

Town of Hamilton Regular Board Meeting Minutes
Thursday, September 12, 2019 at 6:30 p.m.
Held at the Court House, 60 Montgomery Street, Hamilton, NY

Present: Eve Ann Shwartz, Chris Rossi, Mary Lee Dinski, David Holcomb.

Absent: Peter Darby. Others Present: Sue Reymers, Brynley Wilcox, Luke Dowsland and Elisa Robertson. Public: Shari Taylor

Call to order & Welcome: The meeting was called to order at 6:32 p.m.

Public Comments: None.

DEPARTMENT REPORTS:

Highway Superintendent – Luke Dowsland

GENERAL REPAIRS:

- Helped the County with some ditching on Tackabury Rd. and mowed their roads for three days. They're going to help us shoulder roads this fall
- Helped the Town of Brookfield pave for four full days
- Hauled 6 loads of 1A's from Hanson for the Eaton Rd. project-oil was coming up and creating hazardous conditions
- Cut shoulders and washed the Wickwire Rd bridge

EQUIPMENT:

- Got all vehicles inspected
- #18 is at Piluso's service for numerous issues
- Worked on the lawnmower 3 times
- Brought the lawnmower to Doc Palmer's to have a pulley rebuilt. Found numerous other issues which he estimates \$800 to \$1,000 to fix. (is this worth doing?) He put a band aid on it to get it through the season.

TREE REMOVAL:

- Trimmed trees on Eaton, Kelly, and Wickwire Rd.
- Borrowed the Town of Brookfield's chipper to chip all the trees and limbs we cut
- Picked up a downed limb on Borden Rd.

CHIPS:

- Spread 1A's on Eaton Rd. due to the oil bleeding through. This should be more of a long-term fix as opposed to sanding it when it gets hot

OTHER:

- Erick and I attended a Limiting Legal Liability training in Piseco through Cornell Local Roads
- Borrowed Luke's lawnmower to mow cemetery while ours was at Doc Palmer's getting fixed

- Met with Glen Bagnall to get a quote for a motion sensor for the outside dusk to dawn lights and power to salt shed. See attached quotes.
- We had interviews for both part-time and full-time positions. We offered the fulltime position to Mike Helly. He starts Monday, September 16th.

Council member Darby was not happy with the quotes for the lighting and would like a few more. Supervisor Shwartz requests that Mr. Dowsland get some more. She also recommends pricing out lawnmowers as well. Mr. Dowsland has already done so. The price is about \$5,100; Bookkeeper Wilcox has already run the numbers for the 2019 budget. There is the potential to purchase it this year, it would fit into the equipment schedule. Council member Dinski enquires about working with the cemetery that they have previously discussed (See August Minutes). Include this with the cemeteries that we already maintain. Council member Holcomb asks if they can hold off until next year. Supervisor Shwartz asks where we are in the budget and if there was anything else that needs to be purchased for this year. Bookkeeper Wilcox replies that it is on the schedule to replace the Highway Superintendent's truck this year. The current model is a 150 and they wish to upgrade to a 250. This means that a larger plow must also be purchased. It was not previously budgeted for a new plow, it would be about \$6,500 more than what was previously budgeted. Ms. Wilcox has discussed this with the Chief Financial Officer; they have reviewed potential resale and the impact that it will have on this and future budgets. It is recommended that a four-door model be considered. Mr. Dowsland has already done some research and gotten some quotes. The board discussed holding off on the mower but going forward with the truck and new plow.

RESOLUTION 2019-89: Authorization for Purchase of a New Truck

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

Highway superintendent Luke Dowsland is authorized to purchase a four-door 250 with a new plow (2 foot wider). Mr. Dowsland is instructed to make the best deal possible and report back to the board at the next meeting. The hope is to have it ASAP for this season.

The Board recommends holding off on the new mower until next year, maybe purchasing a used one.

Supervisor/Bookkeeper - Brynley Wilcox

SALES TAX:

- Received: \$ 117,365.54 (~3.11% over same quarter in 2018)
- 2019 YTD: \$ 315,407.60 (~4.94% over same period in 2018)
- *BUDGET:* \$ 422,000.00

Last month the Board asked Ms. Wilcox to talk to Cindy Edick about sales tax and where she thought that it was going in 2020. Ms. Wilcox received a response from Ms. Edick today and will summarize. Ms. Edick stated that she will not be recommending an increase at the county level even though it is up 3.89%. She is hoping that the county

will keep it the same because they have contacted several associations at the state level about the AIM reduction and how that is going to work; and no one can answer that question as of now. She is hoping to keep it constant so that they can figure out how the AIM affects sales tax. Supervisor Shwartz asks how we have dealt with it in the tentative budget. Ms. Wilcox replies that she believes that they have increased it by 5,000. Which is a very small percentage.

RESOLUTION 2019-90: Audit of Claims

On a motion of Councilmember Dinski, seconded by Councilmember Holcomb, the following resolution was: ADOPTED: Ayes: 4 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.	299	<i>through</i>	331	\$42,811.25
General Fund B	No.	56	<i>through</i>	62	\$638.37
Highway Fund DB	No.	117	<i>through</i>	133	\$17,504.38
Street Lighting SL	No.	17	<i>through</i>	18	\$421.54
Prepays					\$31,250.44

TOTAL

\$ 92,625.98

RESOLUTION 2019-91: Funds Transfer

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

Resolved that \$100,000 be transferred from Community Bank Money Market account to NBT Bank Checking account to cover the next month's bills and payroll:

- A Money Market to Checking in the amount of \$ 70,000
- B Money Market to Checking in the amount of \$ 5,000
- DB Money Market to Checking in the amount of \$ 25,000

Town Clerk - Sue Reymers

Just trying to prepare for upcoming time out of the office. Arranged for Sexual Harassment training for the Planning and Zoning Boards as well any other employees who needed it. Mary Galvez provided the training. There were 14 people in attendance. Clerk Reymers has a list of those who attended the training as well as others proof that they received their training elsewhere. Clerk Reymers is looking into the online training for a few individuals that are un-able to attend in-person training. Next year the on-line option will be available but there is an interactive portion of the training for those who have never had it before. There will be other opportunities available through the PCD for those that were not able to attend. This training is mandatory, every year. There is a way to do it and keep track of attendance through NYMIR, it was just not accomplishable this year.

Clerk Reymers will be out off the office starting September 30, 2019 until the end of October and possibly early November. She is hoping to be back by the November meeting.

RESOLUTION 2019-92: Approval of Minutes for June, July and August

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

Resolved that the minutes from June 13, 2019, July 10, 2019, August 8, 2019 be approved.

Codes Enforcement Officer - Mark Miller**August Activity**

- 4 new Zoning Permit application.
- Issued 2 new building permits. 1 renewal.
- Conducted 16 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.
- Issued order to remedy for rubbish and unregistered vehicles-S. Hamilton Rd.
- Issued Order to Remedy for deteriorating siding-Bonney Hill Rd.
- Monitoring and conducting oversight of Town Hall project in conjunction with Joe Bello.
- Attended town hall project job meeting.
- Attended Zoning update Committee meeting.
- Investigated 2 complaints. Open burning-Spring St and property maintenance Larkin Rd.
- 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 Wedding Barn-Poolville Rd
 - Dog Boarding- Chappel Rd

Permit #	Date	Owner's Name	Location of Project	Description of Work	Permit Fee
2019-23	8/15/19	David Brigham	8702 S. Hamilton Rd	12'x24' shed	100

2018-18	8/20/19	Michael Gibson	1170 Alderman Rd	Renewal garage w/ living space	50
2019-24	8/29/19	Lynn Compton	Gorton Rd	Hay barn	Ag exempt

The Dunham Wedding Barn has come in to get a temporary Certificate of Compliance. They have their first event this coming weekend. They were testing their sprinkler system and having fire inspections. The expectation is that they will receive it.

COMMITTEE REPORTS:

SOMAC

RESOLUTION 2019-93: Executive Session

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

Resolved that this Board move into an Executive Session for the purposes of personnel and possible litigation at 6:57 p.m. Future Board Member Shari Taylor is invited to sit in on the executive session.

RESOLUTION 2019-94: Return to Regular Session

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

Resolved that the Board return to regular session at 7:51 p.m.

RESOLUTION 2019-95: Deputy Highway Superintendent Salary Increase

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

Resolved to an increase of \$1.00 per hour increase for the Deputy Highway Superintendent year-round, retroactive to August 10, 2019.

RESOLUTION 2019-96: PCD Contract for Financial Support

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

Resolved that it will renew the Town's financial commitment to the Partnership for Community Development.

This is a three-year commitment. The principal partners will make financial contributions to the PCD, \$35,000 with a 2% increase for the following 2 years (\$35,700, and \$36,414 respectively). Colgate will do a flat \$70,000 per year. The term is July 1, 2019 through June 31, 2022.

Partnership for Community Development-Conducted the sexual harassment training.

Recreation and Youth Committee- Nothing to report

Zoning Update Committee- Council member Rossi Updates the board. They met last week to review and make some edits to the updated Site Plan process and the Subdivision Law. It is being sent to Nan. They are also looking at the usage table and cross-referencing it with any of the changes that have been made in the zoning. They will meet again in two weeks to do a review of the entire Zoning Law, the density

bonuses and the new sliding scale for density development. Now, they are just bringing all the pieces together. Target is to have everything assembled and reviewed in October to then share with the board for review. It will have to be reviewed by the Town council, our lawyers, and the county; and then the public. The use table needs to be tightened up and there is the addition of a new column for the flood plain. Other new things need to be considered such as tiny houses. It will be important for any new board members be brought in on this process, Darrell Griff is already aware and Shari Taylor is present at this meeting. It probably will not be rolled out until next year to the public, but any new board members will need to be up to date on the process.

Hamilton Climate Preparedness Working Group - They are meeting in the morning September 13, 2019. They have been discussing the Colgate Cruiser. They have had a meeting with other area environmental groups about sharing information. On November 7, 2019 at 4:30 pm Colgate is hosting a Climate Summit in Persson Hall both Councilmember Rossi and Village of Hamilton Mayor Ruthann Loveless will be speaking.

SPECIAL PROJECTS:

Town Office Building

Update on Phase 1: The lease for 31 Milford expires at the end of October. We will not be renewing the lease. Joe Bello, the project manager, had his last day today due to taking a new position elsewhere. He is still available to consult on our project via phone and email; however, he will not be in town daily, any longer. He will be able to check in on evenings and weekends. We have the CEO's from both the village and the town to continue oversight.

The window submittals were problematic though walls should be erected in the next few weeks. HVAC meetings will take place with involved parties next week. We did get a quote for someone to provide engineering services. They are working towards an alternate strategy with help from John Bailey. The goal is to meet with some contractors and have them put in bids. The attorney will need to review it first, regarding insurance and warranties. Then a timeline can be set.

There is an existing model that was made for the Geothermal Project. Clerk Reymers will send it to the Supervisor as an example. The meeting is Monday, September 16, 2019 at 12:00 pm at the Town Garage. We are moving along.

Notes were added to the calendar by Council member Dinski about the responsibilities of individual parties. The document will be shared with everyone.

Councilmember David Holcomb had to leave the meeting at 8:08pm.

Phase 2 Planning: Nothing at this time

Lighting Districts - LED changeover with NYSEG

LED Lumen Choice is still pending.

Geothermal Project Update**RESOLUTION 2019-97: Authorization of Supervisor to Sign Geothermal Contract**

On a motion of Councilmember Dinski, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the Proposal and Contract from NP Environmental for \$65,000 be approved and that the town board authorizes the Town Supervisor to sign the contract.

The town will be receiving \$50,000 from New York State. This is a small investment for the town for a worthy project. Clerk Reymers is unsure if there are other components to this such as the amp service, etc. Highway Superintendent Dowsland states that NP's representative wants to meet in the morning, he is unsure of the time. He needs the check for the down payment and the contract. Clerk Reymers asks Mr. Dowsland if they can meet next week in the afternoon so that she can provide these. There is additional electrical work that needs to be done. Supervisor Shwartz will sign the contracts before she leaves this evening.

OLD BUSINESS:**APPOINTMENTS**

BOAR: Need someone to finish Holbrook's term (10/1/15-9/30/20): There is a call in to a potential candidate but they have not called back.

Planning Board: anticipated opening for 1/1/2020: The board contemplates possible interested parties and may reach out.

Alternate Members - PB & ZBA: Still pending.

NEW BUSINESS:**Village of Hamilton Salt Brine Contract Resolution****RESOLUTION 2019-98: Authorize Supervisor to Sign Inter-Municipal Agreement with Village of Hamilton for Salt Brine**

On a motion of Councilmember Rossi, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the Town Supervisor be authorized to sign an inter-municipal agreement with the Village of Hamilton for salt brine.

Price remains the same as last year \$.07 a gallon. Clerk Reymers received a memo from the Village that they will be limiting the hours of access to the salt brine and fuel. Luke Dowsland states that it is going to be a problem. The last Clerk Reymers heard was that the topic will be revisited at the next Village Board Meeting. We need to plan on fueling between 6:00 am and 3:30 pm each day. It will not be available if we need either outside of those hours. They are trying to come up with an alternate plan for access.

Supervisor Shwartz asks why this is being done? It seems as if they are experiencing a lot of dumping by contractors, filling up their dumpsters. They feel as if there is too

much traffic in and out of there, and they would like to eliminate that. There is a gate; perhaps we could be given a key. Clerk Reymers believes that we will hear back shortly about how this will be dealt with. It will not only affect the town but 11 other municipalities. Towns of Hamilton and Madison will be the most affected.

Supervisor Shwartz asks how this will affect our new rotation. Supervisor Dowsland replies that we use 1100 gallons per plow run and we have a 3,000 gallon tank. These hours will take effect on the 6th; unless the village is plowing as well. Mr. Dowsland says that they will work around it. Another alternative would be to put gas out at the town barn; the only vehicles that currently use gasoline are the Highway Supervisor's truck and the lawnmowers. It will be an additional \$6,000 to buy a diesel truck for the supervisor as opposed to a gasoline engine. Diesel would contribute to a higher resale value. Everyone agrees that Councilmember Peter Darby should look at the numbers and, if need be, they will amend the resolution next month.

RESOLUTION 2019 -99: TOWN BOARD APPROVAL of the AGREEMENT with MADISON COUNTY for SNOW AND ICE CONTROL on the COUNTY ROAD SYSTEM

WHEREAS, the Board of Supervisors of Madison County adopted **Resolution No. 19-432** on **August 13, 2019** 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, 2019 through April 30, 2020** at rates as specified in the Agreement; 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 Dinski, Seconded by Councilmember Rossi,
the resolution is adopted: AYES: 3 NAYS: 0.

Review: \$19.58 per lane mile – up from last year (\$18.90)

\$12.17 for Brine

\$13.67 Brine with magnesium

\$120.00 per hour for snowbank removal under certain circumstances with prior approval

TAX BILL MEMO

RESOLUTION 2019-100: Authorization to Create a Tax Bill Memo to include with the Tax Bills

On a motion of Councilmember Rossi, seconded by Councilmember Dinski,
the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the town include a tax bill memo with the 2020 tax bills with the content to be approved at a later meeting.

Resolution Introduction of Proposed Law B-2019 "Tax Cap Override" & Scheduling of Public Hearing *(Note: Must be adopted prior to adoption of budget.)*

RESOLUTION 2019-101: Introduction of Proposed Law B-2019 "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Hamilton"

Councilor Rossi introduced proposed Local Law No. B-2019, relating to the ability of the Town of Hamilton to override the limit on the amount of real property taxes that may be levied by the Town of Hamilton pursuant to General Municipal Law §3-c, and to allow the Town of Hamilton to adopt a Town budget for the fiscal year 2020 in excess of the "tax levy limit," and made the following motion, which was seconded by Councilor Dinski:

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Hamilton, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. B-2019 at the Court House located at 60 Montgomery Street in the Town of Hamilton on October 10, 2019 at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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	ABSENT
David Holcomb	Councilor	Voted	ABSENT
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.

2020 Budget

Tentative Budget Meeting: Wednesday, September 18 @ 5:30 pm at the Poolville Community Center.

Concerns of Town Board: None

Supervisor's Report: Madison County Activities:

There was a heated discussion once again about the distribution of the \$2.5 Million; money that will be coming into Madison County because of the new Casino. The break down as of now is that 25% goes to the Town of Sullivan (the host town), the remaining 75% gets divided between the County (50%) and the rest gets distributed among all the other towns. The City of Oneida and the Town of Lennox's assessed values have been hurt most of all because of land being taken off the tax rolls and added to the Oneida Nation properties. The City of Oneida's representative wanted the distribution to be based on population.

There was also a presentation on the bail package by the Assistant District Attorney, which would mean that people will not be given bail but they will be released on their own recognizance. Concerns about potential danger. There are also huge changes in discovery laws.

The budget process has started at the County Level.

With no further business, on a motion of Councilmember Dinski, seconded by Councilmember Rossi, the meeting was adjourned at 8:38 p.m. Carried unanimously.

Respectfully submitted,
Elisa E. Robertson
Deputy Town Clerk