

Town of Hamilton Regular Board Meeting Minutes
Thursday, March 12, 2015 7:00 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Eve Ann Schwartz, Peter Darby, Suzanne Collins, David Holcomb, Chris Rossi, Sue Reymers, Brynley Wilcox, Bert Glazier. Others Present: Margaret Miller-Village of Hamilton, Gerry Hayes-Village of Earlville.

Call to order & Welcome: Supervisor Schwartz called the meeting to order at 7:03 p.m.

Public Comments:

Gerry Hayes-Village of Earlville: The Village passed a new animal law that requires a permit for non-domestic animals such as chickens through the codes officer. The budget passed. Their shared services work with the Village of Hamilton for the brine is working well.

Margaret Miller-Village of Hamilton: The Village is losing their new admin person. They will be announcing the position opening soon. They are finishing up the budget. Donald Forth will increase and expand inspections of boarding houses. As a representative of NYMIR, Mayor Miller shared that there have been a couple of large claims in other towns recently including one involving a distracted employee.

GENERAL:

Approval of Minutes

RESOLUTION 2015-32: Approval of Minutes for February 12, 2015

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

Resolved that the minutes from February 12, 2015 be approved.

Claims for Payment:

RESOLUTION 2015-33: Audit of Claims

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

Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	60	<i>through</i>	86	\$ 10,274.10
General Fund B	No.	9	<i>through</i>	10	\$ 1,532.75
Highway Fund DA	No.	27	<i>through</i>	35	\$ 20,532.83
Highway Fund DB	No.	-	<i>through</i>	-	0.00
Lighting Districts	No.	3	<i>through</i>	4	\$ 358.53

TOWN REPORTS:**Highway Superintendent - Bert Glazier**

The highway sanded, salted and plowed various times. They have been chasing water, managing icy spots and pushing back snow banks. County funds have been coming in for plowing services. FEMA arrived in the amount of \$142,000 with more coming. He will try to the sell the loader this month. Cuomo may be giving another one-time winter money via CHiPS to help cover the costs of such a tough winter.

Town Clerk - Sue Reymers

Financial Report	JAN 2015	FEB 2015	MAR 2015	APR 2015
Total Monthly Fees Collected	\$ 789.10	\$ 662.00		
Disbursements:				
Town Revenues	\$ 297.19	\$ 233.18		
NYS DEC Hunting & Fishing	\$ 44.41	\$ 23.62		
NYS Dept of Health	\$ 0	\$ 0		
NYS Ag & Markets	\$ 38.00	\$ 23.00		
Mad Co Treas. (Landfill Tix)	\$ 409.50	\$ 382.20		
MISC:	\$.10	\$ 0		
# of Licenses & Permits	JAN	FEB	MAR	APR
Hunt/Fish Licenses	2	1		
Marriage Licenses	0	0		
Marriage Copies	3	3		
Dog Licenses	30	21		
Landfill Tickets	30	28		
Birth Certificates/Copies	0	0		
Death Certificates/Copies	5	0		
Building Permits Applications	0	1		
Plan/Zone Applications	0	0		

NYS Town Clerks Association:

Clerk Reymers was invited to be on the board of directors for the NYSTCA to represent District 6. NYSTCA is an organization dedicated to promoting the professional development of Town Clerks across the State as administrative leaders. District 6 serves 8 Counties: Broome, Chemung, Chenango, Cortland, Madison, Schuyler, Tioga and Tompkins. As a board member and District Rep, she will be attending quarterly meetings with the April meeting being held as part of the annual Clerk Conference. The association pays for mileage and hotel. She needs to pay for the conference. There are also regional meetings for the District that is organized on the local level. As a board member, she will be doing outreach within the district and have the opportunity to write articles for the NYSTCA Publication, 'Town Recorder'.

Research on Potential Funding from Senate & Assembly:

- Every year with the budget, legislators are given opportunities to put projects forward that aren't within some of the agencies planned projects for the year.
- It varies on what they can ask for each year. They try to fill in as many funding gaps as they can. Nothing is a bad ask. They cannot make promises. They cannot give us 100% of the cost but rather fill the hole. It all depends on the availability of funds.

- Send a letter and they put in their hopper. Send same letter to Valesky and Magee.

Two Pots of Funding they have a say in:

- **MultiModal** – transportation – wide variety kinds of projects. More efficient. DOT good about processing funds. Through NYSDOT.
- **Capital Funds** – brick and mortar projects. (projects that we may not want taxpayers to bond for, ie: playground, etc. -Town Hall qualifies) Funding stream is slower, trickier.

Hazard Mitigation Plan: Bert and Clerk Reymers updated the 2009 plan. It needs review by Council before sending to the County.

Records Retention Storage Options

Clerk Reymers passed out a sheet of several options for storage for the records which she reviewed. Locations include: Poolville Community Center, rooms in Sandy McKinnon's building, or mobile storage. Some of the options are expensive while the most affordable one at the Community Center may not be the most ideal because of the potential for rodents, which has not been a major problem, but the leather bound books may attract mice. Also, it's not heated, but the temperature does not seem to fluctuate that much. Discussion over other options also led to the suggestion of looking into the Exhibition Alliance building as it was just sold. Perhaps the new owner would have space available to rent. Clerk Reymers will call and find out as a decision does not need to be made tonight. We have a lease with 20 Utica until June 30th. She will report back next month.

Codes Enforcement Officer-Donald Forth

No new permits given out. Clerk Reymers reported that she, Don, Peter Darby, met with the Village of Hamilton, Joe Bello of Colgate University, and Good Nature Brewing on their new project on Friday, February 27 at the Village Office. Colgate will be handling the subdivision and annexation. Don Forth consulted with Steve Jones and based on his research and interpretation, their subdivision under Section 350 of the Town Subdivision law is exempt as it is a two lot subdivision. So they do not need to go through the Planning Board. The annexation will come before the board later on.

Supervisor/Bookkeeper - Brynley Wilcox

Court Report: February check (\$711), Office of State Comptroller payment (\$341) - Town Share (\$370).

Bank Reconciliations: Petty Cash, Payroll, Money Market and General Fund have all been reconciled through February.

Income: A check from Madison County for 1683.5 lane miles arrived for the reimbursement of Jan. 3-20. The check totaled \$29,511.76. (Overtime for that period: \$4,718.72). Since January 1, 2015 we have received \$55,882.49 from Madison County- BUDGET: \$120,000. Since November 2014: \$75,063.47.

FEMA: **Federal:** \$142,073.22 has been deposited into our account. This figure represents 85% of the total Federal reimbursement. The other 15% (approximately \$25,000) will be received once they have processed our "P.4" form which was mailed to them on 01/16/2015. **NOTE:** Federal reimbursement equals 75% of the total project cost. **State:** The other 25% of the project cost is planned to be reimbursed by the State. State reviews of our FEMA documentation will begin in early March and a list of needed documents will be sent to us by late March/early April.

AUD: The 2014 Annual Update Document (AUD) is ready to be submitted pending Board review.

HR Manual: The program (Policies Now) that we've purchased to help write the HR manual has arrived. Work will start Monday on developing/locating the following policies: Procurement Policy and Investment Policy. There was a draft of an investment policy presented to the board last year, but was not adopted. This will be reviewed and see if any further edits are needed and presented later on for approval. The board discussed briefly and prioritized the procurement policy. There is a local law for best value that is on the agenda later tonight.

NBT Product (ICS): Up to \$250,000 in each account is insured through the FDIC. Anything over that amount forces NBT to purchase treasury bonds in order to keep our money 'in-house' and secure. The ICS program takes our savings/fund balance/money market account and splits it up into other banks across the country in \$245,000 increments. This frees up NBT from paying for the treasury bonds and we get paid more in interest (approx. 7 ½ times what we received in 2014). The money is still insured. There are no fees associated with this product. A resolution is available if the board decides to enroll in this product. There is another option that is being currently explored at another bank that could generate even more interest. The board discussed it and decided to wait for the other option to make a decision.

RESOLUTION 2015-34: Receive and File Monthly Financials

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

Resolved that the February 2015 monthly financials be received and filed.

COMMITTEE REPORTS:

SOMAC - David Holcomb

Council member Holcomb had missed the last meeting and deferred to Clerk Reymers for some updates. Ms. Reymers shared that Delores Llewellyn was hired by SOMAC as the new bookkeeper. She started last week and had an initial meeting with Kyle Sylvester, the Director of Operations, Vinny Faraone and Sue Reymers. A follow-up meeting on Monday night then included Morgan Larson and the old bookkeeper to

begin the transition. The Finance Committee is meeting next Monday, which includes Delores, Brian Hutzley, Tim Collins, Morgan, Vinny and Sue.

Ambulance Services Community Working Group - Eve Ann Shwartz/David Holcomb

Before the report on the Working Group, Mr. Darby asked to speak. Mr. Darby apologized about a comment he made at the public hearing in January pertaining to the amount of money that will show up in the town budget. He apologized because the board never talked about that and it was perceived by Sam Cooper as board policy. He thought more about the ambulance district not going through. He spoke with Bill Excell the other day and they agreed that if the Village of Hamilton votes it down, that they would like to discuss with the Village and the Town the possibility to go into a district for the Village of Earlville and Town of Hamilton without the Village of Hamilton. He asked the board to discuss this possibility. The board discussed the contingency if the Village votes no on March 23. Areas of discussion covered the budget including where the ambulance funding would show up in the Town tax bills and the Village tax bills, contracting with SOMAC, the oversight of the ambulance services and if they needed to re-work the district, and where the Village of Earlville fit into all of this.

Clerk Reymers reviewed the process and potential timeline should the board decide to move forward with a new Ambulance District that excludes the Village of Hamilton if the Village votes no to participating in the district. The board agreed that if the Village votes it down, they would move forward on an ambulance district for the just the two municipalities and they would call a special meeting to start the proceedings.

Comprehensive Plan - Chris Rossi

Application for the Colgate Upstate Institute intern was submitted. They are ordering the goals and actions; Nan is editing things and it is all coming together. We're talking about how to do public outreach and the meetings.

Partnership for Community Development - Peter Darby

The PCD will be coming to the Town with a request to sign a 3 year contract that would include this year. They will be approaching the Village and Colgate. The purpose is due to the new job search that in order to get good candidates, they need a 3 year commitment of funding. They are finalizing the funding from the IDA as a result of a bond re-issue, a portion will come back to the PCD. It's about \$100,000 or 40% to help support their general operating. The IDA agreed to give PCD a percent. This will help the budget process and give the PCD 3 years to revitalize and get back on track. The forum on March 25 will help before they hire a new executive director.

Joint Village/Town Projects - Suzanne Collins/Peter Darby

There is nothing new to report. Take off the agenda for now.

Deer Management Task Force - Peter Darby, David Holcomb

There is some real progress being made. Margaret asked Rick Gifford to take over the organization of culling in the Village. He is an experienced bow hunter. There is a forum on March 24 at the library that is open to the public. Courtney LeMere from NYSDEC will be there to talk about other programs. Harvey will be presenting on Lyme disease. Cat Cardelus will present on the deer census. Rick will talk about the Village culling. Ian Helfant will present what will happen at Colgate. A proposal was submitted today to Brian Hutzley at Colgate. Mike Jasper is on board. Colgate has identified locations for potential culling sites and will accept applications only from staff. Mike will give names to Rick to review and he gets to veto names. Only Colgate employees can hunt at Colgate because they do background checks on all of their employees. Rick will also do background checks on any hunter in the program. We are aiming for a September cull. Courtney will give a number of tags once we apply. Trumansburg was given 80, then obtained 20 more with an extension of time. There was a discussion on what could be done with the deer meat, the food bank and who could process deer.

OLD BUSINESS:

38 Milford Update

Lawyers are talking with each other and working on it; the contingencies were satisfied. The lawyer is preparing an abstract. On February 24, Beth met with Don, Peter, Suzanne, Eve Ann, Sue and Brynley. Their biggest challenge is location of handicap access. There may be a bump out in the front of the building which will have a handicap lift. The issue may be the right-of-way as it's close to the front of the building. Chris Kendall is reviewing a more recent survey and comparing it to the survey we have on the property from the seller. The space is tight, but both are right and we need to figure it out. We are going to planning board on March 26 to show them the plans so far and to discuss the issue. The current configuration does not have any rental space.

Ambulance District

Referendum Update

The referendum for the Village of Hamilton will be on March 23 from 12-9 pm at the Library. Clerk Reymers requested that the board authorize signing the agreement with the Madison County Board of Elections which will arrange for the voting machines.

RESOLUTION 2015-35: Authorization to sign agreement with Madison County Board of Elections

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

Resolved that the Town Supervisor be authorized to sign a user agreement with the Madison County Board of Elections for the use of 3 machines on Tuesday, April 28.

Clerk Reymers reviewed the plans for the April 28 referendum. The recommendation is for three locations. The Hamilton Library, the Poolville Community Center and the

Village of Earlville office. The board needs to decide where people would vote. All locations are booked and ready to go. Voting time would be from 12 – 9 p.m. which is a typical timeframe for referendums. Steve Jones and Clerk Reymers discussed where people should vote and discussed it with Laura Costello at the County. Based on the conversations, they recommend that any owners of taxable property that is located within the Village of Hamilton vote at the Hamilton Library, owners of taxable property that is located within the Village of Earlville vote at their Village office. Any owners of taxable property outside both villages, vote at the Community Center. The alternative would be to go through the list of taxable property owners and draw lines where they should vote. That would be logistically difficult. Clerk Reymers recommends a mailing to inform voters of where to go. Supervisor Shwartz will work with the Clerk on all of the logistics.

RESOLUTION 2015-36: Establish Date, Time and Locations for Ambulance District Referendum and Where Owners of Taxable Property will Vote.

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

Resolved that the Ambulance District referendum will be held on Tuesday, April 28 from noon to 9 p.m. at three locations. Owners of taxable property that are located within the Village of Hamilton will vote at the Hamilton Library, owners of taxable property that are located within the Village of Earlville will vote at the Village of Earlville office and owners of taxable property that are located outside both villages will vote at the Poolville Community Center.

NEW BUSINESS:

HIGHWAY:

Garage and Land Evaluation

Superintendent Glazier and Supervisor Shwartz have been discussing the highway property. The town is looking to hire engineers to evaluate the land and the current garage building and the site for the new salt shed. Before a salt shed is built, the town needs a history of the property and needs to be sure that what is underneath the building is sound. There was a landfill years ago and its necessary to know where it was location on the property. Bert talked to Karl Harris, former Highway Superintendent who still has a great memory. A map was presented to the board during the discussion.

Mr. Glazier recapped the information from Mr. Harris. The property was owned by Ron Burstein and the town purchased it from him. It was connected to Oates property. The Town attorney was Simonds. Cranston Property was purchased in late 50's or early 60's. There was a gravel knoll there but the Town leveled it. Where current salt pile (behind the highway garage building) is there is no debris there, just fill. The salt pile has been in the same spot since the beginning. All material that is over the debris – perimeter of property – overburden from Jewett's gravel at .50 cents a load. Likely that

they filled to extend the property – more of a drop off and widened the property with the fill. The garage was completed in 1971 and built by Snyder Construction of Oneida. Architect was the Town engineer at the time. They built a four foot concrete footer and poured slab over native ground. The frost heaved up and cracked the building which occurred the first year and reoccurred for several years then stabilized.

Based on the research and information, the highway building was not built on a dump. The dumping occurred after it was built. The dumping site was about 60 feet from the building and 60 feet from the road. Over by the embankment, they used the Jewett's overburden (waste product, mud and dust) to expand the property and stumps so it's stone and dirt. The town agreed with the county to use it as a dump until the transfer station was built.

Williams Street Bridge

The bridge was built about 45 years ago. The County helped Town build it. At the time, the County engineer was Grossman. The built a 12 foot by 12 foot diameter. It's about 35 feet wide and about 37 feet long. When they put the pipe on the ground, they put fill over the pipe and it cracked the pipe because there was too much weight on it. They removed fill, poured 2-3 feet of concrete on it to fix it and put about 20 feet of fill on it. Dan Ogden wanted to widen the bridge so he put trees down there. There should be a bridge deck, but on top they put trees and dirt to raise the height because there was dip. Dan Ogden was the Highway Superintendent in the mid-1960's.

Supervisor Shwartz continued with the fact that Madison County has cited the bridge as a problem because of the massive crack in concrete. The County measures it each year but nothing has changed but it should be fixed. If we reconstruct the bridge or build a new bridge to new specs it cost a lot of money. It's possible that any bridge over 24 feet owned by the town can be turned over to County. The County might be able to help but we are at the beginning stages of talking about it with them.

Back to the property, Supervisor Shwartz stated that the good news is that we do not need to do a core sample of the Cranston land and we can do improvements. Mr. Glazier shared what the Town of Cazenovia experienced with their highway location as they had a similar situation. They were able to resolve it with the DEC. They were able to cap the dump and remain on the site. At the April meeting, there will be three proposals to review from Delta, Barton and Loguidice, and LaBella. Barton and Loguidice needs to see the building. Discussion led to bringing in the DEC and sharing the information. Letters need to be sent to Valesky and Magee about the salt shed and town office because there is an opportunity for potential funding with the State budget. There was discussion of the timing of when the bridge project should be done. Supervisor Shwartz suggested that after the town hires site and building engineer we should hire an engineering firm to work on the bridge. According to Joe Wisinski, the bride has not moved in 12 years. Ms. Shwartz, Mr. Glazier and Mr. Wisinski will be

meeting next week to go over it again. The County has it scheduled to look at the bridge in the fall. The County has 80 bad bridges. Mr. Glazier said that he should have 3 quotes by month end for the salt shed.

Hazard mitigation plan:

Clerk Reymers and Superintendent Glazier updated the plan. It needs to be reviewed by the town board. Then it will be sent to Steve Lorraine.

Economic Development/Housing Summit:

Supervisor Shwartz, Council members Darby and Collins will be attending.

Local Law Review: Best Value Law:

The board received the packets and will review them for the April meeting.

Concerns of Town Board: None

Supervisor's Report:

Madison County Activities:

Supervisor Shwartz attended a Native American Committee Meeting. There was extension discussion of the expansion of their casino activity by the Oneida Indian Nation. They are buying more property and taking it off the tax rolls. They plan on opening in the spring of 2016 a new casino, level 2. It's an expansion of gambling that was not contemplated in the original agreement with Madison County. Who will get the 25% of the take? Currently, the state gets 25% of all gambling activity and then the County gets 25% of that 25%. No one anticipated an expansion of gambling. They need to go back and renegotiate with the state. In terms of sales tax, if Oneida Nation buys a business the sales tax no longer goes to the County. So far, they have only taken 56 acres of prime property off tax roll. The emergency management person was hired.

RESOLUTION 2015-37: EXECUTIVE SESSION

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

Resolved that this Board move into an Executive Session for the purposes of real estate and personnel at 9:27 p.m.

RESOLUTION 2015-38: RETURN TO REGULAR SESSION

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

Resolved that the Board return to regular session at 9:38 p.m.

With no further business, on a motion of Councilmember Rossi, seconded by Councilmember Collins, the meeting was adjourned at 9:39 p.m. Carried unanimously.

Respectfully submitted by Suzanne Reymers, Town Clerk