

Town of Hamilton Regular Board Meeting Minutes
Wednesday, March 14, 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.

Public: Kyle Sylvester, Vincent Faraone, John Barattini (Madison County Emergency Management), Jodi Palmer, Kathleen Palmer.

Call to order & Welcome: The meeting was called to order at 6:34 p.m.

Public Comments: Jodi Palmer shared concerns about the dairy farmers who are all in crisis. There was discussion on how to spread the word in Hamilton that there are resources for dairy farmers. Cornell was offering a program next week as well.

SPECIAL GUESTS: SOMAC – Kyle Sylvester, Vincent Faraone, John Barattini
Kyle Sylvester gave a brief review of his tenure at SOMAC and update of the happenings at SOMAC. There are now 3 ambulances as well as a fly car which is providing increased services. They continue with volunteers, including Colgate students. Summer is challenging when the students leave, but they continue efforts to recruit locals as well. They are on track for numbers this year, almost 1,000 calls a year, which is an increase from a few years ago. Mr. Barattini reported that the county is looking for sustainability for emergency services – steady funding, billing, volunteers and staff. Some services are still struggling in the county. 911 is now under Emergency Management and they have a new dispatch system. He paid compliments to Hamilton for tackling the issue. Supervisor Shwartz thanked SOMAC.

DEPARTMENT REPORTS:

Highway Superintendent

Brynley gave report in Jason Florenz's absence as he is busy plowing because it will not stop snowing.

GARAGE:

- Started organizing the parts room upstairs in the garage

GENERAL REPAIRS:

- Met with Debby Zahn about a culvert pipe project on Eaton Road
- Fixed a water issue at the intersection of Barnard and South Hamilton with the backhoe
- Took a culvert pipe inventory on Preston Hill Road for replacement in 2018
- Met with Greg Migonis about a culvert on Excell Road
- Met with Shawn Payne about a culvert on Excell Road
- Patched holes on Excell, Crumb and Smith Roads

EQUIPMENT:

- Picked up the 2018 Ford F550 at F.X. Caprara

- Installed the new brine unit with 730 gallon tank
- Donated previous brine unit to Village of Earlville
- Wired up new spot and caution lights
- Installed radio from the previous small dump truck
- Installed new fenders to protect under the box
- Started working on the 1972 grader 'Bessie' before spring road work gets here

SNOW REMOVAL:

- Hauled 37 loads of sand from White Eagle
- Made 31 runs between February 10th and March 13th
 - Used approximately 1,578 yards of a 1:3 salt/sand mix
 - 10,540 gallons of salt brine

OTHER:

- Met with Fred (Gorman Bros.), Tony (Barton & Loguidice) and Sue on the Bridge NY grant for the Williams Road culvert
- Met with Steve from Madison County Soil and Water about the Williams Road culvert
- Met with Chapin Surveying about the Williams Road project
- Met with Colgate students about the 2016 Hazard Mitigation Plan

Chris Rossi interjected and explained that this is Andy Patteson's and Chris Henke's class. They are assisting with the Climate Smart Communities program, specifically resiliency by assessing our flooding vulnerabilities.

Ms. Brynley Wilcox mentioned that the highway department is looking for approval to purchase a used pickup truck from the Village of Hamilton. She gave the background that in the past, we purchased a 2nd pickup truck. Jason sold it, but now needs it to get around to sites. The Village MUC has a pickup to sell, it's a 2010, 56,000 miles, \$13,000 book value, but will take \$10,000. It's in the replacement schedule. The board discussed the Capital Plan and the pick-up.

RESOLUTION 2018-27: Authorization for Highway Superintendent to Purchase a Used Pick-up Truck from the Village of Hamilton for \$10,000

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

Resolved that Highway Superintendent be authorized to Purchase a Used Pick-up Truck from the Village of Hamilton for \$10,000.

Supervisor/Bookkeeper – Brynley Wilcox**2017-2018 SNOW & ICE AGREEMENT:**

- \$16,940.17 was received from the County
 - 916.18 lane miles
 - Plow Dates: 01/02/18 - 01/09/18
- \$15,941.44 was received from the County

- 840.84 lane miles
- Plow Dates: 01/10/18 – 01/22/18
- **\$18,060.70** was received from the County
 - 1,050.56 lane miles
 - Plow Dates: 01/23/18 – 02/05/18
- 2018 YTD: \$71,693.27 | BUDGET: \$110,000.00

SALES TAX REVENUE:

- **\$127,215.72** was received from the County (2017-Q4)
- 2018 YTD: \$127,215.72 (~33.3% more than 2017)
- BUDGET: \$350,000.00

2012 WHEELED EXCAVATOR:

- Town of Smithfield – PAID IN FULL
 - **\$21,875.00** was received on 2/8/18 **and** 2/23/18
 - **\$202.64** was received (2017 insurance) on 2/23/18
- Town of Lincoln – PAID IN FULL
 - **\$21,875.00** was received 2/23/18
 - **\$202.64** was received (2017 insurance) on 2/23/18

2017 AUD:

- The 2017 AUD was filed with the State Comptroller’s Office on Sunday, February 25, 2018.
- A final copy of the document has been sent to the Supervisor and Town Clerk

RESOLUTION 2018-28: Funds Transfer

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

Resolved that \$148,454.95 be transferred from Community Bank Money Market account to NBT Bank Checking account to cover the March abstract and March/April payroll:

A	Money Market to Checking in the amount of	\$	54,140.00
B	Money Market to Checking in the amount of	\$	725.00
DA	Equipment Reserve to Checking in the amount of	\$	35,135.00
DB	Equipment Reserve to Checking in the amount of	\$	58,454.95

RESOLUTION 2018-29: Audit of Claims

On a motion of Councilmember Rossi, seconded by Councilmember Dinski 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.	79	<i>through</i>	113	15,646.84
General Fund B	No.	14	<i>through</i>	15	101.78
Highway Fund DA	No.	1	<i>through</i>	1	725.00
Highway Fund DB	No.	34	<i>through</i>	53	84,438.32
Street Lighting SL	No.	5	<i>through</i>	6	447.00
Prepays					40,240.83

Town Clerk - Sue Reymers**RESOLUTION 2018-30: Approval of Minutes for February 8, 2018**

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

Resolved that the minutes from February 8, 2018 be approved as submitted.

Clerk Reymers reviewed her report with the town board. Her report is as follows:

LEGAL NOTICES:

- Notice on Annual Update Document will be published this month and is posted on the website and in the town office.

RECORDS RETENTION and ORGANIZING CLERK'S OFFICE:

- The Deputy's filing cabinet arrived. The CEO's should arrive soon.
- The Deputy Clerk has been going back and organizing old PB and ZBA minutes. This will eventually help us with scanning and indexing. She has also been streamlining the dog licenses and handicap applications as well as the better organizing the marriage, birth and death record requests.

TRAINING:

- Mark, Elisa, Darrell and I attended the Onondaga County Planning Federation's Annual Planning Symposium on March 1. Biggest takeaway came from the Regulatory 101 workshop where the US Army Corps of Engineers requires a permit from them for culverts. They basically regulate water and waterways and the placement of any structure in, over or under a traditional navigable waterway.

INSURANCE - PERMA

- Perma is performing a Risk Assessment on the town. Brynley and I are meeting on April 4, 2018 with a rep.

PLANNING & ZONING BOARDS:

- No applications have been filed and no meetings for the month of February or March.

CHARTER (aka Spectrum aka Time Warner) FRANCHISE AGREEMENT:

- Nothing new to report. Supervisor Shwartz was working on it at the County.

DOG CONTROL REPORT:

- January 2018: 5 calls - 4 stray dogs; 1 concern for welfare; 1 dog taken to WRHA.
- February 2018: 4 calls - 1 welfare; 2 unlicensed dogs and leash law; 1 killed by car.

COLGATE:

- Upstate Institute: Currently looking for a student to take on our project - which is to assist the Town and Village in documenting our accomplishments towards Climate Smart Communities application for certification.
- CSC Work: Jason and I met with students from Colgate on March 6 working on the flooding risks for the purposes of updating our Hazard Mitigation Plan.

NYS AGRICULTURAL DISTRICT:

- In response to Jodi Palmer's asking about the program, I researched it and sent her information in February.
- Madison County Planning Dept oversees the program locally. A survey needs to be filled out - open enrollment is annually in October.
- I'm working on a press release and something for our website.

NYSERDA CLEAN ENERGY COMMUNITIES GRANT:

- Application was submitted on 2/5/2018-geothermal for the garage for \$50,000.
- Waiting to hear back - could take up to 4 months per Amanda, but they have recently streamlined their process, so it may be sooner - April?

Justice Court Assistance Program Funding (from their website):

Peter asked about this funding for a shared services records room. Here's what I found:

- These purposes may include, but shall not be limited to, automation of court operations; provision of appropriate means for the recording of court proceedings; provision of lawbooks, treatises and related materials; provision of appropriate training for justices and for nonjudicial court staff; and the improvement or expansion of court facilities.
- Due 2/1. Can be done as a joint application.
- Justice needs to sign application and by town supervisor and/or mayor.
- According to Justice Haight, grants need 3 quotes and are maxed at \$10,000, but I saw a cap of disbursement at \$30,000. I need to call to learn more.

WILLIAMS ROAD CULVERT REPLACEMENT FUNDING

BRIDGE NY:

- APPLICATION PRE-REVIEW WENT OUT TODAY 3/14.
- Williams Road Culvert must go under culvert
- Funding For Culverts: Min: \$50,000-Max: \$1 million. Funding is 100%. NYS Funds. Statewide pool of funds: \$50 million. Service Life: 50 years.
- *Any costs incurred beyond an authorized project award will be covered by the town.* The application requires projection of 1.5 times the width for culverts, but does not require it upon design/build. OR a hydraulic analysis must be done by a professional.
- ROW needs to be shown via a survey. Done by Brian Chapin 2/2018. Pending Steve Jones review.
- Can opt to have NYSDOT bundle the culvert - design and let. Still need to win the award. If awarded, costs over the predicted costs become the responsibility of the town. NEED A RESOLUTION.
- Also sending to County for their review and a review by a PE, hopefully.

Back-up Funding Options

Climate Smart Communities Grant Program - March 2018:

- Culvert falls under implementation projects - Flood risk reduction (CULVERTS)

- Grants of up to \$2,000,000. (2017 - min. \$10k - \$2 mil). Waiting for 2018 info/budget)
- 50/50 match – State and Federal Funds are NOT eligible as a match for a CSC grant award.
- RFP anticipated to be announced late April. (waiting for budget process)
- Deadline anticipated to be July 30.
- Need to confirm ROW and read up on Climate Change Mitigation Easement (like a conservation easement).
- 2017 Grants: V. Cooperstown - \$297,700 – Culvert; V. Irvington - \$299,317 - Culvert

NYSDEC – WQIP – May/June 2018:

- Should be announced in April/May; possibly due July 30 like CSC
- Culverts funded under Aquatic Habitat Restoration
- Reimbursement program
- MAX grant of \$250,000 - (75%/25% cost share)
- Matching funds: Cash or in-kind; State or federal grant dollars cannot be used for the match

RESOLUTION 2018-31: Authorization for the Town of Hamilton to allow NYSDOT to design and let the culvert in a bundled construction contract for the Williams Road culvert/bridge.

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

Resolved that the Town of Hamilton be authorized to allow NYSDOT to design and let the culvert in a bundled construction contract for the Williams Road culvert.

Codes Enforcement Officer

Town Board reviewed the CEO's report. The board wondered how many completed projects were done without building permits. Clerk Reymers will find out.

COMMITTEE REPORTS:

Town Office Building Committee

Supervisor Shwartz shared that the committee met with Jason Fleming, who produced the bid docs for VOH DPW. A proposal was received back which showed him doing work for town but utilizing the CAD drawings from Bell and Spina. That's an open question for our attorney, whether we have a right to those drawings. His quote came in higher than expected, about \$34,000. There are some timing issues as well, because he does more than engineering.

Jason Fleming is an engineer from Guilford, NY who produced the bid documents for the Village DPW. He had done a good job with the village, and thought he could do a good job for the town. He reviewed the detailed architectural plan we had from Bell & Spina and was concerned that we wanted the same thing. Our response was no, that we

think we can get him the drawings. In terms of timing of the project, it would not take place until the fall. To put it out to bid now would be foolish and cost higher. Best time to bid is end of year and work in spring.

Ms. Shwartz and Mr. Darby are meeting with Bell and Spina next week. A copy of the new drawing was sent to them to see what they would charge us. Also, they will ask about the CAD drawings. It would be sooner to work with them compared to Jason. Jim Hughes advises to not jump ship unless it saves tons of money. There are disadvantages to wait for fall 2018 because of grants and budget, it would be better to have those numbers sooner, such as the summer, to reassure funders and move forward. We've not gone back to the committee yet because at this stage it's too amorphous. There is the possibility of Jason being our construction supervisor. It's moving forward.

SOMAC

Already discussed, although Supervisor Shwartz wondered what happened with their need to purchase new heart monitors. Ms. Wilcox and Mr. Holcomb informed the board they did a lease to purchase agreement and that they are getting credit for the old ones. A capital plan would be helpful for them.

Partnership for Community Development

There is a Housing Committee that Mary Dinski and Eve Ann Shwartz are on that will assess the housing needs in the community and come up with an action plan. Through an RFP process, they found a group that will do a housing study. The committee reviewed 22 proposals, narrowed it down to 2 and settled on CZB, which has a lot of experience across the country. It was a very impressive and focused proposal – they did their research. They have a couple of staff that are from CNY. One of them actually worked at Madison County Planning Department and got their start there and knows the community. They were impressive and had great references. Cost is \$50,000. They have a short timeline. There won't be a lot of community participation because there has been numerous plans that identified there is a housing problem. It's in the Town's Comprehensive Plan. They know we need Senior, affordable, and young professional housing. The question is, what is the solution?

They will come to town, meet with a lot of people, gather a lot of data, do analytical research to describe the market and who is out here and what the need is broken down into age and demographics. They will connect with developers. They will give us up to 5 RFPs. They will also look at town and village zoning ordinances to see where the problems are. We need list of people for them to talk to when they arrive. Ms. Shwartz will share that with the board. If you have ideas of who they should be talking to, let her know. Mr. Darby gave background on the PCD. Annually, the principal partners meet and this year they spent 2 hours on housing. Colgate's President, Brian Casey volunteered to pay for the study but is sensitive to do something for whole community, not just Colgate.

Discussion turned to vacant properties. Supervisor Shwartz wants the Clerk and CEO to send something to the community to get more information on what properties are empty. We need a comprehensive list. Maybe Crowdfsource it?

Recreation and Youth Committee

Ms. Dinski reported that she had a meeting with Melissa Cassulis from the Hamilton Coalition (Bridges) and is working on getting a sense of what is happening with the group. She is now a member of the group and will attend future meetings. A few of them are in conversation with Wayne Foster to see about a community center. Ms. Dinski had a lot of questions about it. Trying to find out what is going on, make connections and learn as much as possible.

Zoning Update Committee

Ms. Rossi stated that the committee has been focused on solar zoning and the right to farm laws. The goal is to have something for town to review this April. The next meeting is March 20. In the meantime, Sue, Mark and Elisa are looking at zoning, seeing what needs to be updated and pulling a list together to give to Nan. Keeping committee focused on solar and right to farm first.

Pilot For Large Scale Solar

One question for solar. We spoke about PILOTS. Right now NYS, in order to support solar, the state has exempted local solar projects from local property taxes, but we have right to opt out of the tax exemption via resolution or keep going with the exemption but require a solar developer to pay an annual PILOT (industrial). We need to see if the town board is all in agreement for the exemption with a PILOT. Ms. Rossi referred to a NYSEDA handout – Solar Pilot Toolkit. They suggest that rates for PILOTS are negotiated and based not on assessment or value of the equipment, but rather based on electric produces.

The concern is similar to what happened in Madison. The wind farm PILOT expired after 15 years and the town was left holding the bag in terms of taxation. Mr. Darby asked if taxation follows PILOTS. Ms. Rossi said no, not in this case and continued to say that all solar is tax exempt in NYS. Ms. Shwartz asked why can't we opt out, install a PILOT agreement and phase out to taxes. Ms. Rossi responded that opting out is all or nothing. Ms. Rossi the referred to NYSEDA Solar Pilot Toolkit – under Real Property Tax Law RTL Section 487 -- “Additionally, the law does not allow jurisdictions to partially opt out of the law to generate tax revenue from large solar projects while exempting the small systems of homeowners. Opting out of RPTL § 487 makes community solar projects financially unviable and makes homeowners’ rooftop systems more expensive.” Can a PILOT be in perpetuity? Ms. Shwartz said this is complicated and we need to read more. When we talked about this in the past, we thought we could tax the big guy making profit and protect the little guy, but that is not true. They

already get breaks at the state level, so should the locals subsidize this as well?
Everyone needs to read this for next time.

Green Team: Climate Smart Communities (CSC)/Clean Energy (CE)

Talked about it.

OLD BUSINESS:

Alternate Members for Planning and Zoning Board of Appeals

Planning Board and Zoning Board of Appeals Appointments

RESOLUTION 2018-32: Planning Board and Zoning Board of Appeals Appointments

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

Resolved that the following be appointed:

- Reappoint Bettyann Miller for Planning Board for a 3 year term, commencing 1/1/2018 and expiring 12/31/2020.
- Reappoint Jeff Schindler for Zoning Board for a 5 year term, commencing 1/1/2018 and expiring 12/31/2022.
- Reappoint Harmon Hoff for Zoning Board for a 5 year term, commencing 1/1/2018 and expiring 12/31/2022.

NEW BUSINESS: None

Concerns of Town Board:

Ms. Rossi asked about the Capital Improvement plan as something on the horizon for the council in 2018. Nan sent suggestions of groups to engage and some online resources and asked for everyone to see their email.

Jodi Palmer asked about the solar speeding signs. There are smaller ones that are moveable. Clerk Reymers will ask Jason about it.

Supervisor's Report: Madison County Activities:

The Public Utilities Committee met twice. They are looking at what other Counties have done to build fiber networks in their community where private developers are not making those investments. They are trying to get a meeting with Spectrum/Charter. Jim Goldstein found someone at Frontier who knows what is going to happen under the NYS Broadband Phase 2 award. That person knows something and will come to a meeting. The PUC and Madison Board of Supervisors is understanding that this is an economic development issue and that we need broadband everywhere. We might have to come up with a public project to make that investment. The Southerntier Network has been invited for a virtual phone call to learn more on how they put their project together. There were 3 counties, now 5 counties that worked together and leveraged a 15 million investment. Charter has lots of territory in Madison County. Their agreement

with PSC/NYS is shielded from being public. Might have to FOIL if they don't share anything. No progress on the bag bill. No longer with Solid Waste Committee.

RESOLUTION 2018-33: 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 and contracts at 8:54 p.m.

RESOLUTION 2018-34: 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 9:20 p.m.

With no further business, on a motion of Councilmember Holcomb, seconded by Councilmember Dinski, the meeting was adjourned at 9:21 p.m. Carried unanimously.

Respectfully submitted,
Sue Reymers
Town Clerk