

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON WEDNESDAY, SEPTEMBER 13, 2017, AT 6:00 P.M.**

Town Supervisor Patrick Tyksinski 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 James J. Messa
Councilman Paul A. Miscione
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Patrick M. Tyksinski

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Assessor Darlene Abbatecola
Codes Enforcement Officer Joseph Booth
Deputy Supervisor Matthew Bohn III
Director of Recreation Center John C. Cunningham
Finance Director Daniel T. Dreimiller
Highway Superintendent Richard C. Sherman
Police Chief Michael Inserra
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

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

MINUTES

July 12 and August 9, 2017 Town Board meetings:

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

(RESOLUTION NO. 171 OF 2017)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meetings held on July 12, 2017, and August 9, 2017, and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

| | | |
|---------------------|---|-----|
| Councilman Miscione | - | Aye |
| Councilman Reynolds | - | Aye |

| | | |
|----------------------|---|------|
| Councilman Woodland | - | Aye |
| Councilman Messa | - | Aye |
| Supervisor Tyksinski | - | Aye. |

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

PRESENTATIONS/COMMENTS

The Town Supervisor inquired if anyone present wished to address the Town Board; no one came forth.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

Parks & Recreation Committee – Councilman Reynolds

Appointment – Seasonal Employees

Upon recommendation of Director of Recreation Center John C. Cunningham, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Messa:

(RESOLUTION NO. 172 OF 2017)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, commencing October 1, 2017, and ending March 31, 2018; all wages to be paid bi-weekly:

| <u>Name</u> | <u>Position</u> | <u>Rate of Pay</u> |
|--------------------|--------------------|--------------------|
| Louisa Pandolfo | Ice Rink Attendant | \$9.25/hour |
| Ariel Smith | Ice Rink Attendant | \$9.25/hour |
| Shaye Gardinier | Ice Rink Attendant | \$9.25/hour |
| Rosemarie Burynski | Ice Rink Attendant | \$9.00/hour. |

Whereupon, the Town Board voted upon roll call:

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

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

Administrative Assistant – Substitute appointment (temporary)

Upon request of the Director of Recreation Center, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 173 OF 2017)

WHEREAS, Administrative Assistant Heysun Lee has taken a temporary leave of absence from her position in the Parks and Recreation Department to care for an ill family member;

BE IT RESOLVED that the New Hartford Town Board does hereby appoint Martha Middaugh as a Laborer in the Parks and Recreation Department during Ms. Lee's three-month leave of absence, said appointment effective September 13, 2017, at an hourly wage of Eleven Dollars per hour, payable bi-weekly.

A roll call vote ensued:

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

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

Declaration of Surplus Vehicle – Authorization to Sell

Upon request of the Director of Recreation Center, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Miscione:

(RESOLUTION NO. 174 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus one (1) park security vehicle, a 2006 Dodge Charger, VIN 2B3KA43G36H503517, and does further authorize the sale of said vehicle through Auctions International; once sold, the Town Clerk's office shall be notified and shall arrange to terminate insurance coverage on said vehicles.

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

| | | |
|---------------------|---|-----|
| Councilman Miscione | - | Aye |
| Councilman Woodland | - | Aye |
| Councilman Messa | - | Aye |

Councilman Reynolds - Aye
Supervisor Tyksinski - Aye.

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

ZONING (CODES) & PLANNING COMMITTEE – Councilman Messa

Unsafe Buildings – Hearings Scheduled

Councilman Messa addressed the matter of four (4) “unsafe” buildings, with Codes Enforcement Officer Joseph Booth having rendered written reports on each property to the Town Board members, including photographs. Codes Officer Booth is processing these abandoned properties through the Town’s Unsafe Building legislation and has notified the last known property owners on the assessment roll. Two (2) property owners have died, one is in a nursing home, and the forth has abandoned the property. All have structural deficiencies and most problematic are the Elm Street and Willowvale Ave properties. A motion to adopt the following Resolution was made by Councilman Messa and seconded by Councilman Miscione:

(RESOLUTION NO. 175 OF 2017)

**Establish Hearings to Consider Code Enforcement Officer Report
RE: Unsafe Buildings**

3535 BLEACHERY AVE
(349.012-1-53)

[Property Owner: Donald Magadieu]

3549 BLEACHERY AVE
(349.012-1-42)

[Property Owner: Midfirst Bank]

9458 – 9460 ELM STREET
(359.005-1-6)

[Property Owner: Anna M. Mahoney]

9240 WILLOWVALE AVE
[349.008-2-12]

[Property Owner: Michael J. Kerrigan]

WHEREAS, the Code Enforcement Officer has inspected the properties heretofore identified above and has identified defects which deem said property to be unsafe or dangerous; and

REGULAR TOWN BOARD MEETING

September 13, 2017

Page 5 of 18

WHEREAS, pursuant to provisions of Chapter 52 (Unsafe Buildings) of the Code of the Town of New Hartford, the Code Enforcement Officer has submitted a written report concerning the above properties to the Town Board for consideration of said report and, if deemed appropriate, establishment of a hearing;

NOW, THEREFORE, BE IT RESOLVED that hearings shall be held before the Town Board of the Town of New Hartford on the 18th day of October 2017, beginning at 5:00 P.M. to consider the reports, determine if the buildings are unsafe, and if so, whether they are to be repaired or demolished and removed; and

BE IT FURTHER RESOLVED that the owners of the above properties as listed on the current tax rolls shall receive notice of the hearings in accordance with Section 52-8 (Service of Notice) of Chapter 52 (Unsafe Buildings) of the Code of the Town of New Hartford .

Question of the adoption of the foregoing Resolution resulted as follows:

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

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

Sallustio Unsafe Building report

Codes Enforcement Officer Booth acknowledged he had his written report with regard to the unsafe building at 19 Glendale Ave in the Town of New Hartford. (*Continued later during this meeting; see page 13*)

Planning Board Letter – New Hartford Billboard, LLC

The Town Planning Board notified the Town Board through a letter dated August 23, 2017, of the existence of a proposed project by Mr. Larry Adler/New Hartford Billboard, LLC, Tax Map No. 317.013-3-18.3. The Planning Board will assume Lead Agency status unless otherwise challenged; the proposed action is for the new construction of an approximate 2200 square foot block building with two bays on a vacant parcel for automotive retail service.

Public Works & Sewer Committee – Councilman Miscione

Employee resignation

Councilman Miscione reported that Highway Department employee, Mark Scatko resigned effective September 22, 2017, to accept a full-time job opportunity. Councilman Miscione moved to accept the resignation and to advertise for a laborer and a motor equipment operator. The Town Supervisor stated that the Highway Superintendent has the authority to hire whoever he wants and does not have to advertise.

Quotes – Police Locker Room

Councilman Miscione stated this matter is on hold for now.

Public Safety & Courts Committee – Councilman Reynolds

Agreement for Services – School Safety Officer Program/School Safety Officer Initiative

Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 176 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement for Services by and between the Town of New Hartford Police Department and the New Hartford Central School District for the School Safety Officer Program, to be known as the School Safety Officer Initiative. Said Agreement shall be in effect as of September 8, 2017, through June 22, 2018, and as more fully set forth in said Agreement to be filed in the Town Clerk's Office.

The Town Supervisor polled the Board who voted as follows:

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

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

Declaration of Surplus Vehicles – Authorization to Sell

Upon request of the Police Chief, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Miscione:

(RESOLUTION NO. 177 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus the following vehicles:

2011 Ford Crown Victoria, VIN 2FABP7BV3BX159675
2013 Ford Taurus, VIN 1FAHP2M80DG132396;

FURTHER RESOLVED that the aforesaid vehicles shall be placed for sale through Auctions International and once sold, the Town Clerk's office shall be notified and shall arrange to terminate insurance coverage on said vehicles.

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

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

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

Town Clerk Committee – Councilman Woodland

Raffle Consent – American Heart Association

The following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Miscione:

(RESOLUTION NO. 178 OF 2017)

RESOLVED that the New Hartford Town Board does hereby grant permission to the American Heart Association, 125 Business Park Drive, Ste#106, Utica, New York, 13502, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets in the Town of New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

Upon roll call, the Town Board voted as follows:

| | | |
|---------------------|---|-----|
| Councilman Miscione | - | Aye |
| Councilman Messa | - | Aye |

REGULAR TOWN BOARD MEETING

September 13, 2017

Page 8 of 18

| | | |
|----------------------|---|------|
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Supervisor Tyksinski | - | Aye. |

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

Raffle Consent – Stevens Swan Humane Society

The following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Miscione:

(RESOLUTION NO. 179 OF 2017)

RESOLVED that the New Hartford Town Board does hereby grant permission to Stevens-Swan Humane Society, 5664 Horatio Street, Utica, New York, 13502, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets in the Town of New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

Upon roll call, the Town Board voted as follows:

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

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

MATTERS SUBMITTED BY COUNCILMEN

Councilman Woodland

Road Dedication – Merrimac Street Extension

Councilman Woodland and the Town Attorney acknowledged the presence of Thomas VanWaes, developer of Thomas Acres Development, who is asking that the Town accept Merrimac Street Extension as a public highway. The Highway Superintendent confirmed that Merrimac Street Extension has been constructed in accordance with Town specifications. The Town Attorney has the deed and is reviewing the Abstract of Title.

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

(RESOLUTION NO. 180 OF 2017)

WHEREAS, the following documents have been received by the Town Attorney and Highway Superintendent for dedication of Merrimac Street Extension in the Thomas Acres Development:

- Certification by Developer's engineer
- Letter of approval by Highway Superintendent
- Letter of approval by the Town's Engineer (Barton & Loguidice)
- Abstract of Title
- Warranty deed describing the street
- Copies of final approved plans
- Copies of as-built drawings to date;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby accept and dedicate as a public highway, Merrimac Street Extension in the Thomas Acres Development, as fully described in a Warranty Deed dated September 2017, **contingent upon the final sign-off letters from the Highway Superintendent and Town Attorney**, and be it

YET FURTHER RESOLVED that the Town Attorney be, and he hereby is, authorized and directed to record the necessary documents relating to public dedication of the aforesaid highway in the Office of the Oneida County Clerk.

Upon roll call, the Town Board voted as follows:

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

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

Financial:

Lease Agreement – Butler Memorial Hall

The Town Supervisor presented the Lease Agreement between Butler Memorial Hall, Inc. and the Town for a five-year period at an annual lease payment of Thirty Thousand Dollars (\$30,000), the same as last year. After discussion, Councilman Messa introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 181 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute a one-year Lease Agreement by and between Butler Memorial Hall, Inc. and said Town, effective June 1, 2017, and ending May 31, 2018, and as more fully set forth in said Lease Agreement to be filed in the Town Clerk's Office.

A roll call vote ensued:

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

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

\$250,000 (Account DB1991.4: Storm Disaster Expenditures 2017)

Finance Director Dreimiller reported that as of the September 2017 abstracts, expenses have exceeded the \$250,000 that was set aside from the Highway Fund Balance for repairs and maintenance due to the July 1, 2017, storm. Additional expenditures are occurring now.

FEMA Buy-out Program – Requests For Proposal (RFP): Property Appraisals

Three (3) Requests for Proposal had been received to appraise the fourteen (14) properties that had been approved for the FEMA Buy-out program at the August 9, 2017, Town Board meeting:

- Allen Appraisals \$450 for one-family homes
214 Oriskany Blvd \$600 for multi-family homes
Whitesboro, NY 13492
- Donato Real Estate Appraisal & Consulting
641 James Street \$500 for single-family homes

REGULAR TOWN BOARD MEETING

September 13, 2017

Page 11 of 18

- | | |
|-----------------------|---|
| Utica, NY 13501 | \$650 for 2 – 4 family homes |
| • <u>JT Appraisal</u> | due to workload, felt they could only perform 3 – 4 |
| 14 Wheatley Circle | property appraisals out of the 14; also, not sure |
| Utica, NY 13501 | they had proper certification |

Councilman Miscione introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 182 OF 2017)*(rescinded by Resolution No 183)

RESOLVED that the New Hartford Town Board does hereby approve and accept the Requests for Proposal from Allen Appraisal and from Donato Real Estate, and does hereby award each appraisal company seven (7) properties to appraise for the FEMA Buy-out properties named in Resolution No.151, adopted at the August 9, 2017, Town Board meeting. Said work shall begin September 14, 2017, and be completed within thirty (30) days.

The Town Board then voted upon roll call:

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

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

FEMA Buy-out; New Applicants

Councilman Messa discussed the possibility of opening the process for a new round of property buy-outs. The Supervisor noted that the first step would be to obtain a grant. Councilman Messa will look into the matter and report his findings at the October 2017 Town Board meeting.

FEMA Buy-out Program – Requests For Proposal (RFP): Property Appraisals
/ACTION RESCINDED

After some discussion, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 183 OF 2017)

RESOLVED that the New Hartford Town Board does hereby rescind its Resolution No. 182, adopted September 13, 2017, in order to comply with its procurement policy to award contracts to the lowest bidder.

The foregoing Resolution was duly put to a vote upon roll call, resulting as follows:

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

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

FEMA Buy-out Program – Requests For Proposal (RFP): Property Appraisals

Thereafter, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 184 OF 2017)

RESOLVED that the New Hartford Town Board does hereby approve and accept the lowest Request for Proposal from Allen Appraisal, and does hereby award the appraisal contract for fourteen (14) properties to said Allen Appraisal, for the FEMA Buy-out properties named in Resolution No.151, adopted at the August 9, 2017, Town Board meeting. Said work shall begin September 14, 2017, and be completed within thirty (30) days.

A roll call vote ensued:

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

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

Monthly Financial Reports

Board members had received the August 2017 financial reports emailed by the Finance Director; no one raised any questions.

Peters-Adelman lawsuit

In the matter of the Peters-Adelman lawsuit, the Town Attorney recommended the adoption of the following Resolution, which was introduced by Councilman Reynolds and seconded by Councilman Messa:

(RESOLUTION NO. 185 OF 2017)

WHEREAS, the Town of New Hartford has been provided with specifications to complete the remediation of land behind the residence of Elizabeth Peters-Adelman;

BE IT RESOLVED that the Town Board does hereby authorize and direct the Highway Superintendent to secure bids to complete the remediation project at 2 Woodberry Road, as outlined.

Upon roll call, the Board members voted as follows:

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

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

Sallustio Unsafe Building report (Continued from Page 5)

Codes Enforcement Officer Booth submitted his written report, outlining six (6) violations for the Town Board's consideration. Thereafter, Councilman Miscione offered the Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 186 OF 2017)

WHEREAS, the Town Board of the Town of New Hartford has received a report of "unsafe building" at 19 Glendale Ave, Town of New Hartford, pursuant to Chapter 52 of the Town Code, and

WHEREAS, the Town did provide written notice to remediate to the owners Mr. and Mrs. Joseph Sallustio of said "unsafe structure," and

WHEREAS, the Town did heretofore conduct an Administrative Hearing pursuant to Chapter 52-6 and hear testimony from Codes Officer Joseph Booth, Joseph Sallustio and Robert Kessler, and

REGULAR TOWN BOARD MEETING

September 13, 2017

Page 14 of 18

WHEREAS, Joseph Sallustio has submitted his written proposal to remediate Codes Violations at 19 Glendale Ave, dated June 30, 2017, and

WHEREAS, Codes Officer Joseph Booth has submitted his written response; it is

RESOLVED that the Town Board of the Town of New Hartford does find that there is an “unsafe structure” located at the Sallustio property at 19 Glendale Ave, New Hartford, New York, in violation of Chapter 52 of the Town Code and does direct the Town Attorney to provide a copy of this resolution to Mr. and Mrs. Sallustio with this Board’s **ORDER**, in the instance a violation is found, that it be removed and/or commence an action in Oneida County Supreme Court for such Order.

The Town Board members voted by roll call, as follows:

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

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

Appointment – Board of Assessment Review

Councilman Messa offered the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 187 OF 2017)

RESOLVED that the New Hartford Town Board does hereby re-appoint Byron W. Elias as a Member of the Board of Assessment Review, for a five-year term commencing October 1, 2017, and ending September 30, 2022.

A roll call vote ensued:

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

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

Requests For Proposal - 2017 Year-end Audit

In mid-July 2017 Finance Director Dreimiller sent out Requests for Proposal with regard to the audit of the fiscal year 2017; only one response has been received and that was from D'Arcangelo & Associates. There was one written declination, one verbal declination. The Finance Director has made follow-up phone calls with no responses.

Zoning Text Amendment – Solar energy systems

Councilman Reynolds detailed the various steps to effect a Zoning Text Amendment, after which Councilman Miscione moved the adoption of the following Resolution; seconded by Councilman Messa:

(RESOLUTION NO. 188 OF 2017)

WHEREAS, Councilman Reynolds has initiated a re-write of the Town Code, Chapter 118-74. Solar Energy Systems, that will allow higher wattage;

BE IT RESOLVED that, in the matter of amending the Town Zoning Law, Chapter 118-74. Solar Energy Systems, the Town Board does hereby declare itself as Lead Agency, unless otherwise challenged, and does further direct the Town Attorney to complete the required short-form Environmental Assessment Form (EAF) under SEQR.

Where upon the Board voted by roll call:

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

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

Further, Councilman Miscione moved the adoption of the following Resolution, which was duly seconded by Councilman Messa:

(RESOLUTION NO. 189 OF 2017)

RESOLVED that, as Lead Agency under SEQR, the Town Board does hereby refer the proposal to repeal Section 118-74 of the Town of New Hartford Zoning Law and provide

REGULAR TOWN BOARD MEETING
September 13, 2017
Page 16 of 18

new language, to the Oneida County Planning Department and to the Town Planning Board pursuant to General Municipal Law, Section 239 l, m, and the Town Zoning Law, for their review and comment(s); and be it

FURTHER RESOLVED that all interested/involved agencies be notified of said Zoning Law text proposal.

The Board members then voted, resulting as follows:

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

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

Storm water retention study – Barton & Loguidice (See August 9, 2017 minutes).

Councilman Reynolds met with Barton & Loguidice pertaining to the retention area behind Foxcroft Road, off Tibbitts Road, and has been provided some guidance. Councilman Reynolds has reached out to a property owner to use a portion of his land for a retention area and this matter is on-going.

Audit of Vouchers/Bills

Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 190 OF 2017)

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:

| | |
|--|--------------|
| Street Lighting Abstract #9 | |
| Vouchers SL9 | \$ 227.91 |
| Street Lighting Abstract #10 | |
| Vouchers SL10 | \$ 8,212.24 |
| Capital Project-Woods Highway Paving Abstract #2 | |
| Vouchers HY4-HY5 | \$ 38,772.40 |
| Capital Project-Grange Hill Abstract #5 | |
| Vouchers HQ14-HQ16 | \$ 33,195.17 |

REGULAR TOWN BOARD MEETING
September 13, 2017
Page 17 of 18

| | |
|--|------------------------|
| Highway Fund - Abstract #1 | |
| Vouchers DA1 | \$ 200.00 |
| Fire District Part-Town Abstract #8 | |
| Vouchers SF13-SF14 | \$ 470.60 |
| Highway Fund Part-Town Abstract #15 | |
| Vouchers DB572- DB574 | \$ 46,491.25 |
| Highway Fund Part-Town Abstract #16 | |
| Vouchers DB575-DB713 | \$ 470,330.58 |
| General Fund Part-Town Abstract #17 | |
| Vouchers BB114-BB116 | \$ 5,574.63 |
| General Fund Part-Town Abstract #18 | |
| Vouchers BB117-BB126 | \$ 11,195.30 |
| General Fund Part-Town Police Abstract #19 | |
| Vouchers BP206-BP210 | \$ 75,170.24 |
| General Fund Part-Town Police Abstract #20 | |
| Vouchers BP211-BP236 | \$ 78,646.85 |
| Trust & Agency Fund Abstract #33 | |
| Vouchers TT160-TT166 | \$ 7,611.23 |
| Trust & Agency Fund Abstract #34 | |
| Vouchers TT167-TT173 | \$ 50,447.38 |
| Trust & Agency Fund Abstract #35 | |
| Vouchers TT174-TT179 | \$ 8,878.72 |
| Trust & Agency Fund Abstract #36 | |
| Vouchers TT180-TT186 | \$ 7,793.15 |
| Trust & Agency Fund Abstract #37 | |
| Vouchers TT187-TT189 | \$ 12,485.06 |
| General Fund Whole -Town Abstract #19 | |
| Vouchers AA796-AA806 | \$ 36,586.53 |
| General Fund Whole -Town Abstract #20 | |
| Vouchers AA807-AA879; AA897-900 | \$ 147,689.32 |
| Sewer Fund Abstract #18 | |
| Vouchers SS53 | \$ 1,174.67 |
| Sewer Fund Abstract #19 | |
| Vouchers SS54-SS62 | \$ 35,062.84 |
| TOTAL: | \$ 1,076,216.07 |

The Board members voted as follows:

| | | |
|---------------------|---|-----|
| Councilman Miscione | - | Aye |
| Councilman Woodland | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Messa | - | Aye |

REGULAR TOWN BOARD MEETING

September 13, 2017

Page 18 of 18

Supervisor Tyksinski - Aye.

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

ADJOURMENT

There being no further business to come before the Town Board, the meeting was adjourned at 6:33 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk