

PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)
August 12, 2015 at 6:30 P.M.
Butler Memorial Hall

- I. **MINUTES**
 - A. July 8, 2015

- II. **PUBLIC HEARING**
 - A. 6:30 PM – Unsafe Building @1414 Ney Ave
Action by Town Board
 - B. 6:30 PM – Unsafe Building @ 44 Beechwood Road
Action by Town Board
 - C. 7:00 PM - Local Law Introductory “E” of 2015; ZMA Lot 42 Thomas Acres
 - 1. Action (Adopt, Defer, Reject)

- III. **PUBLIC PRESENTATIONS/COMMENTS** *(Limited to 3 minutes)*
 - A. Justin Reeves – solar energy

- IV. **REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON**
 - A. Town Clerk Committee – Councilman Woodland/Reynolds
 - 1. Set hourly wage for Deputy Registrar and Deputy Clerk II (\$12.29)
 - B. Public Safety and Courts – Supervisor Tyksinski/Councilman Reynolds
 - 1. 2015 to 2016 contracts between Town and School District for School Resource Officers and School Safety Officers

- V. **MATTERS SUBMITTED BY COUNCILMEN / ATTORNEY**
 - A. Councilman Messa
 - 1. Clonan Post American Legion liquor license renewal
 - 2. Valentino’s liquor license renewal

- VI. **MATTERS SUBMITTED BY TOWN SUPERVISOR**
 - A. Financial and other routine reports
 - 1. Audit of Vouchers
 - B. Miscellaneous communications
 - C. Unfinished Business
 - D. New Business

NEXT TOWN BOARD MEETING IS SEPTEMBER 9, 2015

Agenda 8-12-15

Young, Gail

From: james.messa <james.messa@yahoo.com>
Sent: Monday, July 13, 2015 1:47 PM
To: Booth, Joe; Miscione, Paul
Cc: Young, Gail
Subject: RE: demolition hearing in accordance with Chapter 52

Will do.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Booth, Joe" <JoeB@town.new-hartford.ny.us>
Date: 07/13/2015 1:30 PM (GMT-05:00)
To: james.messa@yahoo.com, "Miscione, Paul" <pmiscione@town.new-hartford.ny.us>
Cc: "Young, Gail" <gyoung@town.new-hartford.ny.us>
Subject: demolition hearing in accordance with Chapter 52

Jim /Paul

I know I'm a little ahead of schedule but can you put these two items on the August 12, 2015 TB agenda?
1414 Ney Ave- demolition hearing
44 Beechwood- demolition hearing

Thank You

Joseph Booth
Code Enforcement Officer
Town of New Hartford
315 724-4300 x2425

Agenda 8.12.15

LEGAL NOTICE
NOTICE OF UNSAFE PROPERTY HEARING

PLEASE TAKE NOTICE THAT a hearing shall be held before the Town Board of the Town of New Hartford, New York on the 12th day of August, 2015, at 6:30 P.M. in Butler Memorial Hall, 48 Genesee Street, New Hartford, New York, for the purpose of considering the findings and recommendations contained in the Code Enforcement Office Report of Violation concerning the property known as 1414 Ney Avenue, Utica, New York 13502, New Hartford Tax Map Number 317.012-3-69, and to determine if the building is dangerous or unsafe and, if so, whether it is to be repaired or demolished and removed.

Based upon the Code Enforcement Office Report following inspection of the property, numerous defects exist which, in accordance with the Code of the Town of New Hartford (Chapter 52) deem that the building is or may become dangerous or unsafe to the general public:

- Poses a threat to life and property in the Town of New Hartford
- Property has been abandoned for years
- Doorways unsecured until the Town of New Hartford secured the doors
- The home has at least a foot of water in the basement for years increasing the chances that the home has mold issues
- Siding is falling off the building which presents an imminent danger to the public

In the event that after the hearing the building is found to be unsafe or dangerous, the above particulars will have to be corrected or the building demolished and removed.

The securing or removal of such building shall commence within 30 days of notice to do so and shall be completed within 60 days thereafter, unless extended for good cause.

In the event of neglect or refusal to comply with the order to secure or demolish and remove the building, the Town Board is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

By Order of the Town Board, dated this 8th day of July, 2015

Gail Wolanin Young
Town Clerk

Agenda 8.12.15

LEGAL NOTICE
NOTICE OF UNSAFE PROPERTY HEARING

PLEASE TAKE NOTICE THAT a hearing shall be held before the Town Board of the Town of New Hartford, New York on the 12th day of August, 2015, at 6:30 P.M. or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford, New York, for the purpose of considering the findings and recommendations contained in the Code Enforcement Office Report of Violation concerning the property known as 44 Beechwood Road, New Hartford, New York 13413, Tax Map Number 339.001-3-49, and to determine if the building is dangerous or unsafe and, if so, whether it is to be repaired or demolished and removed.

Based upon the Code Enforcement Office Report following inspection of the property, numerous defects exist which, in accordance with the Code of the Town of New Hartford (Chapter 52) deem that the building is or may become dangerous or unsafe to the general public:

- Poses a threat to life and property in the Town of New Hartford
- Property has been abandoned for years
- Doorways unsecured until the Town of New Hartford secured the doors
- Large holes in the roof that allow water to infiltrate, increasing the probability of mold issues and dangerous electrical conditions, while also presenting a perfect habitat for rodent infestation
- The home has been in this condition for more than two years without any sign of improvement.

In the event that after the hearing the building is found to be unsafe or dangerous, the above particulars will have to be corrected or the building demolished and removed.

The securing or removal of such building shall commence within 30 days of notice to do so and shall be completed within 60 days thereafter, unless extended for good cause.

In the event of neglect or refusal to comply with the order to secure or demolish and remove the building, the Town Board is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

By Order of the Town Board, dated this 8th day of July, 2015

Gail Wolanin Young
Town Clerk

Agenda 8.12.15

Town of New Hartford, New York
Local Law Introductory "E" of 2015

A Local Law to amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, and map coincidental thereto, as it pertains to property located in the Thomas Acres Re-Subdivision, a description of which is set forth in Section 2, and changing the designation of property from Institutional (I) to Medium Density Residential (MDR).

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

Section 1. Chapter 118 of the Code of the Town of New Hartford, Section 118-17, and particularly the map coincidental thereto and made a part thereof, is hereby amended as follows:

Section 118-17. Zoning Map.

(Change the designation of Lot 42, Fair Haven Avenue, in the Thomas Acres Re-Subdivision and identified as Tax Map Parcel No. 328.014-1-16, owned by Thomas Acres Development, from Institutional (I) to MDR [Medium Density Residential].

Section 2. The boundaries and description of said district are as follows:

All that piece or parcel of land situate in the Town of New Hartford, County of Oneida, State of New York, and more particularly described as follows:

Lot 42 as shown on a Map entitled Re-Subdivision Portion of Thomas Acres made by Myers & Associates, P.C. dated October 14, 2010, which map was recorded in the Oneida County Clerk's office on July 30, 2012 as Instrument Number – M2012-000105.

Section 3. All other provisions of Chapter 118 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.

Date: Introduced June 10, 2015

Agenda 8.12.15

Young, Gail

From: New Hartford Supervisor
Sent: Monday, August 10, 2015 10:03 AM
To: Young, Gail
Cc: Tyksinski, Patrick M.
Subject: Public Presentation

Gail – Pat has given his approval for Justin Reeves to present a 3 minute presentation on solar energy at the Town Board Meeting being held on Wednesday, August 12, 2015.

Carol

Young, Gail

Agenda 8.12.15

From: Dave, Reynolds
Sent: Friday, August 07, 2015 3:08 PM
To: Young, Gail
Subject: Re: Agenda Items

Ok.....Thanks Gail

Sent from my iPhone
D. M. Reynolds
dmr100@msn.com

On Aug 7, 2015, at 2:37 PM, Young, Gail <gyoung@town.new-hartford.ny.us> wrote:

Rich and Dave:

I've made some internal changes that will take effect Aug 24th. I have appointed Rebecca Empey as Deputy Registrar and Shelby Bohling as Deputy Clerk II, both effective August 24, 2015. While I have the authority to appoint these Deputies, the Town Board has the authority to set wages. I respectfully request that each employees' hourly rate be set at \$12.29, payable bi-weekly.

I have also discussed this with Personnel and the Town Supervisor.

This will be an Agenda item for August 12 and I would appreciate your support.

Gail Wolanin Young, CMC

Town Clerk/Registrar/Tax Receiver

Records Management Officer

48 Genesee Street

New Hartford, New York 13413

(315) 733-7500 ext. 2322

www.NewHartfordTown.com

<Picture (Device Independent Bitmap) 1.jpg>

Agenda 8.12.15

Young, Gail

From: Michael S. Inserra <msi108@newhartfordpd.com>
Sent: Monday, August 10, 2015 2:14 PM
To: Young, Gail
Subject: RE: Agenda - Aug 12, 2015 Town Board Meeting

Gail,

Sorry for the short notice. I spoke with Pat and he would like to discuss the School Resource Officer and School Safety Officer contracts between the Town and School District at the board meeting Wednesday night.

MSI

From: Young, Gail [<mailto:gyoung@town.new-hartford.ny.us>]
Sent: Thursday, July 30, 2015 8:32 AM
To: Joe Booth; Herb Cully; Darlene Abbatecola; Dan Dreimiller; Michael S. Inserra; james.messa@yahoo.com; Mike Jeffery; M. Eileen Spellman; Paul Miscione; New Hartford Supervisor; Janice O'Sullivan; Reynolds, David M.; Richard Woodland Jr. (E-mail); Barb Schwenzfeier; Richard C. Sherman; Patrick M. Tyksinski
Subject: Agenda - Aug 12, 2015 Town Board Meeting

In order to prepare the Agenda for the August 12, 2015 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting. *I already have the 2 Hearing Notices on Unsafe Buildings (1414 Ney Avenue and 44 Beechwood Road for 6:30 P.M., plus the 7:00 P.M. Public Hearing on Local Law Introductory "E" (Lot 42 Thomas Acres – revert zoning classification to Medium Density Residential).*

Please check applicable statements:

No matters to be considered

Place the following on the Agenda:

2015 to 2016 contracts between the Town and School District for School Resource Officers and School Safety Officers

This information must be received in my office no later than 4:00 P.M. on Thursday, August 6, 2015. DEPARTMENT HEADS – PLEASE REMEMBER 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 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!

Agenda 8-12-15

Young, Gail

From: James Messa <james.messa@yahoo.com>
Sent: Monday, August 03, 2015 2:26 PM
To: Young, Gail
Subject: Fw: Agenda - Aug 12, 2015 Town Board Meeting
Attachments: Picture (Device Independent Bitmap) 1.jpg

Gail,

Please see matters to be placed on the Agenda for August 12th meeting.

Thank you.

Jim

On Thursday, July 30, 2015 8:32 AM, "Young, Gail" <gyoung@town.new-hartford.ny.us> wrote:

In order to prepare the Agenda for the August 12, 2015 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting. I already have the 2 Hearing Notices on Unsafe Buildings (1414 Ney Avenue and 44 Beechwood Road for 6:30 P.M., plus the 7:00 P.M. Public Hearing on Local Law Introductory "E" (Lot 42 Thomas Acres – revert zoning classification to Medium Density Residential).

Please check applicable statements:

No matters to be considered

Place the following on the Agenda:

- 1) Liquor License Renewal E.L. Clonan Post 1000 Chadwicks -Review, Approve or Reject.
- 2) Liquor License Renewal Valentino's Washington Mills - Review, Approve or Reject.
- 3) Upon completion of hearings regarding property at 44 Beechwood Rd and 1414 Ney Ave in accordance to Chapter 52. Based on results from hearing determine the next action plan for both properties.

This information must be received in my office no later than 4:00 P.M. on Thursday, August 6, 2015. DEPARTMENT HEADS – PLEASE REMEMBER 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 ask for