

**Village of Hamilton  
Board of Trustees  
Regular Meeting of March 19, 2013  
6:00pm**

**APPROVED MINUTES**

**Present:** Mayor Margaret Miller; Trustees: Deb Kliman, Jen Servedio, and Sam Cooper; Village Administrator Sean Graham; Village Treasurer Mary Ann Henderson; Village Clerk Alana Scheckler; Attorney Jim Stokes

**Public Present:** Thomas Hodge; Dave Hollis, radiofreehamilton.com; Bill & Carolyn Todd; Fire Chief Richard Holcomb; MUC President John Basher

The Mayor called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**Approval of Agenda:** Administrator Graham added an executive session to the agenda to discuss possible litigation. A motion was made by Trustee Cooper to approve the agenda as amended. The motion was seconded by Trustee Kliman and carried.

**Approval of Minutes**

**Regular Meeting of February 19, 2013:** A motion was made by Trustee Cooper to approve the minutes as amended. The motion was seconded by Trustee Kliman and carried.

**Budget Meeting of February 28, 2013:** A motion was made by Trustee Cooper to approve the minutes as presented. The motion was seconded by Trustee Kliman and carried.

**Budget Meeting of March 7, 2013:** A motion was made by Trustee Kliman to approve the minutes as presented. The motion was seconded by Trustee Cooper and carried.

The Mayor officially welcomed Trustee Jen Servedio for serving as a Trustee.

**Public Comment:** None

**PUBLIC HEARING 7:00-PROPOSED LOCAL TRAFFIC LAW**

The Mayor opened the public hearing at 7:00pm. Fire Chief Dick Holcomb reiterated he is not in favor of a 4-way stop. John Basher stated that putting in a traffic light is a waste of taxpayer money and he is not in favor of it. It was suggested that removing several parking spots at the intersection and removing some trees along Lebanon Street will help with safety and visibility. Trustee Cooper requested pulling out from the proposed traffic law the section of the law that pertains to this intersection so it could be voted on at the next Trustees meeting.

The Mayor asked for a motion to close the public hearing at 7:16pm. A motion was made by Trustee Cooper, seconded by Trustee Kliman and carried.

**PUBLIC HEARING (CONTINUATION) 7:05PM PROPOSED MORATORIUM ON NEW BUSINESS SELLING DRUG PARAPHENALIA**

The Mayor opened the public hearing at 7:16pm. There has been a recent request for a hookah bar. The Mayor asked Attorney Stokes if hookah bars were covered under the proposed local law. Attorney Stokes said they are not. Trustee Cooper suggested contacting Bridges for their input. The Mayor will ask CEO McGinnis to contact the Department of Health regarding this issue. Attorney Stokes recommends including tobacco in the moratorium. John Basher stated that smoking is not allowed in NYS and wondered how these are legal.

The public hearing was adjourned at 7:25pm until April 21, 2013 at 7:00pm

**PUBLIC HEARING 7:10PM-PROPOSED TAX CAP**

The Mayor opened the public hearing at 7:26pm. The Mayor asked for any comments from the public. There were none. The Mayor asked for a motion to close the public hearing. Trustee Cooper made the motion at 7:28pm and Trustee Kliman seconded and it carried.

**Trustees Resolution No. 24-2013  
Exceed Tax Cap Resolution**

WHEREAS, the Board of Trustees of the Village of Hamilton voted and approved local law # 2 of 2012 authorizing a property Tax levy in excess of the limit established in General Municipal Law § 3-c for the 2013-2014 fiscal year.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Hamilton voted and approved to exceed the tax levy limit for 2013-2014 budget year by at least the sixty percent of the board of trustees as required by state law on March 19, 2013.

Motion by Trustee Kliman, Seconded by Trustee Cooper and carried

Roll Call: Mayor Miller – yes  
Trustee Cooper – yes  
Trustee Kliman – yes  
Trustee Servedio – yes  
Trustee Lura - absent

**MAYOR MILLER's REPORT**

**PCD:** The Mayor reported on the Hamilton Housing presentation of March 6, 2013. There will be a follow-up meeting on March 27<sup>th</sup>. The Mayor asked for input from the Trustees who attended the meeting. Trustee Cooper said more data needs to be gathered and researched. Trustee Kliman stated that the data that was presented at the meeting was discussed at the Zoning Review Committee and Bob McVaugh felt much of the data presented was not helpful in evaluating the Village's needs. On March 12, 2013 the Mayor participated in the first "Branding Hamilton" meeting sponsored by the PCD, facilitated by Susan Stranberg of Paperkite Creative from Hartwick, NY.

**Colgate Community Service:** The Mayor was contacted by Colgate student Griffin O'Shea regarding their plans for an afternoon, on April 5, of community improvement projects to the Village. He requested suggestions and the Mayor would like the Trustees to let her know if they have any possibilities she can pass along to Mr. O'Shea.

**Gate-Town Connection:** The Mayor reported an event is scheduled for April 7, 2013, from 4-7pm on Whitnall Field. Plans include a BBQ, bands, carnival games, and games with varsity sports teams.

**Congressman Hanna:** The Mayor and Administrator Graham met with Justin Stokes, Chief of Staff, from Congressman Hanna's Office, and his staff member Linda Lanbee, discussing current and future plans for Hamilton.

**Colgate Upstate Institute:** No report.

**Hamilton Business Alliance:** No report.

**Bruce Rivington:** The Mayor was contacted by Mr. Rivington, of Red Gate Farms, who would like to build a butter, yogurt, and cheese factory on Rte 12B.

**TRUSTEE COOPER's REPORT**

**Hamilton Police Department:** Trustee Cooper attended a Colgate staff-student planning meeting for the Spring Party Weekend events with Chief Gifford. Current plans call for the Friday night campus-wide outdoor concert that will have its stage located in the parking lot below the library. Plans call for the stage

to be facing the grassy embankment away from the Village. The same setup is being considered for the Saturday night multi-band performances.

**Hamilton Fire Department:** None

**Hamilton Court:** The new Justice Court Grant was received. \$15,532 was requested, \$3,000 was received. The following items were on this year's grant request.

Video Surveillance & Electronic Control of Entrance Door \$2,975

Video cameras for parking lot & Gallery \$3,000

Recording and gallery speaker system \$3,000

Replace courtroom curtains with adjustable window blinds \$2,693

Replace interior wall behind justice bench \$3,864

**Pedestrian Safety:** Trustee Cooper made a presentation to the Hamilton Business Alliance to inform them of the concept to install "U" shaped bicycle racks at ten locations on Broad Street (DOT approved) and five locations on Lebanon Street. HBA offered to assist in funding the project. HBA requested expansion to include Broad Street north of the 5-Way Intersection, Madison Street near Payne Street, and Maple Avenue near Lebanon Street. Partnership for Community development will be collecting donations for the bicycle rodeo to be held at the Elementary School on April 27.

**Campus Safety:** No report.

**Shared Services Committee:** No report.

**5 Way Intersection Task Force:** No report.

**Bridges Committee:** Next meeting March 22. The grant has been submitted for federal funding to address substance abuse in the community with emphasis on prevention and education. The agenda is to discuss plans for moving forward. We have some youth projects that will be coming up. Meeting has been postponed.

#### **TRUSTEE KLIMAN'S REPORT**

**Library Board:** The Library was to have given its revised budget to Treasurer Henderson last Friday. At the March Board meeting, the budget was reviewed (since revised); several names were proposed for new Board members and various Board members agreed to contact them about their interest; and Hilary Virgil reported that the copier the Library has been using was on the Village's contract. The lease expires in September 2013, but the Village is terminating the Library's lease in April. Hilary Virgil described the copier she thinks will best serve the Library's needs from among those she's looked at. (Purchase of a copier will require a change in the budget.) Hilary Virgil, Sam Stradling and I met with Administrator Graham on March 6 to discuss maintenance issues and what the Library's process should be. The County Board of Supervisors will free up the remaining funds owed to the Library. The Friends group continues to work on becoming a 501c-3 organization. Their newsletter and membership appeal will go out in April. The draft of the Library Memorandum of Understanding was discussed and will be emailed to Hilary.

**Historical Commission:** Another work day is scheduled for April 6, 2013. Mayor Miller has asked Jack Loop to look over the Village documents that have been stored in the basement of the Village Office and Courthouse to see if there are some that should be saved for their historical value.

**Recreation Commission:** Harry Jarcho is waiting for a response from Colgate about when some of their outdoor facilities (such as the tennis courts) are going to be in use, before Anne Marie Weeks, Chair, convenes a meeting to begin discussion of the summer program. Colgate's response will determine the dates of the summer Rec program.

**Parks Advisory Committee:** The full Committee met on March 18 to develop guidelines for people to use who want to commemorate someone who has contributed in a special way to the Village. This was brought on by the petition Tom Hodge is circulating to re-name Triangle Park to Plesniarski Park in honor of

Mayfred Plesniarski who recently passed away. The desire to commemorate someone has occurred several times in previous administrations, but each has been handled on a case-to-case basis.

#### Naming, Renaming, and Memorializing in the Village

The Parks Advisory Committee has been asked to develop a set of proposed guidelines for naming, renaming and otherwise memorializing individuals who have contributed to the Village of Hamilton. In preparing to do this, we've reviewed guidelines from several other towns and cities in the US, and found them to be much the same. Our proposal draws heavily upon the guidelines from the city of Baltimore.

The question we first asked ourselves was "What is best for the Village and residents of Hamilton?" We believe that since there is such a limited inventory of parks in the Village, we do not endorse changing the name of any park unless the individual has made a truly rare and exceptional contribution to the Village. Even in such a case, an escrow account must be established with the Village treasurer to allow for routine care and maintenance of the park.

Whether naming or renaming a park or other structure, or creating some other kind of memorial, we believe that several of the following criteria must be met.

Has the person made significant historic contributions to either the village or the greater area?

Can the individual be viewed as visionary in terms of his or her contributions to the village?

Will there be multi-generational impact to the residents as a result of the person's contribution?

Has the person made significant financial contributions to the village?

Has he or she contributed outstanding civic service to the village?

In the case of a change of name, does the previous name have geographic significance that would be lost if the name were changed?

Is there documented community support to memorialize the individual?

It should be mentioned that there are already in place several ways to honor citizens of Hamilton. These include: a bench with a plaque on it on the Village Green (\$5000.); a circle with an inscription on one of the Green's sidewalks (\$10,000); an inscribed brick in front of the gazebo (\$100-125); a brick on the Veteran's Memorial and the Wall of Honor at HCS. The Parks Advisory Committee also suggests a plaque on the building where the person to be honored worked or a small grove of trees with an appropriate plaque at Hooks Wiltse Field.

Note: the prices in each case include maintenance for at least 10 years.

Anyone wanting to memorialize a citizen must submit his or her request in writing to the Parks Advisory Committee with sufficient explanation to allow the Committee to make a recommendation. Their recommendation will then be given to the Mayor and Board of Trustees for a final determination. All costs related to the proposed memorial are the sole responsibility of the person or persons making the request.

**Given the above-mentioned guidelines, the Parks Advisory Committee does not recommend changing the name of Triangle Park at this time.**

**Mural Commission:** No report.

**Friends of 4<sup>th</sup> of July:** No report.

**Farmers' Market:** Vendor applications have been sent out. Kim told me there was a possibility that more spaces might have to be created – possibly by reducing the number of Community spaces – because there are several new vendors who've applied this year. Diane Eggert cannot find volunteers to run the EBT machine. Several residents have asked me if all the parks should be non-smoking areas.

**Trails Committee:** No report.

**Friends of the Symphony:** No report.

**Shared Services Committee:** No report.

### **TRUSTEE LURA'S REPORT**

**MUC:** The staff presented their budgets to the Commission, with the Commission approving them for consideration by the Trustees. The new street lights are almost completely installed. The DEC is requiring us to prepare a plan to address any repairs necessary to the wastewater treatment tank wall. We are disputing the issue, especially with regards to timing of the work. We want it to coincide with any work that will be necessary under the Chesapeake Watershed Program. Joel Moore from Integrity Engineering was at the meeting to meet the Commissioners and to discuss the gas project and contracts. The MUC approved the contract and sent it on to the Village Board for official approval. The Commission discussed a request to undertake a review of the costs to extend power to a potential facility in our franchise area.

**Streets, Sidewalks and Streetscape:** No report.

**DPW and Solid Waste Management:** The crew has been working on routine maintenance and activities. DPW Supervisor Randy Weaver submitted his budget request for review. Mr. Weaver has been finding out the cost to replace his vehicle in this fiscal year, as approved by the Board at his budget meeting.

**Madison Street Cemetery:** No report.

**PCD:** The Board met on March 13. The PCD Director has chosen a replacement for Dominick Pangallo. There was considerable discussion about the Housing Study and its implications. There was a discussion about establishing a PCD economic development committee.

### **TRUSTEE SERVEDIO'S REPORT**

**Economic Development:** No report.

**Hamilton Initiative:** No report.

**Zoning Board of Appeals:** The Palace Theater submitted a sign variance application seeking relief from the Village sign ordinance Section 133-15A. There was no one in attendance from the Palace Theater. The sign in question is the vertical banner. If it is considered a permanent sign it is too large and is in violation (cannot exceed 7 square feet and their sign is 35 sq. ft.). The Board determined that it can be used as an event banner which can be up to 100 sq. ft. - Section 133-20 F1. The illumination currently being used on the banner will have to be removed if it is an event banner.

The Board will address this at the next meeting on March 27 at 7pm when there is representation from the Palace Theater.

**Planning Board:** 9 Eaton St - The contractor provided a letter from Delta Engineering but was not in attendance to discuss.

**Good Nature Brewing:** Ms. Snyder complained again about the noise from the exterior glycol unit. Paul McGinnis will get a sound meter and take a reading to see if the business is in violation of the terms of the special permit. Village Clerk Scheckler will contact Sergeant Worthley to see if a sound meter has been ordered.

Paul McGinnis brought plans to the Board for changes that Colgate is planning to their heating plant. They plan to install 2 gas boilers and a scale for weighing the trucks bringing in wood chips in August 2013. They will be losing parking spaces to accommodate the scale. The parking affected is next to the heating plant, Base Camp and behind the pool. The Board determined that a site plan is required.

**Airport/Airpark Commission:** The Commission and Doug Hillman discussed swapping Lot 6 for a portion of Lot 3 so that a new DPW building could be put on Lot 6. Mr. Hillman was in agreement. There will be a no cost trade for the property. Mr. Hillman has made changes to his building and was planning to have another FAA Obstruction review done. He will wait to have it done for the new building lot. The next steps for the Commission are to have a property release done and an environmental assessment mid-summer to early fall.

Rick Bargabos, Eagle View Flight School owner, approached the Commission about renting the North Corporate Hangar. Mr. Bargabos is one of the largest fuel purchasers at the airport. The Commission offered a rent of \$900 per month with a fuel discount equal to four airplanes - that would bring the rent to \$740 per month. Mr. Bargabos requested the option to sublet space in the hangar for another airplane. The Commission agreed to his request and will have subletting put into the lease agreement because the current one does not allow it.

Security substation and fence projects – Administrator Graham spoke to the state and they told him he should hear something in a couple of weeks.

Metro Air has vacated but still owes rent.

**Tree Committee:** No report.

**Compost Club:** No report.

#### **ADMINISTRATOR GRAHAM'S REPORT**

##### **New Business**

**Appraisal from John Burton Consulting:** Administrator Graham reported that he sent the Board the latest appraisals for the Airport/Airpark, as required by the FAA every five year. He requested that the Board review and be ready to discuss at Thursday's meeting.

**Lebanon Street Reconstruction Project:** The Trustees directed Administrator Graham to move ahead with this project. The next step is for the project to go out to bid.

**Cingular:** They would like to put a generator at the west hill tank. The MUC stated they would be interested in talking to Cingular, but Cingular would have to pay the attorney fees to draw up a contract and that information has been sent to them.

**Colgate Memorandum of Understanding:** Administrator Graham reported a draft MOU is done with Colgate for Natural Gas. A conference call is scheduled for March 20 with the consultants, the Mayor, and President Basher. Administrator Graham hopes to have the MOU for the meeting on March 28, 2013.

**DEC Meeting:** There is a meeting March 20 with the DEC to discuss the TMDL's. The EPA has set the limits. Now we must determine what it will cost to meet those limits at the WWTP. Administrator Graham stated that significant financial upgrade to our plant will be needed.

#### **Resolution #25-2014**

##### **HMT Inc.**

##### **Electric Load & Line Review**

##### **Proposed Dairy Process Plant**

**WHEREAS,** the Village of Hamilton Municipal Utilities Commission (MUC) has received a proposal from HMT Inc. to provide professional engineering services to evaluate peak demand, load flow, voltage loss, line options and to make recommendations on necessary line changes necessary to provide electrical service to the proposed Dairy Process Plant; and

**WHEREAS,** the Village of Hamilton MUC has reviewed the proposal submitted by HMT; and

**WHEREAS,** the MUC recommends to the Village of Hamilton Board of Trustees that they execute the attached agreement with HMT Inc. to provide said services as stipulated; now

**THEREFORE, BE IT RESOLVED** that the Village of Hamilton Board of Trustees authorizes the Mayor to execute the agreement between the Village of Hamilton and HMT Inc.; and

**BE IT FURTHER RESOLVED**, that the total not to exceed cost for said services, without prior written approval of the Village of Hamilton Board of Trustees, shall be One Thousand Two Hundred and Sixty dollars (\$1,260.00).

Motion by Trustee Cooper, Second by Trustee Kliman and carried

**MEUA Semi-Annual Meeting:** Administrator Graham reported that the MUC appointed him as delegate for the MEUA meeting. The meeting is April 17 & 18, in Syracuse. A **motion** was made by Trustee Cooper to approve the request for Administrator Graham to attend the MEUA meeting. The **motion** was seconded by Trustee Kliman and carried.

**TREASURER HENDERSON**

**GENERAL FUND BUDGET MODIFICATION  
ELECTRIC FUND BUDGET MODIFICATION  
WATER FUND BUDGET MODIFICATION  
SEWER FUND BUDGET MODIFICATION**

Village Clerk - Equipment (01-5-1410.200)	\$2,308.41
Village clerk – Equipment (01-5-1410.200) Library	\$1,863.62
Misc. General Expenses (04-5-8310.400)	\$2,308.41
Water Administration – Equipment (05-5-8310.200)	\$ 989.32
Sewer Administration – Equipment (06-5-8110.200)	\$ 989.32

**FINANCE RESOLUTION NO. 26-2013**

WHEREAS, at a special meeting held on March 7, 2013, the Village of Hamilton Board of Trustees approved the Usherwood Office Technology proposal for a Canon Image Runner 2535I – Networked Printer, Scanner, Copier & Fax of \$6,595.46 with a \$105.60 per month fee for monthly service contract for the Village Office and a Lexmark XS463de for \$1,863.62 with a \$25.00 per month fee for a monthly service contract for the Village Library, and

WHEREAS, the Village may be eligible to receive a 75% cash rebate on the purchase price of eligible ENERGY STAR® equipment, which the purchase price of each individual item (base unit) cannot exceed \$4,999 before taxes or fees, and

WHEREAS, the Village Library is not eligible for the New York State Local Government Rebate, but has agreed to be financially responsible for the monthly contract and overage, if any, of the Lexmark XS463de, and

WHEREAS, the Village has funds available in the General Fund's Unappropriated Fund Balance (01-1-0909.000) for the General Fund's portion (\$4,172.03) of the above mentioned purchases, and

WHEREAS, this expenditure was not able to be budgeted for in the 2012-2013 budget, and

WHEREAS, the appropriation Village Clerk (01-5-1410.200) line item will need to be increased to cover this expense.

NOW THEREFORE BE IT RESOLVED, that the General Fund Unappropriated Fund Balance (01-01-0909.000) and the Village Clerk - Equipment (01-5-1410.200) appropriation line item of the 2012-2013 budget be increased by \$4,172.03.

Motion by Trustee Kliman, seconded by Trustee Servedio and carried

**GENERAL FUND BUDGET MODIFICATION  
Village Justice – Equipment (01-1110.200)  
RESOLUTION NO. #27-2013**

WHEREAS the Hamilton Village Court has been awarded a grant under the 2012-2013 cycle of the Justice Court Assistance Program (JCAP), in the amount of \$2,975.00, to provide help with resources and equipment necessary to fulfill the critical role of the Village Justice System, which has not been budgeted for in the 2012-2013 fiscal year; and

WHEREAS, the expenditures of improvements and remodeling of the court room in accordance with the JCAP grant, will be expensed out of the Justice Capital Outlay and Equipment appropriation line item (01-5-1110.200), which also was not budgeted for in the 2012-2013 fiscal year.

NOW THEREFORE BE IT RESOLVED, that the General Fund Government Aid "Grant Income – Court Grant" Revenues (01-4-3089.000) and the Justices – Capital Outlay and Equipment Appropriation (01-5-1110.200) be increased by \$2,975.00 to reflect the above awarded JCAP grant for the 2012-2013 budget Motion by Trustee Cooper, seconded by Trustee Kliman and carried.

**GENERAL FUND BUDGET MODIFICATION  
INTERFUND TRANSFER TO RECREATION FUND (01-5-9901.910)  
RESOLUTION NO 28-2013**

WHEREAS the Hamilton Recreation Fund has been over expended by \$268.88 due to Unemployment Insurance, and;

WHEREAS, the General Fund has monies available in Fund Balance for an Interfund Transfer of 268.88 to the Recreation Fund

NOW THEREFORE BE IT RESOLVED, that the General Fund Interfund Transfer to Recreation Fund appropriation be increased with the use of Fund Balance by the 268.88, and

BE IT FURTHER RESOLVED, that the Recreation Fund's Unemployment Insurance (08-5-9050.800) appropriation and the Interfund Transfer (08-4-5031.000) Revenue be increased by 268.88. Motion by Trustee Cooper, seconded by Trustee Kliman and carried

**RESOLUTION #31-2013  
INVESTMENT POLICY  
VILLAGE OF HAMILTON**

**I. SCOPE**

This investment policy applies to all moneys and other financial resources available for deposit and investment by the Village of Hamilton on its own behalf or on behalf of any other entity or individual.

**II. OBJECTIVES**

The primary objectives of the Village of Hamilton's investment activities are, in priority order:

- To confirm with all applicable federal, state and other legal requirements (legality)
- To adequately safeguard principal (safety)
- To provide sufficient liquidity to meet all operating requirements (liquidity)
- To obtain a reasonable rate of return (yield).

**III. DELEGATION OF AUTHORITY**



The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedure shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

#### **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transactions that might impair public confidence in the Village of Hamilton to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

#### **V. DIVERSIFICATION**

It is the policy of the Village of Hamilton to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amounts of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

#### **VI. INTERNAL CONTROLS**

It is the policy of the Village of Hamilton for all moneys collected by any officer or employee of the government (excluding Justice(s) of the Peace) to transfer those funds to the Treasurer within 5 (five) days for deposit, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

#### **VII. DESIGNATION OF DEPOSITARIES**

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time are:

<u>Depository Name</u>	<u>Maximum Amount</u>
NBT Bank, NA	\$ 10,000,000.00
Oneida Savings	\$ 250,000.00

#### **VIII. SECURING DEPOSITS AND INVESTMENTS**

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the Village of

Hamilton that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
3. An "eligible letter of credit," payable to the Village of Hamilton as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the Village of Hamilton, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.

#### **IX. COLLATERALIZATION AND SAFEKEEPING**

Eligible securities used for collateralizing deposits made by officers of the Village of Hamilton shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Village of Hamilton to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the Village of Hamilton, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Hamilton or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the Village of Hamilton in the securities as set forth in the security agreement.

The custodial agreement shall provide that pledged securities will be held by the bank or trust company as agent of, and custodian for, the Village of Hamilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing for any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the Village of Hamilton with a perfected security interest in the eligible securities and to otherwise secure the Village of Hamilton's interest in the collateral, and may contain other provisions that the governing board deems necessary.

#### **X. PERMITTED INVESTMENTS**

As provided by General Municipal Law Section 11, the Village of Hamilton authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York
- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e. Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Village of Hamilton
- Obligations of the Village of Hamilton, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Hamilton within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the Village of Hamilton within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Section VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Village of Hamilton authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the Village of Hamilton within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

All financial institutions and dealers with which the Village of Hamilton transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the Village of Hamilton. The Treasurer shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks and security dealers that are not affiliated with a bank shall be required to be classified as reposting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Village of Hamilton shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

#### **XII. PURCHASE OF INVESTMENTS**

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the Village of Hamilton, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Hamilton by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the Village of Hamilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the Village of Hamilton's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the Village of Hamilton with a perfected interest in the securities.

The Treasurer can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of the nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

### **XIII. COURIER SERVICE**

The Treasurer may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the Village of Hamilton and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The Village of Hamilton may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the Village of Hamilton in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may not be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State authority.

### **XIV. ANNUAL REVIEW AND AMENDMENTS**

The Village of Hamilton shall review this investment policy annually, and it shall have the power to amend this policy at any time.

## XV DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

### APPENDIX A

#### Schedule of Eligible Securities

- YES (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- NO (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- NO (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
- YES (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or District Corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- NO (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- NO (vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- NO (vii) Obligations of counties, cities and other government entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- NO (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- NO (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- NO (x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- NO (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

Motion by Trustee Cooper, seconded by Trustee Kliman and carried.

**Mang Insurance:** Treasurer Henderson stated that the rates for the Fire Department insurance policy have increased, but if we raise the deductible to \$1,000.00 on the equipment and vehicles per incident, we could save enough to cover the increase. A **motion** was made by Trustee Cooper to authorize Treasurer Henderson to make the change in our deductible amount to \$1,000.00 per incident. The **motion** was seconded by Trustee Pangallo and carried.

**Terrorism Coverage:** Treasurer Henderson reported that the Village is not requesting this coverage and must sign off for the Fire Department. A **motion** was made by Trustee Cooper for the Mayor to sign the paperwork to not have Terrorism Coverage for the Fire Department. The **motion** was seconded by Trustee Kliman and carried.

**Training Request:** CEO McGinnis is requesting to attend a mandatory training, NYSBOC 2013 Educational Conference, in Syracuse, NY, April 2-5, 2013. A **motion** was made by Trustee Cooper to approve the request. The **motion** was seconded by Trustee Servedio and carried.

**Judge's Reports:** Treasurer Henderson reported that Judge Bogan reported \$5,634.50 for February and Judge Haight reported no activity.

**Abstracts & Transfers (Servedio/Kliman)**

March 19, 2013

Resolution NO. 29-2013

At a regular or special meeting of the Board of Trustees for the Village of Hamilton, upon motion duly made and seconded, the following Resolution was adopted by a majority of the Board present entitled to vote thereon:

**RESOLVED**, By the Board of Trustees of the Village of Hamilton that the below listed Abstracts are approved.

<u>Abstracts</u>		<u>Check Date</u>	
General			
	10a	17,068.56	3/1/13
	10b	15,744.30	3/8/13
	10c	15,419.13	3/15/13
	10d	15,965.75	3/22/13
	Paid Expenses	9,658.01	
	10b	49,787.36	Monthly
Vouchers			
Airport			
	10a	814.03	3/1/13
	10b	1,057.59	3/8/13
	10c	904.52	3/15/13
	10d	453.52	3/22/13
	Paid Expenses	709.31	
	10b	2,241.65	Monthly
Vouchers			
Electric			
	10a	7,358.34	3/1/13
	10b	7,670.15	3/8/13
	10c	7,272.72	3/15/13
	10d	6,903.18	3/22/13
	Paid Expenses	5,920.15	
	10b	285,301.63	Monthly
Vouchers			
Water			
	10a	1,500.72	3/1/13
	10b	1,431.80	3/8/13

	10c	1,535.80	3/15/13
	10d	2,100.06	3/22/13
	Paid Expenses	2,032.58	
Vouchers	10b	29,140.85	Monthly
Sewer			
	10a	3,238.48	3/1/13
	10b	3,028.50	3/8/13
	10c	3,211.51	3/15/13
	10d	3,916.52	3/22/13
	Paid Expenses	7,701.72	
Vouchers	10b	14,553.87	Monthly
Gas			
Vouchers	10b	44,948.68	Monthly
Trust & Agency			
	Paid Expenses	1,800.22	
Vouchers	10b	1,720.00	Monthly
Veteran/s Memorial			
Vouchers	10b	139.00	Monthly

Resolution NO. 30-2013

At a regular or special meeting of the Board of Trustees for the Village of Hamilton, upon motion duly made and seconded, the following Resolution was adopted by a majority of the Board present entitled to vote thereon: RESOLVED, By the Board of Trustees of the Village of Hamilton that the below listed transfers are approved.

**February Transfers**

General

FROM:	5-9040.800	Workers' Compensation	-10,000.00
TO:	5-1910.470	Unallocated Insurance	10,000.00
FROM:	5-1950.470	Taxes & Assessments – Muni Prop	-5,800.00
TO:	5-1910.470	Unallocated Insurance	5,800.00
FROM:	5-1420.440	Law-Contract Prof & Tech	-1,000.00
TO:	5-1910.470	Unallocated Insurance	1,000.00
FROM:	5-9040.800	Workers' Compensation	-279.04
TO:	5-1325.400	Treasurer-School, Conf & Dues	279.04
FROM:	5-1990.470	Contingency	-1,395.15
TO:	5-1325.440	Treasurer- Contract Prof & Tech	1,395.15
FROM:	5-1410.400	Clerk – Schools, Conf & Dues	-199.40
TO:	5-1410.460	Clerk-Contract Oper & Mtc	199.40
FROM:	5-3410.460	Fire Dept. – Contract Oper & Mtc	-437.00
TO:	5-3410.440	Fire Dept. – Contract Prof & Tech	437.00
FROM:	5-3410.460	Fire Dept. – Contract Oper & Mtc	-3,000.00
TO:	5-3410.490	Fire Dept. – Vehicle Expense	3,000.00
FROM:	5-5110.410	Street Maintenance – Materials & Supplies	-2,500.00
TO:	5-5110.460	Street Maintenance – Contract Oper & Mtc	2,500.00
FROM:	5-5610.410	Airpark – Materials & Supplies	-100.00
TO:	5-5610.490	Airpark – Vehicle Expense	100.00
FROM:	5-7110.480	Parks Maintenance – Repairs	-750.00
TO:	5-7110.420	Parks Maintenance – Utilities	750.00
FROM:	5-8010.470	Zoning – Other Expenses	-500.00
TO:	5-8010.490	Zoning – Vehicle Expense	500.00
FROM:	5-8160.460	Refuse Coll & Disp – Contract Oper & Mtc	-750.00
TO:	5-8160.470	Refuse Coll & Disp – Other Expenses	750.00



### Airport

FROM:	5-1990.470	Airport - Contingency	-500.00
TO:	5-5610.410	Airport - Materials & Supplies	500.00
FROM:	5-5610.421	Airport - Propane Tank	-750.00
TO:	5-5610.422	Airport - Telephone	750.00
FROM:	5-1990.470	Airport - Contingency	-1,000.00
TO:	5-9060.800	Airport-Hospital & Medical Insurance	1,000.00

### Electric

FROM:	5-8326.100	Con Billing & Accounting	-500.00
TO:	5-8326.400	Misc. Interest Ded	500.00
FROM:	5-8340.100	Dist. System Operation	-10,000.00
TO:	5-8340.400	Dist. System Operation	10,000.00
FROM:	5-8341.100	Oper Dist. Substation	-3,500.00
TO:	5-8341.400	Oper Dist. Substation	3,500.00

### Water

FROM:	5-1990.470	Contingency	-989.32
TO:	5-8310.200	Admin - Equipment	989.32
FROM:	5-8310.420	Admin - Utilities	-150.00
TO:	5-8310.470	Admin - Other Expenses	150.00
FROM:	5-8340.410	Trans & Dist. - Materials & Supplies	-1,000.00
TO:	5-8340.460	Trans & Dist. - Contract Oper & Mtc	1,000.00
FROM:	5-8340.410	Trans & Dist. - Materials & Supplies	-645.84
TO:	5-9010.800	NYS Retirement	645.84

### Sewer

FROM:	5-1990.470	Contingency	-989.32
TO:	5-8110.200	Admin - Equipment	989.32
FROM:	5-8110.410	Admin - Materials & Supplies	-300.00
TO:	5-8110.400	Admin - Schools, Conf & Dues	300.00
FROM:	5-8110.440	Admin - Contract Prof & Tech	-5,000.00
TO:	5-8110.460	Admin - Contract Oper & Mtc	5,000.00
FROM:	5-8130.410	Sewage Trt & Disp. - Materials & Supplies	-5,000.00
TO:	5-8130.460	Sewage Trt & Disp. - Contract Oper & Mtc	5,000.00

### Recreation

FROM:	5-7320.100	Recreation – Personal Service	-428.90
TO:	5-9050.800	Recreation – Unemployment	428.90
FROM:	5-7320.470	Recreation – Other Expenses	-79.80
TO:	5-9050.800	Recreation – Unemployment	79.80
FROM:	5-9030.800	Recreation – Social Security	-32.42
TO:	5-9050.800	Recreation – Unemployment	32.42

#### **NEW BUSINESS**

1. **Thomas Hodge:** Mr. Hodge distributed binders with a petition and accolades from former and current residents. He told the Trustees of his own personal experiences and memories with the Plesnairski's. Trustee Kliman reported that the Parks Advisory Committee worked on guidelines for renaming, naming, or memorializing residents in the Village. The Mayor thanked Mr. Hodge and told him that the Board will review all the material and will continue to discuss at next month's meeting.
2. **NLCS Ballfield Request:** More information was requested before a decision can be made. Administrator Graham stated that we need to consider some sort of payment for use of the fields because it is too costly to maintain the fields is costly.
3. **81 Lebanon Street:** The homeowners had discussed a drainage issue with Administrator Graham. After investigating, the Village determined there was a problem with the sewer lateral and recommended a clean out be installed. The crew discovered grease was plugging the line causing the pipe to be replaced.
4. **New Committee/Board Appointments:** The Mayor reported she has appointed Kristian Newman to the Planning Board and Mark Manchester has been appointed to the Zoning Board of Appeals.

#### **OLD BUSINESS**

1. **Charters:** Tabled.
2. **Capital Projects:** Tabled.
3. **7 Enos Ave:** Mr. Keith was to bring in a plan by March 1<sup>st</sup>. He did supply a letter of what he plans to do. Attorney Stokes stated that CEO McGinnis will need to provide a supplemental report to the Board.
4. **Part-time Employee Benefits:** No report.
5. **Handbook Update:** No report.

**Executive Session:** A motion was made by Trustee Kliman to enter into an executive session at 8:00pm to discuss possible litigation. The motion was seconded by Trustee Servedio and carried.

A motion was made by Trustee Cooper to exit the executive session at 9:00pm. The motion was seconded by Trustee Kliman and carried

#### **Adjournment**

There being no further business to come before the Board, Trustee Servedio made a motion to adjourn. The motion was seconded by Trustee Kliman and carried. The meeting adjourned at 9:01p.m.

Respectfully submitted,  
Kim Taranto