

Town of Hamilton Regular Board Meeting Minutes
Thursday, October 10, 2019 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Mary Lee Dinski, Chris Rossi, Eve Ann Shwartz, Peter Darby, David Holcomb.
Absent: none. Others Present: Elisa Robertson, Brynley Wilcox, Luke Dowsland
Public: Shari Taylor and Kathleen Palmer

Call to order & Welcome: The meeting was called to order at 6:31 p.m.

Public Comments: none

PUBLIC HEARING:

Proposed Law 2-2019 "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law § 3-C in the Town of Hamilton."

RESOLUTION 2019-102: Open Public Hearing on Proposed Local Law #2-2019

On a motion of Councilmember Darby, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be opened at 6:35 pm on proposed local law 2-2019.

RESOLUTION 2019-103: Close Public Hearing on Proposed Local Law #3-2018

On a motion of Councilmember Rossi, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be closed at 6:36 pm.

DEPARTMENT REPORTS:

Highway Superintendent - Luke Dowsland

GENERAL REPAIRS:

- Finished mowing roadsides for the 3rd time this year
- Finished the Eaton Rd project, I think it came out well and should, hopefully, be more of a permanent fix
- Finished hauling sand
- Ditched on Kiley and Eaton Rd
- Cut shoulders on Thayer, Bonney Hill, Kiley, Borden and Williams. This went quickly due to the County letting us borrow their sod loader. It was much easier on the trucks and the roads as well.
- Cut shoulders on Madison's end of Thayer to help them out
- Re-graded the parking lot behind the garage to better help the water drain

EQUIPMENT:

- Finally got truck #18 (2013 International) back from Piluso's service.
- ToolCat blew the main drive belt, Warner's sales and service came and fixed it under warrantee. It's been working well ever since.

- Mike Helly fixed the 4WD on the white pickup truck.
- Replaced a push pull cable on the County's sod loader
- Stripped all equipment off #25 (2018 F150) and put it all back on the new #25 (2019 F250)

TREE REMOVAL:

- Picked up limbs on various roads throughout the month

OTHER:

- Erick and I attended a road safety training in Moravia through Cornell Local Roads
- Borrowed the County's sod loader
- Met with Kevin Strasser and Peter to discuss the electrical needs at the garage for the geothermal and motion sensors
- Mike Helly has started and is doing very well.
- Had interviews for the second part-time seasonal plow operator. We offered the position to Randy Isbell; Randy is retired from the Town of Fenner with 26 years of plowing experience.
- Started putting plow frames on for the rapidly approaching winter
- Planted a new tree on Williams Road that got hit while shouldering
- Started working on building a door to be able to close off half of the garage to save on heat. It works very well. It helps to keep the heat and the mess contained. Especially with the new Geothermal coming in.

Peter Darby has talked to Nick about this and he has revised the Geothermal plan to include both fan coils going into the front of the building that the geothermal will heat completely and we will keep the back at 45-50 degrees; just warm enough that there will be no problems starting the vehicles.

Superintendent Dowland has made some cost cutting efforts on the area of uniforms. He met with Cintas about getting some lower prices on shirts, pants and have gotten rid of the jackets. They have also switched the weekly rug cleaning to monthly rug cleaning.

Supervisor/Bookkeeper - Brynley Wilcox

ANNUAL AIM PAYMENT:

- AIM = Aid & Incentives to Municipalities
- **\$44,184.00** was received from the State via direct deposit
 - **2018:** \$ 44,184.00
 - 2019 YTD: \$ 44,184.00 (same amount since 2011)
 - BUDGET: \$ 44,184.00

FRANCHISE FEES:

- **\$3,013.60** was received from Charter Communications (Q2-2019)
 - **2018:** \$ 8,676.85
 - 2019 YTD: \$ 8,937.00 (~2.99% higher than 2018)

- BUDGET: \$ 10,400.00

CHIPS:

- 2019 paperwork was **mailed on September 19th, 2019**
- Deadline: *Friday, November 12th, 2019*
- '19-'20 CHIPS amount: \$ 109,773.68
 - Rollover amount: 2,578.10
- Total EWR amount: 21,315.15
- Total PAVE NY amount: 25,056.93
- TOTAL: \$158,723.86**
- Amount to be reimbursed: (142,620.09)
- Amount to rollover: \$ 16,103.77

RESOLUTION 2019-104: Audit of Claims

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 5 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.	332	<i>through</i>	364	\$14,302.28
General Fund B	No.	63	<i>through</i>	65	\$650.35
Highway Fund DB	No.	134	<i>through</i>	150	\$22,331.01
Street Lighting SL	No.	19	<i>through</i>	20	\$430.86
Prepays					\$46,649.21
TOTAL:					\$84,363.71

RESOLUTION 2019-105: Funds Transfer

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

The transfer of funds from the Community Bank Money Market account to the NBT Bank Checking account for the total amount of \$50,000.00 to cover October bills and October/November payroll:

- A Money Market to Checking in the amount of \$ 10,000
- B Money Market to Checking in the amount of \$ 5,000
- DB Money Market to Checking in the amount of \$ 35,000

Ms. Wilcox will have an estimated fund balance sheet for the board, for the remainder of the year. On the balance sheet the bond that is at 258; another payment for \$37,000+ came in at the beginning of the week, CEO Mark Miller approved payment of that bill. That will be on October's report.

Town Clerk

The town office has been running as per usual; Sue had done an enormous amount of prep work before she went on leave. With the extra help from Jill and Brynley we are

managing to keep moving along smoothly. The Dog Control Officer dropped off his report. He wrote two tickets for lapsed licenses; and picked up one dog on Williams Road that had no ID, license; or rabies. The dog was taken to Wanderer's Rest. There was a large spike in Hunting sales on September 30; it was the last day for Doe Permits. There will likely be another surge around November 1, when they are reopened. We have done a few marriage licenses. The Deputy Clerk wants to thank the board, and the individual departments for their patience and for any extra work that has been generated by her inexperience with certain aspects of the Clerk's position.

RESOLUTION 2019-106: Approval of Minutes for September 12, 2019

On a motion of Councilmember Rossi, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the minutes from September 12, 2019 be approved.

RESOLUTION 2019-107: Approval of Minutes for September 18, 2019

On a motion of Councilmember Dinski, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the minutes from September 18, 2019 be approved.

Codes Enforcement Officer - Mark Miller
September Activity

- Approved 3 new Zoning Permit applications.
- Issued 4 new building permits. 1 renewal.
- Conducted 12 construction inspections.
- Conducting inspections and monitoring progress of large-scale projects:
 - new home construction: Butzgy/Larkin Rd, Hughes/Horton Rd, Gibson/Alderman Rd, Lafrance/Bonney Rd, Locke/Bonney Hill Rd, West/Quarterline Rd
- Continued work filing old codes related files.
- Followed up on order to remedy for 4 violations.
- Monitoring and conducting oversight of Town Hall project.
- Participated in weekly conference call with architect, project manager, and village CEO for Town hall project.
- Attended 2 Zoning update Committee meetings.
- Investigated complaint of rubbish, vehicles, and failure to obtain a building permit.
- Meet with contractors and homeowners to discuss potential projects.
- Labeling and indexing of all construction blueprints, special use/site plans, subdivisions, annexations and surveys. This will help us assess our storage needs and we will be able to readily access older prints to better serve Town residents.
- Currently monitoring the construction and progress of 2 recently approved Special Use Permits according to conditions set forth by the Planning Board.

- Dunham Barn-Poolville Rd - Issued a Temporary Certificate of Occupancy
- Attended septic inspection training class in Auburn, NY.

Permit #	Date	Owner's Name	Location of Project	Description of Work	Permit Fee
2019-26	9/5/19	Mary Putnam	8159 Green Rd	10'x18 addition	\$202.50
2019-27	9/16/19	Steven Rock	7158 Bonney Hill Rd	24'x36' storage barn	\$250
2019-28	9/19/19	Bill Dowsland	1864 Wickwire Rd	Covered deck	\$70
2019-29	9/23/19	Town of Hamilton	7648 Cranston Rd	Geothermal system	
2018-23	9/18/19	Dunham Heritage Barn	1647 Poolville Rd	Renewal	\$50

There is some discussion about the Dunham Wedding Barn and their first event. The board also discusses how the Zoning Update Committee has been looking at the zoning for what has been traditionally residential areas. Supervisor Shwartz comments that she is happy to see that we acquired our permit for the Geothermal project at the Town Garage.

COMMITTEE REPORTS:

SOMAC- Supervisor Shwartz received an email from the county emergency management officer stating that SOMAC was out of service and had been for some time. After some investigation and a number of emails; it seems that there was a miscommunication with County Emergency services with SOMAC being incorrectly deemed out of service for an extended amount of time. In reality; SOMAC was taking calls and ready to respond. This breakdown in communication with the 911 center is being discussed so that it does not happen again. Supervisor Shwartz did speak to Ted Halpin and she plans to follow up with him. Councilmember Dinski has reached out to the Village of Hamilton Mayor to have a conversation so that everyone is up to speed on these and other concerns. Peter will be meeting with David Sturgis to review the budget and then there will be a follow-up meeting the last week of October. It is important to find the balance between what we are taxing and how much they are actually spending. There is some discussion about salaries and keeping SOMAC well-staffed. The board would like to have a better idea of how they are budgeting. There is a problem across the board with these services and the reimbursement that they get. There is some motion on the state level, but things move slowly.

Partnership for Community Development-Peter Darby- The PCD has been working with the Colgate program, Thought Into Action for about 4 years. Recently the PCD got a grant for \$625,000 over three years to put together an Incubator. Which is available to Colgate students as well as local people. It provides a workspace and business assistance. It is a very productive cooperation between Colgate and the Community to provide assistance for both start-up and existing businesses. It is up and running now. It is shared office space, conference room, computers, a coordinator. There are training

programs to help businesses be more successful. Mary Galvez is working for them full time. Deputy Clerk Robertson will contact Mary Galvez to see if she will come share information with the board. Jennifer has also been working on housing issues in the area. She is doing research on ways to fund infrastructure development. The PCD monitored the housing study. The University is making serious plans to develop some projects. The Town the Village and the University are working together to possible help with housing in the area. In generations past communities just banded together to make these neighborhoods happen; they put in roads, sewers, and water because they wanted new housing. Now it is more difficult. People feel that taxes are too high so investing in that infrastructure may raise taxes temporarily but also may lower them in the long run. Outside financing is needed to build houses in the Village which would increase tax base, more kids in school and more people frequenting local businesses. It is too expensive for the average person to buy or build in the village. The Town could contribute by building roads. Colgate is proposing a multi-million-dollar housing project of mixed developments (town homes and a few single-family houses). If a few entities help take on aspects of these types of projects; it can lower the costs of the housing. There are a few parcels in and around the village that are possible sites for this type of project. There is discussion about the location of water facilities. School taxes are high in the village and enrollment is down. The board would like to see where these discussions will go and see what we can contribute. What is good for the Village is also good for the Town. Board member Rossi Comments that there needs to be an eye on creating diverse housing at different price points so that people who work here can afford to live here as well. Some should be earmarked for lower- and middle-income families. The PCD is looking into different types of financing for affordable housing that could lead to this end. There is a meeting next week (October 17th) about housing.

Recreation and Youth Committee - Mary Dinski

In a holding pattern while waiting to hear about an application for a grant.

Zoning Update Committee- Chris Rossi

Working hard; have another meeting on October 15, 2019. Working hard on the new draft. They would like to meet with the Town Board on November 26 at 7 pm at the Poolville Community Center. She will try to get Nan to be there as well. She will send an email.

Hamilton Climate Preparedness Working Group- Chris Rossi- They have a meeting tomorrow they are on course to get bronze certification in January. Students from Andy Pattison's class are working to update the website pages; and updating the fleet and building inventory assessments. On November 7, 2019 at 4:30 there will be a Climate Summit at Persson Hall regarding climate sustainability. The Village Mayor will be talking about what the Village is doing and Councilmember Rossi will discuss the Town's contributions.

Supervisor Shwartz asks Brynley Wilcox if she has had contact with Solar company. Ms. Wilcox replies that she called CNY Solar and discovered that the only other person that can access the online account is the installer (Glen at Steed Energy). She was told that many problems can be solved through that interface. If the problem cannot be solved on the website then it may be covered under warranty, which would go back to Steed. It is very difficult for another company to just come in and take over, but CNY Solar will investigate the matter and get back to Ms. Wilcox. Glen from Steed has not been responsive, she has tried calling and emailing him with no response. The problem is that we have units that are not producing electricity, of the 60 units 11-14 of them are not responsive at all or minimally producing. Council member Darby will try to call Glen one last time. This has been an issue for almost a year. There is some discussion about the new LED Lighting and its demand on the system.

SPECIAL PROJECTS:

Town Office Building

Update on Phase 1: Walls are up; the second floor I joists are being put in; the exterior insulation and sheathing should be happening soon, and the trusses are ordered and are due here very soon. The job site has been cleaned up so that all construction can move forward more smoothly. The work site needs to be monitored closely; the board has not been impressed with the work habits and work ethics displayed at the site so far.

Phase 2 Planning: Luke and Peter have talked with Kevin Strasser and Larry Nelson about doing the wiring. They are both interested in doing it and working with our crew; they both seem to understand what we are asking for. They are going to give us some numbers for putting in the service entrance, basically the work after that would be time and materials. They would supervise and make sure that our crew knows how to do what they are asking them to do and stop in and supervise. They would also help us make decisions about lighting. Councilmember Darby's opinion is that either of these two would work well with our team and help minimize the expense. There is another electrician that will also be contacted. The board would like to get three bids. The work covered will be for the upgrades that are needed for the geothermal, the additional wiring that is needed at the salt shed, and the new Town Hall building. The electric should be figured out before we go out with the heating RFP. The committee has come up with a good description of the heating system. Luke Dowsland needs to get specs so that he can come up with a definitive number for the Geothermal project before the electricians can give bids.

Lighting Districts - LED changeover with NYSEG LED Lumen Choice is still pending.

OLD BUSINESS:

APPOINTMENTS

BOAR: Need someone to finish Holbrook's term (10/1/15-9/30/20).

Planning Board: anticipated opening for 1/1/2020

Alternate Members - Planning and Zoning Boards.**Adoption of Proposed Local Law #2 of 2019 "Tax Cap Override"****RESOLUTION 2019-108: Local Law #2 of 2019 "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-C in the Town of Hamilton"**

The following resolution was offered by Councilor Rossi, who moved its adoption, seconded by Councilor Darby, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2019, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Hamilton," was presented and introduced at a regular meeting of the Town Board of the Town of Hamilton held on September 12, 2019; and

WHEREAS, a public hearing was held on such proposed local law on this 10th day of October, 2019, by the Town Board of the Town of Hamilton and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Hamilton in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. B-2019 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. B-2019.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Hamilton, Madison County, New York, does hereby enact proposed Local Law No. B-2019 as Local Law No. 2-2019 as follows:

**"TOWN OF HAMILTON LOCAL LAW NO. 2 OF 2019
A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW § 3-C IN THE TOWN OF HAMILTON**

Be it enacted by the Town Board of the Town of Hamilton as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Hamilton, County of Madison pursuant to General Municipal Law §3-c, and to allow the Town of Hamilton to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2020, that requires a real property tax levy in excess of the "tax levy limit" as defined by the General Municipal Law §3-c.

SECTION 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Hamilton, County of Madison, is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.”

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Darby	Councilor	Voted	Yes
David Holcomb	Councilor	Voted	Yes
Chris Rossi	Councilor	Voted	Yes
Mary Lee Dinski	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

BUDGET

Resolution to move 2020 Tentative Budget to Preliminary Budget

RESOLUTION 2019-109: Move 2020 Tentative Budget to Preliminary Budget

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

Resolved that the 2020 Tentative Budget be moved to Preliminary for the purposes of a public hearing on November 6, 2019.

FYI: Budget Public Hearing - Weds, Nov 6 @ 7 pm @ Poolville Community Center

There have been a few minor changes; a few new numbers have come in such as: SOMAC, Health insurance, workman's comp, and general insurance. The tentative budget had to be in by September 30; that is the document that is being moved from tentative to preliminary, it changes a few times between tentative to preliminary and so on. By November 6 most of the changes will have been made to be able to review it.

NEW BUSINESS:

Seasonal Roads Resolution - Town Highway Law §205-a

RESOLUTION 2019-110: Authorization for Highway Superintendent to Designate Seasonal Roads in the Town of Hamilton

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

Resolved that the Highway Superintendent be authorized to designate the following roads as seasonal limited use highway from December 1, 2019 to April 1, 2020:

- Alderman Road
- Barnard Road
- Brown Road
- Collins Road
- Humphrey Road
- Lake Road
- Morse Road (portion of)
- Thayer Road
- Wilkinson Road

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities: There was follow-up from last months heated discussion about casino money. There will be a broadband survey will more than likely go live at the end of October. There will be links to it on the county website and flyers to go out to the schools for kids to go home. The hope is to get 5% response. Supervisor Shwartz asks Highway Superintendent Luke Dowsland for an update on the Highway Department's plan for shifts during the winter. Mr. Dowsland states that he would like to start the seasonal guys working a bit sooner than they have in the past, maybe a week or two earlier. He would like them to get used to the trucks and learn the routes. Generally, they go on winter hours the week pf Thanksgiving to December first. Mr. Dowsland would like to bring them on mid-November. Shifts will consist of 3:30am-11:30am; 11:30am-7:30pm with a few minutes overlap so that they can communicate about different needs of the roads. Erick and Mike Marcellus will be on mornings with Randy Isbell; Ethan and Mike Helly will be on afternoons with Brian Harris. Mr. Harris has worked for the town in years past. Ms. Wilcox looked at the budget and if they do start a couple weeks early it will not impact the 2019 budget. As a side note, the new boom mower that they ordered comes next week.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Dinski, the meeting was adjourned at 7:55 p.m. Carried unanimously.

Respectfully submitted, Elisa Robertson, Deputy Town Clerk