

July 11, 1995

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 pm on July 11, 1995.

**Present**

Mayor Brink, Trustees Bergen, Glaser, Basher and Vantine, Engineer Rathbone.

**Call to Order**

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

1. Items listed under (B) should be under (C).
2. Under Approval of Minute, change date to June 21, 1995.
3. Add to Communications/Information, Letter of Recognition for George Guilmette.
4. Add to Old Business, Airport Update, HCS Drop Off Zone, and Pistol Range Proposal.
5. Add Executive Session after New Business.

**Appointments**

A. Trustee. Elizabeth Vantine was appointed by Mayor Brink to complete the term to expire 06/30/96 created by Stella Brink's election as Mayor.

B. Mayor's Commission Appointments. Mayor Brink made the following Commission Appointments:

Trustee Glaser	Trustee for Public Safety and 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 Village Engineer 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 Bergen  
Trustee for Cultural Affairs and Recreation  
Village Historian  
Recreation Director  
Public Library Board  
Historical Commission (Museum)  
Recreation Commission  
Playgrounds  
Cable Television Committee  
College-Community Relations  
Senior Citizens Advisory Committee

The following appointments were made by Mayor Brink:

Kathy Haire - Townscape Committee, term to expire 06/30/96  
Michael Gieryic - Townscape Committee, term to expire 06/30/96  
Nan Palmateer - Townscape Committee, term to expire 06/30/96  
Sandy MacKinnon - Townscape Committee, term to expire 06/30/96  
Ellen Murray - Townscape Committee, term to expire 06/30/96  
Jean Thurner - Townscape Committee, term to expire 06/30/96  
David Sullivan - Townscape Committee, term to expire 06/30/96  
Waldo Scott - Townscape Committee, term to expire 06/30/96  
Larry Baker - Townscape Committee, term to expire 06/30/96  
Dave McKay - Townscape Committee, term to expire 06/30/96

Nelson Brown - Recreation Commission, term to expire 06/30/00

Lawrence Baker - Committee on Annexation and Development

Shirley Reynolds - Library Board of Trustees, term to expire 06/30/00  
Carol Van Schaack - Zoning Board of Appeals, term to expire 06/30/00  
Michael Zahn - Planning Board, term to expire 06/30/00  
Chris Rossi - Historical Commission, term to expire 6/30/00  
Trustee Bergen - College Community Relations Committee  
Ed Ray - College Community Relations Committee  
Charles Getchonis - College Community Relations  
Thomas Glaser - Deputy Mayor

Linus Walton - Village Attorney

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

John Rathbone - CD and Disaster Preparedness Coordinator

Carl Peterson - Historian

Vivian Phoenix - Court Clerk

Lloyd Belton - Acting Village Justice

Thelma Frederick - Dog Control Officer

Official Newspapers - Mid-York Weekly, Hamilton Tribune

Official Depositor - Oneida Valley National Bank

Official Meeting Date - Second Tuesday of each month at 7:00 pm in the Community Hall

Conduct of Meeting - Roberts Rules of Order

C. Account Clerk. Mayor Brink asked for a motion to approve the appointment of David Zeafla to the position of Account Clerk effective July 6, 1995 at a starting salary of \$16,000 to be divided equally between the Village and MUC.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to appoint David Zeafla to the position of Account Clerk effective July 6, 1995 at a starting salary of \$16,000 to be divided equally between the Village and MUC.

### **Approval of Minutes**

A. Regular Meeting - June 21, 1995. On Page 3, under Item C, change *Don Kasmira* to *Don Kaczmarek* in the seventh line. On Page 4, under Item G - Cable TV, make first sentence into two sentences. On Page 4, under Item F, change *affect* to *effect* in the last line.

Motion was made by Trustee Glaser, seconded by Trustee Bergen and carried to approve the minutes of the June 21, 1995 meeting as corrected.

### **Reports**

A. Treasurer's Report - June 1995. Reviewed.

B. Bicentennial Financial Report - June 1995. Reviewed.

C. Dumpster Summary - June. Reviewed.

D. Engineer Rathbone. Engineer Rathbone stated that the DPW crew has been busy over the last several weeks getting ready for the Bicentennial Celebration. They are now striping the parking spaces in the downtown area.

Engineer Rathbone remarked that David Rhyde and he met with the Department of Transportation regarding the traffic signal for Broad Street and W. Kendrick Avenue. The contractor who will be doing the work is Power Line Construction.

Engineer Rathbone stated that Bob Tanner from the State Health Department will be conducting safety inspections of all of the village's buildings starting the week of July 17.

Engineer Rathbone remarked that the MEUA lawsuit procedure has started against the Power

Authority.

E. Fire Department Report for May. Reviewed.

**Approval of Claims**

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried that the claims for June 1995 be approved for payment as follows:

General	\$ 50,094.47
Bicentennial	<u>7.56</u>
Total	<u>\$ 50,102.03</u>

**Communications/Information**

A. Paragon Cable - rate increase. Mayor Brink stated that effective August 1, 1995 the basic service will increase from \$7.16 to \$7.52, the hourly service charge will go from \$17.34 to \$19.52, the charge for non-addressable converter will increase from \$1.60 to \$1.83, and the charge for an addressable converter will increase from \$2.76 to \$3.14. Mayor Brink remarked that Paragon Cable stated that the reason for the increases was due to inflation. The village has 45 days to make a complaint if we wish too.

B. Organization Chart. Mayor Brink remarked that the chart now includes the modifications, and she went over the chart with the Board.

C. Letter of Recognition - George Guilmette. Mayor Brink stated that she sent a letter to George Guilmette thanking him for his many years of service with the MUC.

**Old Business**

A. Design Review Law Proposal - Status. Mayor Brink asked the Board if they had received any input back on the Design Review Law proposal. None of the Board members had.

B. Zoning Hearing Dates. Trustee Glaser remarked that he anticipated following through with this. He also stated that the revisions are complete, and Clerk Kogut will be getting a copy to Attorney Scott Chatfield for review. A meeting will be set up when Clerk Kogut gets back from vacation.

C. Business Investment Exemption - Public Hearing Date. Mayor Brink stated that this law was discussed at the last meeting and is subject to a public hearing. Mayor Brink suggested that it be done at the beginning of the August 8, 1995 regular meeting. The Board agreed to the date.

D. Pavilion at Eaton Street Field. Engineer Rathbone remarked that he is working on finishing the drawings for the pavilion.

E. Airport Update. Mayor Brink explained to the new Board members the village's interest in the annexation of the airport. At the last Board meeting the members determined that it was very important to maintain the integrity of the whole parcel for purposes of development. At the June meeting, the Board resolved to make a

purchase offer to the bank for the property. Since the time of the purchase offer, there has been one other developer who was interested in the property and had made an offer previously. The bank turned down the purchase offer.

Mayor Brink stated that Larry Baker, Clerk Kogut and she met with the developer and two of his colleagues. The developer is interested in buying the property and developing it along the lines of what the village had in mind including a petition for annexation. When the village made its offer, the developer came back with another offer that was just a bit higher.

Mayor Brink remarked that the bank has been in contact with her this week asking what the village's intentions were, because they were inclined to accept the developer's offer. Mayor Brink told the bank that the village wanted to keep the property intact. Mayor Brink stated that the developer let her know that if the bank accepted his offer, the first thing he would like to do is meet with the Board of Trustees.

Mayor Brink stated that it was her feeling that the village proceed with their purchase offer. Trustee Glaser agreed that the village should pass the bond resolution so that it is in place in case the developer does not follow through. Trustee Bergen remarked that he agreed with both Mayor Brink and Trustee Glaser.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried that the Village of Hamilton Board of Trustees holds its purchase offer at the \$300,000 level.

F. HCS Drop Off Zone. Mayor Brink remarked that she received a letter from Superintendent Pete Backus asking for a meeting with the village. Mayor Brink would like Trustee Basher and Engineer Rathbone to meet with Mr. Backus and let us know what problems there might be with it.

G. Pistol Range Proposal. Mayor Brink asked Charlie Getchonis about the proposal. Mr. Getchonis told her that he talked with Chief Tilbe who will work on getting it together for the Board.

### **New Business**

A. Code Enforcement Officer. Mayor Brink stated that Code Enforcement Officer Sternburg would be out of work for a while and we need to find a replacement. Clerk Kogut gathered some information on Mr. Don Hudson, who is an Oneida City firefighter, and does inspections part-time for the Village of Oneida Castle, the Village of Madison and the Town of Madison. Mr. Hudson felt that he could give the village 16-20 hours a week. Mayor Brink suggested that the village offer Mr. Hudson \$13.00 per hour as a salary.

Motion was made by Trustee Glaser, seconded by Trustee Bergen and carried to hire Mr. Don Hudson as a temporary replacement for Code Enforcement Officer Sternburg, at a salary of \$13.00 per hour up to 20 hours per week.

B. Bond Resolution. Mayor Brink asked for a motion to adopt the following Bond Resolution.

BOND RESOLUTION DATED JULY 11, 1995.

A RESOLUTION AUTHORIZING THE PURCHASE OF THE ELISHA PAYNE AIRPORT FACILITY FOR THE VILLAGE OF HAMILTON, MADISON COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$400,000, AND AUTHORIZING THE ISSUANCE OF \$400,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Board of Trustees of the Village of Hamilton, Madison County, New York, as follows:

Section 1. The purchase of the Elisha Payne Airport Facility for the Village of Hamilton, Madison County, New York, including incidental costs in connection therewith, is hereby authorized at a maximum cost of \$400,000.

Section 2. It is hereby determined that the plan for the financing of such maximum estimated cost shall be by the issuance of \$400,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the Local Financial Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized *will exceed five years*.

Section 4. The faith and credit of said Village of Hamilton, Madison County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the

permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full in the *Hamilton Tribune*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution is adopted subject to permissive referendum.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to adopt the bond resolution authorizing the purchase of the Elisha Payne Airport facility at a maximum estimated cost of \$400,000.

### **Executive Session**

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to go into Executive Session at 9:09 pm to discuss the results of the June 95 election.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to go back to the regular meeting at 9:25 pm.

### **Adjournment**

There being no other business to come before the Board of Trustees the meeting adjourned at 9:25 pm.

Respectfully submitted,

Paul C. Kogut  
Village Clerk-Treasurer