

## INTERMUNICIPAL AGREEMENT

**WHEREAS**, the Town of Hammond, St. Lawrence County, New York, and the Village of Hammond, St. Lawrence County, New York, pursuant to general Municipal Law, Article 5-G and Section 284 of Town Law and Section 7-741 of Village Law are desirous of creating a consolidated Town/Village Planning Board to exercise jointly for the above agreeing municipalities those powers and duties otherwise held separately by each respective municipality under Article 16 of Town Law and Article 7 of Village Law and to jointly administer land use planning programs, and policies which have been authorized or adopted by each via their respective ordinance or law and to perform other functions as authorized and empowered by the Town Board of the Town of Hammond and the Village Board of the Village of Hammond.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration receipt of which is hereby acknowledged and agreed as follows:

1. The Joint Town of Hammond/Village of Hammond Planning Board is hereby created comprised of five (5) members, four (4) of which will be appointed by the Town, and one (1) of which shall be appointed by the Village. The Town shall appoint the Chairman of the Joint Planning Board. Said joint board shall be appointed and assume responsibilities effective January 1, 2014.
2. Each of the members of the Joint Planning Board shall serve for a term of five (5) years.
3. At the expiration of each original appointment to the Joint Town of Hammond/Village of Hammond Planning Board, vacant Town positions will be filled through appointment by the Town and vacant Village positions will be filled through appointment by the Village.
4. If a vacancy shall occur in an unexpired term, appointment to fill the remainder of the term will be made by the municipality from which the vacating member was appointed. However, if the appointing municipality shall be unable to fill the vacancy from within its respective political subdivision within 90 days from the date of the vacancy, appointment to fill the vacancy may be made by the other municipality to complete the unexpired term. In such instance, at the expiration of the term, the municipality from which the original appointment was made shall be entitled to make the appointment for the next term. The Joint Town of Hammond/Village of Hammond Planning Board will apply those standards for compliance and interpretation based on the regulations and guidelines as promulgated by the respective ordinance or law of each municipality.

5. The Joint Town of Hammond/Village of Hammond Planning Board in conducting business will comply with other laws relative to Town and Village Law, General Municipal Law of the State of New York, and the provisions of the State Environmental Quality Review Act.
6. The Joint Town of Hammond/Village of Hammond Planning Board may hire an individual to act as Secretary to take minutes, keep records, and conduct correspondence. The Town shall set and be responsible for the salary for the secretary.
7. The Joint Town of Hammond/Village of Hammond Planning Board shall adopt bylaws outlining its structure and function, including, but not limited to the resolution procedures, meeting dates (one per month for a total of twelve per year unless otherwise warranted), and process for conducting meetings.
8. The Joint Town of Hammond/Village of Hammond Planning Board shall have advisory capacity on matters of planning and land use to the Town Board and the Village Board respectively, and those duties stated in the respective land use ordinance or law of each municipality.
9. The Joint Town of Hammond/Village of Hammond Planning Board shall receive remuneration for their services with the Chairperson receiving an extra stipend in accordance with the duties of such an office. The Town will annually establish payment rates by resolution. The initial stipend for all members shall be \$32.00 per member per meeting, and the Chairperson shall receive an additional annual stipend at the initial rate of \$100.00. The Town shall be responsible for the cost of training for the members of the Joint Planning Board.
10. Each year the Joint Town of Hammond/Village of Hammond Planning Board shall meet in August to determine a budget for the upcoming fiscal year; and the Town will make an annual appropriation therefor in its budget. The fiscal agent for the Joint Town of Hammond/Village of Hammond Planning Board shall be the Town Finance Officer.
11. In the event litigation occurs on the part of a petitioner as a result of the action of the Joint Town of Hammond/Village of Hammond Planning Board, the costs associated with such litigation shall be the responsibility of the municipality whose ordinance or law has jurisdiction in said case.
12. To the extent outside costs for consultants or experts are incurred by the Joint Town of Hammond/Village of Hammond Planning Board, such costs will be passed through to the municipality requiring such services; where such costs are for the joint benefit of the Town and Village, i.e. Comprehensive Plan, said expenses shall be shared equally between the Village and the Town.

13. The Town of Hammond and the Village of Hammond accept as part of this Agreement that initially amendments may need to be made to the respective ordinance or law to effectuate the organization of the Joint Town of Hammond/Village of Hammond Planning Board and each municipality agrees to make such changes.
14. Each municipality shall receive revenues based on the current fee structure stipulated in their respective ordinance or law.
15. This Agreement shall be interpreted by and in accordance with the laws of the State of New York and if, at any time, any portion of this Agreement is found to be void, voidable or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any other provision of this Agreement.
16. This Agreement shall be for an initial term of five (5) years commencing as of January 1, 2014 and ending on December 31, 2018; this Agreement shall be automatically extended for an additional five (5) year period and upon the same terms and conditions. If either municipality intends not to extend or renew this Agreement, it must give notice to the other a minimum of one hundred eighty (180) days prior to the expiration of the initial term or renewal term of this Agreement.

APPROVED by the Village Board of the Village of Hammond on this 2 day of April, 2014.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

APPROVED by the Town Board of the Town of Hammond on this 9 day of April, 2014

  
\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Clerk

**Addendum**

As Hammond Town Clerk, I attest to have found Hammond Town Board motions referring to the Intermunicipal Agreement between Town and Village of Hammond in the March 2013 and April 2013 Town Board Minutes.

As Hammond Town Clerk, I attest to Supervisor Ronald Bertram's signature dated April 9, 2014 on the Intermunicipal Agreement between Town and Village of Hammond.



Pamela Bwitor

Date: 12/16/2015

Hammond Town Clerk

Town of Hammond  
Regular Town Board Meeting  
March 13, 2014

Present: Supervisor Bertram, Councilmen Tague, Demick, Pitcher and Delosh.

Others Present: see attached list.

Town Bills and Highway Vouchers were audited along with Bank Reconciliations.

The Supervisor asked the group to stand for the Pledge at 7: PM:

Minutes of the previous meeting, having been distributed, were accepted as given on a motion made by Councilman Pitcher and seconded by Councilman Tague. Carried 5 yes votes.

Citizens Participation: Ted Elk brought up the subject of TILT land transfers and the land that has become untaxable because of it.

Discussion Ensued. Supervisor Bertram said he would look into it.

Communication: a letter from the Board of Health.

A letter from Overlook Drive that was unsigned, asking to make repairs to the road.

Budget Amendment: attached.

SASS Update. Still trying to get the kick off meeting complete. At this point breakfast & Lunch will be served. David Duff stressed the fact that the whole Board needs to attend so they will be educated enough to answer questions from the public.

Executive Session: At 7:40 on request of the Highway Superintendent the Board entered Executive Session. RE: Employment. Motion made by Councilman Tague, seconded by Councilman Delosh. Carried 5 yes votes Carried 5 yes votes.

At 8: PM the Board left Executive session. Motion made by Councilman Pitcher, seconded by Councilman Delosh. Carried 5 yes votes.

Highway Report: Contact has been made with Decker's for the addition to the boiler. Motion made by Councilman Pitcher, seconded by Councilman Delosh. Carried 5 yes votes. Josh Krake will give 4 cord of wood in lieu of community service. Bids will be solicited for 60 cord of wood (+) (-) by the clerk. Motion made by Councilman Tague, seconded by Councilman Pitcher. Carried 5 yes votes.

Clerk's Report: read by the Supervisor and on file with the clerk.

Assessor's Report: read by the Supervisor and on file with the clerk. Grievance Day is May 28<sup>th</sup>. Leslie Bass was appointed Secretary to the Grievance Boar by 4 yes votes. The Supervisor abstained.

Code Officer's Report: read by the Supervisor.

Planning Board Report: read by the Supervisor. Carolyn Swanson was reappointed as Secretary.

Inramunicipal Agreement: On a motion made by Councilman Delosh and seconded by Councilman Pitcher the words in quotations will be dropped and then OKed. Carried 5 yes votes.

Economic Committee Report; Howard Demick reported that Applications for grants must be submitted with \$100 application fee. On a motion made by Councilman Pitcher and seconded by Councilman Demick, \$300 will be appropriated for Grant Applications. Carried 5 yes votes.

Luncheon: \$300 was appropriated for the SASS meeting on a motion made by Councilman Delosh and seconded by Councilman Tague. Carried 5 yes votes.

Town of Hammond  
Regular Town Board Meeting  
April 9, 2014

Present: Supervisor Bertram, Councilmen Tague, Demick, Pitcher & Delosh.

Others Present: see attached list.

Audited bills from 6:30 – 7:10

Stood for the Pledge at 7:10.

The minutes of the February 2014 meeting, having been previously distributed, were accepted on a motion made by Councilman Delosh and seconded by Councilman Pitcher. Carried 5 yes votes.

A presentation by Wayne Storie for NYMIR followed. Along with a question and answer period.

Communications: a notice for the Economic Committee's April Meeting.

SASS: an update from the steering committee. The issue of the land trust will be tabled until another month.

A motion to enter executive session was made by Supervisor Bertram and seconded by Councilman Delosh, carried 5 yes votes. Time: 8:05

A motion to move out of Executive session was made by Councilman Pitcher and seconded by Councilman Demick. Carried 5 yes votes. Time: 8:45

Highway Report:

An issue of the sand bid was tabled until next month by a motion made by Councilman Pitcher and seconded by Councilman Tague. Carried 5 yes votes.. Discussion ensued.

An issue with whether or not crack sealing has to go to bid tabled that issue until next month.

The clerk's report was read and is on file.

The Assessors report was read and is on file.

The code officer's report was read.

New Business: The changes made to the IMA were accepted on a motion made by Councilman Demick & Delosh. Carried 5 yes votes.

Wood Bids were made by 5 companies:

Wacky Wally's for \$&)/cord.

Lenny Bicklehaupt for \$70/cord

Kevin Bigilow 465/face cord.

Eddick's Sawmill for 465/cord

Logmill's Firewood for \$65 a cord.

All are for cut & delivered.

The bid, after discussion was awarded to Lenny Bicklehaupt.

Economic Committee will hold a meeting on March 16<sup>th</sup>.

Old Business: The RVDA Grants were sent.

The newsletter was discussed and agreed to be sent out with some explanation of SASS.

The Supervisor's Report was read and along with the audited bank statements were accepted on a motion made by Councilman Pitcher and seconded by Councilman Tague. Carried 5 yes votes.

Audited bill were accepted for payment by a motion made by Councilman Demick and seconded by Councilmna Pitcher. Carried 5 yes votes.

Meeting closed at 9:10 PM

Darlene V. Amyot, Clerk