

**SPECIAL MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL IN THE VILLAGE OF NEW
HARTFORD ON SATURDAY, JANUARY 18, 2003 AT 10:00 A.M.**

The Town Supervisor called the meeting to order at 10:00 A.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 being present during the progress of the meeting:

TOWN BOARD MEMBERS: Councilman Donald C. Backman
Councilman Richard B. Woodland, Jr.
Supervisor Ralph B. Humphreys

ABSENT: Councilman John C. Waszkiewicz III
Councilman David W. Butler

OTHER TOWN OFFICIALS: Town Clerk Gail Wolanin Young, CMC/RMC

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

MATTERS SUBMITTED BY TOWN SUPERVISOR:

Health Insurance – Part-time Employees

The Teamsters Health Insurance fund requires the offering of health insurance coverage to the part-time police officers and dispatchers, exclusive of seasonal employees and elected officials, the latter of who are addressed elsewhere in the Town's Employee Handbook. Discussion included whether the offering of health insurance was specifically for part-time police/dispatchers or whether it was for all regular part-timers; thereafter, Councilman Backman offered the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 41 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby offer health insurance coverage, effective immediately, to the regular part-time employees, exclusive of seasonal employees, with the monthly premiums for such health insurance coverage to be the sole responsibility of said employees who shall, in order to remain eligible for this benefit, pre-pay the monthly premiums by a specific date to be prescribed by the Personnel Assistant; and be it

FURTHER RESOLVED that the Personnel Assistant is hereby authorized and directed to amend the Town Employee Handbook to reflect the above-referenced fringe benefit.

A roll call vote was duly held as follows:

(Councilman Waszkiewicz	-	ABSENT)
Councilman Woodland	-	Aye

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(Councilman Butler - ABSENT)
Councilman Backman - Aye
Supervisor Humphreys - Aye.

Resolution No. 41 was thereafter declared unanimously carried and duly adopted.

REPORTS OF TOWN OFFICIALS

TOWN CLERK:

Local Law Introductory No. Fourteen, As Amended, of 2002

The referenced legislation had been amended at the request of the Town Board on January 15, 2003 to delete building permits for fences; thereafter, the following legislation was introduced for the Town Board's consideration at a future public hearing; co-sponsored by Councilman Backman:

Town of New Hartford, New York
Local Law Introductory No. Fourteen, As Amended, of 2002

A Local Law to amend the Code of the Town of New Hartford, **Chapter 118** thereof entitled **ZONING**, and specifically Article XV [Miscellaneous Provisions], Section 118-93 [Fees], Subparagraphs C. through J., inclusive, as same relate to building permits, certificates of occupancy, zoning and other related fees.

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, Article XV [Miscellaneous Provisions], Section 118-93 [Fees] is hereby amended as follows:

Replace the existing Paragraph C. [Issuance of building permits] through Paragraph J. [Demolition permits] with the following new fees:

C. Issuance of building permits		
(1) One or two family residences		\$.15 sq.ft.
Mobile homes		\$.15 sq.ft.
Multi-family residences (apartments, condominiums, townhouses – zero lot lines)		\$.15 sq.ft.
Additions (residential)	Minimum	\$ 15.00 plus \$.15 sq.ft.
Detached accessory buildings and structures		\$.10 sq.ft or \$ 30.00 minimum

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- (2) Commercial (includes buildings, additions, alterations and repairs and accessory structures) \$.12 sq.ft. for first 100,000 sq.ft. and \$.16 sq.ft. over 100,000 sq.ft.

- (3) WHERE WORK IS STARTED BEFORE A BUILDING PERMIT IS ISSUED, THE APPLICATION FEE IS DOUBLED.

Building Permits expire one (1) year from the date of issue. Renewal for One (1) year is 25% of the original permit fee.

D. Miscellaneous

- (1) Demolition Permits:
a.) Residential buildings \$ 50.00
b.) Commercial buildings \$150.00
- (2) Swimming Pools:
a.) Above ground \$ 30.00
b.) Inground \$ 50.00
- (3) Signs per square foot – face area
Minimum each sign \$ 45.00 minimum plus \$1 sq.ft.
- (4) Open decks:
a.) Up to and including 400 sq.ft. \$ 25.00 minimum
b.) Over 400 sq.ft. \$ 40.00
c.) Decks with roofs, same as additions
- (5) Commercial Tents (temporary 20 days maximum) \$100.00
- (6) Fireplaces, stoves and other Solid Fuel burning appliances \$ 30.00
- (7) Certificates of Occupancy:
a.) Residential buildings, one and two family \$ 50.00
b.) Multiple dwellings \$ 25.00 per dwelling
c.) Non-residential buildings:
1.) first 1,000 sq.ft. \$100.00
2.) each 1,000 sq.ft. or part thereof \$ 10.00

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d.) Construction inspection. When, at the discretion of the town Codes Enforcement Officer or the Town Engineer, it is determined that independent construction inspection services for site work, exterior utilities and appurtenances are required to ensure compliance with the requirements for town codes and other town policy, an additional fee will be assessed to the applicant to compensate for the charge incurred by the town. A prepaid fee will be established by the Town Board based on the current hourly inspection rate schedule approved by the Town Board.

(8) Site Grading Permit Fee: \$100 minimum
or \$100 per acre;
fractional acreage
will be rounded
to the nearest acre

(9) Sewer Permits:
a.) Residential \$ 50.00
b.) Commercial \$150.00

(10) Septic Tank Permits \$ 50.00

(11) Driveway Permits \$ 25.00

E. Application to Zoning Board of Appeals

(1) Application for Area Variances:
a.) Residential, one and two family \$ 60.00
b.) Multiple dwellings and other non-
residential uses \$200.00

(2) Application for Use Variances (all uses) \$200.00

(3) Applicants appearing before the Zoning Board of Appeals, upon payment of the designated fee, are entitled to only one (1) “no-show” at a Zoning Board of Appeals’ meeting, unless otherwise adjourned by said Zoning Board; and after that, the applicant must reapply and pay the designated fee.

F. Fire Inspections

(1) Commercial:
a.) Up to 5,000 sq.ft \$ 25.00
b.) 5,000 to and including 20,000 sq.ft. \$ 50.00

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c.) Over 20,000 sq.ft.	\$ 75.00
(2) Multi-family (three or more)	\$ 10.00 per unit
G. Commercial Plan Review	\$.01 per sq.ft.
H. Request for amendment to Zoning Law, text or map amendment, excluding Planned developments:	\$100.00
I. Request for amendment to Zoning Law for Planned Development District (over five acres):	\$500.00
J. Copy of Zoning Law	\$ 50.00
K. Special permit application	\$250.00

SECTION 2. 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 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Public Hearing Scheduled - Local Law Introductory No. Fourteen, As Amended, of 2002

Councilman Woodland then offered the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 42 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, February 5, 2003 at **8:00 P.M.**, or as soon thereafter as reached in the regular course of business, in the Community Meeting Room of Butler Memorial Hall in the Village of New Hartford to consider **Local Law Introductory No. Fourteen, As Amended, of 2002** which, if adopted, would amend the Code, Chapter 118 thereof entitled **ZONING**, and specifically Article XV [Miscellaneous Provisions], Section 118-93 [Fees], Subparagraphs C. through J., inclusive, as same relate to building permits, certificates of occupancy, zoning and other related fees; and be it

FURTHER RESOLVED that the Town Board does authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in The Observer Dispatch.

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A roll call vote ensued:

(Councilman Waszkiewicz	-	ABSENT)
Councilman Woodland	-	Aye
(Councilman Butler	-	ABSENT)
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted.

Local Law Introductory No. "A" of 2003

The following legislation was introduced by Councilman Backman for the Town Board's consideration at a future public hearing; co-sponsored by Councilman Woodland:

Town of New Hartford, New York
Local Law Introductory No. "A" of 2003

A Local Law to amend the Code of the Town of New Hartford by creating a new **Chapter 64** entitled **FIRE HYDRANTS** and restrictions with respect to placing materials on or in the immediate vicinity of fire hydrants.

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

SECTION 1. The Code of the Town of New Hartford is hereby amended by creating the following new Chapter 64:

Chapter 64
Fire Hydrants

Section 1. PURPOSE:

The purpose of the local law is to protect the public health, safety, and welfare of public and private property by establishing restrictions with respect to placing materials on or in the immediate vicinity of fire hydrants located within the Town of New Hartford so as to prevent their location from being discovered; boxing their immediate access in the event a fire hydrant needs to be used and to help insure the proper maintenance of fire hydrants so they will be operable in the event of an emergency.

Section 2. STATUTORY AUTHORITY:

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The adoption of this local law is made pursuant to Section 10 of the Municipal Home Rule Law.

Section 3. DEFINITIONS; WORD USAGE:

A. For the specific purpose of the local law, the following term shall have the meaning assigned:

Immediate vicinity – a four (4) foot radius surrounding from the base of the Fire hydrant.

Section 4. FIRE HYDRANT PROTECTION:

No person shall shovel, plow, push, place, drop, rake, throw or discard any snow, ice, mud, branches, tree limbs, grass, weeds, leaves, rubbish, papers, cardboard, garbage, boards or any similar materials on, against, or in the immediate vicinity of a fire hydrant located in the Town of New Hartford.

Section 5. VIOLATIONS AND PENALTIES:

Each violation of any provision of the local law and each day that the violation continues or exists shall constitute a separate and distinct offense and shall be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250) per offense with a minimum fine of Fifty Dollars (\$50) per offense.

SECTION 2. All other provisions 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 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Public Hearing Scheduled – Local Law Introductory No. “A” of 2003

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

(RESOLUTION NO. 43 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, February 5, 2003 at **8:00 P.M.**, or as soon thereafter as reached in the regular course of business, in the Community Meeting Room of Butler Memorial

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Hall in the Village of New Hartford to consider **Local Law Introductory No. "A" of 2003** which, if adopted, would amend the Code of the Town of New Hartford by adding a new **Chapter 64** thereof entitled **FIRE HYDRANTS**, and restrictions with respect to placing materials on or in the immediate vicinity of fire hydrants; and be it

FURTHER RESOLVED that the Town Board does authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in The Observer Dispatch.

A roll call vote ensued:

(Councilman Waszkiewicz	-	ABSENT)
Councilman Woodland	-	Aye
(Councilman Butler	-	ABSENT)
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted.

Surplus Land Sale

Regarding the 40' x 60' parcel on Seneca Turnpike acquired from the Karrats in 1982 to service Sewer District No. 8 properties via a pump station, it was noted that the parcel has no tax map number and the Board questioned subdividing the property if the Town were to sell the parcel that is no longer needed. The Town Clerk had discussed with Kevin Crawford, Attorney with the State Association of Towns, the procedure the Town needs to follow to sell the parcel; Attorney Crawford referred to Section 64 of Town Law and stated that the Resolution to sell the land is subject to a permissive referendum. The Supervisor will discuss with the Highway Superintendent the cost of subdivision and adding a tax map number to this parcel, with a report to be given at the February 5, 2003 Town Board meeting.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Backman, seconded by Councilman Woodland, the meeting was adjourned at 10:37 A.M.

Respectfully submitted,

**Gail Wolanin Young, CMC/RMC
Town Clerk**