Michelle Myrto
Town Deputy Clerk

RESOLUTION 2015-122: RETURN TO REGULAR SESSION

On a motion of Councilmember Sue Collins, seconded by Councilmember Chris Rossi, the following resolution was ADOPTED: Ayes: 5 Nays: 0
Resolved that the Board return to regular session at 10:00 p.m.

RESOLUTION 2015-123: Retain legal advice

On a motion of Councilmember Peter Darby, seconded by Councilmember Suzanne Collins, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the Board retain Hancock and Estabrook to provide legal advice for personnel matters.

RESOLUTION 2015-124: Approval for purchase of time clock for Highway

On a motion of Councilmember David Holcomb, seconded by Councilmember Chris Rossi, the following resolution was: ADOPTED: Ayes: 5 Nays: 0
Resolved that the Town purchase a time clock system for Highway Garage.

With no further business, on a motion of Councilmember Peter Darby, seconded by Councilmember Chris Rossi, the meeting was adjourned at 10:15 p.m. Carried unanimously.

Respectfully Submitted,
Eve Ann Shwartz
Clerk Pro Tem