

Hamilton Town Council Regular Board Meeting Minutes
Thursday, September 14, 2023, at 7:00 p.m.
Town Hall 38 Milford Street, Hamilton & Via Zoom Videoconferencing

Present Town Council: Eve Ann Schwartz, Shari Taylor, Darrell Griff, Travis DuBois. Absent: Dana Krueger. Present: Sue Reymers, Town Clerk; Luke Dowsland, Highway Superintendent, Brynley Wilcox, Bookkeeper.

Public In-Person: Deb Hotaling, Rachel Amann-Burns, William Stull, R. Silvestri, Brad Houston, Tony & Lorraine Aveni, Joyce Nevison, Gair Meres.

Public Via Zoom: David Rice, Vicky/Kevin Godfrey, Jim Leach.

Call to order & Welcome: The meeting was called to order at 7:01 p.m.

Public Comments:

- 1) Braden Houston, Spring Street, Speeding concerns, safety and pedestrians.
- 2) Rachael Amann-Burns, Hoose Road, issue with neighbor's property, Supervisor Schwartz indicated that a Complaint has been filed with the Codes officer, has initiated a process for violation and now served. The Town has consulted with Town Attorney and will proceed with existing law.
- 3) Regina Silvestri, Spring Street, concern over future site of Colgate Buildings and Grounds on Spring Street. Regina was under the impression Spring Street was deemed Residential only, Supervisor Schwartz explained that through Special Use Permits with either the Town or Village, this process would allow Colgate to Build on Spring Street according to Local Zoning Laws.
- 4) Gair Meres, Spring Street, concerns on Colgate Buildings and Ground site, Spring Street, Marshall properties, sale of land, concerns of keeping the integrity of Spring Street. Supervisor Schwartz appreciated bringing these concerns before the board, indicated that the Town is working with Planning & Zoning Law, orderly development is the goal, change is coming, further development of housing is apparent because of housing demand especially within the Village and Town.
- 5) William Stull, Spring Street, hasty development concerns.

Public Hearing on Proposed Local Law B of 2023

- "A Local Law Opting Out of the Real Property Tax Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487"

RESOLUTION 2023-67: Open the public hearing

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

Resolved that the public hearing be opened at 7:20 p.m.

Supervisor Schwartz provided a brief overview of the proposed local law. The local law will come to a vote under New Business. No one wanted to speak.

RESOLUTION 2023-68: Close the public hearing

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

Resolved that the public hearing be closed at 7:23 p.m.

Public Hearing on Proposed Local Law C of 2023

- **“A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton”**
- *Letters Received Regarding Local Law C-2023 have been put in public record*

RESOLUTION 2023-69: Open the public hearing

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

Resolved that the public hearing be opened at 7:24 p.m.

Supervisor Shwartz provided a brief overview of the proposed local law. The local law will come to a vote under New Business.

- 1) William Stull, Spring Street, would like to put in a ban to have no Short-Term Rentals, concerns of enforcement issues.
- 2) Regina Silvestri, Spring Street, concern that people purchasing houses within the Town are renting them out for Business, not actually living within their homes.
- 3) Gair Meres asked to see the contents of the letters received.
- 4) David Rice, Spring Street, via Zoom feels that the language drafted in the law pushes the Villages problem with Short-Term Rentals into the Residential district. He requests that the Town leave the Residential district out of this permitting process. Because the Residential district only represents 2.5% of the town, he feels there is plenty of space outside the Residential district to conduct Short-Term Rentals and that lack of enforcement from both the Police and Code Enforcement that they ban it completely within the Residential district.
- 5) Supervisor Shwartz shared letter from William Stull, the ability to revoke a license/permit, in particular abuse such as exposed garbage and litter, failure to maintain building and grounds, parking of vehicles in undesignated areas, and occurrences of parties or gatherings exceeding the number of people authorized upon the premises. He would like to add this to the criteria of our local law.
- 6) Joyce Nevison would like to pass the strictest of possible zoning laws regarding Short-Term Rentals and ban whole house rentals within the Residential district. She also shared some local complaints regarding Short Term Rentals. Also provided the Village of Hamilton Noise/Nuisance Law.

RESOLUTION 2023-70: Close the public hearing

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

Resolved that the public hearing be closed at 7:46 p.m.

DEPARTMENT REPORTS:**Highway Superintendent Report – Luke Dowsland****GENERAL REPAIRS:**

- Ditched and shouldered on Hill Rd.
- Paved culverts on Kiley Rd.
- Ditched on Excell Rd.
- Jetted culverts where it has been ditched.
- Swept all the roads that were stone and oiled
- Crack sealed Alexis, Amelia, Humphrey, and Preston Hill Rd.

EQUIPMENT:

- Replaced 3 bearings on the Ferris
- Serviced 18
- Put the plow on 15, started getting it ready to be sold.
- Installed a new fan on 15
- 550 is still broken the parts needed are still on back order the highway committee has given him permission to get a new one. They will figure out the sale of the old one once the new one arrives.

TREE REMOVAL:

- Cleaned up 4 trees after a small wind storm
- Brent Harris came out to look at a nuisance tree on Spring St. He will be pruning it as soon as he gets time.

SNOW REMOVAL:

- We've started hauling sand

OTHER:

- We brought a couple pieces of equipment to Earlville for Earlville Days.
- Helped the County pave Gorton Rd.
- Helped Brookfield crusher run another road
- The new 17 is finished. It looks great and should be delivered within the next week.
- Kept up mowing everything.

SOMAC

- Mike has stayed busy working on the ambulances. About 30 hours this past month. We are no longer working on 513.

Highway Committee

- The RFP is complete. We are in the process of reviewing it before we get the board's approval to put it out to bid.

Luke also mentioned a leadership training opportunity for the town in October by Ahern, Murphy & Associates. Date to be determined. Free of charge, excellent training that he previously took in Cazenovia.

RESOLUTION 2023-71: Approval of the Request For Proposals for a new Highway Garage

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

Resolved that the Request for Proposals for Highway Facility Design/Construction Documents be approved as submitted. (On file at the Clerk's Office.)

The RFP is complete, the Highway Committee has reviewed it and now will be put out for proposal. This will help plan for costs, apply for grants and plan financially. Our existing building is outdated, too small and in poor condition. Town Clerk asked if this required a legal notice, response was they didn't believe so because it was just a list of proposal not bids from these engineering firms. (Clerk Reymers will follow up on the legal notice.)

Supervisor/Bookkeeper – Brynley Wilcox

SALES TAX REVENUE:

- \$160,933.55 was received from the County
 - Q2-2023 distribution
 - 15.9% over Q2-2022 distribution (\$138,830.03)
- YTD: \$446,347.17
- Budget: \$ 500,000.00

FRANCHISE FEES:

- \$3,750.69 was received from Charter Communications
- YTD: \$11,075.80
- Budget: \$ 11,000.00

COMMUNITY FOUNDATION GRANT:

- \$45,000.00 was received from the PCD

SOMAC EFFICIENCY STUDY:

- \$22,800 has been paid to CGR (orig. contract amount; paid in full)
- \$ 3,600 was received from the Town of Lebanon
- Pending receivables:
 - Community Memorial Hospital Check(*update: just showed up*)
 - Madison County

CLEAN-UP DAY:

- *Saturday, September 30th, 8:00am to 4:00pm at the Town Highway Garage.*
- *There is a \$20 fee with anything that has Freon, \$5 for propane tanks, Paint to Parry's and electronic equipment is accepted at Lojo's.*

2024 BUDGET:

- Budget requests were given to Department Heads on August 29th
- Tentative budget is due to the Town Clerk by Saturday, Sept. 30th
 - For additional info see: 2024 Town Budget – Timeline for Fall 2023

RESOLUTION NEEDED:

- Resolved that the bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment
 - Councilmember GRIFF to sign vouchers
 - Supervisor SHWARTZ to sign vouchers in OCTOBER

RESOLUTION 2023-72: Audit of Claims

On a motion of Councilmember Taylor, seconded by Councilmember DuBois, 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:

| | | | | | |
|--------------------|-----|-----|----------------|-----|------------|
| Pre-Pays | | | | | 5,838.64 |
| General Fund A | No. | 214 | <i>through</i> | 242 | 27,122.91 |
| General Fund B | No. | 55 | <i>through</i> | 63 | 316.77 |
| Highway Fund DB | No. | 102 | <i>through</i> | 116 | 167,153.79 |
| Street Lighting SL | No. | 17 | <i>through</i> | 18 | 256.71 |
| Total | | | | | 194,850.18 |

Town Clerk – Sue Reymers

Clerk's Office:

- August cash disbursements (month end) completed. Bank reconciliations are up to date.
- The \$100 bill issue seems resolved. I was in communication with NBT bank a few times and nothing more showed up. I decided that we will now take the bills again.
- There has been an increase the use of credit cards by constituents. Fees are not an issue.
- We've been busy with issuing marriage licenses lately.

Technology, Cybersecurity, and more:

- .Gov migration: It's moving along slowly.
- IT Health Assessment: On August 30, I met with Paul White, Nick Fratello, and Dan O'Connor to review our network. There are a few follow up items that are almost completed. A key takeaway is a 3rd party company to test our systems to see what needs improvement, much like we discussed in the context of Cybersecurity training.
- 3 New computers: quote in process for 2024 Budget. Met with Dan Belair on 8/11.

Earlville Cemetery:

- Core Fuller, Board President of the Earlville Cemetery Association called to ask about storing records at the town office. Burgess & Tedesco stored some archives for them in a vault in their crematorium building, which burned down earlier this year. One box was a fire box but sustained water damage. I provided some resources and feedback for them to consider. I met with a few board members on September 5. In the end, they are taking Burgess & Tedesco up on their offer to store records again. I told them to reach out to the Town and Cemetery Committee if they needed anything.

RESOLUTION NEEDED FOR June 8 & July 13 minutes.

RESOLUTION 2023-73: Approval of Minutes for June 8 and July 13, 2023.

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

Resolved that the minutes from June 8 & July 13 be approved.

Codes Enforcement Officer – Chuck Ladd**August Activity;**

- Attend August 1st Zoning board meeting.
- Attend August 8th Planning board meeting.
- Investigate Hoose Rd. Complaint and meet with both landowners involved.
- Issue Violation and Document progression of offenses of Hoose Rd. complaint.
- Conduct 12 construction inspections.
- Drive after inspections and look for any new Complaint/violation/permits needed.
- Permits issued. See attached report.
- Complete open permit inspections and file reports manually, digitally.
- Met with home owners for future projects.

Permit Monthly Report

08/01/2023 - 08/31/2023

| Permit # | Issue Date | Owner | Permit Type | Property Location | Valuation | Amount |
|---|------------|-------------------|-------------------------|--------------------------|---------------|-----------------|
| August 2023 | | | | | | |
| BP-2023-027 | 08/14/2023 | Sue + David Adams | Garage/Storage Building | 1904 Preston Hill Rd | | \$200.00 |
| Description of Work: | | | | SBL#: 168.-1-52 | | |
| <i>Construct a 22'x27' detached 2 car garage.</i> | | | | | | |
| BP-2023-028 | 08/28/2023 | Tyler Blinebry | Garage/Storage Building | 913 Williams Rd | | \$233.00 |
| Description of Work: | | | | SBL#: 200.-1-55.1 | | |
| <i>Construction of a 26'x36' attached garage</i> | | | | | | |
| August 2023 Total: | | | | | \$0.00 | \$433.00 |
| Reporting Period Total: | | | | | \$0.00 | \$433.00 |

COMMITTEE REPORTS:**Cemetery Committee** – No report.**Highway Committee** – Already reported on.**Partnership for Community Development Liaison Report** – No report.**SOMAC Liaison Report – Travis DuBois**

Tuesday's night meeting was a public information session, Madison County EMS attended. Discussion on services if SOMAC pulled away, hours of coverage, number of vehicles, protocol working with the Hospital community, Colgate community and the community at large. Believed that Morgan would ask the Executive committee to meet prior to October's meeting so they can forecast the 2024 budget. Discussion on 2023 staffing level, new hires, preliminary budget, increases in pay to stay competitive and last year's deficit. County's EMS plan is to provide the same services or better as SOMAC at cost to Hamilton taxpayer of \$70k, so similar services with less money. Evan added that they did meet with Town of Lebanon, Colgate, Hamilton Hospital, and the County commissioned a report from Paul Bishop an expert in emergency services to evaluate SOMAC, issues with operation, potential fixes along with recommendations and the report will be released shortly. The County EMS has rolled out their services in the Town of Sullivan very successfully. There will be an opportunity for public hearing and information sessions on this.

SPECIAL PROJECTS:**9 Mile Project**

Update on Special Use Permit Public Hearing with the Town Planning Board on 9/12. The public hearing was closed except for written comment which will be received until October 3rd and decision will be made at the October meeting. There was a big turnout, it was well organized, orderly, everyone had an opportunity to speak. All concerns and impact on parking and activities at the Park with property owners discussed. The Town is carefully working with the Attorneys to make sure whatever the position the Town takes is legal defensible, fair and considerate to the Park neighbors. This is a valuable community resource available to the public and the Town respects the neighbors surrounding the Park.

Earlville for Earlville Project – Shari Taylor

Shari is very excited about the Senior Resource Fair, being held at the Bell Tree in Earlville, Tuesday the 19th 10 am – 2 pm. They have 14-15 entities in attendance to share with Seniors. They had a press release go out for advertisement.

Hamilton Climate Preparedness Working Group (HCPWG) – No report.**NYSERDA Grant for Clean Energy Project - \$10,000**

Councilmember Dubois had some exchanges back and forth from NYSEG. NYSEG was waiting for the loan sheets on EV Charger, Dubois received some specifications on a faster Charger, they were submitted to NYSEG, waiting on field engineer to contact the Town for their blessing. Contract had been signed with NYSEG, Grant to be given once project has been completed.

Housing: Vacant – Restore NY Grant

Supervisor Shwartz needs to follow up with individual homeowners, interview with contractors to potentially manage projects to obtain solid estimates. Had some consensus from people that they were willing to work with a common contractor, but not sure this is the answer as people's needs vary. There is some work to do but communication with the agency and homeowners is in the works.

Zoning Update – on hold. Nadine has completed her review and it needs our review now.

Short Term Rentals – Moratorium expires October 15, 2023**OLD BUSINESS:****Real Property Tax Exemptions Volunteer Firefighters and Ambulance Workers Opt-in**

No word on this from Madison County. Remove from October agenda.

NEW BUSINESS:

Madison County Snow & Ice Agreement Resolution (2023-2024)

- 2022-23 Rates:
 - \$20.40 per lane mile for plowing

- \$12.23 per lane mile for brine
 - Loader per hour \$120
- 2023-24 Rates:
 - \$22.30 Per lane mile for plowing
 - \$15.71 per lane mile for brine
 - Loader per hour \$78.13 under certain circumstances with prior approval
 - *(The loader rate does not affect us much as we VERY rarely push banks back for them. Also, they have to request we do this.)*
- A Certificate of Insurance is needed to accompany per this agreement.

RESOLUTION 2023-74: RESOLUTION OF THE TOWN BOARD APPROVING AGREEMENT WITH MADISON COUNTY FOR SNOW AND ICE CONTROL ON THE COUNTY ROAD SYSTEM

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

WHEREAS, the Board of Supervisors of Madison County adopted **Resolution No. 23-281** on **August 8, 2023**, 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, 2023 through April 30, 2024** 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.

Tax Bill Memo Resolution

Not done for 2023 Tax Bills, Clerk Reymers recommends that we skip it again. Everyone agreed.

Adoption of Proposed Local Law B of 2023 as #2-2023:

"A Local Law Opting Out of the Real Property Tax Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487"

RESOLUTION 2023-75: Adoption of Proposed Local Law B of 2023 as Local Law 2 of 2023
"A Local Law Opting Out of the Real Property Tax Law Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487"

The following resolution was offered by Councilor Shari Taylor, who moved its adoption, seconded by Councilor Travis DuBois, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2023, "A Local Law Opting Out of the Real Property Tax Law Exemption for Solar and Wind Energy Systems Pursuant to Real Property Tax Law §487," was presented and introduced at a regular meeting of the Town Board of the Town of Hamilton held on August 10, 2023; and

WHEREAS, a public hearing was held on such proposed local law on this 14th day of September, 2023, 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 Local Law No. B-2023 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 Local Law No. B-2023.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Hamilton, Madison County, New York, does hereby enact Local Law No. B-2023 as Local Law No. 2-2023 as follows:

**“TOWN OF HAMILTON LOCAL LAW NO. 2 OF 2023
A LOCAL LAW OPTING OUT OF THE REAL PROPERTY TAX
EXEMPTION FOR SOLAR AND WIND ENERGY SYSTEMS
PURSUANT TO REAL PROPERTY TAX LAW §487**

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT

It is the intent of the Town Board of the Town of Hamilton to opt out of the real property tax exemption for wind and solar energy systems within the jurisdiction and geographic boundaries of the Town of Hamilton. The Town has received multiple inquiries for solar energy systems to be located within the Town and additional inquiries/applications are anticipated in the future. These systems are currently eligible for a real property tax exemption under New York State Real Property Tax Law which would otherwise eliminate real property tax revenue generated for the Town from these systems. New York State Real Property Tax Law authorizes municipalities to opt-out of the real property tax exemption for solar and wind systems provided the municipality enacts a local law “opting out” of the tax exemption. In accordance with Real Property Tax Law §487, it is the intent of this Local Law that the Town of Hamilton opt-out of the real property tax exemption for solar and wind energy systems.

SECTION 2. AUTHORITY

This Local Law is enacted pursuant to New York Real Property Tax Law §487(8), the New York State Constitution, and New York Municipal Home Rule Law §10.

SECTION 3. OPTING OUT OF THE TAX EXEMPTION FOR SOLAR AND WIND ENERGY SYSTEMS PURSUANT TO REAL PROPERTY TAX LAW §487

Pursuant to and consistent with New York State Real Property Tax Law §487(8) the Town of Hamilton Town Board hereby declares that solar and wind energy systems shall not

be exempt from real property taxes within the jurisdiction and geographic boundaries of the Town of Hamilton.

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. FILING

Pursuant to New York Real Property Tax Law §487(8), following the enactment of this Local Law a copy of this Local Law shall be filed with the Commissioner of the New York State Department of Taxation and Finance and the President of the New York State Energy Research and Development Authority (NYSERDA).

SECTION 6. 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:

| | | | |
|------------------------|-------------------|--------------|---------------|
| Travis DuBois | Councilor | Voted | Yes |
| Dana Krueger | Councilor | Voted | Absent |
| Darrell Griff | Councilor | Voted | Yes |
| Shari Taylor | Councilor | Voted | Yes |
| Eve Ann Shwartz | Supervisor | Voted | Yes |

The foregoing resolution was thereupon declared duly adopted.

Adoption of Proposed Local Law C of 2023 as #3-2023:

"A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton"

RESOLUTION 2023-76: Adoption of Proposed Local Law C of 2023 as Local Law 3 of 2023

"A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton"

The following resolution was offered by Councilor Griff, who moved its adoption, seconded by Councilor DuBois, to wit...

Upon discussion of making edits to the proposed local law, the Town Council did not take a vote for its adoption. NOT ADOPTED - TABLED

RESOLUTION 2023-77: TABLED the Adoption of Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton"

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

Resolved that the board TABLE the adoption of Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton" in order to review minor edits.

RESOLUTION 2023-78: Re-Open the public hearing on Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton"

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

Resolved that the public hearing be re-opened for the Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton" until October 12.

RESOLUTION 2023-79: Close the public hearing and Extend it to October 12 on Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton"

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

Resolved that the public hearing be closed and extended until October 12 for the Proposed Local Law C of 2023 "A Local Law To Enact Regulating Short Term Rentals in the Town of Hamilton".

Proposed Local Law #D-2023 "Tax Cap Override":

- SEQRA
- Introduction Resolution
- Schedule Public Hearing on 10/13/23 (*Must be adopted prior to budget adoption.*)

RESOLUTION 2023-80: Introduction of Proposed Local Law D of 2023 & Scheduling of Public Hearing for "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Hamilton"

Councilor DuBois introduced proposed Local Law No. D-2023, 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 2024 in excess of the "tax levy limit," and made the following motion, which was seconded by Councilor Griff:

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. D-2023 at the Town Hall located at 38 Milford Street in the Town of Hamilton on October 12, 2023 at 7:00 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:

| | | | |
|------------------------|-------------------|--------------|---------------|
| Travis DuBois | Councilor | Voted | Yes |
| Dana Krueger | Councilor | Voted | Absent |
| Darrell Griff | Councilor | Voted | Yes |
| Shari Taylor | Councilor | Voted | Yes |
| Eve Ann Shwartz | Supervisor | Voted | Yes |

The foregoing resolution was thereupon declared duly adopted.

2024 BUDGET Timeline:

Need to Schedule a Meeting 'On or Before Oct 5' for the Tentative Budget to be Presented to the Town Board (Town Law, Sec 106). Date selected for 9/26 at 6:30 p.m.

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities: Nothing to report.

EXECUTIVE SESSION

RESOLUTION 2023-81: Executive Session

On a motion of Councilmember Taylor, seconded by Councilmember DuBois, the following resolution was: **ADOPTED**: Ayes: 4, Nays: 0

Resolved that this Board move into an Executive Session for advice of counsel on SOMAC Contract at 8:48 p.m.

RESOLUTION 2023-82: Return to Regular Session

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

Resolved that the Board return to regular session at 9:20 p.m.

With no further business to present to the Board, on a motion of Councilmember Taylor, seconded by Councilmember Griff, the meeting was adjourned at 9:30 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, RMC
Town Clerk