

Town of Hamilton Regular Board Meeting Minutes
Thursday, October 8, 2020 at 6:30 p.m.
Via ZOOM VIDEOCONFERENCING

Present: Eve Ann Shwartz, Peter Darby, Shari Taylor, Darrell Griff, Mary Dinski. Others Present: Sue Reymers-Town Clerk, Brynley Wilcox-Bookkeeper, Luke Dowsland-Highway Superintendent. Public: Chris Rossi, Later – Jim Leach, Kathleen Palmer.

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

Public Comments:

Chris Rossi Update on Zoning Update Committee and HCPWG: The Zoning Update Committee met with the Town Council and members of the Planning Board and ZBA at 7pm on Sept. 22 to discuss proposed density of development changes and allowing the use of Conservations Subdivisions in the new Zoning Law. A follow-up meeting is scheduled for Oct. 26 at 7 p.m. via Zoom. ZUC is meeting with the Town Council on October 20 at 7 p.m. via Zoom to discuss a draft noise law for the Town. We will refer to a draft law from Cazenovia. The Hamilton Climate Preparedness Working Group is working on a joint municipal Climate Action Plan (CAP) for the Village and the Town. Andrew will reach out to Sue and Luke for data.

PUBLIC HEARING on the Proposed Local Law B of 2020 “Tax Cap Override”
RESOLUTION 2020-95: Open public hearing on Proposed Local Law B-2020

On a motion of Councilmember Taylor, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that public hearing be opened at 6:36 p.m.

Brynley Wilcox reviewed some of the major increases such as NYS retirement (21.7%), health insurance (2.73%) and overall general liability (4%). Salaries remained flat. Expenses outside town control.

RESOLUTION 2020-96: Close public hearing on Proposed Local Law B-2020

On a motion of Councilmember Darby, seconded by Councilmember Dinski, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that public hearing be closed at 6:47 p.m.

DEPARTMENT REPORTS:

Highway Superintendent – Luke Dowsland

GENERAL REPAIRS:

- Cut shoulders on Wickwire, Cole Hill and Excell, the County let us borrow their sod loader. A total of 7.88 lane miles.
- Replaced a stop sign on Harris Road (someone spray painted the whole thing green)

- Put new curve signs up on Borden at Peterson to keep the traffic from going down Peterson
- Ditched on Cole Hill Road

EQUIPMENT:

- Discovered two cracked rims on #15; we replaced all the steel rims with stronger aluminum rims that won't crack.
- Fixed the sod loader twice
- Had to fix the hydraulic pump's key way on truck #17 twice
- Cleaned and greased all equipment
- Fixed all the broken lights on #18
- Rebuilt the steps on the grader

TREE REMOVAL:

- Picked up one small limb on Eaton Road
- Cut 2 down trees after a windstorm; one on Poolville and one on Sacco
- 14 more trees last night 10/7/2020

CHIPS:

- Suit-Kote micro paved Alexis and Amelia

SNOW REMOVAL:

- Hauled all of our sand from Cossitt's gravel bed in Earlville. (2,000 yards)

OTHER:

- Helped the Town of Brookfield pave for 3 days
- Fixed a large hole in the back wall of the garage
- Dug out and replaced the floor drain in the garage with a DEC approved oil/water separator. This took us a little more than a week but I estimate it saved at least \$10,000 by doing it ourselves.
- Randy Isbell came in for 2 days to assist us in cutting shoulders
- Auctions International came and listed truck #19, the mowing tractor, the old grader and truck #25. Everything sold except #25 (I am waiting on the winning bidder to accept my counteroffer) and we got slightly more than expected on some things. #19 and the mowing tractor have both been picked up already.
- Mowed and weed wacked the cemetery twice, town office once and cul-de-sac once

FEMA

- \$49,102.00 was deposited on 10/5 for the Borden Road project. I would like permission to purchase most of the material this year before prices increase. If we have the material on hand, we will be able to begin the project immediately next spring – hopefully, before the spring runoff starts.

There was a discussion on the prospect of the highway securing a tub grinder for \$20,000 per week. There was a debate about renting or purchasing a chipper versus renting a tub grinder. The equipment replacement schedule was reviewed. After careful

consideration, it was determined to authorize the highway to rent a chipper to process all the fallen trees at \$4,000 per month.

Supervisor/Bookkeeper – Brynley Wilcox

FRANCHISE FEES:

- \$2,956.36 was received from Charter Communications
- 2020 YTD: \$ 8,824.76; *BUDGET*: \$10,400.00

ANNUAL AIM PAYMENT:

- AIM = Aid & Incentives to Municipalities
- \$35,347.20 was received from the State via direct deposit
 - 20% lower than anticipated amount (\$44,184)

FEMA:

- \$24,085.28 was received from the State
- 2019 Halloween Storm (4472-DR-NY)

2019 AUDIT:

- Peter and I met with Dan Farrow on Tuesday, September 29th
- Copy of the 2019 audit is available for Board Members at the Town Office
- Recommendations that I intend to clear before the next audit:
 - Check on ‘open bank accounts’ at local banks
 - Add T&A account to collateralization agreement
 - Locate tax exempt documentation for all exempt parcels
 - Approve a vendor list and remove inactive vendors from QB
 - Amend Procurement Policy language and New Hire checklist
 - Document PTO better at the highway garage

RESOLUTION 2020-97: Audit of Claims

On a motion of Councilmember Darby, seconded by Councilmember Dinski, 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.	300	<i>through</i>	336	141,753.03
General Fund B	No.	56	<i>through</i>	59	336.83
Highway Fund DB	No.	132	<i>through</i>	143	21,372.85
Street Lighting SL	No.	19	<i>through</i>	20	405.00
Prepays					441.33

RESOLUTION 2020-98: Authorization to move \$90,000 from DB to A Fund

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

Resolved that \$90,000 be moved as a loan from DB to A Fund to cover bills.

Town Clerk Reports - Sue Reymers

CLERK'S OFFICE

- Processed month end and distributed funds for September.
- Sales have been strong for Hunting and Fishing this year.

NEW WEBSITE:

- Phase 2 is in progress.
- Training Date is scheduled for 10/15. Elisa and I will be trained.
- Go Live Date is 10/22.

OTHER PROJECTS:

- Working with Mary and Jennifer Marotto Lutter on grant to Community Foundation of CNY for the Community/Meeting Room for Spring 2021.
- Met with ACC Tech to assess our needs now that we have moved in.
 - Plan to migrate the files to OneDrive. After that, we will eliminate DropBox.
 - Begin training on Microsoft Teams which is included in the Office 365 subscription.
 - Ordering a laptop for the Supervisor. Looking at a refurbished one to keep costs down.
 - Also looking at cameras and mics for staff for desktop computers for meetings and trainings.
- Settling into the new town office. Still shifting files and boxes around, but every week it gets better.
- Peter has been coming in to hang up stuff. Thank you, Peter!

Codes Enforcement Officer Report - Mark Miller

September 2020 Activity

- Issued 3 new building permits.
- Conducted 12 inspections.
- Reviewed incoming documents for proposed subdivision.
- Issued 2 Certificate of Occupancy, 1 Certificate of Completion.
- Investigated 3 complaints.
- Issued 1 Stop Work Order (unpermitted work in floodplain)
- Issued letter of violation (violation of terms of special use permit)
- Followed up with property maintenance violations.
- Attended Planning Board Meeting.
- Attended Zoning Update Committee Meetings
- Participated in zoom meeting with Town's Attorney
- Participated in building committee meeting.
- Currently corresponding with builders and permit holders about progress of projects

Brief discussion on furniture. Condolence cards sent to Bill Nolan's and Billy Excell's family. Shari Taylor shared that Jack Muhlfeld was sworn in as Mayor.

COMMITTEE REPORTS:

SOMAC

Peter Darby said there is a meeting next week. They did submit their 2021 budget.

Partnership for Community Development

Mary Dinski said that PCD is preparing for cuts in grant funding for incubator by 20%. They continue their work on Earlville for Earlville, concerns with small business loans, and the food delivery program. Jen is expecting, due in December and will be out until March. Supervisor Shwartz shared that Jen was contacted by SOMAC and local fire departments to write grants for capital funding. She asked Ruth Ann and Eve Ann for guidance. More proactive steps on sharing resources and regionalization needs to be addressed.

Recreation and Youth Committee – No report.

Zoning Update Committee – Already reported on.

SPECIAL PROJECTS:

Hamilton Climate Preparedness Working Group – Already reported on.

Town Office Building

Reviewed financial report on the project from Brynley. Soft costs was under budget by about \$31,000. REA came in higher by about \$121,000, but there were savings on Phase 2 by about \$26,000. Total over budget by \$63,439.

Earlville Needs Assessment – Already reported on.

OLD BUSINESS:

NONE

NEW BUSINESS:

Seasonal Roads Resolution – Town Highway Law §205-a

RESOLUTION 2020-99: Authorization for Highway Superintendent to Designate Seasonal Roads in the Town of Hamilton

On a motion of Councilmember Darby, seconded by Councilmember Griff, 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, 2020 to April 1, 2021:

- Alderman Road

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

Adoption of Proposed Local Law #B of 2020 “Tax Cap Override”

RESOLUTION 2020-100: Adoption of Local Law “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 Darby, who moved its adoption, seconded by Councilor Dinski, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2020, “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 10, 2020 using the telephone/video conferencing medium known as ZOOM; and

WHEREAS, a public hearing was held using the telephone/video conferencing medium known as ZOOM on such proposed local law on this 8th day of October, 2020, 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-2020 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-2020.

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-2020 as Local Law No. 2-2020 as follows:

**“TOWN OF HAMILTON LOCAL LAW NO. 2 OF 2020
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 2021, 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 2021 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:

Darrell Griff	Councilor	Voted	Yes
Shari Taylor	Councilor	Voted	Yes
Mary Ann Dinski	Councilor	Voted	Yes
Peter Darby	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

BUDGET TIMELINE:

- Budget Public Hearing: Weds Oct 28 @ 6:30 pm via Zoom
- Budget Adoption: Thurs, Nov 12 at Regular Board Meeting

UPCOMING APPOINTMENTS:

- Planning Board:
 - Bettyann Miller – Term ends 12/31/2020
 - 5 year-term (1/1/2021-12/31/2025)
- Zoning Board:
 - Replacement for Bill Nolan – Term 1/1/2020-12/31/2024
 - Harvey Kliman - Term ends 12/31/2020
 - 5 year-term (1/1/2021-12/31/2025)
 - Alternate Members? – Planning and Zoning Boards.

Clerk Reymers will call Bettyann and Harvey. Mary Dinski mentioned Tracy Thomsen is interested. Either Eve Ann or Harmon will call him.

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities:

Supervisor Shwartz reported that the 2021 Budget is done and that there was a recent incident with Sheriff's Dept and a resident in Cazenovia with mental health issues.

Clerk Reymers reminded that the emergency preparedness plan needs to be developed. Mary Dinski will take the lead on it.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Dinski, the meeting was adjourned at 8:29 p.m. Carried unanimously.

Respectfully submitted,
Sue Reymers
Town Clerk