

March 14, 1995

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 March 14, 1995.

Present

Mayor Baker, Trustees Getchonis, Bergen, Brink and Getchonis, Village Engineer Rathbone and Village Clerk 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 New Business, Retirement Incentive Program.

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

Citizen Participation

A. Farmers' Market - Pat Snyder. Mrs. Snyder stated that she had given Trustee Brink a fee schedule proposal for the 1995 Farmers' Market, which many of the vendors of the market had discussed and thought was fair. They would like to know how the Board felt about the schedule and what direction the Farmers' Market is going this year, especially with it being the Village of Hamiltons' Bicentennial. Last year there were quite a few empty spaces and it was a disappointing year.

Trustee Brink remarked that she gave copies of the proposal to the Board and they will review them when they get to that point on the agenda. She felt that in some ways the proposal was more stringent than the village had been, and less so in other ways. Trustee Brink stated that she thought the Board all liked having the Farmers' Market and it will certainly be a part of the centerpiece for the bicentennial.

Mayor Baker stated that the Board received the information from Trustee Brink several days ago, but has not had the opportunity to discuss it. Whether or not they vote on it tonight remains unseen, but they will definitely be making a decision before the budget is adopted. Mayor Baker remarked that he felt that the recommendation of a 20% discount for individuals in the Hamilton School District is something he would never agree to.

Trustee Bergen remarked that he would like to compliment Pat Snyder and Janet Oley for coming up with the proposed schedule. He also had a question on the recommendation that curbside spaces must be used at least 3 times a month, excluding bad weather.

Trustee Glaser stated that he liked the idea of the "Big Weekends", and he also thought the "attendance policy" was a good idea.

Trustee Brink remarked that last year she did have vendors tell her that they were happy with the

\$75.00 fee, because if they went to many other craft fairs they would have to pay \$75.00 for the day. She was also very displeased with some of the activity by the vendors at the market in terms of the petition, and she felt it hurt a lot of the participation from the village. She also received comments from people who felt they were being strong-armed.

Appointments

A. Volunteer Firefighter. Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to appoint Tina Davis - a student worker at Crouse Community Center in Morrisville, as a volunteer firefighter.

Approval of Minutes

A. Public Hearing - February 14, 1995. Motion was made by Trustee Bergen, seconded by Trustee Brink and carried to accept the minutes of the February 14, 1995 public hearing.

B. Regular Meeting - February 14, 1995. On Page 8, first paragraph, last sentence, change *If* to *It*.

Motion was made by Trustee Brink, seconded by Trustee Glaser and carried to accept the minutes of the February 14, 1995 regular meeting as corrected.

Reports

A. Treasurer's Report for February 1995 - Reviewed.
Bicentennial Financial Report for February 1995 - Reviewed.

B. Dumpster Summary for February - Reviewed.

C. Engineer Rathbone. Engineer Rathbone stated that we have been having some problems with dumpster pickups, and are in the process of resolving them.

Engineer Rathbone remarked that last fall we had contacted the Engineering Firm of O'Brien & Gere to inspect the streets in the village and prepare specifications for a bid package for streets this year. If the Board does not intend to have a street rehab package this year, then Engineer Rathbone feels we should cancel the arrangements for them to finish their inspection.

Mayor Baker stated that at the budget workshop last Wednesday, he felt that the consensus of the Board was that we were not going to do any capital borrowing in fiscal 1995-1996, and that they could be notified of this. Engineer Rathbone asked if the Board would consider applying the money that was set aside for them, less any expenses they have had to date, to the increased amount we will have to pay through the inhouse street maintenance next year. Mayor Baker remarked that this could be talked about at the budget workshop tomorrow.

Engineer Rathbone stated that there will be a luncheon on Friday, March 24, 1995 at 12 noon at the Colgate Inn to in honor of the 100th Anniversary of the Village of Hamilton Public Power System. The Power Authority will have a representative there to present a placque, and the Municipal Electric Utilities Association will also recognize the centennial at that time. Engineer Rathbone would like the

Board to let him know by Wednesday, March 22, 1995 whether or not they can attend the luncheon.

Engineer Rathbone remarked that Dale Brown, a temporary employee, was injured with a dislocated toe while changing a tire on the street sweeper. The accident happened on a Tuesday, and Mr. Brown was back to work on Friday.

Engineer Rathbone stated that the construction of the new pumping station had a minor setback last week, but we are now moving ahead with that part of the contract. The work on the collection system and the force main going up W. Kendrick Avenue has been completed. Engineer Rathbone remarked that the main problem he sees between now and the time that the asphalt patch plants open is maintaining the street repairs. The contract has left some cold patch here, and will be coming down at least once a week to see if the street repairs are alright. We will be taking care of any emergencies in the meantime.

D. Village Clerk Kogut. Clerk Kogut remarked that he had a call today from Bill Magee's office, and he is going to try to get a resolution through the state legislature regarding the Village of Hamilton's Bicentennial. He would like a one page capsulized version of the villages history within the next two weeks. Assemblyman Magee would also like a date of when our prime celebration is going to take place to make the presentation.

E. Police Report for February 1995. Reviewed.

F. Fire Department Report for February 1995. Reviewed. Trustee Glaser stated that there was a meeting with President Neil Grabois and Ron Joyce, from Colgate, Mayor Baker, Trustee Glaser and the officers of the Fire Department. The purpose of the meeting was to inform them of the particular need for a new ladder truck and how a community such as Hamilton would pay for one.

Approval of Claims

A. Claims for February 1995. Motion was made by Trustee Brink, seconded by Trustee Getchonis and carried that the claims for February 1995 be approved as follows:

Village	\$ 42,415.51
Capital (Sewer)	63,583.07
(Vehicles)	62.70
T & A (Bicentennial)	<u>4,153.08</u>
Total	\$ 110,214.36

Communications/Information

A. Letter from Paragon Cable - Rate Increase. Mayor Baker remarked that we received a letter from Paragon Cable regarding a rate increase. Trustee Brink stated that effective April 18, the monthly rate for standard service will increase from \$15.37 to \$16.52 resulting for increases in programming costs of \$.93 since March 1994, and an inflation of \$.22 from September 1993 to June 1994. This is the standard service and is regulated by the FCC.

The only part the village can regulate is the basic service.

B. Trustee Brink/Mayor Baker - letter to FCC re: Cable Rates. Trustee Brink stated that she sent a letter to the FCC regarding the increase in the standard service rate.

C. Colgate Reunion - 6/3/95 Parade Request. Mayor Baker remarked that he received a letter from Colgate University regarding their Alumni Reunion Weekend slated for June 3, 1995. The University is seeking police assistance during the noontime parade to the luncheon site. Granted.

D. NYMIR Loss Control Survey #2. Mayor Baker stated that he received a packet dated March 9, 1995 from Engineer Rathbone. The packet contains both the answer to Loss Control Survey #1, and the cover letter and the report that went with Loss Control Survey #2.

E. Citizen letter regarding parking violations. Mayor Baker remarked that Judge Fisher received a letter regarding the 2 hour parking limit from a local citizen. The Board discussed the inherent problems of parking violations.

F. Letter from Mike Capetto complimenting Judge Fisher. Mayor Baker stated that he received a copy of a letter to Arnold Fisher from Mike Capetto, Dean of Colgate University, thanking Judge Fisher for his annual report and the sensitivity that he gives to issues and problems of young people.

G. von Wettberg letter re: building permit fees. Mayor Baker remarked that a letter was received from Norman von Wettberg regarding building permit fees.

H. Congressman Boehlert re: COPS funding. Mayor Baker stated that at the last meeting he was confused as to whether COPS grants, such as the one we submitted, were going to be funded with real money or with a mirror money, or not funded at all. Chief Tilbe received a letter shortly after the meeting stating that there is real money available for the funding. A COPS application has been filled out and submitted, and it has been put into the budget.

I. Letter to Alcohol Beverage Control Board. Mayor Baker remarked that a letter was written by John Koen, speaking for the Madison County Restaurant Association, to the Alcohol Beverage Control Board regarding alleged violations of the law at local taverns. Recently the Police Department followed up on the complaint with "raids" throughout the village.

J. NYCOM report on binding arbitration. Mayor Baker stated that NYCOM has had a report come out dealing with binding arbitration entitled "It's Binding Arbitration, It's Time has Come and Gone". He will leave the report with Clerk Kogut for anyone to review.

K. Getchonis letter to Colgate newspaper. Mayor Baker remarked that there was a column in the recent Colgate student newspaper commenting about the village elections in June and why they are in June. Trustee Getchonis saw the article and wrote a letter to the newspaper stating that the election used to be held in March and the new trustees and/or Mayor would have to take on the responsibility of voting on the new budget, without really getting the opportunity to go over it. Both parties thought the concept was not a very good one and decided that June was a better time for local elections.

L. Committee on advancement status report. Trustee Brink stated that Trustee Bergen, David Craine, Susan Gustafson, Dave McKay and she have met twice with Priscilla Suits, the Assessor. She felt that they have some what of an idea of the process that Ms. Suits goes through in terms of the assessments, and they have a better understanding of the exemptions that are available. Trustee Brink and David Craine sent out a letter to the owners of the business properties to try to get any feedback as to whether this is something that would provide incentive for them to actually make improvements to their properties. The business investment exemption is available and has been taken advantage of by the county, the towns around us, and it is something that the village opted out of in 1979.

M. Trustee Bergen - Colgate signs. Trustee Bergen remarked that Colgate's highways appear to

be public highways and they have installed signs on their highways. The village is now in the position of enforcing signage which no village authority has ever approved, and he wondered if the village should work out some kind of agreement with Colgate.

Mayor Baker stated that Judge Fisher brought up the subject with him before the receipt of Trustee Bergens memo. Judge Fisher indicated to him that currently there is a case coming before him involving a student who is being represented by Attorney Castellane. Mayor Baker remarked that Judge Fisher feels that any specific action on our part at this time is something we should hold off on, because of the fact that there is an active case coming before him. He also indicated that the District Attorney and Chief Tilbe would be coming up with a series of recommendations for us to act upon in April and May.

Old Business

A. Building Permit Fees. CEO Sternburg remarked that he worked up some comparisons with fee schedules from other villages and towns. He went over the schedules with the Board.

Trustee Bergen stated that he thought it made sense to go with the square footage schedule. He looked at schedules A & B and preferred A over B.

Trustee Glaser remarked that he agreed that the fees schedule has to be increased and schedule A looked fine. Trustee Getchonis agreed with Trustee Glaser.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried that effective June 1, 1995 the village adopt the basis of square feet as the basis for their assessment of building permit fees, and adopts Schedule A Building Permit Fees of those submitted for review at this meeting by the Codes Enforcement Officer.

B. Demolition of Old Motel - status. Mayor Baker asked Engineer Rathbone if he was asked to be in the process of soliciting bids for the demolition for the old motel. Engineer Rathbone stated he had not been asked. Mayor Baker then asked Engineer Rathbone if he would go through whatever process was needed to get bids for the demolition of, the loading and carting away of, and the disposition of the motel at the corner of Eaton and Utica Streets.

C. Smith Block Fire Lane - status. Mayor Baker stated that Attorney Walton, Chris Kendall of Nodell, Jones & Kendall, and he met a few weeks ago to talk about one of the property owners who is showing some resistance in getting the contract signed. Chris Kendall has written his client telling her that we are trying to get a hold of her. CEO Sternburg remarked that Attorney Walton had some concerns over the map, and CEO Sternburg talked to Burt Marshall about using a survey that he had which identified where the buildings were.

D. UDC Grant/Annexation - status. Mayor Baker remarked that he has talked with Benji Manton on the UDC Grant. Mr. Manton indicated that he had received a call from Ed Muzinki of the Rochester office of the UDC, saying that the office has requested an emergency payout order to be issued to the Division of Audit Control as this grant is ready to go and should be funded. What this means is that currently the grant does still exist, but it could disappear.

Mayor Baker stated that he received the request for annexation by Skaneateles Savings Bank today. The next step is to schedule a joint public hearing. Mayor Baker remarked that the Board of Trustees has stated to the Skaneateles Savings Bank, that basically if they initiate the petition for annexation and is successful, we would work out with the IDA, the county or some other agency a pilot

program whereby they would be exempt from taxes by the Village of Hamilton during the period of their ownership of it. Taxes would not begin to accrue until the property is sold. Taxes by the governments of the Town of Madison and the Town of Eaton would continue to be paid along with any increases that come by them.

E. Design Review Change - revisions. Mayor Baker remarked that the Board needs to take a look at the revisions and determine what it is they do like or do not like about them. The Board discussed concerns regarding; defined historic districts, Section 13 - Appeals, Section 12 - Violations, Section 3 - Administration, Section 5A - Non-Historic Districts, Section 5B - Historic Districts, Section 8 - Hardship Criteria, Section 9 - Hardship Application Procedures and review of the law by the Village Attorney.

F. Zoning Changes. Trustee Glaser stated that he should have a packet for the Board at tomorrow night's meeting. He has attached a memo with the packet that outlines some of the processes that we need to go through.

New Business

A. Farmers' Market - 1995 Season. Trustee Brink remarked that she felt the Board should accept some of the recommendations from the vendors. She went over the proposed fees with the Board.

Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to accept the 1995 Rules and Regulations as amended for the Village of Hamilton Farmers' Market. (See attached copy.)

B. Recreation for the Elderly Contract, other contracts. Clerk Kogut stated that during the course of the audit, the auditor noticed that we did not have a contract anymore with the Senior Citizens Center for the recreation for the elderly. Clerk Kogut filled out a form for this year, sent it to them for signature and it has not come back yet. Clerk Kogut needs a resolution for the Mayor to execute the contract on behalf of the Village when it is returned.

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to authorize Mayor Baker to execute the contract for the elderly recreation in the amount of \$2,850 once it has been signed and returned.

C. NTIA Telecommunications Improvement Demonstration. Trustee Bergen remarked that there is a March 23 deadline for sending a letter indicating the intention of submitting an application.

Trustee Glaser stated that he went to the workshop for this in Albany and there were over 600 people, and the amount has been cut to 35 million dollars. You need to know technically what you are going to do, and it will be very competitive.

D. Retirement Incentive Program. Clerk Kogut remarked that there are four employees who meet the age and service criteria, and he knows of at least one that is interested.

Trustee Glaser stated that he thought it would be a good idea for Clerk Kogut to meet with each employee to see what the benefit would be, and to give them the option.

Adjournment

There being no additional business to come before the Board of Trustees the meeting adjourned at

10:34 pm.

Respectfully submitted,

Paul C. Kogut
Village Clerk-Treasurer