

February 9, 1993

The regular meeting of the Village of Hamilton Board of Trustees was called to order by Mayor Baker in the Community Hall at 7:00 pm on February 1993.

### **Present**

Mayor Baker, Trustees Bergen, Getchonis, Brink and Glaser, and Village Clerk-Treasurer Kogut.

### **Call to Order**

Mayor Baker asked for a motion to approve the agenda for the meeting with the following additions and changes.

1. Add to Communications a letter from Bill Magee.
2. Under Old Business move 175 Lebanon Street to New Business, and add Solid Waste Proposed Changes to Old Business.
3. Add to Old Business Resolution for Signs for Alleys on Lebanon Street.

Motion was made by Trustee Getchonis, seconded by Trustee Brink and carried to approve the agenda as revised for the meeting.

### **Appointments**

A. Bi-Centennial Committee. Mayor Baker stated he would like to appoint Mr. James Leach to the Bi-Centennial Committee, and he will remain on the committee through its existence.

Motion was made by Trustee Getchdnis, seconded by Trustee Bergen and carried to appoint Mr. James Leach to the Bi-Centennial Committee.

### **Approval of Minutes**

A. Regular Meeting January 12, 1993. On Page 5, second paragraph from the bottom, add The Village Board wishes Mr. Jones to function as Village Attorney for all matters if possible.

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to accept the minutes of January 12, 1993 as corrected.

### **Reports**

- A. Treasurer's Report - January 1993. Reviewed.
- B. Dumpster Summary January 1993. Reviewed.

### **Approval of Claims**

A. Claims for January 1993. Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried that the claims for January, 1993 be approved as follows:

T & A	3,782.42
Total	\$32,441.10

### **Communications**

A. January 29, 1993 letter to D. Corio. Mayor Baker stated he sent a letter in late January to District Attorney Don Cerio to affirm for him the contents of the letter he sent to Bill O'Connell and Chief Tilbe on items that were agreed upon at a meeting in January.

B. February 2, 1993 letter to Larry Burt. Mayor Baker remarked he sent a letter to Larry Burt regarding the fire district line change. In a telephone conversation with Mr. Burt, Mayor Baker was assured by him that no action was going to be taken on this proposed change at their Town Boards regular February meeting.

C. February 1, 1993 letter from DOT (A. Bloom). Mayor Baker stated he received a letter from Mr. Alan Bloom, of the DOT, regarding the main intersection at W. Kendrick Avenue and Board Streets. Progress in being made.

D. January 20, 1993 letter to Judge Fisher. Mayor Baker remarked he received a copy of a letter sent to Judge Fisher from an individual, who came before his court. Judge Fisher put this individual on a community work program working with the Syracuse EOC, which is run by Morrisville College, and the individual wanted to thank Judge Fisher for giving him the opportunity to rehabilitate himself.

E. January 27, 1993 letter from Mrs. Peek. Mayor Baker stated he received a letter from Mrs. Eileen Peek requesting clarification of the status of the frog jumping contest. Mayor Baker will write a letter to Mrs. Peek telling her that the board planned no new action and informing her of the Rotary Club's oversight of July 4th activities.

F. January 19, 1993 letter from Governor Cuomo. Mayor Baker remarked he received a letter from Governor Cuomo regarding local government, school tax New York State spending tax, etc.

G. Letter from W. Magee. Mayor Baker stated he received a letter from Bill Magee indicating that he will be conducting his hearings around his assembly district. He will be in Morrisville, at Bank's Lounge in the Student Activities Lounge on March 4th at 7:00 pm.

### **Old Business**

A. 1993-94 Budget Preparation. Mayor Baker asked Clerk Kogut to make comments on this. Clerk Kogut remarked he gave the board members, a copy of the budget calendar and a sample of the letter that will be going to the budget areas telling them how, when, where, why and what we are expecting in budget submission this year. Mayor Baker went over the letter with the board members.

B. Solid Waste Proposed Changes. Trustee Bergen went over the proposed changes with the board members. Trustee Bergen stated that the committee did some calculations regarding construction debris and the homeowner. The tipping fee at the landfill in \$64 per ton, which is 3.2 cents per pound. They estimated labor and equipment cost to be about .08 cents per pound, and therefore, they suggest the village charge property owners 4 cents per pound for removal of construction debris. They already suggested that the price of each unit purchaed at the Village Office be \$1.25 which is in line with wht the county chrges. The purchase of each unit would entitle the property owner removal of approximately 31

pounds of construction debris. We would not be able to weigh the debris ourselves, so it should be up to the property owner to estimate the weight of the construction debris.

Mayor Baker asked the board if they had any comments or questions regarding this proposal. Trustee Glaser asked if this included a private contractor doing work at someone's home. This would be property owner generated debris, and if someone had a contractor do the work it would be a dumpster situation. Trustee Glaser stated he thought it was a good proposal.

Trustee Bergen remarked they also looked at having a designated season for leaf pickup beginning at a certain time and ending at a certain time.

Mayor Baker stated that he thought Trustee Bergen's suggestions were very good ones. The board now needs to decide on whether it is going to be a ticket type thing or a standard charge that would appear on the monthly utilities bill. Once we decide on this we need to get legal advice on it. Trustee Bergen asked the board if they wanted him to come back with a monthly fee suggestion based on the number of bills based on solid waste expenditure requirements. The board thought that was a good idea, and this will be discussed further at next month's meeting.

C. Resolution for alleyway signs on Lebanon Street. Mayor Baker remarked Engineer Rathbone thought a resolution was needed authorizing him to proceed on acquiring the necessary signs, etc., for the alleyway by the theatre. This is private property and he wanted to make sure there was a board resolution authorizing the expenditure of public funds for signage on private property.

Motion was made by Trustee Brink, and seconded by Trustee Bergen to allow Engineer Rathbone to proceed on acquiring the necessary signs, etc., for the alleyway by the theatre. The vote was as follows:

Ayes	3
Nayes	1
Abstain	1

D. Budget Adjustments. Clerk Kogut stated the purpose of the budget adjustments was to reduce the 1992/1993 budget in anticipation of reduced revenues for sales tax and interest income. The retirement figures represent excess appropriations due to changes in the actual retirement bill compared to furnished by NYS at the time we were preparing the budget. The adjustments are as follows:

A960 Appropriations		\$8,300
(A9010.8 ERS Ret	3,500)	
(A9015.8 F&P Ret	4,800)	
A510 Revenues		\$8,300
(A1120 Sales Tax	5,000)	
(A2401 Interest	3,300)	

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to approve the above budget adjustments for the fiscal year 1992/1993 budget.

### **Board Members & Staff**

A. Trustee Bergen. He remarked the Board of Supervisors unanimously approved developing a request for proposals on the county wide bus system. Bob Kuiper remarked to Trustee Bergen that he had never seen as intense a lobby effort as he has on this issue. Trustee Bergen thought it

was a very profitable Board of Supervisors meeting.

Trustee Bergen state at the beginning of the MUC meeting on February 2, 1993 President Hotaling observed that the collective bargaining for the employees of the DPW and DPU are coming up. President Hotaling suggested that Mayor Baker contact him regarding this and talk about maybe having a joint meeting with the MUC and the Board of Trustees to discuss it.

Trustee Bergen remarked about a proposal for extending natural gas to the Colgate heating plant to replace the oil and wood chip heating system. This would be done by New York State Electric and Gas. The MUC is a little concerned about this because some customers in the village heat with electricity, and they wondered whether NYSEG could extend the gas service to Colgate University without also offering it to other residences in the village. The MUC has asked Engineer to look into this and come up with an answer.

Trustee Bergen stated the Town of Hamilton Planning Board had another meeting on the development of a group residence ordinance for the Town of Hamilton. They are essentially mimicking the village group residence ordinance. This is to address 4 structures along Spring Street. They have support from Town Supervisor Bob Kuiper and will proceed with it. A problem that they may have down the line will be enforcing litter, noise, etc. The thought came about that may be they could pay the village to partol Spring Street on their regular route. Trustee Bergen remarked he wanted the board to be aware of this.

Trustee Bergen stated the Village Disaster Plan is now in complete draft form. He thought that Dean Shaul has done a remarkable job on putting the plan together. There are questions about dissemination and updating the adoption process.

Trustee Bergen remarked he is going to try to get a notice in the paper about the styrofoam recycling situation. A lot of people read the Utica and Syracuse papers and think the village is going to recycle foam. The only place that foam is being accepted right now is at the landfill. Engineer Rathbone feels at this time we are not equipped to handle recycling of foam.

Trustee Bergen stated he spoke with Clerk Kogut and Engineer Rathbone about re-advertising the streets project. They all agreed that this should be done early. If it was advertised now, then no one could complain that they did not have time to do calculations, etc.

B. Trustee Getchonis. He remarked the Police Department uses as many part-time employees as they can and it is hard to get them. They just hired new part-time employee named Joseph Tallman from Oneida. He is a County Sheriff and comes highly recommended.

Trustee Getchonis stated that the Village and Colgate are starting to have problems again. The major problem is the red lights that Colgate Safety have on their vehicles. New York State law, says they cannot have them. Chief Tilbe wrote a letter on September 28, 1992 to Colgate Telling them they had to come off, and they have not done it yet. They do not understand the reason why they need to come off. Trustee Getchonis, Mayor Baker, Chief Tilbe, Clerk Kogut and DA Don Cerio had a meeting today regarding the red lights and other matters. Mr. Cerio will be writing an opinion brief on it and then send it to Mayor Baker. Mayor Baker will be formally notifying Colgate, with the brief attached, that this is illegal.

D. Trustee Brink. She remarked that the letter went out to the fulltime vendors of the Farmer's Market regarding a meeting with them on Februar 6, 1993 about any questions or concerns they might have. She had eight people at the meeting and three letters. The meeting was a very beneficial one, with a few things there were repeated. One thing that came up that has to be dealt with is the extra fee they have to pay for on the 4th of July. A lot of them did not participate this last year because of this.

Another thing was the quality of the vendors that are at the 4th of July Celebration. They did not think it was quite the same as the regular Farmer's Market.

There were several promising things that came out of the meeting. One was the vendors who were at the meeting were very sensitive to the merchants position about the vendors taking business away from them. These vendors were interested in doing things along with the merchants. The vendors would also like to be sure that the Farmer's Market is advertised in bulletin board ads that are available. They would also like to have some posters, available or a brochure, and the brochure would not only feature the Farmer's Market, but the other shops and things available in Hamilton. There is some concern that in some cases, some of the things that come to the Farmer's Market are not made by the individuals. Trustee Brink stated the question came up about at one time there were going to be signs made for the Farmer's Market for each end of the village. The vendors thought that maybe their car license plate number should be put on the application, because the parking along Broad Street gets to be a problem.

Trustee Brink stated it was suggested that from 11:45 am - 12:45 pm there be two parking spaces dedicated on Broad Street for loading and unloading in which the vendors could pull up their cars, and then pull out when they were done.

Trustee Brink remarked that one of the things Patti Hawkinson suggested was doing a monthly fee schedule, because some vendors come in to the market later than others. Trustee Brink thought maybe to have a half year fee for when someone comes in after the 15th of August. She will leave this up to the board to decide.

Trustee Brink stated that maybe there should be a space open for community interest type things. One of the letters did say the market should be open for publicizing community events and causes. The vendors also mentioned if there was a spot available, there could be maps of the market where the vendors are and a map of where the village merchants are. The big thing on this would be to control the use of it. She asked the board to think about it. Mayor Baker thought that maybe Trustee Brink could make a list of items for the board to consider, and then they can react to them positively or negatively and put it into effect.

Trustee Brink remarked it was brought up about the sale of animals. Some children were trying to sell rabbits at the market last year. There is nothing that says they cannot sell animals. Some people have given away puppies and kittens and there was never a problem. Mayor Baker stated that Trustee Brink should include this in her list of items for consideration.

Trustee Brink stated she has been getting paperwork on the changes with the cable television law. As far as she can tell it appears that they pretty much followed the guideline to this point.

E. Mayor Baker. He remarked that following the Economic Development meeting on January 20, 1993, the supervisors basically agreed to support the proposition. There was a meeting in late January with the county's Environmental and Economic Study group that is chaired by Pat Costello. Mayor Baker gave a presentation to the committee about the historical background, etc. They agreed to support it when it went before the county legislature. The county legislature met today, and Russ Lura had prepared a resolution on the basis of the committee's report. The resolution was that the county redirect its unexpended FAA grant funds to the Village of Hamilton and it received unanimous voting of the legislature.

Mayor Baker stated the Probation Department has confirmed with Judge Fisher and they wish to meet occasionally mornings at the Community Hall with their probation people. Judge Fisher feels it is appropriate that we let them do this, and wants to provide them with a key to do this. Mayor Baker told

him he would have to run it by the board.

Mayor Baker asked Clerk Kogut if the police cars had been sold yet. Clerk Kogut remarked that one of the cars is gone and the other one is awaiting pick up. Mayor Baker asked how much money was received for the cars Clerk Kogut told him we received \$2,212 dollars.

Mayor Baker asked Clerk Kogut if anything new was happening on the legal action by Norman von Wettberg. Clerk Kogut stated it was adjourned from Friday, February 5, 1993 to Friday, February 19, 1993. Mayor Baker remarked that Attorney Hughes prepared a very detailed response to the claims of Mr. von Wettberg.

F. Clerk-Treasurer Kogut. The Clerk noted that the records management program is moving along in a fine manner. A few areas still need to be addressed if the project is to accomplish its stated goals. The Mayor commented that this grant to the village is meant to assure the inventory and classification of all village records. It is a one time opportunity to "get our house in order."

Motion was made by Trustee Brink, seconded by Trustee Bergen and carried authorizing the Mayor to having time designated for grant personnel to complete the inventory of village records in as yet unaffected areas. Trustee Glaser indicated he would alert Chief Reed about inclusion of Fire Department records as well.

### **Executive Session**

Motion was made to go into executive session at 10:39 pm.

Motion was made to go back to regular session at 10:53 pm.

### **Adjournment**

There being no additional business to come before the Board of Trustees, the meeting adjourned at 10:53 pm.

Respectfully submitted,

Paul C. Kogut  
Village Clerk-Treasurer