

Town of Hamilton Regular Board Meeting Minutes
Wednesday, May 9, 2018 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Peter Darby, Mary Lee Dinski, Chris Rossi, Eve Ann Shwartz, David Holcomb

Others Present: Sue Reymers, Brynley Wilcox, Jason Florenz.

Public: Jodi Palmer, Kathleen Palmer.

Call to order & Welcome: The meeting was called to order at 6:36 p.m.

Public Comments: Jodi thanked the Board of Supervisors for listening to dairy farmers. Ms. Shwartz explained the MCBOS and Cornell Cooperative Extension met with dairy farmers to discuss the current issues with dairy farming.

DEPARTMENT REPORTS:

Highway Superintendent

GENERAL REPAIRS:

- Cut a tree on Wickwire Road and spoke with the County about getting their help with taking down a tree on Crumb Road
- Cleaned up plow damage at intersections, Hubbardsville firehouse and the dry hydrant
- Patched Hill Road and Payne Street
- Fixed plow turn-arounds on Peterson and Rundell Road (see pictures)
- Fixed water spot on the end of Mill Street
- Cut shoulders and dug ditches on Rundell Road
- Culvert pipes have been installed prior to 2018 paving on Preston Hill Road

EQUIPMENT:

- Serviced the John Deere lawnmower and the ToolCat

CHIPS:

- Started hauling stone from Hanson for road improvements
- Received final road plan from Gorman for 2018 CHIPS money
 - (see Section 284 agreement) (ATTACHMENT A)

OTHER:

- Attended PERMA training in Morrisville; Attended PESH training in Cazenovia
- Removed "Village of Poolville" signs
- A Nationwide insurance representative came to the garage and gave a presentation on the NYS Deferred Compensation program
- We have an intern from Sherburne-Earlville school district from May 7th-17th

SNOW REMOVAL:

- Made 6 runs between April 12th and April 30th
 - Used approximately 280 yards of a 1:3 salt/sand mix
 - 1,250 gallons of salt brine

Winter	County Reimbursement	Reimbursement per Lane Mile	Rank
'17-'18	\$114,300.24	\$18.49	5
'16-'17	\$135,189.73	\$17.91	4
'15-'16	\$72,243.21	\$17.91	9
'14-'15	\$152,716.99	\$17.53	1
'13-'14	\$131,158.00	\$16.84	3
'12-'13	\$100,389.65	\$16.84	6
'11-'12	\$75,771.26	\$15.97	8
'10-'11	\$127,295.56	\$15.97*	2
'09-'10	\$90,152.39	\$15.34*	7

*Cannot be verified by Snow/Ice Agreements

Snow Removal Year-to-Year Comparison Winter 2016-2017 vs Winter 2017-2018				
	Number of Runs	Sand Purchased	Salt Purchased	Brine Used (Gallons)
2016-2017 Winter	131	2,652 yards (\$16,948.80)	1,119.40 ton (\$27,364.80)	39,500 (\$2,118.97)
2017-2018 Winter	142	2,304 yards (\$15,224.94)	1,102.00 ton (\$29,829.70)	49,600 (\$4,158.26)

Supervisor Shwartz asked for a per run breakdown. Mr. Florenz said that we will see savings more when we finish transitioning. Mr. Darby brought up the stone dust versus the sand that was discussed previously. Mr. Florenz reminded the board that the sand we get locally does not meet the County specifications; it's more like dirt, but it's cheaper because it's local. There was a brief discussion on the various ways to manage the snow removal pertaining to salt, sand, stone dust and salt brine. Jason will continue to experiment and come back to the board.

Jodi Palmer mentioned to Jason that the new sign on Rhodes Road was spelled incorrectly, it should have an 'a' in it: Rhoades. It's named for a family in Hubbardsville.

Supervisor/Bookkeeper - Brynley Wilcox

2017-2018 SNOW & ICE AGREEMENT:

- \$19,350.68 received from County: 1,046.55 lane miles; Plow Dates: 3/7- 3/17/18
- 2018 YTD: \$ 105,049.43; BUDGET: \$ 110,000.00

INTEREST & PENALTIES:

- \$3,374.21 was received from the County for March 2018 interest & penalties
- 2018 YTD: \$ 4,365.58; BUDGET: \$ 6,000.00

2017 AUDIT:

- Cwynar will be visiting the Town Office on May 15-17 to conduct the Annual 2017 Audit ☺

FEMA – WINTER STORM STELLA:

- The project worksheet (PW) for Winter Storm Stella has been signed
 - Total storm cost: \$16,902.68
 - Federal portion (75%): \$12,677.01
 - NYS portion (12.5%): \$ 2,112.84

RESOLUTION 2018-43: Funds Transfer

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

Resolved that \$62,000.00 be transferred from Community Bank Money Market account to NBT Bank Checking account to cover the May abstract and May/June payroll:

- A Money Market to Checking in the amount of \$ 29,000
- B Money Market to Checking in the amount of \$ 33,000

RESOLUTION 2018-44: Audit of Claims

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

Resolved that the bills contained on Abstract #5 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	145	<i>through</i>	178	13,690.44
General Fund B	No.	20	<i>through</i>	23	31,860.98
Highway Fund DB	No.	72	<i>through</i>	87	14,811.68
Street Lighting SL	No.	9	<i>through</i>	10	458.00
Prepays					2,779.35

Supervisor Shwartz shared that the DEC coming to inspect the old landfill tomorrow. All old, closed landfills are being inspected across the state to see if they are polluting the water supplies. Any photos and reports should be shared with us.

Town Clerk - Sue Reymers

Training: Sue attended the NYSTCA conference April 21-25. Elisa attended the NYPF conference April 22-24.

PLANNING & ZONING BOARDS:

- ZBA Meeting – May 15 for area variance for Preston Hill Property.

Colgate Upstate Institute:

- Miller Downer, from Natchez, Mississippi, and is a first year student at Colgate. He intends to major in environmental biology. Strong writing skills - writes for Colgate's newspaper along with strong computer skills.
- Will work May 21 - July - about 32 hours a week between the Village and Town. He will work at the Village office because they have space for him.

NYSERDA CLEAN ENERGY COMMUNITIES GRANT \$50,000:

- Geothermal for the garage.
- Received notice of "interested in further pursuing our proposal"
- Peter and I will be speaking with Amanda on May 14 about some ideas.

Peter Darby interjected that we hope to discuss changing the scope of the project to going back to the building. It could not be used for windows and doors, possibly the insulation depending on how much it costs, but would not work for the heating system.

Vacant/Zombie Houses: Work will begin on this project soon.

Valesky Grant: Working on contract now. The \$100,000 grant is for the overall project.

Computers: Ordered CEO and server very quickly because it stopped working properly. It was set-up yesterday. I'll be getting quotes for the Deputy, Clerk, and Assessor next.

DOG CONTROL REPORT: DCO did not hand in a report.

Clerk Reymers noted that she will move the Dog Park to her report from Old Business for future. Also noted that the BridgeNY grant was submitted on April 12.

Codes Enforcement Officer: No report due to computer being down. Clerk Reymers quickly commented on some recent work of his.

COMMITTEE REPORTS:**Town Office Building Committee**

Supervisor Shwartz shared that the committee met last week. The committee reviewed two proposals, one from Bell & Spina and one from Jason Fleming. The proposals are roughly apples to apples. Bell & Spina would be faster. Bell & Spina, per our request, split the project in two phases. The first phase is the shell of the building. The committee wanted to add a few components and details (including interior walls, stairs, 2nd floor flooring) to the first phase so it would be more complete to work on in the winter. So we went back to Bell & Spina and asked for them to update the proposal for phase 1 only and not contract with them for phase 2 because we don't know what we need to accomplish. Mark agreed to do some of the day to day supervision of the

project, so we also asked Bell & Spina to change it to an hourly basis with a not to exceed figure for that portion. Mr. Darby added that in phase 2 we can manage them as smaller projects. Overall it will slow the project down but be more cost effective. Mr. Fleming was told that we would move forward with him.

SOMAC

David Holcomb shared that there was a meeting last week of all the ambulance services in the County. SOMAC is leading the way. With fire, there is a shift because of safety codes and sprinklers; there are not the fires that used to be. Mr. Holcomb believes that the funds built up for fire departments should be shifted to emergency services.

Supervisor Shwartz interjected that she asked David to attend this meeting because ambulances were upset with the County for pushing to get a certificate of need enabling the County to move forward and potentially help the whole county with a fly car or something else. The meeting was sponsored by the County Board of Supervisors. Because of the pushback, the Supervisors called the meeting without the emergency management staff to hear their concerns. Mr. Holcomb continued to describe the meeting. Mr. Holcomb explained how the town tried to create an ambulance district and it was shot down and it's being taxed in the general fund. He also noted that Lebanon seems very satisfied with the ambulance services. Ms. Shwartz agreed. There was a brief discussion about the ambulance services and taxes as well the good health of SOMAC today. Reports came in from SOMAC today to the Supervisor.

Partnership for Community Development

Mr. Darby shared updates on the PCD's work.

Recreation and Youth Committee

Mary Dinski had nothing to report.

Supervisor Shwartz mentioned that there is a Peacemaker Bike Trail Grant program through the CNY Regional Planning Board. There are grants to help plan the route; grants are up to \$50,000. The trail is going through the Town of Hamilton via State Route 12B. Planning could include a bike lane, signage, etc. The Village of Earlville could be approached. Mary Dinski will contact them to learn more. PCD would be happy to help.

Zoning Update Committee

Right To Farm Law

Chris Rossi reviewed the finalized Right To Farm Law. Clerk Reymers explained that the Supervisor should go through the SEQRA next and under new business, a streamlined resolution introducing the law and accepting the SEQRA be done. Supervisor Shwartz reviewed the SEQRA Form with the board.

Solar Law

Chris Rossi gave the background of the Solar Law and reviewed the law. There is one section that needs discussion having to do with 25mW+ solar. The Public Service Commission is the only authority to site solar projects over 25mW. A ban states that the town does not want these size projects in our community as a home rule. After discussion, the board agreed to go with the law with the ban of 25mW+.

PILOT for Solar: Chris explained that she asked the attorney if we needed a law or resolution for Solar PILOT agreements for large scale. He said that he never worked with a municipality that did that and said that it could just be introduced if a large scale solar project comes in. Supervisor Shwartz disagreed and thinks it's better to have a resolution for PILOTS completed. She will draft a resolution for June approval.

Supervisor Shwartz reviewed the Full SEQRA form with the board. Clerk Reymers stated that the GML 239m was sent to the Madison County Planning Department and should be returned in plenty of time for the public hearing.

OLD BUSINESS:

Dog Park: already mentioned during Clerk's report.

HR Handbook for Administration**RESOLUTION 2018-45: Approval of Employee Manual for Administration**

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

Resolved that the Employee Manual Administrative Office be approved with one edit on page 3 and distributed to the administrative staff. (ATTACHMENT B)

NEW BUSINESS:**RESOLUTION 2018-46: Resolution to Schedule Public Hearing on the Proposed Right To Farm Law and SEQRA Review**

Councilor DARBY introduced proposed Local Law No. A-2018, for the general purpose and intent to maintain and preserve the rural economic base and character of the Town, and made the following motion, which was seconded by Councilor HOLCOMB:

WHEREAS, proposed Local Law A-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Hamilton, such that

there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE,

RESOLVED AND DETERMINED the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2018 at the Court House located at 60 Montgomery Street in the Town of Hamilton on June 13, 2018 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Darby	Councilor	Voted	Yes
David Holcomb	Councilor	Voted	Yes
Chris Rossi	Councilor	Voted	Yes
Mary Lee Dinski	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION 2018-47: Resolution to Schedule Public Hearings on the Proposed Solar Law and SEQRA Review

Councilor DINSKI introduced proposed Local Law No. B-2018, "A Local Law to Amend the Zoning Law of the Town of Hamilton to Add Provisions Regulating Solar Energy Systems," which Local Law would result in adding a new provision to be titled "Solar Facilities" to the Zoning Law to permit and regulate the construction of solar energy systems in the Town of Hamilton in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy, and made the following motion, which was seconded by Councilor ROSSI:

WHEREAS, proposed Local Law B-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the adoption of said Local Law is a Type I action for purposes of environmental review under SEQRA; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Hamilton, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the Town Board has determined that a Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said full EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. B-2018 is a Type I action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the reasons for the foregoing declaration are as follows:

1. If adopted, proposed Local Law No. B-2018 will incorporate a new provision in the Town of Hamilton Zoning Law to be titled "Solar Facilities" to permit and regulate the construction of solar energy systems in the Town of Hamilton in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy.

2. In reviewing and regulating the placement and use of large-scale solar energy systems, the Town has recognized that a carefully coordinated special use permit and site plan review will be taken by the Planning Board.

3. In regulating the placement and use of solar energy systems, the Town proposed regulations are designed to minimize the impact of such uses on the environment and surrounding properties while encouraging appropriate placement of those solar energy systems in the proper circumstances.

4. While it is recognized solar energy systems may be perceived to be aesthetically detrimental to surrounding properties, especially residential neighbors, the proposed regulations provide for aesthetic impacts to be considered in the review process.

5. This local law seeks to accommodate public demand for solar energy systems, while minimizing potential adverse impacts upon neighboring uses.

6. Aesthetic impacts will be reduced as a result of this Local Law which imposes various site requirements upon these facilities, including screening, height limitations, separations, design, landscaping, lighting, utility services, setbacks, visibility and others.

7. Enactment of proposed Local Law No. B-2018 will be more protective of the environment than the absence of such provisions.

8. Proposed Local Law No. B-2018 seeks to minimize aesthetic and other impacts of such uses on their neighbors, and as such, its adoption will have no significant effect on land use, air or water quality, traffic, solid waste production, drainage, animal or vegetation life; will not create any conflict with the Town's plans or goals; will not impair the character of any community or neighborhood resource; will not create any health hazard; will not result in any change in energy use; and will not create any demand for other action which would result in the above consequences; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2018 at the Court House located at 60 Montgomery Street, Hamilton, New York on June 13, 2018 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Darby	Councilor	Voted	Yes
David Holcomb	Councilor	Voted	Yes
Chris Rossi	Councilor	Voted	Yes
Mary Lee Dinski	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Concerns of Town Board: None

Supervisor's Report: Madison County Activities: Already reported on some of the activity. At the County meeting, they passed a new agreement authorizing the Sherriff to deputize Oneida Indian Nation police to enforce local law on nation land and within 5 miles of those properties. It's focused primarily on the new casinos, but is applied to all of their properties. The proposal did not go through the Criminal Justice Committee so Supervisor Shwartz voted against it because it was not handled properly, but it did pass. Ms. Shwartz explained the arrangement in more detail to the board.

RESOLUTION 2018-48: Executive Session

On a motion of Councilmember Darby, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that this Board move into an Executive Session for the purposes of legal counsel at 8:47 p.m.

RESOLUTION 2018-49: Return to Regular Session

On a motion of Councilmember Darby, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the Board return to regular session at 9:25 p.m.

With no further business, on a motion of Councilmember Rossi, seconded by Councilmember Darby, the meeting was adjourned at 9:26 p.m. Carried unanimously.

Respectfully submitted,
Suzanne Reymers
Town Clerk