

Town of Hamilton Regular Town Board Meeting
Thursday, January 9, 2014, 7:00 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY

Present: Eve Ann Shwartz, Peter Darby, David Holcomb, Chris Rossi, Suzanne Collins, Bert Glazier, Donna LaMarco, Sue Reymers, Carol Dewey

Guest: Regina Silvestri, Groton Johnson, Margaret Miller, Gerald 'Doc' Hayes, Jerry Fuller

1) Call to order: Eve Ann called the meeting to order at 7:00 P.M.

2) Public Comment

Margaret Miller, Village Mayor, commented the Village has hired Christine Watkins as the new parking officer to fill the vacancy. The Village is moving forward with the natural gas project. They are in the process of hiring employees. Bids will be opened on January 23rd for construction. At the past Village meeting they approved the rezoning for the Art Center. She is not aware of a definite time line on this project. The Town will be using the records retention area until the end of May '14.

Doc Hayes commented that there may be a need to raise taxes this year for the Village of Earlville. Things have been slow the last couple of months.

Jerry Fuller, of Paul Oil, was interested in viewing copies of the recent fuel bids for the Town. He brought to our attention items such as winter fuel for the trucks is priced differently than summer fuel. Bert Glazier will work with Donna LaMarco and provide Jerry Fuller with copies.

3) Appointments

Eve Ann made the following appointments for 2014 with sincere thanks for the jobs well done in the past.

- a) Deputy Supervisor ---Peter Darby
- b) Budget Officer---Peter Darby
- c) Secretary to the Supervisor/Bookkeeper---Donna LaMarco

4) Reorganizational Meeting

This will cover the appointment for one year terms for the following:

- a) Attorney for the Town – Steve Jones (Contractual)
- b) Historian – Jack Loop
- c) Dog Control Officer – Larry Butts
- d) Constable – Mike Donovan
- e) Custodian – David Funke
- f) Planning Board and Zoning Board of Appeals Minutes – Carol Dewey
- g) Code Enforcement Officer – Paul McGinnis (Contractual)
- h) Appointment of Town Clerk as Records Management Officer and Registrar – Sue Reymers
- i) Appointment of Carol Dewey as Deputy Town Clerk/ Collector/Registrar at hourly rate of \$12.85 per hour

A motion to accept the appointments was made by Chris Rossi and seconded by Suzanne Collins.
Motion carried.

5) Planning Board and Zoning Board of Appeals Appointments

a) Planning Board—Elaine Hughes’s term ended 12/31/13 and we are waiting to hear back from her regarding the reappointment.

b) Zoning Board of Appeals- Patty Cook Blocklin has been reappointed for a 5 year term ending 12/31/18.

A motion was made by Suzanne Collins and seconded by Peter Darby. Motion carried.

6) Appointments to Town Board Committees

The following individuals have been appointed to the Town committees listed below:

- a) Highway---Peter Darby and David Holcomb
- b) Energy Working Group/Comprehensive Plan—Chris Rossi, Suzanne Collins and Peter Darby
- c) Records Retention—Composed of volunteers and former Town Board members
- d) Shared Services—Peter Darby and Suzanne Collins
- e) Communications/Website -- Chris Rossi
- f) Economic Development, PCD Liaison – Peter Darby
- g) Liaison to Villages of Earlville, Hamilton and SOMAC
 Village of Earlville—David Holcomb; Village of Hamilton—Suzanne Collins and SOMAC—
 David Holcomb

David Holcomb will be glad to work with Doc Hayes at any request.

7) Annual Reorganizational Resolutions

The following resolutions were needed for the new 2014:

- 1) Resolution #1 to declare NBT as our official bank. Motion made by Peter Darby and seconded by David Holcomb. Motion carried.
- 2) Resolution #2 to declare Mid-York Weekly as our Official Paper for notices with Oneida Daily Dispatch as our back up. Motion made by David Holcomb and seconded by Chris Rossi. Motion carried.
- 3) Resolution #3 to pay salaries every two weeks for the highway employees, bookkeeper and deputy town clerk, and monthly for all other employees – on the 25th of each month except on December 20th.
 Motion made by Chris Rossi and seconded by Suzanne Collins. Motion carried.
- 4) Resolution # 4 to authorize Highway Superintendent to expend up to \$1,500 for machinery and repairs without prior Town Board approval. If over that amount the Highway Superintendent is to consult with the Supervisor. Motion made by Suzanne Collins and Peter Darby. Motion carried
- 5) Resolution #5 to hold Town Board meetings on the second Thursday of each month at 7:00 p.m. at the Town Office, 16 Broad Street. Legal notice to follow informing public. Motion made by Peter Darby and seconded by David Holcomb. Motion carried.
- 6) Resolution #6 to allow Town employees to receive full benefits under health, medical and dental/vision plans, with five (5) percent of the premium to be paid by the employees through payroll deductions.
 A motion was made by Chris Rossi and seconded by Suzanne Collins. Motion carried.
- 7) Resolution #7 to set the 2014 Town mileage reimbursement rate to match NYS rate of \$.560 per mile.
 Motion made by Suzanne Collins and seconded by Peter Darby. Motion carried.
- 8) Resolution # 8 to allow for payment of monthly pre-paid bills (Office rent, electric, telephone, internet, village court rent, health insurances, postage, etc.)
 A motion was made by David Holcomb and seconded by Chris Rossi. Motion carried.

8) Town Justice Report

- a) 2013 Annual Report on Town Courts--- Don Haight was not available to attend tonight's meeting. Sue presented his book to the Board to review. Sue did find a small balance (\$15) being brought forward and Don will be looking into this. Sue did mention we have contracted with auditors and they will be dealing with the Town Clerk as well as the Town Courts books. According to Town Law Section 123, an annual audit must be conducted by the Town Board on or before January 20th. If the Town contracts with or retains a public accountant to conduct an annual audit, then the annual audit by the town board is not necessary. Since the Town has contracted with Cwynar & Co in Norwich to conduct an audit that will cover the Town Clerk, Town Justice and the Supervisor's books, we are all set and they will make recommendations for any adjustments. Due to the auditors coming in, the Board does not need to sign the book today. For the Town Clerk and Justice's books, the beginning and ending balances should read \$0.00 as no money is retained in the accounts. The Board chose to table the signing of the Town Court books until the auditors review. Sue reviewed an annual report from the Town Justice Donald Haight that we need to send to the State that reflects the Court's actions/collections for year.

9) Town Clerk Business

- a) Minutes Approval for Town Board Meeting on December 12, 2013
With one minor correction, a motion was made by Chris Rossi and seconded by Suzanne Collins to accept the minutes. Motion carried.
- b) Resolution # 9 A resolution was needed for approving a recommended \$10.00 fee for bounced checks received by the Town of Hamilton. A motion was made by Suzanne Collins and seconded by Peter Darby. Motion carried.
- c) Resolution # 10 A resolution was needed for the creation of a \$100 petty cash account for the Town Clerk with Sue Reymers and Carol Dewey named on account. A motion was made by David Holcomb and seconded by Chris Rossi. Motion carried.

10) Tax Collection Report – Sue Reymers

Sue provided a 2014 Tax Collection report. The taxes were mailed to residence on Monday, December 23rd from Madison County in Wampsville. The Madison County Treasurer's office notified us there was an error on the 2013-2014 school re-levy. Corrected tax bills were sent to the individual taxpayers as well as our office. The total Tax Warrant is: \$3,159,208.44. Total # of parcels: 2,321. Amount to be paid to Hamilton Town Supervisor: \$955,543.04 (Breakdown: \$731,747.00 for the 2014 Town Budget and \$223,796.04 from sales taxes.)

Madison County Treasurer's office has collected taxes for the Town of Hamilton as of 1/9/14 in the amount of \$488,859.52 which is a bit more than half of the taxes due. In our shared service agreement, by January 15, Madison County Treasurer's office will be paying to the Town a sum for the monies collected thus far. The balance will be submitted to us as they reach our total warrant figure via weekly installments. The Town office is receiving daily reports for Madison County Treasurer's office with a detailed listing of taxes paid. From this information, we are required to mark the date the taxes are paid in the Blue Book for the County. We also mark an Account List which we keep for our records. The process seems to be running smoothly from what we understand. One concern from the tax payers was the date at which they received their tax bills as it was Christmas Eve.

11) Highway Report—Bert Glazier

Standard snow and plowing has been taken care of. No major breakdowns. Bert was informed that we have received almost \$46,000 from Madison County paying for our lane miles. We did sell the 2013 pick-up and we will be looking into purchasing a new truck out of Pulaski under the Fleet price of \$28,200. Bert is working with Cazenovia, Lebanon, Lenox and Nelson for a better buying power. If we stay under 28,000 miles on a vehicle on a trade-in, we hopefully will get a good deal. We sold the 2013 truck for \$26,000 and we are buying the new ½ ton truck for \$28,000. Bert indicated overall cost for the year for the 2013 truck was approximately \$111 not including fuel and oil. Bert explained the specifications on the new truck that varied a bit from the 2013 truck and the cost savings of not keeping the 2013 truck. The new truck will be a 1/2 ton truck and trucks under State contract may run as much as \$32,000. The 2013 truck we purchased with a dump on it for \$33,000. Bert has been using a lot of salt and may not have to purchase sand this summer. A summer clean up of the salt and sand area is planned.

Eve Ann asked for an estimate of insulating windows and also getting estimates on the fuel station. Bert has been working with vendors on this. An approximate estimate to move the fuel station may run in the \$10,000 range. A representative from one company will visit Bert within the next two weeks. With consideration of smaller gas storage tanks installed,(we are now using 1500 for diesel and 2000 for unleaded), the estimate could be more in the \$7500 range. Approximately 2 runs of plowing could use as much as 50 gallons of fuel. Bert seems to be pleased with Broedel providing the fuels. The discussion of having a larger/more efficient generator for Highway garage was discussed. Eve Ann asked Bert to get bids on a new and larger generator. Peter mentioned that when they installed the solar panels, Arista mentioned a generator. Peter or Bert will check out more possibilities and quotes for upgrades on generators. Bert, Peter and David will get quotes on generators.

12) Codes Enforcement Officer – Paul McGinnis

Paul submitted a report reflecting his annual figures:

Year to date hours worked: 122, mileage: 914, Building Permits: 15, Inspections: 7.

13) Claims for Payments

General bills for the month of December totaled \$29,857.73. David Holcomb made a motion for payment and was second by Chris Rossi. Motion carried.

Highway bills for the month of December totaled \$62,786.99. Chris Rossi made a motion for payment and it was seconded it by Suzanne Collins. Motion carried.

14) Financial Reports - Donna LaMarco**a) 2013 Year End Financial Draft**

Court: For November we totaled \$1012 income with \$737 being directed to the Office of State Comptroller and \$737 to the Town of Hamilton. The December deposit of 1/8/14 has yet to be determined as the State Comptroller's has yet to be determined.

- Financial Updates: FEMA: final paperwork is expected the week of 1/13/14
- Auditors are coming for initial interviews on 1/24/13 for Town and Court
- The State AUD report is due 4/1/14 and Donna is working on this

- Working of standard work days for NYS retirement requirements. This involves those individuals who are enrolled in the retirement program. Sue Reymers explained those who will be involved and the requirements needed by the State
 - We have received 2 of the 3 checks from Madison Co. Road fund
12/27/13----\$20, 258.30
1/7/14-----\$25,366.09
- b) Resolution # 11: A resolution was needed to amend the fund allocation. This resolution will cover those accounts which were overspent in 2013. Donna provided a copy of those accounts that were overspent and from which account the monies will be transferred. Peter and Donna gave a quick review of the line items. Basically it is a balancing from overspent line items and under spent line items. This is an annual event. Some of the monies will be funded from FEMA once we receive another check. Various discussion followed to explain any questions of concern. A motion to approve the transfer of funded was made by Peter Darby and seconded by David Holcomb. Motion carried.
- c) Annual Update Report to NYS Controller is due April 1st. Due to a new bookkeeper we will be asking for the May 1st extension deadline.
- d) Annual Review of Town's investment policy & collateralization agreement with NBT. This is on the agenda to be worked on. The collateralization agreement is now handled by Wilmington Trust via NBT. Sue suggested the investment policy be looked at and reviewed for the upcoming year. Peter gave a brief explanation of the handling by Wilmington Trust and NBT. The Town will need to talk to the Bank to sign supporting documents which should be on an annual basis.

15) Committee Reports

- a) Town Comprehensive Plan – Chris Rossi reported a meeting is planned for Thursday, January 16 at 7:00 p.m. at the Poolville Community Center. They will be working on the Vision Statement and putting together focus groups. They will also be posting the survey results and data from the work shop onto the Website. She is working on a press release with details. They have been sharing the Visioning document on Google Docs.
- b) Road Use Law/Delta Contract Update—Chris Rossi indicated Lebanon was ready to sign the contract and we resolved to do so. Eve Ann indicated there was a conference call with the supervisors and the lawyers. Basically we are all in agreement and it was referred back to Delta to clarify some details. Delta has not gotten back to us with review of some contractual issues. We are very close to having it signed. Chris explained the road use agreement. We are working with Lebanon and Brookfield to contract with Delta Engineering to put together a road use law and agreement. The law is basically a protection for the towns if heavy traffic industry comes into the area and uses the roads what is deemed outside the norm that they will be responsible for repairs of the roads. It does involve an engineering survey of the roads. This became a concern when the topic of natural gas drilling or wind mill development occurs. We will be signing a contract with Delta once the details are approved. The road survey will be done this spring and from that perhaps a local law will be established. Bert explained the various matters that Delta will be testing on the roads. This contract will cost approximately \$8,000.

- c) Records Retention Committee –Carolyn Todd left us a report. We have a new Colgate intern who has been a tremendous help. We also have a new volunteer, David Hughes, retired Colgate librarian. They are starting to see real progress. Hundreds of volunteer hours have been given without any cost to the Town. We have a May 31, 2014 deadline of the use of 20 Utica Street. Various other options of storage are being reviewed. It has been approximately one year since the beginning of the retention of records began. The organization of these records has been a huge impact on the records retentions. There are some historical items that may be turned over to various committees. Chris Rossi mentioned that the NYS Historical Association may be interested in anything of historical value. There was some discussion about digitizing our paperwork. There may be grants available that Sue Reymers will follow up on when we are ready for that stage of the project.
- d) SOMAC -- David Holcomb reports that SOMAC is busy. Billing has improved for recovering revenue. David would like to obtain a monthly report of the operations and perhaps a quarterly report on finances. David will try to get something for our next meeting of SOMAC's activities.
- e) PCD, Village/Town Office and Village Development plans -- Peter Darby reported Town and Village staff met with the possibility of the joint municipal building. No definite decision has been made. Mayor Miller indicated Shannon was going to look for funding. This topic has not been a high priority with the Village as they face the natural gas issue first. Mayor Miller indicated they are still waiting for the developer that was interested in the Wayne's Market/Laundromat to see if he has any thoughts for the Village. He has not gotten back to the Village as of yet. Peter indicated the Partnership for Community Development is becoming more active. The major focus now is looking at various types of potential housing options in the Village and encouraging upgrades to housing outside the Village. Nothing happening right now but in the future there will probably be some action seen. Those working on this from the Village include Jim Leach, Russ Lura, Roger Bauman, and Joanne Borfitz. There was an annual meeting the week of January 6th. PCD is about to launch a website which consolidates the website of PCD, Hamilton Initiative and the Hamilton Business Alliance. This will be one website to cover the three groups with links to the Village and Town websites. Peter will check to see the Village of Earlville can be included. There has been a discussion where the PCD Board may increase its membership. The current board does have 10 members and the by-laws will be looked at and revised to deal with this issue. Currently new members do not join the committee until one Board member leaves. Eve Ann mentioned that PCD will be receiving \$35,000 from IDA that will be used for microgrants that will be launched for projects this spring. Peter will be working to identify what additional support PCD may need to provide more grant riding or project management. It was questioned if Colgate's consultant for the master plan could work with the Village. Mayor Miller has been in contact with the consultant and the Village was not in a position to use them due to cost and if that was the right way to go.

16) Town Board Business

Eve Ann mentioned there is an annual meeting for the Association of Town in February 15-19, 2014 in New York City. Suzanne Collins and Sue Reymers indicated this would be a conflict for them to attend.

The Town can designate a delegate to attend this meeting which allows us to participate in the elections.

Sue Reymers does have a package available with the information regarding the meeting. They do need to know by February 7th and a resolution will be needed. Sue Reymers indicated she will be attending a Town Clerk Association Conference in late April located in the Saratoga area. A motion was made by Peter Darby to designate Eve Ann Shwartz and Suzanne Collins to represent Hamilton at the Association of Town meeting. David Holcomb seconded the motion. Motion carried.

17) Concerns of the Town Board

18) Executive Session

At 8:59 p.m. Peter made a motion to go into Executive session to discuss litigation. Suzanne Collins seconded the motion. Motion carried.

At 9:25 pm, the Board came out of Executive session.

Resolution #12 Resolution approving settlement with Silver Hamilton LLC regarding tax assessment review. (see Exhibit 1). On motion of Peter Darby and seconded by Chris Rossi. Roll call vote: Shwartz: yes; Holcomb: yes; Rossi: yes; Darby: yes; Collins: yes

19) Adjourn

A motion to adjourn the Board meeting was made by David Holcomb and seconded by Suzanne Collins at approximately 9:25 p.m.

Respectfully submitted,

Carol Dewey
Deputy Town Clerk

Budget Amendments Attachment

| Budget Modification Worksheet | From Acct # | To Acct # | Amount | New Budget Amount |
|---------------------------------|------------------------------------------|--------------------------------------------------------------|-------------|-------------------|
| A1310.1 Direct Fin, Pers Serv | A1990.4 | A1310.1 | 3,227.50 | 24,980.00 |
| A1310.4 Dir of Finance, Cntr Ex | A1990.4 | A1310.4 | 438.00 | 7,437.70 |
| A1355.1 Assessors wages | A1990.4 | A1355.1 | 150.00 | 30,150.00 |
| A1410.1.1 Deputy Clerk | A1990.4 | A1410.1.1 | 488.28 | 12,660.96 |
| A1650.4 Central Communication | A1990.4 | A1650.4 | 30.00 | 2,700.97 |
| A1990.4 Contingent Acct | A1990.4 | A1310.1, A1650.4, A1410.1.1, A1355.1, A5010.4, A9030.8 | 12,245.01 | 22,785.99 |
| A5010.4 Superintendent Cont. | A1990.4 | A5010.4 | 256.63 | 2,327.25 |
| A5132.4 Garage Contractual | A1990.4 | A5132.4 | 6,971.85 | 36,318.39 |
| A9030.8 Social Security | A1990.4 | A9030.8 | 682.75 | 15,182.75 |
| B1990.4 Gen Gov, Contingent Acc | B1990.4 | B8020.1.1,.4 | 10,000.00 | - |
| B8020.1.1 Clerk, Planning Board | B1990.4 | B8020.1.1 | 37.44 | 37.44 |
| B8020.4 Planning Contractual | B1990.4, B9010.8 | B8020.4 | 12,504.12 | 22,504.12 |
| B9010.8 State retirement | B9010.8 | B8090.4 | 2,541.56 | 2,566.54 |
| DA5130.1 Machinery, Pers Serv | DA5130.2 | DA5130.1 | 27,655.08 | 31,162.24 |
| DA5130.2 Machinery Equipment | DA5130.2, DA5130.4, DA5142.1 DA5142.4 | DA5130.1 | 59,843.37 | 291,156.63 |
| DA5130.4 Machinery Contractual | DA5130.2 | DA5130.4 | 16,839.52 | 36,839.52 |
| DA5142.1 Snow Removal Wages | DA5130.2, DA5148.4 | DA5142.1 | 28,112.40 | 108,710.50 |
| DA5142.4 Snow Removal Contractu | DA5130.2 | DA5142.4 | 30,452.75 | 106,953.75 |
| DA5148.1 Svcs Other Govts Wages | DA5148.4 | DA5130.1, DA5130.4, DA5142.1 | 43,216.38 | - |
| DB5110.1 General Repairs Wages | DB5110.1 | DB5110.4, DB5112.2 | (27,307.94) | 72,279.17 |
| DB5110.4 Gen Repairs Contr Exp | DB5110.1 | DB5110.4 | 18,352.62 | 54,852.62 |
| DB5112.2 Capital Outlay | DB9060.8, DB9055.8, Fund Balance/FEMA | DB5112.2 | 24,419.23 | 120,615.76 |
| DB5140.4 Brushes & Weed Control | DB5110.1/Fund Balance/FEMA | | 15,450.00 | 15,450.00 |
| DB9010.8 State Retirement | DB9010.8 | DB5110.4 | (876.63) | 14,447.67 |
| DB9030.8 Social Security | DB9030.8 | DB5110.4 | (3,351.84) | 7,648.16 |
| DB9040.8 Workers Compensation | | | 177.00 | 7,877.00 |
| DB9050.8 Unemployment Insurance | DB9050.8 | DB5110.4 | (824.41) | 75.59 |
| DB9055.8 Disability Insurance | DB9055.8 | DB5112.2 | (129.92) | 70.08 |
| DB9060.8 Hosp/Medical Insurance | DB9060.8 | DB5110.4, DB5112.2 | (10,457.49) | 16,633.67 |

RESOLUTION NO. 12
RESOLUTION APPROVING SETTLEMENT

WHEREAS, Silver Hamilton LLC filed tax assessment review cases for 2012 and 2013 regarding the old Ames store, and
WHEREAS the assessment of said property is \$1,704,500; and
WHEREAS said case has proceeded to the point where appraisal reports are due on February 28, 2014, and said appraisal would represent a substantial cost to the Town, and
WHEREAS the Judge has recommended that the parties settle these two cases by adopting an agreed assessed value of \$1,200,000, for the two years in question; and
WHEREAS the Hamilton School District favors said settlement, rather than sharing with the Town the expense of an appraisal and proceeding to trial; and
WHEREAS it appears that said settlement would be in the best interest of the Town in avoiding further litigation expense and the uncertainty of a trial,
NOW THEREFORE BE IT RESOLVED that the Town Board approves the settlement as set forth in the attached Stipulation of Settlement and Order which reduces the assessment to \$1,200,000 for 2012 and 2013.

ON MOTION OF Peter Darby
seconded by Chris Rossi

(Discussion)

Roll call vote:
Shwartz yes no ___ Holcomb yes no ___ Rossi yes no ___
Darby yes no ___ Collins yes no ___

Vote:
Dated: January 9, 2014