

PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)
MARCH 8, 2017 at 6:00 P.M.
Butler Memorial Hall

I. MINUTES

- A. Incomplete (Feb 8, 2017)

II. PUBLIC HEARING (None)

III. PRESENTATIONS/COMMENTS (limited to 3 minutes)

IV. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

- A. Parks & Recreation Committee – Councilman Reynolds
 - a. Presentation by Mr. Casey Mastro, Energy Manager, NYS Power Authority, regarding energy study conducted at Recreation Center
- B. Zoning (Codes) & Planning Committee – Councilman Messa
 - a. Free Training for Joe Booth, Tom Rowlands, Tony Klimek
 - b. Comprehensive Plan Zoning Law change
- C. Public Works & Sewer Committee – Councilman Miscione
 - a. Bid Opening/Grange Hill Road drainage project
- D. Public Safety & Courts – Supervisor Tyksinski
 - a. Budget adjustment – Money received from DA Investigation
- E. Town Clerk Committee – Councilman Woodland
 - a. Update – Standard Work Day Resolution

V. MATTERS SUBMITTED BY COUNCILMEN/ATTORNEY/DEPUTY SUPERVISOR

- A. Councilman Messa
 - a. Matters for the Attorney
 - b. Resolution for Grange Hill project
- B. Town Attorney
 - a. Executive Session – World of Life Church litigation
 - b. Pending tax proceedings including Talkeetna and Community Foundation

VI. MATTERS SUBMITTED BY TOWN SUPERVISOR

- A. Financial Report
 - a. Audit of vouchers
 - b. Bond issues/Grange Hill Road and Tilden Ave
- B. Engineering contract

Next Town Board Meeting is April 12, 2017

Cunningham, John Carson

From: Young, Gail
Sent: Wednesday, March 01, 2017 9:55 AM
To: Booth, Joe; Cully, Herb; Cunningham, John Carson; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; James Messa; Lisa Smigle; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.
Subject: Agenda for March 8, 2017 Town Board meeting

In order to prepare the agenda for the March 8, 2017 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting.

Please check applicable statements:

No matters to be considered

Place the following on the Agenda:

① PRESENTATION BY MR. CASEY MASTRO, ENERGY MANAGER w/ N.Y.S. POWER AUTHORITY, REGARDING ENERGY STUDY CONDUCTED @ RECREATION CENTER

This information must be received in my office no later than 4:00 P.M. on Friday, March 2, 2017. DEPARTMENT HEADS – PLEASE REMEMBER THE NEW PROCEDURE -- TO DISCUSS YOUR MATTERS WITH YOUR STANDING COMMITTEE MEMBERS, THE CHAIRPERSON OF WHICH MUST SEND ME AN E-MAIL TO ADD YOUR ITEMS TO THE AGENDA.

IN ADDITION, DUE TO CHANGES IN STATUTE THAT BECAME EFFECTIVE FEBRUARY 2, 2012, REQUIRING THE POSTING OF THE AGENDA AND SUPPORTING DOCUMENTS ON THE TOWN'S WEBSITE, IT WILL BE NECESSARY FOR YOU TO FURNISH ME WITH BACKGROUND INFORMATION RELATED TO THE SUBJECT(S) YOU ARE PLACING ON THE AGENDA, INCLUDING BUT NOT LIMITED TO PROPOSED LEGISLATION, COMMUNICATIONS, ETC. IF YOU HAVE ANY QUESTIONS IN THIS REGARD, PLEASE CONTACT ME AT YOUR EARLIEST CONVENIENCE. I MUST ASK FOR YOUR COOPERATION IN SUPPLYING ME WITH THE DOCUMENTS BY THE THURSDAY DATE NOTED ABOVE, AS THIS CAN BE A TIME-CONSUMING TASK AND MUST BE ON THE WEBSITE PRIOR TO THE TOWN BOARD MEETING.

Thank you!

GWY:s

Young, Gail

From: James Messa
Sent: Friday, March 03, 2017 2:03 PM
To: Young, Gail
Subject: FW: Agenda for March 8, 2017 Town Board meeting

From: Young, Gail
Sent: Wednesday, March 01, 2017 9:54 AM
To: Booth, Joe; Cully, Herb; Cunningham, John Carson; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; James Messa; Lisa Smigle; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.
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Please check applicable statements:

No matters to be considered

Place the following on the Agenda:

- Codes, Zoning and Planning - Free seminar for Joe Booth, Tom Rowlands, and Tony Klimek training at Town of Marcy Hall - 8:00 am - 4:30pm counts as required training hours.
- Matters for the Attorney
- Resolution for Grange Hill Project
- Comprehensive Plan Zoning/Law change

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Thank you!

Young, Gail

From: Cully, Herb
Sent: Wednesday, March 01, 2017 3:19 PM
To: Young, Gail
Subject: RE: Agenda for March 8, 2017 Town Board meeting

executive session re: word of life litigation and pending tax proceedings including talkeetna and community foundation *

From: Young, Gail
Sent: Wednesday, March 01, 2017 9:54 AM
To: Booth, Joe; Cully, Herb; Cunningham, John Carson; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; James Messa; Lisa Smigle; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.
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Please check applicable statements:

_____ No matters to be considered

_____ Place the following on the Agenda:

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Thank you!

GWY:s

**BID OPENING FOR GRANGE HILL ROAD DRAINAGE SYSTEM
IMPROVEMENT PROJECT**

**MONDAY, MARCH 6, 2017, AT 11:00 A.M. IN THE
BUTLER MEMORIAL HALL COMMUNITY MEETING ROOM,
48 GENESEE STREET, NEW HARTFORD, NEW YORK**

PRESENT: Town Clerk Gail Wolanin Young, CMC/RMC
Deputy Clerk II Hannah Empey
Highway Superintendent Richard Sherman
Councilman James Messa
Chris Lawton of Barton & Laguidice

The Town Clerk commenced the Bid Opening for the Grange Hill Road Drainage System Improvement Project at 11:00 A.M., and had available the Proof of Publication in the Observer-Dispatch, and affidavit of posting on the Town Clerk Bulletin Board. Eight (8) individuals had picked up Bid Specifications and Five (5) bids were received.

Town Clerk Gail Wolanin Young then opened the following bids:

Bidder: North Country Construction
23892 US Route 11, Calcium, NY 13616

Bid Sheet
Non-Collusive Bidding Statement (signed)
Contract #1
(Items 900.01, 900.02, plus 697.03)
TOTAL BID: NO BID
Contract #2
(Summation of Item 900.3, plus 697.03)
TOTAL BID: \$594,000.00
Bid Bond of Five Percent (5%)

Bidder: ADHAN Piping Co., Inc.
1865 State Route 13, Cortland, NY 13045

Bid Sheet
Non-Collusive Bidding Statement (signed)
Contract #1
(Items 900.01, 900.02, plus 697.03)
TOTAL BID: \$425,401.00
Contract #2
(Summation of Item 900.3, plus 697.03)
TOTAL BID: NO BID
Bid Bond of Five Percent (5%)

Bidder: Marcy Excavation Services, LLC
2256 Broad Street, Frankfort, NY 13340

Bid Sheet

Non-Collusive Bidding Statement (signed)

Contract #1

(Items 900.01, 900.02, plus 697.03)

TOTAL BID: \$370,000.00

Contract #2

(Summation of Item 900.3, plus 697.03)

TOTAL BID: \$574,000.00

Bid Bond of Five Percent (5%)

Bidder: Murphy Excavating Corporation
9309 Chapman Road, New Hartford, NY 13413

Bid Sheet

Non-Collusive Bidding Statement (signed)

Contract #1

(Items 900.01, 900.02, plus 697.03)

TOTAL BID: \$504,156.00

Contract #2

(Summation of Item 900.3, plus 697.03)

TOTAL BID: \$710,067.00

Bid Bond of Five Percent (5%)

Bidder: D. H. Smith Co., Inc.
P.O. Box 293 Clayville, NY 13322

Bid Sheet

Non-Collusive Bidding Statement (signed)

Contract #1

(Items 900.01, 900.02, plus 697.03)

TOTAL BID: \$484,508.34

Contract #2

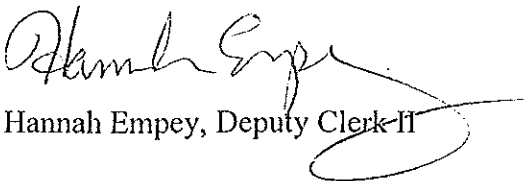
(Summation of Item 900.3, plus 697.03)

TOTAL BID: \$560,934.37

Bid Bond of Five Percent (5%)

The Bid Opening was adjourned at 11:15 A.M.

Very truly yours,


Hannah Empey, Deputy Clerk-II

Young, Gail

From: Michael S. Inserra <msi108@newhartfordpd.com>
Sent: Wednesday, March 01, 2017 11:45 AM
To: Young, Gail
Subject: RE: Agenda for March 8, 2017 Town Board meeting

Hi Gail

I would like to place the below request on the Town Board agenda. Supervisor Tyksinski has approved same. *

From: Young, Gail [mailto:gyoung@town.new-hartford.ny.us]
Sent: Wednesday, March 01, 2017 9:55 AM
To: Joe Booth; Herb Cully; John Carson Cunningham; Darlene Abbatecola; Dan Dreimiller; Michael S. Inserra; James Messa; Lisa Smigle; M. Eileen Spellman; Paul Miscione; New Hartford Supervisor; Reynolds, David M.; Richard Woodland Jr. (E-mail); Barb Schwenzfeier; Richard C. Sherman; Patrick M. Tyksinski
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Please check applicable statements:

_____ No matters to be considered

___XXX___ Place the following on the Agenda:

1 - The PD received a check from the Oneida County District Attorney's office in the amount of \$726.67 relative to an investigation where cash was seized and subsequently forfeited. The check was credited to revenue account BP2770.4 (seizures). I would like to request that the Town Board increase the PD expenditure account BP3120.4 by the same amount. *

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Thank you!

GWY:s



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A
 (Rev. 8/15)

BE IT RESOLVED, that the _____ / _____ hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

(Name of Employer) (Location Code)

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy- mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
Appointed Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

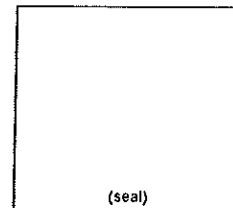
SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, _____, secretary/clerk of the governing board of the _____, of the State of New York,
 (Name of secretary or clerk) (Circle one) (Name of Employer)
 do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ day of _____, 20____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ on this _____ day
 of _____, 20____.
 (Signature of the secretary or clerk) (Name of Employer)

Affidavit of Posting: I, _____, being duly sworn, deposes and says that the posting of the
 (Name of secretary or clerk)
 Resolution began on _____ and continued for at least 30 days. That the Resolution was available to the public on the
 (Date)

- Employer's website at _____
- Official sign board at _____
- Main entrance secretary or clerk's office at _____



Young, Gail

From: Dreimiller, Dan
Sent: Monday, March 06, 2017 8:32 AM
To: Young, Gail
Subject: RE: Agenda for March 8, 2017 Town Board meeting
Attachments: GENERAL WHOLETOWN BUDGET ADJUSTMENT 3-8-17.pdf; POLICE BUDGET ADJUSTMENT 3-8-17.pdf

Gail,

I have two budget adjustments for the Board meeting. They are attached.

Thanks,

Dan

From: Young, Gail
Sent: Wednesday, March 01, 2017 9:55 AM
To: Booth, Joe; Cully, Herb; Cunningham, John Carson; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; James Messa; Lisa Smigle; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.
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TOWN OF NEW HARTFORD
 BUDGET ADJUSTMENTS
 BUDGET YEAR: 2017

MEETING DATE: 3/8/2017

GENERAL WHOLETOWN

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET AMOUNT	PROPOSED BUDGET AMOUNT	INCREASE (DECREASE)	EXPLANATION
EXPENSE					
CONTRACTUAL	AA1110.4	\$10,000	\$20,570	\$10,570	GRANT RECEIVED FROM JCAP (JUSTICE COURT ASSISTANCE PROGRAM) NOT BUDGETED FOR-APPLIED FOR BY KEVIN COPELAND
				\$0	
		TOTAL EXPENSE ADJUSTMENT		\$10,570	
REVENUE					
GRANT-JCAP	AA3990.1	\$0	\$10,570	\$10,570	GRANT RECEIVED FROM JCAP (JUSTICE COURT ASSISTANCE PROGRAM) NOT BUDGETED FOR-APPLIED FOR BY KEVIN COPELAND
		TOTAL REVENUE ADJUSTMENT		\$10,570	

TOWN OF NEW HARTFORD
 BUDGET ADJUSTMENTS
 BUDGET YEAR: 2017

MEETING DATE: 3/8/2017

POLICE						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET AMOUNT	PROPOSED BUDGET AMOUNT	INCREASE (DECREASE)	EXPLANATION	
EXPENSE						
CONTRACTUAL	8P3120.4	\$137,350	\$142,139	\$4,789	INSURANCE RECOVERIES RECEIVED FOR REPAIR OF POLICE CAR #47.	\$0
			TOTAL EXPENSE ADJUSTMENT	\$4,789		
REVENUE						
INSURANCE RECOVERIES	8P2680.0	\$0	\$4,789	\$4,789	INSURANCE RECOVERIES RECEIVED FOR REPAIR OF POLICE CAR #47.	
			TOTAL REVENUE ADJUSTMENT	\$4,789		

BOND RESOLUTION DATED MARCH 8, 2017.

A RESOLUTION AUTHORIZING THE GRANGE HILL STORMWATER PROJECT IN AND FOR THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$800,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$800,000 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 Grange Hill Stormwater Project in and for the Town of New Hartford, Oneida County, New York, including other improvements and costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$800,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$800,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 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.**

BOND RESOLUTION DATED MARCH 8, 2017.

A RESOLUTION AUTHORIZING THE TILDEN AVENUE ROAD PROJECT 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 reconstruction/resurfacing of Tilden Avenue in and for the Town of New Hartford, Oneida County, New York, including sidewalks, curbs, gutters, drainage, landscaping and other improvements and costs incidental thereto, is hereby authorized, subject to permissive referendum, at a 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 Law.

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 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.

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