

Hamilton Town Council Regular Meeting Minutes
Thursday, April 8, 2021 at 6:30 p.m.
Via Zoom Videoconferencing

Present: Eve Ann Shwartz, Peter Darby, Mary Lee Dinski, Shari Taylor, Darrell Griff.
Others Present: Sue Reymers, Town Clerk, Brynley Wilcox, Bookkeeper, Luke Dowsland. Public: Jim Leach, Chris Rossi, Deb Hotaling.

Call to order & Welcome: The meeting was called to order at 6:33 p.m.

Public Comments:

Chris Rossi report on Zoning Update Committee and HCPWG: Ms. Rossi was happy to share with everybody that the draft zoning is just about ready to go to the town council. Nan is completing some edits on it and she'll also be making a red line version for everyone to see where changes or additions have happened. Ms. Rossi wondered if the board would want to meet with the zoning update committee and with Nan to go over the document after they have had time to digest it. Ms. Rossi noted that the next step would be to send it off to the legal team then make revisions before it goes to public review. It was agreed that board working groups would be the best approach.

Climate Preparedness Working Group: The council met with Chris Henke and John Pumilio to review the municipal Climate Action Plan. Next steps is for the town council and Ms. Rossi to read through the document and see where there's language that we find confusing and flag those and also to review the actions and make sure they make sense as priority actions. A reminder that we're working on the municipal Climate Action Plan, which only has to do with town properties and that down the road we would be doing a Community Climate Action Plan, which would chart resources for the Community to save energy, save money and for the Community to gain some climate resiliency. In the end, they would be put together in one package with the town and the village Climate Action Plans. The council will look over the language.

DEPARTMENT REPORTS:

Highway Superintendent – Luke Dowsland

GENERAL REPAIRS:

- Dug and replaced two culverts. One on Hill Road that the Spectrum contractors hit and one on Preston Hill Road. A bill was drafted to send Spectrum. The board briefly discussed it and asked Luke to send it out.
- Got all of our roads swept.
- Fixed a washout on Preston Hill Road. Met with Ed Potrzeba about his culvert that keeps plugging and causing the wash out. He has agreed to purchase the new larger pipe and we will install it for him.
- Washed all the bridges for the County.

- Started cleaning up wing gouges.
- Got 90% our crusher run and 1A stone hauled in for the year.

EQUIPMENT:

- Fixed a broken sander chain on 17.
- Finished the trailer. It looks brand new.
- Serviced 23 and discovered 2 broken leaf springs. Mike and Erick will be starting that project next rainy day.
- Went through the plows and replaced some wear parts and painted them for summer storage.
- Changed the broom bristles.

TREE REMOVAL:

- Spent 3 days cutting dead trees on Borden Road.
- Cut 3 trees out of the road from a small wind storm.

SNOW REMOVAL:

- Sanded 3 times and plowed once.
- Used about 100 tons of straight salt and 1,800 gallons of brine.
- Hauled all of our sand for next year. The Town of Brookfield, Village of Hamilton helped and the County let us borrow a truck. We got everything hauled in 3 days from Hanson.

OTHER:

- Started meeting with paving contractors to price out work to be done this year. It looks like we're going to be shim paving and micro paving Preston Hill from Horton to 12B, paving the upper portion of Cole Hill or lower portion of Wickwire depending on the cost difference between Ulster and Suit Kote.
- Mike Helly has been busy working on SOMAC's ambulances.
- Revamped the old salt again. I estimate it'll hold close to 200 tons. With the storage in the new building, we should be about to get about 500 tons here. That's close to $\frac{3}{4}$ of our yearly usage.
- The part timers are done for the year and we're back on four, 10-hour days.

Mr. Dowsland also updated the board that an RFP went out and 2 proposals were received. Delta Engineering was for \$14,500 and Barton & Loguidice for \$8,800. He feels that B&L would be the best fit since they did the salt shed.

RESOLUTION 2021-49: To Approve the Contract with Barton & Loguidice for a Highway Study

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

Resolved that the board approves of the proposal from Barton & Loguidice to perform an assessment study of the Highway Garage facility located at 7648 Cranston Road in the amount of \$8,800.

Supervisor/Bookkeeper – Brynley Wilcox**2020-2021 SNOW & ICE AGREEMENT:**

- \$20,215.39 was received from the County
 - Plow Dates: 02/01/21 – 02/15/21
- \$15,883.52 was received from the County
 - Plow Dates: 02/16/21 – 02/27/21
- 2021 YTD: \$ 99,990.20
- BUDGET: \$ 120,000.00

FRANCHISE FEES:

- \$3,067.86 was received from Charter Communications
- Q4-2020 franchise fees

SEMA:

- \$7,287.03 was received from NYSDHSES
 - 12.5% State share of 2019 Halloween storm (Borden Rd.)

INSURANCE RECOVERY:

- \$197,500.00 was received from NYMIR
 - Truck #18 (2013 International) vehicle fire.
 - Town bought back the truck for \$1,633.33 from the insurance company, although the town was never billed for it.
 - \$12,000 was received from Town of Plymouth for the burned truck.

2020 AIM (additional):

- \$6,627.60 was received from NYS
 - 75% of the 20% that was withheld from the 2020 AIM payment.

2020 AUD:

The 2020 AUD was filed with the State on March 12th. There was one minor edit.

RESOLUTION 2021-50: Audit of Claims

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

Resolved that the bills contained on Abstract #4 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	90	<i>through</i>	114	\$17,315.72
General Fund B	No.	28	<i>through</i>	30	\$176.99
Highway Fund DB	No.	49	<i>through</i>	69	\$54,447.63
Street Lighting SL	No.	6	<i>through</i>	6	\$93.00
Prepays					\$2,982.21
TOTAL:					\$75,015.55

Town Clerk – Sue Reymers

Clerk Reymers shared that she didn't have a written report but shared that it has been a hectic week. With the warmer weather, the front desk is getting busier and fishing

season started. The town office has reopened to the public which is easier and noted how good it is to see constituents again. She also reported that she is working on a lot of different things including the grant to CNY Community Foundation which is later on the agenda.

RESOLUTION 2021-51: Approval of Minutes – 3/11/2021

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

Resolved that the minutes for March 11, 2021 be approved as submitted.

Codes Enforcement Officer – Mark Miller

March Activity

- Approved 3 new Building permits.
- Approved 3 Zoning Permit applications.
- Reviewed incoming site plan and paperwork for 1 special use permit amendment (Heritage Barn).
 - Heritage Barn would like to expand the scope of their operations to include outdoor wedding ceremonies and outdoor events.
- Attended meeting with Planning Board and Town's attorney.
- Conducted 10 construction inspections.
- Followed up on property maintenance violations.
 - Mr. Sacco owner of 1523 Gorton Rd. called in response to order to remedy, he expressed desire to bring the property into compliance.
- Reviewed expansion plan for White Eagle Sand and Stone, reviewed historic file.
 - The mining operation is a nonconforming use that was "grandfathered" in when the current zoning law was adopted. After consultation with the Town's attorney and our zoning law the mining operation will need to get a special use permit to be in compliance with our zoning. According to our current zoning when a nonconforming use is expanded beyond the original scope it triggers the need for a special use permit.
- Attended Planning Board meeting.
- Attended zoning update committee meeting.
- Attended webinar on NYS stretch code.
- Met with contractors and homeowners to discuss potential projects.

Permit #	Date	Owner's Name	Location of Project	Description of Work	Permit Fee
2021-6	3/8/21	Brandon Gerhardt	8134 Green Rd	10'x16' prefab shed	\$140
2021-7	2/18/21	2089 Spring ST, LLC	7590 Bonney Hill Rd	12'x48' deck	\$160
2021-8	2/29/21	Judy/Steve Stebulis	7325 Mason Rd	New bathroom	\$127.50

Supervisor Shwartz expanded on Mark's report. She reiterated that pertaining to a property maintenance violation that the owner, Mr. Sacco has stated that he's intending to bring the property into compliance. We had hoped to hear from him again before this meeting tonight, but he does seem to he did indicate that he wants to meet with Mark and go around the property and understand what needs to be done to clean it up.

Ms. Shwartz also expanded on the White Eagle Sand and Stone where the DEC sent notice to the town regarding SEQRA. The gravel mine is seeking to expand by almost 10 acres which includes expanding into a second tax parcel. The town attorney was contacted because in the past, the town board become involved and announced that the gravel mine was grandfathered in, which wasn't exactly the most 'by the book' interpretation. The attorney assures us that a special use permit is necessary because the gravel mine is a non-conforming use because it doesn't have a special use permit and is supposed to have one under the town's laws. This would be an expansion of an existing non-conforming use, which is it's very clear that you need a special use permit for that. The town will be sending a letter next week, acknowledging that the DEC is going to be lead agency. The Planning Board will be conducting a simultaneous review with the DEC, which has jurisdiction over a lot of the aspects of it. It will be a surprise to the owners, because in the past they haven't had to get a special use permit.

Next, Supervisor Shwartz asked if the everyone received the NYS Stretch Code memo from Mark. She described the option that the town could adopt this for points in the Clean Energy Round 2 program and qualify us for a \$5,000 grant. NYS will eventually adopt this level of code. Chris Rossi explained the 2nd Round of the Clean Energy Program. It was agreed that the board needed more time to review the proposed code. Chris will ask John Pumilio a few questions regarding the program.

COMMITTEE REPORTS:

SOMAC

Mr. Darby did not have any updates since they have not met yet this month, however he did share that a Madison Ambulance paramedic was arrested for stealing money. They lost other staff as well which has resulted in an increase of calls from the Madison area for SOMAC. There is an exploration of having SOMAC take on the certificate of need for that area. Supervisor Shwartz jumped in that the issue of not having enough paramedics is a continual trend. It could lead to regionalization. There was additional conversation about ambulance services across our region.

Partnership for Community Development

Ms. Dinski reported that the board meetings have changed to bi-monthly. She shared the latest happenings with the small business fund. Restaurants seem to be doing ok, but the brick and mortar is struggling. A coupon book is being considered to generate business. There was some discussion. Supervisor Shwartz shared that the state budget

shows authorization for existing SAM grants. The town hall has SAM grants. There will be more to report next month.

Recreation and Youth Committee – Nothing to report.

Zoning Update Committee – Already reported on.

SPECIAL PROJECTS:

Hamilton Climate Preparedness Working Group – Already reported on.

Earlville for Earlville

Clerk Reymers reported that we received the final plans from Design Connect for the park which includes a skate park, playground, and walking trail. Colored copies of the plans, as well as Jessica Graybill's class study of the Village were printed and will be dropped off to the Village of Earlville for the trustees to review at their meeting next week. We also learned that the Village received a bequest from Laura and Dan Piliero, residents who both passed away last year from COVID, which is to be used for the skate park improvements. Their sons are working with a couple of trustees. Supervisor Shwartz stated that with Jen returning from maternity leave, she can reconnect with the Village. There are new trustees so they need to get on the same page. She will be reaching out to the Mayor soon. Discussion turned to shared services with the town and Village of Earlville. Ms. Shwartz felt that some of the roads were in rough shape. Mr. Dowsland shared that the Village reached out to him the other day regarding the tractor pull. Ms. Taylor said that Billy Excel has a plan for West Main Street and that Jack should know about it. Clerk Reymers asked about the American Rescue Plan and distribution to both villages? Ms. Shwartz confirmed. The Supervisor asked that the highway committee continue to talk about how to assist Earlville.

9 Mile Swamp Access Property

Ms. Shwartz updated to the board that the Palmers have decided not to lease the land for farming after all. There was a meeting of the committee with Jennifer from PCD to talk about the land and improving the safety and access as well as a potential park. Jennifer will contact Soil and Water to see if they can design a parking area as well as a landscape architect to see what it would cost. There is nothing in the budget, but the COVID funding does include recreation. Jennifer thought there is other funding available such as Gorman and CNYCF. Additionally, Jennifer will contact SHPO because the previous owner stated that there is a native American long house on the site.

OLD BUSINESS:

Town Office Building

Warranty Claim - Supervisor Shwartz updated the board that we contacted the contractor REA about several issues under our one-year warranty with the biggest one

being the windows. A blower door test was done in March and the building is tight but the windows were leaking per infrared images. Mr. Darby said that a rep from Erie materials came out and he is having a rep from Anderson windows come out. Mr. Darby believes it might be a pressure imbalance and explains the theory and talked to Scott Larchar about it. The colder days show more differential. The investigation continues. Ms. Shwartz said there were problems with the sheetrock in Mark's office and the staff bathroom. That was fixed. There are also problems with the doors, yet to be done. She needs to let John Langey know about these issues.

CFCNY Grant - Sue and Mary worked on an application for a grant in the amount of \$19,700 to the Community Foundation for the meeting room furniture, technology, and installation of the tech.

Landscaping - Shari is meeting with Beth DuBois on April 13 to discuss landscaping.

State grants – already reported on. Ms. Shwartz also talked to Sen. May's office that after the budget that their office could get grants moving again.

Grand Opening – Ms. Shwartz wants to do a grand opening. Mary said that in the CF grant, we put in the calendar an opening in October, which could be just for the Community Meeting Room but it might make sense to do it then between the grant timeline and COVID. We should have the room ready for the opening. Ms. Dinski also mentioned that in the grant we committed to 3 educational programs in the first year at the town office. October is our tentative timeframe to do this.

NEW BUSINESS:

- American Rescue Plan – already discussed.
- NY Stretch Code – already discussed.

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities: Supervisor gave a brief report on sales tax, which is up in this first quarter. She also reported on the status of the county providing vaccinations – too many vaccines and not enough people getting vaccinated. They will work on a PR campaign. Tenney visited the hospital, and she is considering how to help to promote it. Some are just hesitant; cases have increased recently.

With no further business, on a motion of Councilmember Darby, seconded by Councilmember Dinski, the meeting was adjourned at 8:19 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, Town Clerk