

Hamilton Town Council Regular Board Meeting Minutes
Thursday, February 8, 2024, at 7:00 p.m.
Town Hall 38 Milford Street, Hamilton & Via Zoom Videoconferencing

Council Present: Eve Ann Shwartz, Darrell Griff, Dana Krueger, Travis DuBois, Ian Helfant. Personnel Present: Sue Reymers, Town Clerk; Brynley Wilcox, Bookkeeper; Luke Dowsland, Highway Superintendent.

Public In-Person: Donald Haight, Town Justice

Public Via Zoom: Jim Leach; Deb Hotaling

Call to order & Welcome: The meeting was called to order at 7:01 p.m.

Public Comment: None.

Town Justice Annual Report (ATTACHMENT A)

Justice Donald Haight reviewed his yearly report. Highlights include noting that both the Village of Hamilton Police and State Troopers are undermanned, and that Judge Haight secured a \$30,000 grant to improve the Court House.

Historian Annual Report

Annual Report for Village of Hamilton's Historian - 2023 by Jack Loop Village Historian

Requests:

- | | |
|--------------------|----|
| • Houses | 15 |
| • Businesses | 14 |
| • Colgate Alums | 2 |
| • People | 11 |
| • Hamilton History | 8 |
| • Colgate | 2 |
| • Genealogy | 3 |

DEPARTMENT REPORTS:

Highway Superintendent – Luke Dowsland

GENERAL REPAIRS:

- Ditched and lined ditches with small stone fill on Wratten Rd.

EQUIPMENT:

- Re-grooved the steer tires on 16 and 18.
- Mid-State Communications installed a radio in 24.
- Replaced a grease line on 17.
- Fixed a leaking brine tank on 18.

TREE REMOVAL:

- Cut trees and chipped brush on Wratten, Borden, Smith, Payne, Hill, Alderman, and Harris

SNOW REMOVAL:

- Cleaned out the old salt shed to make room for special salt for brine making called solar salt. This is a more refined salt with fewer impurities in it allowing us

to get 100% of the salt to dissolve into the water and not get trapped in the left over silt.

- Plowed and sanded 8 times and sanded twice. Used about 12,000 gallons of brine and 240 yards of sand salt mix.

OTHER:

- The speed signs have been ordered and received. We are devising a solution to making them mobile, sturdy, and secure all in one.
 - UPDATE: Solution-found 3x4 trailers from Harbor Freight.
- The highway committee interviewed 5 firms for the garage project. It was a long informative day. We have come to the conclusion that we need an addendum for the RFP for the first phase of the project. A capital plan, site plan and all the technical info regarding the site (soil borings, well and septic evaluation, site survey ext.) and some simple renderings. This will allow us time to secure funding and community support.
- The radiant tube heaters are installed and functioning in the back bay. Broedel still has yet to complete the front one.
- Intern: They have an intern from Hamilton School.
- Green Waste Week: They plan to offer a green waste pick-up week in April.

Supervisor/Bookkeeper – Brynley Wilcox

2023-2024 SNOW & ICE AGREEMENT:

- \$8,126.54 was received from the County
 - Plow Dates: 12/15/23 – 12/31/23
- 2024 YTD: \$ 8,126.54
- *Pending:* \$ 36,881.98
- *BUDGET:* \$ 120,000.00

GOOD NATURE BREWERY PILOT:

- \$2,346.23 was received from GNB

COLGATE GIFT:

- \$91,379.00 was received from Colgate University
 - 3% increase over 2023 donation of \$88,717

SALES TAX REVENUE:

- \$165,525.60 was received from the County
 - Q4-2023 distribution
 - 16.9% over Q4-2022 distribution (\$141,628.20)
- YTD: \$165,525.60
- *Budget:* \$ 550,000.00

2023 AFR:

- The 2023 AFR is pending due to account access
- A draft should be ready by the March 2024 meeting
- Due to the State by April 1st, 2024

END OF YEAR REQUIREMENTS:

- W-2s were available via WorkForce on January 22nd
 - Let me know if you'd like a hard copy
- 1099s were e-filed (a new requirement) with the IRS on January 24th

RESOLUTION NEEDED:

- Resolved that the bills contained on Abstract #2 have been reviewed by the Town Board and are authorized for payment
 - Councilmember KRUEGER to sign vouchers
 - Councilmember DUBOIS to sign vouchers in MARCH
- Annual donations/payments to the following:

○ American Legion – Earlville	450.00
○ American Legion – Hamilton	450.00
○ Colgate University – HCPWG	500.00
○ Earlville Library	2,000.00
○ Earlville Food Cupboard	1,000.00
○ Hamilton Food Cupboard	2,000.00
○ Hamilton Senior Citizens	2,000.00
○ Hubbardsville Fire District	138,813.00
○ Jack Loop – Town Historian	380.00
○ Partnership for Community Development (PCD)	37,885.00
○ The Bell Tree	1,000.00
○ Town of Brookfield – radio tower usage	500.00
○ Village of Earlville – Fire Protection Contract	24,702.00
○ Village of Hamilton – Fire Protection Contract	85,512.00
○ Village of Hamilton – Concerts on the Green	500.00
	\$297,692.00

RESOLUTION 2024-22: Audit of Claims

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

Resolved that the bills contained on Abstract #2 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	19	<i>through</i>	52	36,062.54
General Fund B	No.	2	<i>through</i>	14	47,064.65
Highway Fund DB	No.	9	<i>through</i>	27	49,344.47
Lighting Districts	No.	3	<i>through</i>	4	530.62
Street Fire	No.	1	<i>through</i>	3	249,027.00
Prepays					276.10
TOTAL:					382,305.38

Town Clerk – Sue Reymers

Clerk's Office:

- January cash disbursements (month end) completed.

Technology: Taking care of the town's technology takes up a lot of my time every week.

1. COPIER: Usherwood delivered the new copier. Lebanon picked up the old one on 2/7.
2. Phones: Codes and Assessor are still not getting their voicemails emailed to them.

3. Computers: New computers coming 2/14.
4. Fax: needed to update the Fax Account via Mad Co IT for Esker with the new .gov emails.
5. Fire Alarm System: I updated our list of contacts for the fire alarm at 38 Milford. I will check in with them every January to ensure that it is always up to date. I have 4 contacts on the list. 1-Luke, 2-Sue, 3-Eve Ann, 4-Dana.

Short-Term Rentals:

- Spoke with someone who was going to apply for a permit but is now realizing the 30-day limit will not work out financially.

Annual Insurance Renewal Application:

- Eve Ann and I are meeting with NBT-MANG on February 13. We have to decide what cyber security insurance to go with.

Records Request:

- I sent the materials to the Attorney General for the Marshall properties. We are now receiving many requests for the tax payment status on those properties.

DCO Training:

- On March 7, I am hosting a Madison County DCO training in collaboration with Wanderers Rest Humane Association. NYS Ag & Markets will be there. Discussion will include helping the DCOs know whether a dog is in their town when picking it up because it can get confusing near the town borders. It can present issues at the Shelter and then at the Towns when we get our paperwork. Another topic is if the towns in southern part of the County if we can secure a place for the DCO to keep the dog for 24 hours when the Shelter is too full to accept a dog (which can happen often, and they need a day to arrange for an open dog run) or in the case of it being in the middle of the night or very poor weather conditions. I am hoping The Village of Sherburne is possibly developing a solution and I hope they will allow us to use it via Shared Services. Waiting to hear if and when it happens.

Codes Enforcement Officer – Chuck Ladd

January Activity

- Unfortunately out sick until 1-16-2024
- Conduct 7 inspections.
- Drive after inspections and look for any new Complaint/violation/permits needed.
- Send out Attorney approved Compliance letter to Owner of 1014 Earlville rd. (1014 Properties, LLC)
- Email and phone correspondence.

The Board discussed the Hoose Road complaint including utilizing the Right to Farm Law and the dispute resolution portion of the law. Supervisor Shwartz will talk to the town attorney about it.

COMMITTEE & LIAISON REPORTS:**9 Mile Park Committee**

Supervisor Shwartz reported that the committee has not met. The Town is waiting for the culmination of the legal proceedings. There is a hearing before the judge scheduled for next week. When it's completed a tally will be made of all the legal expenses.

Cemetery Committee

Dana Krueger reported that she and Travis met with Sue to talk about Poolville's request. They requested a few things regarding their grounds. Travis spoke with Luke about it. Travis reached out to Burgess and Tedesco (B & T) about procedures that are in the place at the cemetery like how they deal with things, who does the digging, who pays for the digging and how are other cemeteries handling it. Travis reported that they got a schedule of fees from all the various cemeteries in the CNY area. There is a wide discrepancy in fees and there is an opportunity for Poolville to raise their fees as B & T recommended that. Clerk Reymers clarified the status of the board since the January meeting and made recommendations to Mr. Tackabury to meet soon. B & T did say that they could do the digging for Poolville. There is an opportunity for them to get help to make it easier to manage.

RESOLUTION 2024-23: Authorization for Highway Assistance with Poolville Cemetery

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

Resolved that the Highway Department be authorized to assist the Poolville Cemetery with the following: One-day clean-up along fence; allow the Cemetery to bring their trash to the Highway Garage and use the Town's dumpster; haul and deliver topsoil.

Dana continued that Travis and Dana went to the Hamilton Cemetery and noted that it has the same issues. It needs to be cleaned out, headstones in the front row are not visible due to bramble, many are broken. Dana will research funding opportunities. Clerk Reymers shared that Poolville Cemetery received a grant from NYS to fix some of their headstones. That funding stream is for private cemetery associations only. When cemeteries are handed over to the municipalities, at that stage NYS will fund some things. The committee will focus on Poolville Cemetery first.

Hamilton Climate Preparedness Working Group (HCPWG) Liaison

Ian Helfant reported that Chris Henke stepped down as Chair; Ian and Chris Rossi are now Co-Chairs. The group talked about potential grants. Brief discussion. Clerk Reymers was able to add the Home Energy Information on the HCPWG webpage on the Town's website but discovered that the website structure is messed up and needs fixing. It also links to the HCPWG website.

Highway Committee

Already reported on.

Partnership for Community Development Liaison

Dana Krueger reported that the HUB is in its new location. The Economic Development Summit went well. Gillibrand's office supplied a video Keynote Address. There will be a road show with the HUB and Rural Equity Group that will visit 10 libraries to promote resources. It includes the HUB and different partners including the new Wise Women's Business center from Syracuse. There is a creative co-opts partnership with Colgate and Arts at the Palace which is going well. Pop-ups are suspended. Report on the various grants that PCD is managing. Of note is the Restore NY grant for the old school in Earlville for housing. Melissa Davis is leaving for Deputy for Empire State Development for CNY Region.

SOMAC Liaison

Travis DuBois reported from the last meeting: the lease has not been signed yet; dissolution documents were reviewed and edited; there were 2 power lift structures and 2 stair climbers (Stryker Brand) that went to Madison County from SOMAC. The county contacted Stryker for an annual inspection and Stryker would not work on them because they had no maintenance records up to this point. Dan Degear met with SOMAC that it's \$70,000 to replace the 2 power structures. Madison County did not have that in the budget. Dan asked that since SOMAC still has cash, could they purchase those as part of the dissolution and give them back to Madison County. SOMAC voted to do so. Supervisor Shwartz stated that this process is a court order dissolution which goes faster than the AG's office. The original language of the dissolution was negative towards the Town but changed due to Travis' defense.

Village of Earlville Liaison - Darrell Griff reported that he will be at their next meeting.

Village of Hamilton Liaison - Ian Helfant reported that he will be at their next meeting.

Supervisor's Report: Madison County Activities

Supervisor Shwartz reported that there is a new County Chair John Pinard. She is the new Chair of the Planning Committee and Vice-Chair of the Solid Waste Committee. Melissa During, Lincoln is the first female Vice-Chair of the County. AS for Solid Waste they are bringing back Cornerstone Consulting Company for feasibility of the county continuing to manage the landfill and breaking even as well as being ready to deal with environmental issues coming down the pipe. Brief discussion on the landfill. All of the existing EMS services except for a couple of them on the outside of the county was given a contract and received their share of the \$1.2 million dollars that was added to the budget last year to fund and support existing EMS services. SOMAC's portion will fund Madison County's services for the Towns of Lebanon and Hamilton.

SPECIAL PROJECTS:**Housing Project: Restore NY Grant**

Supervisor Shwartz shared that they are working on the MWBE requirements. The goal is 30%. Jocelyn is working well with Restore NY. It's moving along. Eve Ann spoke with Rochelle Harris, Assessor, and the Town of Hamilton houses went up 15% in 2023, highest in the whole county. The Town may need to do annual revals.

NYSERDA Grant for Clean Energy Program - \$10,000

Sue reported that NYSEG received all the documents from us, and we are waiting to hear back from them. She submitted the Task 1 Workbook and related materials to NYSERDA today. Once they approve the submission, the town can ask for \$2,500 reimbursement.

Zoning Update

Eve Ann reported that she and Sue met in the beginning of January. Nan Stolzenburg sent back the Zoning Law with the elements of the Short-Term Rental Law on January 26. It needs review. The noise law was sent to the town attorney on December 28 with additional questions for her. No response yet.

OLD BUSINESS:

Resolution to apply for a Municipal Certificate of Need (CON) for Ambulance Services within the Town of Hamilton - Pending.

Assessor Trainee Position - Nothing to report.

NEW BUSINESS:

Resolution Designating Polling Places for the Town of Hamilton - Due March 15

RESOLUTION 2024-24: Approval of Designated Polling Places

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

Resolved that the polling locations for the Town of Hamilton 4 District be as follows:

- District #1 & #2 will be at the Hamilton Public Library, 13 Broad Street
- District #3 will be at the Village of Earlville Clerk's Office, 8 North Main Street
- District #4 will be at the Poolville Community Center, 7484 Willey Road.

Senior Exemptions Local Law

Eve Ann gave an overview of the potential law. NYS loosened up the senior exemption law so more can get the exemptions by omitting things like their Roth IRA which is often used as income. The Assessor does not think that it's fair as the intent of the exemption is for low-income property owners and to protect them from tax increases. The Towns can opt out, but Eve Ann needs to read more and then talk to the attorney.

Concerns of Town Board: None.

With no further business, on a motion of Councilmember Griff, seconded by Councilmember Krueger, the meeting was adjourned at 8:54 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers
RMC, Town Clerk

ATTACHMENT A – 3 pages**TOWN OF HAMILTON
JUSTICE COURT
60 Montgomery St.
Hamilton, NY 13346****PH: (315) 824-3508
FAX: (315) 824-5604****DONALD W. HAIGHT
Town Justice**

January 17, 2024

**TOWN OF HAMILTON COURT
2023 ANNUAL REPORT**

The Court had a very different type of year in 2023, because we have the Bail Reform law. The District Attorney's Office has a Traffic Diversion program. This program reduced the number of Traffic tickets the Court handles and also the amount of money from fines. Therefore, the monetary amounts and number of cases will look very different from previous years.

The total number of cases that the Court handled in 2023 was 185. The total revenue received by the Court was \$13,345.00.

Under the Traffic Diversion Program, the defendants can deal directly with the District Attorney's Office and bypass the Court. The District Attorney's Office collects a fee for this program. The Court does not know how much is collected as this money is sent directly to the Town. It is the understanding of this Court that the Town receives 33% of money collected by the District Attorney. The District Attorney's Office then notifies the Court to dismiss the traffic ticket in the interest of justice.

The State passed a law mandating that the Courts could not suspend a license due to failure to pay the fine.

Madison County began the Centralized Arraignment Program in which Judge Haight participates.

Sincerely,

A handwritten signature in black ink that reads "Donald W. Haight". The signature is fluid and cursive.

**Donald W. Haight
Town Justice**

Enclosure: 2023 Financial Breakdown of Annual Report

OFFICE HOURS: MONDAYS – 9:00 AM – 7:00 PM • TUESDAY – WEDNESDAY – 9:00 AM – 3:00 PM

TOWN OF HAMILTON COURT
2023 ANNUAL REPORT BREAKDOWN

Vehicle and Traffic	Cases	Amount
Speed	15	\$2,669.00
Seat Belt	1	\$ 141.50
Cell Phone	0	\$ 0.00
Stop Sign	1	\$ 218.00
AUO & Unlic Opr	7	\$1,384.00
False License	0	\$ 0.00
DWI	0	\$ 0.00
Misc. V&T (Red Light, Exp. Insp. Pass School Bus, etc.)	38	\$ 4,994.00
Dismissed/Covered	95	
ABC Violations	0	\$ 0.00
Penal Law (Petit Larceny, Trespass, Disorderly Conduct, Committing an Offensive Act, Assault, Harassment, Bad Checks, Crim. Mischief)	5	\$ 350.00
Defendants Granted Probation, Adjournment in Contemplation of Dismissal, Cond. Discharge, Community Service or Jail Sentence	5	
Environmental/Conservation Laws	14	\$ 3,422.50
Civil/Small Claims	1	\$ 20.00
New This Year		
Poundage 3% From Bails	1	\$ 6.00
License Suspension Reinstatement Fees	2	\$ 140.00
TOTAL	185	\$ 13,345 .00

TOWN COURT ANNUAL REPORT BREAKDOWN
Jan.-Dec. 2023

	State	County	Town	Total
Jan.	\$1,611.00	\$0	\$ 363.50	\$ 1,974.50
Feb.	\$ 2,496.00	\$0	\$ 692.50	\$ 3,188.50
Mar.	\$1,341.00	\$-10	\$ 470.00	\$ 1,801.00
Apr.	\$627.00	\$0	\$290.00	\$ 917.00
May	\$ 900.00	\$0	\$ 355.00	\$ 1,255.00
Jun.	\$ 634.00	\$-10	\$ 290.00	\$ 914.00
Jul.	\$ 360.00	\$0	\$ 130.00	\$ 490.00
Aug.	\$-21.00	\$0	\$ 320.00	\$ 299.00
Sep.	\$533.00	\$0	\$ 845.00	\$ 1,378.00
Oct.	\$404.00	\$2.00	\$ 354.00	\$ 760.00
Nov.	\$88.00	\$0	\$ 75.00	\$ 163.00
Dec.	\$75.00	\$0	\$130.00	\$ 205.00
			Total	\$13,345.00