

July 13, 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 July 13, 1993.

Present

Mayor Baker, Trustee Bergen, Getchonis, Glaser and Brink, and Engineer Rathbone.

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 New Business correspondence having to do with the Madison Lane Apartments.
2. Add to Old Business Fire District Lines.

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

Citizen Participation

A. Dr. Michael Zahn. Dr. Zahn stated the Planning Board met last week at their final meeting to review the Village Master Plan. One thing that came out of the meetings that would be beneficial and require immediate action, is to place a moratorium on the issuance of new special permits for a period of time. Six months would be a reasonable period of time to allow the Planning Board and the Village Board to review and adopt the zoning changes.

Trustee Glaser asked if there were any pending permits right now. Mr. Zahn stated he was not aware of any.

Trustee Getchonis remarked he thought it was a good idea and thought they could get the master plan process completed within the six-month period.

Trustee Bergen stated the thing he liked about the proposal is not only does it avoid the grandfathering problem, but places pressure on the Board to pursue the re-zoning, which could really be an extended process because of public hearings required.

Mayor Baker remarked he was not sure whether or not the Board could place a moratorium without a public hearing.

Trustee Glaser asked when the Planning Board would be finished with reviewing the Master Plan. Mr. Zahn stated they just have to get the final document put together. He felt that within the next week or so they should have it completed. Trustee Glaser thought that when the plan is completed, the Board should be given some time to review it and then a special meeting should be held between the two Boards to discuss the plan.

Appointments

A. Mayor's Commission Appointments. Mayor Baker made the following Commission Appointments:

Trustee Brink	Park & Recreation Commission Liaison to Farmer's Market Liaison to Cable Television Madison Street Cemetery & Playgrounds Liaison to Recreation Commission
Trustee Bergen Commission	Department of Public Works Commissioner Liaison to Municipal Utilities Solid Waste Management Coordinator Liaison to Long Term Planning Committee Liaison to Library Board of Trustees
Trustee Getchonis	Police Commissioner Liaison to Merchant's Association Liaison to Zoning Board of Appeals Bicentennial Coordinator Liaison to Town/Gown Committee
Trustee Glaser	Deputy Mayor Fire Commissioner Liaison to Planning Board Liaison to Senior Citizens Liaison to Design Review Board Liaison to Townscape Committee

The following appointments were made by Mayor Baker:

Kathy Haire - Townscape Committee, term to expire 6/30/94

Mike Gieryic - Townscape Committee, term to expire 6/30/94

Betsy Rider - Townscape Committee, term to expire 6/30/94

Sandy MacKinnon - Townscape Committee, term to expire 6/30/94

Marge Snyder - Townscape Committee, term to expire 6/30/94

Bill Snyder - Townscape Committee, term to expire 6/30/94

Jane Erb - Townscape Committee, term to expire 6/30/94

Mary Mitchell - Townscape Committee, term to expire 6/30/94

D. Cadwell Dewey - Townscape Committee, term to expire 6/30/94

Ken Upham - Townscape Committee, term to expire 6/30/94

Larry Baker - Townscape Committee, term to expire 6/30/94

Al Avery - Townscape Committee, term to expire 6/30/94

David McKay - Townscape Committee, term to expire 6/30/94

Robert MoVaugh - Planning Board, term to expire 6/30/98

Ed Hotaling - Municipal Utilities Commission, term to expire 6/30/98

Michael Gieryic - Recreation Commission, term to expire 6/30/98

Robert McVaugh - Library Board of Trustees, term to expire 6/30/98

Mary Jo Hubbard - Member protem, Historical Commission, term to expire 6/30/94

Joan Prindle - Historical Commission, term to expire 6/30/98

Brownell Dana - Zoning Board of Appeals, term to expire 6/30/98

Hancock & Estabrook (James Hughes) - Village Attorney, (Until the engagement of a local attorney)

Steve Jones - Village Attorney, (Codes Enforcement)

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

John Rathbone - Village Engineer
Civil Defense and Disaster Preparedness Coordinator
Parliamentarian

Village Historian - Carl Peterson

Village of Trustees - Board of Health

Vivian Phoenix - Court Clerk

Thelma Frederick - Dog Warden

Lloyd Belton - Acting Village Justice

Official Newspapers - Mid-York Weekly, Chenango Valley News, and Oneida Daily Dispatch

Official Depositor - Oneida Valley National Bank

Mileage reimbursement - \$.28 per mile, official IRS non-reportable rate

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

Conduct of Meeting - Roberts Rules of Order

Approval of Minutes

A. Regular Meeting - May 11, 1993. On Page 2, add hourly rate on Item A under Appointments. On Page 4, add under Approval of Claims, Trustee Brink, by Trustee Glaser. On Page 1, add under Citizen Participation, B. David Dow-D's Auto. The Board took no action on towing. Basically all things being equal, the Board tries to give preference to village merchants. On Page 3, Item E, change to read, About 100 officials from all over upstate New York attended. He had lunch with the Mayor and a Trustee from Brockport.

Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to accept the minutes of May 11, 1993 as corrected.

B. Regular Meeting - June 8, 1993. On Page 1, under Appointments, delete last sentence. On Page 3, first sentence change use to user. On Page 2, second to the last paragraph, change insure to insurance in the first sentence.

Motion was made by Trustee Bergen, seconded by Trustee Brink and carried to accept the minutes of June 8, 1993 as corrected.

Reports

A. Dumpster Summary - June 1993. Reviewed.

B. Colgate University/NYSEG Natural Gas. Trustee Bergen stated Engineer Rathbone met with Joel Moore from NYSEG about this. He felt it was very important for the Board to know what was going on, because we have the authority to either permit them to enter or not permit them to enter. The Municipal Utilities Commission is also concerned and interested in this, because about 40% of the village residents use some electricity for space heating. The Commission wondered whether they could purchase the natural gas from NYSEG for distribution in the village, so they could continue to control the utilities within the community. There have been many questions raised about this, and we do not have very much information on it.

Mayor Baker asked what the village's right was to provide such access. Engineer Rathbone stated it was very good. Trustee Bergen suggested we pursue this with Ernie Cross and Norm Kuklinski from Colgate, and any NYSEG officials at the highest possible level, to find out what is going on.

Mayor Baker asked the Board what type of involvement reaction they wanted to take place at this time. He felt if Engineer Rathbone can get the NYSEG representatives to attend the MUC meeting, much of this would probably be explored. Mayor Baker stated he did not see anything wrong in letting MUC President Hotaling and Ernie Cross know concurrently that the Board has been talking about this. He will notify them both about our need to be kept informed.

C. Woodman Pond 1927 NYS Regulation. Trustee Bergen Remarked MUC resident Hotaling raised questions about the 1927 regulations in essence Expressing what needs to be expressed,

and does the MUC really need to appoin twoo people to serve with two representatives from the Village Board on a committee to talk about the future of Woodman Pond. Mayor Baker stated one thing both the groups could do would be to learn what the 1927 regulations are.

D. Engineer Rathbone. He remarked the MUC offered to be the primary agency in the State Environmental Quality Review assessment of a water tower being installed up on the Colgate campus. During the course of design, one thing the MUC told the designers to be careful of was that there was no visual impact on the community. Engineer Rathbone told the Board if they had any comments, the MUC would like to know what they are. The Design Review Board looked at it and did not have a problem. The Planning Board has copies, and the Zoning Board of Appeals are not interested in looking at it yet. The tower would provide fire capacity on the upper portion of the campus that is needed. The university has proposed to turn the tower and the pipeline over to the water department after it has been constructed.

Engineer Rathbone stated he wrote Mr. Brian Rowback about the traffic signal installation at 12B and East and West Kendrick Avenue.

Engineer Rathbone remarked he received copies of specifications for the fire truck and emergency generator. He has been trying to lessen the impact of the proprietary nature of the specifications so that we do not end up with any injunction from an offended supplier. The fire truck specifications will probably be ready for advertising by the middle of next week.

Engineer Rathbone stated the packer has been order. The color ordered was white, because green was not an option.

Engineer Rathbone remarked he received one bid for the 1985 Roper lawn mower. The bid was for \$200.00 from Kirk Palmer of Earlville. Mayor Baker asked for a motion to accept the bid.

Motion was made by Trustee Getchonis, seconded by Trustee Bergen and carried to accept the bid for \$200.00 from Kirk Palmer for the 1985 Roper law mower.

Approval of Claims

A. Claims for June 1993. Motion was made by Trustee Brink, seconded by Trustee Glaser and carried that the claims for June 1993 be approved as follows:

General	\$ 36,735.84
T & A	2,405.91
Capital - Streets	1,591.96
Joint Activity	197.02
Total	\$ 40,930.73

Communications

A. Airplane Noise. Mayor Baker stated he received a few phone calls and a letter regarding the airplane noise over the village. Discussion followed.

B. July 26, 1990, Madison County Tourism Meeting. Mayor Baker remarked he received a flier from the Madison County Tourism Committee indicating that on Monday, July 26, 1993 at 7:00 pm there will be an informational meeting on the Chenango Canal at the Town of Eaton Office in Morrisville.

C. UDC Letter on Airport. Mayor Baker stated he, Trustee Brink and Trustee Glaser had a meeting with Benji Manton. At the meeting they basically came up with a plan of study for writing letters and making phone calls to the UDC talking about the program we are eligible for. Mr. Manton thought the Board should authorize him to proceed with preparing the application for the Community and Development funding as it relates to the airport, because they work very slowly. Mayor Baker remarked that the committee would meet again on Wednesday, July 21, 1993 at 4:00 in the Village Office on the question of annexation with materials being supplied by Russ Lura.

D. NYS Commission on Cable TV.

H.J. Rathbone letter to R. Mullane - Re: Cable TV Act 1992.

Engineer Rathbone remarked we had been approached by a few attorneys who had worked with the MEUA, and we worked through the MEUA to get proposals from those attorneys to represent the members of the association who were interested in taking advantage of the 1992 Federal Cable Act. The rates that we would regulate would only be the basic tier rates. The MEUA held a hearing on June 30, 1993, which Trustee Bergen, Trustee Brink and Engineer Rathbone attended. There was a presentation made by three attorneys from a group from Washington and one attorney, Tom Lynch from Syracuse, who is affiliated with the firm. Engineer Rathbone reported to the Board about the presentation.

Engineer Rathbone stated he has an application for employment from Mike Webb, who is a student and is 20 years old. Danny Hughes and Engineer Rathbone will be interviewing him and if he is satisfactory, we will hire him as long as Don Leyman is not working.

E. State Education Department Grant. Mayor Baker stated the Village has been funded for the second time around on the records inventory project. The amount funded was \$14,716, which will pay for some equipment related to the formation of the system and the finishing up of the grant.

F. Senator Soland - State Mandates. Mayor Baker remarked he received a letter from Senator Soland on state mandates telling about all the things being done in the current session which recently ended. No real relief is anticipated.

G. Flower Donation. Mayor Baker stated the Hamilton Townscape Committee received a \$25.00 donation from the James Madison Chapter of the DAR, Clinton, New York for beautification of the flagpole and rock in the park.

Old Business

A. Street Contract. Engineer Rathbone stated there has been a discussion between the Engineers we have hired and the Attorney on our staff regarding who is going to prepare what documents. He prepared a sample document of the award letter and sent it to them and let them know if they wanted to use it, to put their imprint on it and make any changes they want.

B. July 4th Celebration. Mayor Baker remarked he would be having lunch with Jean Skahan in which she will report to him how the Hamilton Rotary Club made out on the event. He will also inform Ms. Skahan on comments from the Board. She will be invited to the September meeting.

C. Police Reports at Board Meetings. Trustee Getchonis stated this is coming along and there will be some interaction.

D. Fire District. Trustee Glaser remarked he read the Town of Madison Board minutes and the only change he could see, was several of the firemen that live in the Town of Madison were going to pursue carrying petitions and bring it to a resolution before the Town Board to conduct a referendum.

New Business

A. Streets Reconstruction Resolution. Mayor Baker stated this resolution authorized the reconstruction of village streets, including incidental improvements in and 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. The resolution will be attached in the minutes book.

Motion was made by Trustee Bergen, seconded by Trustee Brink and carried to adopt the Streets Reconstruction Resolution.

Fire-fighting Vehicle Resolution. Mayor Baker stated this resolution authorize the purchase of a fire-fighting vehicle, including apparatus incidental thereto, for the Village of Hamilton, Madison County, New York, at a maximum estimated cost of \$150,000, and authorizing the issuance of \$150,000 serial bonds of said Village to pay the cost thereof. The resolution will be attached in the minutes book.

Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to adopt the Fire-fighting Vehicle Resolution.

Generator Resolution. Mayor Baker stated this resolution authorized the purchase of a generator as an addition to the electric system of the Village of Hamilton, Madison County, New York, at a maximum estimated cost of \$50,000, and authorizing the issuance of \$50,000 serial bonds of said Village to pay the cost thereof. The resolution will be attached in the minutes book.

Motion was made by Trustee Brink, seconded by Trustee Glaser and carried to adopt the Generator Resolution.

Garbage Truck Resolution. Mayor Baker this resolution authorized the purchase of a garbage truck, including apparatus incidental thereto, for the Village of Hamilton, Madison County, New York, at a maximum estimated cost of \$55,000, and authorizing the issuance of up to \$55,000 serial bonds of said Village to pay the cost thereof.

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to adopt the Garbage Truck Resolution

C. Resolution/Cable TV Committee. Trustee Bergen proposed a five person committee chaired by Trustee Brink. The committee would include a Utilities Commissioner designated by the MUC President, and three residents from the village to be nominated by Mayor Baker. The basic duties of the committee would be to work with the material that would be presented by the law firm engaged by the MEUA. They would also from time to time amend regulations, local laws, customer service requirements, etc. It might also be valuable for the committee to monitor the multi-municipality franchise agreement. Trustee Bergen remarked that Engineer Rathbone would be an ex officio member to provide technical advice as Village Engineer, and the MEUA liaison. Mayor Baker asked for a resolution to establish the committee.

Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to establish the Village of Hamilton Committee on Cable Television.

Motion was made by Trustee Brink, seconded by Trustee Getchonis and carried to adopt the composition and suggested duties presented by Trustee Bergen for the Village of Hamilton Committee on Cable Television.

Mayor Baker stated the Board should be prepared to submit residents for consideration for the committee at the August 10, 1993 meeting.

D. Mid York Senior Homes. Mayor Baker remarked the Board received a letter from Code Enforcement Officer Sternburg regarding the Planning Board's ruling on the Mid York Senior Homes request for re-zoning. In the letter it stated; a) the Village of Hamilton Planning Board request that Madison County review the proposal and make a recommendation, and b) the Village of Hamilton Planning Board's recommendation to the Village Board is to re-zone all 11.05 acres as Planned Residential. Mayor Baker stated that the request for expansion of the Madison Lane's Mid York Senior Homes was reviewed, by the Madison County Planning Board and they approve of the recommendation. A public hearing will have to be held on the zone change of the 11.05 acres.

Executive Session

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to go into Executive Session at 9:50 pm.

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to go back to the regular meeting at 10:05 pm.

Adjournment

There being no additional business to come before the Board of Trustees, the meeting adjourned at 10:05 pm.

Respectfully Submitted,

Paul C. Kogut
Village Clerk-Treasurer