

Town of Hamilton Regular Board Meeting Minutes
Thursday, OCTOBER 9 2014, 7:00 p.m.
Held at the Town Office, 16 Broad Street, Hamilton, NY

Present: Eve Ann Shwartz, Peter Darby, Suzanne Collins, David Holcomb, Sue Reymers, Bert Glazier. Absent: Chris Rossi. Others Present: Margaret Miller-Mayor, Village of Hamilton; Gerry Hayes-Village of Hamilton, Nick French, Tom Fagan.

Call to order & Welcome: Supervisor Shwartz called the meeting to order at 7:02 p.m.

Public Comment:

Gerry Hayes shared that the Village of Earlville passed the NYS Fire Code and Emergency Code for their codes officer. On October 31, there will be a Halloween parade with a Zombie theme. Margaret Miller updated the board on the status of the gas project, they will be purging natural gas lines next week.

GENERAL:

Minutes Approval:

RESOLUTION 2014-63: Approval of September 11, 2014 Minutes

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

Resolved that the minutes of September 11 Regular Town Board Meetings be approved as amended with the change that Julie Dudrick was appointed as a volunteer to coordinate the student volunteers, not hired.

Claims for Payment:

RESOLUTION 2014-64: Audit of Claims

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

Resolved that the bills contained on Abstract #10 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No 274 through 299	\$ 14,939.70
General Fund B	No 39 through 41	\$ 1,430.52
Highway Fund DA	No 105 through 106	\$ 359.90
Highway Fund DB	No 44 through 54	\$ 52,015.01
Lighting Funds	No 22 through 23	\$ 356.53

TOWN REPORTS:

Highway Superintendent: Bert Glazier

Last week they did the last patching and chip seal in some spots that were delayed because of the storm damage clean-up. The plow frames are on the trucks and they are ready to go. Finishing up mowing. Doing it with a boom mower that they borrowed from Town of Lebanon. They had borrowed ours and

in turn, we borrowed theirs via shared services. They built an enclosure around the diesel and fuel tanks and insulated it so there will not be any problems with the fuel freezing in the winter. Did some maintenance on some equipment. There is guy coming down to put a switch on the generator next week. Tree work was done on Eaton road and picked up brush in Earlville. Put 3 culvert pipes in on Humphrey, Hill and Excel roads. Put in about 10 this past spring. Got three loads of salt to get the season started. Mr. Glazier thinks we should cover the salt pile with plastic for the winter due to lower costs since we do not know what we are doing next year. Wants to look at cost of poly. Poly may not be reusable. There is no update on hiring an engineer.

Madison County Snow and Ice Agreement:

RESOLUTION 2014-65: Resolution of the Town Board Approving Agreement with Madison County for Snow and Ice Control on the County Road System.

WHEREAS, the Board of Supervisors adopted Resolution No. 253-14 on September 9, 2014 designating the improved roads of the County Road System of the County upon which snow and ice removal should be performed; and WHEREAS, the County Superintendent of Highways was authorized to enter into agreements with the Town for the aforementioned purpose starting October 1, 2014 through April 30, 2015 at rates as specified in the Agreement, which is \$17.53 per lane mile and loader rate at \$120; and NOW, THEREFORE BE IT RESOLVED, that the Town Superintendent of Highways of the Town of Hamilton, Madison County be and hereby is authorized and directed to enter into an agreement with the County of Madison to perform snow and ice removal upon the improved County Road System as per attached Agreement.

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

PUBLIC HEARINGS – LOCAL LAWS

At 7:15 p.m., Supervisor Shwartz opened up the public hearing for the **Proposed Local Law #1: A local law to override the tax levy limit established in General Municipal Law 3-c.**

Ms. Shwartz asked if anyone had any questions or comments about the local law. A local citizen spoke out against it stating the he talked to hundreds of tax payers who could not attend tonight who were also against it. The board acknowledged the concern and explained that about how health insurance and pension cost have increased. Cuts were made where they could. There was a workshop on the budget last week. The tax cap is 2% and the town's tentative budget is at town wide at 8.92% and 9.51% for town outside. Councilmember Darby explained about the budget and since 2011, the board has decided to pay as we go and not put it off for the future board. Ms. Shwartz stated that there was an article in paper about tax cap override and the rebate. She heard from a lot of people who understood it. Ms. Shwartz did point out that the PCD has an increase due to reinvigorating the program for economic development to help grown the tax base.

Mr. Hayes shared that the Village of Earlville exceeded the tax cap. Ms. Miller also share that the Village of Hamilton needs to replace culvert on Hamilton Street and the gazebo needs a lot of repair. Mr. Darby stated that the only municipalities that can stay in 2% have fat in the budget. If they take from the fund balance, we'll only have to pay it in future. Supervisor Shwartz asked two more times if anyone had any questions or comments. With all the desiring persons to be heard, Supervisor Shwartz closed the hearing at 7:25 p.m.

RESOLUTION 2014-66: Adopt Local Law #1 of 2014 entitled, "A local law to override the tax levy limit established in General Municipal Law 3-c.

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was:

ADOPTED: Ayes: 4 Nays: 0. Roll Call Vote: Collins: Aye, Darby: Aye, Holcomb: Aye, Shwartz: Aye, Rossi: Absent.

Resolved that the Local Law #1 of 2014 is passed unanimously.

Town Clerk: Sue Reymers

None this month, September will be reported on in October.

Codes Enforcement Officer Report:

None. The town has received a resignation from CEO today. He gave two week notice. The agreement with Village of Earlville for shared services is in limbo. There has been activity in the town and in Earlville. We hope to have a report before he leaves. Mr. Hayes stated that they had not signed the agreement yet as they had just received it.

At 7:30 p.m., Supervisor Shwartz opened up the public hearing for the **Proposed Local Law #2: A local law for Local Road Use and Preservation Law.**

Ms. Shwartz asked if anyone had any questions or comments about the local law. We are proposing to pass this law in order to control our local roads and make sure they are preserved. The status of the project is that we have already submitted our report on road conditions and had the traffic count done. Delta has examined the roads. Through shared services with two other towns (Brookfield and Lebanon), we are getting a good deal with Delta because we are all doing this at the same time. At this time, we are the only ones who completed the road survey. Delta and Steve Jones wants all of the road information in from all the towns and the training complete before we actually adopt the local law. So we are just holding public hearing tonight. Mr. Darby reviewed it that it basically is that if any new business with heavy traffic comes along that would cause deterioration of the roads, the law allows us to go to the contractor or business owner to make them liable to repair the roads. This has been an issue with wind and gas development. The Town of Lebanon did not have this in place and their roads were damaged by gas development. The towns of Lebanon and Brookfield went in with us on the shared services agreement for town roads only. Madison County roads are not covered. No one

else wished to comment. With all the desiring persons to be heard, Supervisor Shwartz closed the hearing at 7:35 p.m. On hold to adopt later.

The regular meeting was reconvened.

Assessor's Office:

Currently, the town has hired a photographer to go around and take photos of all of the properties around the town. His name is Warren Wheeler. The Town assessor, Rochelle Harris, and the Supervisor spoke about the last revaluation in 2011 and how unfair it was and inequitable. This year, the town board is proposing a resolution that authorizes the assessor to begin the process to do a full update assessment for the tax roll of 2016.

RESOLUTION 2014-67: Authorization for Assessor to conduct an Assessment Update

WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments: and **WHEREAS**, computer-assisted mass appraisal systems, technical advice, and financial assistance are available by the cooperative agreement with the New York State Office of Real Property Services and the Madison County Real Property Tax Services agency, and **WHEREAS**, the last town-wide reassessment of our real property took place as a reassessment in 2011, **WHEREAS**, the Town Board is convinced that an update assessment is necessary to comply with Section 305 of the New York State Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of October, 2014 on motion of Councilmember Darby, seconded by Councilmember Collins as follows:

SECTION 1. That the Assessor of the Town of Hamilton is hereby authorized to undertake and implement an assessment update for the 2016 assessment roll.

SECTION 2. That the Town Board does hereby agree, in conjunction with the New York State Office of Real Property Services and the Madison Country Real Property Tax Services agency, to support the Town's assessment staff in this assessment update.

SECTION 3. That the Town Board and the assessor are authorized to enter into any necessary agreements to achieve this purpose. Any agreements resulting in expenditure by the Town of Hamilton must first be approved by the Town Board. This resolution shall take effect immediately.

RESOLUTION ADOPTED: Ayes: 4 Nays: 0.

Supervisor/Bookkeeper's Finance Report:

A Profit & Loss and Balance Sheet were presented to the board and reviewed.

A resolution is needed tonight for the DB fund because CHiPS funds have not yet been received. To cover the year's remaining expenses, a transfer needs to be made from Money Market to Checking in DB.

RESOLUTION 2014-68: Funds Transfer Authorization for DB

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 Nays: 0
Resolved that the funds in the amount of \$30,000 be transferred.

RESOLUTION 2014-69: 2015 Tentative Budget: move to Preliminary Budget

On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4 Nays: 0
Resolved that the tentative budget become the preliminary budget.

Public hearing for the Preliminary Budget is set for Thursday, October 30, 2014 at 7 p.m. at the Hamilton Public Library. Clerk Reymers will book the library and post the notice.

COMMITTEE REPORTS:**SOMAC:**

Tim Collins and Vinny Faraone, Eve Ann, Peter met with Colgate representatives Joanne Borfitz, Pres. Herbst, Brian Hutzley to explain the situation with the ambulance and creating an ambulance district. A recap of the SOMAC situation followed. Their fund balance is depleted; they have re-organized; a new chief was appointed; need full-time paramedics due to lack of good coverage from part-timers; need to cover health insurance. This all leads to increased costs. The reality is that we want good services and coverage for the town, but we need to pay for it. The budget is bare bones and they still use active volunteers to help.

SOMAC approached the town to assist in the creation of a taxing district. The town is currently researching the process. It is not legally possible to be done in 2014 for 2015 tax year, but can be done next year. They went to Colgate and they agreed to help but not sure how much. The Town is taking responsibility. The Village of Hamilton agreed to it. We need a resolution to start the process of creating a map and report. Meanwhile, Eve Ann will talk to the Town of Lebanon. The Villages have to be part of this, we all need to agree to creation of tax district. Madison County can do the map, probably be free. Steve Jones will have costs to do some legal work.

RESOLUTION 2014-70: Authorization to create Map, Plan and Report to Create a Taxing District for Ambulance Service

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 Nays: 0
Resolved that the process begin to establish a taxing district for ambulance service by authorizing the creation of a map to define the district, a report to justify the creation of a district and a plan for the process.

Comprehensive Plan Committee: Peter Darby

Working on action plans with suggestion to implement goals. Don't know our timeline but sometime in the spring, we will be holding hearings, then it will come to the board for adoption. Comprehensive plan makes recommendations. Last meeting, they reviewed the wind and gas maps. The next meeting is 10-23-14 @ 7 pm.

Road Use Law: Already covered.

PCD Housing/Village Development: Peter Darby

The PCD continues to look at three housing issues. More housing for young working class professionals, transition students out of neighborhoods, and attract a senior housing to Hamilton. None are being addressed by free market very well. The housing committee met today and they are trying to meet with Hamilton Initiative trustees to see if they can come up with ways to raise money to influence market.

The executive director of the HI serves gratis to PCD. The town feels strongly that we need to have an independent director. That's why the town added money to the budget and we want the Village join and match Colgate's \$50,000 with \$25,000 each. If PCD has its own director, we have someone who can do the legwork to assemble some money. Some money that could come forward, that Colgate will fund a new building through the IDA. And part of that fee can come back as a contribution to PCD. Economic development to encourage business and increase residence will increase the tax base. They will spend money downtown, send kids to school. It will all help the economy.

Mayor Miller of the Village stated that there is a moratorium on expanding and new boarding housing and parking lots. They are holding info sessions. The next meeting is 10/26 from 3-5 p.m. at the library. The purpose is to get feedback on proposed zoning. Ms. Miller also shared that the airpark commission and board interviewed a marketer for airpark and that Birnie Bus is still interested.

Joint Village/Town Projects: Suzanne Collins & Peter Darby

Nothing new to report. The MUC is meeting October 14 at 4:30 pm. Ms. Miller will be attending and will ask about status of engineer.

Deer Management Task Force: Peter Darby

The committee has been working on ways to promote information on landowners to get doe permits. We are in the preliminary stages of getting a permission form for landowners to allow hunters on their land including Colgate. Catherine Cardelus, the Colgate professor, met a professor from Cornell who is involved with deer management in the surrounding towns. He has answers to questions we keep asking and has agreed to meet with

us. He says we can do this without costing lots of money. We will try to meet soon and include the Village and Colgate. Councilmember shared an email from Colgate that was circulated about no hunting on campus. Discussion took place about the strategies of deer management. Sue Collins will research the venison donation program.

OLD BUSINESS: None

NEW BUSINESS:

SOMAC Taxing District: Already talked about.

Concerns of the Town Board: No concerns.

Supervisor's Report: Nothing to report.

No Madison County Board meeting yet, the meeting is next week. Madison County Government Operations committee meeting was last week, they went over a consultant's report on review of management employees and competitive pay. It's going to cost about \$160K to bring management up to a competitive level of pay. Not passed yet but it will have an effect on the budget.

RESOLUTION 2014-71: EXECUTIVE SESSION

On a motion of Councilmember Darby, seconded by Councilmember Holcomb, the following resolution was ADOPTED: Ayes: 5 Nays: 0 Resolved that this Board move into an Executive Session at 8:33 p.m. to discuss codes personnel.

RESOLUTION 2014-72: RETURN TO REGULAR SESSION

On a motion of Councilmember Holcomb seconded by Councilmember Darby, the following resolution was ADOPTED: Ayes: 5 Nays: 0 Resolved that the Board return to regular session at 9:14 p.m.

With no further business, on a motion of Councilmember Collins, seconded by Councilmember Darby, the meeting was adjourned at 9:15 p.m. Carried unanimously.

Respectfully submitted by
Town Clerk Suzanne Reymers