

6. Items to Ban (2021) – when BAN monies received
 - i. Oneida Street Bridge - \$500,000.00; Highway Superintendent Richard Sherman – culvert pipes on Oneida Street – Town’s responsibility – our cost – looking to put a bridge so no bottle necking, debris will flow underneath – it’s a concrete box culvert – comes in three sections – anything over 20 ft. is considered a bridge – this is grant monies out there for Bridge NY – it would be two 10 ft. box culvert and another right next to it – so they would be 4 ft. high and 44 ft. long – the width of the road – all concrete; Supervisor Miscione – once we do this, it’s done with this project – move the water main, we still have to pay for it either way – have to BAN for it – we believe 50/50 through Bridge NY to get back
 - ii. James Bray – Emergency – Oneida Street - \$86,000.00
 - iii. 2021 John Deere 650 Dozer - - upgrade - \$67,914.00; Supervisor Miscione – Rick has been renting one; Gerald Webb – the machine we have now is small – if we bought this one, it would be something long term, probably have it the rest of our life, its needed; Highway Superintendent – trade in the other one – got \$83,000 trade in – to rent it – we owe at least \$20,000 rental fee for two months – will use it non stop to build the ponds – the team I have, they have proven themselves, saving money having our guys do it, saving the Town money; Councilman Reynolds – can’t do it with a backhoe, it’s a dozers job, the one that I saw, in my option, is small for a project I saw them working on; Highway Superintendent Richard Sherman – we have moved 20,000 cubic yards of dirt; Gerald Webb – the other incentive – we are building these ponds, 5 acres, and all these ponds down the road – we’re going to need it to clean them – trying to do it with a little one is almost impossible – the big one will be utilized for all situations (building and maintenance)
 - iv. 2021 Excavator - \$109,208.00 – Supervisor Miscione – we’ve been renting one – everyone wants their stuff to be cleaned out after the last storm; Highway Superintendent Richard Sherman – we are renting one, we have two small ones – renting a big one with the option to by – have a schedule for each excavator is going – can’t keep up with the projects we are getting – the big excavator is at Woodberry pond site right now, its going to go down to the outlet, across the street by the pool, its going to Woodberry Lane to move concrete headwall behind DeSantis house that hasn’t been done yet – its going across Woodberry Lane (we have a failure there where the bank caved in – put 25ft of concrete blocks in) – Sedgewick Park – 59 Imperial (replace pipe, guys house that was here) – Willowvale Creek, cleaning and stabilizing it. Those are the jobs for the big machine. A lot more jobs that need to be done, Cosmo Court, Sherrill Lane, Brookside Terrace, Whitetail, Brantwood Lane, etc. Get one job, get three more. Can’t keep up with

- all these job – needed to rent to keep moving on with jobs. Not putting on any additional manpower just keep moving guys around.
- v. Foxcroft (Woodberry) Detention Pond - \$60,000.00 – Supervisor Miscione – this is for the engineering additional fee that we didn't have the grant money for – also for the additional cost for that project – stormwater related stuff.
 - vi. Oneida Street/Elm Street - \$325,000.00
 - vii. Additional Signage - \$300,000.00 – asked Board to start thinking where they wanted additional signs down the road.
 - viii. Loader - \$123,000.00 – 2nd Loader we needed to purchase minus the trade in value
 - ix. Stormwater Project - \$700,000.00
- TOTAL - \$2,271,122.00**

Supervisor Miscione – we talked to the accountants today (Barb and Paul) – said best thing to do is keep your Fund Balance where it is, budget where it is and Ban for these items. There are really no negative issues doing it this way, because these are long-term capital projects, you're paying over time (bridges, stormwater, etc.) – making payments smaller, getting infrastructure done for the Town – recommendation was to do it this way than dwindle your Fund Balance down to nothing, it will hurt your bond rating, hurt you overall; Councilman Messa – I understand all these – have some issues with all these – issues with bonding and banding for so much, we've already in the last year or two, we've banded/bonded probably \$6/\$7 million, another \$2.2 million seems like a lot; Supervisor Miscione – it is a lot of money but everyone is coming to the meetings wanting stormwater done – Councilman Messa – if you took some things out – we got the Fund Balance at \$3 million (can't remember exact) – some of these items, I don't think it's going to hurt us to throw \$86,000, \$60,000 – all these little things – not that it's going to bring it down - \$2.2 million is a lot to band – is there other departments that need anything else – did we look at that?; Supervisor Miscione – no, stormwater, these projects are one of the main things; Police Chief Michael Inserra – needs switching unit for body camera program, \$20,000; last two year – came to the Board the last couple of months – got no answers – Police loaned unit – needs new switching units – looking to get equipment to keep police department functioning – the job the guys need to do on the road – Axon is coming the first week in September; Councilman Messa – is the body camera equipment a requirement – statewide – legal reason do you need to have these on; Police Chief Michael Inserra – eventually think state will go to a mandatory program – bottom line is we should have them on now; Town Attorney Herbert Cully – they are really good to have, save us from lawsuits; Supervisor Miscione – I agree, that is why we bonded \$200,000 to buy them; Police Chief Michael Inserra – Ports are dying – we have no ports available, just need six ports; Councilman Messa – let's get the switches regardless – I'm not comfortable deciding on this tonight. I think it's a lot of money. I understand the urgency and the need to have these things but I just need to wrap my head around this. I can't approve \$2.2 million tonight; Supervisor Miscione – I'm just bringing this to you because these are the things that were brought to me and I'm bringing them to you; Councilman Lenart – has the reserve balance been steady for the last four of five years, up or down; Supervisor Miscione – we've stayed equal – in our budget every year, whatever we get the year before gets put back in our budget to give back to the tax payers the following year so it makes it that we don't have tax increases that high. It keeps our Fund Balance stable where we are and it's been up in the last

three years but not substantially but it hasn't been eaten up either. Again, that's what gave us our best bond rating ever, which helped us with our interest payments and gave us more financial stability; Councilman Lenart – agree with you – the Fund Balance is too high – the state can come down because they want that money to go back to the tax payers; Supervisor Miscione – every year in the budget the Fund Balance item, that's the money that was additional surplus from the year before. Sometimes it's a little higher because we don't need the money in the budget – we're not going to give negative tax rates – will catch up with us with employment and other things; Councilman Lenart – to Jim's point, maybe there are items out of here that we could use out of the Fund Balance to reduce it; Supervisor Miscione – if you take \$86,000 away/out of the Fund Balance, you can go 4/5 years on this project, pay it off anyway and still use a small amount of Fund Balance in your budget but you're not should you're pulling it out because that shows a negative impact. If you pull a Fund Balance mid-year to bond stuff with it isn't as positive as budgeting if for in the budget in a Public Hearing and knowing that you're using that to make your Fund Balance every year – it's almost budgeted fund balance its not unforeseen fund balance; Councilman Lenart – this is still a tax increase to the tax payer? It's a cost – you're not paying for it, I'm not paying for it, the tax payers are. You're still spending close to \$2.3 million; Councilman Reynolds – may or may be a tax increase; Councilman Lenart – it's still going to be a cost; Supervisor Miscione – it's a cost to do business if weren't any machines and machines we didn't use the machines – if we do the projects, we're still spending the money. If we don't do the budget; Councilman Lenart – not saying don't do the projects, just a matter of if we're paying for it or if we get the money from the other place, how we financing; Councilman Reynolds – but I think you can't do the projects out of the budget; Supervisor Miscione – correct, there is not enough money in our budget to even pay Jim Bray for \$86,000,000 in our yearly budget. If we take it out of highway Part Town Fund Balance, it's going to decrease by like 4%, then again, it's going to be more negative impact on the Town then again if you BAN for it and make that payment over 20 years. You're paying interest but not hitting the tax payer all in that one year. Everyone is going to drive over the street on Oneida Street so you're using that bridge for 30 years, you're paying for it over 30 years. If took it out of Fund Balance then your bond rate is going to go down; Councilman Lenart – Depends on how much doing; Supervisor Miscione – you're taking it out of Fund Balance anyway because you're going to make your payments with Fund Balance on a scheduled budgeted document.; Councilman Lenart – you can, depends on how much money you want to set aside for Fund Balance; Supervisor Miscione – you can make the payments; Councilman Reynolds/Supervisor Miscione – It would be a budgeted items at a Public Hearing; Councilman Lenart – what I'm saying if you got \$4 million in Fund Balance, maybe you want to go down to \$3 million and keep it at \$3 million and you don't have to replenish that. I think that's what we're saying (Lenart and Messa); Supervisor Miscione – you can still take the \$2 million, make payments and give people a negative tax bill. Financially it's how you plan it to keep your Town in a stable situation; Councilman Reynolds – to Jim's point, is there anything we have to act on tonight; Highway Superintendent Richard Sherman – Jim Bray has to be paid, the dozer is on hold, if we don't sign tomorrow, it's gone and we will be waiting a year, year and half for another one; Councilman Messa – we buy you anything you want – if we can't get the work done then contract it out – we're spending like crazy; ; Highway Superintendent Richard Sherman – doing this work ourselves over the year; Supervisor Miscione – we've tried to bid it all out – it's a lot – one summer spend \$800,000; Councilman Messa – You can't say \$800,000 because we got a portion of that back from the county, so it's not \$800,000 – we got a substantial portion back; Supervisor Miscione – the cost is huge to bid this stuff out;

Councilman Messa – I understand, then again you have a room full of people that – I get taking time to get the approvals and all that sign off stuff but some of it is just maintenance, sometimes other things we don't have time to get all that stuff done – if you hire out, they Rick's list will be diminished; ; Highway Superintendent Richard Sherman – we don't have the money to hire out – cost \$85,000.00 for four days for Bray to do an emergency on the road repair and it was 300 ft. long; Councilman Messa – It is an emergency, not saying we don't pay that – saying when we get to a point where we have hours to say, make a snap decision, I'm not comfortable – want some time – the numbers are astronomical; Supervisor Miscione – these are big projects; Councilman Messa – the bridge – the concept is great, I know it floods over – want more time – not comfortable approving it tonight; ; Highway Superintendent Richard Sherman – can I get permission to rent that dozer for a couple months; Councilman Messa – are you renting it now with the option to buy; ; Highway Superintendent Richard Sherman – excavator we are, dozer no; Councilman Messa – can you make the same deal; ; Highway Superintendent Richard Sherman – probably yes, then we don't lose it and we have time to think about it; Councilman Messa – fine with that; Gerald Webb – the only thing is that equipment right now, you can't get it. Even if we can get into a rental agreement, so we don't lose it, ultimately, we do need it to finish the bonds that we do need it to do other work. Whether we rent one or not, we're in a situation now where we do need to finish. So, if do need to do something, if we're going to spend another \$17,000, waste it on rental – if you do order one right now, all kidding aside, like our plow trucks, they're over a year out. You will not see one for a year. This is one that they picked up, that someone didn't pick up and it's sitting there idle right now and he's holding it. Which if we don't have the money but it's something to consider if we rent it down the road, we've got the option to buy it. Either way we are going to rent the unit; Councilman Messa – that's my point, as a Board, to disgust this, we're not wasting money by just renting, renting to own; Gerald Webb – at least we can get it right now, if we decide to change, but at least we can go forth with all our projects; Supervisor Miscione – this is my 4th year – I've never made any bad decisions for the Board – I'm not going to mislead anyone. That's great, lets rent it, but Rick doesn't have \$17,000 in his rental budget – say in three months the Board decided they don't want to buy Rick the machine, don't think we need it – where we going to come up with the \$17,000? I understand everything you're saying, don't expect you to make a decision. I brought this to you because these are thing, Jim, Dave, Rick and I get all these phone calls – there for our Town – the infrastructure projects, there assets – assets buying on a State contract, cheaper than anything else – Rick can put this bulldozer up online and he's going to get the same money for it or maybe even \$10,000 less for this unit and we can sell it and be out of it anyway – we're not stuck with it; Councilman Messa - I'm not saying have him rent it for three months – saying give us to at least the next Town Board meeting on Sept. 8th and give us time to discuss this. For everyone's sake, where it's the public or whoever – you have done great with numbers but for myself, need little bit of time; Councilman Reynolds – lets do a spreadsheet; Supervisor Miscione – I have in the past – called financial advisors, the accountants – looking at these things; Councilman Reynolds – we do not to address Chief's immediate concern either through this or some way to get that off the books; Supervisor Miscione – for me it's the best fit – I'll put together with spreadsheet. Rental very expensive. I thought would make more sense to do it this way then to put money out of Fund Balance for rental costs and to pay Jim Bray – once that money is gone, it is gone forever and then rebuild it again – plus it's a negative impact overall. If another big project comes up, I don't know any other way to do it except grants and banding. Our Fund Balance will dish quickly with stormwater; Councilman Reynolds – can you also give what we add to our Fund Balance over the

past five year or annually; Supervisor Miscione – its fine taking it out, I only ask to do it in our budget not just take it out now. If we keep that budget the same throughout the year, we can't touch the Fund Balance – makes our financial stability look great; Councilman Reynolds – that's right; Supervisor Miscione – when we take Fund Balance out before a Public Hearing; Councilman Reynolds – that's a red flag; Supervisor Miscione – exactly; Councilman Lenart – but to take the money out of the Fund Balance to pay for an emergency repair, they're not going to slap your hands for it – guarantee you that , they won't – that's what its there for, if you don't have in your budget, where else you going to get it from – if we're fortunate enough to purchase that land, where we getting the money to pay for it – we don't have it in the budget – you going to ban again for it or take it out of the Fund Balance; Supervisor Miscione – we're going to have to bond for all our lighting districts; Councilman Lenart – I understand, that's a big number and we understand that but there's things coming to down the pike that we also know we're going to have to pay for – lets look at what we got and go from there. To Rick's point – if he wants to go out and rent that machine with the option to buy, I have no problem with it. You're doing it right now – you have an immediate need for it; Highway Superintendent Richard Sherman – we have a need but that's the only way I can save it – they've held it for three months; Councilman Messa – there's other items in the thing that we're considering. Rent it again, its for three weeks before the next Board meeting – what's it going to cost, I don't know. Paul, you can figure out how to pay for it or till it into here; Highway Superintendent Richard Sherman – I'm going to lose it if I don't; Chris Moran – In a short period of time, this Board has brought out equipment really up to speed in a very short period of time; Highway Superintendent Richard Sherman – you've been great to us, everything we've asked – you've given; Councilman Lenart – not saying not buy it, just look at numbers; Councilman Messa – analyze the numbers – Paul does a great job with all the things he's done, you certainly don't put the Town in harms way. Rick-I know you look out as well, for your budget, its just a large number; Councilman Lenart – so we need a motion to rent that with the option to buy?; Supervisor Miscione – I would just let him rent it, why need a motion because we can't pay for it; Councilman Lenart – the contract he signs gives him the option which he can or cannot; Supervisor Miscione – if we make a motion then we have to have in out budget to pay for it; Councilman Messa – be he already has that going; Councilman Lenart – if he rents it, after three week, says I don't want it buy it, that's the end of it, we're not obligated; Town Attorney Herbert Cully – are you signing a contract? How are you renting it?; Highway Superintendent Richard Sherman – with the excavator we signed a lease agreement; Councilman Lenart – we're not on the hook for anything if in 3 weeks he decides he wants to give it back; Town Attorney Herbert Cully – like to see the lease agreement – is it a weekly thing?; Highway Superintendent Richard Sherman – monthly; Town Attorney Herbert Cully – after a month you can walk away?; Highway Superintendent Richard Sherman – No; Supervisor Miscione – will get all information - have a Special Meeting next week – a week to get planned out and done – get police what they need – like to put everything in a budget – makes things more transparent for everyone – our plan is our budget – the police will get the \$20,000 or \$22,000 from that COVID thing for next year; Councilman Lenart – why can't we use COVID money now for police, they need it now, who would we put in budget when we can pay for it right now. The money is there. They gave us \$1.9 million; Supervisor Miscione – they gave us \$90,000; Councilman Lenart – if that money is available, why not use for police, that's why they gave us the money for emergencies; Assistant Director of Personnel Barbara Schwenzfeier – we will have to run it by our accountants; Councilman Messa – set a Special Meeting for Tuesday, August 24th; Chris Moran – Oneida Street project – now that Bradley Road has been done, essentially

what we've done is move the flood down – we shouldn't loose focus on that project, finish that project; Councilman Messa – We should get grant paperwork in and start the process now, if its 50/50, whatever can help; Chris Moran – Rick got the water board to help with moving the meter pit

VII. MATTERS SUBMITTED BY HIGHWAY SUPERINTENDENT

NRCS – the project with the church in Chadwicks – NRCS looked at it – it's already been repaired – want a resolution saying the Town of New Hartford has washed their hands of this project, project is closed – haven't heard anything from the Martin's – no money has been given to us – the church is for sale; Town Attorney Herbert Cully – want a resolution to not proceed any further with the mitigation as it relates to the former Word of Life Church property.

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Woodland:

(RESOLUTION NO. 305 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to not proceed any further with the mitigation as it relates to the former Word of Life Church property.

The Town Board voted upon roll call, resulting as follows:

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

The Resolution was unanimously carried and duly *ADOPTED*.

VII. MATTERS SUBMITTED BY ASSISTANT DIRECTOR OF PERSONNEL

BARBARA SCHWENZFEIER – the Clerk's Office has had the gentleman from Washington that has stormed the Capitol in the office five times and nobody really noticed who he was coming when he's coming in. He's been let in on our side. There is a concern as far as if he gets upset; Councilman Reynolds – why is he here; Town Clerk Cheryl Jassak-Huther – he FOILED the police a couple times and last week he got very upset with me over a FOIL that was taken care of already with Chief, Herb and I but because nobody answered him, he's getting very upset. We don't know who he is, the girls are getting scared, he's being let into the building, we have no clue who he is; Town Attorney Herbert Cully – he come in thorough the police side?; Town Clerk Cheryl Jassak-Huther – correct but we don't who he is and gets let in through the double doors; Councilman Reynolds – don't let him though; Councilman Lenart – now you know who he is; Assistant Director of Personnel Barbara