

Mrs. Shafer stated that it has been sixty days since the general construction work was tentatively awarded to Joerger Builders and he is yet to provide the performance and payment bond. Mrs. Shafer stated that she polled the Library Board of Trustees and they decided to give Joerger to the end of today to produce the performance bond or award the bid to the next highest.

Mayor McCarthy responded that the Board awarded the bid in good faith, and ordered Joerger to have the bond delivered. A ten day extension was given when Joerger produced a notarized letter from DeAngelo & Associates of Utica stating that a performance bond had been tentatively approved and should be delivered within 1½ to 2 weeks. Mayor McCarthy stated that he called the bonding company and was told the bond lacked one signature of a person who was out of town. It was reported that another attorney has been consulted and this attorney recommended that the safest course of action would be to re-advertise the bid. Trustee Fisher stated that we left ourselves open by granting the extension. Trustee Ray stated that we have put ourselves in a hole and felt that we should wait for the bond and set Wednesday the day to produce. Trustee Fisher commented that he thought Tuesday would be better since there is overnight express mail service available. It was moved by Trustee D. Ray and seconded by Trustee S. Sastri that if the performance and payment bond is not produced by 4:00 P.M., June 9, 1981, all bids will be rejected and the Clerk was directed to re-advertise for general construction bids. The motion carried unanimously.

The Trustees agreed that if all bids are rejected, the bid deposits should be returned.

Mrs. Shafer commented that she was told that the Library Board would be smart to hire a clerk of the works to oversee the construction phase. Trustee Fisher agreed that that is a good policy.

Notice of Claim

Mayor McCarthy reported that he received a notice of claim from former patrolman, James Payne, seeking approximately \$1,000.00 in overtime and vacation pay which he claims is due him. The clerk was directed to forward a copy of the claim to Attorney L. Hodge and Craine & Mirabito Insurance Agency.

It was moved by Trustee A. Fisher and seconded by Trustee J. Lloyd to adjourn the meeting.

James P. Morgan
Clerk-Treasurer

June 11, 1981

The regular meeting of the Village Board of Trustees was held on June 11, 1981 at the Village Office at 7:00 P.M. Present were Mayor J. P. McCarthy, Trustees J. Lloyd, D. Ray, A. Fisher and S. Sastri, Engineer J. Rathbone, Attorney L. Hodge, Police Chief J. Tilbe and Clerk J. Morgan. Also Present was Fire Chief J. Basher, Reporters Diane Galusha and Scott Phoenix and William Penoyer.

State Contract - Gasoline

Mayor McCarthy reported that the State gasoline contract has been awarded to Clark Oil of Canastota.

Summer Hours

Mayor McCarthy reported that all employees are working summer hours.

Fourth of July - Employees

It was moved by D. Ray and seconded by S. Sastri to give the Village employees the day off on July 3rd since the Fourth falls on Saturday. The motion carried unanimously.

Colgate University - Fireworks

It was moved by J. Lloyd and seconded by A. Fisher to approve the request to conduct the fireworks display at Colgate University on July 4th. The rain date is July 5th. The motion carried unanimously.

Sidewalk Sale Request

It was moved by J. Lloyd and seconded by S. Sastri to approve the request for permission for the merchants to conduct a sidewalk sale on July 10th and 11th provided that the displays do not block the sidewalk. The motion carried unanimously.

Guidelines - Trash Items

Trustee A. Fisher stated that the Village Engineer and himself have compiled a list setting forth the trash items which the Village crew may pick up and transport to the Madison County landfill. Trustee Fisher added that a press release will be prepared.

Library Addition Update

Mayor McCarthy reported that Joerger Builders has received the performance bond.

Resignation - David Burgess

It was moved by A. Fisher and seconded by J. Lloyd to accept the resignation of David Burgess, effective immediately, from the Municipal Utilities Commission. The motion carried unanimously.

Appointment - George Guilmette

It was moved by S. Sastri and seconded by D. Ray to appoint George Guilmette to fill the unexpired term of David Burgess on the Municipal Utilities Commission. The motion carried unanimously.

Proposed Zoning, Sign, Subdivision Laws

Mayor McCarthy reported that a public hearing was held on May 28th with very few people in attendance. Mayor McCarthy added that the Trustees will need time to review the proposed laws before any decision may be reached.

Long Range Planning Committee

Mayor McCarthy appointed the following persons to the Long Range Planning Committee with the Village Board of Trustees to act ex officio and/or as a resource. The Long Range Planning Committee will be chaired by Donald Ray and will consist of the following members:

Robert Paul	53 Payne Street
Robert Kuiper	25 Montgomery Street
Dr. E. K. Elmer	84 Lebanon Street
Edmund Clarke	120 Lebanon Street
Howard Bradley	66 Lebanon Street
Beth Shortliffe	35 Payne Street
Mark Randall	9 Charles Street
Richard Haley	15 Wylie Street

It was moved by A. Fisher and seconded by S. Sastri to endorse the appointments to the Long Range Planning Committee. The motion carried unanimously.

Triangle Park

Trustee Ray stated that the Triangle Park looks very nice and the kids do not seem to be disturbed by the new park benches. Trustee Ray added that the stain has been received and the Townscape Committee might be able to provide volunteers to help stain the benches.

Fourth of July Celebration

Trustee Ray stated that the Fourth of July Committee is still pursuing bands to participate in the parade. As of now, the Sherburne Junior Band will participate but the Morrisville-Eaton Central School band and the Madison Central School band have not given official notification.

Noise Complaints

Mayor McCarthy reported that he has received several complaints in regards to loud noise. Trustee Ray stated that he checked with the Utica Police Department and the New York State Police and he was told that noise pollution is very difficult to enforce. Attorney Hodge stated that a noise ordinance would require a mechanical device to record the noise level. In addition, the defense has to prove that the specific noise caused the needle to move. Mayor McCarthy stated that the cooperation of the residents and the University is needed.

Chief Tilbe reported that he received a letter from the New York State Department of Environmental Conservation, Traffic Division, which stated that a two day course in noise pollution is being offered.

Mayor McCarthy recommended that the Police Department issue a press release. Trustee Fisher added that the press release should specify that a complaint does not have to be signed.

Wastewater Treatment Plan - Phase II

Engineer Rathbone stated that the Citizen's Advisory Committee has recommended that the Step II grant application be submitted by July 1, 1981, as specified in the permit which allows the Village to operate the wastewater plant. Engineer Rathbone stated that the costs for Phase II are allocated as follows:

Federal Portion	\$ 485,040
State Portion - pre-finance	80,840
Village Portion	<u>80,840</u>
	\$ 646,720

Engineer Rathbone stated that a slow down of Federal Funds is not anticipated. Engineer Rathbone added that Congress could require the Village to absorb the total cost. Engineer Rathbone noted that the State grant portion of \$80,840 will have to be prefinanced by the Village until the Step III grant application is submitted.

Engineer Rathbone noted that the MUC has been operating the wastewater treatment plant under a consent order which was issued on June 12, 1980. The Village has agreed to be bound with the provisions in the consent order, the operation and maintenance aid will be jeopardized.

Engineer Rathbone added that a sewer user charge will have to be implemented.

Trustee Fisher asked what would happen if congress decides to reduce their share of the costs. Attorney Hodge asked what if the public does not approve the bond issue. Engineer Rathbone responded that the public was advised at a number of public hearings. Mayor McCarthy stated that if the Federal Funding stops, so does the project.

Trustee Ray stated that the Sewer System Evaluation Survey will entail the tightening up of the joints and should leave the system in better condition. Engineer Rathbone stated that the Sewer System Evaluation Study had to be stopped due to a low water table.

The following resolution was presented by Trustee Lloyd and seconded by Trustee Ray:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A FEDERAL GRANT FOR THE CONSTRUCTION OF NECESSARY SEWAGE TREATMENT WORKS, UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (PUBLIC LAW 92-500)

WHEREAS, Village of Hamilton, New York herein called the "Applicant," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the construction of certain works, required for the treatment of sewage, generally described as Step 2 Final Design for Wastewater Collection and Treatment Facilities for Village of Hamilton and surrounding areas and identified as Project Number C-36-1178-02, herein called the "Project," is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, under Public Law 92-500, the United States of America has authorized the making of grants to aid in financing the cost of construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans, and specifications in connection therewith; and

WHEREAS, the Applicant has examined and duly considered Public Law 92-500 and the Applicant deems it to be in the public interest and to the public benefit to file an application under this act and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY The Village of Hamilton Board of Trustees

1. That the filing of an application in the form required by the United States and in conformity with Public Law 92-500 is hereby authorized including all understandings and assurances contained in said application;
2. BE IT FURTHER RESOLVED, that such an agreement shall include a system of equitable user charges and a comprehensive sewer use ordinance as may be required by the U. S. Environmental Protection Agency regulations.
3. That James P. McCarthy, Mayor is directed and authorized as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required;
4. That three (3) certified copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York together with the Federal application;
5. That this Resolution take effect immediately.

Adopted unanimously--June 12, 1981.

<u>Ayes</u>	<u>Nayes</u>
J. Lloyd	Ø
D. Ray	
S. Sastri	
A. Fisher	

New York Telephone Request

Engineer Rathbone reported that the New York Telephone Company would like to place additional cable and conduit on Payne Street between Madison and Broad Street, on Madison Street from the corner of Payne Street to their second pole north on Madison Street, and from the corner of Payne and Madison Street, to the Bank block on the northwest corner of that intersection. New York Telephone Company requests permission to excavate the road for and construct the additional underground conduit and enlarging of the two manholes.

Trustee Fisher stated that he has seen many lousy repair jobs to the road surface. Trustee Fisher added that he would like to see a twelve month guarantee on their road work. Attorney Hodge suggested that New York Telephone provide a bond.

It was moved by A. Fisher and seconded by J. Lloyd to approve the request of New York Telephone provided that the repairs to the road surface meet the specifications of the New York State Department of Transportation.

Operation and Maintenance Aid

Mayor McCarthy reported that he received a letter from the New York State Department of Environmental Conservation stating that the Operation and Maintenance Aid criteria will be more rigid. The Trustees agreed to refer the letter to the Municipal Utilities Commission.

Village Office Renovation

Mayor McCarthy reported that the Village Office is in desperate need of interior and exterior renovation. Engineer Rathbone noted that he included office renovation and weatherization in the MUC's rate relief request.

Recreation Report

Trustee Ray stated that the recreation program will start June 29th. Trustee Ray added that 150 kids are participating in the baseball program.

Police Department Update

Trustee Sastri stated that the Police Chief and himself met with the Town-Gown Committee and had a nice discussion.

Hamilton Police Department Procedures, Rules & Regulations

Trustee Sastri stated that Chief Tilbe has drafted proposed procedures, rules and regulations for the Hamilton Police Department and if approved, it would be filed with the Bureau of Municipal Police.

It was moved by S. Sastri and seconded by J. Lloyd to adopt the Hamilton Police Department Procedures, Rules and Regulations effective immediately. The motion carried unanimously.

Fire Department Report

It was moved by J. Lloyd and seconded by S. Sastri to approve the membership of Anthony Carroccio to the Fountain Fire Company, No. 1, Inc. The motion carried unanimously.

Fire Chief Basher stated that the no smoking signs in the hallway of the fire hall are missing. Chief Basher added that the Fire Department has been awarded a \$400 matching grant from the New York State Department of Environmental Conservation to buy hose.

College-Community Council

Trustee Sastri stated that his meeting with the College-Community Council was very productive and other meetings will probably result.

Communications

Mayor McCarthy stated that he received a letter from Betty Wright inquiring into the possibility of having benches installed in the Lebanon Street park. It was noted that the Townscape Committee has planned to install benches in the Lebanon Street park.

Christmas Decorations

Engineer Rathbone asked if the Trustees knew of any community organization which would like to help raise funds to purchase new Christmas decorations.

The Trustees referred the issue to the Townscape Committee.

Fire Department Task Force

Trustee Lloyd stated that he met with the Task Force members Betty Paul, Bertram Ryder, Richard MacNeilly, Preston Trask and Ross Lash. The Task Force expressed concern about the proposal of purchasing the Texaco station and therefore removing the property off the tax rolls. The Task Force considered various aspects of the possibilities of the Texaco station and also the possibility of building a structure in the present parking lot (Utica Street). The Task Force propose that a simple structure or annex, be built across the street and have an area of 2,000 to 2,400 square feet which is approximately the same as the existing station. The purpose of the annex would be to house three pieces of equipment and to have a work space. The Task Force agreed that some improvements should be done in the present station, including the installation of a shower and the enclosing of the kitchen.

Trustee Fisher stated that he hopes the firemen will assist in the interior work. Trustee Ray noted that it seemed like a good plan. Chief Basher stated that it seems like a workable solution. The Trustees agreed to table for consideration in the very near future.

Cable Television Update

It was moved by A. Fisher and seconded by S. Sastri to have Teleprompter of Mohawk Valley furnish the Village Clerk with a progress report which shall be released to the newspapers. The motion carried unanimously.

Payment of Bills

It was moved by S. Sastri and seconded by J. Lloyd to pay all audited vouchers. The motion carried unanimously.

General Fund - \$ 41,942.48
Trust & Agency - \$ 11,153.10