

Hamilton Town Board Annual Organizational and Regular Meeting Minutes
Thursday, March 12, 2026, at 5:00 p.m.
Town Hall 38 Milford Street, Hamilton & Via Zoom Videoconferencing

Council Present: Dana Krueger, Travis DuBois, Darrell Griff, Ian Helfant, Erin Childers-Loranty.
Personnel Present: Sue Reymers, Town Clerk; Becky Lennon, Project Manager; Mike Doyle, Highway Superintendent. Public In-Person: Deb Hotaling; Everett Shinn-Rome Sentinel

Call to order & Welcome: The meeting was called to order at p.m.

Public Comments: None.

PUBLIC HEARING

Local Law A of 2026 “Prevention and Control of Excessive or Unreasonable Noise in the Town of Hamilton.”

RESOLUTION 2026-34: Open the public hearing for Proposed Local Law A of 2026 “Prevention and Control of Excessive or Unreasonable Noise in the Town of Hamilton.”

On a motion of Councilmember DuBois, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the public hearing be opened at 5:01 p.m.

Supervisor Krueger asked if anyone wanted to speak. Deb Hotaling asked if this law applies to 9-Mile Park even though the town is exempt and if there was a time cut-off. The Board responded yes, it applies to the park because the public is using the park and that there is no cut-off time.

RESOLUTION 2026-35: Close the public hearing for Proposed Local Law A of 2026 “Prevention and Control of Excessive or Unreasonable Noise in the Town of Hamilton.”

On a motion of Councilmember Helfant, seconded by Councilmember DuBois, the following resolution was: ADOPTED: Ayes: 5, Nays: 0 with all persons being heard for or against, Resolved that the public hearing be closed at 5:06 p.m.

DEPARTMENT REPORTS:

Resolution Approving Abstract #3 for Payment
Resolution Approving February 12, 2026 Minutes
Any Questions for Staff on their Reports?

RESOLUTION 2026-36: Audit of Claims

On a motion of Councilmember Griff, seconded by Councilmember Helfant, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund A	No.	53	through	77	69,319.19
General Fund B	No.	13	through	15	6,930.52
Highway Fund DB	No.	22	through	35	26,399.52
Prepays					11,540.59
				TOTAL:	114,189.82

Resolution to Approve Minutes for February 12, 2026.

RESOLUTION 2026-37: Approval of Minutes for February 12, 2026

On a motion of Councilmember DuBois, seconded by Councilmember Helfant, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the minutes from February 12, 2026 be approved.

Highway Superintendent

GENERAL REPAIRS

- Removed ice blockage from culvert pipe on Rhodes Rd.
- Fixed road signs that were not reflective.

EQUIPMENT:

- Replace def tank on truck 18.
- Tracey road came and fixed PTO shaft on truck 18 for the second time.
- Did oil change in 2022 f250 pickup.
- Removed and cleaned pulley on brine truck motor.
- Remove and replace brakes on truck 16.
- Replaced hydraulic hose on side dump for truck 18
- Replaced hydraulic hose on wing for truck 23
- Replaced mulching blades on cat excavator mulching head
- Replaced sander chain on truck 18.

TREE REMOVAL:

- Trim branches on Lake Rd.
- Cut Brush on Alderman Rd.
- Pick up down tree on Gorton Road Poolville Road intersection
- Went out mulching and chipping down brush

SNOW REMOVAL:

- Plowed and sanded 14 times.
- Used about 504 yards of sand/salt mix and 28,700 gallons of brine.
- Kept up making brine.
- Ordered 100 tons of salt

OTHER:

- Talk with insurance guy at the shop
- Got quotes on new skid steer and two pick ups
- Talked with Tenco and Peterbilt about plow frame issues on truck 23
- Spoke with whites welding about plow frame issues they are willing to fix them.

Highway Garage Update

- Talked with Bruce from AW Kincaid well drilling on a quote for well was informed they do not do prevailing wage work.
- Getting a quote from Barney & Sons well drilling for new shop.
- Spoke with engineer for shop on possible movement of the well location.
- Still working on figuring out what to do with the storm water from washing trucks.
- Talked with codes guy about friendly ford floor drain system says they are having to put it in a holding tank and have it pumped.

Supervisor/Bookkeeper

2025-2026 SNOW & ICE AGREEMENT:

- \$77,495.97 was received from the County for 12/15 - 01/31/26
- 2026 YTD: \$ 112,070.21
- *Pending:* \$ 34,332.10
- *BUDGET:* \$ 115,000.00

SALES TAX REVENUE:

- \$172,355.15 was received from the County
 - Q4-2025 distribution. 24.6% over Q4-2024 distribution (\$138,293.72)
- YTD: \$ 172,355.15
- *Budget:* \$ 555,000.00 (31.1%)

FRANCHISE FEES:

- \$3,250.34 was received from Charter Communications
- YTD: \$ 3,250.34
- *Budget:* \$ 14,000.00

2025 AFR:

- The 2025 AFR is in progress and a draft will be emailed to Supervisor Krueger, before Monday, March 23rd, for review.
- Must be certified online with the State by *Wednesday, April 1st, 2026*

ABSTRACT #3: Resolution needed to approve Abstract #3 for payment. Councilmember HELFANT to sign vouchers. Councilmember CHILDERS-LORANTY to sign vouchers in APRIL.

Town Clerk - Sue Reymers

Resolution needed to Approve Minutes for February 12, 2026.

Clerk Month End Report and Cash Disbursement was completed. Bank Statements are reconciled.

Town Income:

- August - \$1,792.73 (\$826.00 Building Permits)
- September - \$2,093.90 (\$1,227.75 Building Permits)
- October - \$3,112.13 (\$2,183 Building Permits)
- November - \$1,320.00 (\$410 Building Permits)
- December - \$2,510.22 (\$1,836.80 Building Permits)
- 2026 January - \$1,071.25 (\$538 Building Permits)
- February - \$870.00 (\$260 Building Permits)

Website: Renewed the .Gov website with the Federal Government. There is no fee associated with this renewal. Updated contact information for Town Supervisor to Dana. Added Project Manager as also a manager of the site for redundancy. New renewal is due on 2/18/2027.

Planning & Zoning: Continue to work through forms, flow charts, etc. needed with the new laws. Completed Training on March 4 with Nan Stolzenburg. We had 2 sessions, 1 in the morning, a break with lunch and the afternoon. Almost the entire training was on the changes with the Subdivision process. In attendance: 4 of 6 Planning Board (2 only for the first session) AND 4 of 5 ZBA members as well as Codes Officer, Deputy Clerk, and myself.

Special Franchise Report to NYS: Sent the annual report on March 9, 2026, for Special Franchise to New York State Department of Taxation and Finance (RP-7114). No new franchises in 2025.

Codes Enforcement Officer – *Respectfully submitted by Chuck Ladd*

February Activity;

- Go over new subdivision regulations with Zoning Clerk.
- Attend Tuesday morning staff meetings when scheduled.
- Review Curtis subdivision application and changes with Zoning Clerk.
- Site visit at Borden Rd. for Maple Ave Farms, LLC. Assess proposed project to determine permit requirements in one apartment. Do final C/O inspection for previous apartment that was previously renovated.
- Meet with Mike Bagnall at 7451 Willey Rd. to determine permit requirements and to issue a Demo permit for the barn that’s on the property.
- Meet with Mark Curtis for subdivision change possibilities at the Town Office.
- Call home owners on open permits for status and permit renewals.

Permit Monthly Report

02/01/2026 - 02/28/2026

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
February 2026						
BP-2026-001	02/23/2026	Maple Ave Farms Inc	Alteration	Borden Rd		\$210.00
Description of Work:				SBL#: 214.-1-50.111		
<i>Interior Renovations</i>						
BP-2026-002	02/24/2026	Bagnall Home Sales LLC	Demolition	7451 Willey Rd (Bagnall Home Sales LLC)		\$50.00
Description of Work:				SBL#: 199.12-1-47		
<i>Accessory Structure (Barn) demolition</i>						
BP-2026-003	02/24/2026	John + Laura Kennedy	Solar	7452 Bonney Hill Rd (John + Laura Kennedy)		\$50.00
Description of Work:				SBL#: 154.-3-26.15		
<i>Roof Mounted Solar System</i>						
February 2026 Total:					\$0.00	\$310.00
Reporting Period Total:					\$0.00	\$310.00

Project Manager

February Activity

Assessor:

- Receiving/ inputting exemptions
- Meeting with residents to help with applications and renewals
- Reviewing building permits for completion

Project Manager:

- Met with HCA committee on community outreach ideas
- Submitted Insurance renewals, Restore NY contract
- Worked with Woodlawn Cemetery Committee to help facilitate annual meeting
- Helping in the Clerk’s Office

COMMITTEE & LIAISON REPORTS:

Liaison to Villages of Earlville – Darrell Griff

Meeting was on Tuesday March 11. There was a public hearing on the Budget and Water District Budget. There were no public comments, and both passed. Town of Sherburne reported on their latest happenings. They discussed the Park grant for Earlville. They have 60 days to respond and begin preliminary work. There was a discussion about funding requirements and are considering

a bridge loan. Trustee Golden is the lead on Parks and Recreation for the Village and is recruiting new members for the new committee. Organizational meeting is scheduled for next month at the regular meeting time. They approved a joint Youth Recreation Program with Sherburne Recreation which they've done in the past. The DPW purchased a broom attachment for a Kubota (3 bids received, bid awarded). Ordered a new well pump for the water system. Luke Dowsland and Doug Shattuck were at the meeting along with fire department members and went into executive session after the meeting with the Village Trustees. Sue asked if there were any news on Christopher Communities. Darrell responded no but in regard to the park, they spoke about an in-kind donation commitment from Christopher Communities as well as the Town of Hamilton. Darrell thought the Town was committed for approximately \$10,000 in-kind related to the park per the grant. Project timeline estimated at around 2 years.

Liaison to Village of Hamilton – Ian Helfant

Not very eventful. They discussed the farmers' market rules and regulations. They appointed a Library board member, Emma Hughes, who was a librarian at Colgate. They approved upping the insurance by 12.5% for the Fire Department. They keep switching their meeting times around.

Cemetery Committee – Ian Helfant, Erin Childers-Loranty - Nothing to report.

Hamilton Climate Action – Ian Helfant, Erin Childers-Loranty

Met two weeks ago with three Colgate students in attendance to report on a project they are working on. They are working with a Professor to look at ways to communicate with our community about all of the climate initiatives. They looked at their website which has been a google site since 2016 which is not public facing. So, the committee talked about having the students getting involved and helping with that. It's more challenging to communicate in the town compared to the Village who have their electric bills mailed out each month and can include enclosures. The students will be working through the spring semester and may come to our April meeting to give us an update and ask for input. The state contacted us for the town seal, which is a good sign for our application to the Climate Smart Communities Certification program.

Partnership for Community Development Liaison – Travis DuBois

Met on 2/17. Highlights include two new employees at the PCD: Leah Feder and Melissa Davis. Leah is handling more community coordination with some chamber duties while Melissa will be focusing on Economic Development and the HUB Director but moving more into the county. The PCD is going to have more of an admin role on Earlville Park project more than they typically do because Earlville does not have the capacity to manage it. There is a new \$300,000 micro-enterprise re-up application which is more for jobs and less for physical improvements. The HUB and PCD moved into the Kendrick building in February. The Kendrick had 8 or 9 available apartments that they are going to hold. People started moving in. Nolas, a restaurant from Clinton, is opening Cleos in the Kendrick building. Ray Brothers is going to have a custom deli with food to go. Colgate finances were supposed to move into Madison Street on February 22. There are three candidates for Jeff Coakley's position at the hospital.

Liaison to SOMAC – Travis DuBois

Spoke to Morgan Larson and there is no update. It's up to the County and SOMAC attorneys. Travis asked Dana to inquire about it.

Highway & 9 Mile Park Committee – Travis DuBois, Darrell Griff

Travis reported that the committee has met twice since the last town board meeting. Mike seems to be getting his feet underneath him.

GARAGE: The first issue they are wrestling with is there is no municipal wastewater where the garage is. Dealing with truck wash wastewater with the floor drains is a problem. The DEC doesn't want that going to the ground nor to stormwater retention ponds. Mike did some research and contacted Friendly Ford dealership that's building a new garage to ask how they are dealing with it. They are doing it the same way as our engineer is suggesting we deal with it, which is capture it in in-ground tanks and haul it away to a wastewater treatment facility. That seems to be what everybody is doing. Darrell clarified that it goes through an oil separator first. Beyond the water haul, every so many months, we'd have to hire someone to take out the oil to be hauled for treatment. Travis explained that we'd have to have a wastewater/septic collar coming to suck out the oil and grip separator. Mike says we can haul the wastewater ourselves with the salt brine tanks. Because it's below the gallons required to have any type of hazmat or special permit, we can haul it away. So, it looks like this is how we need to handle it. The number of times we need it haul depends on the size of the holding tank. Mike stated that the engineer is talking about putting in a 1,000-gallon tank. In winter, it may need to be emptied often. In summer, trucks can be washed and rinsed outside, and water goes to retention pond. In order to let the water go through the grip and oil separator into a holding tank and then have that piped to the same stormwater retention pond, it would require a SPDES permit which would perhaps require filtering, sampling, reporting. Two engineering firms that Travis spoke with both agreed that you don't want to go there. The wastewater can go to Hamilton, Sherburne or Waterville.

Second issue: The engineers need a well to be drilled in order to size internal plumbing and finish up the design. Mike has reached out to 3 different well drillers with one being a no-bid because of prevailing wage. The other two were evaluated and looked at low cost on a per-footage basis. Barney & Sons Well Drilling does a lot of municipal work. They are guessing 50 feet and bid includes casing. Travis proposes that the town should approve the well drilling portion of the bid. They may need to go more than 50 feet, but he wants to have that approved by the committee if needed.

RESOLUTION 2026-38: Authorization for Highway Superintendent to Hire Barney & Sons Well Drilling for New Highway Garage on property tax map #: 170.-1-78

On a motion of Councilmember DuBois, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Highway Superintendent be authorized to hire Barney & Sons Well Drilling to drill a well for New Highway Garage on the property located on NYS Route 12 (Tax Map #: 170.-1-78) in the amount of \$7,540 for 50 feet and authorize the highway committee to negotiate and make a determination on any payout costs that exceed that amount.

Travis explained that the Equipment Replacement Schedule has due pick-up truck and skid steer. He explained Mike's process of exploring piggy backing pricing from other bids, which we can do.

RESOLUTION 2026-39: Authorization for Highway Superintendent to Purchase Two 2026 GMC Sierra 2500 Pick-Up Trucks from Den Kelly on State Bid via Oneida County

On a motion of Councilmember DuBois, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Highway Superintendent be authorized to Purchase Two 2026 GMC Sierra 2500 Pick-Up Trucks from Den Kelly on State Bid via Oneida County for the total amount of \$81,164.89 with funds coming from the Highway Equipment Replacement Reserve, which includes new plow frames and the trade-in of the two old trucks.

RESOLUTION 2026-40: Authorization for Highway Superintendent to Purchase a 2026 t76 Bobcat skid steer from State Bid via NYSOGS

On a motion of Councilmember DuBois, seconded by Councilmember Griff, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Highway Superintendent be authorized to Purchase a 2026 t76 Bobcat skid steer on State Bid via NYSOGS from Warner Sales and Service in the amount of \$38,688.45 with funds coming from the Highway Equipment Replacement Reserve with a trade-in of our old one from 2022.

Highway committee is meeting monthly now. Brief conversation about bringing in community members to the committee.

Becky asked to talk about the cemetery. She received information from NYS about a state wide cemetery clean-up day where volunteers come in and help local cemeteries on April 26. She shared it with Woodlawn and Poolville. Beth Scott from Woodlawn would like us to get involved with that but Becky was unsure in what capacity. Erin will get with Becky about it to help with it.

Supervisor's Report: Madison County Activities

Dana has been attending frequent county meetings and participating in department tours, meeting staff across offices like public health, finance, tax collection, and GIS/mapping. She highlighted the GIS/map system as especially informative and useful. The county passed (and other towns are considering or have passed) a resolution to New York State addressing rising electricity costs. The resolution to NYS stating they are against the rate increases. It also calls for Public Service Commission to re-review. She is not sure how effective it is other than to add our voice. She plans to share the resolution for the town's consideration. She will attend the NYS Conference for Counties next week in which a session is on this; she will bring back more info from the county conference. Brief discussion. Dana continued that the county had considered advocating for a larger share of casino revenue from the state and that it's a lot less than it should be. The governor recently visited Cazenovia to award a \$10 million Downtown Revitalization Initiative (DRI) grant. Mark Scimone and Chair Cunningham spoke with state representatives at the event who were not receptive, there was concern that pushing too hard could risk existing funding (~\$3 million) so they decided to revisit it next year. Dana will attend an event at the Governor's Mansion and continue gathering insights.

SPECIAL PROJECTS:

Housing Project: Restore NY Grant

Becky sent the contract (Grant Disbursement Agreement). Another house was installed in Poolville. PCD house had serious water trouble in the basement. Brief discussion.

OLD BUSINESS:

None.

NEW BUSINESS:

Resolution to Authorize the Application for Congressionally Directed Spending to Senators Kirsten Gillibrand and Chuck Schumer, and Congressman John Mannion for a grant for the new Highway Garage and Salt Shed Project

RESOLUTION 2026-41: Authorization for an Application for Congressionally Directed Spending to Senators Kirsten Gillibrand and Chuck Schumer, and Congressman John Mannion for a grant for the new Highway Garage and Salt Shed Project

On a motion of Councilmember Griff, seconded by Councilmember Helfant, following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Town Board authorizes an Application for Congressionally Directed Spending to Senators Kirsten Gillibrand and Chuck Schumer, and Congressman John Mannion for a grant for the new Highway Garage and Salt Shed Project in the amount of \$1,000,000.00.

Resolution for NBT Bank Signatories

RESOLUTION 2026-42: Authorize Signatories for Checks

On a motion of Councilmember Griff, seconded by Councilmember Helfant, the following resolution was: ADOPTED: Ayes: 5, NAYS: 0

Resolved the following:

1. On NBT Accounts ending *159 & * 285 that Eve Ann Shwartz and Shari Taylor be removed and Erin Childers-Loranty be added as signatory; and
2. On NBT Account *830 that Eve Ann Shwartz and Peter Darby be removed and Dana Krueger and Travis DuBois be added as signatories.

Adoption Resolution of Local Law A of 2026: “A Local Law to Prevent and Control Excessive or Unreasonable Noise in the Town of Hamilton”

RESOLUTION 2026-43: Adoption of Local Law 1 of 2026 “A Local Law to Prevent and Control Excessive or Unreasonable Noise in the Town of Hamilton”

The following resolution was offered by Councilor Ian Helfant, who moved its adoption, seconded by Councilor Erin Childers-Loranty, to wit:

WHEREAS, pursuant to the provisions of Municipal Home Rule Law, proposed Local Law No. A-2026, titled “A Local Law to Prevent and Control Excessive or Unreasonable Noise in the Town of Hamilton,” was presented and introduced at a regular meeting of the Town Board of the Town of Hamilton held on February 12, 2026, which Local Law would establish regulations so that it shall be unlawful for any person to make, continue, cause to be made, or permit to be made any excessive or unreasonable noise within the geographical boundaries of the Town of Hamilton; and

WHEREAS, a public hearing on such Proposed Local Law was held on this 12th day of March, 2026, by the Town Board of the Town of Hamilton and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Hamilton in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Local Law No. A-2026 has previously been determined to be an unlisted action and will have no significant adverse effect on the environment thus concluding the environmental review process pursuant to the State Environmental Quality Review Act; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. C-2025.

NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Hamilton, Madison County, New York, does hereby enact proposed Local Law No. A-2026 as Local Law No. 1-2026 as follows:

A LOCAL LAW TO ENACT NOISE REGULATIONS IN THE TOWN OF HAMILTON

Be it enacted by the Town Board of the Town of Hamilton as follows:

SECTION 1. TITLE.

This Law shall be known as the “Prevention and Control of Excessive or Unreasonable Noise in the Town of Hamilton.”

SECTION 2. POLICY STATEMENT.

The Town of Hamilton Town Board finds that excessive and unreasonable noise constitute public nuisances that endanger the health, safety and welfare of the people of the Town of Hamilton. The Town of Hamilton further finds that excessive and unreasonable noise adversely impacts and interferes with the community’s quality of life, poses a threat to the public health, safety and welfare, and is not consistent with the rural character as established in the Town of Hamilton 2017 Comprehensive Plan. Thus, excessive or unreasonable noise is prohibited in the Town. These regulations are established so that it shall be unlawful for any person to make, continue, cause to be made or permit to be made any excessive or unreasonable noise within the geographical boundaries of the Town of Hamilton.

SECTION 3. STATUTORY AUTHORIZATION.

This Local Law is enacted pursuant to §10 of the Municipal Home Rule Law to promote the public health, safety, and general welfare of Town citizens through regulations intended to govern noise pollution in the form of excessive or unreasonable noise within the Town, excluding the Villages of Hamilton and Earlville.

SECTION 4. DEFINITIONS.

As used in this Local Law, the following terms shall have their meanings indicated.

Abatement: the ending, reduction, or lessening of some action or event.

Ambient Noise: the normal or existing level of noise from existing conditions or activities. Also known as background noise which is present at a scene or location. Examples: wind, birds, traffic.

Agricultural Operations/Equipment: The normal and customary farming and agricultural activities and equipment used to conduct those activities which may occur at any time. Normal and customary farming and agricultural activities include, but are not limited to, the cultivation and tillage of the soil, the irrigation, cultivation, growing, harvesting, the processing of any agricultural commodity for wholesale or retail markets, and the preparation of agricultural products for market, delivery to storage or transportation to market.

Amplified Sound: Sound which has its volume increased by electronic or other means.

Commercial Service Equipment: All engine-powered or motor-powered equipment intended for periodic commercially based service work in inhabited areas, typically requiring commercial or skilled operators. Examples of commercial service equipment are chainsaws, log chippers, paving rollers, commercial lawn mowers, etc.

Construction Equipment: Any powered device or equipment designed and intended for use in construction. Examples of construction devices are air compressors, bulldozers, backhoes, trucks, shovels, derricks, and cranes.

dB(A): An expression of the relative loudness of sounds as perceived by the human ear using the A-weighted sound level in decibels, as measured by a general-purpose sound-level meter complying with the provisions of the American National Standards Institute specifications for sound-level meters, properly calibrated and operated on the A-weighting setting.

dB(C): A measure of the strength of an instantaneous signal at radio frequency, known as the decibels relative to carrier. The weighted sound level in decibels, as measured by a general-purpose sound-level meter complying with the provisions of the American National Standards Institute specifications for sound-level meters, properly calibrated and operated on the C-weighting setting, which includes more low frequencies than the A-scale.

Decibel ("dB"): A logarithmic unit of measurement used in determining the intensity of a sound.

Homeowner's Light Residential Outdoor Equipment: All engine-powered or motor-powered garden or maintenance tools intended for periodic use in residential areas, typically used by a homeowner or their hired contractor. Examples of homeowner's light residential outdoor equipment are lawn mowers, garden tools, chainsaws, riding tractors, snowblowers, snowplows, leaf blowers or similar equipment.

Mitigation: the act of reducing the severity, seriousness, or painfulness of noise or sound.

Excessive or Unreasonable Noise:

1. A noise that is not typically heard in the surrounding neighborhood and occurs more than two (2) times per week or last more than two (2) hours in duration.
2. A noise that is 6 dB, whether measured on the A- or C- weighted scale, above the ambient noise level in the surrounding neighborhood.

Person: An individual, association, firm, syndicate, company, trust, corporation, department, bureau or agency or any other entity recognized by law as the subject of rights and duties.

Real Property Line: A legal boundary along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person.

Receptor Site: The receptor site is located at the real property line, commonly known as the edge of the property, of the receiving parcel, where the noise level is measured.

Sound: Vibrations that travel through the air or another medium that can be heard when they reach a person's or animal's ear.

Sound-Level Meter: An instrument for the measurement of sound pressure levels including a microphone, amplifier, an output meter and in most cases frequency weighting networks which comply with standards established by the American National Standards Institute (ANSI) specifications for sound-level meters.

Sound Reproduction Device: Any device that is designed to be used or is actually used for the production or reproduction, or amplification of sound including but not limited to: musical instruments, amplifiers, speakers, digital or tape recorders, or public address system.

Sound Source Site: the parcel of land that is producing sound beyond the ambient noise.

SECTION 5. PRESUMPTION OF UNREASONABLE NOISE

The following shall constitute a presumption of an excessive or unreasonable noise:

1. The existence of a noise that is not typically heard in the surrounding neighborhood and occurs more than two (2) times per week or last more than two (2) hours in duration.
2. The existence of a noise that is 6 dB, whether measured in the A- or C- weighted scale, above the ambient noise level in the surrounding neighborhood.

SECTION 6. EXEMPTIONS.

The provisions in this Local Law shall not apply to:

- (1) Agricultural operations including, but not limited to crop cultivation, production, harvesting, and livestock production.
- (2) The emission of sound for the purpose of alerting persons to the existence of an emergency.
- (3) The emission of sound in the performance of emergency work.
- (4) Sounds generated by church bells or chimes.

- (5) Sounds connected with sporting events or other outdoor activities of any private or public school or children's camp.
- (6) Sounds created by snow removal equipment or other commercial service equipment, both municipal and privately owned.
- (7) Sounds created by light residential home equipment, including, but not limited to, lawn mowers or other home power tools, and activities such as tree removal and processing wood for home heating.
- (8) Sounds created by generators and power equipment in emergency situations.
- (9) Sounds from law enforcement vehicles, personnel, and activities.
- (10) Those activities of a temporary duration permitted by law and for which a permit has been granted by the Town.
- (11) Sounds produced by Federally or New York State preempted activities which are beyond the jurisdiction of the Town to regulate.
- (12) Yelling or shouting.

SECTION 7. NOISE PERMIT

- A. **Permit requirements.** The Town Code Enforcement Officer (in their discretion, is authorized to grant a permit to exceed the restrictions of this Local Law on a temporary basis. Such permits shall be granted by the Code Enforcement Officer only in those circumstances where the proposed permit provides for the minimal intrusion needed and where on balance the need for and benefits of the permit outweigh the needs and rights of the surrounding neighbors to a peaceable and quiet environment.
- B. **Permit procedure; fee.** Any person seeking a noise permit pursuant to this Law shall file a written application with the Town Clerk no later than 10 business days prior to the date of the planned event and shall pay an application fee as may be determined from time to time by resolution of the Town Board. Applications for a sound permit may be obtained at the Town of Hamilton Town Clerk's office. If no specific application form is prescribed and provided by the Town, the application shall consist of a letter signed by the applicant(s) containing the following:
 1. The name of the applicant.
 2. The adult person responsible for compliance with the permit, if different from the applicant, which adult person shall also sign the application and agree to be responsible for compliance with the permit terms and any conditions attached to the waiver.
 3. Address (location) of the event, expected attendance, and the hours, date and duration of the event for which the permit is requested.
 4. A description of the source(s) and purpose of the sound(s) to be created and such other pertinent information, including, but not limited to, the direction, placement and location on the property of speakers or other noise making or amplifying devices, and the highest anticipated decibel level to be realized.
 5. Noise abatement and control methods to be used.
 6. Information which demonstrates the benefit of the event to the community, if any, or the benefit of the event to the applicant.
 7. The hardship that compliance with this Local Law would create on the part of the applicant, the community, or other persons.

The Code Enforcement Officer may require that additional information be submitted as deemed to be necessary to make an informed decision.

Noncompliance with any granted permit shall immediately terminate the permit and shall subject the applicant and all other persons to the provisions of this Local Law. No Noise Permit shall be issued for an event to be held upon any premises, or by any applicant, which is the subject of a pending citation for a violation of any provision of this Local Law, or which has been the subject of a conviction for a violation of this section, within the immediately preceding three (3) month period, except and unless the Codes Enforcement Officer deems that sufficient measures have been implemented by the applicant or others to minimize the likelihood of future violations.

SECTION 8. SPECIAL USE PERMITS AND USE VARIANCE

The Town of Hamilton Planning Board and Zoning Board of Appeals, as appropriate, shall use the standards set forth herein and as provided by the New York State Department of Environmental Conservation, titled "Assessing and Mitigating Noise Impacts," issued 10/6/2000, revised 2/2/2001, or as may be subsequently revised, when assessing the potential for noise impacts and the control or mitigation thereof when reviewing any Special Use Permit and/or Use Variance application.

All noise readings shall be measured at the Receptor Site(s) as identified by the Planning Board or Zoning Board of Appeals with a sound meter as operated by a properly certified sound engineer. Any noise study shall follow all impact assessment procedures as included in the NYSDEC's "Assessing and Mitigating Noise Impacts".

SECTION 9. PENALTIES

Any person or persons who violate or cause to be violated any provision of this Law shall, upon conviction for such violation, be subject to a fine not exceed \$250. For the purpose of conferring jurisdiction upon the Courts and judicial officers generally, violations of the Prevention and Control of Excessive or Unreasonable Noise in the Town of Hamilton shall be deemed violations and for such purpose only, all provisions of law relating to violations shall apply. Every day that said violation continues shall constitute a separate and additional violation.

In addition to the above-provided penalty and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with, or to restrain by injunction the violation of, these regulations.

SECTION 10. ENFORCEMENT

- A. The provisions of this Local Law shall be administered and enforced by the Town of Hamilton Code Enforcement Officer.
- B. Any resident, property owner or other person of legitimate interest may file with the Code Enforcement Officer a written, signed complaint alleging a violation of these regulations. It shall be the duty of the Code Enforcement Officer to investigate such alleged violation and to take enforcement action as deemed appropriate.

SECTION 11. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Erin Childers-Loranty	Councilor	Voted	Yes
Ian Helfant	Councilor	Voted	Yes
Darrell Griff	Councilor	Voted	Yes
Travis DuBois	Councilor	Voted	Yes
Dana Krueger	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Resolution to Approve Updated Planning/Zoning Fee Schedule which includes Local Laws related to Zoning, and Building Permit Fee Schedule

RESOLUTION 2026-44: Approval of Updated Planning & Zoning Fee Schedule and Building Permit Fee Schedule

On a motion of Councilmember Helfant, seconded by Councilmember DuBois, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Planning & Zoning Fee Schedule be updated as follows:

Short-Term Rental Application (Local Law 3 of 2023)	Initial and Renewals – Permit good for 2 years	\$ 200.00
Noise Permit Application (Local Law 1 of 2026)		\$ 25.00
Subdivision – Lot Line Adjustment	No per lot costs needed. Flat Fee.	\$ 350.00
Subdivision – Lot Merger	CEO review needed only.	\$ 50.00
Copies of Application	<i>(If an applicant needs copies made of their application, a fee of .25 cents per page, Letter or Legal Size only, shall be incurred. Large Size Surveys, Maps, Site Plans are the full responsibility of the applicant.)</i>	.25 per page
Floodplain Development Permit	(Per Zoning Law Article 7, Section 7.4.2 Fees)	\$ 50.00

and the Building Permit Fee Schedule be updated as follows:

NEW BUILDS, UPGRADES & ADDITIONS		
RESIDENTIAL: Square footage: \$ per 100 sf	per 100 sf (rounded up)	\$ 8.00
COMMERCIAL: Square footage: \$ per 100 sf	per 100 sf (rounded up)	\$ 10.00
Garage, Storage Buildings & Sheds, Decks & Porches		
Garages & Storage Buildings & Sheds	per 100 sf (rounded up)	\$ 4.00
Decks & Porches	per 100 sf (rounded up)	\$ 4.00
PENALTY - Building without a Permit		
Penalty fees are doubled if construction commences PRIOR to issuance of a Building Permit.	Double of Original Fee	

Training on Subdivision & Zoning Law Outcomes and Items identified to review

The town held a recent training session on the new Subdivision and Zoning Laws for the Planning Board, Zoning Board of Appeals and staff which brought to light a bunch of items and issues for subdivisions. Dana stated that we need to form a committee to review them and develop recommendations for updates. Darrell, Erin and Travis will be on the committee. Darrell asked Elisa to gather a list of the last 5-6 years of subdivisions to get some perspective before we dive in and make some big changes.

CONCERNS OF TOWN BOARD: None.

With no further business, on a motion of Councilmember Helfant, seconded by Councilmember DuBois, the meeting was adjourned at 6:03 p.m. Carried unanimously.

Respectfully submitted,
Suzanne K. Reymers, RMC, Town Clerk