

**VILLAGE OF HAMILTON**  
**P.O. Box 119 / 3 Broad Street**  
**Hamilton, NY 13346**  
**Telephone: 315-824-1111 / Fax: 315-824-0922**

Mayor:  
Margaret Miller  
Trustees:  
Russell Lura  
Samuel L. Cooper  
Deborah S. Kliman, Ph.D.  
Jen Servedio

Clerk:  
Alana Scheckler  
Treasurer:  
Mary Ann Henderson  
Administrator:  
Sean Graham

March 2013

Dear Vendor,

Thank you for your interest in the 2013 Village of Hamilton Farmers' Market. We welcome you and hope that the weather will be outstanding again this year and that your profit will surpass last year's.

Continuing from last year, the market will be advertised from 8:00 am-1:00 pm, but will in fact be open until 2:00 pm for those vendors who wish to stay. East Broad Street will remain closed until 2:00 pm.

**Previous 2012 Vendors-** Welcome Back! Being a past vendor of the 2012 Hamilton Farmers' Market, you may choose to keep the site that you were in or you can choose to be placed in the lottery and be awarded a new location.

In order to ensure and guarantee the same location as last year, please mail in your application with payment so that it reaches our office **on or before Friday, April 12th, 2013**. If your application is **NOT** received by this date, we cannot hold that site, and it will become available for the lottery. If your last year's site was **NOT** suitable for you or your craft and you wish to be placed in the lottery, please indicate that on your application.

**New Vendors-** A special welcome to you! During the week of April 15th, we will hold a lottery to draw your location for the market. We created this lottery so that you, as a new vendor, are treated fairly on the location of your site. In order to participate in this lottery, your application and payment must be in our office **on or before Friday, April 12, 2013**. If this date has passed, a location will be randomly selected from the remaining sites for you after your application is received.

Applicants will not be able to request particular locations. People who must have a site with electrical access will need to specify that on their application. We cannot honor requests for shaded locations, so any vendors interested in shade will need to provide their own tent or canopy. All vendors will be notified by mail with a permit and map showing their location.

The Fourth of July parade and festivities will be held on Thursday, July 4<sup>th</sup>, and will NOT affect our regular market days on Saturday, June 29<sup>th</sup> or July 6<sup>th</sup>. You will receive separate information from the Fourth of July Committee regarding the market.

If you have any questions regarding the Farmers' Market, please feel free to contact the Village Office Staff at (315) 824-1111.

## **2013 RULES AND REGULATIONS** **VILLAGE OF HAMILTON FARMERS' MARKET**

The Village of Hamilton Farmers' Market will open on Saturday, May 4th and will close on Saturday, November 2nd.

Hours of operation are 8:00 AM until 1:00 PM. The Village Board of Trustees has given permission for all vendors to stay at your site and sell your product until 2:00 PM every week if you wish to. East Broad Street will remain closed until 2:00 PM for safety reasons.

All vendors must apply and obtain a permit from the Village of Hamilton in order to sell at the Farmers' Market.

Once a site has been assigned, that space is yours and no one can move into that site. Under no circumstances will a vendor be allowed to relocate or transfer to another area without permission from the Village Office.

**The following items must be licensed by NYS Dept. of Agriculture and Markets and can be sold at the Hamilton Farmers' Market including, but not limited to:**

### **Plants:**

- Plants and Nursery Products- i.e. bedding plants, potted plants or field grown plants.

Contact: NYS Department of Agriculture & Markets Division of Plant Industry or visit their website at: [www.agriculture.ny.gov](http://www.agriculture.ny.gov) or phone at: 1-518-457-2087

### **Produce / Food:**

- Pre-packaged value-added food products that are manufactured under a NYSDA&M 20-C Food Processing License or NYSDOH / County Health Dept. Permit.
- Food Products approved and registered under a NYSDA&M Home Processor Exemption. (See guidance below)
- Prepackaged Meats -NYS farm raised and slaughtered under USDA or NYSDA&M with original marks of inspection intact **no repacking** and must be held under temperature control at all times (frozen or refrigerated at 41° or less). Must be labeled with establishment # and weight.
- Cider- must be pasteurized and from a licensed facility with labeling.
- Cheese from an approved and inspected source may be cut and packaged from bulk and packaged upon customer order. This is the **only** exposed food that is allowed to be cut repackaged and sold at the market without a Department of Health (DOH) food service permit.

It is the responsibility of the vendor to provide to the Village of Hamilton proof of your Dept. of Ag & Mkt License / DOH Permit or Home Processing Exemption Registration when the application is submitted.

### **Home Processors**

For registration instructions please see NYSDA&M website at: [www.agriculture.ny.gov](http://www.agriculture.ny.gov) or contact the Dept. of Ag. & Mkts with any questions at 315-487-0852. All food items produced under a NYSDA&M Home Processing Exemption must be approved /registered.

**Any finished food product that requires refrigeration is not allowed to be produced as a Home Processor. Some examples of prohibited items include, but are not limited to:**

- Pickled or Fermented foods
- Chopped or Processed Garlic and or Herbs in Oil Mixtures
- Cheese, Yogurt or Fluid Dairy Products
- Sauces, Salsa's and Marinades
- Non-traditional Jams & Jellies (Vegetable jellies, Wine Jellies, Chutneys or Fruit Butters)
- Cooked or Canned Fruits or Vegetables

- Vegetable Oils and Blended Oils
- Cheesecake, Cream Filled Pastries
- Fruit, Vegetable or Quick Breads
- Meat, Fish, or Poultry Products

**The following items are exempt from NYS Dept. of Agriculture & Markets and need no inspection or license and can be sold at the Hamilton Farmers' Market including, but not limited to:**

- Raw Fruits and Vegetables
- Honey - without added ingredients or purchased product-labeling required
- Maple Syrup - without added ingredients or purchased product. Must meet NYS Maple Syrup labeling and grading requirements.
- Eggs - labeling required and must be refrigerated at 45° or less
- Crafts or Art - must be handmade by the vendor
- Wine - taste testing must have permission from the Mayor of the Village of Hamilton and are required to verify for legal age limit
- Books - authored by village resident or immediate nearby towns

**The following Temporary Food Service Vendor must be licensed with Madison County Dept. of Health and can sell prepared foods at the Hamilton Farmers' Market:**

- Prepared Foods/Food Service Operations - Prepared individual portions of food intended for immediate consumption

It is the responsibility of the vendor to provide to the Village of Hamilton proof of your Dept. of Health License when the vendor application is submitted.

Contact:

Madison County Department of Health  
 Environmental Health Dept.  
[www.healthymadisoncounty.org](http://www.healthymadisoncounty.org)  
 315-366-2526

**Sales Tax Registration**

It is the responsibility of the vendor to obtain a sales tax permit if they sell non-food items. A representative from NYS does visit markets periodically to check for permits. If a vendor is found to be in violation, there is a significant fine that NYS will enforce upon each vendor. You can obtain an application from the Village Office upon request.

Contact:

New York State Department of Taxation and Finance  
 518-485-2889  
[www.tax.ny.gov](http://www.tax.ny.gov)  
 Form DTF-17

There are some items that are prohibited from sale at the Farmers' Market including, but not limited to: books and magazines not authored by a resident of the Village of Hamilton or any immediate nearby towns, appliances, cleaning products, assorted merchandise, etc.

**Licenses, Registrations and Permits**

It is the responsibility of the vendor to display all necessary licenses, registrations and permits for New York State inspectors, Madison County inspectors, Village of Hamilton personnel and Consumers.

### **Craft/Art items or Baked Goods**

All baked goods and craft items must be handmade by the vendor and may not consist of items purchased for resale.

### **Re-Sale of Produce**

Theoretically, the Village of Hamilton would like to require that produce vendors home grow all of their fruits and vegetables, but in reality it is not possible to get the variety of produce that our customers are looking for. Allowing produce vendors to sell resale, allows customers to purchase off-season products locally. All vendors who sell produce for re-sale are required to pay an additional fee if they choose to sell produce from other areas.

### **Weekly Permits**

Weekly permits will be issued only for seasonal produce, i.e. pumpkins, apples, sweet corn, etc. A permit cannot be issued for a single Saturday unless it is for sale of these seasonal produce items.

### **The Importance of Market Attendance**

The strength of any farmers' market depends on the presence of many vendors and diversity of products. When you commit to being a vendor you become part of a larger group and collectively everyone benefits. Not only do our customers appreciate your regular attendance, but also your fellow vendors depend on you being there to make the market successful. Your continued attendance is very important.

Customers do attend the market and shop on days with inclement weather. We do understand that there will be times when the weather is so unpleasant that your product could be damaged or you may have personal reasons, vacations, etc.

### **Political Parties or Religious Organizations**

Committees promoting a specific political party or religious group must occupy a paid vendor space.

### **Fund-raising**

The sale of raffle tickets, distribution of brochures or informational pamphlets of any type, raising money for a specific charity or non-profit organization will be allowed only in a community space.

### **Pets**

Vendor-owned pets are not allowed within the Market area, with the exception of Wanders Rest, Rescue Me or service animals. In addition, the sale of live animals is not allowed at market by vendors or visitors.

### **Restrooms**

Restrooms for vendors and customers are available at the Hamilton Public Library during 10:00-1:00 or the port-a-john behind the Library.

### **Refuse/Recycling**

Each permit holder will be assigned a designated site and shall be responsible for keeping their space free from all refuse during market hours. No booths, stands or other selling fixtures, materials, or equipment shall be erected prior to 7:00 a.m. on the market day. All vendor activities must be conducted in an orderly fashion and the vendor's space should be kept neat, orderly, and safe. Each vendor must clean and remove all material, litter and debris from their area within one-half hour after the close of each market day.

All vendors are required to protect their area from damage, i.e. cooking spills, tent stakes, etc. Costs and repairs will be billed to the vendor. This will be enforced per inspection on the following business day.

**It is at the request of the Village Board of Trustees that if specific vendors are showing wear on grassy areas at their site that they consider bringing a protective mat or carpet to protect the soil.**

**Parking**

As we are aware of the parking limitations in the Village of Hamilton, we require you, the vendor, to unload your craft at the curb and relocate your vehicle for the remainder of the market hours to another location to allow prospective customers to more freely have a place to park. This is not the responsibility of the market monitor, but he has the authority to ask you to move your vehicle if he sees the need. When the market is over, you may then bring your vehicle curbside again to load the remainder of your items. Please feel free to use the parking lot behind the Village Office if spaces are available. This does not apply to curbside vendors along East Broad Street. We appreciate your patience and understanding of this rule.

**Tobacco**

The Village of Hamilton Board of Trustees is requesting that vendor's refrain from using tobacco products at their sites while at the market.

**Complaint Procedures**

All vendors are to comply with all provisions of the Village of Hamilton Farmers' Market Local Law (section 66-11) and its related regulations. This includes the Village of Hamilton Violence in the Workplace Policy that states that all businesses that utilize Village property are expected to maintain a working environment free from violence, threats of harassment, intimidation or coercion. Failure to comply with any regulations or policies of the Village of Hamilton will result in a verbal warning for the first offense and if there are additional offenses in the same season, the Village of Hamilton Board of Trustees may choose to revoke the permit or fine any vendor.

To enforce these rules and regulations the village has hired a Market Monitor to be available.

**SPECIAL WEEKENDS for 2013**

- May 11th**-Mother's Day Weekend
- May 18th**-Colgate Graduation Weekend
- May 25th**-Memorial Day Weekend
- June 1st**-Colgate Reunion Weekend
- June 15th**-Father's Day Weekend
- June 22nd**-Hamilton Central School Graduation Weekend
- August 31**-Labor Day Weekend
- September 21st**-Colgate Homecoming Weekend
- September 21th**-Great Chocolate & Train Festival
- October 26th** -Colgate Family Weekend

## HOME PROCESSORS

Section 276.3 of the New York State Agriculture and Markets regulations states in part that "Home processed food... shall mean any food processed in a private home or residence using only the ordinary kitchen facilities of that home... but shall exclude potentially hazardous food..."

**NOTE: Commercial equipment is not considered ordinary kitchen facilities.**

**NOTE: If on a private water system (well) resident must have a water test analysis performed for Coliform, and have results in hand, before a home processor can be registered.**

Processors of home processed foods who sell or offer for sale such foods may be exempted from the licensing requirements of Article 20-C, provided that the following conditions are met:

1. All finished product containers are clean, sanitary and properly labeled.
2. All home processed foods produced under this exemption are neither adulterated nor misbranded.
3. Glass containers for jams, jellies, marmalades and similar products are provided with suitable rigid metal covers.
4. All home processed foods are sold only within New York State

In order to protect public health and to minimize the potential of food product adulteration, this exemption is restricted to the following non-potentially hazardous home processed foods.

- Bakery products, i.e., bread, rolls, cookies, cakes, brownies, fudge, and double-crust fruit pies for wholesale marketing or retail agricultural venues such as farms, farm stands, farmers markets, green markets, craft fairs and flea markets.
- Traditional jams, jellies, and marmalades made with high acid/low pH fruits.
- Repacking/blending dried spices or herbs.
- Snack items such as popcorn, caramel corn and peanut brittle.
- Candy (excluding chocolate) – tempering chocolate for molding or dipping is not allowed.

Any finished food product that requires refrigeration is **not** allowed to be produced as a Home Processor. Some examples of prohibited items include, but are not limited to:

- |                                     |  |
|-------------------------------------|--|
| ◦ Fruit/ Vegetable Breads           | ◦ Garlic and/or Herb In Oil Mixtures     |
| ◦ Pickled or Fermented Foods        | ◦ Wine Jellies, Chutneys, Fruit Butters  |
| ◦ Cheesecake, Cream Filled Pastries | ◦ Cooked or Canned Fruits or Vegetables, |
| ◦ Meat, Fish, or Poultry Products   | ◦ Cheese, Yogurt, Fluid Dairy Products   |
| ◦ Vegetable Oils, Blended Oils      | ◦ Sauces, Salsas, Marinades              |

**NOTE: Direct internet sales (commercial on-line transactions) are prohibited under this exemption. Use of the internet for communication or promotional purposes is permissible.**

Home processors whose residences contain separate segregated facilities for food processing, may apply for licensing under Article 20-C.

**NOTE: Homeowners should consult with local zoning officials for approval before commencing any home based business.**

The exemption relates only to Article 20-C licensing. The exempt firm will be subject to registration by the Department of Agriculture and Markets. For more detailed information, please contact the nearest regional office.

### REGIONAL OFFICES

<u>NEW YORK</u>	<u>NEWBURGH</u>	<u>ALBANY</u>	<u>SYRACUSE</u>	<u>ROCHESTER</u>	<u>BUFFALO</u>
(718) 722-2876	(845) 220-2047	(518) 457-5459	(315) 487-0852	(585) 427-2273	(716) 847-3185

## APPLICATION FOR PERMIT FOR HAMILTON FARMERS' MARKET 2013

**Instructions:** Please complete and return this application with appropriate payment and proof of license or registration to the Village of Hamilton, 3 Broad Street, P.O. Box 119, Hamilton, NY 13346. Application must be completely filled out or it will not be accepted. Call 315-824-1111, if you have any questions.

**The Village of Hamilton requires all vendors to meet Federal, State and Local Laws & Regulations pertaining to their business operations.**

Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

E-Mail address: \_\_\_\_\_ Website: \_\_\_\_\_

Home Phone#: \_\_\_\_\_ Cell Phone#: \_\_\_\_\_

License Plate# \_\_\_\_\_

If you plan to sell products that require collecting sales tax, give your NYS Sales Tax #: \_\_\_\_\_

Proof of license or registration supplied: NYS Dept. Ag & Mkt \_\_\_\_\_ Dept of Health \_\_\_\_\_  
(Photocopy must accompany application)

Type of permit applying for: (whole season, half season) \_\_\_\_\_

**Please mark all items you intend to sell and list your specialty.**

Fruits and/ or vegetables Resale? \_\_\_\_\_

Plants and/ or flowers Resale? \_\_\_\_\_

Honey, Maple Syrup or Apple Cider Specify \_\_\_\_\_

Eggs (Must be kept at 45° or less)

Baked Goods: (must be wrapped or placed in paper or plastic) Specify \_\_\_\_\_

Crafts/Art: List your specialty \_\_\_\_\_

Dairy: Specify \_\_\_\_\_

Meats (Must be kept at 41° or less), Seafood, Fruit Jams & Jellies: Specify \_\_\_\_\_ Resale? \_\_\_\_\_

Prepared Foods: Specify \_\_\_\_\_

Books: Must be authored by village resident or immediate nearby town

Other: Specify \_\_\_\_\_

Do you need an electric outlet? \_\_\_\_\_ Is Handicapped accessibility required? \_\_\_\_\_

Were you a 2012 vendor at the Market? \_\_\_\_\_ Do you request the same site? \_\_\_\_\_ Site # \_\_\_\_\_

Are you a non-profit requesting one of our Community Spaces? \_\_\_\_\_

- Are you raising money for a specific charity? \_\_\_\_\_ Which charity? \_\_\_\_\_
- Are you informing patrons of a specific organization? \_\_\_\_\_ Which organization? \_\_\_\_\_

**CURB SPACES:** (limited number of spaces): please circle appropriate amount

**Vendors selling items for resale:**

- Full Season Permit (May 4th– Nov. 2nd) \$305.00

**Vendors selling items handmade or homegrown:**

- Full Season Permit (May 4th – Nov. 2nd) \$155.00

**PARK SPACES:** please circle appropriate amount

**Vendors selling items for resale:**

- Full Season Permit (May 4th – Nov. 2nd) \$210.00
- Half Season Permit (May 4th – Aug 3rd) \$115.00
- Half Season Permit (Aug. 10th – Nov. 2nd) \$115.00

**Vendors selling items handmade or homegrown:**

- Full Season Permit (May 4th – Nov. 2nd) \$110.00
- Half Season Permit (May 4th – Aug. 3rd) \$ 65.00
- Half Season Permit (Aug. 10th – Nov. 2nd) \$ 65.00

Resale items are restricted to: fruits, vegetables, plants or seafood:

One Saturday Permit –Seasonal produce only \$20.00 (No discounts apply)

Note: Rules and Fees are subject to change before the market season begins.

Children under the age of 16 selling items handmade or homegrown by themselves: \$4.00 month

\_\_\_\_\_ 10% Senior Citizen Discount\* (**Age 65 and over**) State Age \_\_\_\_\_

\_\_\_\_\_ 10% Village Resident Discount\*

\_\_\_\_\_ 10% Veteran Discount\*

\*All discounts may apply

We have 6 spaces at no charge available for non-profit community groups to use on a rotating basis for information and fund raising activities. You must obtain a permit from the Village Office.

**I have read the 2013 Village of Hamilton's Rules & Regulations and that I hereby agree to comply with all regulations governing the Village of Hamilton Farmers' Market. I hereby certify that the information completed above is true and accurate. I further understand that any applicant who makes false statements, representation of certification in this application shall be subject to a fine and/or revocation of their permit.**

\_\_\_\_\_ Please ✓ if you give authorization to the Village of Hamilton to give your name and phone number to prospective customers.

**Vendor Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

The Fourth of July parade and festivities will be held on Thursday, July 4<sup>th</sup>, and will not affect our Saturday, June 29<sup>th</sup> or July 6<sup>th</sup> regular market days. You will receive separate information from the Fourth of July Committee.

**OFFICE USE ONLY**

Fee Paid: \$ \_\_\_\_\_ Discount amount \$ \_\_\_\_\_ Date: \_\_\_\_\_

Check # \_\_\_\_\_ Employee Init. \_\_\_\_\_