

Minutes for December 12, 2013 Town Board Meeting

Present: Peter Darby, Carolyn Todd, Chris Rossi, Sue Reymers, Donna LaMarco, Cathy Hotaling, Carol Dewey
Absent: Eve Ann Shwartz and David Holcomb

Guests: Suzanne Collins, Wanda Berry, Deb Kliman and Doc Hayes

Call to order: Peter Darby was acting head for this meeting as Eve Ann Shwartz was out of town. The meeting was promptly called to order at 7:00 p.m.

Public Comment

Wanda Berry did comment on her appreciation for the Board's hard work extended for 2013 and Carolyn Todd's four year on the Board. Also, Peter was thanked for his 4 years and continuing service.

Local Law #4 of 2013

Resolution #38

a) Peter read the proposed Local Law #4 authorizing supplemental mailings with tax bills. This public hearing was duly advertised in the local newspaper 5 days prior to public hearing. Notice of public hearing was posted in the Town Clerk's office and distributed to each Town Board member. The Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law #4. Now therefore be it resolved by the Town Board of the Town hereby adopt by roll call vote said Local Law #4 and designate to Local Law #4 of 2013 authorizing supplemental mailings with tax bills. The overall message of the insert to be included has detailed instruction for tax payers to mail their tax payments to Wampsville and make payable to Madison County Treasurer. A motion was made by Chris Rossi and seconded by Carolyn Todd to accept this Local Law #4 2013. Motion carried. Yes Votes: C.Rossi; C.Todd; P.Darby Absent: E.A. Shwartz and D. Holcomb.

Resolution #39

b) The Resolution for the adoption of Local Law 4 2013 was introduced to accept this law by roll call vote. Peter read the proposed resolution: Be it resolved, that the Town Board of the Town of Hamilton hereby adopts, by roll call vote, said local law and designates it as Local Law #4 of 2013 entitled: A Local Law Supplemental Mailing With Tax Bills. A motion to accept this local law was made by Chris Rossi and seconded by Carolyn Todd. Peter asked three times if there was any further discussion regarding the insert. With no further discussion there was a roll call vote: YES: Chris Rossi, Carolyn Todd, Peter Darby Absent: Eve Ann Shwartz and David Holcomb

Tax Collection 2014

a) **Tax Support Software** Resolution # 40

Peter indicated there was a need for a resolution to purchase tax collecting software. We are buying software to facilitate coordination with the County Tax Collector. The license for this cost \$2000.00. Included in this price is a one day on-site set up and staff training, data base population, unlimited voice support; modem and enhancement protection. There will be an annual fee of \$375.00 after our first year. Systems East Company is the provider of this material. Peter asked for a motion to approve the purchase of this software. A motion was made by Chris Rossi and seconded by Carolyn Todd. Motion carried. Roll Call Vote—YES-- C.Rossi, C.Todd and P.Darby Absent: E.A Shwartz and D. Holcomb

Sue Reymers provided a sample of the insert that would accompany the 2014 tax bills for the Town of Hamilton. It was suggested colored paper could be used for better identification. Sue indicated that there is a question if the County would allow us to have the insert. Sue felt we need to move forward with our work and have it ready if and when it has been approved by the County. If not approved she has a plan for a press release to communicate to the community. Carolyn did have a question that concerned the flow of payments. She did not realize that all payments were to be directed to Wampsville. Sue explained the layout to assist any tax payer in this pilot endeavor. Carolyn suggested some editing for clarity for the insert in relation to the change in tax payment process. Discussion followed with various editing options. This memo also indicated that tax payers may now use credit cards options by going through Wampsville. A motion was made by Chris Rossi and seconded by Carolyn Todd to approve this notice. Yes: C. Todd, C. Rossi and P. Darby Absent E.A Shwartz and D. Holcomb.

TOWN CLERK/COLLECTION BUSINESS

a) Peter asked for the approval of the minutes of the November 14th meeting. Carolyn Todd did have one question at the bottom of page 960 regarding the collection of taxes by the Town of Hamilton and at what point a check is issued to the Town of Hamilton for the new budget. Cathy Hotaling explained, in the past, from the tax monies collected, the Town of Hamilton is first paid for their warrant/budget and then further monies are remitted to Wampsville. With this understanding, Carolyn moved to accept the minutes and Chris Rossi seconded the motion. Motion carried.

b) Audit of Town Clerk and Tax Collection Books for 2013

Due to the fact that the books are audited in January and Cathy would be retired, these books were to be reviewed at the December meeting. Cathy first explained the books for the Town of Hamilton to the Board. Cathy indicated for the Town monies taken in, the monies are distributed to the various agencies we work with (DEC, dog licenses, marriage licenses, punch cards, Town of Hamilton). The Town Clerk has a separate checking account.

With a separate checking account for tax collections all money taken in is recorded and then distributed to the Town of Hamilton for the current year's budget and the remaining balance goes to the Madison County Treasurer's Office. Final payments of monies collected are then processed to Madison County. The beginning balance of the tax account is \$0.00 and the ending balance is \$0.00. The accountability of all taxes paid and unpaid are justified. Carolyn commented on the distinctive clarity of each check as Cathy had made identification comments for the check's coverage.

CLAIMS FOR PAYMENT

a) General bills--Carolyn had one question in which Donna, Town bookkeeper, did explain. A motion was made by Carolyn Todd and seconded by Chris Rossi to approve payment of the General bills. Motion carried. Yes: Todd, Rossi and Darby

b) Highway bills—A motion was made by Chris Rossi and seconded by Carolyn Todd to approve payment for the Highway Bills. Motion carried. YES: Todd, Rossi and Darby

HIGHWAY REPORT

Bert indicated the usual sanding and plowing has taken place. No breakdowns as of yet!! There have been a lot of dead animals. The 2013 pick-up truck is on Auctions International for bid. This will expire the 19th of December. There is an approximate bid of \$21,000. Bert is dealing with companies for bids on a new truck. He is waiting for one company to send him a quote. He will be working on this more next week. The discussion of salt usage indicated many tons have been used. Per lane mile they use about $\frac{3}{4}$ of a ton of sand. He is expecting a payment within a couple of weeks from Madison Co. for shared plowing of roads. Wanda Berry inquired about salt brine being used versus the crystal. Bert had very few places where this would work

on the roads. Bert did indicate that his supply of sand is good as he cut back this year. We may need not to buy as much sand next year and purchase more salt.

FINANCIAL REPORTS

Peter asked Donna for items in relation to the financial reports. She pointed out various items. Resolutions are need for various items which will be listed below. The financial statement was provided. She indicated we did receive a check from state aid mortgage tax in the amount of \$27,827. This was a bit higher than expected. She expected a check in the vicinity of \$15,000. We did receive the franchise check from Time Warner in the amount of \$2795.86.

Resolutions to be passed include:

- a) Resolution # 42. This resolution reads "the Town of Hamilton resolves that the Tax Collector will maintain a Petty Cash account in the amount of \$200.00" In the past it has been \$100.00. A motion was made by Chris Rossi and seconded by Carolyn Todd. Motion carried.
- b) Resolution #43. Authorization for Health Insurance buy out option: This resolution reads: "The Town of Hamilton resolves that, the health insurance buy out option for 2014 will be 45% of annual cost of premium, offered to employees that are eligible for health insurance with the Town of Hamilton, if they choose to purchase their health insurance from their spouse's employer." We have a total of 3 employees that have chosen this route. Peter explained the "opt out" coverage would cost us 45% of the Town's payment for coverage. Peter provided examples of the various options offering the employees and incentive for them to opt out and provides the Town of Hamilton with some savings. A motion to accept this resolution was made by Carolyn Todd and seconded by Chris Rossi. Motion Carried
- c) Resolution #44. Authorization of Budget amendments: This is for budget modifications which simply move money from one account from where we have a surplus to cover the various line items that have overspent. This is usually standard at the end of the year. The beginning balance of the contingent fund was \$56,060.40. \$21,029.40 was requested to coverage overages in nine accounts thus leaving a balance of \$35,031.00 in the contingent fund. All these overages were listed in the A General Fund. Carolyn Todd made a motion to approve the movement of funds with Chris Rossi seconding it. Motion carried.
- d) Resolution #45. This resolution reads: The Town of Hamilton resolves that, CWYNAR & Company will perform the annual audit for the financial statements of 2013. Monies have been placed in the 2014 budget to have our books professionally audited. The Town books have not been audited in four years. The proposal is from CWYNAR & Company for a full audit for \$8800.00 and approximately 100 hours. Sue Reymers did indicate that she has worked with this company before and they do come with very good recommendations. Chris Rossi made a motion to accept and seconded by Carolyn Todd. Motion carried.
- e) Resolution #46 This resolutions request the transfer of \$27,000 from DA Money Market Account to the DA200 checking for the December bills and monies additional payroll due to amount of overtime not anticipated in November transfer (\$10,000). A motion was made by Chris Rossi and seconded by Carolyn Todd. Motion carried.
- f) A motion is needed to set the date of the annual audit for justice, bookkeeper for January 9, 2014.
Motion made by Chris Rossi and seconded by Carolyn Todd. Motion carried.

CODES OFFICER REPORT

Paul McGinnis, codes officer, submitted his November report for the Town of Hamilton. This included 11.5 hours, 78 miles, 1 building permit and one building inspection. Peter mentioned that NYSERTA, in order to facilitate the installation of solar cells, has drafted a uniform solar building permit for which they are offering a grant of \$2500 for each township that adopts this unified permit. It seems to be a first come first/serve basis and seems to Peter that there is no objection to using their permitting process. Resolution 47 reads: To adopt the use of New York State Unified Solar Permit (NYSERTA) form as of 1/1/2014 to simplify the application

process and foster the growth of alternative clean energy production. Motion made by Chris Rossi and seconded by Carolyn Todd. Motion carried Roll call vote: AYE: Rossi, Todd and Darby Absent: Shwartz and Holcomb

COMMITTEE REPORTS

a) Town Comprehensive Plan

Chris Rossi reported that the survey is now closed. They have received over 500 replies either written or on line. The surveys have been compiled and almost all the data has been collected. There about 26 more surveys to enter. The data is being crunched and the written comments are being made available. Chris commented that her review of the comments presented some great ideas and pointed comments on Town Council performance. Nan Stolzenberg has been working with the Visioning Workshop as well to organize the data so the Comp Plan committee can work with the data from the survey and the Visioning workshop. A series of focus groups are being put together that will probably take place in March. The Comp Plan Committee is working via Google Drive to try and do on-line editing. It is all moving together and once the survey data is in and there is as PDF of the material, it will be posted on line for people to read. Peter mentioned they are asking the focus groups to come up with solutions for problems and issues the survey has identified. We are looking for kinds of actions that would help produce the community that people hope it will be.

b) Road Use Law/Delta Contract Update

Peter asked Chris Rossi if there were any updates. Chris Rossi indicated she did not have an update but she did indicate that Hamilton, Brookfield and Lebanon were ready to move forward. She believed Steve Jones, Town Attorney, is reviewing the proposal. Peter indicated that Eve Ann said to him that everything is set. The Town Of Hamilton has approved it and are waiting for the approvals from the other two towns. January seemed to be the time frame for signings and from there things would move forward.

c) Records Retention

Carolyn Todd met on Tuesday, December 10th and discussed ordering various supplies, shelving, acid free papers, etc. A volunteer, a 14 year old high school student, has been working in the records retention area for the past 2 days. Carolyn was happy to report that a huge number of records are now in chronological order. Wanda Berry came to 20 Utica Street for a detailed tour of the retention parcels. Wanda indicated she is ready to learn new things. Carolyn has designed a project for Wanda. We have the facility use of 20 Utica Street until May 31, 2014. Sue Reymers has made various signs to be placed on the walls showing which records are permanent retention and which ones we do not have to retain. Once we have a truck load for shredding an outside vendor will be used. Chris Rossi mentioned we will have an Upstate Institute student available after Christmas and perhaps early January. This person will be splitting their time between the Comp Plan and Records Retention. Carolyn mentioned that with her term ending December 31, 2013, she will be staying on the Records Retention Committee and the Comprehensive Plan.

d) SOMAC

There was no one available to update us on SOMAC at this time.

e) PCD, Village/Town Office and Village Development Plans

Peter mentioned the PCD is becoming more active. There is a housing committee which is looking into options for affordable, senior and retirement housing. Colgate is concerned about having housing available for young faculty coming to Hamilton. Also there is a village/town concern that we have housing for local people who do not have that level of income.

The issue of joint municipal meeting had a meeting Monday, December 9th. The Village is concerned about how close they might be to their debt limit. The Village was trying to find funding for various studies for a joint municipal building. Peter indicated this project is not full speed ahead. Various discussions followed.

Town Board Business

a) Resolution # 48. A resolution is needed to appoint Bert Glazier as Town of Hamilton Superintendent for a 1 year term effective January 1, 2014. A motion was made by Carolyn Todd and seconded by Chris Rossi. Motion carried.

b) Resolution #49. A resolution is needed to appoint Sue Reymers as Town of Hamilton Town Clerk/Collector for a 1 year term effective January 1, 2014. A motion was made by Chris Rossi and seconded by Carolyn Todd. Motion carried.

Peter did indicate that these two positions will become 2 year appointments in 2015.

c) Resolution #50 A resolution is needed to add Sue Reymers to Town Clerk/Tax Collector bank accounts effective January 1, 2014 and remove Catherine Hotaling effective December 31, 2013. A motion was made by Carolyn Todd and seconded by Chris Rossi. Motion carried.

Concerns of the Town Board

1) Chris Rossi mentioned that she was approached at the "Hubbardsville Mall." There seems to street lights out in the Hubbardsville area and residents have called NYSEG and have not had their concerns addressed. Bert Glazier mentioned that David Holcomb is our best contact and Bert will contact David Holcomb about this. There was also a concern whether residents of Hubbardsville can decorate the light poles. Bert referenced that this should also be addressed to David Holcomb as the poles are owned by NYSEG. There is a huge concern about the safety of climbing the poles that only NYSEG can do. Bert will also talk with David Holcomb on this issue.

2) Carolyn Todd reported that there was a very excellent report done by Colgate students concerning the deer in our area. It was widely attended and the Colgate students did a lot of research dealing with the deer population. Deb Kliman mentioned that this may be on the agenda for the Village's upcoming meetings. One of the major recommendations of the students was that the government needs to get involved. Sue Reymers has done some research with Rogers Center on other municipalities that have been facing the same issue. Discussion followed with various issues.

3) Carolyn Todd would like to have the following resolution go into the minutes for Cathy Hotaling's long term dedication to the Town of Hamilton. Resolution # 51 reads:

The Town Council of the Town of Hamilton, Madison County, New York State, presents the following resolution with appreciation to Cathy Hotaling.

Cathy Hotaling has served the citizens of the Town of Hamilton as Town Clerk for the past twenty years, from 1993 to 2013.

During that time Cathy has been responsive to the needs of all citizens who visit or call the Town office, providing information, selling tickets, licenses and permits. She has served in a friendly capacity, answering questions with patience and professionalism.

As Town Tax Collector, Cathy has assisted taxpayers throughout the process of paying Town and County taxes, maintaining accurate records books, depositing funds and reporting to Madison County.

Because of Cathy Hotaling's dedication to the Town of Hamilton, the Council wishes to formally thank her for her service, and to approve this resolution which shall be entered into the minutes of the Council meeting of December 12, 2013.

After an appreciative applause from those attending, a motion was made by Carolyn Todd and seconded by Chris Rossi. Motion carried.

- 4) Carolyn mentioned because this is her last meeting after 4 years on the Board, she would like say "Thank You" to everyone with whom she has served. It has been a very worthwhile and enjoyable experience. Carolyn wished Suzanne Collins the best of luck as she comes on to the Board effective January 1, 2014.
- 5) Deb Kliman wanted to remind everyone that the Village Board will hold another public hearing on December 17th at 7:00 p.m.in the Court House. This public hearing is due to the University's desire to change the zoning has now been put in the form of a law. There is still a chance for people to register concerns or approval of the museum zoning issue.

Peter asked for a motion to retire to executive session to discuss litigation. Chris Rossi made the motion and it was seconded by Carolyn Todd. The Board went into executive session at 8:21 p.m.

Executive Session

The Board met in executive session to review a resolution authorizing settlement of Dollar General vs Hamilton. The resolution reads: Be it resolved that the Town Board authorizes the settlement of the said three cases by the dismissal upon withdrawal of the 2010 and 2012 cases, and the granting of a reduction of the 2013 assessment to \$500,000, so long as the refunds are waived by Dollar General.

A motion to adjourn from Executive session was made by Chris Rossi and seconded by Carolyn Todd. Mo

A motion to accept this resolution from executive session was made by Carolyn Todd and seconded by Chris Rossi. Motion carried. Roll call vote: Yes: Darby Rossi and Todd Absent: Shwartz & Holcomb

A motion to adjourn from the 12/12/2013 meeting was made by Chris Rossi and seconded by Carolyn Todd.

Respectfully submitted,

Carol Dewey
Deputy Town Clerk