

**Hamilton Town Council Regular Meeting Minutes and
2023 Budget Public Hearing & Fire Contract Public Hearings
Thursday, November 10, 2022, at 6:30 p.m.
Via Town of Hamilton, 38 Milford & Zoom Videoconferencing**

Council Present: Eve Ann Shwartz-Supervisor, Shari Taylor (via Zoom), Travis DuBois, Darrell Griff, Dana Krueger. Staff Present: Sue Reymers, Town Clerk; Luke Dowsland, Highway Superintendent. Public: Jim Leach (via Zoom), Chris Rossi, Deb Hotaling.

Call to order & Welcome: The meeting was called to order at 6:32 p.m.

Public Comments: None

2023 PRELIMINARY BUDGET AND FIRE PROTECTION CONTRACTS PUBLIC HEARINGS

Town Clerk Report: Legal Notices for Budget Public Hearing and Fire Contracts were posted in the following: Utica Observer Dispatch, Town Website, and Bulletin Board

Exemption Report: Received from Assessor and on file.

**VILLAGE OF EARLVILLE FIRE PROTECTION CONTRACT PUBLIC HEARING
(\$23,367)**

RESOLUTION 2022-103: Open the public hearing

On a motion of Councilmember Krueger, seconded by Councilmember DuBois, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be opened at 6:35 p.m.

Supervisor Shwartz asked three times if anyone wanted to speak. No one spoke.

RESOLUTION 2022-104: Close the public hearing

On a motion of Councilmember DuBois, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the public hearing be closed at 6:36 p.m.

RESOLUTION 2022-105: Approval of Fire Protection Contract for Village of Earlville

On a motion of Councilmember Krueger, seconded by Councilmember DuBois, the following was: ADOPTED: Ayes: 5, Nays: 0
Resolved that the Fire Protection Contract for the Village of Earlville be approved in the amount of \$23,367.

VILLAGE OF HAMILTON FIRE PROTECTION CONTRACT PUBLIC HEARING (\$97,213)**RESOLUTION 2022-106: Open the public hearing**

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

Resolved that the public hearing be opened at 6:37 p.m.

Supervisor Shwartz asked three times if anyone wanted to speak. No one spoke.

Council members briefly discussed the significant increase which was due to overhead expenses. In the future, the town board would like more information about their budget.

RESOLUTION 2022-107: Close the public hearing

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

Resolved that the public hearing be closed at 6:40 p.m.

RESOLUTION 2022-108: Approval of Fire Protection Contract for Village of Hamilton

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

Resolved that the Fire Protection Contract for the Village of Hamilton be approved in the amount of \$97,213.

2023 PRELIMINARY BUDGET PUBLIC HEARING**RESOLUTION 2022-109: Open the Budget Public Hearing**

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

Resolved that the public hearing be opened at 6:41 p.m.

Supervisor Shwartz reviewed the Budget Talking Points:

FUND BALANCE PROJECTS:***\$40,775 – TO COVER FOUR (4) ONE-TIME PROJECTS***

- Dog Control Contractual – A3510.4
 - \$3,500 for Dog Enumeration
- Assessor Contractual, Revaluation – A1355.41
 - \$4,000 for one-time bonus to Assessor for revaluation
- Zoning Law Review – B8010.42
 - \$12,000 for Zoning Law codification
- Bridges Contractual – DA5120.4
 - \$21,275 for Williams Road bridge project

RESERVES:***\$313,660 – TO COME FROM RESERVES***

- Ambulance Contractual – A4540.4
 - \$57,000 to come from SOMAC Reserve
 - \$73,612 to come from ARPA Funds Reserve
- Machinery, Equipment – DB5130.2
 - \$183,048 to come from Equipment Reserve

CHANGES IN THE 2023 BUDGET:**REVENUE:**

- *INCREASES IN REVENUE:*
 - \$500,000 in Sales Tax Revenue
 - (Increase of 5.26% over 2022)

EXPENDITURES:

- *DECREASES IN EXPENDITURES:*
 - 6.5% workers' comp insurance
- *INCREASES IN EXPENDITURES:*
 - 45.8% fuel bid price per gallon
 - 21.5% Hamilton Fire protection (not in town budget but impacts tax cap)
 - 20.4% NYS retirement
 - 20.3% Town's portion of SOMAC operating deficit
 - 17.5% Earlville Fire protection (not in town budget but impacts tax cap)
 - 6.7% health insurance
 - 7.3% adjustment to Highway Superintendent
 - 4.1% adjustment to FT Highway employees
 - 4.0% increase for most other employees

Supervisor Shwartz asked three times if anyone wanted to speak. No one spoke.

RESOLUTION 2022-110: Close the Budget Public Hearing

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

Resolved that the public hearing be closed at 6:55 p.m.

RESOLUTION 2022-111: Adoption of the 2023 Town Budget

On a motion of Councilmember Taylor, seconded by Councilmember Krueger, the following resolution was:

ADOPTED: Ayes: 5 (Taylor, DuBois, Griff, Krueger, Shwartz)

Nays: 0

Resolved that the 2023 Budget be adopted. (ATTACHED.)

REGULAR BOARD MEETING AGENDA:

DEPARTMENT REPORTS:

Highway Superintendent

GENERAL REPAIRS:

- Finished up the 2-month boom mower rental. We completely finished the Hamilton run, South Hamilton run and almost all of the Earlville run.
- Chipped brush all around town behind the boom mower.
- Ditched on Humphrey.
- Rebuilt the Kiley Rd at Poolville Rd intersection.
- Started sucking leaves.
- Patched various roads around town.

EQUIPMENT:

- Replaced an EGR valve on 15. This is a \$7,000 job at Stadium that we did ourselves for \$2,600.
- Fixed 4 air leaks on 15 to get it to pass inspection.
- Had to fix the leaf box a couple times. The new leaf vac is blowing it apart because it has so much more power than the old one.

TREE REMOVAL:

- Brent Harris cleaned the dead limbs out of three trees on Spring St.
- Brent also cut a tree down on Spring St.
- Brent climbed and cut 2 trees down in the Poolville Cemetery.

SNOW REMOVAL:

- Hauled in another 1,000 ton of sand.
- Cleaned out both salt brine storage tanks.
- Rebuilt the Humphrey Rd and Noble Rd turn arounds.
- Started putting plow frames on.

CHIPS

- Put shoulders on Williams Rd.
- Completed the reimbursement paperwork with Brynley.

OTHER:

- Helped the County put shoulders on in Brookfield for four days.
- The Village of Cazenovia borrowed 24 with the leaf box for a day due to their truck being down.
- Shined up 18 for Tenco/Steel Sales to show off at the Highway Expo in Syracuse.
- Mike spent 30ish hours working on SOMAC Ambulance #513.
- The old loader was paid for and picked up. The new loader will be showing up Wednesday the 9th.
- Met with Jocelyn and the park committee.

Also, the old loader sold for \$213,000 and the new loader costs \$213,100 with a net cost of \$129.

Supervisor/Bookkeeper**SALES TAX REVENUE:**

- \$156,863.99 was received from the County
 - Q3-2022 distribution
 - 7.55% over Q3-2021 distribution (\$145,853.66)
- YTD: \$553,921.57 (\$78,921.57 over budget)
- Budgeted: \$475,000.00

HOST COMMUNITY BENEFIT:

- \$38,214.00 was received from the County
 - Yellow Brick Road Casino revenue
 - 0.93% under 2021 distribution (\$38,573)

2023 BUDGET PROCESS:

- Budget workshop was Wednesday, November 2nd
- Tentative budget was moved to the Preliminary Budget
- Preliminary Budget hearing will be at 6:30pm on Thursday, November 10th

PERSONNEL MANUAL:

- A 79-page draft of the handbook was received from Public Sector HR Consultants
 - Department Heads to review in September
 - Changes will be given to Public Sector (10/14)
 - *Board review during October & November (Draft emailed on 10/26)*
 - Adopt at December meeting and distribute to all employees
 - Effective January 1, 2023

RESOLUTION 2022-112: Audit of Claims

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

Resolved that the bills contained on Abstract #11 have been reviewed by the Town Council and are authorized for payment in the following amounts:

FUND		VOUCHER NO.		AMOUNT TO PAY:
Pre-Pays		N/ A		6,154.06
A	294	through	328	32,352.25
B	64	through	64	146.82
DB	149	through	163	24,787.14
SL	19	through	20	254.64
total				57,540.85

2021 Audit: Board decided to review audit at the December meeting when the Bookkeeper would be able to attend.

Town Clerk**CLERK'S OFFICE:**

- The month end for October has been completed.
- Filed two local laws with NYSDOS post October 13 meeting.
- Got caught up with minutes. All are now on the website (up to 11/2).
- Worked on website – routine posting and updated hours.

SPECIAL PROJECTS AND ZONING, ETC.

- Working on SAM Grant.
- Attended 9 Mile meetings.
- Worked on Clean Energy Program – see other report.
- Attended Short Term Rentals Webinar with Darrell and Shari – 10-27-2022
- Attended First Amendment Audit Webinar – 10-19-2022.
 - *Waiting for the sample policy to send to Town Council to consider.*
- Reviewed post attorney version of the proposed Zoning Law with Eve Ann.
- Worked on Smart Growth maps with Madison County Planning to get them finalized.

TECH:

- **BAS CLERK SOFTWARE:** Working with BAS to make some changes to the program, such as letters, to better meet our needs and increase our efficiency. Due to my experience with working with databases and merging data into forms and letters, they gave me the list of codes which they don't give out to Clerks.
- **BAS IPS:** Managed some issues with attachments; setting up new CEO; training for new CEO; quotes for mobile software.

CODES OFFICER:

- We welcomed Chuck Ladd on October 17. He has quickly been reviewing the files and going into the field for inspections and to meet with property owners. He started tutorials on the IPS Software. We are arranging for a demo of their mobile app and will come to the board with a proposal once we understand what the app offers along with costs for the software and hardware. Things are going well.

RESOLUTION 2022-113: Approval of Minutes for 9/8/22, 10/5/22, 10/13/22, 11/2/2022

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

Resolved that the minutes from be approved for the following dates:

September 8, 2022, October 5, 2022, October 13, 2022, November 2, 2022.

Codes Enforcement Officer**Report from Chuck Ladd for OCTOBER 2022:**

- 10-17-22 First day. Orientation + familiarize with office etc. 9 am- 4pm
- 10-18-22 Set up voicemail, email + general desk duties. 9 am-4 pm
- 10-24-22 Office work(emails, phone messages etc). Violation investigations. 9 am-2pm

- 10-25-22 Scott Ogden deck footing inspection. Don Dubois generator final inspection. Office work and file reviews. 10 am-3pm
- 10-31-22 IPS software education. Tech support calls for set up account. Brian Marks foundation inspection. Office work and Property owner correspondence 9 am-3:30 pm
- 11-1-22 IPS software review, File reviews, Meet with Jordan Ashcraft for introduction and job site inspection. Office work and Property owner correspondence.

COMMITTEE REPORTS:

Cemetery Committee

Mr. Griff mentioned that someone wanted to buy the Poolville Cemetery. (It was a form letter.) Supervisor Shwartz said that she thinks that we need to give more support to the local cemeteries because the board members are aging. Darrell agreed that there is not enough people stepping up to volunteer and the older ones feel a responsibility to stay on and it takes its toll in some places. Eve Ann hopes that the Cemetery Committee can meet now that the budget process is done to brainstorm ideas on how the town can support the members and help them find new members as well as organize their records. Clerk Reymers said that she had arranged her Deputy Clerk to index the birth, death, and marriage records on excel in her first year as clerk. It's not difficult but takes some time. There was a discussion about securing an intern. Dana will check with Syracuse University on their intern program. Darrell thinks that having their records in order will help secure volunteers because it won't be so daunting. Deb Hotaling is involved with the Graham Cemetery, they are doing well and have a couple of new people that have stepped up. They have looked for programs in the past but have not found anything applicable. The way they categorized some things was by internment date, not death date, so there are confusing records from the past. Dana wondered if all cemeteries are struggling with the same thing if there could be a workshop for all of them. Sue has a tickler file on software options and can reach out to the clerk of the NYS town clerk or NYS Cemeteries or the Cemetery Association group which she follows on facebook. They just held a conference. Ms. Shwartz said the town could sponsor someone to go to a conference.

Darrell wondered if we could offer to put all of the cemeteries into a spreadsheet. Eve Ann was unsure. Sue stated that it can be step one and has used excel numerous times in the past, but it can be problematic because the data can become compromised. A good software database is better. Sue went on to say that each cemetery is supposed to file a burial permit after the person is buried with the Town Clerk's office, but she has not seen them in a while. I was receiving them when I first started. It's another thing to follow up on. A question arose about the Madison Street Cemetery that the Village of Hamilton has taken over. Sue mentioned that they have had numerous challenges. They took it over years ago before they knew they didn't have to. Discussion on jurisdiction

over abandoned cemeteries, which the town is responsible for per NYS. Goal is to have committee to meet and report by January meeting.

Highway Committee – Nothing to report.

Partnership for Community Development

Dana reported that the PCD has the Hamilton Gift Card program. They can be purchased via the website. They can be ecards or a physical card for a fee. There is a list of participating businesses on the website and businesses can still sign up for that. She will send the info via email to the board. There is a window decal too. It's Christmas season and there will be horse drawn carriage rides again. Sponsors are needed. Name goes on the side of the carriage. Late night shopping is coming up. Partner meeting was rescheduled for later this month.

PCD hired a new incubator person Melissa Davis, who was at the Cornell Cooperative Extension. She has a background in tourism and agri-tourism, she sees the bigger picture and has a lot of great ideas. She works with the IDA already.

SOMAC

Travis updated the board on the latest budget numbers. The Treasurer David Sturgis is stepping down from the board. With him leaving there are 3 vacancies on the board. Travis broached the subject of the Town becoming a voting member on the board. We were voting members before, then it was changed. The Town Board feels it's important to be voting members again. Student volunteers spoke at the SOMAC board meeting sharing that they are researching fly cars and their approach to ask Colgate for funding for it. Brief discussion. The SOMAC Board did discuss this, saying that is not the best time since the Town is approaching Colgate for funding as well. Travis also brought up the amount of time spent by Highway to repair Ambulance 13. There is a difference in opinion of replacing the old ambulance versus a new fly car. Brief discussion. Review of call volume for SOMAC.

Supervisor Shwartz shared with the board about the numerous meetings with Madison County about ambulance services. Meetings included area municipalities such as Lebanon, Madison Town and Village. There is no proposal yet to solve this issue which is present across the whole county, but the meetings are continuing to take place.

Policy Update Committee – Nothing more to report.

SPECIAL PROJECTS

9 Mile Park

Eve Ann shared that the committee had a meeting. We are waiting for DEC to get back to us. We cannot excavate in the wetland. The Town also needs to go to the Town Planning Board because of the Zoning Law for a Special Use Permit. Also, we probably

need to pass a resolution subjective to permissive referendum, although we need the final word from the attorney. The resolution is to get permission from the town to actually create a fund. Again, waiting for the town attorney for final determination.

Clerk Reymers shared that Madison County Tourism reached out to us to ask about our Park for their promotion of area recreation.

SAM Grant Funding – the Committee is still working on the budget for the SAM grant and Jocelyn is talking with the Community Foundation of CNY to fund the ADA launch which is about \$48,000. Senator May assured Eve Ann that the grant can still go forward even though she is no longer our representative after 1/1. (State and Municipal Facilities Grant Program administered by the Dormitory Authority of the State of NY.)

After these details are worked out, we will go back to the community with an update.

Earlville for Earlville Project

Shari shared that the committee met in October and will meet again in November. The group is interested in getting a sidewalk installed to Dollar General as well as new Village signs with solar lighting.

Hamilton Climate Preparedness Working Group

Chris Rossi shared that the groups has not met in a while but meets soon.

Clerk Report on latest for the Clean Energy Program:

Sue recapped our application to NYSERDA Clean Energy Program where we secured a \$50,000 grant for the Garage Geothermal project. Now we are participating in the NYSERDA Clean Energy Communities Program Round 2 . On 10-27-2022 Amanda Mazzoni of CNYRPD worked with me to submit a new action item for the program: Clean Energy Upgrades for the garage geothermal project. Once approved it puts the town over the 3,000-point threshold which gives us a grant in the amount of \$10,000. The town will have about 3 months to apply for the funds. Sue reviewed the following:

What could the \$10,000 grant fund and what is required?

- There is an application and contract process.
- There is a list of pre-approved projects that obtain quick approval: EV Charging Station, Solar Installation, Building Upgrades, LED Street Lights
- Custom projects can take 6 + months to get approval.

Amanda and I discussed a few ideas including:

1. An EV Charging station at 9-mile park. Pros would be that NYSEG has funding via the Make Ready Program that pays for 90% of the installation costs and the NYSERDA grant can cover the remaining 10% and the Level 2 charging station. Cons are the timing since we would like not be ready for that kind of installation

and the timing of the grant application. Potential total cost could be \$15-20K depending on how much trenching would be needed to run the electric. NYSEG can provide a quote. Also need a participating installer.

2. EV Charging station at Village public parking by the Town Hall at 38 Milford Street. Pros: easy to install if Village approves.
3. Not discussed but on the same vein – an EV Charging Station in the Village of Earlville? Could that work?
4. LED Lights at VOE Park but projected savings needs calculations.
5. Grants can be used for building not owned by the town such as the Fire Station or Poolville Community Center. For example, an air source heat pump at PCC could offer significant savings on Fuel Oil or LED lighting. Other upgrades such as insulation would trigger a need for an energy study that the grant would pay for.

Custom Projects that others have done is an LED Bulb giveaway. Amanda would be available to discuss any ideas. She sent a scoring rubric for custom projects when the time comes.

There was a discussion on the options including the Poolville Community Center (PCC). Chris asked if HeatSmart Hamilton would work for PCC. Discussion turned to the Fire Houses in the town. It was decided to get a contractor to get quotes for PCC, possibly the highway garage small spaces, and Hubbardsville Fire Department as well as keeping in mind HeatSmart program too. Sue will ask Amanda about approved contractors for HeatSmart. Going back to EV Charging stations, Travis shared his experience in Sherburne. He has a new one, Juice Bar (JB), which he likes better than Charge Point. JB separates the hardware from the billing. Sue to ask Brynley about our usage at our EV Charging Station.

Housing - Affordable/Vacant

Eve Ann updated the board. There is not much to report at this point. The credit union did not work out that they met with last month. They are now looking for other banks. Chris Rossi remembered a program in Binghamton and NBT bank.

Zoning Update

The board has all of the attorney reviewed documents. Rather than having everyone read it on their own, the board decided to reconvene workshops to review the attorney comments. The board will start with the subdivision law and meet on 11/30 and 12/15. Brief discussion on the new Local Law for Codes and the Zoning Law.

OLD BUSINESS: NONE

NEW BUSINESS:**Seasonal Roads Annual Resolution****RESOLUTION 2022-114: Authorization for Highway Superintendent to Designate Seasonal Roads in the Town of Hamilton**

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

Resolved that the Highway Superintendent be authorized to designate the following roads as seasonal limited use highway from December 1, 2022 to April 1, 2023:

Alderman Road, Barnard Road, Brown Road, Collins Road, Humphrey Road, Lake Road, Morse Road, Thayer Road, Wilkinson Road.

AOT Annual Training & Meeting Announcement

- *Annual Training School and Annual Meeting – February 19-22, 2022 in NYC.*
- *Resolution needed to Designate a Delegate from Town of Hamilton for Annual Business Session on February 22, 2022.*

RESOLUTION 2022-115: Designate Eve Ann Shwartz and Dana Krueger for AOT Annual Meeting Representative.

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

Resolved Dana Krueger be voting delegate and Eve Ann Shwartz be the alternate for the AOT annual meeting 2023.

Introduction of proposed Local Law D-2022 “A LOCAL LAW UPDATING THE CODE ENFORCEMENT PROGRAM IN THE TOWN OF HAMILTON”

- Schedule Public Hearing for Thursday, December 8, 2022 at 7 pm
- Adoption at December Meeting (*Must be adopted by December 30, 2022*)

RESOLUTION 2022-116: Local Law No. D-2022 “A Local Law Updating the Code Enforcement Program In the Town of Hamilton”

Councilor Travis DuBois introduced proposed Local Law No. D-2022 updating the Code Enforcement Program in the Town of Hamilton and made the following Resolution, which was seconded by Councilor Darrell Griff:

WHEREAS, proposed Local Law D-2022 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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, BE IT

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 D-2022 at the Town of Hamilton Town Hall located at 38 Milford Street, Hamilton, New York on December 8, 2022 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 to any affected municipalities described above.

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

Shari Taylor	Councilor	Voted	Yes
Darrell Griff	Councilor	Voted	Yes
Travis DuBois	Councilor	Voted	Yes
Dana Krueger	Councilor	Voted	Yes
Eve Ann Shwartz	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Public Hearing is on Thursday, December 8, 2022 at 7:00 p.m. Legal notice will go out to the newspaper.

Concerns of Town Board: None.

Supervisor's Report: Madison County Activities: No report this month.

With no further business, on a motion of Councilmember Griff, seconded by Councilmember Taylor, the meeting was adjourned at 8:44 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, RMC
Hamilton Town Clerk