

September 13, 1994

The regular meeting of the Village of Hamilton Board of Trustees was called to order by Mayor Baker in the Village Office at 7:00 pm on September 13, 1994.

### **Present**

Mayor Baker, Trustee Bergen, Brink, Getchonis and Glaser, 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 Communications/Information; Crossing Guard request, Airport Study RFP, and Bill Magee.
2. Add to New Business, 1994 Street Repair Service Bid.
3. Add to Reports, Cable Committee.
4. Add to Appointments, Volunteer Firefighter.

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

### **Appointments**

1. Safety Coordinator - NYMIR Program. Mayor Baker stated he received a letter from the New York State Municipal Insurance Reciprocal regarding the appointment of a Safety Coordinator to maintain our municipalities records for safety committees, bulletins and notices. Mayor Baker has appointed Engineer Rathbone as Safety Coordinator.

2. Volunteer Firefighter. Trustee Glaser offered the following name for appointment.

2nd Assistant Chief - William Penoyer

Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried to appoint William Penoyer as Second Assistant Chief.

### **Approval of Minutes**

1. Regular Meeting - August 9, 1994. On Page 1, under Approval of Minutes, item c, change *Trustee Glaser to It Was*. On Page 2, under Communications and Information, item c, change *to repair the sidewalk to for handicap access* in the third line.

Motion was made by Trustee Getchonis, seconded by Trustee Brink and carried to accept the minutes of August 9, 1994 as corrected.

## Reports

A. Treasurer's Report - August 1994. Reviewed.

B. Dumpster Summary - August 1994. Reviewed.

C. Village Clerk Kogut. Clerk Kogut asked the Board for permission to attend the State Training School on September 20 - September 23. The Board granted permission by consensus.

D. Police Report. Trustee Getchonis gave copies of the Police Report to the Board. Trustee Bergen liked the report, but requested more narrative regarding issues of trouble within the village such as, geographical areas and areas in the highway system.

E. Committee on Village Government. Trustee Getchonis remarked that the Committee on Village Government has put a lot of time into their report. He stated he wanted to thank Maggie McCue and Charles Naef for their efforts. Trustee Getchonis discussed some of the areas of the report with the Board.

Trustee Bergen added he also enjoyed working on the report, and hopes that the Board will give the recommendations serious consideration. Trustee Bergen remarked he, too, wanted to thank Maggie McCue and Charles Naef for all the time they spent on the report.

Mr. Charles Naef remarked that whenever he talked to newcomers they thought of Hamilton as a model village. The more he learned about how the Village Board operated, the more impressed he was.

Mrs. Maggie McCue stated that she wanted to compliment Charles Naef because he was the one who dealt with the research portion of the report.

Trustee Brink remarked that she was tremendously impressed with the research and historical background that was put into the report.

Trustee Glaser stated that he thought the report was the best document he had seen in the seven years he has been on the Board.

Mayor Baker remarked that he felt the same about the report as everyone else did. The need for this type of document came from the urging of Trustee Bergen, and Mayor Baker appreciated the time and effort spent by Maggie McCue and Charles Naef. Mayor Baker stated that we should set up a work session to determine what our actions, plans and/or activities might be. We also need to determine the distribution date and scope. Mayor Baker remarked that the Board should have a work session prior to a general distribution of the report. The Board agreed on Tuesday, September 27, 1994 at 7:00 pm in the Village Office for a working session.

E. Cable Committee. Trustee Brink stated that the Cable Committee has met a few times to review the materials received from Paragon Cable. Engineer Rathbone has the computer program that was put out by the FCC. We found a major error in terms of their data. They listed the per-capita income in Hamilton as \$27,000, and the census data indicates between \$10,000-\$11,000. Trustee Brink remarked that she is concerned with the way the committee is going. We may need to do some re-organization on the committee. Trustee Brink asked Mayor Baker for some direction in terms of how he felt she should proceed. Mayor Baker recommended that Trustee Brink speak with each individual and find out whether or not they are interested continuing to serve on the committee.

### Approval of Claims

A. Claims for August 1994. Motion was made by Trustee Brink, seconded by Trustee Getchonis and carried that the claims for August 1994 be approved as follows:

Village	\$ 34,439.20
Community Dev. (Sidewalks)	750.00
Capital (Fire)	6.46
Joint Activity	146.65
T & A	<u>3,830.40</u>
Total	\$ 39,172.71

### Communications/Information

A. Michael Zahn - Kappa Alpha Theta Status. Mayor Baker remarked that he received a copy of a letter from Michael Zahn to the Kappa Alpha Theta sorority specifying a number of areas in which they are deficient of the promises made at the time they were issued the special permit. These promises included parking, snowplowing, and parking on the street. The Planning Board requested in the letter that a representative be present at their meeting on September 22, 1994 to discuss these issues. If the conditions and standards of their special permit have not been cured by October 15, 1994, then a public hearing can be set for non-compliance. The Planning Board also requested that the Colgate University representative for fraternities and sororities be present at the meetings.

B. New York Power Authority - Tom Young. Mayor Baker stated he received a letter from Tom Young, former Mayor of the City of Syracuse, stating he is the head of the New York Power Authority and wishes us to continue serving our municipal customers.

C. C & U Gasoline Spill Clean Up. Mayor Baker remarked that the principle complaints came from 3 individuals, two of whom live at the same residence. Mayor Baker spoke with two of them on a couple of occasions and told them that Engineer Rathbone had called the DEC and registered their complaint. Mayor Baker stated that the DEC had a permit to do the work and a monitor on site, and the DEC Law Enforcement Division shut the job down. Two days later they were permitted to open up again, and they brought down individuals from the State Health Department and County Health Department, who remarked there was nothing wrong with the process. They are now going to haul everything out to New Jersey because of the cost factor.

D. Thank You Reception. Mayor Baker stated he would like all of the Board members to be present at the reception to help recognize the various committees to which they are liaisons. There will be an hour of mixing and then a half hour program thanking the various committee members for their efforts. He would also like Trustee Getchonis to mention the Government Report, and publicly thank the members of the Village Government committee for their time and effort in putting the report together. The reception will be September 20, 1994 from 7:00 pm - 8:30 pm.

E. Burma Shave Signs. Mayor Baker remarked that he received a note from Val and John Rathbone regarding Burma Shave Signs. They read a magazine called "Reminiscence", and in the magazine they are anxious to get started on the reintroduction of Burma Shave signs with a set for every state for promotional reasons.

F. David Lewis - Land Reorganization. Mayor Baker stated that he asked Codes Enforcement Officer Sternburg if we needed some direction on this and he did not seem to think we did. Trustee Bergen felt the Planning Board should probably get involved because of the subdivision of a lot.

Trustee Getchonis felt that it should go to Codes Enforcement Officer Sternburg. Clerk Kogut remarked that both Codes Enforcement Officer Sternburg and Engineer Rathbone, have told David Lewis that this procedure has to begin with Village Board approval because the lot he is taking land from is part wetland. Mayor Baker asked for a resolution stating that the Village Board approves of the proposition being made by David Lewis relative to these two lots on College Street.

Motion was made by Trustee Getchonis, seconded by Trustee Bergen and carried that the Village Board approve the proposal for configuring a new lot on College Street made by David Lewis in his letter of September 5, 1994.

Trustee Glaser remarked that this should be referred to the Planning Board. Trustee Bergen stated he agreed. Mayor Baker remarked that based upon the direction of the Trustees, he will forward the proposal to the Planning Board for their September 22, 1994 agenda. He will also indicate that the Board has no objection to this proposal, but feels we should have a recommendation from them in a timely manner.

G. Al Ford - Roadside Letter Box Request. Mayor Baker stated he received a letter from Al Ford regarding the Mail Drop Off boxes in front of the Post Office. He suggested putting the boxes where the curb curves inward in front of Susan Shapiro's property. Mayor Baker remarked that maybe we should talk to the Postmaster and see if they can come up with an idea. He will contact her and see what can be done.

H. Crossing Guard Request. Mayor Baker remarked that he met with Mrs. Dianne Arnold, Elementary Principle for Hamilton Central School, and Shelly Sweeney who is a member of the PTO, regarding the need for a crossing guard at the main intersection in the village. Mayor Baker explained to her that our budget is in, and if she wanted to prepare a request for the next budget year the Board would look at it at budget time. Mrs. Sweeney asked if one of the police officers could be there at that time in the morning, or maybe Joe Bordelon who issues parking tickets. Mayor Baker told Mrs. Sweeney he would talk with the Board regarding this issue.

Trustee Bergen stated that the school district is not involved in the payment of crossing guard at all. The municipality pays for the crossing guards. Mayor Baker remarked that maybe we could encourage the school to look at funding the crossing guards.

I. Airport Study RFP. Mayor Baker remarked that he received a call today from Benji Manton. They have sent out an RFP to about 30 type consulting firms using a list supplied by the U.D.C. Articles were also put in the Utica and Syracuse newspapers. They received only one response from a firm called Knowledge, Systems and Research. The airport master plan portion of the project will be handled by an outfit called Grinder who operates through the county. Mr. Manton felt that we should review the response that K.S.R. made, and he will be printing some copies for us. He indicated that they are very concerned about the possibility of increasing the scope of work, because they feel the amount of work to be done and the amount of money available was asking a lot for a little.

Mayor Baker asked Mr. Manton when the money would be available. Mr. Manton told him that U.D.C. wants the airport master plan portion to be underway at least 90 days prior to the initiation of activities by K.S.R. He and some individuals from his company will be attending a meeting in

Binghamton with the New York State Airport Managers on October 2-3, 1994. Mr. Manton is on the agenda to discuss this particular study's objectives, because among airport circles it has gained quite a bit of attention.

J. Bill Magee. Mayor Baker stated that he talked with Assemblyman Bill Magee regarding the distribution of state aid. Assemblyman Magee remarked that he knew we were not happy, but he did not know what he could tell us. Mayor Baker asked him if there was some other way we could get the point across to him formerly, and he suggested to do it at his town meetings.

Trustee Bergen remarked that the school superintendents get together and complain, so maybe the mayors should get together.

Trustee Brink stated that maybe the approach should be through NYCOM and make them aware of how we feel.

Mayor Baker remarked that maybe we should get a list of the Madison County Mayors and see what can be done, and also let NYCOM know what it is we are doing.

### **Old Business**

A. Request for Deadline - Snow Removal Committee. Trustee Bergen stated that the committee has had about 4 or 5 meetings and their deliberations have been concluded. Engineer Rathbone may have the report or is in the process of producing the report, and has asked for an extension because he is in Saratoga this week. He should have it ready for the October meeting.

B. Peace Officer Designation/Colgate - Status. Trustee Glaser remarked that Trustee Getchonis and he have had some discussions with Chief Tilbe regarding his concerns. They have a meeting set up for September 28, with Mike Cappeto, Ron Joyce and their Security Director to discuss; what the reasoning is, the area they want covered, job description of the person involved, qualifications of that person, and the number of people they need to appoint. Chief Tilbe also has some questions we are trying to resolve.

Mayor Baker stated we faxed to Attorney Linus Walton a copy of a letter to Chief Tilbe from Mary Crouse, Personnel Officer for Madison County Department of Civil Service, and a copy of a letter she received from the New York State Department of Civil Service, which bears on this. Mayor Baker asked Attorney Walton to check with the Attorney General's office for clarification.

C. Village/Vantine Property Transfer Status. Mayor Baker remarked that Attorney Linus Walton has drawn up an agreement that he has shared with Warren Ashmead, representing Vantine Studios. He has not yet received any feedback.

D. Fire Lane Right-of-Way - Status. Mayor Baker stated that a draft of the proposed easement right-of-way has been signed by him, and the next step is to get Burt Marshall, Bob McGaugh, Rosalind McGaugh and Susan Schapiro to sign it.

E. Little League/Village License. Mayor Baker remarked that Clerk Kogut and he met with Attorney Linus Walton and he drew up a license agreement with Mid-York Little League. Mayor Baker delivered a copy to Ed Ray and asked him to read it and let us know what he thought.

F. Design Review Law Change. Mayor Baker stated that Bruce Ward sent him three paragraph

changes based on the results of a conversation they had. Mayor Baker has misplaced the changes and has asked Mr. Ward to send him another copy so that the Board can look at it.

G. Zoning Changes - Status. Trustee Glaser remarked that he has been working on it for 2 weeks. The changes are not on a computer processing disk anywhere. The Planning Board has completed their review, and over the next couple of days Trustee Glaser will work out how we can present it to the public. Mayor Baker set a tentative date of Tuesday, October 4, 1994 at 7:00 pm in the Village Office to go over the changes.

H. Satellite Dish Law Changes. Mayor Baker stated that this has not been done yet and he will try to get something ready for the next meeting. Trustees Glaser accepted the charge to have something ready for the October meeting on this topic.

I. Summer Concert Wrap-Up. Mayor Baker remarked that of the 6 people we contracted with, 5 of them performed. Joe Lombardi never got a chance to perform and we agreed for him to do a 1 1/2 hour show on October 1, 1994, during the Farmer's Market, on Parents Weekend.

### **New Business**

A. Request for Public Hearing - Sewer Rate Increase. Clerk Kogut stated that the Municipal Utilities Commission recommends a rate increase for sewer. After discussion Mayor Baker set a date for the public hearing for October 11, 1994.

B. Police Vehicle Bid Award. Mayor Baker remarked he received a memo from Chief Tilbe regarding bids for a new 1995 Chevrolet Blazer. The two bids received were:

Den Kelly Chevrolet	\$ 22,433.46
Sun Chevrolet Inc.	\$ 21,338.00

Motion was made by Trustee Getchonis, seconded by Trustee Bergen and carried that the bid for a 1995 Chevrolet Blazer be awarded to Sun Chevrolet at a cost not to exceed \$21,338, and that the difference between the cost and amount in the budget be appropriated from the gift recently received for the benefit of the Police Department.

C. Treepower Offer. Mayor Baker stated he received something from the Power Authority regarding prices on different trees. Mayor Baker will talk with Engineer Rathbone about the purchase of \$500 worth of trees.

D. 1994 Streets Information. Mayor Baker remarked that we received a proposal from O'Brien & Gere in connection with the "1995 Street Rehabilitation Project".

After discussion, motion was made by Trustee Bergen, seconded by Trustee Brink and carried to accept the design portion of the proposal from O'Brien & Gere for the "1995 Street Rehabilitation Project" at a cost of \$15,000.

### **Executive Session**

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to go into executive session at 10:15 pm.

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to return to the regular meeting. After discussion, motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to pay \$4,500 to Burt Marshall in settlement in full of his dumpster claim.

Motion was made by Trustee Brink, seconded by Trustee Getchonis and carried to issue a moratorium on construction debris removal effective through December 31, 1994.

**Adjournment**

There being no additional business to come before the Board of Trustees the meeting adjourned at 10:53 p.m.

Respectfully submitted,

Paul C. Kogut  
Village Clerk-Treasurer