

VILLAGE OF HAMILTONBOARD OF TRUSTEESSEPTEMBER 14, 1993

The regular meeting of the Village of Hamilton Board of Trustees was called to order by Mayor Baker in the Community Hall at 7:15 pm on September 14, 1993.

Present

Mayor Baker, Trustees Bergen, Getchonis, Brink and Glaser, Village Clerk-Treasurer 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 fire truck bids.

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

Citizen Participation

A. Carol Van Schaak - Spring Street Police Protection. She stated that she understood there was to be some sort negotiating meeting with Spring Street about protection because of problems with the student such as noise, etc. As a citizen she would like it to go on record that if there is any bargaining to be done, she would expect Spring Street residences to pay at least as much for police protection as the citizens in the Village of Hamilton pay. She hopes that there is no bargaining in terms of rate reduction for them.

Mayor Baker remarked he did not think there was going to be any action on this tonight. There would probably be only a discussion of a meeting that was held.

Appointments

A. Cable Committee. Mayor Baker stated that he would like to appoint David Lantz, Bev Wise, Adolph Colletti and Rob Gustafson to the Cable Committee.

Motion was made by Trustee Brink, seconded by Trustee Getchonis and carried to appoint David Lantz, Bev Wise, Adolph Colletti and Rob Gustafson to the Cable Committee.

B. Government Committee. Mayor Baker remarked he would like to appoint Trustee Bergen and Trustee Getchonis as the trustees representatives of the committee with Trustee Getchonis serving as chairman. He would also like to appoint Charles Naef, Maggie McCue to the committee.

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried for the recommended appointments to the Government Committee.

C. Design Review Board. Mayor Baker stated he would like to appoint David Burgess to the Design Review Board.

Motion was made by Trustee Getchonis, seconded by Trustee Brink and carried to appoint Mr. David Burgess to the Design Review Board.

D. Town/Gown Committee. Mayor Baker stated he would like to appoint Irene Moynihan and Michelle Koen to the Town/Gown Committee.

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to appoint Irene Moynihan and Michelle Koen to the Town/Gown Committee.

E. Volunteer Firefighter. Motion was made by Trustee Glaser, seconded by Trustee Brink and carried that Kyle Galloway, a Colgate Senior, and Christopher White, a Colgate Sophomore, be appointed as volunteer firefighters for the Fountain Fire Department.

Approval of Minutes

A. Regular Meeting - August 10, 1993. On Page 1, add under Citizen Participation Item A, eighth line, *customer service standards* at the end of the sentence.

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to accept the minutes of August 10, 1993 as corrected.

Reports

A. Treasurer's Report - August 1993. Reviewed.

B. Dumpster Summary - August 1993. Reviewed.

C. Engineer Rathbone. Trustee Bergen stated Engineer Rathbone wanted him to mention there were 4 candidates for the DPW position interviewed this morning. After the interviews Engineer Rathbone, Trustee Bergen and DPW Foreman Danny Hughes decided to offer the position to Mr. Donald DeGroat from Morrisville.

Trustee Bergen remarked that in the original paving contract we had made provision for striping of the streets; crosswalks, stop bars, etc. The plan was to charge us \$1.50 per linear foot, which seems very high. The DPW crew has a machine for striping, and it seemed we could do it in house instead. Trustee Getchonis asked if the \$1.50 was for paint or tape. Trustee Bergen stated they purchased paint and without charging us any additional money, they are going to leave the paint with us. The bid price for striping was \$1,530 and he felt we could do it for a lot less. Trustee Getchonis asked if it would be done this fall. Trustee Bergen remarked they are hoping to get as much done as possible this fall, and the additional DPW crew member will help.

Trustee Bergen stated he asked Engineer Rathbone if the signage for the Smith Block was completed, and Engineer Rathbone told him there were still some mirrors to be installed. The mirrors will allow the drivers to see oncoming pedestrians, and pedestrians will be able to see oncoming drivers.

Trustee Bergen remarked he was concerned about left hand turning from both W. Kendrick Avenue and E. Kendrick Avenue. He calculated six different rush hours that make left turns out of both streets very

difficult. The six occurrences are during the school's morning rush hour, Colgate's morning rush hour, Colgate's two noon rush hours, and then the after school and Colgate rush hours. Trustee Bergen spoke with Dean Shaul who is the crossing guard for this intersection, and Mr. Shaul told him that sometimes cars are lined up down to the intersection of W. Kendrick and Maple Avenue. Trustee Bergen suggested to Engineer Rathbone that he should talk with the DOT to see if there is some way of taking a portion of the boulevard on Colgate's side and the other side to accommodate three lanes. Engineer Rathbone told Trustee Bergen he would check into it.

D. Village Clerk Kogut. He stated that he had a request from the MUC to have the Village Board hold a public hearing regarding an increase in sewer rates, preceding their regular meeting October 12, 1993.

Trustee Bergen asked Clerk Kogut if the Board could get copies of the Library Board's minutes. Clerk Kogut stated he has asked a couple of times, and he will send a memo to the Librarian.

Approval of Claims

A. Claims for August 1993. Motion was made by Trustee Glaser, seconded by Trustee Getchonis and carried that the claims for August 1993 be approved as follows:

General	\$ 34,854.81
Capital Streets	125,865.41
Capital Fire	300.00
Joint Activity	2,393.34
T & A	<u>2,618.82</u>

Total \$ 166,032.38

Communications

A. Senator Moynihan's Annual Publication. Mayor Baker remarked he received the annual copy of Senator Moynihan's flow of funds between the Federal Government and the state. He will leave the copy with Clerk Kogut.

B. Tourism Committee Questionnaire. Mayor Baker stated the due date on the questionnaire is September 15, 1993. He would like to urge the Board to fill one out and send it back reflecting what they think about it. He remarked that the committee members work very hard, and he thought they should get a response from us.

C. Neal Rose/Towing Policy, 8/16/93. Mayor Baker remarked he talked about this at one of the other Board meetings, and he has received another letter from Mr. Neal Rose regarding the situation. Mayor Baker had a telephone conversation with Mr. Rose and told him that the Board had discussed the situation on two previous occasions. He also told him that the Board came to the conclusion that there is a policy that favors businesses resident in the village, and that the rotation plan roughly states that if this firm cannot do it then we would go to another that can. The exception would be if the owner of the car to be towed specifies a certain party to be notified. Mr. Rose told Mayor Baker that he would notify Mr. Dow of the conversation.

D. James E. Hughes/Procurement Policy. Mayor Baker stated he

received a copy of a document called the Procurement Policy from Jim Hughes in late August. He spoke to Clerk Kogut about where the document came from, and he stated that Attorney Hughes developed it for the Village of Fayetteville. Clerk Kogut will review the document and have it as an action item for subsequent review.

E. School Board Recognition Week, October 18-22. Mayor Baker remarked he received a information in the mail regarding School Board Recognition Week. There was an executive order from the Governor in the form of a resolution soluting School Board members and the contribution that they make to communities by fulfilling their role. Mayor Baker does not see us getting involved, but he is not at all adverse to letting this group endorse the proclamation. No action was taken.

F. Woodman Pond Firing Range. Mayor Baker stated that Trustee Glaser was approached by the Town of Eaton Supervisor, Anthony Zazzara. Mr. Zazzara remarked that they might be entering into litigation against the Village of Hamilton which failed to take steps to secure special permits for non-existing uses taking place in the Town of Eaton. They felt that a firing range there had gone around their established policy to review and secure special permits for such activities. Mayor Baker called Mr. Zazzara and he turned the Mayor over to the Town Clerk who told Mayor Baker we could not do this. We need to apply for a special permit, and the Clerk will be sending us an application. Mayor Baker asked Trustee Getchonis to have Chief Tilbe at the next Board meeting to discuss this.

Old Business

A. Paving Project. A progress report was given on the paving project. All involved had positive comments to make.

B. Master Plan Status Update. Trustee Glaser stated the Planning Board has done a considerable amount of work on reviewing the plan over the last few months. They have requested a meeting with the Board of Trustees to go over their suggestions for the plan. The Board will hold a joint meeting with the Planning Board on September 28, 1993 at 7:00 pm at the Community Hall. Bruce Ward, Chairman of the Design Review Board will be invited also.

C. Airport Study Status. Mayor Baker remarked he had telephone conversations with Benji Manton regarding annexation. Mr. Manton indicated that the application to the Community Development portion has been submitted. Mayor Baker has a finished copy available at the Village Office. Mr. Manton also told Mayor Baker that Mr. Newell from Utica who was looking into the airport property has backed out completely from the project for a lot of reasons. There is another gentlemen from Tampa, Florida who may be making a visit soon to look at the property. Mr. Manton told Mayor Baker to hold off on the annexation until it is discussed with the Bank's Board. If the Bank Board reacts positively, Mr. Manton suggests we have a get acquainted visit with the Bank to talk about it.

Mayor Baker stated Mr. Mike Hilel from Utica stopped in at the Village Office one day and indicated that he was interested in talking to the Board about the airport. Mayor Baker told him that the village does not own the airport, it is owned by Skaneateles Savings Bank, and he went over the study that the Board has been working on. Mr. Hilel stated he would still like to talk to the Board, so Mayor Baker told him he would see what the Board thought about it and get back to him after the September meeting. Mayor Baker asked the Board how they felt about. The consensus of the Board was that he should deal with the bank.

D. Revised Design Review Law Draft. Mayor Baker remarked that Bruce Ward, Chairman of the Design Review Board is out of town and could not come to the meeting to discuss the draft. Mayor Baker stated he would like to go through it anyway and see what the Board thought of it, and maybe give Mr. Ward some direction. The Board went over the draft and decided they should review it longer, and then hold a meeting with Mr. Ward. Mayor Baker will get in contact with Mr. Ward to set up a date and time.

E. Utica Street Parking Lot. Mayor Baker stated we do not do anything to police this lot or carry out enforcement of conditions similar to the Village Office parking lot. It is very inconsistent to him that we would improve property for the use of private citizens.

Trustee Glaser asked if it would be worth considering two-hour parking from 8:00-5:00 pm to make it available for the public. Trustee Getchonis stated the only thing that has held us back from that it was not paved and could not be striped. Now it is in a condition to do this. Trustee Brink felt we should move on it now. Trustee Glaser asked if maybe Engineer Rathbone could draw up a plan to see how the cars would set and do a two-hour parking plan. Mayor Baker stated that we should make it 7:00 pm - 8:00 am parking for whomever, but from 8:00 am - 5:00 pm make it two-hour parking only. Trustee Bergen remarked that there is no indication that it is a municipal lot and we need clear designation of this space as municipal parking lot provided by the village. Mayor Baker asked Clerk Kogut if he would talk with Engineer Rathbone about developing a parking plan for the Utica Street parking lot, and then the Board will act on it at the next meeting.

New Business

A. Police Protection/Spring Street. Trustee Getchonis stated that Chief Tilbe, Clerk Kogut, Trustee Bergen and he met with Dorothy Betts and Larry Crumb, who are on the Town Board. They are interested in some type of police protection for Spring Street. Mayor Baker asked if this did

happen, would it be billed to the Spring Street homeowners as part of their tax bill. Trustee Getchonis remarked that would probably be the way it would be done.

Trustee Bergen stated there were 63 properties involved and if we divide the 63 into \$12,481, it comes out to be just under \$200 as an average per annum cost. This does not mean a lot however, because the assessed valuation of the homes goes from \$226,000 down to assessments in the mid five digit range.

After further discussion Mayor Baker asked the Board if they wished to pursue the situation. The consensus of the Board was they would be willing to discuss it further, but they see no advantage to the village to take on the added responsibility at this time. Trustee Bergen will report back to them on the Town Board's feelings.

B. Resolution: Millie Waters. Trustee Bergen remarked that Millie Waters is retiring as Director for the Hamilton Senior Citizen Center and their Board asked him to see if the Village Board would pass a resolution in recognition of her lengthy service to the center.

Motion was made by Trustee Brink, seconded by Trustee Bergen and carried to adopt a resolution in recognition of Millie Waters service as Director of the Hamilton Senior Citizen Center.

C. Rabid Animal Handling Procedure. Trustee Bergen stated that the village does not really have any procedure for the handling of rabid animals. He felt we should may be develop some type of procedure to cope with this. Trustee Getchonis remarked he had a discussion a couple of weeks ago about this with Chief Tilbe, because there were a couple of people on University Avenue who had spotted what they thought was a sick raccoon. The police department has a list of nuisance animal control officers, who are licensed to take care of these animals. The only way the police can do anything is if the animal has come in contact with a human or another animal and it looks sick, then the police can legally shoot it. Trustee Getchonis will ask Chief Tilbe to put an article in the papers regarding what a person should do if confronted by a rabid animal.

D. Request to Assemblyman Magee re: Member items. Trustee Bergen remarked that we should see if Hamilton, which has the same budgetary problems as any other community in the county has, could apply for a member item. Each member of the assembly has about \$75,000 a year that they divide for projects in their districts. Hamilton has never had any of this money. Trustee Bergen felt we should pursue this to see what might develop. Mayor Baker asked what the timing was for this. Trustee Bergen stated they convene in mid-January and we would probably want to have it in by the end of the year.

E. Resolution: Committee on Village Government. Mayor Baker stated the resolution is to establish a Committee on Village Government that would study the structure and operation of certain aspects of government and then make recommendations to the Board. The resolution read as follows.

BE IT RESOLVED, that the Board of Trustees establish a Committee on Village Government to study and make recommendations to the Board concerning the structure and operation of certain aspects of government.

The Committee shall examine general administrative structure and operation, including unity and chain of command and finance and financial procedures (e.g., purchasing arrangements); the origins, powers, duties, responsibilities, and compositions of the commissions, including the Recreation Commission, the Historical Commission, the Municipal Utilities Commission, and the Board of Trustees of the Public Library (which is governed by the NYS Education Law and which has commission-like status), and the relation of each to the Board of Trustees; and the means by

which

Village government acquires technological, engineering, and fiscal expertise.

and

Rationale: Village government works fairly well, but its efficiency and effectiveness can always be improved. And it has been many years, if ever, since the structure and operation of our government have been examined in a systematic way.

of

Our citizens entrust to the Village Board the well being of this community. Their welfare is not satisfactorily

which

addressed unless they are supplied with a government
is the best we can make it.

is a

The establishment of a Committee on Village Government
step toward the improvement of that government which
serves, and is responsible to, all Hamiltonians.

Composition:
members,
familiar
the
law,

The Committee on Village Government shall have five
two Trustees and three Village residents who are
with local government. One of the Trustees will chair
Committee. The Committee shall do research, study NYS
and seek the advice of those conversant with, and
interested in, Village government.

person,
consent

The members of the Committee, including its chair
shall be appointed by the Mayor with the advice and
of the Board of Trustees.

Reporting:

The Committee on Village Government shall present to the
Board of Trustees by 31 May 1994 the results of its
investigations and its recommendations.

Motion was made by Trustee Brink, seconded by Trustee Getchonis and
carried to adopt the resolution establishing a Committee on Village
Government.

F. Cable Television Regulation. Trustee Brink stated that Delphi
Cable is preparing to offer individuals the opportunity to select what
channels they want and they would then pay so much for each one. She
totalled all the channels that are available and it amounted to \$20.95.
Our fee is \$21.38. In addition there is the Weather channel, Programming
channel, Discovery channel, which was not on our listing, two shopping
channels, and the Vision channel.

Trustee Brink remarked that she also looked at the changes in the
rates. Using percentages there was a 25% reduction for the basic service,
a 22% increase for the standard service channels 14-36, an 8% reduction for
the installation cost, but a 30% increase for underground installation, a
44% reduction for transfer of service, and an 80% reduction for in office
change of service. What we need to do at this point if we wish to
continue, is to actually pass the resolution stating that we will become
the regulating agency.

Trustee Brink stated there are three services we can regulate. The
first one is the basic tier of service, which is channels 2-13. The second
would be equipment rentals, and the third would be customer service
standards.

Trustee Brink remarked that the New York State Commission on Cable
Television would like us not to be our own regulator. They sent a letter
around that stated they have approved state-wide regulations that confirm

the authority of New York State cities, towns, and villages to regulate basic rates, etc., but their proposed rules do not mandate that local governments must undertake the regulation. Trustee Brink went over the reasons stated by the Commission as to why the village should not do it.

Mayor Baker asked if the Board made the decision to become the regulator, when would it go into effect. Trustee Brink stated it would be 30 days after the Board filed the form notifying the FCC that they want to do it. Mayor Baker then asked what the immediate responsibility would be. Trustee Brink remarked the first responsibility would be to review the rates and regulations set up by the FCC, to determine that the cable company is in compliance.

Motion was made by Trustee Brink, seconded by Trustee Bergen and carried to adopt a resolution to establish the Board of Trustees as a regulating agency.

G. Budget transfers: FY1992-1993. Mayor Baker remarked that Village Clerk Kogut has a series of budget transfers for the Board's approval that were made prior to June 1993.

FROM:	A1620.40	3,390.00	
	A1990.40	11,000.00	
	A3120.40	1,100.00	
	A3310.10	1,000.00	
	A3310.40	1,300.00	
	A5120.10	1,100.00	
	A5142.10	6,100.00	
	A5142.40	4,700.00	
	A7110.10	1,700.00	
	A8140.10	1,100.00	
	A8170.10	6,500.00	
	A8810.10	1,000.00	
TO:	A1110.12		100.00
	A1110.40		1,100.00
	A1325.40		725.00
	A1410.10		30.00
	A1420.40		7,200.00
	A1910.40		300.00
	A3120.10		8,400.00
	A3410.40		3,725.00
	A4020.40		125.00
	A5110.10		5,550.00
	A5110.40		3,725.00
	A5132.40		2,600.00
	A5182.40		25.00
	A7510.40		20.00
	A8010.40		100.00
	A8020.10		5.00
	A8020.40		50.00
	A8160.10		1,700.00
	A8160.40		12,050.00
	A8189.10		10,900.00
	A8510.40		500.00
	A8560.40		10.00
	A9040.80		700.00
	A9405.81		225.00
	A9060.80		5,675.00
FROM:	L7410.142	1,600.00	
	L7410.43	3,000.00	
TO:	L7410.141		325.00
	L7410.410		3,550.00
	L7410.413		125.00
	L7410.416		100.00
	L7410.450		125.00
	L7410.452		125.00

Motion was made by Trustee Bergen, seconded by Trustee Getchonis and carried to approve the budget transfers submitted by Village Clerk Kogut.

H. Chamber of Commerce Week. Mayor Baker stated he received a copy of Suggested Wording of Local & County Government Resolutions for Chamber Week 1993 from Jean Skahan with a note on the bottom. The Southern Madison County Chamber of Commerce moved from Morrisville to Hamilton, and is located above the Oneida Valley National Bank. She would like a resolution from the Board supporting Chambers of Commerces.

Motion was made by Trustee Glaser, seconded by Trustee Brink and carried to adopt the resolution regarding Chamber Week 1993 as modified by Mayor Baker.

I. Fire House Paving Request. Mayor Baker remarked the Fire Department has requested to have the parking lot sealed. There is only a base coat on it now, which has been there about 5 years. After further discussion Mayor Baker asked for a motion.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to approve the proposal for \$1,757.65 to seal the parking lot at the fire house, and to approve the transfer of the funds from the \$10,000 maintenance appropriation to the fire department.

J. Student Towing Request. Mayor Baker stated a Colgate student named Meghan Kinney came into the office and spoke with him about her car being towed from the Utica Street parking lot. She arrived back in the village Sunday night for school and parked her car in the lot where she is renting an apartment. When she went out to her car in the morning it was gone. She was never notified about the paving, and was not aware of it since she was not from around here. Mayor Baker told her he was not sure the Board could do anything or not, and he wrote her a letter stating he would bring it to the Board's attention. Mayor Baker stated she may have been treated unjustly, and suffered whatever the towing bill was.

Motion was made by Trustee Bergen, seconded by Trustee Glaser and carried to reimburse the towing bill cost to Meghan Kinney.

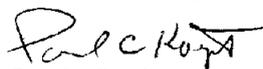
K. Fire Truck Bid. Trustee Glaser remarked we received four bids for a new fire truck. The truck would be a tanker truck that would replace the current tanker and one of the older pumpers. The bids ranged from \$152,898 to \$140,629. Trustee Glaser recommends the Board accept the bid from Alexis for \$140,629, plus \$949 for additional equipment that meets the National Fire Protection Association standards. The total cost would be \$141,578.

Motion was made by Trustee Glaser, seconded by Trustee Bergen and carried to accept the bid from the Alexis Fire Apparatus Company for \$140,629, plus and additional \$949 in optional equipment to meet NFPA approval.

Adjournment

There being no additional business to come before the Board of Trustees, the meeting adjourned at 10:12 pm.

Respectfully submitted,



Paul C. Kogut
Village Clerk-Treasurer