

Town of Hamilton Regular Board Meeting Minutes
Thursday, MAY 8, 2014, 7:00 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY

Present: Eve Ann Shwartz, David Holcomb, Peter Darby, Suzanne Collins, Chris Rossi, Sue Reymers, Bert Glazier. Absent: Donna LaMarco. Others Present: Gerry Hayes, Village of Hamilton Trustee, Margaret Miller, Village of Hamilton Mayor.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 7:04 p.m.

Public Comment:

Gerald Hayes, Village of Earlville: most of the water damage last month has been repaired. Insurance covered bulk of it and they are still cleaning up and organizing. Attended the Municipal Innovation Exchange Summit on April 25. Morning program reviewed aspects of shared services. Talked about how the tax cap will starve municipalities, administration will be the greatest cost savings – ie: use BOCES.

Discussion took place about the tax cap freeze, what it means for the town budget with the current and future projects, and what public information is out there. The Council further discussed handling public education for the community and consider inviting Mildred Warner to speak at a public forum. Perhaps she could even speak at the County level. With consensus from the Council, it was decided to move forward with some public education. Supervisor Shwartz will contact Mildred Warner to see if she is able to present, mention this idea to the County, and contact Valesky's office. Councilmember Rossi will pull pre-existing press materials together. Mayor Margaret Miller will bring it to the Rotary Forum meeting in June.

Margaret Miller, Village of Hamilton: Randy Ruttenburg's team will be at the May 22 Planning Board meeting to present their proposal on development of Wayne's. Currently he is looking at a 3 story with 81 beds for students, but no retail because of current zoning limits. Discussion about details of the potential project took place. Update on the gaslines: the 1st gaslines have been laid down; gas should get 3 main customers by 9/1. Then, it will be connected to Colgate Inn, Pizza Pub, Price Chopper, and businesses along the way. A meeting with Birnie Bus including the Village Planning Board and Trustees will take place at the airpark to review the prospect of 4-6 acres. Farmer's market is up and running. Parry's won a local business award in Syracuse.

GENERAL:

Minutes Approval:

RESOLUTION 2014-28: Approval of Minutes

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

Resolved that the minutes of April 10, 2014 Regular Town Board Meeting be approved.

Claims for Payment:

RESOLUTION 2014-29: Audit of Claims

On a motion of Councilmember Rossi, seconded by Councilmember Collins, 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 134 through 157	\$ 8,381.27
General Fund B	No 16 through 17	\$ 1,130.42
Highway Fund DA	No 69 through 75	\$ 1,420.55
Highway Fund DB	No 7 through 9	\$10,999.11
Lighting Funds	No 12 through 13	\$ 337.00

TOWN REPORTS:

Highway Superintendent: Bert Glazier

Superintendent Glazier shared that they swept all the roads, repaired box for a truck for the Village of Hamilton. They mixed patch with the Town of Lebanon and DeRuyter. They patched most of roads. They put in 8 new culvert pipes and ordered a couple of new ones for Crumb and Borden Roads. They assisted the Village of Hamilton with the milling of Hamilton and Pine Streets as well as assisted them with prepping for the new building for the DPW. They picked up several dead deer.

They removed the old bathroom and overhead. They have more room in the back. They will remove a window and when the tanks go there, they will enclose the space for cold storage for oil, tires, and signs. FEMA paperwork is submitted. FEMA is working on it and they have lots of funds they need to distribute. For Madison County, we have almost all of the road fund money – there is one more check that is coming in.

Town Clerk: Sue Reymers

Town Clerk Financial Report for April 2014: Fees Collected: \$2,012.50; Town Keeps: \$ 859.03.

- Marriage Licenses – 1
- Marriage Certificate Copies – 0
- Birth/Death Certificates or Copies - 3
- Conservation Licenses – 31
- Landfill tickets – 40
- Dog Licenses – 20

Records Retention: lease for 20 Utica was extended to August 31. We have an intern from the Colgate Upstate Institute. His name is Brendan Walsh '15, a history major-he has been assigned 16 hours, 2 days a week for 9 weeks. His duties will include assisting with the final sorting and organizing of records, data entry of the inventory of boxes, expand the history of the Town of Hamilton for the website and make a window display for the town office. There may be time for social media.

Tax Collection Report:

WARRANT:

- 2014 Tax Warrant, Dated 12/23/13, was mailed on Monday, December 23.
- On 12/24/13, Madison County Treasurer's (MCT) office informed us that there was an error on the in regards to the parcels that had a 2013-2014 school relevy. Corrected bills were printed/mailed to property owners. Corrected copies were produced for the municipalities on green paper. All other tax bills were correct.
- Tax Warrant Total is: \$3,159,208.44 | Total # of parcels: 2,321
- Amount to be Paid to the Supervisor: \$955,543.04

- \$731,747.00 –General, Highway, Fire Districts, Lighting Districts
- \$223,796.04 – Sales Tax

TAX PAYMENTS TO TOWN:

- 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.
- 1/16/14: 1st payment: check #23008, \$662,639.13
- 1/24/14: 2nd payment: check #23017, \$292,903.91 – warrant satisfied.

INTEREST & PENALTIES PAYMENTS:

- 1% for February payments: \$1,145.51 received on 3/18/14.
- 2% for March payments: \$2,466.22 received on 4/15/14
- 3% for April payments: not received as of 5/8/14.

MADISON COUNTY REPORT ON TAXES COLLECTED:

- Collected as of February 10, \$2,505,632.90 (79% of 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%)
- Collected as of May 6, \$2,874,565.24 (91%)
- Total uncollected as of May 6: \$284,643.20 (9%) for 140 parcels.
- No way to compare to previous years because tax collection was done manually.
- Daily reports were sent from MCT to TOH for marking of the Tax Roll.
- All property owners received a receipt of payment via MCT's office.

NOTICES:

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

Ms. Reymers will meet with Becky Marsala on Friday, May 9 to hand in the final reports on tax collection. Supervisor Shwartz did speak with Rebecca Marsala and the treasurer's office believes it saved time and they are excited about handling it again for next year. The Town of Lincoln may also arrange for shared services as well. Rebecca will start at the June Finance meeting to get the next year's agreement approved. This is a successful shared services project and there is a greater level of service with online echecks and credit card payments.

Codes Enforcement Officer Report:

Report was filed by Paul McGinnis. There were two permits for Mason Road and Spring Street. There was also an issue with zoning for a property on Earlville Road that was resolved. Supervisor Shwartz asked Mayor Miller where they were with replacing the codes officer. Mayor Miller stated that they have the job description done and that there will be an ad in paper after the May 20th meeting. There is a test on June 7 for the civil service.

Supervisor/Bookkeeper's Finance Report:

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

From the narrative:

Court Report: April: Deposit (\$2,502.00); Office of the State Comptroller Payment: invoice not yet received, Town Portion: unknown.

Financial Updates:

- Follow up from March meeting-Assessors' Photos. I prepared the Statement of Duties for the New Temporary Part Time Position. Eileen will assign a job title, and Steve Jones will update the agreement.
- Annual Update Document (Report): submitted report 4/28/14.
- Auditors came on 4/21-4/22 and 5/1-5/2. Dan Farrow provided very helpful information; we will be receiving adjusting entries for 2013 concerning setting up the Modified Accrual System and some payroll reporting adjustments.
- Bank Reconciliations: all accounts reconciled through March 2014.
- Perma representatives came on 4/30 for the Payroll Audit for Workers' Compensation. They entered the information I had prepared from their request. They will send us the summary for our review. This will not directly affect our charges, but information is gathered and provided to Madison County.
- NYS and Local Retirement – Sue and I spoke with a representative from the state to clarify the requirements for the standard work day reporting. We need a Record of Activities report from elected/appointed officials that are enrolled into the retirement program. We will gather this and have a Resolution at the June meeting. We will also need another resolution and ROA in September or October for my position becoming to full time.

Income:

- Received a fifth check from Madison County Road Fund for lane miles; the totaling \$149,495.42 to date for the season, \$128,967.12 received to date in 2014. (2014 Budgeted amount - \$95,000). I have another batch of tickets from 3/21/14 to present that we are awaiting payment. Payments and dates received are listed below:
 - 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
 - 4/14/2014 - \$27,574.49
- Received \$2,466.22 on 4/15/14 from Madison County for the 2% Interest on March Tax Collection. Previously received the 1% Interest on February Tax Collection in the amount of \$1,145.51 (on 3/18/14). Total received to date=\$3,611.73.

Supervisor Shwartz commented that the agreement for the photo assistant should be done by the next meeting. Councilmember Darby asked about DA Revenue and Expenses, which pertain to the equipment program. The town budgeted \$29,000 and actual is \$180,000. The difference is the loader. Ms. Reymers will ask Donna about it when she returns from her conference.

RESOLUTION 2014-30: Monthly Financials

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

Resolved that the financial reports for January through April be filed as received.

TOWN BOARD MEMBERS & COMMITTEE REPORTS:**Comprehensive Plan Committee (CPC): Chris Rossi**

The comp plan is moving along. Don and Nan have been compiling maps and crunching data from the vision workshop, focus groups and survey. The CPC is reviewing the inventory and profile for the Town. They are also looking at the goals. So far, we are on target for billing. We budgeted \$23,950 and have currently been billed \$16,763. Estimated balance available to finish the work is \$7,186. Total needed is about \$7,380-\$8,880. If we went forward as planned would be about \$1,000 over budget. The CPC is considering a build out map analysis, which would be useful. Nan is already doing some maps such as agriculture district and commercial economic evaluation map, but the committee talked about a gas build out and wind analysis build out. What that would mean is that they would take a map of Hamilton and for instance for wind analysis, they would take a look at any area in Hamilton where a company would be interested in industrial wind turbines, look at how our current zoning law would apply. The map would give you an idea of what wind development might look like under current zoning. Same with gas build out, but with gas it would also take into consideration the proposed regulations from the NYSDEC. It would look at soils, locations, and apply those to the maps and give us an idea where that development could take place in the town. Both maps would give us an idea if it happened what it would look like in our town.

Might give us more information on the two issues on how concerning they really are, but it would cost about \$2,300 over the top (Gas map would cost \$2,000; wind map \$300). So town board needs to decide to spend it and see if there is value in it. The CPC thinks it is a good idea. Discussion about adding these maps took place.

Supervisor Shwartz asked for an example of the maps from another community to see the value. Councilmember Rossi stated that she will get one. Comments included that it would be good to have something factual rather than opinion and would give a baseline. Having the maps will help give perspective to the community.

Councilmember Rossi will ask Nan if the maps could be something less complex for gas and get an example. Next meeting is on May 15 at 7 pm. Meanwhile, the website is being updated on the plan. Thanks you letters and follow up letters went out.

John Pumilio emailed about a possible Green Team including the Village, Town effort where you put a committee together that would scope out environmental opportunities that town and village could benefit by. Also apply for sustainable community. If council is ok with it, we could pursue this. Sean Graham is looking into for the Village. Supervisor Shwartz asked Councilmember Rossi to come back with more details, what steps involved, who would serve on the team. Rossi mentioned that some of the energy working group could morph into this sustainable town group.

Road Use Law: Eve Ann Shwartz

Supervisor Shwartz signed the agreement and we are now waiting for the law firm. They will send road use law to Steve Jones. The Town needs to appoint an official person in charge of the road use law, and that is Bert. Steve Jones will be looking at the language of the law. They will start the survey of the road condition and axel count and that will tell us who is traveling on our roads and see what events would trigger the road use law. Contract says that Madison County will provide the road counts. We will contact Delta to see what the next steps. In a couple of months there will be a public hearing on the road use law.

SOMAC: David Holcomb

Councilmember Holcomb shared that there are a lot of things going on. The next meeting is May 12th. The Board is busy with issues. Basically, the volunteer ambulance core is going professional and there are growing pains. New billing company is on board as of April. Better handle on finances. There will be more information at our town's next board meeting.

PCD Housing/Village Development: Peter Darby

The PCD is in discussion with Pat Tobin who has retirement homes near RIT and Oneonta State. He's in business for retirement communities with college towns. They are playing with ideas for location. Has potential for 45 jobs and bring people into community to support local businesses. Discussion took place about various other retirement communities, the price points and what that included. Supervisor Shwartz recommends bringing in the hospital into the conversation as soon as possible. Colgate is involved via Joanne Borfitz.

Joint Village/Town Projects: Suzanne Collins and Peter Darby

Councilmember Collins attended the last Village board meeting where it was a joint building was discussed. The Village is interested as well as the MUC. Debbie Kliman representing the Village board and Rob Gustafson representing the MUC will serve on the committee. Questions arose about a grant. Supervisor Shwartz reported that NYSAC had a report that included information about past grants from the Consolidated Funding Application from NYS to various towns and counties. Ms. Shwartz continued that if the Village building needs renovation to bring it to code and make it more useful space while preserving its historical value, and build an addition to satisfy the needs of the town and village jointly, that would a good project for a grant. She suggested we talk to Madison County Planning Department to see if they can give us assistance and see if it's appropriate funding. The deadline is June 15, so it may be too late and wait for next year. PCD helped with grants last year for the Village. Councilmember Darby will contact her to talk about it. The Village and Town need to create a list of needs. Ms. Reymers will finish the list she started of the Town's list of needs. It was determined that the committee needs to meet. It was recommended that they see the town offices in DeRuyter, Waterville, and Boonville.

47 Utica Street: Eve Ann Shwartz

Madison County is moving forward to organize an auction date. Supervisor Shwartz asked Mayor Miller if the court house could be used. Ms. Miller stated yes, depending on what night. Ms. Shwartz stated that it will probably happen in the next month or so. She will ask Rebecca Marsala of the Treasurer's office to contact the Village regarding the court house.

OLD BUSINESS:**Hamilton Youth Recreation Program Funding Request:**

Ms. Collins met with Mary Ann Henderson, who stated that on June 1, the Village included \$1,500 in personal services for ice rink in their budget and that \$1,500 will come from ice rink budget. The ice rink group has donations with about a \$4,781 balance in their account. The ice rink has a separate budget from the Village. Ms. Collins thinks that we should consider a contribution specifically for the ice rink during the 2015 budget process. Ms. Henderson recommends we

specify in the budget that it's for the ice rink. Ms. Collins continued that it's good that they are looking ahead but not feeling we need to do something this year, but consider for next year. Ms. Shwartz asked Ms. Collins to let them know that we will consider for next year.

Time Warner Franchise Agreement:

We will be contacting the law firm soon for a free estimate on how they would represent us.

Deer Management & Task Force:

Mr. Darby stated that we need to meet to talk about bringing in the hunting community.

Assessor's Photo Project: In the finance report.

NEW BUSINESS:

Grants Research: Already discussed.

CONCERNS OF THE TOWN BOARD: No concerns.

SUPERVISOR'S REPORT:

The Southern Madison County group met in Eaton recently. In attendance was Bill Zupan, Cliff Moses-Eaton, Pete Walrod-Georgetown, Dave Jones-Fenner, and Roger Bradstreet. Talked about shared services, regional bids for fuel bids. The town needs to gather what we use in fuel oil and share that with the group. There is another meeting in June. Also discussed \$3.5 million coming into Madison County from Oneida Nations, the new County's telephone system that could be available for the towns and villages.

EXECUTIVE SESSION:

RESOLUTION 2014-31: EXECUTIVE SESSION

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

Resolved that this Board move into an Executive Session at 9:15 p.m. to discuss potential litigation.

RESOLUTION 2014-32: RETURN TO REGULAR SESSION

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

Resolved that the Board return to regular session at 9:22 p.m.

With no further business, on a motion of Councilmember Rossi, seconded by Councilmember Darby, the meeting was adjourned at 9:23 p.m. Carried unanimously.

Respectfully submitted by
Town Clerk Suzanne Reymers