REGULAR MEETING

JANUARY 18, 2024

Two (2) Public Hearings 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 18th day of January, 2024.

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

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

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

 Michael Pietryka------------Councilman

Andrea Kugler---------------Councilwoman

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

Camilla Shaw----------------Deputy Town Clerk

Tyler McClure---------------Highway Superintendent

Rachel Brown---------------Dog Control Officer

Planning Board Member (s):… Bonnie Hawley, Chair; Ginny Kinsey, Matthew Pratt and Rene Rountree

Others present at the Town Hall: see attached sheet

The FIRST Public Hearing was called to order by Supervisor O’Brien at 7:10pm.

Town Clerk Rebecca Jones read the Legal Notice of Public Hearing (copy attached), which was published on 1/03/24 in the Manchester Newspapers to discuss the proposed Agricultural and Farmland Protection Plan for the Town of Hampton.

Supervisor O’Brien explained that this Plan is a guideline only, no zoning. Thank you to the Planning Board members for all their time spent on this Plan.

Supervisor O’Brien asked three times for any comments or questions. Hearing none, the Public Hearing was closed at 7:16pm.

The SECOND Public Hearing was called to order by Supervisor O’Brien at 7:20pm.

Town Clerk Rebecca Jones read the Legal Notice of Public Hearing (copy attached), which was published on 1/03/24 in the Manchester Newspapers to discuss the alteration of the boundary of Town of Hampton Fire Protection District 1, and the alteration of the boundary of Town of Hampton Fire Protection District 2.

Resident asked what the Pros and Cons were to doing this. The Town of Hampton will be under one Fire Protection District, instead of two and will simplify bookkeeping for the Fire Company.

Supervisor O’Brien asked three times for any comments or questions. Hearing none, the Public Hearing was closed at 7:26pm.

**REGULAR MEETING**

The Regular Meeting was called to order by Supervisor O’Brien at 7:30pm, followed by the Pledge of Allegiance. Location of Fire Exits were given. Quorum of board members present.

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 2

Supervisor O’Brien asked for a moment of silence in memory of Maurice Disorda and Thomas Mooney.

**RESOLUTION NO. 8-2024**

**APPROVAL OF THE MINUTES**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, that the Regular Town Board Meeting Minutes for December 21st, 2023; the Special Town Board Meeting Minutes for December 28th, 2023 and the Special Town Board Meeting Minutes for January 3rd, 2024 are approved.

Rachel Brown, Dog Control Officer Report….

* October – 1 call, barking dog
* November – Ag & Mkt inspection
* January – 1 dog lost – returned to owner

On going issue on Carvers Falls Lane. Charles Sargent and Darlene Steves, residents of Carvers Falls Lane lengthy complaint regarding neighbor and his dogs. Dog Control Officer Brown explained the law as to what she can and can’t do with the dogs.

Tax Collector Report…..End of Year (2023) report submitted and signed by Town Board members. The Town Clerk/Collector had Board Members review and sign bank reconciliation statements for the Tax Collector Account December 30, 2023.

Bonnie Hawley, Chair Planning Board….waiting for Ag Plan approval. Putting expenses together, including personnel services.

Tyler McClure, Highway Superintendent submitted his report, copy of which, is attached.

**SUPERVISOR’S REPORT/COUNTY UPDATES/COMMUNICATIONS**

**RESOLUTION NO. 9-2024**

**APPROVAL OF SUPERVISOR’S MONTHLY REPORT**

On a motion of Councilman Pietryka, seconded by Councilwoman Taran, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED that, the Supervisor’s Monthlyreport be accepted as submitted for **DECEMBER**

11/30/23 12/31/23

ACCOUNT BALANCE RECEIPTS DISBURSEMENTS BALANCE

General Fund $ 56,776.92 $ 7,891.02 $ 16,558.81 $ 48,109.13

Highway Fund $ 97,317.18 $ 2,926.64 $ 74,903.41 $ 25,340.41

Equipment Reserve $ 55,687.53 $ 1.42 $ 0.00 $ 55,688.95

Fire #1 $ 23,185.50 $ 0.00 $ 23,185.50 $ 0.00

Fire #2 $ 7,680.50 $ 0.00 $ 7,680.50 $ 0.00

Cemetery $ 2,026.57 $ .84 $ 0.00 $ 2,027.41

Totals $242,674.20 $ 10,819.92 $122,328.22 $ 131,165.90All Board Members present signed Supervisor’s Report.

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 3

**RESOLUTION NO. 10 OF 2024**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Tamme Taran

**RESOLUTION ADOPTING THE AGRICULTURAL**

**AND FARMLAND PROTECTION PLAN**

**FOR THE TOWN OF HAMPTON**

**WHEREAS,** pursuant to Section 272-a of the Town Law of the State of New York, the Town Board of the Town of Hampton (the “Town”) has the authority to adopt a Comprehensive Plan; and

**WHEREAS**, in accordance with this authority and Article 25-AAA of NYS Agriculture and Markets Law the Town has been pursuing the development of a town-level plan to protect and enhance agricultural uses in the Town; and

**WHEREAS,** the proposed action being considered is adoption of the Town of Hampton, Agricultural and Farmland Protection Plan, designed to offer the Town of Hampton, farmland owners, and farm operators ideas and actions that can be implemented to improve agricultural opportunities in the Town and to promote farms and farm-related businesses; and

**WHEREAS**, the Town Board and the Planning Board obtained public input through various outreach efforts, and consulted with local officials, departments and committees, Washington County and other municipal representatives, businesses, property owners, environmental organizations, civic groups; and

**WHEREAS**, the Town Board referred the draft plan to the Washington County Planning Agency under GML 239-m and this Agency returned advisory comments which have been considered by the Town Board; and

**WHEREAS**, the Town Board has notified all Involved and Interested Agencies of the Draft Agricultural and Farmland Protection Plan; and

**WHEREAS**, the Town Board provided public notice and subsequently held a Public Hearing on the Draft Agricultural and Farmland Protection Plan and provided the public with the opportunity to comment on the proposed Draft Agricultural and Farmland Protection Plan;

**WHEREAS**, the Town Board has reviewed and considered all public comments received on the proposed Agricultural and Farmland Protection Plan; and

**WHEREAS**, the Town Board completed Parts 1, 2 & 3 of the Full Environmental Assessment Form (FEAF) for this proposed Action, consistent with SEQRA, which comprehensively analyzed the proposed project and the potential environmental impacts that may arise from the adoption of the proposed Agricultural and Farmland Protection Plan, and found that the potential impacts are generally small and will not result in any significant environmental impacts; and

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 4

**WHEREAS**, the Town Board is prepared to adopt this Resolution and Notice of Determination of Non-Significance (Negative Declaration) in accordance with the SEQRA (Article 8 of the New York State Environmental Conservation Law and 6 NYCRR 617); and

**WHEREAS**, the Town Board is prepared to adopt the Agricultural and Farmland Protection Plan pursuant to section 272-a of the NYS Town Law.

**NOW, THEREFORE, BE IT**

**RESOLVED,** the Town Board upon due deliberation of Parts 1, 2 & 3 of the Full Environmental Assessment Form finds that the proposed action will not result in any significant adverse environmental effects; and be it further

**RESOLVED**, the Town Board, as Lead Agency, hereby issues a Negative Declaration pursuant to the requirements of the SEQRA and authorizes the Supervisor to sign any and all documents as the Responsible Officer under SEQRA; and be it further

**RESOLVED**, the Town Board hereby directs that notice of this Negative Declaration be published and filed in accordance with applicable law, including filing with the Town Supervisor and in the Office of the Town Clerk; and be it further

**RESOLVED**, after full consideration of the Agricultural and Farmland Protection Plan, the comments from the Planning Board, acting as the Agricultural and Farmland Protection Plan Committee, all public comments received, and a review of the record for this Action, the Town Board hereby adopts the Agricultural and Farmland Protection Plan dated November 2023; and be it further

**RESOLVED**, the Town Board hereby directs the Town Clerk to make the adopted Final Agricultural and Farmland Protection Plan available online on the Town website, file a copy in the Town Clerk’s Office and in the Washington County Planning Agency’s Office; and be it further

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

DATED: January 18th, 2024 Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Pietryka AYE

Councilwoman Kugler AYE

**RESOLUTION NO. 11-2024**

**FULL ENVIRONMENTAL ASSESSMENT FORM**

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED that the Full Environmental Assessment Form (FEAF) for this proposed action was completed.

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 5

**RESOLUTION NO. 12 OF 2024**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Tamme Taran

**RESOLUTION ALTERING THE BOUNDARIES OF**

**FIRE PROTECTION DISTRICT NUMBER 1 AND**

**FIRE PROTECTION DISTRICT NUMBER 2**

**WHEREAS**, the Town Board of the Town of the Hampton (the “Town”) evaluated the Town’s existing Fire Protection District boundaries and examined whether it is in the public interest to amend the same; and

**WHEREAS**, pursuant to Town Law §172-C, the Town Board of the Town of Hampton may alter the boundaries of the Town’s Fire Protection Districts; and

**WHEREAS**, the Town Board is desirous of expanding Fire Protection District 1 to encompass the whole Town; and

**WHEREAS**, the Town Board is further desirous of excluding all areas presently served by Fire Protection District 2 and dissolving the same; and

**WHEREAS**, the Town Board duly adopted on the 18thday of January, 2024, a resolution providing that said Town Board shall meet at the Town Hall, Town of Hampton, 2629 State Route 22A, Hampton, New York, at 7:20 P.M. to consider whether the alteration of Fire Protection Districts 1 and 2 would be in the public interest and hear all persons interested in the matter, and notice of such hearing was duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said notice, duly met and considered the matter of such alteration of boundaries, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

**WHEREAS**, the Town Board has considered all the evidence submitted at the public hearing and is prepared to act on the matter.

**NOW, THEREFORE BE IT**

**RESOLVED**, the Town Board hereby finds that it is in the best interest of the public to alter the Fire Protection District Boundaries of the Town of Hampton and hereby approve the boundary alterations as follows: Fire Protection District 1 shall be extended to encompass the whole Town; Fire Protection District 2 shall be dissolved; and be it further

**RESOLVED**, that effective as provided for in section 91 of NYS Town Law, the boundaries of said Fire Protection Districts are hereby altered as hereinabove set forth; and be it further

**RESOLVED**, that the Town Clerk is authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the Washington County Clerk; and be it further

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 6

**RESOLVED**, that the Town Clerk is authorized and directed to file a certified copy of this resolution in the office of the State Department of Audit and Control, in Albany, New York, within ten (10) days after the adoption of this resolution.

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

Roll Call Vote:

DATED: January 18, 2024 Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Pietryka AYE

Councilwoman Kugler AYE

Attorney Fees…..Supervisor wrote a letter to Town Attorneys regarding their increase in fees for 2024. They replied that they would be keeping the prices as quoted. Town Board discussed other options and decided to do a RFP.

**RESOLUTION NO. 13-2024**

**REQUEST FOR PROPOSAL-LEGAL SERVICES**

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, to do a RFP (Request for Proposal) for Legal Services.

**NEW BUSINESS**

**2023 ANNUAL AUDITS**

**RESOLUTION NO. 14-2024**

**END OF YEAR COURT AUDIT**

On a motion of Councilwoman Taran, seconded by Councilwoman Kugler, the following resolution was ADOPTED: AYES 4 O’Brien, Taran, Pietryka, Kugler

NAYS 0

ABSTAIN 1 Sady

RESOLVED, to accept the Court Audit for 2023.

**RESOLUTION NO. 15-2024**

**END OF YEAR TOWN CLERK and TAX COLLECTOR AUDIT**

On a motion of Councilman Sady, seconded by Councilman Pietryka, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, to accept the Town Clerk and Tax Collector Audits for 2023.

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 7

Following a discussion regarding Amending the Partial Real Property Tax Exemption for Persons Sixty-five (65) years of age or older, the following resolution was introduced:

**RESOLUTION NO. 16-2024**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Andrea Kugler

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW AMENDING THE PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OLDER**

**WHEREAS**, pursuant to Section 467 of the Real Property Tax Law and Section 10 of Municipal Home Rule Law, the Town Board (the “Board”) of the Town of Hampton (the “Town”) has the authority to adopt and amend a local law to provide for exemptions from real property tax for residents sixty-five (65) years of age or older; and

**WHEREAS**, Local Law 1 of 2008 of the Town of Hampton, as amended, provides for exemptions from real property tax for residents sixty-five (65) years of age or older; and

**WHEREAS**, it is in the intention of the of Town to adopt a local law that will amend the exemptions from real property tax to persons with disabilities and limited incomes to be consistent with the levels set by the County of Washington; and

**WHEREAS**, a proposed local law providing for amended exemptions from real property tax exemptions for residents sixty-five (65) years of age or older has been prepared.

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

Section 1. The proposed local law amending Local Law 1 of 2008, as amended, is hereby accepted for introduction to the Town Board. A public hearing shall be scheduled for the consideration of the proposed Local Law to be held by the Town Board on February 15, 2024 at 7:20 p.m.

Section 2. The consideration and proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Town Board hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 3. This resolution shall take effect immediately.

DATED: January 18, 2024 Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Pietryka AYE

Councilwoman Kugler AYE

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 8

Following a discussion regarding Amending the Partial Real Property Tax Exemptions for Persons with Disabilities and Limited Incomes, the following resolution was introduced:

**RESOLUTION NO. 17-2024**

MOTION BY: Councilman Donald Sady

SECONDED BY: Councilwoman Andrea Kugler

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW AMENDING THE PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR PERSONS WITH DISABILITIES AND LIMITED INCOMES**

**WHEREAS**, pursuant to Section 459-c of the Real Property Tax Law and Section 10 of Municipal Home Rule Law, the Town Board (the “Board”) of the Town of Hampton (the “Town”) has the authority to adopt and amend a local law to provide for exemptions from real property tax for persons with disabilities and limited incomes; and

**WHEREAS**, Local Law 2 of 2008 of the Town of Hampton, as amended, provides for exemptions from real property tax for persons with disabilities and limited incomes; and

**WHEREAS**, it is in the intention of the of Town to adopt a local law that will amend the exemptions from real property tax to persons with disabilities and limited incomes to be consistent with the levels set by the County of Washington; and

**WHEREAS**, a proposed local law providing for amended exemptions from real property tax exemptions for persons with disabilities and limited incomes has been prepared.

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

Section 1. The proposed local law amending Local Law 2 of 2008, as amended, is hereby accepted for introduction to the Town Board. A public hearing shall be scheduled for the consideration of the proposed Local Law to be held by the Town Board on February 15, 2024 at 7:25 p.m.

Section 2. The consideration and proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Town Board hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

Section 3. This resolution shall take effect immediately.

DATED: January 18, 2024 Supervisor O’Brien AYE

Councilman Sady AYE

Councilwoman Taran AYE

Councilman Pietryka AYE

Councilwoman Kugler AYE

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 9

**RESOLUTION 18-2024**

**PUBLIC HEARING-PROPOSED LOCAL LAW AMENDING THE PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OLDER**

On a motion of Councilman Sady, seconded by Councilwoman Kugler, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, to set a Public Hearing on the above proposed Local Law for February 15th, 2024 at 7:20pm at the Hampton Town Hall.

**RESOLUTION 19-2024**

**PUBLIC HEARING-PROPOSED LOCAL LAW AMENDING THE PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR PERSONS WITH DISABILITIES AND LIMITED INCOMES**

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, to set a Public Hearing on the above proposed Local Law for February 15th, 2024 at 7:25pm at the Hampton Town Hall.

**PUBLIC/COUNCIL COMMENTS**

Councilwoman Kugler suggested moving Town Board meetings to Wednesdays. Town Board discussed and tabled moving meetings for this year, may consider for next year.

**RESOLUTION NO. 20-2024**

**AUDIT OF CLAIMS**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

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.1 through No. 11 $ 2,129.68

Highway Fund No.1 through No. 13 $ 6,019.49

Total both funds $ 8,149.17

The Town Clerk’s report for December 2023 was submitted to the Board. The Town Clerk had Board Members review and sign bank reconciliation statements for the Town Clerk Account and Special Clerk Account dated December 30, 2023.

**RESOLUTION NO. 21-2024**

**TAX COLLECTOR-END OF YEAR (2023) REPORT**

On a motion of Councilwoman Taran, seconded by Councilman Sady, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, to accept the End of Year (2023) report as submitted.

TOWN BOARD MEETING

JANUARY 18, 2024 PAGE 10

**RESOLUTION NO. 22-2024**

**EXECUTIVE SESSION**

On a motion of Councilman Sady, seconded by Councilwoman Taran, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, that the Town Board enter into Executive Session at 8:49pm to discuss the employment history of a particular person.

**RESOLUTION NO. 23-2024**

**RETURN TO REGULAR SESSION**

On a motion of Councilman Pietryka, seconded by Councilman Sady, the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED, that the Town Board return to regular session at 9:08pm.

**RESOLUTION NO. 24-2024**

**MEETING ADJOURNED**

On a motion of Councilwoman Taran, seconded by Councilman Sady the following resolution was ADOPTED: AYES 5 O’Brien, Sady, Taran, Pietryka, Kugler

NAYS 0

RESOLVED that the meeting adjourned at 9:08pm.

Respectfully submitted,

Rebecca S. Jones, RMC

Town Clerk