

November 12, 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 November 12, 1997.

### **Present**

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

### **Call to Order**

1. Approval of Agenda. Mayor Brink asked for a motion to approve the agenda. Motion was made by Trustee McVaugh, seconded by Trustee Reilly and carried that the amended agenda be approved with the following additions:

F.4 - Airport Report  
H.4 - Enos Avenue  
H.5 - Mid-York Senior Homes

### **Approval of Minutes**

1. Regular Meeting - October 14, 1997. On page 3, Item 1 under Communications, add to the last sentence, *to the total sum of \$28,702*. On page 4, change *Execution Session* to *Executive Session*. On page 2, first paragraph, add to the last sentence, *with Trustee Vantine's as a Naye*. On page 2, Item 2 under Reports, add *for Village Financial Officers* to the end of the sentence.

Motion was made by Trustee Vantine, seconded by Trustee Reilly and carried that the minutes of the October 14, 1997 regular meeting be accepted as corrected.

2. Special Meeting - October 17, 1997. Motion was made by Trustee Vantine, seconded by Trustee McVaugh and carried that the minutes of the October 17, 1997 special meeting be accepted.

### **Reports**

1. Treasurer's Report for October. Discussed and accepted.
2. Police Department Report. Discussed.
3. Fire Department Report. Discussed.
4. Code Enforcement Officer Report. Discussed.

### **Approval of Claims**

Motion was made by Trustee Vantine, seconded by Trustee Basher and carried that the claims for October 1997 be approved as follows.

General	\$ 28,678.53
Community Development	86.88
Trust & Agency	<u>3,543.45</u>
Total	<u>\$ 32,308.86</u>

### **Communications/Information/Discussion**

1. Zoning - Towers. Mayor Brink stated that she received a packet from a group of attorneys, who wanted the Village to write letters for testing the FCC's power over determining where communication towers can be put. She did not feel that this would affect the village. The ruling that is going into affect for the FCC exempts them from local zoning boards authority, in terms of where towers can be, etc.

Time Warner Cable has sent us notification regarding changes in corporate ownership.

2. Electric Wheeling Rate Increase. Mayor Brink will write a news release regarding New York State Electric and Gas' increase in wheeling rates. This will be reflected in the utilities bills beginning January 1, 1998, and has a potential impact of approximately \$180,000 annually.

3. Town/Gown Christmas Program. Trustee Reilly stated that the scheduled date for the Tree Lighting is December 12, 1997. The committee will be discussing the time at their next meeting.

4. Airport Report. Mayor Brink remarked that she felt that some people got a little bit of a misconception in terms of the article that was in the paper. She explained the process for the Airport Economic Impact report that was done before the Village took over the airport.

### **Old Business**

1. Proposed Local Law - Electrical Inspections. Mayor Brink asked for a motion to adopt local law #6-1997 regarding electrical inspections.

Motion was made by Trustee Reilly, seconded by Trustee McVaugh and carried to adopt local law #6-1997 regarding electrical inspections.

2. Capital Street Program. Mayor Brink stated that Director Graham would like to have a direction from the Board, so that the work can be started in the spring. Director Graham has suggested that the entire project go out for bid with the exception of Enos Avenue.

After further discussion, the Board decided to discuss this more at next months meeting.

3. Peddling & Soliciting Local Law. Mayor Brink remarked that the law was passed in June 1997. The Mayor suggested a proposed change to the law allowing the Village Administrator to issue permits with special conditions to accommodate different vendors. The Village Administrator will ask the Village Attorney to prepare the draft and we will try to schedule a public hearing for 1/13/98 at 7:00 p.m.

4. Smith Block Fire Lane. Code Officer Sternburg stated that he met with the state codes department regarding the section that gives him authority to designate where a fire lane is. Their recommendation was to go ahead and designate the fire lane, and if someone objects to it they can take it to the Board of Review in Syracuse. If the Board of Review overturns the decision, at least the Village did what they could to provide as much safety as possible for the area. If the Board of Review supports his decision the alternative for objectors is to file an Article 78, but it would be against the state and not the village.

After further discussion, it was decided that Code Officer Sternburg would establish the fire lanes and send letters to the property owners.

5. Outdoor Fire Permits. The draft prints were discussed and will be sent to the student groups for their comment.

### **New Business**

1. Mr. Ernie Cross, Colgate University. Mr. Cross gave a presentation to the Board regarding proposed developments for the university.

2. Proposed Local Law - Alternative Veteran's Exemption. The proposed local law was presented and a public hearing was set for 12/9/97 at 7:00 p.m.

3. Planned District Proposal - Damian's Garage. Mayor Brink remarked that the proposal involved the Spellicy property on Utica Street. Damian currently owns a business north of Route 20 on Route 46, and he is interested in moving the business into the Village of Hamilton. Mr. Croyle gave a brief background of his proposal for the Board.

After further discussion, motion was made by Trustee Basher, seconded by Trustee Vantine and carried to approve the building project as presented by Mr. Damian Croyle.

4. Enos Avenue. Trustee Basher stated that Trustee McVaugh and he took a tour around the village for the Capital Streets program, and one of the streets they looked at was Enos Avenue. There is a building there that is very dilapidated and full of holes. Code Officer Sternburg remarked that he had not been in the building since last year. Trustee Basher told him that there had also been a fire in the house a while back. He wondered if the Board could direct or assist Codes Officer Sternburg to try to do something about the building, because it is dangerous and unsafe. Code Officer Sternburg stated that he recommends that the Village Board request an inspection of the building. Once he does that, he can determine whether or not he needs to deem it unsafe. If it is unsafe, then he can contact the property owner and tell them that they need to either secure the building, or demolish it. Codes Officer Sternburg was directed to proceed.

5. Mid-York Senior Homes. Code Officer Sternburg remarked that Mid-York Senior Homes feels that the fee of \$15.00 per 1,000 square feet for fire inspections is unreasonable. Mayor Brink stated that she did not think the Board could continue to make exceptions for them.

After further discussion, the Board agreed to keep the fee the same.

### **Executive Session**

Motion was made and seconded to go into executive session at 9:23 p.m. to discuss personnel.

Motion was made and seconded to go back to regular session at 10:05 p.m.

**Adjournment**

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

Respectfully submitted,

Paul C. Kogut  
Village Administrator