

SPECIAL MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE TOWN HALL, 8635 CLINTON STREET
IN SAID TOWN ON THURSDAY, JANUARY 24, 2019
AT 5:30 P.M.

Town Supervisor Paul Miscione called the meeting to order at 5:30 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 Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul Miscione

OTHER TOWN OFFICIALS PRESENT:

Director of Finance Daniel Dreimiller
Highway/Sewer Superintendent Richard Sherman
Human Resource Office Barbara Schwenzfeier
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young
Deputy Town Clerk II Allison Adams.

The purpose of the Special Town Board meeting is to discuss acquisition of land and various bonding matters. Supervisor Miscione has been in negotiations involving side property (adjacent to the new Town Hall) which would provide additional parking for employees and the general public. This would involve making decisions tonight on bond issues.

Executive Session

Councilman Lenart introduced the following resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 46 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby to enter into an Executive Session for the purpose of discussing the acquisition of real property where publicly disclosing negotiations would substantially affect the Town's ability to purchase it.

A roll call vote ensued:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. The Executive Session began at 5:35 P.M.

End of Executive Session

Councilman Reynolds then offered the following Resolution for adoption and Councilman Lenart seconded same:

(RESOLUTION NO. 47 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby move to end its Executive Session and to reconvene the regular portion of the Town Board meeting.

The Board members voted upon roll call that resulted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. The Executive Session ended at 6:13 P.M.

Fireworks – 4th of July

Upon request of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Messa:

(RESOLUTION NO. 48 OF 2019)

WHEREAS, the Town has budgeted for fireworks in the 2019 Budget;

BE IT RESOLVED, that the New Hartford Town Board does hereby authorize bids to be received for a fireworks display in the Sherrillbrook Park for the 4th of July celebration.

A roll call vote ensued:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**.

Electric Vehicle Charging Stations

The Town Supervisor passed to the Town Clerk the electric vehicle charging station documents to go out to bid.

Accounting software

The Town Supervisor reviewed the new accounting software which has been installed, explaining the process and responsibility of department heads, bookkeeper and himself ...”it’s like three (3) people looking at expenses all the time”. The system will not allow overages and prompts for budget transfers and/or adjustments. Upon request of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Lenart:

(RESOLUTION NO. 49 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby designate Bookkeeper Lisa Smigle as the final sign-off on vouchers where services/products have been received.

The Board members voted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**.

Proposed Land Acquisition adjacent to new Town Hall

The Town Supervisor then discussed land acquisition of property on one side of the Town’s new Town Hall at 8635 Clinton Street in The Orchard plaza. Appraisal of the 2.2 acre site was \$900,000 to \$1.29 million. The acreage would provide about 300 additional parking spaces in front and back of the existing land owned by the Town. The purchase price negotiated with developer Larry Adler is \$350,000. Mr. Adler also asked for \$150,000 in future mitigation fees for future development, or whatever additional amount on his appraisal for a donation of the land. Mr. Adler has already gone before the Town Planning Board.

Upon recommendation of the Town Supervisor, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 50 OF 2019)

RESOLVED, that the Town Board of the Town of New Hartford does hereby agree to proceed with the purchase of the 2.2 acres of adjacent property currently owned by the Adler Group for the sum of \$350,000, with a credit of \$150,000, to be used as against future mitigation fees, because the GEIS does provide for contributions and donations in-kind to off-set mitigation fees, and the balance to be considered as equity. Further, this Resolution is subject to a formal agreement being put together as a sign-off from any lending institution that may have alien against the property. This Resolution is subject to permissive referendum.

A roll call vote was duly held as follows:

| | | |
|---------------------|---|---|
| Councilman Messa | - | Nay |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | ABSTAINED, because he negotiated the matter and is in the real estate business. |

Thereafter, the Resolution was declared carried with a 3 – 1 vote and 1 abstention.

Bonding

The Town Supervisor lead a lengthy conversation as to advantages of consolidating existing bond issues, and bonding for new purposes such as updating aged skating rink equipment, paving roads, updating existing community center kitchen equipment, and land acquisition. Meanwhile, the Town Attorney reviewed four (4) proposed bond resolutions that had been prepared by Thomas Myers, Bond Attorney, from New York City.

Food Truck Vendors – Sherrillbrook Park

Councilman Woodland has been contacted by food vendors who wish to renew their peddler permits for 2019 in Sherrillbrook Park with a change in weekday for operation. The following Resolution was thereafter offered for adoption by Councilman Woodland and duly seconded by Councilman Lenart:

(RESOLUTION NO. 51 OF 2019)

WHEREAS, by Local Law No. 4 of 2018, the New Hartford Town Board authorized the operation of Food Trucks in Sherrillbrook Park;

BE IT RESOLVED, that the Town Board does hereby approve the operation of said Food Trucks in the Sherrillbrook Park, on Tuesdays beginning May 7, 2019, and ending September 10, 2019, provided they meet the requirements defined in Section 1 of said Local Law No. 4 of 2018, and also obtain a permit from the Town Clerk’s Office.

The Board members voted by roll call:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

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

Upon motion of Councilman Woodland, seconded by Councilman Lenart, the following Resolution was presented for adoption:

(RESOLUTION NO. 52 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby authorize the eight (8) to ten (10) vendors that operate Farmer’s Markets to do so in Sherrillbrook Part on Tuesdays beginning May 7, 2019 and ending September 10, 2019. These vendors operate during the day, not into the early evening hours.

A roll call vote was held, resulting as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

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

Various Bond Matters – Town Attorney review complete

Community Center Kitchen Equipment:

The following Resolution was offered by Councilman Reynolds, who moved its adoption, seconded by Councilman Woodland, to wit:

(BOND) RESOLUTION NO. 53 OF 2019)

A RESOLUTION AUTHORIZING THE PURCHASE OF COMMUNITY CENTER KITCHEN EQUIPMENT IN AND FOR THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$75,000, AND AUTHORIZING THE ISSUANCE OF \$ 75,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town of New Hartford, Oneida County, New York, as follows:

Section 1. The purchase of community center kitchen equipment in and for the Town of New Hartford, Oneida County, New York, including incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$75,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$75,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of New Hartford, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in The Observer Dispatch, which is hereby designated as the official newspaper for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

The Resolution was thereupon declared duly **ADOPTED**.

Ice Chiller for Skating Rink

The following resolution was offered by Councilman Woodland, who moved its adoption, seconded by Councilman Reynolds, to-wit:

(BOND) RESOLUTION NO. 54 OF 2019

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF AN ICE CHILLER FOR THE SKATING RINK IN AND FOR THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$325,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$325,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of New Hartford, Oneida County, New York, as follows:

Section 1. The purchase and installation of an ice chiller for the skating rink in and for the Town of New Hartford, Oneida County, New York, is hereby authorized, subject to permissive referendum, at a total maximum estimated cost of \$325,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$325,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of New Hartford, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain

substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in The Observer Dispatch, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

The Resolution was thereupon declared duly **ADOPTED**.

Road reconstruction/resurfacing

The following resolution was offered by Councilman Woodland, who moved its adoption, seconded by Councilman Messa, to-wit:

(BOND) RESOLUTION NO. 55 OF 2019

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$440,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$440,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of New Hartford, Oneida County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, in and for the Town of New Hartford, Oneida County, New York, is hereby authorized, subject to permissive referendum, at a total maximum estimated cost of \$440,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$440,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of New Hartford, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00

of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in The Observer Dispatch, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

The Resolution was thereupon declared duly **ADOPTED**.

Land Acquisition

The following resolution was offered by Councilman Reynolds, who moved its adoption, seconded by Councilman Lenart, to-wit:

(BOND) RESOLUTION NO. 56 OF 2019

A RESOLUTION AUTHORIZING THE PURCHASE OF LAND ADJACENT TO TOWN HALL FOR FUTURE MUNICIPAL USE IN AND FOR THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$350,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$350,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of New Hartford, Oneida County, New York, as follows:

Section 1. The purchase of land adjacent to Town Hall for future municipal use in and for the Town of New Hartford, Oneida County, New York, is hereby authorized, subject to permissive referendum, at a total maximum estimated cost of \$350,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$350,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of New Hartford, Oneida County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in The Observer Dispatch, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Nay |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

The Resolution was thereupon declared duly **ADOPTED**.

Public Comment

Jim Lawrence and Ms. Reilly engaged in discussion with the Town Board and Town Attorney about the bonding issues and thanked them for their interest; the Town Attorney will get back to Mr. Lawrence on several questions he raised.

SEQR – Lead Agency

Upon recommendation of the Town Attorney, the following Resolution was introduced for adoption by Councilman Messa and seconded by Councilman Woodland:

(RESOLUTION NO. 57 OF 2019)

RESOLVED, that the Town of New Hartford does hereby declare itself as Lead Agency pursuant to SEQR for the purposes of bonding and the acquisition of real property, and to send out these matters to all interested agencies.

A roll call vote ensued:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

The Resolution was thereupon declared duly **ADOPTED**.

Budget Adjustment

Upon request of the Director of Finance, the following Resolution was offered for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 58 OF 2019)

RESOLVED, that the Town Board does hereby authorize a \$1.00 budget adjustment with Highway Part-town accounts DB5130 and DB2650, in order to pay an invoice.

The Town Board members voted as follows:

| | | |
|---------------------|---|------|
| Councilman Messa | - | Aye |
| Councilman Lenart | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Miscione | - | Aye. |

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

ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilman Messa and seconded by Councilman Woodland, the meeting was adjourned at 7:35 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk