

Town of Hamilton Regular Board Meeting Minutes
Thursday, November 9, 2017 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

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

Absent: David Holcomb. Others Present: Elisa Robertson, Jason Florenz, Brynley Wilcox

Public: Ruth Ann Loveless – Village of Hamilton, Bruce Moseley – Partnership for Community Development, Jodi Palmer, Keith Palmer, Kathleen Palmer, Mary Lee Dinski, Denise Kolb, Keith Kolb, Carolyn Todd, Jeff Tuttle.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 6:34 p.m.

Public Comments: There are no public comments at this time.

Deputy Clerk Elisa Robertson is filling in for Town Clerk Sue Reymers due to illness.

Legal Notices for the public hearings were posted in the following:

Oneida Daily Dispatch – 10/29/17; the Mid-York Weekly – 11/2/17;

Town of Hamilton Website – Calendar, News Page

Posted in the Town Office on 10/19/17

Exemption report was received on August 30 from the Assessor and is on file.

BUDGET & FIRE CONTRACT PUBLIC HEARINGS

RESOLUTION 2017-126: Open the public hearing regarding the Fire Contract for the Village of Earlville and the Village of Hamilton

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

This is the contract with the Village of Earlville for the fire protection and for the towns 2018 contract with the Village of Hamilton for fire protection. The Supervisor asks for comment three times.

RESOLUTION 2017-127: Close the public hearing regarding the Fire Contract for the Village of Earlville and the Village of Hamilton

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

RESOLUTION 2017- 128: Move the 2018 Tentative Budget to the Preliminary Budget

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

Supervisor Shwartz calls the Public Hearing to order. There will be time to present and go over it. The Budget is projected on a screen for all to see. Councilmember Peter

Darby is the Budget Officer and will review it with the public with assistance by the Town Bookkeeper Brynley Wilcox. Ms. Wilcox explains how the accounts are divided into A and B accounts. The board started the budget process in August by having meetings; the two candidates for Town Council were invited to attend. Main points of discussion include:

- Health insurance - costs for employees; number of employees; rates; suggestions to look at other plans
- Highway signs - replacing signs that have been neglected for years
- SOMAC - number of runs in each community; support from town outside and the village
- Engineering study- highway garage; for improvements such as insulation; built in 70's.
- Bond for the new town office - rates, banks, impact on budget and fund balance
- Revenue sources - franchise taxes; state aid; state mortgage tax; most revenue comes from the B side of the budget; these are estimated numbers
- Bridge repair - in south Hamilton; not particularly urgent; study needs to be done; if it needed to be replaced immediately (speculation)
- Attorney's fees - multiple large projects facing Planning Board; legal help was required
- Codes Enforcement Officer - more hours due to increased building and large projects; training; mileage
- Support for the local libraries (Hamilton and Earlville, Senior citizens centers and the food cupboard - support from town outside, villages support them as well; students visiting cupboard
- Zoning review planner - funds for the planner, changing and updating the zoning law
- Contract with the Partnership for Community Development - 3rd year of the contribution; board happy with their relationship; do a lot of good for community
- Bookkeeper's change - from staff to contractual, broken out on two separate lines; paramount to know where the money is
- Sales tax revenue - for the town outside; villages receive their own share
- "Casino Money" - money from Chittenango casino; put into the B fund; the Village also received some; a new revenue; increase the fund balance, no guarantee that it will keep coming in
- Colgate Gift - B side of the budget; it has remained the same for the last 5 years; hoping for an increase; it has been very consistent
- Highway expenses - 2 categories, road repair and snow removal; increase due to underfunding last year; in previous years the overtime was taken out of the fund balance that is not sustainable; fuel and contractual are separated out; snow plowing

- Equipment – this is to replace equipment; there is a dedicated fund for that now; it is included to keep the taxes stable; no real fluctuation when equipment needs to be replaced; sale of excavator; will still have access to it; half will be paid now and half in Jan. of 2018
- Chips Money – earmarked for highway maintenance and construction; there is some flexibility; mainly spent on maintenance of roads
- Contracts – fire, ambulance, lighting districts; discussion of Hubbardsville fire district; question as to why higher assessed properties pay more than lower assessed properties; it is how property taxes are collected; state mandated
- Overall Tax Levy – Percentage of change that shows on tax bill; fluctuation from 2015 until present; large increases include the new building, increased hours for CEO, and overtime for highway
- County tax bills - discrepancy discovered in assessments from County; in taxpayer's favor; bookkeeper will investigate further
- Percentage of increase – year to year; shared services in the future can help lower this number, the ambulance service is a considerable expense, the 10 % increase will not be compounded each year; the goal is stabilization
- Comparisons – comparing tax rates from 2011 until present; showing a yo-yo effect of the percentages of increase; reactive budget instead of a proactive budget; tax rates have gone up at the county level as well; income tax versus property tax
- Ambulance – the service is 24 hours a day; quality service; EMT and a paramedic on staff; 2 min and 36 sec. response time; transport to other hospitals as needed

Questions are asked by Jeff Tuttle, Denise Kolb, and Bruce Moseley. Please see attached budget.

RESOLUTION 2017-129: Close the Public Hearing regarding the Preliminary Budget

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

The Town Board has listened to the public in the forms of comments, conversations, and letters to the editor and has decided to reverse the resolution that began the referendum process which was to go back and announce the decision that we were going to spend 1.1 million dollars on the Town Hall Renovation Project or new construction of a Town Hall. This started the process by which we now have a referendum scheduled. The Board does have the authority to rescind that prior resolution which would then cancel the referendum. This means the Board does not have the authority to spend 1.1 Million dollars however they still so have the right to spend \$500,000 (the Bond). The Board wants to take a pause in this process and create a committee with Town Residents. It is important for the community to understand what the true costs of the building and they want to evaluate other alternatives. The audience expresses appreciation to the board for this consideration.

It may come back with the same referendum.

Mr. Tuttle gave the name and number of a former classmate of his that is an architect and may be of some assistance to the town.

Ms. Jody Palmer asks about how to inform the community of this, she feels that many people knew about the project but there was not a dollar amount attached.

Council member Peter Darby explains that the dollar figures did not come in until late in the process.

Supervisor Shwartz states that they want to be as transparent as possible, she wants the public to be informed and to understand where the costs come from. The Town Council has been working on this project for close to three years. The council is not happy with the number either; it is import for the community to be engaged and participate in this process.

Council member Collins thinks that it would be helpful to have the meeting minutes on the website in a timely fashion. The minutes are a month behind. It is a very tedious and length process to get them done. The Town Clerk has been spending a lot of time working on the referendum. According to Roberts Rules they should be completed in 10 business days. That is a big challenge because the clerk's office completes many other tasks in a week that interrupt the ability to just do minutes. The Clerk frequently comes in on weekends to do uninterrupted work.

There is concern about reaching the public, Council member Rossi does a summary for the newspaper after each meeting. It is suggested that this summary be uploaded to the website each month. Council member Rossi states that it is on the website. It is suggested that Next Door Hamilton be used to inform the public that the minutes are on the website.

RESOLUTION 2017- 130: RESOLUTION TO REPEAL RESOLUTIONS ADOPTED ON AUGUST 28, 2017 AND OCTOBER 12, 2017 AND THEREBY CANCEL SPECIAL ELECTION THAT WAS SCHEDULED FOR NOVEMBER 16, 2017

WHEREAS the Town Board adopted an AMENDED AND RESTATED BOND RESOLUTION OF THE TOWN OF HAMILTON, MADISON COUNTY, NEW YORK, on August 28, 2017, and

WHEREAS said Resolution was adopted subject to permissive referendum, and
WHEREAS a petition was filed with the Town Clerk on September 14, 2017 containing more than the required number of signatures; and

WHEREAS the Town Board adopted a Resolution on October 12, 2017 scheduling a referendum to be voted upon at a special election to be held on November 16, 2017, and

WHEREAS the Town Board has considered the comments and suggestions of the public, and

WHEREAS the Town Board has the authority under NY Town Law Section 93 to rescind or repeal any act or resolution of the Town Board, at any time,

NOW THEREFORE, be it resolved that the Town Board of the Town of Hamilton does hereby repeal the Resolution adopted on August 28, 2017 and the Resolution adopted on October 12, 2017 and does thereby cancel the special election that was scheduled for November 16, 2017; and it is further

RESOLVED that the Town Clerk publish in the official newspaper, and post, notice of the adoption of this Resolution.

ON MOTION OF Peter Darby, Seconded by Suzanne Collins

Roll call vote:

Shwartz - Yes, Holcomb - Absent, Darby - Yes, Rossi - Yes, Collins - Yes

The meeting for the Budget vote is November 20, 2017 at the Hamilton Library.

GENERAL:

RESOLUTION 2017- 131: Approval of Minutes for September 14 & 28, 2017

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

Resolved that the minutes from September 14 & 28 be approved.

Claims for Payment:

RESOLUTION 2017- 132: Audit of Claims

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

Resolved that the bills contained on Abstract #11 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	315	<i>through</i>	350	45,204.22
General Fund B	No.	43	<i>through</i>	44	3,359.78
Highway Fund DB	No.	172	<i>through</i>	186	19,368.53
Lighting Districts	No.	19	<i>through</i>	20	351.84
Prepays					1,990.27

There is one bill that was discussed about the purchase of a stove for the garage breakroom. It was approved.

Supervisor/Bookkeeper - Brynley Wilcox

2017 HOST COMMUNITY:

- **\$24,955.00** was received from Madison County in affiliation with the Yellow Brick Road Casino in Chittenango

SALES TAX REVENUE:

- \$104,443.85 was received from Madison County
- YTD (all funds): \$381,500.21 (~3% more than 2016)
- BUDGET (all funds): \$350,000.00

CHIPS:

- Deadline: *Tuesday, November 7th, 2017*
- Total CHIPS amount: \$125,068.26
- Total EWR amount: 21,315.15
- Total PAVE NY amount: \$ 25,036.58
- **TOTAL: \$171,419.99**
- CHIPS YTD to be reimbursed: (148,956.66)
- Amount to rollover: 22,463.33
- Payment for CHIPS typically arrives by mid-December

RESOLUTION 2017- 133: Budget Amendments

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

Resolved that the budget amendments be accepted as follows:

Code	Description	From:	To:	Difference:
A1010.4	Town Board Contractual	500	800	300
A1310.4	Dir. Of Finance Contractual	850	1,030	180
A3310.4	Traffic Control Contractual	500	750	250
A4540.4	Ambulance Contractual	192,177.91	209,612.05	17,434.14
A5650.2	Off-Street Parking Eqpt	0	9,334	9,334
A5650.4	Off-Street Parking Contr.	0	4,241.04	4,241.04
A1990.4	<i>Contingent</i>	8,151	8,087	(64)
A5031	Interfund Transfers (Use of FB)	17,300	38,975.18	4,241.04

A5031	Interfund Transfers (Use of Reserve)	0	17,434.14	17,434.14
A2705.1	Gifts and Donations (Charging Station)	0	10,000	10,000
B1420.4	Attorney Contractual	0	5,550	5,550
B3620.4	CEO Contractual	1,700	2,000	300
B5031	Interfund Transfer (Use of FB)	128,600	134,450	5,850
DB5110.1	General Repairs Wages	100,000	107,000	7,000
DB5130.4.1	2011 Int. Dump Contractual	0	49,000	49,000
DB5142.2	Snow Removal Cap. Equipment	0	150	150
DB5031	Interfund Transfer (Use of FB)	143,801	199,951	56,150

RESOLUTION 2017- 134: Funds Transfer

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

Resolved that \$89,000 be transferred from Community Bank Money Market account to NBT Bank Checking account to cover the November abstract and November/December payroll:

- A MMKT to Checking in the amount of \$ 67,000
- B MMKT to Checking in the amount of \$ 4,000
- DB MMKT to Checking in the amount of \$ 18,000

RESOLUTION 2017- 135: Receive and File Financials

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

Resolved that the October monthly financials be received and filed.

TOWN REPORTS:

Highway Superintendent - Jason Florenz

GENERAL REPAIRS:

- Ditching done on Barnard and Humphrey
- Shoulder work done on Barnard and Wilkinson

- Cut trees on Payne St and Preston Hill Rd
- Cut brush on Preston Hill, Eaton, Humphrey, and Collins Rd
- Installed new signs on Noble, Bailey, Horton, Morse, Humphrey and Alderman
- New stop signs on Rhodes and Wickwire intersection and Spring and Payne intersection
- Stumps ground on Preston Hill, Spring Hill, Payne, and Rhodes Rd

EQUIPMENT:

- Undercoated the frames on all trucks for winter
- Installed wings and plows on all trucks
- Installed salt brine unit on #24 (small dump truck)
- All trucks have been inspected by White Eagle truck repair

OTHER:

- Built shelves in the garage for road work signs
- The Village helped with cleaning leaves out of the ditches on Spring St
- Erick and Luke performed practice runs on their plow routes

Codes Enforcement Officer- Please see attached

- Site plan Reviews for a large application
- Fire inspections for numerous locations
- Five building permits
- Two demo permits
- Attended training about “zombie” properties; Supervisor needs to establish account; Conference presentation to be forwarded to the board when it is received; it is a mechanism to turn these properties over faster

COMMITTEE REPORTS:

SOMAC- David Holcomb is not present to give report, see attachment – discussion about the number and places of calls

Partnership for Community Development – Councilmember Peter Darby states that there is nothing new to report at this time

38 Milford Street – Discussed previously in the meeting

Comprehensive Plan & Action Plan – Councilmember Chris Rossi gives a report.

- **Recreation Committee** – nothing to report.
- **Zoning Revision Committee** – They have had a few meetings; Nan Stolzenberg, a municipal planner is helping with the revisions, solar zoning.
- **Green Team & Climate Smart Communities (CSC)** – CSC is meeting regularly, Colgate, Village, and Town; working on greenhouse gas study; should be ready

by December; next step Climate Action Program; Climate Smart Community checklist will be reviewed

- **Clean Energy (CE)**

Supervisor Swartz informs the audience that the town is eligible for a \$50,000 grant due December 1 for the application; we have asked for an extension (2 months); the new town office was the proposed use for these funds; to make it energy efficient; the building committee will need to move on this.

- **Right to Farm Law** -The Comprehensive Plan is the basis for the updates to the Zoning law, which is being edited to include the ten actions from the Comp Plan. These include zoning for industrial solar energy and inclusion of a Right to Farm Law. Once the committee makes its recommendations the Town Board will review it and it will have a public hearing.

OLD BUSINESS:

Alternate Members for Planning Board and Zoning Board of Appeals - No new information

Charter Communications - no new information

NEW BUSINESS:

Referendum on Town Hall Project Resolution - Will be posted on Nextdoor Hamilton, will be posted on polling places doors, also notify the papers, word of mouth as well

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities: Budget was presented; 100 years of Madison County and Cornell Cooperative Extension, thinking of joining the Central New York Regional Team, they have experts; will give specialized access in Madison County

With no further business, on a motion of Councilmember Peter Darby, seconded by Councilmember Chris Rossi, the meeting was adjourned at 9:03 p.m. Carried unanimously.

Respectfully submitted,
Elisa Robertson
Deputy Clerk