

July 8, 1997

The regular meeting of the Village of Hamilton Board of Trustees was called to order by Mayor Brink in the Community Hall at 7:00 p.m. on July 8, 1997.

Present

Mayor Brink, Trustees McVaugh, Basher, Vantine and Reilly, Director of Utilities and Public Works Graham and Village Administrator Kogut.

Call to Order

Mayor Brink read the following statement:

Representatives of the Village of Hamilton and Ed Northrup of Skippy the Turtle Ice Cream Company have met and arrived at an agreement to provide continued service to the Village of Hamilton

First, the Trustees have asked me to state that the Peddling and Soliciting Law as passed was not directed at any one vendor, but was a routine updating of an old law, which contained references to horse drawn carts and \$2.50/day fees, to make it consistent with today's practices. For a longer explanation of that law, you may refer to the article I wrote last week in the Hamilton Tribune and the Mid-York Weekly. The article also showed some, but far from all, of the erroneous information published by the Syracuse papers, which was then relied upon by other media for the circus to which our Village has been subjected recently. One might call theirs creative writing. It should be noted that my article was sent to the Syracuse newspapers 2 weeks ago, but has not been published. I can only assume that they are not interested in correcting their statements.

In any event "Mr. Skippy" has had a permit for this season since last Thursday, July 3, 1997 under the following conditions:

1. The music will be turned off when the truck is stopped;
2. The music will not be turned higher than ½ volume while in the Village;
3. The music selection will be varied;
4. The trucks will make no more than one tour through the Village on any given day.

The Village Board is making this exception to the clause in the law that prohibits loudspeakers and amplified sound for this trial period. Consideration will be given to adding a clause to Section 112-9(D) that will read "unless expressly permitted upon application. Granting of this permission shall be at the discretion of the Village Clerk." We will be reviewing the season and the possible inclusion of this clause at our November meeting. By making this adjustment, we feel that the Peddling and Soliciting Law as passed will remain intact. We consider it a good law for the protection of our residents and businesses and the modification of this provision would allow certain activities without letting them become annoying.

1. Approval of Agenda. Motion was made by Trustee Vantine, seconded by Trustee Basher and carried that the agenda be approved with the following additions:

G.3 Report of July 4th Committee.

H.4 Group residence fees.

Citizen Participation

1. Wylie Street Residents. John Fraser, speaking for the residents, restated his concern for the safety of children crossing the street because of vehicles parked along the north side of Wylie Street. Specifically, the business vehicles and trailers that belong to David Snyder are a problem. Mr. Snyder leaves the equipment for long periods of time, and the trailers that he uses to transport his equipment are wider than the standard car or truck. They feel that the resulting congestion is dangerous for children and causes major traffic problems on a very narrow street.

Trustee McVaugh agreed with the safety concerns, but was questioning why the parking issue even went to the Planning Board. Parking is a Village Board concern.

Rob Jaycox, a resident of Madison Street who frequently uses Wylie Street, added that the hill in the middle of the Wylie Street block also causes some visual problems.

Burt Marshall asked what the law said regarding the parking. There is no prohibition regarding parking.

When asked if Sunday parking is a problem, Mr. Fraser responded that it wasn't. The problem is that the trailers are over-sized.

Tama Zombek said that she favors making Wylie Street no parking on both sides the length of the street.

Mayor Brink informed the residents that the Board is working on the problems, both the issue of the business vehicles and the question of making the street no parking.

Harold Gibson asked about installing a traffic signal at the intersection of Wylie and Montgomery Streets with Utica Street. Mayor Brink advised him that NYS has responsibility for that and they have determined that a traffic signal is not justified. She added that we had requested that no parking be permitted on the east side of Utica Street from the Wylie Street corner to the St. Mary's parking lot entrance. They have not yet responded to our request.

Appointments

1. Annual Appointments. Mayor Brink made the following Trustee Assignments:

Trustee McVaugh Trustee for Public Safety & Fire Protection

Police Chief and Police Department
Fire Chief and Fire Department
Liaison with Village Court
Liaison with Campus Safety

Trustee Basher Trustee for Public Works

Superintendent of Public Works
DPW and Solid Waste Management
Parks and Madison Street Cemetery
Farmers' Market

Trustee Vantine Trustee for Planning, Zoning and Development
Code Enforcement Officer
Planning Board
Design Review Board
Zoning Board
Long Range Planning Committee
Townscape Committee
Liaison to Merchants Association
and Chamber of Commerce

Trustee Reilly Trustee for Cultural Affairs and Recreation
Village Historian
Recreation Director
Public Library Board
Historical Commission (Museum)
Recreation Commission
Playgrounds
College-Community Relations
Senior Citizens Advisory Committee

Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried that the Mayor's recommended appointments be made as follows:

Rob Gustafson Municipal Utilities Commission (exp 6/30/02)

Jane Erb Design Review Board (exp 6/30/02)

Otto Young Planning Board (exp 6/30/02)

Linus Walton Village Attorney

Paul Kogut Village Clerk-Treasurer
Freedom of Information Officer
Budget Officer
Investment Officer

Sean Graham CD and Disaster Preparedness Coordinator

Marian Blanchard Historian

Vivian Phoenix Court Clerk

Lloyd Belton Acting Village Justice

Thelma Frederick Dog Control Officer

Denise Roe College-Community Relations Committee

Jay Whipple College-Community Relations Committee

Mid-York Weekly --- Official Newspaper

Hamilton Tribune -- Official Newspaper

Oneida Valley National Bank - Official Depository

Second Tuesday of each month, 7:00 p.m. in the Community Hall -
Official Meeting date, time and location

Roberts Rules of Order - Conduct of Meetings

Approval of Minutes

1. Public Hearing - May 13, 1997. Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried to approve the minutes of the Public Hearing of May 13, 1997.

2. Regular Meeting - May 13, 1997. Motion was made by Trustee Vantine, seconded by Trustee McVaugh and carried to approve the minutes of the Regular Meeting of May 13, 1997 with the following corrections:

Page 3, 2nd paragraph, add to last sentence ...*because of heavy truck traffic.*

Page 3, 3rd paragraph, reword 2nd sentence to read ...*1500 gallons per minute for 72 hour period.*

Page 3, last paragraph, change last sentence to read ...*talk to the University for their opinion, but the Village Board feeling is that the Town/Gown Committee should remain active.*

Page 4, 3rd paragraph, should read ...*tax supported* entity.

3. Public Hearing - June 10, 1997. Motion was made by Trustee Vantine, seconded by Trustee McVaugh and carried to approve the minutes of the Public Hearing of June 10, 1997.

4. Regular Meeting - June 10, 1997. Motion was made by Trustee Vantine, seconded by Trustee Basher and carried to approve the minutes of the Regular Meeting of June 10, 1997 with the following corrections:

Page 1, 3rd paragraph, correct spelling of Wily Street to Wylie Street.

Page 1, last paragraph, change 2nd sentence to read ...*best case scenario was to move truck traffic to East Kendrick.*

Page 2, 1st paragraph, change Madison Street to Madison County.

Reports

1. Treasurer’s Report. Discussed and accepted.
2. Code Enforcement Officer’s Report. Trustee Vantine briefly reported on the activities.
3. Director of Utilities & Public Works.
 - a. Mr. Graham advised the board that the dead flowering trees in the park have been removed. The original trees had been supplied through a New York Power Authority program. As soon as replacements can be obtained they will be planted.
 - b. The request of Mid-York Senior Homes was reviewed. They had previously asked the board to be exempt from garbage pick up fees. They do not have dumpster, but require two pick ups per week. Because of the second pick up, the board had already felt that the fee was justified. Mayor Brink asked for a motion to exempt Mid-York Senior Homes from the fee. No one offered a motion on the exemption.
 - c. Paul Sheneman has just visually inspected both the water storage tanks and found them to be in very good shape. The west hill tank, however, does need a new roof.
 - d. The Route 12-B sewer replacement project is progressing very well and he believes it will be completed ahead of schedule.
 - e. The pavement management system has been installed on his computer.
 - f. A meeting was recently held with several people connected with the Eaton Street Park to discuss future development. The next proposed project is a combination concession stand/storage building.
 - g. The request to NYSDOT to remove parking on Utica Street from Wylie Street to the entrance to St. Mary’s parking lot has not yet been answered.

Approval of Claims

Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried that the claims for June 1997 be approved for payment as follows:

General	\$ 50,237.04
Community Development	2,666.64
Capital Project	229.09
Joint Activity	5.74
Trust & Agency	<u>8,242.33</u>
Total	\$ <u>61,380.73</u>

Communications/Information/Discussion

1. The DAR sent a \$25.00 Contribution to the Village to be used for beautification in the park.
2. Gordon Dresser sent a letter to Mayor Brink expressing concern with the increasingly

deteriorating condition of the upper floor and turret of the building located on the corner where the Chinese restaurant is located. Mayor Brink added that she has written a letter to the building owner, Mr. James Metz expressing her concern as well.

3. The Fourth of July Committee reported that they were pleased with the celebration and had realized a profit of \$22.27.

Old Business

1. Administrator Kogut reminded the members that the joint public hearing with the Town of Hamilton on the Colgate annexation was scheduled for Wednesday, July 9 at 7:00 p.m. in the Court House.

2. Local Law # 5 -1997, Retirement Incentive. Motion was made by Trustee Basher, seconded by Trustee Vantine and carried that Local Law #5-1997 be adopted as presented.

3. Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried that the Village agrees to the following in regard to the new health insurance program:

a. The Village agrees to self-insure the out-of-pocket co-payment for prescription drugs, reimbursing employees on a quarterly basis only for valid receipts submitted.

b. Employees on prescribed "maintenance medications" will be required to fill their "maintenance" prescriptions through the health plan's prescription mail order plan at no cost.

c. This agreement will be in effect only for the term of the current contract and shall apply only to current employees.

4. Group residence fees. Pursuant to a request from some group residence owners, a change in the group residence fees is proposed. In the past, owners were required to pay fees based on their usual occupancy, even if they had no tenants for a year. It was necessary to pay the fees to maintain a group residence special permit. Since there were no tenants, the owners requested modification of the fee schedule to a minimal level for the purpose of maintaining the special permit.

Motion was made by Trustee McVaugh, seconded by Trustee Reilly and carried that the Village adopt a \$25.00 per year fee for group residence owners who have no tenants, but wish to maintain their special permit.

New Business

1. Bond Resolution - Fire Fighting Apparatus. Motion was made by Trustee Basher, seconded by Trustee McVaugh and carried that a bond resolution in the amount of \$450,000 be approved (text attached).

2. Local Law #4-1997, Annexation of Woodman Pond and Airport. Motion was made by Trustee Vantine, seconded by Trustee Basher and carried that the Village owned property known as Woodman Pond and Hamilton Municipal Airport be annexed to the Village of Hamilton.

3. Proposed Local Law #6-1997, Outdoor Fires. Mayor Brink set the public hearing on Proposed Local Law #6-1997 for Tuesday, August 12, 1997 at 7:00 p.m. in the Community Hall.

Executive Session

Motion was made by Trustee Basher, seconded by Trustee Vantine and carried to go into executive session to discuss personnel issues at 8:36 p.m..

Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried to return to regular session at 9:52 p.m..

Adjournment

Motion was made by Trustee McVaugh, seconded by Trustee Basher and carried to adjourn the meeting at 9:52 p.m.

Respectfully submitted,

Paul C. Kogut
Village Administrator