

**Town of Hamilton Regular Board Meeting Minutes  
Thursday November 10, 2016 at 6:30 p.m.  
Held at the Court House, 60 Montgomery Street, Hamilton, NY**

Present: Eve Ann Shwartz, Chris Rossi, Suzanne Collins, Peter Darby. Absent: David Holcomb. Others Present: Sue Reymers, Brynley Wilcox, Jason Florenz (6:42). Public: Greg Moon, Carrie Blackmore, Jim Leach.

**Call to order & Welcome:** Supervisor Shwartz called the meeting to order at 6:34 p.m.

**Public Comments:**

Carrie Blackmore brought to the board a concern pertaining to the Farm Brewery legislation that included the NYS Brewers Association (NYSBA) and the Madison County Farm Bureau (MCFB). After discussion, Supervisor Shwartz stated that there is not much the town can do. She suggested seeing Assembly Member Magee and asked her to keep us posted.

**GENERAL:**

**Minutes:**

**RESOLUTION 2016-119: Approval of Minutes for 9/8, 9/27, 10/3, 10/13, 10/20**

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

Resolved that the minutes from 9/8, 9/27, 10/3, 10/13, 10/20 be approved.

**Claims for Payment:**

**RESOLUTION 2016-120: Audit of Claims**

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

Resolved that the bills contained on Abstract #11 have been reviewed by the Town Board and are authorized for payment totaling \$134,806.30 plus \$265,441.00 in prepays in the following amounts:

General Fund A	No.	282	<i>through</i>	306	\$104,,383.45
General Fund B	No.	38	<i>through</i>	40	\$173.00
Highway Fund DB	No.	156	<i>through</i>	168	\$29,850.85
Lighting Districts	No.	21	<i>through</i>	22	\$399.00
Pre-Pays					\$265,441.00

**BOOKKEEPER:**

**SALES TAX REVENUE:**

- \$99,165.01 was received from the County on October 27<sup>th</sup>
- YTD (all funds): \$370,384.44
- BUDGET(all funds): \$350,000.00

CHIPS:

- Mailed: Thursday, November 3<sup>rd</sup>, 2016
- Total available CHIPS amount: \$ 109,675.99
- Total available PAVE NY amount: \$ 25,034.64
- AMOUNT SUBMITTED for reimbursement: \$ 112,619.74
- Amount rolled over to next year: \$ 22,090.89
- Payment for CHIPS typically arrives by mid-December.

TAX CAP OVERRIDE: Completed on Thursday, November 10<sup>th</sup>, 2016

HIGHWAY CELL PHONE:

- Converted from AT&T to Verizon in early November.
- Average cost of AT&T per month: \$ 96.50
- Monthly cost of Verizon: \$ 48.60
- Annual Savings of: \$ 574.50

STATE RETIREMENT INVOICE:

- \$96,276 is due to the NYSLRS before December 15<sup>th</sup>, 2016
- 2016 Budget (all funds): \$ 60,000
- Amount over budget: \$ 36,276
- One-time payment for prior period adjustment as previous Highway Superintendent bought back his time from 2010 to 2015.

The town council reviewed the monthly financials.

**RESOLUTION 2016-121: Funds Transfer to Pay Bills**

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

Resolved that \$170,000 be transferred from the Community Bank Money Market Account to NBT Checking Account in the following amounts: A Fund=\$140,000 and DB Fund=\$30,000.

**RESOLUTION 2016-122: Transfer of funds for Capital Replacement Purchases**

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

Resolved that the transfer of DB funds from the Community Bank Money Market account to the NBT Bank Checking account for the total amount of \$264,616 to cover the purchase of a 2016 John Deere Loader and a 2017 International Dump Truck.

**TOWN REPORTS:****Highway Superintendent - Jason Florenz**

From the report:

**Monday, November 7<sup>th</sup>, 2016:****EATON ROAD:**

- Installed a driveway pipe for Carl Carroccio.
- Dug out ditches.

**SACCO ROAD:**

- Looked at a driveway pipe for Stephen Jackowski.
- Pipe needed to be order as there was no stock at the garage.
- Site prep is complete/UFPO (Dig Safe) has been contacted.

**Tuesday, November 8<sup>th</sup>, 2016:****GARAGE:**

- Began to clean and paint all plows and wings for all the trucks.

**WILLIAMS ROAD:**

- Looked at a driveway pipe for Edward Kohler.

**BAILEY ROAD:**

- Inspected a guardrail issue.
- Some work is still needed on that project as well as the installation of delineator markers – which had to be ordered as there was no stock at the garage.

**SPRING STREET:**

- The Village of Hamilton assisted with the removal of leaves from ditches on Spring Street, Spring Hill and Payne.

**Wednesday, November 9<sup>th</sup>, 2016:****GARAGE:**

- Continued to clean and paint all plows and wings for all the trucks.
- Met with Brynley Wilcox to review financial reports and establish administrative systems.
- Met with Peter Darby, Doug Blinebry and Brynley Wilcox to review and edit the Capital Equipment Replacement Schedule.

**Thursday, November 10<sup>th</sup>, 2016:****WILLIAMS ROAD:**

- Installed driveway pipe extension for Edward Kohler.

**BAILEY ROAD:**

- Inspected guardrail.

**HILL ROAD:**

- Inspected guardrail.

The board inquired about a pipe for Zahn's. He did not know about that one but will address it this week. Mr. Darby will forward the information to him via email. Mr. Florenz explained in more detail that the previous work done on Bailey has a pool of water on the one side of the pipe, which can get deep and that it needs a guardrail. If a care runs off, it's not safe. He stated that there is an existing guardrail on Hill Road that was done a few years ago which is not safe the way it is. The board asked how much it will cost to replace

the guardrails. He will have a quote on Monday. Inspections are due on all the trucks this month. They need to take them out to inspect them at White Eagle.

Supervisor Shwartz asked for an update on the equipment schedule. Mr. Darby responded that they are in the process. There are quite a number of adjustments that have to be made. The projected sale prices are not holding up. At some point they are going to talk to Tim Hunt as he offered to help Jason. Tim is still selling 7 year old trucks at 50% of replacement cost. They have Western Star, we have International. Trying to figure that out. They have played around with 5 and 6 year replacement. Need more information. Jason has different ideas on replacement. One is that he does not like the wheeled excavator and wants to keep the backhoe. Playing around with it. There was a brief discussion on the various pieces of equipment.

**PUBLIC HEARING-Local Law #2 of 2016 "A Local Law To Establish the Residency Requirements for the Appointed Office of Highway Superintendent for the Town of Hamilton."**

Supervisor Shwartz opened the public hearing at 7:08 p.m. and proceeded to read the law. Following the distribution of the proposed local law to the Town Board members in October 2016, Notice of said Public Hearing was duly published in the Oneida Daily Dispatch and Mid-York Weekly on November 3, 2016 with same notice being posted October 17, 2016 at the town office and on the website.

**PUBLIC COMMENTS:**

Greg Moon stated that he thought this was great. If you can't get someone from the township, you have to do something.

No one else wished to comment. Supervisor Shwartz asked to close the public hearing.

**RESOLUTION 2016-123: Close Public Hearing**

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4, Nays: 0  
Resolved that the public hearing on local law #2 be closed.

**RESOLUTION 2016-124: AUTHORIZING ADOPTION OF LOCAL LAW #2 of 2016**

**On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4, Nays: 0 by ROLL CALL VOTE Collins-Aye, Darby-Aye, Rossi-Aye, Shwartz-Aye, Holcomb-Absent.**

**WHEREAS**, a Resolution was duly adopted by the Town Board of the Town of Hamilton for a public hearing to be held by said Town Board on November 10, 2016 at 7:00 p.m. at the Hamilton Courthouse, 60 Montgomery Street, Hamilton, New York to hear all interested parties on a proposed local law entitled "A local law to establish the residency requirements for the appointed office of Highway Superintendent for the Town of Hamilton"; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town; and

**WHEREAS**, each member of the Town Board duly received a copy of said proposed law in final form the required amount of time prior to final passage of the local law; and

**WHEREAS**, said public hearing was duly held on November 10, 2016 at 7:00 p.m. at the Hamilton Courthouse, 60 Montgomery Street, Hamilton, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of Hamilton, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Hamilton hereby adopts, by roll call vote, said Local Law #2 entitled "A local law to establish the residency requirements for the appointed office of Highway Superintendent for the Town of Hamilton", a copy of which is attached hereto and made a part of this Resolution, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law book of the Town of Hamilton and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York. (ATTACHMENT A)

#### **Town Clerk & Tax Collection - Sue Reymers**

Clerk Reymers started by noting that with our move that our sales are not down that much, except for dump tickets in comparison from last year. People are finding us. Clerk Reymers continued that she needs a resolution to approve the content of the tax bill memo per local law #4 of 2013. Two options were presented. A one page and a two page document. The County has it to review as well. The board reviewed it and decided to move forward with the two page since it was too much information for one side and possibly confusing.

#### **RESOLUTION 2016-125: Approval of Tax Bill Memo Content**

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 4, Nays: 0  
Resolved that the two page tax bill memo be approved.

**Codes Enforcement Officer** No report this month.

#### **COMMITTEE REPORTS:**

##### **SOMAC**

A report from Kyle was circulated on number of calls for January through September 2016.

Chris Rossi mentioned that she finally was able to review the Madison County Emergency Medical Services Study and a lot of it dovetails to what the town was finding out during our meetings. The town is not unique. The solutions they are proposing mimic a lot of the things we were talking about, such as fly cars.

Supervisor Shwartz stated that she has not heard anything lately at the County on this process. SOMAC is functioning well now. Several of the other surrounding agencies are contracting with Madison. Madison has paid EMTS and they are subcontracting with other towns. It's a hybrid of joining forces. Ms. Shwartz asked Brynley Wilcox what the status of the transition of bookkeeping for SOMAC. Ms. Wilcox updated the board as she has taken on SOMAC as a client for bookkeeping services. Supervisor Shwartz asked if by the December meeting she will have a better sense of it? Ms. Wilcox stated that she thinks so. There was discussion about their finances. Supervisor Shwartz asked how much did they need from taxes? Ms. Wilcox stated that the board is split on how much more they are going to ask for this year. Some think that the last request will get them through the year, while some think it was raised for the ambulance line and should go to the ambulance. Supervisor Shwartz stated that she felt the town was clear that the money would be handed over if there was a need for it. And that we all understood that it's a work in progress and it still is. Mr. Darby updated the board that Colgate will provide funding in their 2017-2018 budget. It will be \$20,100 for a stretcher and \$15,000 for operations.

#### **Comprehensive Plan - Chris Rossi**

They are finalizing the edits and will then send it to the County for review. Meanwhile, Nan's been working on the SEQ. Tonight, the town needs to establish the town as lead agency and pass Resolution #1. That's the first step.

#### **RESOLUTION 2016-126: Intent to be Lead Agency and Identification of a Type I Action for the Adoption of Town Comprehensive Plan**

WHEREAS, the Town of Hamilton Town Board identified a need to review and update their existing comprehensive plan to properly plan growth and development in Town; and

WHEREAS, the Town Board assigned the task of reviewing and updating the plan to the Town of Hamilton Comprehensive Plan Committee; and

WHEREAS, the Comprehensive Plan Committee has drafted this plan with the assistance of a planning consultant and has solicited input from the community via a survey, planning workshops, focus groups, public meetings, and a public hearing pursuant to Town Law 272-a; and

WHEREAS, the Comprehensive Plan Committee has submitted that draft plan to the Town Board of the Town of Hamilton for their consideration; and

WHEREAS, the Town Board is initiating an adoption process per Town Law 272-a; and

WHEREAS, adoption of a comprehensive plan pursuant to Town Law 272-a has been determined to be a Type I action, pursuant to the New York State Environmental Quality Review Act (SEQR) 6 NYCRR Part 617.4, and

WHEREAS, the proposed action will not require permits and approvals from any other local, regional and State agencies prior to adoption of the plan and a coordinated SEQRA review is not required; and

WHEREAS, the Madison County Planning Board is required to review the draft plan, and has already done so and approved the Town of Hamilton Comprehensive Plan pursuant to the applicable standards of New York State General Municipal Law 239-m and this approval is considered an advisory opinion under SEQRA and the agency is not considered to be eligible for lead agency status in this action.

NOW THEREFORE BE IT RESOLVED, pursuant to the applicable standards of SEQRA 6 NYCRR Part 617, the Town of Hamilton Town Board concludes that it is the appropriate agency to serve as, and declares itself lead agency for the environmental review of the proposed Type I action; and

BE IT FURTHER RESOLVED, that the Town of Hamilton Town Board hereby authorizes development and circulation of a copy of the Full EAF pursuant to the requirements set forth in SEQR 6 NYCRR Part 617.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Hamilton:

**On a motion of Councilmember Rossi, seconded by Councilmember Darby,  
the resolution is ADOPTED: Aye -4, Nay 0.**

#### **Partnership for Community Development – Peter Darby**

Mr. Darby handed out a flyer on local foods and reviewed the program behind it. PCD is partnering with Thought into Action. A grant was received from the NYS Affordable Housing Authority for \$350,000 which can be granted out up to \$35,000 per home for repairs. There is an income threshold for it. It's done in cooperation with an agency out in Utica. It has not been announced yet. The board discussed food access issues in Morrisville and the relationship with PCD and SUNY Morrisville.

#### **38 Milford Street – Suzanne Collins/Peter Darby**

The board discussed the next meeting date. Mr. Darby shared that he spoke with Doug and that they don't have the engineering capacity for the sewer line and that he wanted to hire someone for \$85 a day. Mr. Darby approved it.

Clerk Reymers reported that the railroad document was acquired. She also reported that another opportunity was available for a map from 1865. Jack Loop and Clerk Reymers jumped at the opportunity. It cost \$400 and needs some restoration. Clerk Reymers will get an idea of what it would cost to restore it, but it also could be framed as it is. Chris Rossi will stop by the office to evaluate it first. This is a good time to think about establishing an acquisition policy.

### **Court Consolidation & Shared Services- Suzanne Collins**

Ms. Collins reported that the Village would like to say they are not at this moment interested in pursuing consolidation. They decided that they looked into it enough and have enough info to not pursue it. Take it off the agenda. Supervisor Shwartz stated that we do have shared services for the justice clerks and that's a good thing.

### **OLD BUSINESS:**

#### **2017 Town Budget**

Mr. Darby noted that the \$5,000 needed for uniforms was taken from other places and the budget did not need to be increased. There was discussion on the budget.

#### **RESOLUTION 2016-127: Adoption of the 2017 Budget**

On a motion of Councilmember Darby, seconded by Councilmember Rossi, the following resolution was: ADOPTED: Ayes: 3 – Darby, Shwartz, Rossi; Nays: 1 – Collins  
Resolved that the budget for 2017 be adopted as submitted. (ATTACHMENT B)

#### **RESOLUTION 2016-128: Health Insurance Plan Selection**

On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4; Nays: 0  
Resolved that the 2017 health insurance plan be Excellus Simply Blue Plus Silver 2 Plan.

#### **RESOLUTION 2016-129: Town & Employees Responsibility for Health Insurance**

On a motion of Councilmember Rossi, seconded by Councilmember Darby, the following resolution was: ADOPTED: Ayes: 4; Nays: 0  
Resolved that the town portion be 93% and the employee portion be 7% of the total monthly costs for health insurance.

#### **RESOLUTION 2016-130: Health Insurance Buyout**

On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4; Nays: 0  
Resolved that the health insurance buyout be at 45% of the plan for which they qualify.

#### **Climate Smart Communities**

Chris Rossi reported that she has been talking with Andy Petterson at Colgate University and she met with his class. They are going to be doing research for the town to see how points from the Climate Smart Communities (Pledge and Action Plans) overlap with comp



plan so that when the comp plan is adopted, the town can take action on the points satisfy both dockets.

### **Internet Access**

Chris Rossi brought in a bunch of signatures from Hubbardsville on concerns about Frontier with their internet and phone access.

Eve Ann Shwartz explained we are updating the list of residents that do not have access to high speed internet. Madison County is working with providers who are applying for Phase 2 support from the NYS Broadband Program as it's a reverse auction.

The town office hung flyers around town, and posted if on Facebook and NextDoor Hamilton and 34 addresses were sent to the County to include in Phase 2 or subsequent phases. Ms. Rossi handed the list to Ms. Reymers and she will add any missing to the County list.

Getting back to the Frontier issue, Ms. Shwartz shared that a complaint was sent to the Public Service Commission (PSC) by the County, but there has been no response yet. The town can send a letter to PSC and possibly the Attorney General.

### **NEW BUSINESS:**

Snow and Ice Agreement with Madison County for Salt Brine

#### **RESOLUTION 2016-131: Amendment to the Agreement between Madison County & Town of Hamilton for Brine Contract**

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

Resolved that the Town Supervisor be authorized to sign the amendment to the agreement for Snow & Ice Agreement between Madison County and the Town of Hamilton for the year October 1, 2016 through April 30, 2017 where the town will be paid \$12.02 per lane mile for the application of salt brine and \$13.52 per lane mile for the application of salt brine with magnesium chloride to be applied at the rate of 25 gallons per mile.

### **SolarizeCNY**

Chris Rossi read the information from SolarizeCNY which is seeking support from local municipalities. The board discussed and agreed the steps were easy to do. They agreed to pass a resolution, donate resources such as in house printing, and promote the program locally in addition to a \$100.00 contribution. (ATTACHMENT C)

#### **RESOLUTION 2016-132: Solarize CNY**

**WHEREAS**, Solarize campaigns are short-term, local grassroots efforts that bring together groups of potential solar customers through widespread outreach and education, and

**WHEREAS**, the SolarizeCNY campaign is a regional effort which serves an area including Town of Hamilton and is administered by the Central New York Regional Planning and Development Board with support from municipal and community partners, and

**WHEREAS**, Solarize campaigns help customers choose a solar installation company that is offering competitive, transparent pricing, and

**WHEREAS**, historically, Solarize campaigns lower the cost of solar 10 to 20 percent, and

**WHEREAS**, SolarizeCNY has assisted more than 300 customers to install solar over the last several years resulting in more than three (3) megawatts of new solar capacity in the five-county region, and

**WHEREAS**, the New York State Energy Research and Development Authority (NYSERDA) provides technical assistance and other tools and resources of SolarizeCNY.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hamilton supports, endorses, and is committed to participate in SolarizeCNY.

**BE IT FURTHER RESOLVED**, that the Town of Hamilton stands ready to assist with community outreach and education in support of SolarizeCNY.

**On a motion of Councilmember Darby, seconded by Councilmember Collins, the following resolution was: ADOPTED: Ayes: 4, Nays: 0.**

### **Annual Contracts**

Supervisor Shwartz will work on finalizing the Ambulance and the Bookkeeper contracts for 2017. The board discussed the benefits of switching to a new auditor because auditors can focus in different areas and help create better checks and balances. The town will look at getting a new quote from Gustafson for 2018.

### **RESOLUTION 2016-133: Authorization to Contract with Cwynar for Annual Audit**

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

Resolved that the Town of Hamilton contract with Cwynar & Co. to perform an annual audit for financial statements for 2016 for the bookkeeper, town clerk and justice accounts.

### **Annexation**

There will be a petition filed from Colgate University for annexation of property on Hamilton Street. Once received, there will need to be a joint Village of Hamilton and Town of Hamilton public hearing. Clerk Reymers is working to clarify if Colgate University needs to get a subdivision first because it's only a portion of the property.

### **Concerns of the board:**

None.

**Supervisor's Report:**

Madison County budget has a proposed 1.9% increase including all of the non-profits held flat with no increase. There is a controversy over the continued funding for the Madison County Cornell Cooperative Extension, about \$415,000. There is a proposal from some of the board members to take the Ag Economic Development program and move it into County Planning. Supervisor Shwartz serves on the Ag Advisory Committee and believes that it needs to stay with the CCE where there are people who actually know about agriculture.

**RESOLUTION 2016-134: Executive Session**

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

Resolved that this Board move into an Executive Session for the purposes of contracts and personnel at 9:12 p.m.

**RESOLUTION 2016-135: Return to Regular Session**

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

Resolved that the Board return to regular session at 9:45 p.m.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Rossi, the meeting was adjourned at 9:46 p.m. Carried unanimously.

Respectfully submitted,  
Suzanne Reymers  
Town Clerk