

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD, NY ON WEDNESDAY,
OCTOBER 10, 2018, AT 6:00 P.M.**

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Official and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Philip S. Cittadino
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Director of Finance Daniel T. Dreimiller
Director of Personnel Barbara Schwenzfeier
Police Chief Michael Inserra
Director of Senior Services Eileen Spellman
Highway/Sewer Superintendent Richard C. Sherman
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

Thereafter, a quorum was declared present for the transaction of business.

PUBLIC HEARING

6:00 P.M.

Local Law Introductory "I" of 2018
Wilbur Road – Ontario Avenue

The Town Supervisor then opened the Public Hearing at 6:01 P.M., in the matter of Local Law Introductory "I" of 2018.[The Town Clerk had available copies of the proposed local law, the Notice of Public Hearing, Affidavit of Posting, Proof of Publication in The Observer Dispatch.

Police Chief Michael Inserra spoke to the need of a 4- way stop at the intersection of Wilbur Road and Ontario Avenue, citing that the traffic issues cause NYMO NYSE and the Town's own Department of Public Works vehicles difficulties in traveling through the intersection. Highway Superintendent Rick Sherman spoke with "the" property owner; the Town removed three trees that were on the Town's right-of-way.

There being no one further to speak in the matter, the Public Hearing was declared closed at 6:03 P.M.

Thereafter, Councilman Woodland moved that Local Law Introductory "I" of 2018, be adopted as Local Law No. Eight of 2018, in the following format; seconded by Councilman Cittadino:

**TOWN OF NEW HARTFORD, NEW YORK
LOCAL LAW NO. EIGHT OF 2018**

A Local Law to amend the Code of the Town of New Hartford, Chapter 113 thereof entitled **VEHICLES AND TRAFFIC**, by establishing an additional Stop Street (Section 113-41) in the vicinity of Ontario Avenue and Wilbur Road.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

SECTION 1. Chapter 113 of the Code of the Town of New Hartford, Section 113-41, is hereby amended to include the following:

Section 113-41. Schedule VII: Stop Intersections

<u>STOP SIGN ON</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF</u>
Ontario Ave	Both	Wilbur Road

SECTION 2. All other provisions of Chapter 113 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Local Law unanimously carried and duly **ADOPTED**.

PUBLIC HEARING

6:04 P.M.

Local Law Introductory "J" of 2018
Fingerprinting- Fee Increase

The Town Supervisor then opened the Public Hearing at 6:04 P.M., in the matter of Local Law Introductory "J" of 2018. The Town Clerk had available copies of the proposed local law, the Notice of Public Hearing, Affidavit of Posting, and Proof of Publication in The Observer Dispatch.

Police Chief Michael Inserra stated that when the Police Department started offering Fingerprinting to the public over 20 years ago, the fees were set at \$8.00 per resident and \$12.00 per non-resident. The Town is currently charging well under the local agencies, that have a fee of on average of \$75.00,

There being no one further to speak in the matter, the Public Hearing was declared closed at 6:05 P.M.

Thereafter, Councilman Woodland moved that Local Law Introductory "J" of 2018, be adopted as Local Law No. NINE of 2018, in the following format; seconded by Councilman Reynolds:

**TOWN OF NEW HARTFORD, NEW YORK
LOCAL LAW NO. NINE OF 2018**

A Local Law to amend the Code of the Town of New Hartford, Chapter 25 thereof entitled **POLICE DEPARTMENT**, by increasing the charges for fingerprinting services.

BE IT ENACTED, by the Town Board of the Town of New Hartford as follows:

SECTION 1. Section 25.9 Charges. Is hereby amended as follows:

The cost for fingerprinting for each Town of New Hartford resident applicant is Twenty-five Dollars (\$25).

The cost for fingerprinting for each out-of-town resident applicant is Fifty Dollars (\$50).

SECTION 2.

The Town Board may, by Resolution in any year, authorize a change to these fingerprinting fees.

SECTION 3.

All other provisions of Chapter 25 of the Code of the Town of New Hartford and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 4.

This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Local Law No. Nine unanimously carried and duly **ADOPTED.**

Reports: Town Clerk Committee

Councilman Woodland presented the Following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 435 OF 2018)

WHEREAS printing of the Town and County tax bills through the Oneida County Print Shop would have cost the Town the revenue gained from delinquent taxes;

BE IT RESOLVED that the Town Board does hereby authorize the Town Clerk Gail Wolanin Young to enter into an agreement with Cathedral Corporation, 632 Ellsworth Road, Rome, NY 13441; for the printing of the Town of New Hartford's Town and County Tax Bills, for the estimated sum of \$2,309.80, for printing and material, and an estimated postage amount of \$3,780.00.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Clerk then verified with the Town Board that the Tax Bills for the 2019 Town and County Tax collection will have the new Town Hall's address of 8635 Clinton Street, New Hartford, NY 13413,

Director of Finance - Audit of Vouchers

Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Cittadino:

(RESOLUTION NO. 436 OF 2018)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of the bills itemized on the following Abstracts, which had been duly audited by the Town Board:

Street Light-Town Abstract #10	
Vouchers SL10	\$ 8,899.21
General Fund Whole-Town Abstract #22	
Vouchers AA967-AA969; AA980-AA989	\$ 10,314.64
General Fund Whole-Town Abstract #23	
Vouchers AA990-AA1099	\$ 162,130.96
General Fund Part-Town Abstract #20	
Vouchers BB136-BB137	\$ 51.67
General Fund Part-Town Abstract #21	
Vouchers BB138-BB146	\$ 6,960.61
General Fund Part-Town Police Abstract #21	
Vouchers BP208-BP210	\$ 1,194.31
General Fund Part-Town Police Abstract #22	
Vouchers BP211-BP223	\$ 11,789.88
Highway Fund Part-Town Abstract #20	
Vouchers DB649	\$ 100.00
Highway Fund Part-Town Abstract #21	
Vouchers DB650	\$ 97.34
Highway Fund Part-Town Abstract #22	
Vouchers DB651-DB86	\$ 43,248.15
Capital Projects –2018-Town Abstract #7	
Vouchers H920	\$ 5,900.00
Capital Projects –Grange Hill Abstract #6	
Vouchers HQ10	\$ 547.25
Capital Projects –Gander Mountain Abstract #1	
Vouchers HV1-HV2	\$ 13,132.25
Capital Projects –Gander Mountain Abstract #2	
Vouchers HV3	\$ 90,538.87
FEMA – Fed. – Abstract #15	
Vouchers C134-C136	\$ 93,041.66
FEMA – Fed. – Abstract #16	
Vouchers C137	\$ 3,965.50
Sewer Fund Abstract #21	
Vouchers SS67	\$ 7.31
Sewer Fund Abstract #22	
Vouchers SS68-SS69	\$ 3,195.84
Trust & Agency Fund Abstract #37	
Vouchers TT172-TT179	\$ 10,897.67
Trust & Agency Fund Abstract #38	
Vouchers TT180	\$ 152.26
Trust & Agency Fund Abstract #37	

Vouchers TT181-TT187	\$	8,816.58
TOTAL	\$	<u>474,981.96</u>

NOTE**

Discussion followed about late fees on some vouchers, as a result of which was an apparent distraction with no roll call being made.

Appointments to fill vacancies- Highway Department

Upon motion of Councilman Cittadino and seconded by Councilman Reynolds, the following Resolution was presented for approval:

(RESOLUTION NO. 437 OF 2018)

RESOLVED that the New Hartford Town Board does hereby appoint Thomas Farley as a full-time laborer for the Highway Department, effective Sunday, October 28, 2018, at the hourly rate of Fourteen Dollars and Seventy cents (\$14.70), payable bi-weekly. Mr. Farley replaces Jesse Conhaim.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Upon motion of Councilman Cittadino and seconded by Councilman Reynolds, the following Resolution was presented for approval:

(RESOLUTION NO. 438 OF 2018)

RESOLVED that the New Hartford Town Board does hereby appoint Matthew Brown as a full-time laborer for the Highway Department, effective Wednesday, October 10, 2018, at the hourly rate of Eleven Dollars Fifty Cents (\$11.50), payable bi-weekly. Mr. Brown replaces Timothy Solan who retired.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye

Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Upon motion of Councilman Cittadino and seconded by Councilman Messa, the following Resolution was presented for approval:

(RESOLUTION NO. 439 OF 2018)

RESOLVED that the New Hartford Town Board does hereby appoint Jeffery Kolek as a temporary, full-time laborer for the Highway Department, effective Friday, October 12, 2018, at the hourly rate of Eleven Dollars Fifty Cents (\$11.50), payable bi-weekly:

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Foxcroft Road- Retention Pond

Councilman Reynolds thanked Town Attorney Herb Cully for a letter that was written to Stephen Pearce of 8855 Tibbitts Road, about a potential retention pond on Foxcroft Road.

Hydroseeding and Machine

Upon presentation of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Reynolds; seconded by Councilman Cittadino:

(RESOLUTION NO. 440 OF 2018)

RESOLVED, that Town Board of the Town of New Hartford does hereby set the rate for Hydro Seeding at .10 cents per square foot for FEMA reimbursement and for any other projects which call for reimbursement (“charge back”).

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Sale of Landlocked parcel #317.000-1-15

Councilman Messa introduced the following Resolution for adoption, seconded by Councilman Cittadino:

(RESOLUTION NO. 441 OF 2018)

WHEREAS, the Town having no use of the 32-acre landlocked vacant parcel near the railroad tracks and the Sanger Public Works Garage, with no access to the Rayhill Memorial Trail; tax map number 317.000-1-15 and;

WHEREAS, the Town has received an offer that was “in- line” with the appraisal done by Donato Real Estate;

BE IT RESOLVED, that the Town Board does hereby go forward with the sale of the aforesaid land which would be subject to a permissive referendum.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Pre-Development Agreement – Special Metals Credit Union

Upon request of the Town Supervisor, the following resolution was introduced by Councilman Reynolds, and seconded by Councilman Cittadino:

(RESOLUTION NO. 442 OF 2018)

WHEREAS, Special Metals Credit Union has plans to add 900 square feet of pavement upon their property 4340 Middle Settlement Road (tax map number 328.000-2-63); and

WHEREAS, said Credit Union has paid the sum of \$666.00 and an additional 10% retainer;

BE IT RESOLVED, that Town Board approves the mitigation fees in said agreement and does hereby authorize the Town Supervisor to enter into and to execute the referenced pre-development agreement.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Pre-Development Agreement – Benderson Corporation

Upon request of the Town Supervisor, the following resolution was introduced by Councilman Cittadino, and seconded by Councilman Messa:

(RESOLUTION NO. 443 OF 2018)

WHEREAS, Benderson (Consumer Square) (Trahwen B LLC??? Tax map 317.013-3-23.62)

WHEREAS, said Corporation has paid the sum of \$16,441.80 and will deliver the required 10% retainer.

BE IT RESOLVED, that Town Board approves the mitigation fees in said agreement and does hereby authorize the Town Supervisor to enter into and to execute the referenced pre-development agreement.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Pre-Development Agreement – National Grid

Upon request of the Town Supervisor, the following resolution was introduced by Councilman Cittadino, and seconded by Councilman Messa:

(RESOLUTION NO. 444 OF 2018)

WHEREAS, National Grid -Niagara Mohawk has plans to add additional square footage to an existing structure located at 221 Campion Road, tax map number 329.010-2-1,

WHEREAS, National Grid has paid the sum of \$2,820.00 in mitigation fees, and an additional 10% retainer.

BE IT RESOLVED, that Town Board approves the mitigation fees in said agreement and does hereby authorize the Town Supervisor to enter into and to execute the referenced pre-development agreement.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

Director of Personnel: Sexual Harassment Policy - Update

Councilman Woodland proposed the following Resolution for adoption, seconded by Councilman Cittadino.

(RESOLUTION NO. 445 OF 2018)

WHEREAS, New York State has updated the sexual harassment policies and;

WHEREAS, the Town must have the new policy in place and training completed by all Town employees by October of 2019;

BE IT RESOLVED that the New Hartford Town Board does hereby adopt the updated sexual harassment policies set forth by New York State in the Town of New Hartford and distinguishes the Town Supervisor as the coordinator (lead).

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Change order Sherrillbrook Park

Upon presentation of the Town Supervisor, Councilman Messa proposed the following Resolution for adoption, seconded by Councilman Cittadino.

(RESOLUTION NO. 446 OF 2018)

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor to sign the change order with Weathertite Fencing, extending the fence that is being built around the playground at the Sherrillbrook Park. Total Cost of the fence would be brought to \$7,468.00.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

Discussion on 2019 Tentative Budget

Police Chief discussed the increase in volume of the New York Mills calls due to the village of New York Mills no longer having “24/7” manpower, which therefore leads to the New Hartford Town Police Department to assist and answer calls within the Town’s part of New York Mills. The Police Chief questioned whether the residents of New York Mills be taxed to compensate the large influx of calls attended by the New Hartford Police Department. The Town Attorney, along with the Police Chief, Supervisor Miscione, Finance Director Dreimiller, Personnel Director Schwentzfeier, and Cathy Lawrence; had a lengthy discussion on if the Village of New York Mills had ever been taxed for Police Services before, how a tax rate could be calculated etc.

Councilman Cittadino:

- Had question involving where the monies were coming from for the Highway Part Town – The Finance Director answered that it was mostly coming through Sales Tax.

Councilman Messa:

- Has nothing to add.

Councilman Woodland:

- Animal Control Officer need 34,000 to replace old failing vehicle
- Police Department is asking for \$20,000 added into the equipment budget as the Police Department is now mandated to videotape any felony police interrogation or interview, they only have two rooms currently that they can conduct these interviews in. New system would include 9 cameras, that would be backed up on a hard-drive.
- \$15,000 added to the Police Overtime budget, the way the budget is currently set up they are “set to fail”.

Councilman Reynolds

- Healthcare increases are “out of sight”, ... “a lot of money”.
- Add in a stove and refrigerator for the Senior Center about \$12,000.

Supervisor Miscione:

- Drainage account- move to Highway Part Town instead of Whole Town.
- For clarification, highway whole town revenues, fund balance, last year the Board put in \$65,000 for a bridge (in New York Mills) that was not spent; contractual encumbrance.
- DB51404 put in budget at \$35,000 for brush and leaves for Highway, so they can have a few extra weeks available in October. He did not add in anything for trees or for the memorial park (algaecide clean up).

Councilman Messa:

- On page 2 of 8, questions under personnel, had been given raises (In 2018) for internet and work within the Supervisors office.
- Buildings Personal Services (pg 3 of 8) budget went up from 24,500 to 40,500, was a parks employee that is now part of the Highway Department, he is being used for Buildings and Grounds to take care of the new Town Hall etc. no increase in salary, the difference came out of the Parks budget.
- Raise for Highway – Sewer improvements and upgrades

Councilman Reynolds:

- Fire Districts 1 and 2, talked to the Finance Director, the current rate is 0.7769 and is asking 0.8033 which is a 2% rate increase.

2019 Tentative Budget adopted as 2019 Preliminary Budget

The following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Messa:

(RESOLUTION NO. 447 OF 2018)

RESOLVED that, in accordance with Town Law, Section 106, the New Hartford Town Board does hereby approve/adopt the Tentative Budget for 2019 as the Preliminary Budget for 2019, including special districts, with the following changes:

FUND	ACCOUNT	AMOUNT	REASON FOR CHANGE
General W/T	AA3510.02	\$34,000	To purchase animal control vehicle.
General W/T	AA6772.02	\$12,000	To purchase refrigerator/stove for Senior Center
Police	BP3120.02	\$20,000	To purchase required surveillance camera/equipment
Police	BP3121.1	\$15,000	Additional overtime required
	BP9030.08	\$1,200	Social Security tax for increase in overtime
Highway P/T	DB5140.04	\$5,000	Additional weed & brush expense
Highway P/T	DB5110.60	\$30,000	Move drainage acct from General W/T
General W/T	AA8540.04	(\$30,000)	Move drainage acct from Highway P/T
Fire 1 & 2	SF3410.41	<u>\$22,000</u>	2% rate increase requested
	Total:	\$109,200	

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

2019 Preliminary Budget Hearing Scheduled

Councilman Woodland moved the adoption of the following Resolution, which was seconded by Councilman Messa:

(RESOLUTION NO. 448 OF 2018)

RESOLVED that the Town Board of the Town of New Hartford will conduct Public Hearings to commence at 6:00 P.M., or as soon thereafter as reached in the regular course of business, on Wednesday, October 24, 2018, in Butler Memorial Hall, 48 Genesee Street in said Town, and be it

FURTHER RESOLVED, that the said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Notices of Public Hearing in The Observer Dispatch; and, in accordance with Town Law, Section 106.(4) [Preparation filing and review of tentative and preliminary budgets], sub-paragraph 4, the Town Board does hereby direct the Town Clerk to make twenty-five (25) copies of the 2019 Preliminary Budget for public distribution and to post said document on the Town's website.

Upon roll call, the Board voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Messa and seconded by Councilman Reynolds the meeting was adjourned at 7:01 P.M.

REGULAR TOWN BOARD MEETING

October 10, 2018

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Respectfully submitted,

Allison Adams
Deputy Town Clerk II

Gail Wolanin Young
Town Clerk