

**PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)**

**July 9, 2014 at 7:00 P.M.**

**Butler Memorial Hall**

**I. MINUTES**

A. June 11, 2014

**II. PUBLIC HEARING**

A. Highway Dept Union Contract

**III. PUBLIC COMMENTS**

A. James Varieur – revaluation of town for assessment purposes

**IV. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE  
CHAIRPERSON**

A. Town Clerk Committee – Councilman Woodland

1. Kirkland Town Board/Lead Agency for Zone Map amendment
2. Permission for interested Board members/Dept Heads to attend  
July 15, 2014 Oneida Co. Assn of Towns meeting; State Comptroller

B. Public Works & Sewer Committee – Councilman Messa

1. Designation of Sherman Circle from Sherman Drive east to Sherman  
Drive west, a distance of . miles
2. Fill vacancy – summer employee
3. FEMA money – Wilbur Road and Golf Ave

**III. MATTERS SUBMITTED BY COUNCILMEN / ATTORNEY**

A. Councilman Messa

1. Hotel Willowvale liquor license review/approval or decline

**IV. MATTERS SUBMITTED BY TOWN SUPERVISOR**

A. Financial and other routine reports

1. Audit of bills
2. Financial Report

B. Miscellaneous communications

C. Unfinished Business

1. Woodberry Road storm water project update
2. Retention pond maintenance
3. Use of Town-owned vehicles

D. New Business

1. Executive Session – particular employee

## Legal Notices

### NOTICE OF PUBLIC HEARING TOWN OF NEW HARTFORD, NY

**PLEASE TAKE NOTICE** that the Town Board of the Town of New Hartford, pursuant to Civil Service Law Section 209.3, does hereby schedule a Public Hearing to be held on Wednesday, July 9, 2014 at 7:00 P.M., or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford, NY, for the purpose of allowing the Town of New Hartford Town Supervisor and Teamsters Local 294, formerly known as Teamsters Local 182, to explain their respective positions on the Fact Finding Report of PERB appointed Fact Finder Marry Solomon and the recommended actions for resolving the bargaining impasse that exists between the Town and Teamsters Local 294 over the terms and conditions for the bargaining unit of employees employed in the Town Highway Department and represented by Teamsters Local 294 for the period subsequent to the expiration of the collective bargaining agreement covering the period from January 1, 2007 through December 31, 2010.

DATE: June 26, 2014  
Gail Wolanin Young,  
Town Clerk  
OD: 6/29/2014

Robert  
Sup  
(315) 8  
rmeelan  
TDC

# TOWN OF KIRKLAND



The Rev. Samuel Kirkland 1741-1808

June 9, 2014

Town of Kirkland Planning Board  
ATTN: Chairman  
PO Box 235  
Clinton, New York 13323

✓ Town of New Hartford  
48 Genesee Street  
New Hartford, NY 13413

Town of Kirkland Zoning Board  
ATTN: Chairman  
100 North Park Row  
Lumbard Hall  
PO Box 235  
Clinton, NY 13323

County of Oneida  
800 Park Ave.  
Utica, New York 13501

**RE: Notice of Intent to Establish Lead Agency  
Town of Kirkland Adoption of Amendment to Zoning Map**

Dear Sir or Madame:

The Town of Kirkland (hereinafter the "Town") has proposed to undertake the adoption and implementation of an amendment to the zoning map of the Town Code changing the current zoning from Commercial to Planned Development. The Town has identified your agencies as interested agencies as defined by the implementing regulations of the State Environmental Quality Review Act (hereinafter "SEQR") at 6 NYCRR 617.2(s). The Town of Kirkland hereby issues this notice indicating its intent to designate itself lead agency for the project in accordance with the SEQR Regulations at 6 NYCRR 617.6.

The amendment is more fully described in the attached proposed petition as well as the draft Environmental Assessment Form (hereinafter the "EAF"), copies of which are attached.

RECEIVED  
9/30/14  
12

P.O. Box 235  
Clinton, NY 13323

Fax: 315-853-4865  
[www.town.kirkland.ny.us](http://www.town.kirkland.ny.us)

TOWN OF KIRKLAND  
TOWN CLERK  
3699 State Route 12B  
Clinton, NY 13323

**Re: Notice of Intent to Establish Lead Agency**  
**Page 2**

The Town intends to assume the role of the lead agency for purposes of the zoning amendment. If your agency does not submit a written objection to the Board within 30 calendar days of the mailing of this notice, the Town will assume the role of lead agency for the project. If you agency does object to the Board assuming the role of lead agency for the project, please forward a detailed statement explaining the basis for such objection.

Very truly yours,

TOWN OF KIRKLAND

By:

  
Robert Meelan

Enclosures

617.20  
Appendix B  
Short Environmental Assessment Form

Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>Robert Copeland - Zone Map Amendment</i>			
Project Location (describe, and attach a location map): <i>Zone Map Amendment</i>			
Project Location (describe, and attach a location map): <i>7920 Route 5, Town of Kirkland</i>			
Brief Description of Proposed Action: <i>Rezone from Commercial to Planned Development to bring property in compliance</i>			
Name of Applicant or Sponsor: <i>Robert Copeland c/o Herbert J. Cully</i>		Telephone: <i>315 733-0155</i>	
		E-Mail: <i>firm@callilaw.com</i>	
Address: <i>510 Bleeker St.</i>			
City/PO: <i>Utica</i>		State: <i>NY</i>	Zip Code: <i>13501</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>1.89</i> acres	
b. Total acreage to be physically disturbed?		<i>1.89</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.89</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Herbert J. Cully as attorney for Robert Capeland</u> Date: <u>5/5/14</u>		
Signature: <u>Herbert J. Cully</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Kirkland	
Name of Lead Agency	Date
Robert Meelan	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**Young, Gail**

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**From:** Young, Gail  
**Sent:** Tuesday, July 01, 2014 2:23 PM  
**To:** Booth, Joe; Copeland, Kevin; Cully, Herb; Currier, Candy; Darlene Abbatecola; Di Dan; Inserra, Michael S.; Jeffery, Mike; Sherman, Richard C.; Virkler, Judge  
**Subject:** FW: OCAOT meeting on July 15th flyer attached  
**Attachments:** OCAOT July 2014 flyer.rtf  
  
**Importance:** High

Gentlemen/Ladies:

Below is information regarding the July 15, 2014 OCAOT meeting being held at the Trenton Town Park. If you are interested in attending, please contact the Clerk's Office for Town Board approval on July 9, 2014.

Melody K. Fancett  
Deputy

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**From:** Fritz Scherz [<mailto:fritz@fritzscherz.com>]  
**Sent:** Friday, June 27, 2014 10:08 PM  
**To:** Fritz Scherz  
**Subject:** OCAOT meeting on July 15th flyer attached  
**Importance:** High

As referenced in the note below, our next meeting will be Tuesday, July 15<sup>th</sup> at the Town of Trenton Park Pavilion. Am hopeful of seeing a whole bunch of you next month at this meeting. I have heard Laird speak a few times before, and he is very knowledgeable. The topic of Fraud Prevention Controls should prove to be very useful to all of us, too. Given how much information Laird has to share on this subject, we will only be having him as a speaker that evening.

Attached is a flyer. Please share this with your colleagues. Perhaps some of our legislators will attend this meeting. If any questions, please let me know.

Fritz

Fritz Scherz  
Councilman, Verona Town Board  
6081 Rock Road  
Verona, NY 13748  
(315) 363-3509  
[www.fritzscherz.com](http://www.fritzscherz.com)  
[www.fritzscherz.blogspot.com](http://www.fritzscherz.blogspot.com)  
[www.facebook.com/fritzscherz](http://www.facebook.com/fritzscherz)  
[www.twitter.com/fritzscherz](http://www.twitter.com/fritzscherz)

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**From:** Fritz Scherz [<mailto:fritz@fritzscherz.com>]  
**Sent:** Wednesday, June 18, 2014 10:19 PM  
**Subject:** OCAOT meeting on July 15th update  
**Importance:** High

OCAOT Colleagues.....

## Young, Gail

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**From:** James Messa <james.messa@yahoo.com>  
**Sent:** Monday, June 09, 2014 9:37 PM  
**To:** Young, Gail  
**Subject:** Re: Emailing: Agenda.TownBoardMeeting.June 11.2014.pdf

Hello Gail,

If it is not too late can you please add to the agenda the following:  
Liquor License review/approval or decline for Hotel Willowvale. If it's too late can you please add to the July agenda.

Thank you,  
Jim

On Friday, June 6, 2014 3:30 PM, "Young, Gail" <[gyoung@town.new-hartford.ny.us](mailto:gyoung@town.new-hartford.ny.us)> wrote:

Hi, everyone!

Open attachment for the proposed Agenda for the June 11, 2014 Town Board Meeting. This document is subject to change.

Enjoy the weekend.

Gail

Your message is ready to be sent with the following file or link attachments:

Agenda.TownBoardMeeting.June 11.2014.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

State of New York  
 Executive Department  
 Division of Alcoholic Beverage Control  
 State Liquor Authority

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
 Local Municipality or Community Board**  
 (Page 2 of 2 of Form)

16. List the floor(s) of the building that the establishment is located on: FIRST FLOOR

17. List the room number(s) the establishment is located in within the building, if appropriate: /

18. Is the premises located with 500 feet of three or more on-premises liquor establishments?  Yes  No

19. Will the license holder or a manger be physcally present within the establishment during all hours of operation?  Yes  No

20. Does the applicant or licensee own the building in which the establishment is located? ("X" One)  Yes (If Yes SKIP 21-24)  No

**Owner of the Building in Which the Licensed Establishment is Located**

21. Building Owner's Full Name: /

22. Building Owner's Street Address: /

23. City, Town or Village: / State: / Zip Code: /

**Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the  
 Establishment Identified in this Notice**

25. Attorney's Full Name: /

26. Attorney's Street Address: /

27. City, Town or Village: / State: / Zip Code: /

28. Business Telephone Number of Attorney: /

29. Business Email Address of Attorney: /

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

30. Printed Name: STEPHEN LENARD Title: OWNER

Signature: X Stephen Lenard

AGENDA  
TOWN SUPERVISOR  
For MEETING  
July 9, 2014

- ✓1. Financial Report
- ✓2. Union contract – public hearing
- ✓3. Executive Session – employee
- ✓4. Woodbury Road storm water project update
- ✓5. Retention pond maintenance
- ✓6. Use of Town owned vehicles
- 7.