

Town of Hamilton Regular Board Meeting Minutes
Thursday, April 10, 2014, 7:00 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY

Present: Eve Ann Shwartz (EAS), Peter Darby (PD), Suzanne Collins (SC), Chris Rossi (CR), Donna LaMarco (DL), Sue Reymers (SR), Bert Glazier (BG). Absent: David Holcomb (DH). Arrived Late: none. Others Present: Deb Kliman, Gerry Hayes, Village of Hamilton Trustee, Margaret Miller, Village of Hamilton Mayor

Call to order: Supervisor Shwartz called the meeting to order at 7:01 p.m.

Public Comment: Gerald Hayes, Village of Earlville: Village held their elections last month. There were two trustees, Margaret Corey, write-in Daniel Piliero, but he has not been sworn in yet. There was water damage in the office due to plumbing leak. Records were damaged, computer was damaged. They are working with Mang Insurance. Rick Crowell handling computer replacement. The Town Board offered assistance and Town Clerk Reymers will contact the office to see what they need. Margaret Miller, Village of Hamilton: Getting close to gas construction. Randy Ruttenberg of Fairmont Properties met with village re: housing next to Oneida savings. Village is also finishing up their next year's budget. Margaret was asked to serve on board at NYMIR and is being interviewed. Paul McGinnis will be retiring in September. Next codes civil service test is June 7. Debbie Kliman mentioned the farmers market. Kim Taranto is handling applications. There are currently a few openings for the market and are in need of a monitor.

Old Business: none

Town Clerk:

RESOLUTION 2014-24: Approval of Minutes

On a motion of Councilmember Collins, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4 – Darby, Collins, Shwartz, Rossi. Nays 0 Resolved that the minutes of March 13, 2014 Regular Town Board Meeting be approved.

Highway Superintendent: Bert Glazier

Recently they have been sweeping all the roads. Cleaned many culvert ends to allow water to run through. Worked on truck that was sold to the Village by assisting with repairing the box. There was damage on Rhoades, Bonnie and Crumb Roads because of frozen culverts and water running due to deep frosts. Training today for PERMA at the Lodge at Americana Village. Started on summer hours, which is four 10 hour days, on April 1. Received notice that CHIPS increased from \$109,179 to \$122,802 due to tough winter. Signed the final paperwork for FEMA today. Attended kick-off meeting at fire house with State and Contractors regarding the gas construction for the Village of Hamilton. Included Town of Madison and Town of Eaton. Talked about road cuts and going under the roads. Meeting at Colgate with Birnie, Village of Hamilton, and Hamilton School on April 9.

Councilmember Darby and Superintendent Glazier met with an engineer from Oswego Iron and Steel about Williams Road culvert to scope out job. Need to look at it again later since too much water was still running through it. Were able to get some good ideas that could save money. Will meet again in two weeks along with Brad Newman

from Madison County. The issue is to assess if the current culvert is big enough to handle the water. Current one is concrete box culvert – about 60 years old. Glazier will have the engineer look at garage while he meeting with them. Got a new loader yesterday and sold the old one. Same price for both. Glazier announced that he is leaving for vacation tomorrow morning and will be gone for one week.

Supervisor Shwartz asked for Councilmember Darby and Mayor Miller to expand on the meeting with Birnie Bus. Darby reviewed the basic idea behind the project, which is to build a consolidated structure that serves Birnie Bus, Colgate, the town, the village, and maybe the school. The difficult part is finding a location to satisfy everyone's needs or a location suitable to dedicate to a garage. Another idea is to find a location to provide services such as joint fuel bid, service our equipment at \$68 per hour. For the town, this would be cheaper than Stadium Int'l which is \$120 per hour. Although for the town and village, each has its own mechanic, so this does not seem to be a huge factor. According to Darby, this sounds like a good program but does not think it will play out. Discussion continued about locations that were considered like the Air Park and Snyder's. Mayor Miller stated that it will be discussed at village meeting. Supervisor Shwartz asked Mayor Miller to talk about marketing of the air park. Kip Hicks of Madison County IDA is working with the Village. Shared services came up and Supervisor Shwartz stated that we need to document all of the shared services we are currently doing and anything in the past. Glazier reviewed a few examples of shared services that the town has participated in.

Town Clerk: Sue Reymers

Marriage Licenses – 5

Marriage Certificate Copies – 2

Conservation Licenses – 4

Landfill tickets – 22

Dog Licenses – 29

Permits – 4

Solar Unified Permit Grant: Application submitted. Waiting for response. Grant amount \$2,500.

Town Office Improvements: Clerk desk arrived (donated by Colgate Salvage). Removed 2 large metal cabinets. Thanks to Bert and the guys. Office supplies are now housed in built in cabinet. Files that were housed there are now in records retention for processing.

Professional Development: Attending Records Manager Workshop on April 15, Cortland; Attending NYS Town Clerk Association Conference from April 27-30, Saratoga Springs; Attending Tax Collector Training Seminar on June 8-11, Syracuse.

Records Retention: 20 Utica Street Lease was extended to August 31.

Tax Collection:

- 255 Reminder Notices were mailed out by Mad Co. after March 1 with a \$2.00 reminder fee.
- Total Warrant: \$3,159,208.44
- Collected as of February 28, \$2,629,193.27 (83%)

- Collected as of March 31, \$2,764,959.19 (87%)
- No way to compare to previous years because tax collection was done manually.

General Clerk: Local Laws 1, 2, 3, 4 of 2013 were received by Steve Jones for filing.

Codes Enforcement:

- Found resolution from June 2013 with fee schedule changes for Building Permits. All paperwork was updated in house and on website. Also, spent time with Paul to review how and when fees are charged, how we can work more closely to ensure fees are charged in a timely manner and how the clerk's office can provide more administrative support to him now that the busy season has started.
- Finally located resolution and paperwork on updated zoning and planning fees. Now need to create a Fee Schedule form for handling and tracking fees paid.
- Need to create Zoning Application, Zoning Permit documents as electronic file is missing. Need to create Sign Application document – have Village's as sample. Need to establish Solar Permit Fee and ensure new Permit is available for use. Need to update website for all new forms and changes.

Dog Control: Met with Larry Butts to discuss dog control. Created new town email for dog control. Requested monthly reports. He submitted one for March.

CLAIMS FOR PAYMENT:

RESOLUTION 2014-22: Audit of Claims

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 4 – Darby, Collins, Shwartz, Rossi. Nays 0 Resolved that the bills contained on Abstract #4 for the General Fund have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Bills	\$ 13,311.25
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On a motion of Councilmember Rossi, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4 – Darby, Collins, Shwartz, Rossi. Nays 0 Resolved that the bills contained on Abstract #4 for the Highway Fund have been reviewed by the Town Board and are authorized for payment in the following amounts:

Highway Bills	\$166,905.13 (includes capital expense of loader)
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Finance Report: Donna LaMarco

A narrative report along with the Profit & Loss and Balance Sheet were presented to the board.

From the narrative:

Court Report: March: Deposit (\$1,566.19) this includes the \$15.19 Unidentified Funds; Office of the State Comptroller Payment: \$ 1,216.19. Town Portion: \$ 350.00. We also received \$2,600 in Unclaimed Bail Money. The Court has held this for five years; we need to retain it in a separate fund for one more year (total six years), and then it becomes the property of the Town.

Worker's Comp Update: Follow up from March meeting-Workers' Compensation-Why did it increase? Cindy Edick from Madison County explained that we are part of a

COOP-even if we didn't have any claims, all participants are impacted by others in the pool. Some increases in our assessment were due charges passed down by the State and Workers Comp Board. For the 2015 Budget, she will have the estimate by mid to end of August from Bailey, Haskell and Lalonde. She will send the back up over for us to use in the budget process.

Assessors Photo Project: In comparing whether it's more beneficial to hire the person as a employee or as a contractor. An estimate was received from David Craine of Mang Insurance for workers comp (would cost about \$807 annually) and liability insurance (would cost about \$646 annually), which seems quite higher than hiring him as a temporary employee. As an employee (even a temporary employee) membership in the NYS Retirement System is optional, and of course payroll taxes would be an additional cost for the Town. Donna spoke with County to inquire how to handle it if we hired him as an employee. First, the town would need to create a new duties statement but is waiting to hear back from Eileen on more details.

FEMA: We received the Form 90-91 back from Debra Morris. Bert signed and we sent it back. On 4/10/14, Bert, Donna and FEMA representatives met and Bert signed the papers for the Exit Briefing. The Total Cost sent in was \$222,859.96. We expect to receive 87.5% of this (\$195,002.46). It was allocated this to the two funds-A (\$15,516.99) and DB (\$179,485.48) in 2013. FEMA pays 75% and NYS pays 12.5%. It's not clear at this time if we will get that money due to Storm Sandy. The Town should get at least 75%, but hopefully 87.5 %. The board discussed about the bridge in DA and whether to post FEMA at 87.5% or 75%.

Annual Update Document (Report): began working on-the software is uploaded and working and the budget has been entered. Now that the FEMA figures are in the 2013 numbers can be entered and the report can be finished.

Bank Reconciliations: all accounts reconciled through March 2014, except the Money Market.

Audit: We have a date of April 21-22 for the Annual Audit by Cwynar and Co. Also, the Perma Payroll Audit for Workers' Compensation is April 30th.

Received Codes Office Invoices from Village through December 2014 (\$1,100.42/month).

Equipment Replacement Schedule: We received the new 2014 Loader 4/9/14, and the 2013 Loader is in the process of being sold.

Funding Notification from Senator Valesky's office: AIM Funding [Aid to Municipalities] - \$44,184 (expected amount per budget line "State Aid Per Capita"=\$44,000). CHIPs Allocation \$122,802 (\$109,179 in budget). The increase of \$13,117.02 is attributed to the Extreme Winter Recovery Capital Grant. Bert and I will file for reimbursement in May.

Income: Received a fourth check from Madison County Road Fund for lane miles; the totaling \$121,920.93 to date (2014 Budgeted amount - \$95,000). 12/27/2013 - \$20,528.30, 1/7/2014 - \$25,366.09, 1/14/2014 - \$15,990.93, 2/21/2014 -

\$33,953.82, 3/17/2014 - \$26,081.79. Received final NYMIR check for Interest on Capitalization Program \$783.00. Received \$1,145.51 from Madison County for the 1% Interest on February Tax Collection.

Committee Reports:

Comprehensive Plan Committee: Chris Rossi

The committee had a successful day on Saturday March 29 with the Focus Groups. There were five groups. There were a few folks who RSVP'd that did not show up. People felt their participation was valuable and that positive things came out of the groups. Chris was scribe for the Energy Group which had potential for difficulty in facilitating. Participants were able to come to consensus on some core thoughts about any energy development in Hamilton needing to be safe – environmentally and health wise, reliable and sustainable. All of focus group reports are completed and available if interested.

Nan Stolzenburg is now processing the focus group information. They have also put together a profile and inventory from all the information they gathered. The CPC is helping fill in the gaps. They are looking at the last comprehensive plan as well and assessing what they want in the new plan. The next meeting is on 4-24 with Nan. They will be reviewing what came out of the focus group, the profile and inventory and how we want the new comp plan organized.

Councilmember Rossi asked if we should we send a thank you to the 30 participants? The board determined that thank you letters should be sent. Reymers will handle the mailing. Rossi also asked about whether Nan should contact those who could not attend? Questions arose about where we are with expenses with Nan. Rossi continued that participants were impressed with facilitation.

Road Use Law: Eve Ann Shwartz

The final agreement was drafted and approved by the Town of Lebanon to sign it. Last year, the town board authorized Supervisor Shwartz to sign the document, however, it was determined that another resolution should be done to sign the final agreement.

Resolution 2014- 23: Resolution Authorizing Contract with Delta Engineering

WHEREAS Delta Engineering, Architects and Land Surveyors (“Delta”) has offered to prepare a road protection plan for the Town of Hamilton, which would include a baseline road condition survey, a traffic count, adoption of a road use and preservation law, training of local officials, and other services, and

WHEREAS Delta has made several presentations about their proposal, which were attended by at least some Town Board members, and

WHEREAS there have been extensive negotiations regarding the proposed contract with Delta, resulting in further definition of the precise amounts they will charge and the services they will provide, and

WHEREAS the Town Board has reviewed the proposed contract with Delta,
NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the proposed contract and related documents with Delta Engineers, Architects and Land Surveyors.

On a motion of Council member Collins, seconded by Council member Darby, the following resolution was ADOPTED. Ayes: 4 – Darby, Collins, Shwartz, Rossi. Nays: 0

Supervisor Shwartz continued that the cost will be \$7,900 and mileage. Once the agreement is signed then perhaps next month we should be able to start the process of getting a road use law and put up the notice.

Records Retention Committee: covered by Town Clerk report.

SOMAC: David Holcomb

Since Councilmember Holcomb was absent, Mayor Miller shared that there is a board meeting on Monday, April 14 and that Tim is working on financial reports.

PCD Housing/Village Development: Peter Darby

PCD met yesterday, awarded micro grants to about 15 local business in about \$35,000. Working on preparations of Chocolate Train Festival. They are moving forward with a fund drive. The PCD is not adequately funded by the three partners. Darby suggested that the board will likely have to discuss this after the fund drive has concluded. Revenue is down \$20,000 and the budget is not flush. Some of the decrease is due to grants not covering administrative costs.

The Housing Committee is actively working to get senior housing. It's in the early stages and this is the fourth attempt to get senior housing in the village. Location considerations and transportation were discussed.

Joint Village/Town Projects: Suzanne Collins and Peter Darby

Already discussed the consolidation garage. As for the Village/Town Office, Councilmember Collins and Mayor Miller talked this week about the town getting the architect to look at the Village building. Miller asked the Village about it at their meeting and they already have some data. Miller stated that there are some funds in the budget to continue with some upgrades. Councilmember Darby asked if the Town should take a lead on this project. Miller said yes since they are maxed out on the gas project. Supervisor Shwartz thinks we are interested but needs Village ok as well as an identification of needs for space. Discussion about potential grants took place including Community Foundation of CNY and State grants for historic preservation.

Supervisor Shwartz believes its best to create a committee and will wait to hear back from Village to appoint someone to committee. Councilmember Collins will be town representative and Town Clerk Reymers should be on the committee.

47 Utica Street: Eve Ann Shwartz

There has been no decision about putting it to auction yet but it was discussed at the last meeting. A letter was sent out last week or so to those who were interested in the property. Shwartz will follow up with the Treasurer's office at Madison County. Seems that the board is not interested in this property for the town office due to commercial interest in property.

New Business:

Hamilton Business Alliance:

Supervisor Shwartz opened discussion about becoming a member of the Hamilton Business Alliance. Annual cost is \$35.

RESOLUTION 2014-25: Authorizing Membership for Town with Hamilton Business Alliance

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

Resolved that the Town will become a member at the \$35 level.

Supervisor Shwartz asked that Councilmember Collins or Darby attend the meetings which are at Colgate Inn at 8 am on the first Wednesday of the month year round. Darby will attend the May meeting and Collins will attend June, July, August.

Hamilton Youth Recreation Program Funding Request:

A letter of request was received from Ann Marie Weeks to assist with funding of the new ice rink in the Village. According to Mayor Miller, the Village is putting it in their budget. There was discussion about the initial year of operation of the rink. It was determined that it was very successful and well used. It's open to anyone and is self-monitored.

The Town Board discussed the funding. The Town gave \$10,000 to the youth program this year but that did not support the rink. Many questions arose about the total budget for the rink, what would the Town funds be used for? Shwartz asked Collins to follow-up with Ann Marie or Mary Ann Henderson and put it on the agenda next month.

Time Warner Franchise Agreement:

Time Warner (TW) is being purchased by Comcast. The Town was approached by a firm for a free consultation about reviewing our franchise agreement with TW because of their merger with Comcast. In the past, Computel reviewed the last agreement to see if TW was in compliance. They got paid about half of what was owed the Town for underpayment, which was about \$3,000. Town Attorney Steve Jones has looked at the consultation proposal. May be an opportunity to renegotiate the agreement. Steve recommends getting the free consultation and also talk to Computel. According to the current agreement, TW should be giving the Town one free line at Town Barn, so we could get funds back. Supervisor Shwartz thinks we should contact TW ourselves to say we are not getting our free line.

Association of Towns – Shared Services Summit: There is a Municipal Innovation Exchange Summit on Friday April 25, 2014. It's an opportunity to learn about shared services. It's sponsored by NYCOM, AOT, NYSAC, and NYSSBA. It was requested that Town Clerk Reymers will attend if her schedule permits.

Deer Management Issue & Task Force:

Councilmember Darby and Town Clerk Reymers met with Catherine Cardelus from Colgate as well as Sam Cooper from the Village. Darby shared that Cardelus and her team have done a lot of research. Basically, we need permission from the Town Board to pursue. It would involve getting information out to community about doe permits, culling the deer which would mean hiring professionals that has insurance and this would cost funds or possibly hiring local hunters if they could be certified, but it needs research. Reymers stated that the Town needs to declare that deer are a problem before the DEC can do something. This needs more research and contacts need to be made with the Regional representatives at DEC.

Supervisor Shwartz is in favor with having Reymers and Darby further research it. Discussion about culling took place. Darby clarified that according to the research, the culling is essential to the success of reducing the number of deer along with other methods, such as increasing doe permits. Shwartz stated that she feels that Colgate and the Village need to be involved. Reymers noted that this is an issue that needs on-going management and this is not solved after one year. Some municipalities have been managing it for 10 years now and still need to continue to handle it. After further discussion, it was determined that Darby will call another meeting with Sue Reymers, David Holcomb, Greg Owens, Catherine Cardelus from Colgate, Sam Cooper, Jen Servidio to see about developing an action plan for creating a task force.

Concerns of the Town Board: No concerns

Supervisor's Report:

Madison County received the \$11 million on April 1 from Oneida Indian Nation. They will get \$3.5 million annually. County trying to figure out how to handle it.

RESOLUTION 2014-26: EXECUTIVE SESSION

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

Resolved that this Board move into an Executive Session at 9:28 p.m. to discuss personnel.

RESOLUTION 2014-27: RETURN TO REGULAR SESSION

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

Resolved that the Board return to regular session at 9:40 p.m.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Collins, the meeting was adjourned at 9:41 p.m. Carried unanimously.

Respectfully submitted by
Town Clerk Suzanne Reymers