

**Hamilton Town Council Regular Board Meeting Minutes**  
**Thursday, March 9, 2023, at 7:00 p.m.**  
**Town Hall 38 Milford Street, Hamilton & Via Zoom Videoconferencing**

Present: Eve Ann Shwartz, Shari Taylor, Darrell Griff, Dana Krueger, Travis DuBois.  
Others Present: Sue Reymers, Town Clerk; Brynley Wilcox, Bookkeeper (via Zoom);  
Luke Dowsland, Highway Superintendent (via Zoom).  
Public: Deb Hotaling, Chris Henke, Jim Leach (via Zoom), Mike Boccuzzi (via Zoom),  
Bruce Moseley (via Zoom).

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

**Special Presentation by Mike Boccuzzi, Climate Smart Communities Coordinator  
from the CNY Regional Planning Board (via Zoom) on Climate Adaptation &  
Resilience Planning**

Mike Boccuzzi gave an overview of the Climate Adaptation Planning for the Town and Village of Hamilton that is being developed with the Hamilton Climate Preparedness Working Group (HCPWG). Climate Smart Communities is administered by the NYSDEC and is a points-based program where municipalities can complete certain climate related actions and earn points for them. Once a certain threshold of points is met, they can earn bronze or silver certification which qualifies you for better placement on grant scores and can earn you points in the NSYERDA Clean Energy Program. Mike explained details about the Climate Adaptation Resilience Planning process. Mike cited the 2019 vulnerability assessment. Supervisor Shwartz asked about the source of information for the assessment and would like to have it verified. Chris Henke will review it. Mike concluded his presentation. CNYRPDB does need staff available to help identify hazard concerns and generally be supportive of the efforts of the HCPWG and the CNYRPDB throughout the process as well as assist with outreach by posting information on the website and social media pages. Mike confirmed that to start the town would adopt a resolution to start the process as well as passing a resolution after the plan is finalized.

**Public Comments:** Chris Henke thanked the board for considering the proposal for the plan and will look at the vulnerability report. The Village is also thinking about this plan but needs to closely consider the utilities.

**DEPARTMENT REPORTS:**

**Highway Superintendent – Luke Dowsland**

**GENERAL REPAIRS:**

- Started regrading around the shop to get the water to dissipate faster after snow melt/rain.
- Replaced signs around town.

**EQUIPMENT:**

- Finally finished installing the new/used axels on the big trailer.

- Replaced a grease line on 17.
- 24 had a wire overheat under the dash causing a small fire. It was put out with little to no damage and is currently at Friendly Ford waiting to get fixed under warranty.
- Replaced the tires on the Jet trailer.
- Ford fixed a wiper arm recall on 25.

**SNOW REMOVAL:**

- Plowed and sanded 18 times.
- Used 648 yards of sand and 21,600 gallons of brine.

**OTHER:**

- Mike has been working on Ambulance 513 replacing the EGR valve and oil cooler.
- Erick and I went to Albany Wednesday, March 8<sup>th</sup> for advocacy day (ChiPs \$).
- The Town of Augusta borrowed our spare truck for a couple of days.
- We have attended our annual sexual harassment and workplace violence trainings
- We have been keeping busy doing our annual purge of the shop. Cleaning all the nooks and crannies that get built up with stuff throughout the year.
- Installed a washer and dryer for rags.
- The Landfill is changing the way they hold dump days. They are not supplying us with dumpsters anymore and have lowered the free tonnage to 10 tons per year from 25 tons per year. I am proposing we still hold the dump days this year but limit it to JUST TOWN RESIDENTS. It will create some more work on the highways part but I think the community really values that we hold this event and it's worth the extra workload on our part.

Clean-up Days: Supervisor Shwartz asked about spring road clean-up. Luke responded that the crew does that in the spring. The Supervisor explained why there are changes with Solid Waste including Clean-Up Days. By offering the clean-up to the community, the landfill loses money therefore the County subsidizes the towns. It also takes a lot of time with Solid Waste, thus the cutbacks. The consensus is that the towns want to continue this program; the County is waiting for the RFP for the landfill issues. Luke thought that we could get a small dumpster for anyone who wants to clean up the road.

Travis asked Luke to call him regarding Ambulance 513.

**Supervisor/Bookkeeper – Brynley Wilcox****2022-2023 SNOW & ICE AGREEMENT:**

- \$ 22,589.87 was received from the County
- YTD:           \$ 31,118.11
- *Budgeted:*   \$ 120,000.00
- *Pending:*     \$ 26,675.53

**SALES TAX REVENUE:**

- \$141,628.20 was received from the County
  - Q4-2022 distribution
  - 6.5% over Q4-2021 distribution (\$132,934.82)
- YTD: \$141,628.20
- Budgeted: \$ 475,000.00

**GOOD NATURE BREWERY PILOT:**

- \$2,305.70 was received from GNB

**FRANCHISE FEES:**

- \$3,674.03 was received from Charter Communications
- Q4-2022 franchise fees

**2022 AUD:**

- The 2022 AUD was filed with the Comptroller's Office on 02/15/2023
- A copy was emailed to the Town Clerk for the public's viewing

**RESOLUTION NEEDED:**

- Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment
  - Councilmember KRUEGER to sign vouchers
  - Councilmember GRIFF to sign vouchers in APRIL

**RESOLUTION 2023-34: Audit of Claims**

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

Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the following amounts:

Pre-Pays					307.81
General Fund A	No.	49	through	80	100,449.65
General Fund B	No.	12	through	14	302.65
Highway Fund DB	No.	18	through	33	48,452.03
Street Lighting SL	No.	5	through	6	267.21
<b>TOTAL:</b>					<b>149,471.54</b>

**Town Clerk - Sue Reymers****CLERK'S OFFICE:**

- February cash disbursements and bank reconciliations completed and up to date.
- Tech Work:
  - .Gov email migration is in process with ACC Tech.
  - Madison County IT is setting up a new fax service where the incoming faxes will be sent to a group of staff emails. Outgoing faxes will be done via an online portal. There will be a small monthly fee for the service.

**Training:**

- Organized a Workplace Violence training with NYMIR in the Community Meeting Room for staff and board on February 16, 2023.

**9- Mile Park:**

- CREST Grant (DASNY) for \$135,000 was submitted on 12/22/2022 to Senator May's office. No news.
- 9-Mile Resolution establishing park has been filed with the town's attorney.

**Housing Grant – Restore NY:**

- SHPO requested more information on two houses. Currently working on it.

**Zoning Law, Subdivision Law, Noise Law:**

- Worked numerous hours on proposed Subdivision Law and proposed Zoning Law.

**New License for Officiants for Marriage Licenses**

- There was a recent change in NYS Domestic Relations Law that provides for designation of a one-day marriage officiant. When this bill was first presented and moved through the both houses, the one-day marriage officiant license was to be issued by the state. There would have been no impact on the office of Town Clerks. When it reached the Governor's desk, her reaction was that it would create a new administrative burden on the state for which no money had been provided in the budget. Saying that the town and city clerks are best suited for this because they are responsible for issuing marriage licenses, she reached an agreement with the legislature that enables the town and city clerks to issue the one-day marriage officiant licenses. NYSTCA's legislation committee continues to work with NYS for clarification of the language.
- The legislation provides that the officiant need not appear in person to apply but would be handled much like a request for a copy of a marriage certificate. There is a \$25.00 fee. The legislation is scheduled to become effective March 28, 2023.

**Local Laws Filing with NYSDOS:**

- NYSDOS has received the last 3 local laws per the certified mail postcard. Waiting for official letters from NYSDOS.

Shari asked about security with the new fax line. Sue responded that Madison County IT assured her that the system is secure.

**RESOLUTION 2023-35: Approval of Minutes – 2/9/2023**

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

Resolved that the minutes for February 9, 2023 be approved with one edit to the resolution approving the letter for Weleski's art grant application.

**Codes Enforcement Officer – Chuck Ladd****February Activity**

- Conclude building permit log for 2022 to accommodate 2022 D.O.S annual report completion.
- 2 building inspections.
- Continued process of inputting issued building permits into new software.

- Followed up with zoning violations and property maintenance complaint.
- Meet with Scott Mosely from Alexander and Co. in regards to window installation issue. I need to follow up with window manufacturer as the meeting with Scott was uneventful and disappointing to say the least.
- Issue 2 permits.

Clerk Reymers explained that there was an issue with IPS with rights and privileges to information entered by Mark. It's in process to be addressed. Supervisor Shwartz asked about follow-up on complaints.

### **COMMITTEE REPORTS:**

**Cemetery Committee** – No report

**Highway Committee** – No meeting to report on. Discussion on opportunity for funding from Congressman Williams office but the turn around time was too quick. Luke will follow-up on it.

### **Partnership for Community Development Liaison Report – Dana Krueger**

Dana missed the last meeting because she was in NYC. From the minutes she reported that the HUB space has a new flower shop. PCD is working on an ESD application for the Chenango Nursery School expansion. Hamilton was supported by the 2.25 million dollars from the NY Forward. April 8 is the DOT public meeting on the Route 12B project. Supervisor Shwartz added some details that the meeting is to get input from the community on the project and the intersection. Village is still working on the Short Term Rental law and mapping all the village utilities and putting them into GIS. Colgate is working with a lobbying firm on how to promote projects, specifically village infrastructure updates. Eve Ann shared that Colgate hired a consulting firm to promote work on behalf of the community as well as seeking funds for infrastructure on the Village's behalf. Eve Ann spoke to Jocelyn and said that the town has infrastructure needs, in particular a new highway garage and that we would like similar support. Jocelyn agreed; Eve Ann needs to channel that to Joanne.

### **SOMAC Liaison Report – Travis DuBois**

#### **3<sup>rd</sup> Party Financial/Operations Study**

The last meeting was 2 hours and 45 minutes. The financial audit was completed, and Travis handed a copy to the Town Supervisor. There are 3 positions open on the board. Travis brought up the 3<sup>rd</sup> party financial and operations study. Feedback was sought and received from all of the towns, as well as Madison County. The proposal is sufficient to move forward. Brief discussion. Board decided to have a resolution to participate and to request this proposal from CGR

**RESOLUTION 2023-36: Authorize for RFP and to contribute to Independent Study of SOMAC**

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

Resolved that the town move forward with requesting a proposal from CGR for a strategic plan/study for SOMAC Ambulance Services with shared costs between all the shareholders to be apportioned.

**SPECIAL PROJECTS:****9 Mile Project**

Eve Ann reported that the DEC provided a notice of complete applications and is accepting public comments. The timeline is unknown. After this step, we will put an application into the Planning Board.

**Earlville for Earlville Project - Shari Taylor**

Shari reported that there was a meeting on February 28. Jocelyn Gavitt (PCD) was in attendance and able to give the group an update on the park grant. The application needed letters from more state officials and then she will resubmit the grant in June. The group is putting together a welcome basket to new residents with local information. During the meeting, they had a discussion as one of the members works at Mirabito in the HEAP department and they do work all over the place but not in Earlville. Out of that discussion it was decided to have a Senior Resource Fair on September 19 at the Bell Tree. Shari has already contacted Madison County Rural Health, Office for the Aging, Community Bank, Social Services. Brief discussion on transportation services.

**Hamilton Climate Preparedness Working Group (HCPWG) - Already discussed.****Housing: Affordable/Vacant Grant**

Eve Ann reported that we had an email back from SHPO that two of the properties needed further information because they are potential historic - Shopovick and Slater houses. They need photos and more information. Eve Ann is not clear about the authority they have since none of the properties are in a historic district.

Eve Ann asked Bruce Moseley to talk about his research project in Poolville. Bruce said that at Colgate, they got stat money for a building that was considered eligible for the National Register, whether it's on it or not. If its considered eligible for the National or State Register, whether it's on it or not, if state money is being used, SHPO has a say in what happens. The good news is that they are reviewing our application.

**Zoning Update**

Eve Ann and Sue will meet with Nan soon to go over questions sent to her. We'll get back to the board if we need to address any policy questions, otherwise it's just adjusting the language. In response to a concern at the last committee meeting about the



impact of increasing density and will that have any unintended consequences of making property more expensive. Her answer was just because you're going to a 5-acre density does not mean that people have to sell housing lots on 5 acres. So, if we passed the law as its being proposed currently, any project in the ag-residential district over 20 acres would be subject to a higher density, so less houses could be built, but people could still sell off one acre lots to build a house and it would not change the value of that (people will not be forced to own 5 acres). It's basically going to serve to reduce the density of development unless people want more significant development and take advantage of the incentives that we offer.

Sue shared that she took a class today at the Onondaga Planning Symposium where she took a class on Conservation Subdivision with Jeannie from CNYRPDB. Sue spoke with her about coming to Hamilton to talk about conservation subdivision with the town. Jeannie showed a great demonstration on how it creates a lot of flexibility and how better it looks compared to the typical subdivision. She also commented that it's not effective as a voluntary program. She is a resource available for the town on this subject if the town wants more information. Eve Ann thought that she and Sue could reach out to her to review our zoning law. Eve Ann continued that part of this is making the option more attractive. Nan's email mentioned that if there's no development pressure, then they will not get used but when the pressure to develop comes, maybe in 10 or 20 years, our zoning law will be ready for it. Sue added that Jeanne mentioned that Cazenovia has it in their law. Other towns have successfully used it.

### **Short Term Rentals - Moratorium expires 4/15/2023**

#### **OLD BUSINESS:**

#### **NYSERDA Grant for Clean Energy Project - \$10,000 - application due May 1, 2023**

Eve Ann reported that we heard back from Bell Tree and they are fully on board with being a host site for the EV Charging Station in their parking lot. Shari stated that they were concerned who would pay for the electricity. They are open to the town leasing the space, having a memo of understanding, or for longevity, the Town buying the space around the charging station.

Brief discussion with Brynley on how the other charger works in the Village parking lot. Brynley will send a report on it. The cost of electricity will be higher in Earlville since the charger is in NYSEG territory. Next step is to meet with Green Team Lighting to work on a proposal to go in the grant. It was determined to set-up the electric separate from Bell Tree as there is a NYSEG pole next to the parking area on the side street (Preston Street), but it will increase the costs of the installation. Also mentioned long-term leasing.

Travis will reach out to Colin at NYSEG. NYSEG has a Make Ready program that can help pay for some of those extra costs. Travis will contact Green Team. Eve Ann will contact the attorney for the lease agreement. Need two parking spaces - 20' x 20'.

**Real Property Tax Exemptions Volunteer Firefighters and Ambulance Workers Opt-in**

No report this month.

**NEW BUSINESS:****Introduction of proposed Local Law A-2023 and Scheduling a Public Hearing:****“A Local Law Extending for an Additional Period of Six (6) Months the Moratorium on Seasonal Accommodations Within the Town of Hamilton”**

*Public Hearing to be scheduled for April 13, 2023.*

**RESOLUTION 2023-37: Introduction of Proposed Local Law A of 2023 & Schedule Public Hearing for 4/13/2023 “A Local Law Extending for an Additional Period of Six (6) Months the Moratorium on Seasonal Accommodations Within the Town of Hamilton”**

Councilor Darrell Griff introduced proposed Local Law No. A-2023, titled “A Local Law Extending for an Additional Period of Six (6) Months the Moratorium on Seasonal Accommodations Within the Town of Hamilton,” and made the following motion, which was seconded by Councilor Travis DuBois:

**WHEREAS**, proposed Local Law No. A-2023 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

**WHEREAS**, this proposed moratorium extension will enable the Town to complete its review and comprehensively address the issues involved with seasonal accommodation uses; and

**WHEREAS**, the Town recognizes the potential benefits and desirability of seasonal accommodation uses, but determines that time and research is necessary to determine how to properly regulate such use; and

**WHEREAS**, the Town Board has deemed this moratorium extension urgent and immediately necessary in order to preserve status quo while this issue is examined by the Town; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws 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 (SEQR) with respect to the proposed enactment of said Local Law.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED** that there are no other involved agencies, the Town Board shall act as lead agency, and that the enactment of this proposed local law is a Type II action under SEQR, thus concluding the environmental review process; and be it further

**RESOLVED AND DETERMINED** that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2023 at the Town Hall located at 38 Milford Street in the Town of Hamilton on April 13, 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; and it is further

**RESOLVED AND DETERMINED** that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Hamilton; and be it further

**RESOLVED** that pending action on this local law, the Town will neither accept nor process any application pertaining to short-term rental dwellings.

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

<b>Darrell Griff</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Shari Taylor</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Dana Krueger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Travis DuBois</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Eve Ann Shwartz</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

### **Solar Maintenance Agreement Resolution**

Eve Ann has a meeting tomorrow with Revolution Solar along with numerous property owners who have solar panels that were primarily installed by Arista Power (Glen Steed) who is no longer in business. The town's solar has had trouble with connectivity. Brynley gave details that the garage's internet is having trouble and it's how the data for the solar is managed. Before this issue, the panels were not working well, so they contacted Glen Steed and he came to the garage to fix them in 2021 for which he did not charge. Brief discussion. Goal is to have the panels operate at optimal level.

### **RESOLUTION 2023-38: Authorize Town Supervisor to Sign Solar Maintenance Agreement**

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

Resolved that the Town Supervisor be authorized to sign the Solar Maintenance Agreement to maintain the Highway Garage Solar Panels up to one year in the amount not to exceed \$200.

**Concerns of Town Board:** None.

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

With no further business, on a motion of Councilmember Krueger, seconded by Councilmember Taylor, the meeting was adjourned at 9:06 p.m. Carried unanimously.

Respectfully submitted,  
Suzanne K. Reymers, RMC  
Town Clerk