

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT 8635 CLINTON STREET, NEW HARTFORD, NY ON
WEDNESDAY, JULY 17, 2019, 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 Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

ABSENT:

Councilman James J. Messa

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Deputy Supervisor Anthony Trevisani
Codes Enforcement Officer Joseph Booth
Codes Enforcement Officer Lawrence "Lary" Gell
Finance Director Daniel Dreimiller
Highway/Sewer Superintendent Richard C. Sherman
Human Resource Department Barbara Schwenzfeier
Police Chief Michael S. Inserra
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young
Deputy Town Clerk II Allison Adams

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

PRESENTATIONS:

New York State Power Authority:

Supervisor Miscione reminded the Town Board that the New York State Power Authority is here tonight about the prospective upgrades to the ice chilling system at the Recreation Center, the pricing has gone up and the NYS Power Authority has come before the Board to discuss options that the Town has. Mr. McQuinn spoke about the initial estimated project cost, and how it differed after the project had gone out to bid. There is a difference of \$123, 938.00. Supervisor Miscione has no issue with the cost of the contractor, his problem is the percentage for Project Management. The cost of Project Management has increased by 30%, Mr. McQuinn explained that it is an amount based on the percentage of construction costs, this is an established percentage for all NYSPA customers or projects. Supervisor Miscione questioned if the project would be lower in the wintertime than in the summer while contractors are so busy. Mr.

McQuinn said he couldn't speak for the contractors, but if the project was to be completed by the start of the season than they didn't have the time to rebid the project. Councilman Reynolds questioned what the Power Authority did for the Town, Mr. McQuinn answered that the NYSPA takes the project through concept and design, and the bidding process. A discussion followed outlining the breakdown of the costs of the projects and where the Town could be potentially saving money. Mr. McQuinn also outlined a cost savings of \$8,600 annual electrical savings and \$10,000 in annual maintenance based on the current age of the system. Supervisor Miscione addressed the Board with the projected savings amount and figured a \$36,000 increase on top of the 350,000 Bond that was taken out in the beginning of 2018 for this project.

Therefore, after the discussion, Councilman Reynolds offered the following Resolution for adoption, seconded by Councilman Lenart:

(RESOLUTION NO. 221 OF 2019)

BE IT RESOLVED, that the Town Board authorizes the allocation of an additional \$34,000 for the upgrades by the New York State Power Authority to the Recreation Centers ice chiller. This fee is additional to the \$350,000 bond that was issued in 2019 for the same project.

The Resolution was voted upon by roll call as follows:

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**

June 17, 2019 Town Board meeting

Councilman Lenart introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 222 OF 2019)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Special Town Board meeting held June 17, 2019 and does further waive the reading of same.

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	ABSENT
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

June 12, 2019 Town Board meeting

Councilman Woodland introduced the following Resolution for adoption, seconded by Councilman Lenart:

(RESOLUTION NO. 223 OF 2019)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held June 12, 2019 and does further waive the reading of same.

The Resolution was voted upon by roll call as follows:

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

PUBLIC HEARING

6:33 P.M. Local Law Introductory "K" of 201

Zoning

The Town Supervisor then opened the Public Hearing at 6:33 P.M., in the matter of Local Law Introductory "K" of 201. [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.]

Codes Enforcement Officer Joseph Booth explained that the flooding fee is already in place but it is being moved into another category and that the main fee change is the renovation fee for building projects.

There being no one further to speak in the matter, the Public Hearing was declared closed at 6:34P.M.

Thereafter, Councilman Reynolds moved, and Councilman Woodland seconded that Local Law Introductory "K" of 2018 be adopted as Local Law No. Three of 2019 in the following format:

Local Law No. Three of 2019

Town of New Hartford, NY

A Local Law to amend the Code of the Town of New Hartford, Chapter 118 there entitled Zoning. Section 118-140C. Fee Schedule, by adding new fee types and/or by increasing some existing fees.

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

SECTION 1. Chapter 118 (Zoning) of the Code of the Town of New Hartford, Section 118-140C. Fee Schedule (1) and (2) by increasing some existing fees and/or adding few fee types, as follows:

- (a) Residential
Change fee: Solar \$.10 per square foot of array
- (b) Multifamily
Change fee: Solar \$.10 per square foot of array
- (c) Commercial
Change fee: Review and/or inspection fee alterations, miscellaneous work \$200 minimum or \$.50 per square foot.
Change fee: Solar \$.10 per square foot of array
- (2) Miscellaneous
Flood Development Fee - \$100

SECTION 2. All other provisions 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 take effect immediately upon filing with the Secretary of State.

Upon roll call, the Board members voted as follows:

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

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

PRESENTATION/COMMENTS

Allen Handelman- Conifer Realty- Mr. Handelman would like to assess the Town Board's interest in a particular housing project on Woods Road that would require a PD Overlay. The proposed site is located on Woods Road adjacent to Seneca Turnpike. The site is approximately 48 acres, their proposal is to develop the northern half as a residential development of no more than 72 units. It is currently zoned as a C1 and they would have to establish a Residential Planned Development District Overlay which requires Town Board approval. A fully engineered site plan is required for approval, Conifer Realty wishes to gauge the Town Boards interest and

introduce themselves. They are proposing 1, 2- and 3-bedroom apartments in 8 plex buildings. There are currently no plans for the southern portion that has frontage on Seneca Turnpike and the zoning there would stay intact. Attorney Cully mentioned that for the overlay there needs to have unique aspects, Mr. Handelman answered that there will be walking trails, recreation and playground areas along with high quality design and management.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE:

Zoning and Planning Committee

Vacancy Zoning Board

It was the decision of the Town Board to defer appointment of the vacancy on the Zoning Board until there was a full Town Board present.

Finance Director:

Audit of Vouchers

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 224 OF 2019)

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:

RECORD OF CLAIMS #1

#'s 1054-1055; 1057-1058; 1060-1062

A600	\$8,327.81
B600	\$ 395.82
BP600	\$4,463.40
SS600	\$2,577.10
TA600	\$1,115.49

RECORD OF CLAIMS TOTAL #1 \$16,879.62

RECORD OF CLAIMS #2

#'s 1063-1064; 1081-1260

A600	\$60,365.59
B600	\$ 7,234.37
BP600	\$65,037.50
DA600	\$ 1,776.98
DB600	\$95,669.30
HPE600	\$ 1,128.00
HV600	\$96,845.46
SL600	\$ 8,080.21

SS600	\$14,213.64
TA600	\$ 17,254.41

RECORD OF CLAIMS TOTAL #2	\$367,605.46
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RECORD OF CLAIMS #3

#'s 10651080

CF600	\$1,128.10
CS600	\$5,999.04

RECORD OF CLAIMS TOTAL #3	\$7,127.14
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GRAND TOTAL #1 & 2 & 3	\$391,612.22
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Along with a \$1,000-dollar invoice for the reimbursement of the New York Mills Senior Center that was not included with the Abstracts.

The Town Board then voted upon roll call:

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

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

2019 Budget Adjustments

On behalf of Director of Finance Daniel Dreimiller, Supervisor Miscione submitted several budget adjustments for approval. Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Lenart:

(RESOLUTION NO. 225 OF 2019)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting department to make the following 2019 Budget adjustments:

GENERAL WHOLETOWN

<u>Expense</u>	<u>Current</u>	<u>Proposed</u>	<u>Increase</u>	<u>Explanation</u>
<u>Account Description</u>	<u>Budget</u>	<u>Budget</u>	<u>(Decrease)</u>	
	<u>Amount</u>	<u>Amount</u>		
Fireworks				To transfer unused fireworks \$\$ to

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A-7110.44	\$7,500	\$0	(\$7,500)	Contractual Acct.
Parks Contractual A-7110.04	\$70,000	\$77,500	\$7,500	To transfer unused fireworks \$\$ to Contractual Acct.
Total Expense Adjustment			\$0	

Revenue

Total Revenue Adjustment **\$0**

The Town Board then voted upon roll call:

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

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

Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Woodland:

(RESOLUTION NO. 226 OF 2019)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting department to make the following 2019 Budget adjustments:

GENERAL WHOLETOWN

Expense	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
Account Description				
Parks Maint. Worker A-7110.15	\$36,130	\$14,991	(\$21,139)	To transfer remaining funds for retiree to Parks Seasonal
Parks-Seasonal A-7110.14	\$40,000	\$61,139	\$21,139	To transfer remaining funds for retiree to Parks Seasonal
Total Expense Adjustment			\$0	

Revenue

Total Revenue Adjustment **\$0**

The Town Board then voted upon roll call:

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

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

Councilman Lenart moved the adoption of the following Resolution; seconded by Councilman Woodland:

(RESOLUTION NO. 227 OF 2019)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting department to make the following 2019 Budget adjustments:

GENERAL WHOLETOWN

<u>Expense</u>	<u>Current Budget Amount</u>	<u>Proposed Budget Amount</u>	<u>Increase (Decrease)</u>	<u>Explanation</u>
Contractual- Senior Center A-6772.4	\$15,500	\$17,000	(\$1,500)	For donation received from CDPHP for Senior Center
		Total Expense Adjustment	\$1,500	
<u>Revenue</u>				
Donations – Senior Center A-2705.1	\$100	\$1,600	\$1,500	For donation received from CDPHP for Senior Center
		Total Revenue Adjustment	\$1,500	

The Town Board then voted upon roll call:

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

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

2018 Town Justice Review Report

In accordance with Section 2019-a of the Uniform Justice Court Act, which requires the review of the Town’s Justice Court funds and accounts, Finance Director Dreimiller had examined the Town of New Hartford’s Justice Court records for the year **2018**. In conducting this review/

examination, he followed the program prescribed by the NYS Comptroller's Office in **Appendix 10 of the Justice Court Handbook.**

The following areas were reviewed and/or examined for the year **2018**:

1. **Cash Receipts Book**, including deposit testing and reconciliations
2. **Cash Disbursement Book**, including check testing
3. **Review of Monthly Bank Reconciliations**
4. **Review of Dockets and Case Files**
5. **Reporting to the Division of Criminal Justice Services**
6. **Reporting to the Justice Court Fund**
7. **Reporting to the Department of Motor Vehicles- TSLED Program**

No major exceptions or issues were noted during the review/ examination of the above areas for the year **2018**. In conclusion, the Town of New Hartford's Justice Court System appears to be in compliance with the NYS Comptroller's Justice Court Handbook and appears to be operating effectively and efficiently for the year reviewed.

The following Resolution was offered for adoption by Councilman Woodland and duly seconded by Councilman Reynolds:

(RESOLUTION NO. 228 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby accept the Director of Finance annual review of the Town of New Hartford Town Justice Court funds and accounts for calendar year 2018.

The Town Board then voted upon roll call:

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

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

Fund Balance Policy

On recommendation of Director of Finance Daniel Dreimiller, Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Woodland:

(RESOLUTION NO. 229 OF 2019)

WHEREAS, the Town Board of the Town of New Hartford hereby establishes a Fund Balance Policy to maintain a minimum unassigned General Fund Balance level of 15-25 % of the current

operating expenditures, if it falls below the minimum amount management would propose a plan to the Town Board to replenish the minimum Fund Balance within the two seceding years.

The Town Board then voted upon roll call:

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

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

Tax Certiorari Reserve Account Transfer

In 2016 the Town Board set up a “Reserve Account” as a Board designated fund that set aside money for Tax Certiorari’s that is now not anticipated to be used in the near future.

Upon recommendation of the Town Supervisor, Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Lenart:

(RESOLUTION NO. 230 OF 2019)

RESOLVED, that the Town Board does hereby authorize the transfer of approximately \$50,000.00 from the Tax Certiorari Reserve account, into the Debt Service Fund.

The Town Board then voted upon roll call:

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

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

Liquor License Application-Thrive Athletic Park

After discussion the Town Board has chosen to defer motion of the Liquor License application for Thrive Athletic Park until Codes Enforcement Officer Joseph Booth, and Chief of Police Michael Inserra can investigate.

Bid Results – Chenango Road Bridge Repair/ Sauquoit Creek Scour

The following bids were received July 16, 2019 for the Chenango Road Bridge/ Sauquoit Creek Scout Protection project:

<i>Tioga Construction Company</i>	<i>\$262,000.00</i>
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Central New York Construction, Inc. \$257,000.00

The Town Board was informed that the Bid from Tioga Construction Company was not submitted with the Acknowledgement of Addendum No. One and was declared defective. The Town Board was also notified that the Bid from Central New York Construction, Inc. was not submitted with the entire Bid Packet, as required; and therefore, declared defective.

Authorization to Re-Bid Chenango Road Bridge Repair/Sauquoit Creek Scour

Upon recommendation of the Highway Superintendent, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 231 OF 2019)

RESOLVED, due to the incomplete and insufficient Bids received by the Town Clerk, the Town Board does hereby authorize a re-bid of the Chenango Road Bridge/ Sauquoit Creek Scour Protection project at the earliest possible date.

The Resolution was voted upon by roll call, as follows:

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

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

Updates on Projects around the Town

Milling Update: Highway Superintendent Richard Sherman informed the Board that all of the roads projected to be milled have been completed including; Clintonview Boulevard, Evalon Road, Lloyds Lane, Neal's Gulf Road, Grange Hill Road and Butler Road. The paving is expected to start July 24, 2019.

Special Metals Remediation/Middle Settlement Road:

Attorney Cully informed the Board that the permit held by Special Metals for the Remediation on Middle Settlement Road is due to expire August 1st, 2019 and the Department of Environmental Conservation wishes to confirm the Town Board is aware of the expiration and is in support of the remediation work being done. Supervisor Miscione stated that he did not want to return the permit at this time due to the grant from Oneida County. If the land isn't remediated properly by Special Metals, then the Town will bear the cost of any future remediation of that land.

Woodberry Headwall Move: Attorney Cully had submitted additional information to the State, Highway Superintendent Sherman stated that they [the State] wants a different drawing than the

one submitted and an engineering report. Attorney Cully questions if there is an appeals process where the Town could object to having to bear the cost of an Engineering Report.

Easement on Foxcroft Road: Highway Superintendent Sherman was intending to dig test sites on the proposed property, and the crew was met with access restrictions from residents in the area. There is a new proposed access point off of Rollingwood Drive, Attorney Cully will contact the Pearce Family about the new proposed access plan.

Establishment of a Clerk of the Works

Councilman Reynolds offered the following Resolution for adoption, Seconded by Councilman Lenart:

(RESOLUTION NO. 232 OF 2019)

BE IT RESOLVED, that the Town Board of the Town of New Hartford hereby requires that the Planning Board of the Town of New Hartford ensures that proper supervisory services are rendered by an Engineer in order to regularly inspect and verify the accuracy of the construction.

The Town Board then voted upon roll call:

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

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

Mitigation Fees- Aldi's

Upon recommendation of the Town Supervisor, Councilman Reynolds offered the following Resolution for adoption, Seconded by Councilman Lenart:

(RESOLUTION NO. 233 OF 2019)

BE IT RESOLVED that the calculated fees in lieu of mitigation for the extension of square footage for the Aldi's Development 8432 Seneca Turnpike, are in the following amounts:

Improvement

Highway -	Commercial per sq. ft. bldg.	\$655.20
	Per Peak Hr. Trip	\$745.00
Land Use -	Per Sq. Ft. Bldg. Area	\$655.20
	Per Sq. Ft. Bldg. Impervious Area	-\$360.15
Domestic Water -	Per Sq. Ft. Bldg. Area	\$1,179.36
Stormwater and Wetland Management	Commercial Area	\$3,070.08

	Other- Impervious Area	-\$407.36
Police-	Per Sq. Ft. Bldg Area	\$18.72
	TOTAL	\$5,556.05

The Town Board then voted upon roll call:

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

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

Mitigation Fees – Well Now/ Aspen Dental

Upon recommendation of the Town Supervisor, Councilman Lenart offered the following Resolution for adoption, Seconded by Councilman Reynolds:

(RESOLUTION NO. 234 OF 2019)

BE IT RESOLVED that the calculated fees in lieu of mitigation for the extension of square footage for the Well Now Development (Aspen Dental) – 4752-4754 Commercial Drive, are in the following amounts:

Improvement

Highway -	Commercial per sq. ft. bldg.	\$504.00
	Other – Peak Per Hr. Trip	\$745.00
Land Use -	Area	\$504.00
	Impervious area	\$20,628.30
Domestic Water -	Per Sq. Ft. Bldg.	\$907.20
Stormwater and Wetland Management	Commercial Area	\$2,361.60
	Other- Impervious Area	\$22,396.44
Police	Per Sq. Ft. Bldg. Area	\$14.40
	TOTAL	\$48,060.94

The Town Board then voted upon roll call:

Councilman Messa	-	ABSENT
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye

Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

Mitigation Fees – Woods Park Drive

Upon recommendation of the Town Supervisor, Councilman Reynolds offered the following Resolution for adoption, Seconded by Councilman Lenart:

(RESOLUTION NO. 235 OF 2019)

BE IT RESOLVED that the calculated fees in lieu of mitigation for the extension of square footage of building and impervious area for the Woods Park Drive, financial building are in the following amounts:

Improvement

Highway -	Commercial per sq. ft. bldg.	\$2,450.00
Land Use -	Area	\$2,450.00
Domestic Water-	Per sq. ft. bldg.	\$4,410.00
Stormwater and Wetland		
Management -	Commercial Area	\$11,480.00
	Other- Impervious Area	\$5,890.00

TOTAL	\$26,680.00
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The Town Board then voted upon roll call:

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

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

Mitigation Fees – Yahnundasis Golf Club

Upon recommendation of the Town Supervisor, Councilman Reynolds offered the following Resolution for adoption, Seconded by Councilman Lenart:

(RESOLUTION NO. 236 OF 2019)

BE IT RESOLVED that the calculated fees in lieu of mitigation for the Yahnundasis Golf Club- 8639 Seneca Turnpike, to erect a replacement golf cart shed, are in the following amounts:

Improvement

Highway -	Commercial per sq. ft. bldg.	\$140.00
Land Use -	Area	\$140.00
Stormwater and Wetland		
Management	Commercial Area	\$656.00
	Other- Impervious Area	\$152.00

TOTAL \$1,088.00

The Town Board then voted upon roll call:

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

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

Agreement 2019-20 School Safety Officer

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

(RESOLUTION NO. 237 OF 2019)

RESOLVED, that the New Hartford Town Board does hereby authorize the Town Supervisor to enter into and to execute the 2019-20 Agreement for Services New Hartford Central School Safety Officer Agreement with New Hartford Central School, at no cost to the Town of New Hartford.

BE IT ALSO RESOLVED, that the New Hartford Town Board does hereby authorize the Town Supervisor to enter into and to execute the 2019-20 Agreement for Services, by and between the Town of New Hartford Police Department, New Hartford Central School District - Safe Schools/Healthy Students Initiative, at no cost to the Town of New Hartford. Said Agreement shall expire on June 26, 2020.

The foregoing Resolution was duly put to a vote upon roll call:

Councilman Messa	-	ABSENT
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

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

The Meadows PILOT Program – Phase 2

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

(RESOLUTION NO. 239 OF 2019)

WHEREAS, The Meadows Phase 1 under the PILOT program has been satisfactorily completed with 93 apartment units;

BE IT RESOLVED that the New Hartford Town Board does hereby acknowledge that Phase 2 of the referenced project with an additional 56 apartment units will commence under a PILOT program.

The foregoing Resolution was duly put to a vote upon roll call:

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

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

Local Law Introductory “D” of 2019

Attorney Cully has drafted the amendment to the Local Law – Parks, to prohibit smoking, vaping and e-cigarette use in the New Hartford Town Parks. Councilman Reynolds questioned if the Recreation Center should be covered. Attorney Cully stated that the New York State public Health Law smoking and vaping in specified indoor and outdoor public areas, including playground areas. He believes that the Recreation Center being used for youth activities it is covered under the Public Health Law. Attorney Cully will make any changes needed and a Public Hearing will be selected at the next meeting.

EXECUTIVE SESSION

Councilman Reynolds introduced the following Resolution for adoption and Councilman Woodland seconded same:

(RESOLUTION NO. 239 OF 2019)

RESOLVED that the New Hartford Town Board does hereby move to enter into Executive Session to discuss the pending K-Mart (tax map number 328.008-1-3) tax certiorari proceeding.

The Resolution was voted upon by roll call as follows:

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

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. The Town Board, along with the Town Attorney, excused themselves from the Board room at 7:44 P.M. for the Executive Session.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 240 OF 2019)

RESOLVED that the New Hartford Town Board does hereby move to end its Executive Session at 7:56 P.M. and to reconvene the regular portion of the Town Board meeting.

The Resolution was voted upon by roll call as follows:

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

Thereafter, 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 Woodland and seconded by Councilman Reynolds, the meeting was adjourned at 7:58 P.M.

Respectfully submitted,

Gail Wolanin Young
Town Clerk

By:

Allison Adams

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Deputy Town Clerk II