

PUBLIC HEARINGS/REGULAR MEETING

MARCH 16, 2016

Three (3) 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 16th day of March 2016.

PRESENT: David K. O'Brien-----Supervisor  
Tamme Taran-----Councilwoman-absent  
Donald Sady-----Councilman  
Andrea Sweeney-----Councilwoman-absent  
Roger Weeden-----Councilman  
Rebecca Jones-----Town Clerk  
Camilla Shaw-----Tax Collector/Deputy Town Clerk  
Herbert Sady, Jr.-----Highway Superintendent

Planning Board Members: none present

Also present: Frank Baker, Artie Pratt and Leonard Reed

The FIRST Public Hearing was called to order by Supervisor O'Brien at 7:15pm

Town Clerk Jones read the Legal Notice of Public Hearing (copy attached) on proposed Local Law 1 of 2016 titled "Land Subdivision Regulations".

The current subdivision application will still be used. All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:17pm.

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

Town Clerk Jones read the Legal Notice of Public Hearing (copy attached) on proposed Local Law 2 of 2016 titled "A Local Law Amending Local Law 1 of 2011 Setting Hours of Employment for Town Employees".

Question asked if a different Highway Superintendent is in the position could hours be changed? Answer is yes. One other comment was made that breaks are paid and that lunch is unpaid. All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:24pm.

The THIRD Public Hearing was called to order by Supervisor O'Brien at 7:25pm

Town Clerk Jones read the Legal Notice of Public Hearing (copy attached) on proposed Local Law 3 of 2016 titled "Amending and Replacing Local Law 1 of 2009 and 2010 both entitled: Dog Control Local Law of the Town of Hampton".

Supervisor O'Brien outlined the changes...amount for harboring a dog without a license found during an enumeration and penalty amounts. All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:29pm

**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.

Supervisor O'Brien asked for a moment of silence in memory of Bernard Briere.

**RESOLUTION NO. 29-2016**  
**APPROVAL OF THE MINUTES**

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

Ayes 3 O'Brien, Sady, Weeden  
Nays 0  
Absent 2 Taran, Sweeney

RESOLVED, that the Regular Town Board Minutes for February 17<sup>th</sup>, 2016 are approved.

Camilla Shaw, Tax Collector, submitted her February report. 116 taxes unpaid out of 716. Board members signed and dated bank reconciliation statement dated February 29th, 2016.

Planning Board Report.

- No Planning Board Members were present, Supervisor O'Brien went over the following agreement titled "Exemption of Matters of Local Concern from County Planning Review" and the Resolution from the Planning Board on the same. Town Board has the exact same Agreement and Resolution to approve.
- Next meeting will be March 22nd, 2016 at 7:00pm at the Town Hall

**RESOLUTION NO. 30-2016**  
**EXEMPTION OF MATTERS OF LOCAL CONCERN FROM COUNTY PLANNING REVIEW**

INTRODUCED BY: Supervisor David O'Brien  
MOTION BY: Councilman Roger Weeden  
SECONDED BY: Councilman Donald Sady

**TITLE: Exemption of Matters of Local Concern from County Planning Review**

WHEREAS, the Washington County Planning Board was created by the Washington County Board of Supervisors as provided by Article 12 B of the General Municipal Law; and

WHEREAS, the provisions of General Municipal Law Article B, Section 239 1 and m (GML 239) require local municipal bodies in Washington County to submit certain planning and zoning actions to the Washington County Planning Board for said Board's review and recommendation unless excepted by an agreement approved by the municipal body; and the County Planning Board that such matter is of a local rather than an inter-municipal or county-wide concern; and

WHEREAS, it is in the interest of the County and local municipal bodies for a local municipal body to be able to take action on matters of local concern without being bound by the referral requirements of GML 239; and

WHEREAS, having such an agreement for exception of matters which are not of an inter-municipal or county-wide concern is not detrimental to the County or the Town of Hampton Town Board; and

WHEREAS, the Washington County Planning Board has established a process for exempting matters and actions of local concern from the referral requirements of GML 239; now, therefore, be it

RESOLVED, that the attached agreement entitled "Exemption of Matters of Local Concern from County Planning Review Agreement" shall exempt actions of local concern under this agreement

from the referral requirements of GML 239 shall exist between the County Planning Board and the Town of Hampton Town Board; and be it further

RESOLVED, that said agreement shall apply to zoning reviews and actions of the Town of Hampton Town Board; and be it further

RESOLVED, that this agreement shall take effect immediately.

DATED: March 16, 2016      Supervisor O'Brien            AYE  
    Councilman Sady                    AYE  
    Councilman Weeden                AYE  
    Councilwoman Taran               ABSENT  
    Councilwoman Sweeney          ABSENT

Herbert Sady, Jr., Highway Superintendent submitted his report, copy of which, is attached. Herb also contacted Joe Williams for an estimate on culvert replacement on Carvers Falls Road, Herb is waiting for estimates on Vladyka Woods Road on repurposing & calcium chloride. Tyler McClure is going to attend a Side Road Mower Safety class.

**RESOLUTION NO. 31-2016**

**APPROVAL OF SUPERVISOR'S MONTHLY REPORT**

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

Ayes    3    O'Brien, Sady, Weeden  
 Nays    0  
 Absent 2    Taran, Sweeney

RESOLVED that the Supervisor's Monthly report be accepted as submitted for **FEBRUARY 2016**

	01/31/16			02/29/16
ACCOUNT	BALANCE	RECEIPTS	DISBURSEMENTS	BALANCE
General Fund	\$249,379.52	\$ 69,844.73	\$240,903.43	\$ 78,320.82
Highway Fund	\$ 46,096.93	\$ 170,301.82	\$ 39,007.70	\$ 177,391.05
Equipment Reserve	\$ 100,212.95	\$ 43,824.59	\$ 0.00	\$ 144,037.54
Fire #1	\$ 00.00	\$ 37,400.00	\$ 0.00	\$ 37,400.00
Fire #2	\$ 00.00	\$ 5196.00	\$ 0.00	\$ 5196.00
Cemetery	\$ 18.59	\$ 400.06	\$ 0.00	\$ 418.65
Totals	\$395,707.99	\$326,967.20	\$279,911.13	\$ 442,764.06

All Board Members present signed Supervisor's Report.

The Friends of Recovery Warren and Washington Council for Prevention will be holding a Community Awareness Forum on Wednesday, March 23<sup>rd</sup> at the Granville High School from 7 to 8:30pm to discuss Heroin and related drugs.

**RESOLUTION NO. 32-2016**

MOTION BY: Councilman Donald Sady  
SECONDED BY: Councilman Roger Weeden

**RESOLUTION AUTHORIZING THE ADOPTION OF  
LOCAL LAW NUMBER 1 OF 2016, A LOCAL LAW TITLED “LAND SUBDIVISION  
REGULATIONS”**

**BE IT RESOLVED** by the Town Board of the Town of Hampton, in the County of Washington, on this 16th day of March, 2016, as follows:

**WHEREAS**, to Section 64 and Article 16 of the Town Law of the State of New York and the Municipal Home Rule Law, the Town Board of the Town of Hampton has the authority to adopt a local laws protecting the health, safety and welfare of the residents of the Town of Hampton; and

**WHEREAS**, the Town Board finds that the unregulated subdivision of land in the Town of Hampton has the potential to cause significant impacts to land, neighboring lands, roads, water, septic, and other impacts which would negatively impact the environment and property within the Town of Hampton; and

**WHEREAS**, a Local Law titled “Land Subdivision Regulations” has been drafted and reviewed by the Town Board; and

**WHEREAS**, a notice of public hearing was duly adopted, posted and then published in the official newspaper of the Town, pursuant to and in conformance with the Municipal Home Rule Law; and

**WHEREAS**, said public hearing was duly held before the Town Board this 16th day of March, 2016 at 7:15 p.m. at the Offices of the Town of Hampton and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Local Law; and

**WHEREAS**, the 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 an “Unlisted Action” to 6 NYCRR 617 et. seq., and after reviewing the environmental assessment form included with the information before the Town Board on the said Local Law, the Town Board has determined that the adoption of the Local Law will not have an adverse impact on the environment; and

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

**RESOLVED**, the Town Board, upon due deliberation of the Local Law finds that the adoption of the same is in the best interests of the Town; and be it further

**RESOLVED**, the Local Law titled “Land Subdivision Regulations” is hereby adopted as Local Law 1 of 2016, a copy of which is attached hereto and made a part hereof; and be it further

**RESOLVED**, pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter this Local Law into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York; and be it

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

DATED: March 16, 2016	Supervisor O'Brien	AYE
	Councilman Sady	AYE
	Councilman Weeden	AYE
	Councilwoman Taran	ABSENT
	Councilwoman Sweeney	ABSENT

**RESOLUTION NO. 33-2016**

MOTION BY: Councilman Roger Weeden  
SECONDED BY: Councilman Donald Sady

**RESOLUTION ADOPTING  
A LOCAL LAW AMENDING LOCAL LAW 1 OF 2011 SETTING HOURS OF  
EMPLOYMENT FOR TOWN EMPLOYEES**

**WHEREAS**, pursuant to Section 64 of the Town Law of the State of New York and the Municipal Home Rule Law, the Town Board of the Town of Hampton has the authority to adopt a local laws protecting the health, safety and welfare of the residents of the Town of Hampton; and

**WHEREAS**, the Town Board, in working with the Highway Superintendent of the Town of Hampton, finds that it is necessary to amend the Town's Local Law setting forth the hours of employment of the employees of the Highway Department of the Town of Hampton; and

**WHEREAS**, the Town Board previously adopted Local Law 1 of 2011 concerning the hours of employment of the employees of the Highway Department of the Town of Hampton; and

**WHEREAS**, by resolution of the Town Board duly adopted the 17th day of February, 2016, the Town Board set a public hearing on the proposed Local Law; and

**WHEREAS**, the Town Board has held a public hearing for the consideration of the proposed Local Law; and

**WHEREAS**, this action is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Town Board wishes to adopt the proposed Local Law.

**NOW, THEREFORE BE IT:**

**RESOLVED**, that upon due deliberation and in consultation with the Highway Superintendent for the Town of Hampton, the Town Board, finds that the adoption of the Local Law is in the best interests of the Town; and be it further

**RESOLVED**, that proposed Local Law 2 of 2016 amending Local Law 1 of 2011 is hereby adopted as Local Law 2 of 2016, a copy of which is attached hereto and made a part hereof; and be it further

**RESOLVED**, that pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law 2 of 2016 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York; and be it further

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

DATED: March 16, 2016	Supervisor O'Brien	AYE
	Councilman Sady	AYE
	Councilman Weeden	AYE
	Councilwoman Taran	ABSENT
	Councilwoman Sweeney	ABSENT

**RESOLUTION NO. 34-2016**

MOTION BY: Councilman Donald Sady  
SECONDED BY: Councilman Roger Weeden

**RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 3 OF 2016  
AMENDING and REPLACING LOCAL LAW NO. 1 OF 2009 and 2010 BOTH  
ENTITLED: DOG CONTROL LOCAL LAW OF THE TOWN OF HAMPTON**

**WHEREAS**, pursuant to Section 64 of the Town Law of the State of New York and the Municipal Home Rule Law, the Town Board of the Town of Hampton has the authority to adopt a local laws protecting the health, safety and welfare of the residents of the Town of Hampton; and

**WHEREAS**, the Town Board has reviewed proposed amendments to the Town's Local Laws concerning dog control in the Town of Hampton; and

**WHEREAS**, by resolution of the Town Board duly adopted the 17<sup>th</sup> day of February, 2016, the Town Board set a public hearing on the proposed Local Law; and

**WHEREAS**, the Town Board has held a public hearing for the consideration of the proposed Local Law; and

**WHEREAS**, this action is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Town Board wishes to adopt the proposed Local Law.

**NOW, THEREFORE BE IT:**

**RESOLVED**, that upon due deliberation of the proposed Local Law, the Town Board finds that the adoption of the same is in the best interests of the Town; and be it further

**RESOLVED**, that the Local Law entitled “Local Law No. 3 of 2016: A Local Law Setting Forth Dog Control Regulations in the Town of Hampton” is hereby adopted, a copy of which is attached hereto and made a part hereof; and be it further

**RESOLVED**, that pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter Local Law No. 3 of 2016 into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York; and be it further

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

DATED: March 16, 2016	Supervisor O’Brien	AYE
	Councilman Sady	AYE
	Councilman Weeden	AYE
	Councilwoman Taran	ABSENT
	Councilwoman Sweeney	ABSENT

**RESOLUTION NO. 35-2016**

MOTION BY: Councilman Donald Sady  
SECONDED BY: Councilman Roger Weeden

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NUMBER 4 OF 2016, A  
LOCAL LAW REPEALING LOCAL LAW 2 OF 1996**

**WHEREAS**, to Section 64 of the Town Law of the State of New York and the Municipal Home Rule Law, the Town Board of the Town of Hampton has the authority to adopt a local laws protecting the health, safety and welfare of the residents of the Town of Hampton; and

**WHEREAS**, the Town Board adopted Local Law 2 of 1996 setting a weight limit on Golf Course Road, so called, in the Town of Hampton; and

**WHEREAS**, the Town Board conveyed Golf Course Road, so called, in the Town of Hampton to the County of Washington, rendering Local Law 2 of 1996 no longer applicable; and

**WHEREAS**, a Local Law has been drafted repealing said Local Law 2 of 1996 and the Town Board wishes to set a public hearing for interested persons to be heard relative to such Local Law.

**NOW, THEREFORE BE IT:**

**RESOLVED**, that the proposed Local Law repealing Local Law 2 of 1996 is hereby introduced. A public hearing shall be noticed and held by the Town Board on April 20th, 2016 at 7:25 p.m. at the Hampton Town Hall to consider the proposed local law; and be it further

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

DATED: March 16, 2016	Supervisor O'Brien	AYE
	Councilman Sady	AYE
	Councilman Weeden	AYE
	Councilwoman Taran	ABSENT
	Councilwoman Sweeney	ABSENT

Jonathan Braun has indicated he wants to transfer an acre of land off of Golf Course Road by the Miller Cemetery to the town. He's hoping to be at the April Town Board Meeting to complete this subdivision.

Supervisor O'Brien handed out "Rules and Regulations of the Hampton Town Cemeteries" for review, will discuss at future board meeting.

Communication received from NYS Department of Transportation regarding Speed Limit Request on County Route 18. They have determined that a 45MPH speed limit for the section of County Route 18 between the Route 22A intersection and the Town of Whitehall/Town of Hampton Town Line is warranted.

Town of Hampton's 2015 Annual Financial Report has been filed with the Comptroller's Office.

The Town Clerk's report for February 2016 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 February 29th, 2016.

**RESOLUTION NO. 36-2016**

**AUDIT OF CLAIMS**

On a motion of Councilman Sady, seconded by Supervisor O'Brien, the following resolution was ADOPTED

Ayes	3	O'Brien, Sady, Weeden
Nays	0	
Absent	2	Taran, Sweeney

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

General Fund	No. 29 through No. 38	\$ 3396.34
Highway Fund	No. 20 through No. 31	<u>\$ 3541.02</u>
Total both funds		\$ 6937.36

On a motion of Councilman Sady, seconded by Councilman Weeden, the meeting adjourned at 8:35pm. All in favor Aye.

Respectfully submitted,

Rebecca S. Jones, RMC  
Town Clerk