

Town of Hamilton Regular Board Meeting Minutes
Thursday June 9, 2016 at 6:30 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY

Present: Eve Ann Shwartz, Suzanne Collins, Chris Rossi, Peter Darby

Absent: David Holcomb, Bert Glazier

Others Present: Sue Reymers, Brynley Wilcox, Bob McVaugh, Robert Penner, Tom Fagan

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:30 p.m.

Public Comments:

Bob McVaugh gave an update on Village happenings including the ground breaking at Good Nature Brewing's new location.

GENERAL:

Approval of Minutes

RESOLUTION 2016-56: Approval of Minutes for May 9, 2016

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

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

Claims for Payment:

RESOLUTION 2016-57: Audit of Claims

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

Resolved that the bills contained on Abstract #6 have been reviewed by the Town Board and are authorized for payment totaling \$61,176.02 plus \$107,231.14 in pre-pays in the following amounts:

General Fund A	No.	136	<i>through</i>	174	\$21,564.56
General Fund B	No.	23	<i>through</i>	28	\$24,218.33
Highway Fund DB	No.	68	<i>through</i>	80	\$14,981.13
Lighting Districts	No.	11	<i>through</i>	12	\$412.00
Pre-Pays					\$107,231.14

There were questions on the bills pertaining to the credit card statement, the highway landline and the lighting districts. Brynley Wilcox, Bookkeeper explained what was happening in each case.

Supervisor/Bookkeeper - Brynley Wilcox

Ms. Wilcox reviewed her report. Lots of income coming in from interest and penalties, time warner franchise fees, sales tax, mortgage tax, and snow/ice agreement. We are under budget for snow/ice due to lack of snow. Cwynar visited the town office on May 17, 19 and 23 to conduct the 2015 audit. Final report should be done by the July Meeting.

Board discussed having it presented to finance committee who can then report on the audit. Ms. Wilcox asked about any potential remaining budget balance for the ambulance. Discussion then took place about fund balance pertaining to ambulance service. If a formal reserve fund was created by resolution, it would be subject to permissive referendum. On the town level, we can track that fund balance within A Fund, but it gets lumped into the A Fund on the Annual Update Report to NYS. If the auditor has a problem with it, then the town can consider other options. It is in the general fund. A reserve fund would keep the funds available for that specific purpose for future boards. SOMAC will have future equipment needs and are working on a long-term capital budget. The board will continue to discuss what to do with the potential balance.

RESOLUTION 2016-58: Funds Transfer

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

Resolved that \$57,000 be transferred from the Community Bank Money Market Account to NBT Checking Account in the following amounts: A Fund=\$18,000, B Fund = \$24,000, DB Fund = \$15,000.

Ms. Wilcox left for another meeting (6:50 p.m.).

Penner's Request for letter regarding vehicle.

New Business Agenda Item was moved up as a courtesy for Mr. Russell Penner. Mr. Penner of 2167 Quarterline Road, Hubbardsville purchased a 1990 Winne from a woman who no longer has the title to the vehicle. NYS Department of Motor Vehicles no longer has the title on file either. The DMV advised Mr. Penner on a process to get a new title for the vehicle. This includes a letter from the Town of Hamilton on letterhead stating that they have no interest in the vehicle and authorizing the clerk to write that letter to Mr. Penner.

RESOLUTION 2016-59: Declaration of no interest in Mr. Penner's Vehicle

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

Resolved that the Town of Hamilton has no interest in the 1990 Winne on Mr. Penner's property and authorizes the Town Clerk to write a letter to Mr. Penner stating such.

TOWN REPORTS:

Highway Superintendent - Bert Glazier

Clerk Reymers handed in a typed up report on highway. REPORT: Ditching has been done at the following locations: Bonney, Williams, Cole Hill, Hill Spring Street, Chappel, Mason, Crumb, Harris, Collins, Humphrey - Upper, Humphrey - Middle
Ditching to be done: Lower Humphrey, Preston Hill - in progress but not complete.
Culverts: New culvert on Collins Road, New Culvert on Upper Humphrey.

Trees: Large tree limb cleaned up on Borden. Mowing: Mowing done on: Eaton Street, Preston Hill, Horton, Kiley, and Hamilton Rural Cemetery – Poolville Road. (Borden, too.)

Bridges: Brad at Madison County is getting an estimated cost for the Williams' Road Bridge. Attended Info Session on the South Hamilton Bridge in May.

Clerk Reymers explained that on May 25, there was an info session on the South Hamilton Bridge at the Poolville Community Center. Ms. Reymers, Mr. Glazier, Mr. Holcomb attended the info session along with a couple who own a farm in the Town Of Brookfield. The highway report included more detailed information on that meeting. The South Hamilton Bridge will not be done until May 2017 due to supplies and a timing issue with the fish season.

Supervisor Shwartz explained that she requested that the County to get a ballpark figure for cost of the bridge and discussed the possibility of sharing the cost of the engineering. The town cannot ask for funds if we don't know the costs. The town has \$10,000 set aside for an engineer to design the bridge. The County seemed interested in helping since the bridge will then be turned over to the County afterwards. They will want to make sure it was designed and built correctly. This is why the Supervisor pitched it to the County for their consideration.

VILLAGE OF EARLVILLE: Talked with Billy Excell about paving on West and East Main Streets. Mr. Glazier recommended Slurry on West Main which will give them 4 more years and cost effective. Madison County is paving East Main Street from Light to Borden Road. They are interested in our Backhoe for sale.

Supervisor Shwartz shared that originally, Madison County was going to pave East Main Street but not go as far as the light. She spoke with Joe Wisinski at the County and said that the Village of Earlville needs the help. In response, the County has agreed to pave from the light all the way to Borden Road. Bert is working with Earlville about paving West Main Street. Chenango County is not interested in doing anything even though they get CHiPS funding. The Village is trying to figure out the cheapest way to preserve the surface now.

EQUIPMENT: Village of Earlville and Town of Fenner are interested in our back-hoe for sale. It's on Auctions International for another week.

Clerk Reymers then pointed out the report on Pave NY and Bridge NY along with the detailed information on South Hamilton Bridge. This information was emailed to the board. It's in the report for future reference. We are still waiting for more information on Bridge NY, but we know that it's funded at the same amount as Pave NY at \$25,034.64.

Mr. Darby asked Clerk Reymers to contact John Pumilio to find out if the Climate Change Resiliency Funding could fund the bridge.

Town Clerk - Sue Reymers

Clerk Reymers reviewed her monthly report for front desk sales and narrative. Grant funding update: Still waiting to hear from Dormitory Authority for Valesky grant. While at the Good Nature groundbreaking, Ms. Reymers met Laura Martino who works for Assemblymember Magee's office. She has been the point of contact for the Magee's office. Clerk Reymers explained the transition to a new architect and the delays while the town makes some decisions. Ms. Martino is contacting the Finance Ways and Means to see about getting an extension. At this point, it's not possible to meet the July 31 expenditure deadline. The good news is that there is progress with the Salt Shed grant. It's ready for signature by Supervisor, then gets sent to DEC for their signature then onto the State for their signature.

Subdivision Regulation Amendment was filed with the County Clerk on May 25. Legal notices went in the paper at Oneida Daily Dispatch on May 29 and the Mid-York Weekly on June 2. Copies of the amendment are on the website and in the booklets. The ZBA board needs to be updated. No comments or concerns from the public.

Ms. Reymers has been helping the new Town Clerk at the Town of Lebanon with marriage licenses, birth and death certificates. Showed her our set-up including the large fire safe. They do not have anything like that at the office. It was explained that it's not likely that the large safe will be moved to the new town office and that town would be getting rid of it. She expressed interest. They would be responsible for getting it out of the building. Brief discussion on the sale and donation of furniture to other towns. Board asked Ms. Reymers to ask Nicole at the County about how to handle it.

Canvassing, Peddling, and Soliciting: Just an FYI. NYPIRG is canvassing Village residents this week. They called earlier in the spring to ask if the town had any requirements for a permit. We do not. Clerk Reymers referred them to the Village in case they had requirements and always recommends having an organization voluntarily let us know as a courtesy when they will be in town in case I get calls. Board briefly discussed it as there are no current local laws or permits required. Clerk Reymers is not advocating for review or action, but rather letting the board know that calls come in. Most groups stay in the Village of Hamilton and they require permits. The board did ask to see a copy of the Village of Hamilton's regulations on it.

Tax Collection - Sue Reymers

Shared Services Agreement: Town Board approved by Resolution 2015-88 at July 9, 2015 board meeting to enter into agreement. Madison County Signed on August 11, 2015.

WARRANT & TAX ROLL:

- 2016 Tax Warrant, Dated 12/22/15.

- Bills were mailed Monday, December 28, 2015 with enclosure.
- Tax Warrant Total is: \$3,569,695.58 | Total # of parcels: 2,336
- Amount to be Paid to the Supervisor: \$832,105.00-General, Highway, Special Districts
- Legal Ads placed Oneida Daily Dispatch and Mid-Work Weekly for 12-31-15. Website and town office as well.

TAX PAYMENTS From Madison County to Town of Hamilton:

- MCT will mail amount collected by January 15. If not enough is collected to satisfy the warrant, then checks will arrive thereafter until warrant is satisfied.
- 1st payment: Check #7428 - \$689,968.74
- 2nd payment: Check #7464 - \$142,136.26 --- totaling \$832,105.00. Warrant satisfied.

INTEREST & PENALTIES PAYMENTS:

- 1% for February payments: \$1,673.12 received on 3-14-16.
- 2% for March payments: \$2,117.11 received on 4-x-16.
- 3% for April payments: \$4,230.85 received on 5-15-16.
- Total received: \$8,021.08; 2016 Budgeted amount: \$6,000.

NOTICES: Reminder Notices were mailed out by MCT after March 1 with a \$2.00 reminder fee.

Concerns, Feedback, Comments: Madison County changed the tax bill mailing address to PO Box 638 - Real Property, while the Treasurer's office PO Box 665 was on the memo and used in the past on both. The change on the tax bill was made without notice to me. Calls came in from confused tax payers. Received many calls for copies of tax bills for early payment. I have a system in place to assist tax payers to get copies easily via email or fax. I did have a few people try to pay taxes here, but gave them an addressed envelope to Madison County as a courtesy. I had several comments this year from people wishing they could pay taxes locally.

The contract for shared services for 2017 tax collection was just received today and will be presented to the board at the July meeting. Ms. Reymers and Becky Marsala from the County are working on reducing paper usage. Make copies of the tax bills for the town after tax collection has been eliminated. The tax collection software enables printing copies on demand for anyone who requests a copy. Next, they are looking into whether or not the County needs to print the tax bills in the first place for the Town. If not, it will save about 5,000 copies per year.

Clerk Reymers expressed being open to tax collection in the future if time allows in the workload. Meanwhile, there was a tax collection report for 2015 and 2016 to see what percent went uncollected. The board reviewed the report.

Dog Control Officer-Larry Butts

The board reviewed the monthly report for May.

Codes Enforcement Officer-Donald Forth

The board reviewed the monthly report. There were 5 new applications. Septic-1873 Preston Hill Road and 7375 Eaton Road; Solar-Gorton Road; Building Permit Renewal-1219 State Route 12; Pool/Hot Tub-1808 Gorton Road.

Supervisor Shwartz reported that there was a Planning Board meeting on Tuesday, June 7. There were two applications. Debbie Zahn has an application in for solar. The application was deemed complete and the public hearing is on July 12 at the Poolville Community Center. Secondly, there was an extensive continued review on an application from the Poolville Country Store for a proposed wedding venue. The applicants asked for their nearly complete application to be sent to the County to get their feedback. That is not typical, it's usually completed applications but it's a complicated project. They sent back a two page response that can be shared with the board. There are two major issues. One is the noise. There may be needs for a special use permit conditions to include noise limits. The Planning Board decided to ask for a baseline study. They are contacting the Madison County Department of Health to ask them to do a baseline study of what the noise levels are now. The Clerks will do some research on what are typical noise limitations put into effect with special use permits in other communities. The other issue is parking. The Hamlet Zoning Law specifies that parking should be within 300' of the location of the proposed property. At the moment, the proposed parking is down the road at the Dubois' property. They have a five year agreement with the Dubois' to put in a parking area behind the blue barn. It does not meet the zoning law. They will need a variance and will put in an application. There are lots of questions on traffic. The other variance they need is for the non-conforming lot in the sale of a portion of Penny Strong-Collins property to the Poolville Country Store. Both of the lots created were non-conforming but because of the 2 lot subdivision waiver, it did not come before the Planning Board. The back part of the property will become part of the other properties, so that will solve the non-conforming issue but not the front lot. That will come before the ZBA. The Poolville Country Store asked for a public hearing on their proposal because they would need to spend more money on noise regulations and additional designed parking and they want to find out what the community is feeling before they go any farther. There is also a request for a traffic study on all roads leading into Poolville.

COMMITTEE REPORTS:**SOMAC - David Holcomb**

No report in David's absence. The good news is that so far, the deficit is lower than expected.

Comprehensive Plan - Chris Rossi

The town board had a work session on the revised draft. The updated version was emailed to the entire board via email. If the town council decides to formally take the draft for review tonight, we have 90 days to hold public hearing which is September 4th. Unless if there are more edits from the council, the town is in good shape to bring it to the public and solicit their responses.

Board decided to approve it in July to have the public hearing in September on a weeknight when more people are in town. Location will be Hamilton Public Library.

Partnership for Community Development - Peter Darby

Annual report was handed out to the board. Matt Norris is stepping down from the board and Lindsay LaRuffa is coming on board.

38 Milford Street - Suzanne Collins/Peter Darby

Engineers were here last week. This coming week an outside contractor is coming over to give a quote on how much it would cost to move the building over, dig a foundation underneath it, then reposition it. This it to better utilize the space.

Court Consolidation & Shared Services- Suzanne Collins

Waiting for elections to meet again. Russ Lura wants the Village to pursue court consolidation. The shared services agreement for the Justice Clerks is with the Village attorney.

OLD BUSINESS:**Salt Shed**

Repairs have been done on the plate goes on to hold the roof down. The final packet came in today and needs to be reviewed. Two weeks ago, they had a good meeting with Mr. Wakeman. All of the tests have been done. The concrete wall extension was tested and meets or exceeds the original specifications. The repair was done after the risk of frost, last week. Bert observed it and was satisfied. They did a great job. They used a super epoxy. 1 year warranty on repair from completion of work. The town should be signing off on it and releasing the final payment. There will be a 1 year warranty on the whole shed and a 1 year on the fix. As Clerk Reymers reported, we hope to get funding back from the state soon.

Article 78 Proceeding - Update for WG Critical Care

The Article 78 has been withdrawn by WG. They are moving forward with the purchase of property in the airpark.

NEW BUSINESS:

Concerns of the board: None.

Supervisor's Report: Madison County Activities:

Nothing to report.

The Highway Superintendent for the County is conducting a tour of road building projects that are taking place in the northern part of the county. He is trying to educate supervisors as to what is involved with the road work and increase communication.

The County is gathering statistics on addiction. There are growing efforts to address this issue. There will more reported in this in the future.

At landfill, person interested in opening a slaughter facility. Difficult to locate because they smell and have bad reputations. The landfill offers cheap electric and there will be a sewer line. Madison County set aside an area to develop there. Additionally, there will be a solar array. There is a wood dried kiln there already. Another benefit is that it's close to NYS Thruway.

RESOLUTION 2016-60: Executive Session

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

Resolved that this Board move into an Executive Session for the purposes of discussing contracts for 38 Milford Street at 8:03 p.m.

RESOLUTION 2016-61: Return to Regular Session

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

Resolved that the Board return to regular session at 8:58 p.m.

With no further business, on a motion of Councilmember Collins, seconded by Councilmember Darby, the meeting was adjourned at 8:59 p.m. Carried unanimously.

Respectfully submitted,
Suzanne Reymers
Town Clerk