REGULAR MEETING

MAY 21, 2014

A Public Hearing and the Regular Meeting of the Town Board of the Town of Hampton, County of Washington and the State of New York was held at the Town Hall, 2629 State Route 22A, Hampton, New York on the 21st day of May, 2014.

PRESENT: David K. O’Brien----------Supervisor

Tamme Taran--------------Councilwoman

David Jensen---------------Councilman

Donald Sady----------------Councilman

Andrea Sweeney-----------Councilwoman-came at 7:40pm

 Rebecca Jones--------------Town Clerk

Camilla Shaw---------------Tax Collector/Deputy Town Clerk

Herbert Sady, Jr.------------Highway Superintendent

Planning Board Member(s): no members present

Also present: Derek Liebig, Whitehall Times Reporter, David & Nancy Bridges, Artie Pratt and Leonard Reed

The Public Hearing was called to order by Supervisor O’Brien at 7:25pm followed by the Pledge of Allegiance Location of Fire Exits were given. Legal Notice of hearing was read (copy is attached). Supervisor O’Brien asked for comments on proposed Local Law 2 of 2014. David Bridges commented that the Grievance night is the same as when the Judge holds Court, will discuss with the Judge, perhaps she could postpone Court for that evening. All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:30pm.

**REGULAR MEETING**

The Regular Meeting was called to order by Supervisor O’Brien at 7:30pm.

**RESOLUTION NO. 43-2014**

**APPROVAL OF THE MINUTES**

On a motion of Councilwoman Taran, seconded by Councilman Jensen, the following resolution was

ADOPTED: Ayes 5 O’Brien, Taran, Jensen, Sady, Sweeney

Nays 0

RESOLVED that the Regular Town Board Minutes for April 16th, 2014 are approved.

Planning Board Report…none given.

Deputy Tax Collector Jones submitted Tax Collector Report for April 2014.

She also had Board Members review and sign bank reconciliation statement dated April 30th, 2014.

**RESOLUTION NO. 44-2014**

**ADDITIONAL HOURS FOR DEPUTY TAX COLLECTOR**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was

ADOPTED: Ayes 5 O’Brien, Taran, Jensen, Sady, Sweeney

Nays 0

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RESOLVED to pay an additional twelve (12) hours to Rebecca Jones for Deputy Tax Collector duties. Was previously compensated for ninety-six (96) hours, when record of activites was prepared it showed one hundred eight (108) hours instead of ninety-six (96).

Larry Carman, Dog Control Officer submitted his report, which was read by Supervisor O’Brien… copy of report is attached for April.

Dog Renewals and Dog Enumeration were discussed. Regarding Dog Renewals, the Town Clerk will continue to send out the original renewal letter and if a delinquent letter (second letter) is sent, it will have a time frame for renewal or it will be turned over to Dog Control Officer and fines may be imposed. Regarding Dog Enumeration, Supervisor O’Brien will work on information for conducting one and will discuss at future meeting.

Herbert Sady, Jr., Highway Superintendent gave his report: (a copy is attached)

* Checking and cleaning out culverts
* Replaced brushes on sweeper
* Sweeping blacktop roads
* Grading dirt roads
* Maintenance on the trucks and getting plows, wings and boxes ready for repainting
* Fellas attended refresher course on new SDS system (used to be called MSDS)
* Mowing cemeteries
* Road signs for the South Road and Hills Pond Road have been ordered
* Horse and Carriage signs will be put up on the South Road/Weight limit signs will be put up on Staso Road
* Replacing Yield sign at intersection of South Road and Hills Pond Road (Town of Granville is giving us one)
* Highway Superintendent and Employees will be attending Safety Day, June 18th, 2014 at a cost of $15.00 each.

Supervisor O’Brien checked with Matt Fuller, the Town Attorney in regards to purchasing thru an online auction site. As long as the auction item(s) was from another NY municipality, the site is one that auctions off items for municipalities and is in the best interests of the taxpayer it can bid through the auction. A Town can also purchase equipment from another municipality directly without going thru the bidding process.

**RESOLUTION NO. 45-2014**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Sweeney

**TITLE: RESOLUTION ESTABLISHING A “HIGHWAY EQUIPMENT RESERVE**

**FUND” FOR THE TOWN OF HAMPTON PURSUANT TO SECTION 6-C**

**OF THE GENERAL MUNICIPAL LAW**

**WHEREAS,** the Town of Hampton (the “Town”) desires to establish a capital reserve fund to accumulate moneys to finance the cost of highway equipment acquisition, maintenance and repair pursuant to Section 6-c(2)(b) of the General Municipal Law; and

TOWN BOARD MEETING

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**WHEREAS**, the Town desires, in accordance with section 6-c(5) of the General Municipal Law to deposit funds into the capital reserve fund from time to time; and

**WHEREAS,** the Town, upon due consideration, finds the actions contemplated herein to be in the public interest.

**NOW, THEREFORE BE IT RESOLVED THAT:**

Section 1. There is hereby established a “Highway Equipment Capital Reserve Fund” (the “Fund”).

Section 2. The Town may authorize and direct that funds be deposited into said Fund from time to time, in accordance with section 6-c(5) of the General Municipal Law.

Section 3. Any moneys transferred into the Fund shall be deposited in a separate bank account and managed by the Supervisor in accordance with Section 6-c(10) of the General Municipal Law.

Section 4. Moneys held in the Fund shall be used exclusively to finance the cost of highway equipment acquisition, maintenance and repair, except as otherwise provided by Section 6-c of the General Municipal Law.

Section 5. The Town Supervisor is hereby directed to deposit and secure the moneys of this Fund in the manner provided by Section 10 of the General Municipal Law. The Town Supervisor may invest the moneys in the Fund in the manner provided by Section 11 of the General Municipal Law. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Fund.

Section 6. The Town Supervisor shall account for the Fund in a manner which maintains the separate identity of the Fund and shows the date and amount of each sum paid into the Fund, interest earned by the Fund, capital gains or losses resulting from the sale of investments of the Fund, the amount and date of each withdrawal from the Fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Fund.

Section 7. Pursuant to Section 6-c(5)(b) of the General Municipal Law, the establishment of this Fund is subject to the consent of the Town Superintendent of Highways and the County Superintendent of Highways.

Section 8. No expenditure shall be made from the Fund except upon order from the Town Superintendent of Highways upon audit and with the consent of the Town Board in accordance with Section 6-c(5)(b) of the General Municipal Law.

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Section 9. This resolution shall take effect immediately.

DATED: May 21, 2014 Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Sweeney AYE

Councilman Jensen AYE

Councilwoman Taran AYE

**RESOLUTION NO. 46-2014**

**AGREEMENT TO SPEND TOWN HIGHWAY FUNDS**

On a motion of Councilwoman Taran, seconded by Councilman Jensen, the following resolution was

ADOPTED: Ayes 5 O’Brien, Taran, Jensen, Sady, Sweeney

Nays 0

RESOLVED that an Agreement to Spend Town Highway Funds was completed and signed by the Town Board and Highway Superintendent (copy is attached).

COMMUNICATIONS RECEIVED:

* from NYS Dept. of Taxation and Finance, Office of Real Property Tax Services, the Town of Hampton’s Tentative Equalization Rate is 105.56
* 2014 Washington County Overview and State Budget Impact Info
* From Kristen Gillibrand’s office…Funding sources for Fire Department: A Guide to Federal and State Funding Opportunities for Fire and Emergency Services

**RESOLUTION NO. 47-2014**

**BUDGET AMENDMENT**

On a motion of Councilman Sady, seconded by Councilman Jensen, the following resolution was ADOPTED:

by Roll Call Vote: Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Sweeney AYE

Councilwoman Taran AYE

Councilman Jensen AYE

RESOLVED, that the following Budget Amendment to the General Fund is approved:

Increase Supervisor’s Contractual Expense A1220.4 in the amount of $562.00

Decrease Supervisor’s Personal Service A1220.1 in the amount of $562.00

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**RESOLUTION NO. 48-2014**

**APPROVAL OF SUPERVISOR’S MONTHLY REPORT**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED Ayes 5 O’Brien, Taran, Jensen, Sady, Sweeney

Nays 0

RESOLVED that the Supervisor’s Monthly report be accepted as submitted for **APRIL 2014.**

03/31/14 04/30/14

ACCOUNT BALANCE RECEIPTS DISBURSEMENTS BALANCE

General Fund $ 76965.27 $ 6738.47 $ 7788.80 $ 75914.94

Highway Fund $132178.71 $ 10.66 $ 8485.98 $ 123703.39

Equipment Reserve $ 85088.42 $ 6.99 $ 0.00 $ 85095.41

Fire #1 $ 31985.00 $ 0.00 $ 0.00 $ 31985.00

Fire #2 $ 4724.00 $ 0.00 $ 0.00 $ 4724.00

Totals $ 330941.40 $ 6756.12 $ 16274.78 $ 321422.74

All Board Members present signed Supervisor’s Report.

**RESOLUTION NO. 49-2014**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Andrea Sweeney

**TITLE: RESOLUTION ADOPTING PROPOSED LOCAL LAW AMENDING LOCAL LAW 1 OF 2014 TO RESCHEDULE THE DATE FOR HEARING COMPLAINTS BY THE BOARD OF ASSESSMENT REVIEW**

**WHEREAS,** pursuant to Section 512 of the Real Property Tax Law of the State of New York, the Town Board (the “Board”) of the Town of Hampton (the “Town”) has the authority to adopt a local law rescheduling the date of hearing of complaints by the Board of Assessment Review pursuant to Real Property Tax Law Section 512; and

**WHEREAS**, the Board previously adopted Local Law 1 of 2014 changing the date for hearing complaints by the Board of Assessment Review which Local Law contained an error describing said date; and

**WHEREAS**, the Board finds that this law is necessary to coordinate the hearing date with the schedule of the Town’s assessor who also works with neighboring municipalities in Washington County; and

**WHEREAS,** a local law has been drafted to reschedule such date of hearing of complaints; and

**WHEREAS**, notice of said public hearing was duly posted and then published in *The Granville Sentinel and The Whitehall Times*,the official newspapers of the Town of Hampton pursuant to and in conformance with Section 20 of the Municipal Home Rule Law; and

**WHEREAS**, said public hearing was duly held and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law.

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**NOW, THEREFORE BE IT RESOLVED** by the Town Board of the Town of Hampton as follows:

Section 1. The Town Board finds that the proposed Local Law amending Local Law 1 of 2014 and rescheduling the date for hearing of complaints by the Board of Assessment Review is in the best interests of the residents, inhabitants and guests of the people of the Town of Hampton.

Section 2. The proposed Local Law, copies of which are attached hereto and made a part hereof, is hereby adopted.

Section 3. The Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Section 4. This resolution shall take effect immediately.

DATED: May 21, 2014 Roll Call Vote: Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Sweeney AYE

Councilwoman Taran AYE

Councilman Jensen AYE

**RESOLUTION NO. 50-2014**

**POLICY FOR USE OF TOWN HALL**

MOTION BY: COUNCILMAN DONALD SADY

SECONDED BY: COUNCILWOMAN ANDREA SWEENEY

**TITLE: RESOLUTION ADOPTING THE TOWN OF HAMPTON POLICY FOR USE**

**OF TOWN HALL**

**WHEREAS**, the Town has determined that it is desirable to have a Policy For Use of Town Hall.

**NOW THEREFORE, BE IT RESOLVED**:

That the Town of Hampton hereby adopts the Policy For Use of Town Hall attached hereto;and

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby authorized and directed to add the following policy to the policy manual/employee handbook for the Town of Hampton

DATED: May 21, 2014 Supervisor O’Brien AYE

Councilman Perry AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Jensen AYE

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**Policy for Use of Town Hall**

**Purpose and Need for Policy**

The purpose of this policy is to set forth procedures to respond to requests for use of the Town Hall—during and after normal hours.

**Policy**

The Town Hall meeting room is available for use during normal business hours or after hours. Scheduling limitations could be applicable based on official town functions and pending approval of the Town Board. All usage of the meeting room or the grounds is subject to Town Board approval.

**Procedure to Accomplish this Policy**

1. Requests for reservations will be directed to the Town Clerk who will maintain a master calendar of reservations for meetings of the Town Board and other committee or municipal functions and the public.

2. First priority for use of Town facilities shall be for Town meetings, municipal usage and other Town functions and activities.

3. Second priority for use of Town facilities shall be for meetings, functions and other activities sponsored by Federal, State, County, Town residents or Private Organizations—in that sequence of priority. The town reserves the right to refuse usage for any reason. The Town Hall is not intended for use by for profit groups, banquet functions, or parties.

4. All reservations will be on a first-come-first-served basis, based on the order in which completed applications are received.

5. In exchange for the use of the Town Hall, groups are asked to make a contribution to the Hampton Volunteer Fire Department.

6. Smoking, or tobacco use is not permitted in municipal buildings.

7. All recurring events must be planned and approved on a maximum of a one-year term basis.

8. No alcohol beverage or illegal drugs, of any kind, shall be allowed on premises.

9. The Town of Hampton reserves the right to cancel any reservation.

10. All Non-Town sponsored use of municipal facilities shall be by permit, to be issued by the Town Clerk.

11. The permitted shall accept the premises as is, and shall restore the premises used to the same condition at the end of each use. The permitted shall make no changes or alterations to the premises. The permitted shall be responsible for removing all litter and trash from the permitted area to suitable trash containers or off the premises.

12. The permit includes the right of the permitted to use electricity from existing outlets. The use of additional electrical cords, must be (UL) approved and include GFI outlets.

13. The permitted shall be responsible to the Town for any and all damage to any Town property in the area for which the permit is issued including, but not limited to, sprinklers, grounds, plantings, walkways or building, whether or not the damage was caused by the permitted, or by patrons, guests or invitees.

14. The permitted shall allow appropriate Town, County or State representatives to conduct any inspection which may be required or deemed necessary in this regard, or to insure the public health, safety or general welfare.

15. Serving food or drink is subject to the approval of the Town. No for profit concessions or catering will be permitted.

16. The permitted shall be responsible for insuring that any and all persons furnishing food in connection with an event for which a permit is issued has complied with all state, county and local laws and regulations with respect to such activity.

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17. Property owned and used by the permitted shall be removed from the municipal facility immediately after use. The Town is not responsible for property brought into the municipal facility, during or after use.

18. The authorized representative executing the permit application in consideration of receiving permission to use municipal facilities for himself/herself and the organization represented by its members, releases the Town of Hampton, its Town Council, employees and agents from all claims and liability arising from or during the use of municipal facilities, and agrees to indemnify and hold harmless said released parties from all claims of any nature.

19. Permitted as a condition of use must agree to comply with the policies set forth herein and all other Town of Hampton codes and regulations.

20. Exits shall be unlocked and properly maintained during all permitted events.

21. Any decorative material used must be approved fire retardant material.

22. Parking shall not be allowed which would obstruct exits or ingress of emergency vehicles and personnel.

23. Tables and chairs must be arranged in order to provide safe and unblocked exiting. No open flames (such as candles) are permitted in the building.

24. Other safety requirements may be required due to the nature of the event. Any events with Youths (18 years or younger) will have adult supervision.

25. The person authorizing the permit is responsible to obtain adequate supervision and make sure the premises are vacant at the close of their function and the premises are properly locked up.

26. An approved sign permit must be obtained for all temporary signs before installation of such signs.

27. A facility use permit shall not authorize the use of the name of "The Town of Hampton" in program publicity or automatically imply co-sponsorship. Nor shall any literature distributed relating to permit use imply Town sponsorship unless the Town Board approves the event.

28. Each permitted will be required to perform all clean up and return the facility used to its original condition after use. If this requirement is not met, the Town will perform the required work and bill the permitted for all costs incurred.

29. Upon approval of the permit, the Town Clerk will issue keys to the building as required. Keys will be issued to a specific “Authorized person” who agrees not to duplicate these keys and to return them to the Town Clerk the day following facility use.

30. Violation of any of the rules and regulations so stated may result in the loss of future privileges to use municipal facilities.

31. Definitions: Residents are defined as individuals who live within the corporate boundaries of the Town of Hampton.

Meeting with Fire Department regarding Fundraising was cancelled…need to reschedule.

Supervisor O’Brien stated that the County has passed the Gold Star Parent Tax Exemption, which is for a partial exemption from real property taxes for parents of a child who died in the line of duty. Following a discussion the Town Board is considering offering the same exemption, will need to have a Public Hearing on the matter.

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**RESOLUTION NO. 51-2014**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilman David Jensen

**TITLE: A RESOLUTION INTRODUCING A LOCAL LAW AUTHORIZING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES ON QUALIFIYING RESIDENTIAL REAL PROPERTY FOR THE “ALTERNATIVE” VETERAN’S EXEMPTION TO “GOLD STAR PARENTS” WHICH ARE THE PARENTS OF A CHILD WHO DIED IN THE LINE OF DUTY WHILE SERVING IN THE UNITED STATES ARMED FORCES DURING A PERIOD OF WAR PURSUANT TO NEW YORK STATE REAL PROPERTY TAX LAW SECTION 458-a**

**WHEREAS,** Section 458-a of the New York State Real Property Tax Law authorizes a partial exemption from real property taxes on qualifying residential real property owned by veterans; and

**WHEREAS,** New York State Real Property Tax Law Section 458-a authorizes counties, towns and villages to extend eligibility for the “Alternative” Veteran’s Exemption to “Gold Star Parents” which are the parents of a child who died in the line of duty while serving in the United States Armed Forces during a period of war; and

**WHEREAS,** it is the desire of the Town Board to extend veteran’s exemptions to Gold Star Parents who own residential property within the Town of Hampton; and

**WHEREAS,** the Town Board of the Town of Hampton has previously authorized the Town Attorney to prepare a proposed local law that would provide the above-described exemption and the Town Board has reviewed the proposed local law that was prepared and is subject to this resolution.

**NOW, THEREFORE, BE IT RESOLVED, THAT** the Town Board of the Town of Hampton believes it is in the best interest of the Town to introduce for the purposes of adoption an introductory Local Law No. 3 of 2014 of the Town of Hampton which provides for Gold Star Parents to be eligible for the Alternative Veterans’ Exemption under the New York State Real Property Tax Law 458-a and shall apply to Town real property taxes levied by the Town of Hampton effective for the 2015 tax roll; and be it

**FURTHER RESOLVED,** that the Town Board determines that the adoption of the proposed Local Law is an unlisted action under the New York State Environmental Quality Review Act (SEQRA); and be it

**FURTHER RESOLVED**, that the Town Board shall meet at the Town Hall of the Town of Hampton, Washington County, New York, on the 18th day of June, 2014 at 7:25 p.m., to hear all persons interested in the matter; and be it

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**FURTHER RESOLVED,** that the Town Clerk is hereby authorized and directed to publish notice of said hearing in *The Granville Sentinel and The Whitehall Times*, the official Town newspapersand to post a copy of the same on the sign-board of the Town in the time and manner provided by law; and be it

**FURTHER RESOLVED**, that this resolution shall take effect immediately.

DATED: May 21, 2014 Supervisor O’Brien AYE

Councilman Perry AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Jensen AYE

Other Exemptions were dicussed, Board decided not to make any changes at this time to the Veterans Exemption, Disability Exemption or Low Income Exemption.

**RESOLUTION NO. 52-2014**

**STANDARD WORK DAY and REPORTING RESOLUTION**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED by Roll Call Vote: Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Sweeney AYE

Councilwoman Taran AYE

Councilman Jensen AYE

RESOLVED, that the Standard Work Day and Reporting Resolution for Elected and Appointed Officials be approved. (Copy is attached)

Three (3) months Record of Activities for Kim Perry was accepted for Retirement purposes.

Resident David Bridges suggested the Board put up a hitching post at the Town Hall welcoming the Amish family.

Councilman David Jensen and Councilwoman Andrea Sweeney completed quarterly audits for Tax Collector, Town Clerk, Town Justice and Bookkeeper.

**RESOLUTION NO. 53-2014**

**GENERAL WARRANT CORRECTION**

On a motion of Councilman Jensen, seconded by Councilman Sady the following resolution was ADOPTED by Roll Call Vote: Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Sweeney AYE

Councilwoman Taran AYE

Councilman Jensen AYE

RESOLVED, to change April 16th, 2014 General Warrant, Voucher #54 payable to National Grid, from $ 359.45 to $ 359.13.

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The Town Clerk’s report for April 2014 was submitted to the Board. The Town Clerk had Board Members review and sign bank reconciliation statements for the Town Clerk Account and Special Town Clerk Account dated April 30th, 2014.

**RESOLUTION NO. 54-2014**

# **AUDIT OF CLAIMS**

On a motion of Councilman Sady, seconded by Councilwoman Taran the following resolution was ADOPTED Ayes 5 O’Brien, Taran, Jensen, Sady, Sweeney

Nays 0

RESOLVED that the bills have been reviewed by the Town Board and are authorized for payment in the following amounts.

General Fund No. 64 through No. 82 $ 1997.39

Highway Fund No. 54 through No. 62 $ 3657.76

Total both funds $ 5655.15

On a motion of Councilwoman Taran, seconded by Councilman Sady , the meeting adjourned at 9:00pm. All in favor Aye.

Respectfully submitted,

Rebecca S. Jones, RMC

Town Clerk