

**Town of Hamilton Regular Board Meeting Minutes**  
**Thursday, September 14, 2017 at 6:30 p.m.**  
**Held at the Court House, 60 Montgomery Street, Hamilton, NY**

Present: Eve Ann Schwartz, Peter Darby, David Holcomb, Suzanne Collins, Chris Rossi.  
 Others Present: Sue Reymers, Jason Florenz, Brynley Wilcox  
 Public: Shari Taylor - Village of Earlville, Ruth Ann Loveless - Village of Hamilton,  
 Bruce Moseley - Partnership for Community Development, Jodi Palmer and Mary Lee  
 Dinski - Candidates for Town Council and 14 residents.

**Call to order & Welcome:** Supervisor Schwartz called the meeting to order at 6:35 p.m. and stated that the Town Board will do a brief presentation on the town hall project with time for questions or comments. There is a handout on the budget of the project.

**Town Hall Project:** The board presented the background of the project and spent time answering the public's questions. There was a petition filed today with the Clerk's office requesting a Referendum on the town hall project. The timeframe of the referendum is between 60 - 75 days of the petition being filed, which is November 13-28. It will not be able to be during the general election on November 7. More information will follow.

**GENERAL:**

**RESOLUTION 2017-99: Approval of Minutes for August 10, 2017**

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 5, Nays: 0  
 Resolved that the minutes from August 10 be approved.

**Claims for Payment:**

**RESOLUTION 2017-100: Audit of Claims**

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

Resolved that the bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	254	<i>through</i>	283	16,004.90
General Fund B	No.	36	<i>through</i>	40	7,150.12
Highway Fund DB	No.	142	<i>through</i>	154	85,866.66
Lighting Districts	No.	15	<i>through</i>	16	351.84
Prepays					5,350.88

**Supervisor/Bookkeeper - Brynley Wilcox**

**INSURANCE REFUND:** \$480.60 was received from NBT-Mang as refund of our insurance premium - removed 2006 International Dump Truck

CORE CHARGE REFUND: \$1,875.00 was received from Cook Brothers as a refund of the core charge for the new 2011 International transmission

FEMA: Winter Storm Stella was determined to be a FEMA reimbursable event. Kick-off meeting was Tuesday, September 12. We have been assigned a FEMA representative who will begin the creation of our project worksheet and get back to us if anything additional paperwork is required

2016 AUDIT: RESOLUTION NEEDED to acknowledge and accept the 2016 audit that was conducted by Cwynar and Co. of the Town, Town Clerk, and Justice Court financial records and accounts and is on file in the Town Clerk's office.

Mr. Darby explained that it was a clean audit and that the town has been getting audited for the past four years now. The first year or two there were some suggestions that the town needed to do, but the last two years has been completely clean audit.

**RESOLUTION 2017-101: 2016 Audit of the Town, Town Clerk and Justice Court Financials and Accounts**

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

Resolved that the Town Board acknowledges that a 2016 audit was conducted by Cwynar and Co. of the Town, Town Clerk and Justice Court financial records and accounts and is on file in the Town Clerk's office.

2018 BUDGET: We have begun to work on the 2018 budget. Tentative Budget Meeting needs to be scheduled.

**RESOLUTION 2017-102: Budget Amendments**

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

Resolved that the budget amendments be accepted as follows:

Code	Description	From:	To:	Difference:
A1110.4	Court Con	10,849	18,000	6,849
A1320.4	Auditing Cont	9,000	9,230	230
A3310.4	Traffic Control Cont	0	500	500
A6410.4	Publicity Cont	3,000	4,000	1,000
A1990.4	<i>Contingent</i>	16,730	8,151	(8,579)
B3620.1	CEO Wages	12,142	24,142	10,000
B3620.4	CEO Cont	1,000	1,700	700
B1990.4	<i>Contingent</i>	10,000	0	(10,000)
B5031	Interfund Transfer (Use of FB)	126,600	128,600	2,000
DB5110.1	General Repairs Wages	65,000	100,000	35,000
DB5110.4	General Repairs Contractual	30,000	33,000	3,000
DB9030.8	Social Security	11,245.50	13,923.50	2,678
DB5140.4	<i>Brush &amp; Weeds Contractual</i>	3,000	0	(3,000)
DB9010.8	<i>State Retirement</i>	27,000	11,000	(16,000)
DB5031	Interfund Transfer (Use of FB)	122,123	143,801	21,678

**RESOLUTION 2017-103: Funds Transfer**

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

Resolved that \$95,000 be transferred from Community Bank Money Market account to NBT Bank Checking account to cover the August abstract and August/September payroll:

- A MMKT to Checking in the amount of \$ 49,000
- B MMKT to Checking in the amount of \$ 10,000
- DB MMKT to Checking in the amount of \$ 36,000

**TOWN REPORTS:****Highway Superintendent - Jason Florenz****GENERAL REPAIRS:**

- Ditched Preston Hill, Horton, and Hoose Rd.
- Patched Barnard, Wilkinson, Noble, Bailey, and Williams.
- Used Town of Lebanon's boom mower to cut brush on Smith, Wilkinson, Brown, Lake, Williams, Barnard and Sacco.
- Cut shoulders on Spring Hill and fixed washouts
- Started hauling sand

**EQUIPMENT:**

- #15 is back in service after having warranty work done by Stadium International

**CHIPS:**

- Paving was completed on Alderman, Horton, and Humphrey. (see pictures)
- Installed shoulders on roads that had been paved. (see pictures)
- Micropaving was completed on Alderman, Noble, and Bailey. (see pictures)

**OTHER:**

- Installed EV charging station (see pictures)
- Cleaned up the old depot site
- Met with FEMA for the first kick off meeting on winter storm Stella.
- Helped Madison County with shoulders on Hamilton St.
- Helped the Town of Brookfield stone and oil.

Mr. Darby commented about the cooperation between the town and the Village MUC in installing the EV Charging station with financial support from Colgate University. It makes the town eligible for a \$50,000 NYSERDA grant which will be applied towards the new town building. The town certainly appreciates the help from the Village and Colgate.

Supervisor Shwartz added that if you have an electric car, you can park at the Village parking lot and get charged up. Over the long run, there will be more people using electric vehicles and we wanted to increase the opportunities to charge them. The Village parking lot was a great location. Ms. Shwartz expressed appreciation for the Village's assistance in getting the charging station installed so quickly. She explained

the Clean Energy program and how the town completed (including the EV charging station) four high impact action items that if done in a certain time frame would qualify the town for the \$50,000 grant, of which there were only so many available.

One of the action items was to send the Codes Enforcement Office on training for the new energy codes to help people with building permits to get the right materials and install it correctly. Mr. Darby interjected that the Village codes officer attended the training as well. Ms. Shwartz continued that the town also has a unified solar permit so that anyone who wants to install residential solar. It's a NYS permit process that was adopted a couple of years ago. There was also a benchmarking study to figure out how much energy the town is using in the office and highway garage so we have a way to measure where we are headed and how to conserve. So that is what becoming a Clean Energy Community is all about. We couldn't have done it without everyone cooperating between the town and village.

Grattan Johnson asked about electric vehicles for the town, but they do not exist for the type of vehicles that the town uses.

**RESOLUTION 2017-104: Authorization for a Fuel Bid**

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

Resolved that the Highway Superintendent be authorized to move forward with a fuel bid for heating oil and diesel oil. (ATTACHMENT A)

A legal notice will go in the paper per usual and on the website.

**Town Clerk/Collector - Sue Reymers**

<b>AUGUST</b>	2015	2016	2017	Notes
Total Fees Collected	4,198.00	4,473.00	5,977.10	
<b>Disbursements:</b>				
Town Revenues	1,106.45	923.41	1,899.96	Codes=\$1,294 - 2017
NYSDEC Hunt/Fish	2,421.70	2,727.99	3,457.44	
NYS Dept of Health	67.50	180.00	202.50	
NYS Ag & Markets	50.00	41.00	35.00	
Mad Co (Landfill)	532.35	600.60	382.20	

Clerk Reymers explained the town office has been busy with sales and that she did not have a narrative but that things that she has been working on are grants and grant contracts. Additionally, she has been researching information on roads, specifically Rambling Brook Road, due to an inquiry from the public. The person is selling their property on the road and the mortgage company needed to know when the road was created and when the subdivision was created.

The board briefly discussed the tax bill memo and agreed to have it printed again. Last year, the second side was utilized to inform the public about the move and services at the town office. The only costs is the printing of them, which is done at Madison County. The only downside is that it only goes to tax bills sent to homes, so folks with escrow accounts will not see it.

**RESOLUTION 2017-105: Authorization to Create a Tax Bill Memo to include with the Tax Bills**

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

Resolved that the town include a tax bill memo with the 2018 tax bills with the content to be approved at a later meeting.

**Codes Enforcement Officer**

The board reviewed the monthly report.

**COMMITTEE REPORTS:**

**SOMAC**

Kyle submitted a report for activity from January through August 2017, which the board reviewed. Supervisor Shwartz explained that this report is what we asked for the town. The town took responsibility for overseeing the ambulance and their activity and help them reorganize themselves and getting back into good financial health. David Holcomb has been attending the meetings regularly. He is a non-voting member of their board. He reports back to the town board. In the last few months, Kyle has been sending the statistics. SOMAC's monthly meeting is next week, they are always a week behind the town's meeting. To date, they have asked for about \$154,000 of the \$192,177 raised in taxes, leaving a balance of about \$37,000. This is why the taxes went up a couple of years ago. Other towns have a separate tax district for ambulance. The town anticipates another final request for funds before year end to fulfill their budget. They switched billing companies, have a new bookkeeper and manager, Kyle, and a stronger board and are doing much better. It's really turned around.

Mr. Gratten Johnson asked about the codes report. Ms. Shwartz reviewed the type of information on it and details.

**Partnership for Community Development (PCD)**

Mr. Bruce Moseley introduced himself. He is the President of the PCD, which is a partnership between the Town, Village and University for economic development. The main thing is to seek and administer grant funding for the community. Currently, there is a variety of grants for Good Nature, Kreimheld, Hearthstone Bakery, airpark study and to market the airpark. There are also two homeowners focused grants and a grant request for trails. Supervisor Shwartz commented that the Community Development Block Grants that have been awarded to Kreimheld and Good Nature and now

Hearthstone Bakery, need to go through the county for approval. We are bringing in funding to help businesses grow and employ more people. No other place is doing this in the County. A few years ago, the PCD was about to expire, but the town approached the Village and Colgate to see if they could get it revitalized. They've been able to do that. Mr. Moseley stated that there is another pending CDBG grant for Fojo Coffee. PCD posts on NextDoorHamilton and an enewsletter.

### **38 Milford Street**

The bidding has stopped. Pending the referendum. On-going research on alternatives.

### **Comprehensive Plan & Action Plan**

- **Recreation Committee** - Jodi Palmer shared that she spoke with Irwin Lamb last night and that he was not interested in selling the town any property. Mr. Lamb gave Jodi a history lesson on the Native Americans that had a longhouse along the river that Cornell studied in the early 1950s. Jodi asked if the highway department could add signs on either side of the bridge access to 9-mile swamp for safety reasons.
- **Zoning Revision Committee** - The update committee met with Nan who is our consultant who we worked with on the Comprehensive Plan (CP). The committee discussed the points from the CP and the handful of actions that were zoning related, some of which are just coming into compliance with NYS Laws and others that are addressing holes in our zoning. Nan is taking that list and working on a revised draft. The town office is sending edits that they need to make things more clear. Not policy changes, but things to make it easier to read and understand.
- **Green Team & Climate Smart Communities (CSC)** - They have been meeting and the Village of Hamilton has decided to participate. They will bring the Village up to speed and see how we can work together. For the Town, Andy Pattison's ENT class is working on a community wide Greenhouse Gas Inventory this fall and that will tick off another item for points. They will figure out what the energy use and carbon footprint is for the entire town and maybe find areas that we can help people. For instance, group buying for insulation. It would provide opportunities for energy saving.
- **Clean Energy (CE)**

### **OLD BUSINESS:**

#### **Alternate Members for Planning Board and Zoning Board of Appeals**

Still looking for potential members.

### **NEW BUSINESS:**

#### **Charter Communications**

Clerk Reymers pointed out a handout in the board packet which is a letter from Charter Communications to kick-off the conversation as our Franchise agreement expires on

7/18/2020. We did find out a few years ago that we cannot renegotiate our current agreement. That research was pulled out to review. It includes the findings from Computel, who the town worked with in the past. Supervisor Shwartz answered a question that Charter is Time Warner is Spectrum and they have a franchise to provide a service in this community and they pay a fee to the town for that. There is no information on expansion, but the recent Spectrum trucks seen around town may be that they are going to bid on the statewide initiative to get broadband out to rural areas. Chris Rossi asked about Frontier again. Supervisor Shwartz stated that the County is sending out another letter to Frontier and the Public Service Commission. Lebanon and Hamilton is having the most trouble with services.

Supervisor Shwartz asked what should happen next. Clerk Reymers said she can send this letter and the current agreement to Computel to get an idea of a timeline. Supervisor Shwartz asked Clerk Reymers to ask Paul Lutwak at the County to see how we can get more services provided in the next agreement.

### **2018 Budget Timeline**

Clerk Reymers handed out the budget timeline. Peter Darby said they have the tentative budget ready to give to the clerk. Clerk Reymers asked for a meeting to be scheduled between September 28 – October 5 to review the tentative budget. Suggested date is Thursday, September 28 at 7 p.m. at the Hamilton Library, the Poolville Community Center or Earlville Library. The board discussed dates for the referendum and budget public hearing.

Proposed Local Law #3 of 2017 “Tax Cap Override”

### **RESOLUTION 2017-106: INTRODUCING AND SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW #3 of 2017**

WHEREAS, proposed Local Law #3 of 2017, entitled “A Local Law To Override The Tax Levy Limit Established in General Municipal Law 3-c” a copy of which is attached hereto, was introduced at this meeting by a member of the Town Board using the words “Be it enacted by the Town Board of the Town of Hamilton as follows:”; and

WHEREAS, said proposed Local Law would allow the Town to override the limit on the amount of real property taxes that may be levied by the Town; and

WHEREAS, this Board desires to hold a public hearing with respect to the adoption of said proposed Local Law,

NOW THEREFORE, BE IT RESOLVED that a public hearing be held by this Board with respect to the adoption of the aforesaid proposed Local Law #3 of 2017 at 6:45 p.m. on Thursday October 12, 2017 at the Village Court House, 60 Montgomery Street, Hamilton, New York, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said public hearing to be given as provided by law.

**ON MOTION OF Councilmember Peter Darby,  
seconded by Councilmember David Holcomb**

**Roll call vote: yes-5; no-0**

**Vote: Shwartz-yes; Holcomb-yes; Darby-yes; Rossi-yes; Collins-yes.**

### **Emergency Preparedness**

Chris Rossi asked for this to be on the agenda because of all the storms. Supervisor Shwartz stated that we have a much more robust way to communicate with each other. Alerts go out via text or phone. There is a Citizens Preparedness training for the Hamilton area residents on October 3. The County has invested a lot in this in terms of people. Supervisor Shwartz asked Jason Florenz to ask the County how citizens can find out about road closures, so we can add it to our tax bill and town notes.

**Concerns of Town Board:** None.

**Supervisor's Report: Madison County Activities:** Shared Services plan was adopted at the last meeting. They still don't have the things figured out that we are interested in such as health insurance. We are already doing IT shared services. The Plastic Bag ban bill had an evening public hearing with lots of positive feedback. There was a revision that will likely come up at the October board meeting. There will be another public hearing due to the revision.

### **RESOLUTION 2017-107: Executive Session**

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

Resolved that this Board move into an Executive Session for the advice of counsel at 8:50 p.m.

### **RESOLUTION 2017-108: Return to Regular Session**

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

Resolved that the Board return to regular session at 9:45 p.m.

With no further business, on a motion of Councilmember Holcomb, seconded by Councilmember Rossi, the meeting was adjourned at 9:46 p.m. Carried unanimously.

Respectfully submitted,  
Suzanne K. Reymers  
Town Clerk