

Hamilton Town Council Regular Meeting Minutes
Thursday, July 14, 2022, at 7:00 p.m.
Via Town of Hamilton, 38 Milford & Zoom Videoconferencing

Council Present: Eve Ann Shwartz-Supervisor, Shari Taylor, Travis DuBois, Darrell Griff, Mary Lee Dinski (via Zoom). Others Present: Sue Reymers, Town Clerk; Luke Dowsland, Highway Superintendent, Brynley Wilcox, Bookkeeper (via Zoom). Public: Deb Hotaling (zoom), David Rice (zoom), Jody Palmer (zoom), Jim Leach (zoom), Chris Rossi (zoom), Regina Silvestri, Aleksei Gorshtov.

Call to order & Welcome: The meeting was called to order at 7:00 p.m.

Public Comments: Aleksei Gorshtov and Regina Silvestri made inquiries asked about the recent road work on Spring Street. Highway Superintendent Luke Dowsland responded and explained how the town approaches road work and when roads are scheduled for repaving and surface treatments.

Public Hearing on Submission of Application to CDBG Housing Rehab Grant
Clerk published the notice on July 1, 2022 in the Utica Observer-Dispatch and posted to the website and town board.

RESOLUTION 2022-57: Open the public hearing regarding the CDBG Grant

On a motion of Councilmember Taylor, seconded by Councilmember DuBois the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be opened at 7:09 p.m.

Supervisor Shwartz presented the following information about the program:
Purpose: To rehabilitate existing occupied or vacant housing that is need of substantial repair and will be available to low- and moderate-income residents after completion of the project.

Types of Housing that could be funded: Single family and multifamily housing, including manufactured and modular units.

Affordability restrictions: Depending on the amount of grant funds invested, the house must be occupied by a low- or moderate-income family for 5 -15 years. These requirements will be recorded as a lien on the property . Should the home be sold before the affordability period expires and it will no longer be occupied by a person with restricted income, a portion of the proceeds can be recaptured.

Amount Town will apply for: \$500,000

How many properties could we improve? Depending on scope of rehab, we may be able to cover as few as 3 houses or as many as 5-6.

Location of Properties: Anywhere within the Town of Hamilton, including both Villages.

Who will administer the grant and the program? We are in conversations with two organizations with experience in this field. The current plan is that the PCD would work with the Town to administer the grant and the Town and the PCD would work with one of these Not for Profit organizations to administer the program.

What percentage would the PCD earn for their work? We would probably request ~\$15,000 - \$20,000 in program administration & delivery.

Next steps for submission of grant: Solicit property owners to voluntarily participate. Obtain estimates and beginning of environmental assessments) for possible sites. Letters of support Grant Deadline-August 26, 2022.

There was a brief question and answer period.

RESOLUTION 2022-58: Close the public hearing regarding the CDBG Grant

On a motion of Councilmember Dinski, seconded by Councilmember DuBois, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be closed at 7:23 p.m.

DEPARTMENT REPORTS:

Highway Superintendent

GENERAL REPAIRS:

- Ditched and shouldered Spring Hill end to end
- Patched both sides of Hill Road end to end
- Ditched on Wickwire Rd. at Palmers
- Installed a catch basin and new driveway culvert on Spring Hill Rd.
- Prepped the Williams Road stream for the culvert replacement next week
- Finished up first pass roadside mowing

EQUIPMENT:

- Changed an air can on 17
- 18 went to Peterbilt for warranty work
- 15 is at White Eagle truck for the same wiring issues that the truck that burnt had
 - Truck is an International
- Re-sealed the side dump cylinders on 16
- Serviced 16

TREE REMOVAL:

- Cleaned up several downed trees throughout town

CHIPS:

- Finished all of the planned stone and oiling for the year (Bailey, Hill, Spring, Spring Hill and Craine Lake)
- The Towns of Lebanon and Smyrna helped us.

- Rented a street sweeper for Spring and Spring Hill Streets.

OTHER:

- Mike Helly has been busy working on 513 trying to diagnose and fix a wiring issue and installing a new rear bumper
- The whole crew spent 3 days in Brookfield helping them reconstruct a road.
- We were shut down for the week of the 4th
- Effective July 1, 2022 through March 15, 2023 there will be an increase to the cost of salt. Untreated road salt - \$55.23/ton from \$49.95/ton. (County Bid)

Supervisor/Bookkeeper

2021 Audit: Cwynar, Farrow, and Locke were at the Town Office for the 2021 audit on Thursday, July 7th and Friday, July 8th (which was rescheduled for July 21)

2% FOREIGN FIRE TAX MONEY:

\$2,946.66 was direct deposited into the NBT Checking account on 07/05/22.

Resolution needed to process the distribution of monies to the fire departments.

What is the Foreign Fire Tax Program? The foreign fire tax program as set forth in New York Insurance Law §9104 and §9105 requires foreign and alien insurance companies to pay a 2% tax on premiums written for insurance against loss or damage by fire on property located in the State. Excess line brokers licensed to place insurance business with an unauthorized insurer as set forth in New York Insurance Law §2118 are required to pay a 3% tax on fire insurance premiums on property located in the State. The tax collected from the insurance companies and brokers by the Department of Financial Services is distributed to fire departments, fire districts, fire department benevolent associations, and the Firemen's Association of the State of New York.

RESOLUTION 2022-59: Authorization to Distribute Foreign Fire Tax Program

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

NOW THEREFORE BE IT RESOLVED that the NYS Insurance Department has wire transferred insurance monies in the amount of **\$2,946.66** into the Town General Fund Account. It shall be disbursed to the following entities:

- Fountain Fire Co. #1 (Hamilton): \$ 1,591.20
- Hubbardsville Fire Department: \$ 1,031.33
- Earlville Fire Department: \$ 324.13

RESOLUTION 2022-60: Audit of Claims

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

Resolved that the bills contained on Abstract #7 have been reviewed by the Town Board and are authorized for payment in the following amounts:

FUND	VOUCHER NO.		AMOUNT TO PAY:	
Pre-Pays	N/A			
A	170	through	210	\$112,436.68
B	40	through	47	\$467.29
DB	87	through	107	\$88,393.52
SL	13	through	14	227.14
total				\$201,514.63

Note that the 2nd installment of ARPA is arriving soon; 100% is earmarked for SOMAC.

Town Clerk

Clerk's Office:

- June cash disbursements and bank reconciliations completed and up to date.
- Clerk's office is busier with Codes customers and usual summer business.
- Deputy Clerk is on vacation for next two weeks.

BAS SOFTWARE:

- CODES (IPS): Second training completed June 16. Third one to be scheduled.
- CLERK: We will begin with setting up the Clerk software next week.

TAX COLLECTION:

- Shared services agreement is with Madison County for approval and signature
- 2023 Memo has been approved by Madison County Treasurer.

CEMETERIES:

- Research on software pending.

Colgate Upstate Institute Summer Intern:

Survey is complete and analysis is almost complete. Here is some information to start:

- Online surveys were posted on: Facebook, NextDoor, Town Website – *not able to differentiate which source.*
- Posters played little effect in distributing survey.
- Paper Surveys = 1,600 mailed out, 400 more distributed to local places such as libraries, food cupboard, Madison Lane, and town office.
- **Total of 398 responses**
 - Online Surveys = 184
 - in a 2-week period
 - Paper Surveys = 214
 - 10.7% rate which is high
 - 17 paper surveys came in after deadline; more still coming in
 - Excerpt from drafted report:
 - "...392 respondents to the question "do you think it is important to get local news about the Town of Hamilton," the average response is 4.03 on a five-point scale. This suggests that learning about how

people access information and improving that based on the data gathered from the survey is necessary and crucial.”

- Analysis to come next month.

RESOLUTION 2022-61: Approval of Minutes for 5/12/2022 & 6/9/2022

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

Resolved that the minutes for May 12, 2022, and June 9, 2022.

Codes Enforcement Officer – Mark Miller

June Activity

- Approved 6 new Zoning Permits.
- Approved 2 new building permits.
- Conducted 18 construction inspections.
- Issued 4 Certs. of Occupancy.
- Attended training for new code software.
- Continued process of inputting issued building permits into new software.
- Reviewed incoming documents for subdivision (Poolville Rd).
- Reviewed incoming documents for subdivision (Tackabury Rd).
- Attended Planning Board meeting for 2 subdivisions.
- Followed up on property maintenance violations.
- Met with contractors and homeowners to discuss potential projects.

Permit Monthly Report - June 2022						
Permit #	Issue Date	Owner	Permit Type	Property Location		Amount
BP-2022-018	06/16/2022	Dubois Irrevocable Trust	Generator	981 Preston Hill Rd		
Description of Work: 20Kw standby generator				SBL#:	198.-1-16	\$90.00
BP-2022-019	06/16/2022	Allan Sawyer	Single Family Home	Brown Rd		
Description of Work: 1771 sqft modular home				SBL#:	216.-1-16.2	\$357.50
total						\$447.50

COMMITTEE REPORTS:

Cemetery Committee – Nothing to report.

Highway Committee – Meeting is next week.

Partnership for Community Development

Per Mary Dinski, meeting is next week. She asked Supervisor Shwartz if she received the new partners agreement. She did not yet. Brief conversation of timing of annual payment. Supervisor Shwartz reported that PCD is working hard looking for money sources. She was on the phone with the Onondaga Land Bank. They are exploring the idea of what a land bank would do for our community and how does it operate. It's complicated. It would likely be a county land bank; it's typically at the county level. It's a better way to manage properties that are foreclosed on. The City of Oneida has its own foreclosure process. Usually, when the County forecloses on a property because of lack of tax payment, there is no control who buys these properties and how they get redeveloped or whether the people who buy them have good financing or good intentions to do something with the property. With a land bank, they don't have to pay property taxes or special assessments. The land bank can take a property, assess it, and see what needs to be done and decide what to do. It can better guarantee that the properties are redeveloped and purchased by good buyers. Theoretically research shows that it increased the tax base because the properties are properly redeveloped. Back to the PCD, they help gather information on projects like this. Another grant was announced by NYS for Restore NY.

SOMAC

Mr. DuBois attended two meetings since the last town board meeting. He gave a summary including billable calls, transfers, etc. as well as financials. SOMAC will switch to Cwynar for their annual audit. Mr. DuBois made it clear to the SOMAC board that the town board wants a full audit because of the large amount of tax payers funding of the ambulance.

Policy Update Committee

Town board reviewed the proposal. Clerk Reymers clarified with the attorney that by going with this company, it follows our town procurement policy. Brynley Wilcox stated a strong case for why the town needs this and offered to take the lead on working with the company to get the handbook completed. The auditors mentioned the lack of good HR handbook. Cost is coming out of fund balance. Timing is best to start it now. Brief discussion. Brynley will work with board and staff as needed. Clerk Reymers will get the agreement in order.

RESOLUTION 2022-62: Approval of Quote from Public Sector HR

On a motion of Councilmember Dinski, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the quote from Public Sector HR is approved.

SPECIAL PROJECTS**9 Mile Park**

Supervisor Shwartz shared that Jocelyn Gavitt under her separate contract with the town has submitted an initial plan to the DEC and they got back to us. They came out to the property and staked out where the wetlands and the 100-year floodplain are located. Jocelyn requested that the town hire a surveyor to put this on our survey map so as the project is developed, the town will know where the planned activity might impact the floodplain and wetlands. The DEC needs the updated survey to approve the plans. It will help with the plans. Jocelyn also has some quotes for a pavilion. One was \$56,000 for a kit that the town would have to put together. Quotes for an ADA launch is expensive. The committee has to get together and look at the estimates. More research is needed. Meanwhile, once the project gets the DEC and SHPO approval, then the town can go back to the public and get more information for costs in the meantime. Brief conversation about current beaver dam situation at 9 Mile Swamp. Friends of Rogers has a trip planning in August. Clerk Reymers will contact them to let them know about the beaver dam and a reminder about the parking. Luke to install no parking signs along road. A committee meeting is needed.

Earlville for Earlville Project

Shari Taylor reported that the PCD is working on another grant but there is no meeting scheduled. Supervisor Shwartz suggested that Shari contact Laura at PCD to follow-up. In Earlville Village news, Tom Taylor is the new mayor as Jack resigned and that Rob Sporing is a new trustee. Also, Dean Hatton is also leaving the board in August. Christian Vischi is interested in a trustee position and has experience as Clerk with the Village. Huff Brau reopened and a new pizza place called K&K. Box factory got a facelift. Lots of great stuff happening in Earlville!

Hamilton Climate Preparedness Working Group

Chris Rossi reported that the group has been on vacation, and she is trying to get the status of Heatsmart campaign. The program is in flux; she has not heard back from Lindsay. She is thinking about a booth at the Farmers Market to promote the program. Travis may be able to do so starting in September. The town needs 5 participants and then the town would qualify for a grant.

Zoning Update – Meeting is next week on July 19. Brief discussion on status.

OLD BUSINESS:**Assessment Update**

Final Roll was filed on July 1. Number of Grievances comparison: 2011: ~#410 versus 2022: #70. Brief discussion that the numbers are based on appointments, not parcels because some had multiple parcels. There were only 11 parcels adjusted by Grievance Board. Next month the town will see its impact on the tax rate and estimate on 2023 distribution of sales tax revenue.

Hazard Mitigation Plan Update with Madison County – Nothing to report.

NEW BUSINESS:

Resolution to Approve Application for CDBG grant

RESOLUTION 2022-63: AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

WHEREAS, the Town of Hamilton is considering strategies to promote new workforce housing within the Town; and

WHEREAS, there is Community Development Block Grant (“CDBG”) funding on its behalf from the New York State Office of Community Renewal (the “OCR”) available to fund rehabilitation and demolition of vacant and underutilized housing (the Project); and

WHEREAS, the Partnership for Community Development (the “PCD”) is assisting in the facilitation of the Project, and;

WHEREAS, the Project will result in substantial benefit to the Town of Hamilton in the form of new good-quality housing; and

WHEREAS, the Town Council held a public hearing on July 14, 2022 to obtain citizens’ views regarding the Project and the CDBG program as administered by the PCD

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby authorized to submit a CDBG grant application on behalf of the Town of Hamilton in the approximate amount of \$500,000 to the OCR to support the Project; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute a grant agreement between the Town and the OCR and all related documents associated with the OCR grant, including entering into a subrecipient agreement with the PCD for the implementation of the Project and administration of the OCR grant, subject to review and approval of all such documents by the Town Council; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

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 Lee Dinski	Councilor	Voted	Yes
Travis DuBois	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Proposed Local Law on Vide Conferencing Introduction & Scheduling Public Hearing
Supervisor explained that we have a proposed local law to authorize the town board to use technology to offer videoconferencing and reviewed the proposed law. Policies will be reviewed at August meeting after Public Hearing and also needs approval by resolution.

RESOLUTION 2022-64: Introduction of “A Local Law Authorizing the Public Bodies of the Town of Hamilton to Use Videoconferencing Technology to Participate in Public Meetings”

Councilor Shari Taylor introduced proposed Local Law No. A-2022, allowing public bodies of the Town of Hamilton to use videoconferencing technology to participate in public meetings pursuant to Public Officers Law § 103-a, and made the following motion, which was seconded by Councilor Travis DuBois:

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 had 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. A-2022 at the Town Hall located at 38 Milford Street in the Town of Hamilton on August 11, 2022, 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:

Darrell Griff	Councilor	Voted	Yes
Shari Taylor	Councilor	Voted	Yes
Mary Lee Dinski	Councilor	Voted	Yes
Travis DuBois	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Mileage Reimbursement Rate Resolution: *Eff. July 1 = .625 cents per mile.*

RESOLUTION 2022-65: Authorize Mileage Reimbursement Rate at .625 cents/mile

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

Resolved that the 2022 Town mileage reimbursement rate be in accordance with NYS & Federal rate be increased to .625 cents per mile.

Fuel Oil & Diesel Fuel Bid Resolution

Bid deadline: August 8, 2022, 4 pm; Bid opening: August 11, 2022, 7 pm

RESOLUTION 2022-66: Authorization to go out to Bid for Fuel

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

Resolved that the town is authorized to go out to bid for 2022-2023 fuel oil and diesel fuel.

Clean Up Days – Scheduled for October 1

Save the date for October 1 for annual Clean Up Days. Clerk Reymers explained that this year there will be a postcard mailing to residences via USPS EDDM program – Every Door Direct Mail in addition to social media posts. It's cheaper than postcard at first class. Mr. Dowsland explained a few details of how it works. Parry's is now a drop off site for used paint as well as another site in Madison County.

SAM Grant Funding (2021)

Senator May has allocated \$135,000 to the town. The town needs to decide which project to fund, either highway equipment/plow truck or the new park. Committee needs to meet and assess it along with the budget process.

Concerns of Town Board: None

Supervisor's Report: Madison County Activities: Brief report on broadband status and remaining ARPA County funds.

EXECUTIVE SESSION

RESOLUTION 2022-67: Executive Session

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

Resolved that this Board move into an Executive Session for contract and personnel at 8:46 p.m.

RESOLUTION 2022-68: Return to Regular Session

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

Resolved that the Board return to regular session at 9:14 p.m.

With no further business, on a motion of Councilmember Taylor, seconded by Councilmember Dinski, the meeting was adjourned at 9:15 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, RMC
Hamilton Town Clerk