

WHEREAS the Mayor and Trustees heartily support the filing of a Small Cities Community Development Block Grant application for funds to be used solely towards water system improvements, now

BE IT RESOLVED that the Board of Trustees authorize the filing of a Small Cities Community Development Block Grant application in the amount of \$730,000 for water supply and filtration system improvements, and

BE IT FURTHER RESOLVED that the Village of Hamilton provide in-kind services up to a maximum of \$70,000.

BE IT FURTHER RESOLVED that Mayor Edward K. Vantine, Jr. be authorized to execute the Small Cities Community Development Block Grant application.

Upon roll call:	<u>Ayes</u>	<u>Nayes</u>
	Mayor Vantine	0
	Trustee Fisher	
	Trustee Getchonis	
	Trustee Ray	

This resolution was passed unanimously.

Upon motion, the meeting and public hearing was adjourned.

James P. Morgan
Village Clerk

August 14, 1984

The regular meeting of the Village Board of Trustees was held on August 14, 1984 at 7:00 p.m. in the Village Office. Present were Mayor E. Vantine, Jr., Trustees C. Getchonis, A. Fisher, S. Sastri and D. Ray, Engineer J. Rathbone and Clerk J. Morgan. Also present was Stanley Roe, a village resident.

Treasurer's Report

It was moved by A. Fisher and seconded by D. Ray to approve the Treasurer's Report for the month of June 1984. The motion carried unanimously.

Minutes

It was moved by Trustee Fisher and seconded by Trustee Ray to approve the minutes of the meetings of July 10, July 17th and July 19th. The motion carried unanimously.

Appropriation Transfer

It was moved by Trustee Getchonis and seconded by Trustee Sastri to approve the following appropriation transfers. The motion carried unanimously.

	<u>From</u>	<u>To</u>
A1990.4 Contingent	\$500.00	
A7550.4 Celebrations July 4th		\$500.00

Assessment Roll

Trustee Getchonis stated that he reviewed the contract proposal of Mr. Lawrence Fitts and compared it to the proposal of Cindy Ross, who is also the Town of Hamilton Assessor. Mr. Getchonis stated that Mr. Fitts' proposal would cost the village approximately \$8,500 as compared to \$1,200 for the proposal of Cindy Ross. He noted that the Fitts' proposal states that any trips to Hamilton in excess of seven will be charged at a rate of \$200 per day. Ms. Ross lives and works in Hamilton and will be available most of the time to the public. Mr. Getchonis stated that if we accept the Fitts' proposal the Village Clerk must assume additional duties which are truly the responsibility of the Assessor. Mr. Getchonis stated that there is a problem with updating property values in sections but Ms. Ross has stated that if these assessment records can be computerized, this problem should be avoided. Mr. Getchonis stated that there is greater chance of conflict if there are two assessors, especially if both have separate property assessments. Ms. Ross is willing to accept an appointment for one year. Mr. Getchonis stated that he, in good conscience, can't vote in favor of the Fitts' proposal.

Mayor Vantine stated that one local realtor, Mr. John Lynch, called to express his support for Ms. Ross who he feels is doing a fine job in her role as Town Assessor. Mr. Lynch advised the Mayor that some of the problems that have been cited with the Town's assessments can be attributed to the fact that the assessor does not always have access to the inside of properties. Mr. Lynch feels that in view of the cost difference between the two proposals, he favors the appointment of Ms. Ross as Assessor and the adoption of the Town/County assessment roll. Mayor Vantine stated that he concurs with Mr. Lynch.

Trustee Ray stated that he doesn't favor appointing Ms. Ross as assessor especially after seeing the large number of people who attended the Town of Hamilton's Grievance Day and the manner in which the property revaluations were done this year. Mr. Ray stated that if Ms. Ross can't do a better job at the Town position, he can't see how she could handle the additional responsibilities as Village Assessor. Mr. Ray stated that the only advantage that he can see is that the tax rate will be lower but the tax levy should remain the same. Mr. Ray noted that he tried to find a common semblance for Ms. Ross' assessments and he didn't get an answer from her. Mr. Ray stated that he can't vote for something that is not in the best interest of the public.

Trustee Getchonis stated that he mentioned to Ms. Ross the complaints over the assessments on Montgomery Street and he said that she never saw the list of properties with assessment problems. Mr. Ray stated that he submitted this list to the Town Grievance Board this year and also submitted a similar list a couple of years ago. Mr. Ray cited the problems with the Town assessment on his home and his neighbors house, Jay Whipple. Mr. Ray said that it would be very difficult to sell his house at the value it is assessed for. Mr. Getchonis stated that he checked with his neighbors on Maple Avenue and there didn't seem to be any dissatisfaction with their assessments. Trustee Ray added that he filed a grievance on his assessment and was advised that his house is comparable to the Carter residence on University Avenue.

Trustee Sastri stated that the Assessor's manner of assessing the village in three separate areas over a three year period is bordering on being illegal. Trustee Getchonis replied that the village will not be divided into three sections as long as the computer can be utilized.

Trustee Sastri stated that Ms. Ross is conducting the assessments differently than the other assessors in this area. He noted that he can't seem to get a decent answer to his questions from Ms. Ross. Mr. Sastri stated that he has never heard of an assessor increasing a property assessment because siding was installed. Mr. Sastri cited an example where one house that had siding installed recently had its' assessment increased while another house that also had siding installed, didn't have its' assessment adjusted.

Mayor Vantine stated that Town Supervisor Robert Kuiper feels that Ms. Ross is doing a good job as Town Assessor.

Trustee Sastri stated that he feels the assessment records should be updated but doesn't feel we should pay someone \$2,000 for a minimal amount of work when we can get a complete revaluation for \$10,000.

Trustee Getchonis stated that there is not much time left to conduct a property revaluation, plus it is difficult to justify this \$8,500 expenditure.

Trustee Ray stated that we have made mistakes previously by appropriating funds for projects that didn't materialize with any results. Mr. Ray stated that we do stand a chance of receiving a benefit from an \$8,500 expenditure that we may not get from a \$1,200 expenditure. Mr. Ray stated that every municipality takes these types of risks and cited the recent MUC well investigation that determined that there isn't a sufficient groundwater supply to replace Woodman Pond.

Trustee Fisher stated that his feelings are reflected in the minutes of the previous meetings. He expressed his concern about the \$200 per day charge for trips in excess of seven and also the additional work that would be shifted to the Village Clerk's Office. Trustee Fisher stated that he is unhappy with the Town Assessor but she did finally admit to him that mistakes were made on the Montgomery Street assessments. Trustee Fisher stated that he concurs with Trustee Getchonis that \$8,500 is a considerable expenditure, however he shares with Trustees Ray and Sastri their unpleasant experiences with the Town Assessor. Trustee Fisher stated that if the Trustees do appoint Ms. Ross as assessor, he will insist that the Board of Trustees remain as the Grievance Board. He noted that the data mailers should bring to our attention the erroneous data that presently exists. In addition, the proposal of Ms. Ross includes the preparation of briefs for possible Small Claims Court Review actions.

Mr. Ray stated that he feels that the \$200.00 charge for excessive trips to Hamilton will only apply after the assessment roll is prepared. Trustee Sastri stated that he agrees with Trustee Ray and feels that the \$200 charge per trip would only apply after the initial work is completed.

Trustee Sastri cited the errors in the assessments of the commercial blocks on Broad Street by the Town Assessor.

Mr. Stanley Roe stated that he feels that the Trustees should adopt the Town/County Assessment roll that is presently in effect at the least expensive cost. Mr. Roe noted that the assessed values and the market values of certain properties will not always agree and cited that professional appraisers are happy when their appraisals are within five percent of the sales price. Mr. Roe stated that Ms. Ross does a good job for the Town of Hamilton. Mr. Roe stated that the Town presently has record cards for each property while the village does not have any record cards. He stated that the Town of Hamilton has a good and workable assessment system and it would be a sin to expend considerable monies to have the work duplicated.

Trustee Ray stated that he is not yet convinced that 100% full property valuation is the route to pursue.

Mayor Vantine stated that by moving to 100% valuation, the village will not realize any additional property tax revenues but we will at least be comparable with the Town/County assessments. The Mayor noted that there will probably be some radical changes in the assessments of certain businesses and residences.

It was moved by Trustee Getchonis and seconded by Trustee Fisher to appoint Cynthia Ross as the Village of Hamilton Assessor for a one year period at an annual salary of \$1,200 and to adopt the Town/County Assessment Roll for the Village of Hamilton effective with the January 1, 1985 taxable status date. Be it further resolved that the Board of Trustees shall remain as the Grievance Board.

Upon roll call:

Ayes
A. Fisher
C. Getchonis
E. Vantine, Jr.

Nayes
D. Ray
S. Sastri

This motion was carried by a 3 to 2 vote.

Fire House Project Update

Mr. Richard MacNeilly and the project architect, Lyle H. Brown were present during this portion of the meeting.

Mayor Vantine stated that he asked Mr. Brown and Mr. MacNeilly to attend this meeting to provide an update on the fire house project.

Mr. Brown stated that everyone here is probably very disappointed with the delay of Lakewood Construction Co. in finishing the fire house. There are two reasons: 1. There was a shipment of steel panels that were defective and had to be returned to the supplier which caused a three week delay.

2. When the new panels arrived, the proper fasteners had not been shipped so the contractor had to wait for these fasteners which finally arrived two days ago.

Mr. Brown stated that he has not been able to reach Mr. Tony Poccia to find out when he will be sending a crew to the site to finish the job. Mr. Brown stated he assumes that the punch list items that were brought to the contractors attention have been taken care of.

Trustee Ray presented a list of approximately twenty items that needed to be completed by the contractor. Engineer Rathbone stated that the contractor previously agreed to have the mason provide the cut-outs for the cast aluminum boxes.

Mr. Brown stated that he will meet with Mr. Poccia of Lakewood Construction Co., and review this entire list. Mr. Brown noted that since these items are relatively small jobs, the contractor has let them slide in favor of their other larger jobs.

Trustee Fisher stated that this Board has taken a lot of heat over the delay in completing this project and it is the architect's responsibility to see that this project is entirely completed. Trustee Fisher stated that one supplier, Cossitt Concrete Company has not received full payment from Lakewood Construction Company for the materials that they have supplied and they may proceed to file a mechanics lien.

Mr. Brown stated that he will schedule a meeting with the contractor to review the list of items that need attention and to establish a completion date.

Trustee Sastri stated that the delay should not be entirely blamed on the architect. He noted that the Trustees didn't take any action when the contractor dragged their feet and refused to return to the job site after the truss collapse. Trustee Ray stated that the contractor was advised by letter to stop work. Mayor Vantine replied that the decision to send a letter to the contractor to stop work was based on the opinion of our legal counsel.

Mayor Vantine stated that as a last resort, the Village reserves the right to retain another contractor to complete this project.

Mr. Brown stated that after he meets with the contractor and establishes a completion date, he will send a letter to the contractor stating that if the project is not completed by the established date, the Trustees will initiate the appropriate actions in accordance with the contract documents in order to complete this project.

Fire House Project - Change Order

Mr. Brown stated that there is a change-order that must be approved by the Trustees. The change-order is in the amount of \$2,230 for additional paving to widen the asphalt strip in front of the fire house to allow for a safer turning radius for the emergency vehicles. Mr. Brown noted that he checked the unit prices which seemed a little high but within an acceptable range.

Trustee Sastri stated that there is a puddle of water that collects on the new asphalt strip and doesn't run off. Mr. Brown stated that he will add this item to the list that was discussed earlier.

Mr. Brown stated that the Trustees need to approve this change-order which is not to be confused with a request for payment.

It was moved by Trustee Ray and seconded by Trustee Fisher to authorize Mayor E. Vantine, Jr. to approve the change-order in the amount of \$2,230 for additional paving. The motion carried unanimously.

Recycling Center

Mr. MacNeilly stated that a committee is discussing the possibility of taking over the recycling center operations in September 1984 rather than in January 1985. A report may be available by the next meeting.

Fire Response Routes

Trustee Getchonis stated that he talked with Chief Tilbe regarding his concerns about the traffic routes to be taken by the firemen when responding to emergency calls to and from the new fire house. Mr. MacNeilly stated that the firemen are presently working on a plan which will be presented to the Board of Trustees and coordinated through the Police Department.

Dog Control

Trustee Fisher stated that he still is talking with a couple of people to see if they are interested in becoming the Dog Control Officer for the village.

Satellite Dish Moratorium

Mayor Vantine stated that he favors regulating the use and installation of satellite dishes through a special permit procedure which would require the amendment of the Zoning Law.

Trustee Sastri stated that he reviewed the local law enacted by the Village of Westhampton and feels that their law seems to be suitable for Hamilton.

Trustee Fisher stated that the Trustees must decide who is going to enforce this type of law.

Mayor Vantine stated that he would like to see exceptions to these regulations whereby educational institutions and hospitals are exempt. Trustee Ray stated that caution should be exercised when drafting the language for exceptions.

Trustee Ray will pursue the drafting of regulations regarding the installation of satellite dishes.

It was moved by Trustee Getchonis and seconded by Trustee Ray to extend the moratorium on the installation of satellite dishes and towers in the Village of Hamilton until January 1, 1985. The motion carried unanimously.

Sign Law

Mayor Vantine stated that Mr. Harry Trudeau of Hickey's Tavern and Mr. Mayfred Plesniarski of John's Shoe Shop appeared in Village Court to respond to the summons that were issued by the Codes Enforcement Officer. The Mayor noted that the Village Justice gave both parties ten days to file their variance requests.

Mayor Vantine stated that the Design Review Board reconsidered its position regarding the Oneida Valley National Bank sign and the DRB unanimously agreed to rescind their original motion and will not issue an advisory opinion until a request to do so is received by the Zoning Board of Appeals.

Mayor Vantine noted that the owners of the Stone Jug Restaurant believe that the new age 21 drinking law may force them out of business so they may pursue a variance due to financial hardship.

Byrne Dairy

Mayor Vantine stated that Byrne Dairy has an option to purchase the former Texaco property on Utica Street and have submitted preliminary site plans. The Mayor stated that he would like to see the Long Range Planning Committee review the potential of developing the triangle block area.

Trustee Getchonis stated that Mr. Jonathan Hale of the NYS Division of HUD will visit Hamilton during the week of Labor Day and will probably review this area.

Ames Department Stores

Mayor Vantine stated that he talked to Mr. John Cossitt and he learned that the brown shadow block that Ames has used needs to have a protective spray applied in order to avoid a shift in the brick color. The Mayor stated that Ames apparently has no intention of spraying the block.

The Mayor noted that he noticed that the berm that is adjacent to the highway is not raised as originally planned, but is at road level. The Mayor stated that he would like to see a compromise, rather than have the berm changed, have Ames agree to spray the building block. Trustee Ray stated that this protective spray should be applied on a periodic basis to be effective. Engineer Rathbone stated that Ames did avoid the cost of hauling materials that would have been needed to raise the berm. Trustee Fisher stated that he talked to Mr. John Barbato of Ames Department Stores and he learned that the mistake was made by Mr. David Hannig. Mr. Barbato will apparently deal with this issue.

Mr. Fisher stated that the Ames Department Stores and Grand Union Company have met and according to Mr. Barbato, both parties have agreed upon a price. However, Grand Union would like to build the grocery store next to the Ames Store because a large amount of soil (fill) will be needed if the store is built at the original proposed location.

Trustee Fisher stated that he understands that Ames has received approval from the Corps of Engineers. Engineer Rathbone replied that he hasn't seen any letter of approval yet.

Mayor Vantine stated that if we eliminate the plans for locating the satellite stores inbetween the Ames Store and the grocery store, the cost of hauling soil and filling that area will be avoided. The Mayor stated that if Grand Union does agree to locate at the Ames Site, do you feel that we should continue with the original plan to have the satellite stores in between Ames and Grand Union? Trustee Fisher stated that several people have submitted letters of commitments to Mr. James Ryan regarding the satellite stores. Engineer Rathbone stated that on the basis of the information presented at the public hearings, you approved the preliminary plan which show the satellite stores located in between the Ames Store and the grocery store. Mayor Vantine stated that the Board is morally bound to the original preliminary plan. The Trustees unanimously agreed that the original preliminary plan, as approved, should be followed.

Joerger Project

Trustee Fisher stated that the construction of the Joerger Townhouse Project has commenced. The building foundation is apparently completed.

Handicapped Parking

Trustee Getchonis stated that the handicapped parking sign is difficult to see and suggested that these spots be painted yellow.

Street Paving Bids 9-84

The following bids were received and opened on August 8, 1984 in response to bid advertisement 9-84 for the reconstruction and resurfacing portions of Payne and Madison Streets.

<u>Item No.</u>	<u>Estimated Quantities</u>	<u>Solid Seal Systems Rate</u>	<u>Total</u>	<u>Suit-Kote Rate</u>	<u>Corp. Total</u>
1. Soil Cement Stabilization	3,600 sq.yds	\$ 8.95s.y.	\$32,220.00	-	-
2. Cold-Mixed Recycled Asphalt Concrete	3,600 sq.yds	-	-	-	-
3. Driveway Alterations	-	55.00c.y.	-	-	-
	-	26.00s.y.	-	-	-
4. Asphalt Concrete	300 T	43.00T	12,900.00	-	-
5. Utility Cut Repairs	290 sq.ft.	7.75s.f.	2,247.50	-	-
6. Asphalt Emulsion Slurry Seal	11,500sq.yd.	-	-	.86s.y.	\$9,890.00
	Total		\$47,367.50		\$9,890.00

Trustee Fisher presented the above bid results to the Trustees and noted that the bids were lower than he expected. The village's share of the project will cost \$55,010.00 while the MUC will bear the cost of \$2,247.50 for the utility cut repairs. Trustee Fisher noted that the capital fund budget for street paving is approximately \$71,000 this year.

Trustee Fisher stated that he feels that the Village has an obligation to correct the drainage problem on University Avenue.

It was moved by Trustee Fisher and seconded by Trustee Ray to accept and award bids 9-84 to the apparent low bidders, Solid Seal Systems, Inc. in the amount of \$47,367.50 and Suit-Kote Corp. in the amount of \$9,890.00. The motion carried unanimously.

Farmers' Market

Trustee Ray stated that the merchants are not opposed to extending the hours of the Farmers' Market. The Trustees agreed to keep the hours of the Farmers' Market as is and will review this over the winter.

Fourth of July Committee

Trustee Ray stated that he has talked to a couple of people about becoming the chairperson of the Fourth of July Committee but so far no one has expressed an interest. Mayor Vantine stated that he would welcome suggestions from any of the Trustees.

Trustee Sastri recommended that an advertisement be published in the newspaper stating that the Trustees are looking for persons to serve on various committees and have them leave their names at the Village Office.

Recreation Report

Trustee Ray stated that next year we should approve which softball or baseball team is entitled to use Village's ball field on any particular day in order to avoid the confusion that was encountered this summer.

Small Cities Community Development Block Grant Application

Mayor Vantine reported that an acknowledgement has been received by the U.S. Department of HUD in Buffalo that our Community Development Block Grant Application has been received and that processing of this application will take approximately sixty days.

Multi-Use Recreational Facility

Trustee Ray stated that he is not sold on the concept of a skating rink alone for the multi-use facility but would prefer to see a combination of an ice skating rink and tennis courts.

Engineer Rathbone stated that in order for the Village to maintain its' present position on the draft priority list for funding, we must submit design plans for a multi-use facility. The Engineer noted that the MUC plans to meet tomorrow afternoon with a senior member of Stearns & Wheler to discuss these plans. He stated that the design plans for this facility must be approved by the NYSDEC prior to the beginning of the construction phase.

Water Rate Increase

Mayor Vantine stated that he conveyed the Trustess feelings to the MUC regarding the recommendation for a water rate increase. The MUC recommends that a water rate increase of twenty percent be considered by the Trustees.

The Clerk stated that he talked with Mr. Donald Walsh, Counsel for the New York Conference of Mayors and Mr. Walsh advised him of the various procedures that can be followed to enact new water rates. One method is to have the water rate schedule adopted by the Trustees by local law. An alternative is that the Trustees may grant to the MUC, by local law, the authority to establish water and sewer rates by MUC resolution after a public hearing is held.

Mayor Vantine stated that the MUC is receptive to having a quarterly meeting with the Trustees. A date for this joint meeting has been set for September 18th at 5:00 p.m. in the Village Office. The Trustees agreed that the procedure for enacting water rate increases should be discussed at this time.

Advance Notice - Agenda

Mayor Vantine stated that he would like to set a deadline date for requests for placement on the Trustees meeting agenda. The Trustees agreed that requests for placement on the meeting agenda should be received no later than the first day of the month in which the meeting is to be held.

Sigma Chi Request

Mayor Vantine stated that Sigma Chi is proposing to have an afternoon party outside the Sigma Chi House on Hamilton Street. The Mayor noted that no alcoholic beverages will be served and a band will perform from 4:00 p.m. to 6:00 p.m. The Mayor will check with the Chief of Security regarding this request. Trustee Sastri stated that the Dean of Students should be advised that the music must end by 6:00 p.m.

Reed Alvord Letter

Mayor Vantine stated that Reed Alvord submitted a copy of a letter he sent to Governor Cuomo regarding the reallocation of hydropower.

Salt Truck

Trustee Fisher reported that the Village's salt truck is not worth investing any more money for repairs. Mr. Fisher stated that Mr. Steve Eaton will assist the DPW in transferring the salt equipment from the old truck to another truck.

Fall Training School

It was noted that the Annual Fall Training School for city and village officials will be held from September 11-14 in Grossinger, New York.

"Cystic Fibrosis Week" Proclamation

The following resolution was moved by C. Getchonis and seconded by S. Sastri:

WHEREAS Cystic Fibrosis is the number one genetic killer of children young adults in the United States; and,

WHEREAS Every day, American children are born with this genetic defect that disrupts normal breathing and digestion and leads to early death; and,

WHEREAS One in twenty Americans is a symptomless carrier of the gene that causes cystic fibrosis; and,

WHEREAS The mission of the Cystic Fibrosis Foundation is to find means for the prevention, control, and effective treatment of Cystic Fibrosis; and,

WHEREAS In order to increase public awareness and understanding of cystic fibrosis, the Congress and the President of the United States have designated September 16-22, 1984, to be Cystic Fibrosis Week in the Village of Hamilton.

Adopted unanimously. - August 14, 1984.

Police Department Report

Trustee Getchonis stated that Police Officer L. Butts passed the Civil Service examination for Police Sergeant and is presently first on the eligible list. Trustee Getchonis noted that he would like to proceed as quickly as possible with appointing Officer Butts to a Sergeant's position.

Trustee Getchonis stated that the Police Department would like to sell their old radar unit for \$125.00.

Trustee Getchonis stated that the Police Department presently has one telephone line for incoming calls, both business and emergency calls and recommended that an additional line be leased for \$36.00 per month so that the emergency line isn't tied up with business calls.

Payment of Bills

It was moved by Trustee Fisher and seconded by Trustee Ray to approve the payment of the bills. The motion carried unanimously.

General	\$ 29,443.70
Trust & Agency	21,573.05
Joint Activity Fund	2,700.36
Capital Fund	
Fire House	5,733.03
Sidewalks	25.00

Utility Bill - S. Sastri

Trustee Sastri stated that he received an extremely high utility bill which included an adjustment for energy consumption that wasn't being recorded properly on the remote electric meter. Mr. Sastri stated that the main and remote meters should be compared on a periodic basis rather than every two years. Trustee Sastri noted that he should be entitled to a fifty percent reduction similar to the discount that Colgate University received a couple of years ago.

Engineer Rathbone stated that this is not the same situation as the one involving Colgate University. He stated that according to Public Service Commission regulations, the readings recorded on the main, interior meter govern. The Engineer stated that he issued a standing order to the meter readers that the remote and main meters be compared annually. He noted that he has just changed that policy a couple of weeks ago and each meter reader will compare one route per month.

The Trustees agreed that this matter should be referred to the MUC.

On motion, meeting adjourned.

James P. Morgan
Clerk