PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE) MARCH 7, 2018 at 6:00 P.M. Butler Memorial Hall

I. MINUTES

- A. January 3, 2018
- B. February 15, 2018

II. PUBLIC HEARING

- A. Local Law Introductory "A" Parks Commission
 - a. Action (Defer, Adopt, Reject)
- B. Introductory Local Law B of 2018 to Amend the Code for entitlement Zoning as it pertains to Sherrillbrook Town Park to Designate Entire Park as PR
- III. PRESENTATIONS/COMMENTS (Vincent Xavier of Homeland Towers)

IV. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

- A. Zoning(Codes) & Planning Committee Councilmen Cittadino/Woodland
 - a. RFP for mowing abandoned properties
- B. Public Safety & Courts Committee Supervisor Miscione/Councilman/Reynolds
 - a. STOP DWI Agreement w/County; Supervisor to sign
- C. Human Resource Committee Supervisor Miscione/Councilman Woodland
 - a. Appoint Marlene Little to fill Senior Center vacancy
- D. Senior Citizen Committee Councilman Messa/Reynolds
 - a. Budget adjustment Bus Trips
 - b. Budget transfer donation from Dr. & Mrs. Raj
- E. Town Clerk Committee Councilmen Woodland/Messa
 - a. Notice of Claim Auto accident/insurance company
 - b. Reappoint Police Commission Chairman
- F. Highway Committee Councilman Messa
 - a. Highway Superintendent wants permission to sell 2010 Mack Snow Plow that is being replaced by 2018 Mack 10 Wheeler.

V. MATTERS SUBMITTED BY COUNCILMEN/ATTORNEY/DEPUTY SUPERVISOR

- A. 10 & 12 Henderson Street appraisals accepted.
- B. Proposed PILOT The Meadows at Middle Settlement Phase 2
- C. Emergency Purchase JM Door \$7855.00

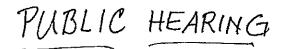
VI. MATTERS SUBMITTED BY TOWN SUPERVISOR

- A. Create a Local Law for Best Value Bidding Purposes.
- B. Refund Tax Penalty for Resident Due to Bank Error.

- C. To Authorize Additional Sales Tax Revenue for 2017 to be put in Highway Part-Town Fund.
- D. M.A. Polce Infrastructure Rebuild
- E. Approval to Change Day off to Mirror County Days Off.
- F. Approval to Sign Inter-Municipal Agreement to Rehabilitate the Clinton Street Bridge over Sauquoit Creek
- F. Review Gander Mountain Offer.
- G. Supervisor's Report for January 2018.
- H. To Adopt Town Procurement Policy.

EXECUTIVE SESSION

NOTE: Next Town Board meeting date: March 21, 2018



TOWN OF NEW HARTFORD Local Law Introductory A of 2018

A Local Law authorizing the creation of a Parks and Recreation Commission pursuant to General Municipal Law Section 243.

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

SECTION 1. Commission Created

The Town of New Hartford does hereby create and establish the New Hartford Parks and Recreation Commission as authorized pursuant to General Municipal Law Section 243.

SECTION 2. Legislative Intent

The intent of this Article is to create a Parks and Recreation Commission to supervise the operation of the Town Parks and Recreation Programs in the Town of New Hartford.

SECTION 3. Powers and Duties

The Commission shall supervise, oversee, manage and direct the operations of each of the Town Parks and all of the recreation programs provided at any of the playgrounds, parks or recreation centers by the Town of New Hartford. The Commission will have no budgetary authority.

SECTION 4. Board of Commissioners

- A. The Commission shall be managed by a Board of Commissioners, consisting of five (5) members who shall serve at the pleasure of the Town Board. Each Commissioner shall be appointed by the New Hartford Town Board as follows:
 - (1) The initial membership of the Commission shall be made up by five (5) members for initial terms as follows:
 - (a) "Member 1" shall be appointed through December 31, 2018
 - (b) "Member 2" shall be appointed through December 31, 2019
 - (c) "Member 3" shall be appointed through December 31, 2020
 - (d) "Member 4" shall be appointed through December 31, 2021
 - (e) "Member 5" shall be appointed through December 31, 2022.
 - (2) Each Town 80ard member and the Supervisor shall be entitled to select one Commissioner subject to meeting all qualifications, including a background check. Should any person entitled to make a nomination fail to do so for a period of 60 days from the date a vacancy occurs, the Town Board shall have the right to make the appointment, and the Board member who was entitled to appoint shall fill the vacancy on the Commission until the appointment is made and approved.
 - (3) All members will be selected after review of their resumes. After the initial terms, all appointments shall be for a five-year term and end on December 31. No Commissioner shall

be allowed to serve more than two full terms, except that members appointed for an initial term of less than five years shall be entitled to serve two full five-year terms after said initial appointment.

- B. If a vacancy occurs, the New Hartford Town Board shall choose a replacement to serve the unexpired term.
- C. Only residents of the Town of New Hartford are eligible to be members of the Board of Commissioners.
- D. If a Commissioner fails to attend three consecutive regular meetings of the Board or is in violation of the Town of New Hartford Code of Ethics, there shall be a hearing before the full Board of Commissioners. If it is determined by the majority vote of the other Commissioners, that good cause for dismissal exists, a recommendation for dismissal shall be forwarded to the New Hartford Town Board.
- E. The Town Board shall select the Chairperson for said Commission and hereafter shall select a Chairperson at the first meeting in January of each year.

SECTION 5. Effective date

This Local Law shall become effective upon filing in the Office of the Secretary of State.

D of 2018

Town of New Hartford, New York Local Law Introducory "B" of 2018

A Local Law to Amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, and the map coincidental thereto as Attachment 1, as it pertains to the Sherrillbrook Town Park, to designate the entire Park parcel as PR (Parks and Recreation).

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

 $\underline{\text{Section 1}}$. Amendments to the Zoning Map are authorized by Chapter 118-131 of the Code of the Town of New Hartford.

<u>Section 2.</u> Chapter 118-17 Zoning Map and Attachment 1 are amended to reclassify a portion of the Sherrillbrook Park parcel on New York State Route 12, currently zoned LDR (Low Density Residential), to PR (Parks and Recreation) in conformity with the remaining portion of said Park. It is the intent of this Local Law to correct an apparent error in the Zoning Map such that the entire Park parcel shall be designation PR.

<u>Section 3</u>. All other provisions of Chapter 118 of the Code of the Town of New Hartford and all amendments thereto are hereby affirmed except as modified herein.

 $\underline{\text{Section 4.}}$ This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Build Flood Plan

Proposed PILOT - The Meadows at Middle Settlement Phase 2

This project involves the second and final stage of the redevelopment of the affordable senior housing project, commonly known as The Meadows at Middle Settlement, and originally constructed in 1970 under the New York State Mitchell Lama Housing Program (the "Property").

The original project contained 149 apartments in 39 buildings, many of which are situated in or adjacent to the Mud Creek flood plain. Throughout the life of the project, and as recently as 01 July 2017, Mud Creek has flooded portions of the property, causing the senior residents — many of which are frail elderly - to be evacuated from their housing. (See attached survey indicating the property's location in relation to Mud Creek and its flood plains.)

In order to mitigate the damaging and disruptive effects due to the flooding caused by Mud Creek, the original Owner, Meadows at Middle Settlement, Inc. entered into an agreement to redevelop the property with the goal of demolishing the existing buildings and replacing the 1970s era housing with new apartment buildings constructed outside the Mud Creek flood plain.

On 09 November 2015, at a meeting of the Town of New Hartford Planning Board, the Planning Board approved the proposed Final Site Plan for the redevelopment of the Property (the "Redevelopment"), which envisioned the Property to be developed in two phases (See attached Site Plan).

The Redevelopment was designed to provide new, safe, decent affordable housing for seniors, and provide a permanent solution for this flood-threatened property by: a) providing new housing constructed away from the flood-threated portion of the site, b) removing all of the structures located in and adjacent to Mud Creek, and c) creating a flood plain mitigation area at the southeast corner of the property that would benefit areas downstream from the Property.

To show support for the Redevelopment, on 11 February 2015 the Town of New Hartford passed a Board Resolution authorizing the Town Supervisor to issue a letter of support for Redevelopment, and to enter into a PILOT Agreement in the amount of \$18,000 for Phase 1, and \$11,000 for Phase 2.

As a result of this strong demonstration of support from the Town of New Hartford, Phase 1 of the Redevelopment was successful in receiving an award of \$28M in funding from various NYS agencies (including \$7M from the NYS Governor's Office of Storm Recovery – GOSR).

Subsequent to the Phase 1 funding award, the Town of New Hartford entered into a \$200/unit Phase 1 PILOT Agreement with the following Ownership entities: a) Fee Title Owner: Meadows Phase I Housing Development Fund Company, Inc. b) Beneficial Owner: Meadows Senior Living L.P.

Construction on Phase 1 began on 26 June 2017, and the first two building will be placed into service in June 2018.

Florend

In February 2018, GOSR issued a new Request for Proposal (RFP) offering an additional \$5M to fund reconstruction activities in the certain NYS storm damaged counties. Entities affiliated with the Phase 1 Owners will submit an application in response to this GOSR RFP, and will seek \$18M in total to allow Phase 2 of the Property to commence.

This application will be materially strengthened if it includes a statement of support from the Town of New Hartford, and a reaffirmation of the authorization to enter into a PILOT for Phase 2 of the Redevelopment.

The prospective Phase 2 PILOT would be in the amount of \$200/unit, and between the Town of New Hartford and the following to-be-formed Owner entities a) Fee Title Owner: Meadows Phase 2 Housing Development Fund Company, Inc. b) Beneficial Owner: Meadows Senior Living 2 L.P.

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The Redevelopment was designed to provide new, safe, decent affordable housing for seniors, and provide a permanent solution for this flood-threatened property by: a) providing new housing constructed away from the flood-threated portion of the site, b) removing all of the structures located in and adjacent to Mud Creek, and c) creating a flood plain mitigation area at the south-east corner of the property that would benefit areas downstream from the Property.

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PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL CORRESPONDENCE, INVOICES, SHIPPING PAPERS AND PACKAGES.

104057

TOWN OF NEW HARTFORD

48 Genesee Street New Hartford, New York 13413

CONDITIONS

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Young, Gail

Zoning (Codes) & Planning

Fror	n:
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Booth, Joe

Sent:

Wednesday, February 28, 2018 10:55 AM

To:

Young, Gail

Subject:

RE: Town Board Meeting 03,07,2018

X

Gail Paul Miscione asked me to place this on the agenda.

RFP for mowing abandoned properties

Thanks Joe

From: Young, Gail

Sent: Tuesday, February 27, 2018 8:59 AM

To: Anthony J. Trevisani; 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; Philip S.

Cittadino; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.

Subject: Town Board Meeting 03.07.2018

In order to prepare the agenda for the March 7, 2018 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:			
			

This information must be received in my office no later than 4:00 P.M. on Thursday, March 1, 2018, as I will have to send the draft to the Town Supervisor for his completion of matters that he will be presenting. 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

PUBLIC SAFETY & Courts

Young, Gail

From:

Michael S. Inserra <msi108@newhartfordpd.com>

Sent:

Wednesday, February 28, 2018 10:46 AM

To:

Young, Gail

Subject:

RE: Town Board Meeting 03.07.2018

Attachments:

20180228103238555.pdf

Gail,

Please place same on the agenda for 2/7/18.

Thanks

From: Young, Gail [mailto:qyoung@townofnewhartfordny.gov]

Sent: Tuesday, February 27, 2018 8:59 AM

To: Anthony J. Trevisani; Booth, Joe; Cully, Herb; Cunningham, John Carson; Darlene Abbatecola; Dreimiller, Dan; Michael S. Inserra; James Messa; Lisa Smigle; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; Philip S.

Cittadino; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.

Subject: Town Board Meeting 03.07.2018

In order to prepare the agenda for the March 7, 2018 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

XXX Place the following on the Agenda:

Accept agreement (attached to this email) with the Oneida County STOP DWI office to participate in Selective STOP-DWI Crackdown Patrols on targeted holiday dates with a reimbursement sum of four thousand dollars (\$4000.00). Approve Supervisor Miscione to sign said agreement.

This information must be received in my office no later than 4:00 P.M. on Thursday, March 1, 2018, as I will have to send the draft to the Town Supervisor for his completion of matters that he will be presenting. 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.

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Thank you!

ONEIDA COUNTY SELECTIVE STOP-DWI CRACKDOWN PATROLS AGREEMENT

THIS AGREEMENT made this 4th day of January 2018, by and between the TOWN OF NEW HARTFORD through its NEW HARTFORD POLICE DEPARTMENT, having offices at 32 Kellogg Road, New Hartford, New York 13413, hereinafter referred to as the "POLICE AGENCY," and the COUNTY OF ONEIDA, through its STOP-DWI PROGRAM, hereinafter referred to as the "COUNTY" (collectively referred to as the "Parties").

WHEREAS, the COUNTY operates and conducts a "STOP-DWI PROGRAM," which seeks the County-wide reduction of alcohol-related traffic injuries and fatalities; and

WHEREAS, the STOP-DWI PROGRAM has been the recipient of a special grant from NYS STOP-DWI Foundation to support a program entitled "Selective STOP-DWI Crackdown Patrols"; and

WHEREAS, the POLICE AGENCY has expressed the willingness, ability and desire to participate in Selective STOP-DWI Crackdown Patrols.

NOW, THEREFORE, the Parties agree as follows:

- 1. The POLICE AGENCY shall provide Selective STOP-DWI Crackdown Patrols on targeted holiday dates, as set by the New York State STOP-DWI Foundation. These services and activities shall be related to the mission of the STOP-DWI PROGRAM: the County-wide reduction of alcohol related traffic injuries and fatalities.
- 2. The COUNTY shall reimburse the POLICE AGENCY up to the sum of four thousand dollars and no cents (\$4,000.00) for its participation in Selective STOP-DWI Crackdown Patrols. The funds paid to the POLICE AGENCY under this Agreement are intended to be used to support hours worked by police officers during the Selective STOP-DWI Crackdown Patrols. Payments shall be made upon receipt from the POLICE AGENCY of a properly completed COUNTY voucher and related New York State STOP-DWI Foundation activity forms, which will itemize and set forth in detail the costs incurred and/or services performed. Said voucher and forms must be submitted within thirty (30) days of said Selective STOP-DWI Crackdown Patrols.
- 3. All activities associated with this AGREEMENT shall be governed by the officially published "Standard Operating Procedures of the Oneida County Stop-DWI Program," as same may be amended.
- 4. The POLICE AGENCY warrants and represents that the program to be conducted by it under this AGREEMENT does not violate Section 1197 of the Vehicle and Traffic Law of the State of New York, as same may be amended.
- 5. The POLICE AGENCY agrees to comply with all applicable Federal, State, and Local statutes, rules, and regulations, as same may from time to time be amended.

- 6. The POLICE AGENCY shall notify the STOP-DWI PROGRAM Coordinator of all traffic fatalities occurring within the POLICE AGENCY's jurisdiction during the term of this AGREEMENT, upon completion of the investigation of the fatality. Such notification shall include a photocopy of the final MV-104A and MV-104D Police reports.
- 7. The COUNTY reserves the right to terminate this AGREEMENT upon thirty (30) days written notice to the POLICE AGENCY. In the event of termination, the COUNTY will have no further obligation to the POLICE AGENCY other than payment for costs or services actually incurred prior to termination. In no event will the COUNTY be responsible for any actual or consequential damages as a result of termination.
- 8. This AGREEMENT may not be assigned by the POLICE AGENCY without the prior written consent of the COUNTY.
- 9. The Oncida County Standard Contract Clauses Addendum, which contains additional terms, covenants, and conditions that the Parties agree to be bound by and follow, is incorporated by this reference and made a part of this AGREEMENT.
- 10. This AGREEMENT shall be effective from December 15, 2017 through September 30, 2018.

THE REMAINDER OF THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, this AGREEMENT has been duly executed and signed by:

TOWN OF NEW HARTFORD

BY: Paul A. Miscione Title: Town Supervisor ONEIDA COUNTY BY: Anthony J. Picente, Jr. Title: Oneida County Executive DATE DATE DATE DATE DATE DATE

Alison Stanulevich, Assistant County Attorney

Town of New Hartford Title: + Name: Address: Per Union Contract Salary: Current Rate as Set by Town Board Requested Start Date: Date of Vacancy: Reason: Type of Position: Part-Time Full-Time Seasonal Type of Appointment: |X | Permanent Provisional Temporary Transfer Department Head Signature: Human Resources (Civil Service) Mandatory List Non-Mandatory List No List Classification: | Competitive Non-Competitive Labor Exempt Unclassified Certification of Eligible List Requested: Application Approved by Oneida County Transfer Approved by Oneida County Included: Application Copy of Certification of Eligible List Transfer Form Human Resource Signature: Town Board Approved Disapproved Town Supervisor Signature: NOTE: Requested Start Date is the first day the employee reports to work. The approval date is the date the Board approved the appointment. Approval date is not the date of employment (unless they are one in the same)

No employee is to begin work prior to Board approval.

Employees MUST report to HR no later than the first day of work to complete all employment paperwork.

If paperwork is not complete, no paycheck shall be distributed.

Unless an emergency, no start date should be made effective prior to Board approval.

All changes in employment ie. title, salary, etc. should be made effective with the start of a payroll.

March 1, 2018

Memo to New Hartford Town Board:

Please increase A6772.4

\$164.

And increase A2005.1

\$164.

This is a reimbursement for a senior trip we took 2017 to be added to our bus trips for 2018 funding. Birnie Bus agreed to lower cost of the Cooperstown trip and here is the refund

Thank you,

Eileen Spellman New Hartford Senior Center March 7, 2018 Agenda

Town Clerk Committee

Melody K. Fancett

From:

Miscione, Paul

Sent:

Thursday, March 01, 2018 3:42 PM

To:

Melody K. Fancett

Cc:

Cully, Herb

Subject:

Re: Eric Szatko Notice of Claim-2017

In reviewing this claim I don't believe the town is responsible for such an incident. If you'd like to put it on the agenda for March 7 meeting see what the board feels about it

Sent from my iPhone

On Mar 1, 2018, at 1:35 PM, Melody K. Fancett < mfancett@townofnewhartfordny.gov > wrote:

Herb & Paul:

Mr. Szatko called today inquiring about the status of his claim he submitted in July 2017. He's waiting on a response as to how the Town wants to handle this claim.

Patrick Tyksinski did not feel this claim should go to the Towns insurance company as the cost to repair his vehicle due to a pot hole is \$292.71 and the Town has a \$500.00 deductible.

Please advise on how to proceed with this claim as Mr. Szatko wants it closed.

Melody K. Fancett, Deputy Town Clerk

Gail Wolanin Young, CMC/RMC
Town Clerk/Registrar/Tax Receiver
Records Management Officer
48 Genesee Street
New Hartford, NY 13413
(315) 733-7500 ext 2322
www.NewHartfordTown.com

Invoice

PO Box 477 Chadwicks, NY 13319-0477

Date	Invoice #			
7/18/2017	10698			

	Bill To				*	Ship To	Ship To				
	3121 O SAUQI	zatko neida street joit ny 13456 -5835 - 314	5								
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					7/18/2017						
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2 Parts - T 1.25 Labor - T Labor - T		REM ALIC	REAR SWAY BAR LINKS REMOVE AND REPLACE SWAY BAR LINKS ALIGNMENT Tales Tax JUL 2 5 2017 TOWN OF NEW HARTFOR			,		48.50 70.00 85.90 8.25%	97.00T 87.50T 85.90T 22.31		
Г	Dhe	uno #						Total		\$292.71	

315-737-5000

Phone #

ARCESPEE

Eric Szatko 3121 Oneida St. Sauquoit, NY 13456

JUL 0 5 2017

TOWN OF MEW HARTFORD TOWN CLERK

7/5/17

Gail Wolanin Young 48 Butler Hall, 48 Genesee St. New Hartford, NY 13413

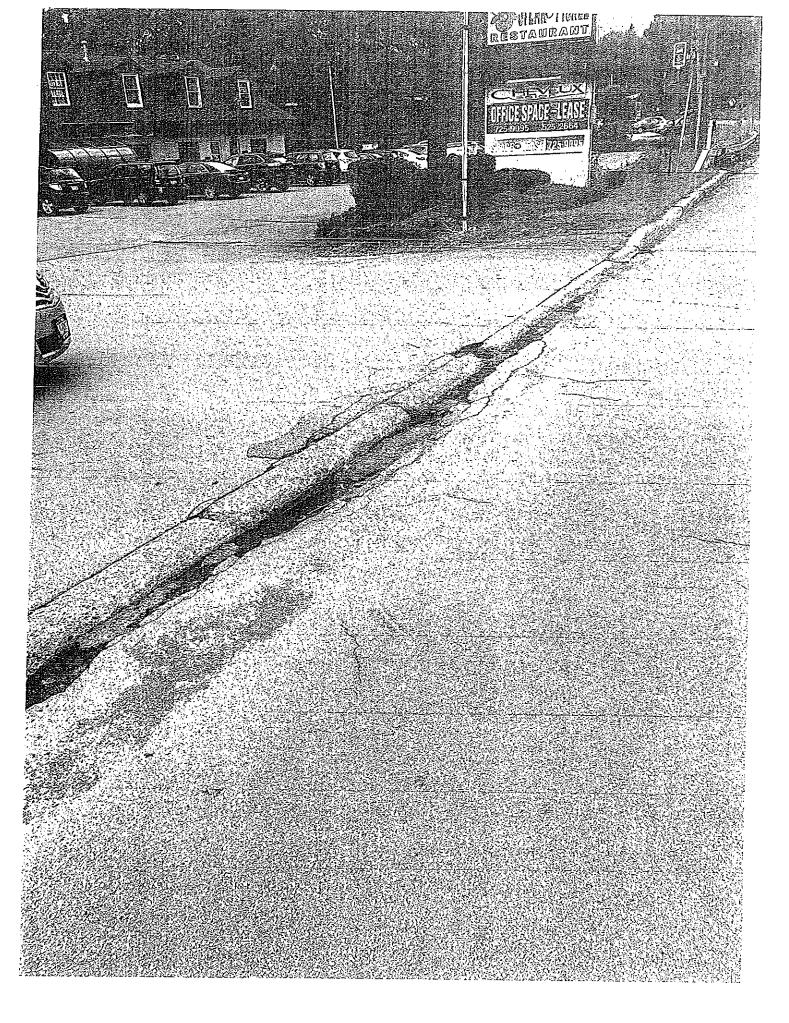
Dear Ms. Young;

On 6/29/17 I was making a left hand turn off Oneida Street into the parking lot at 3963 Oneida Steet, New Hartford, NY 13413. While making the turn I hit a pothole on Oneida Street just prior to the entrance way for the parking lot. The pothole on Oneida Street runs the whole length of the entranceway to the parking lot. When I hit the pothole there was a loud thud and then I immediately noticed that there was a noise coming from my vehicle. After pulling out of the parking lot I noticed that my vehicle was pulling to the side. I have included a photo of the pothole. If you have any questions please contact me at (315)527-5838 or at eszatko@hotmail.com,

Thank you,

Eric Szatko

I still notice a noise coming from one of my tires and the vehicle palls to the side



Young, Gail

From:

Young, Gail

Sent:

Wednesday, August 02, 2017 1:52 PM

To:

Tyksinski, Patrick M.; Cully, Herb; Sherman, Richard C.

Subject:

Emailing: Notice of Claim-Eric Szatko-2017.pdf

Attachments:

Notice of Claim-Eric Szatko-2017.pdf

Gentlemen:

Eric Szatko submitted a claim for vehicle damage that happened when he turned off Oneida Street into the parking lot of 3963 Oneida Street along with a photo and an estimate for repairs.

The estimate is in the amount of \$292.71 and the Town has a \$500.00 deductible. I have not forwarded this to the Towns Insurance Company and I will wait to proceed with this claim until I hear from you.

Mel

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

Notice of Claim-Eric Szatko-2017.pdf

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