

REGULAR MONTHLY MEETING DECEMBER 11TH 2018

The regular monthly meeting of the Mayfield Town Board was held on December 11th 2018 at 6:30 PM at the Mayfield Municipal Complex, 28 N. School St. Mayfield NY 12117. The meeting was opened by Supervisor Richard Argotsinger with the Pledge of Allegiance.

PRESENT: Supervisor Richard Argotsinger
Councilman Vincent Coletti
Councilman Jack Putman
Councilwoman Ricciardi
Councilman Thomas Ruliffson

ALSO PRESENT: Carmel Greco, Mike Stewart, Sandy Town, Greg Hitchcock, Larry Cornell, Fred Castiglione, David Jennings, Brenda Cornell, Gary Mazzarelli, Mario Cristaldi, Susan DeRocker, Sheila Bleyl, Steven Murry

PUBLIC COMMENTS: None at this time.

DEPARTMENT REPORTS:

CEO Mike Stewart gave his report stating there were 3 permits issued in November, 4575 visits to the website and he has been out doing inspections.

HIGHWAY DEPARTMENT – Mel Dopp, absent - left report, stating they are been out plowing and salting roads. Questioned the condition of the bridge in Tomantown, and stated more salt would be needed. Highway department completed required training courses.

SUPERVISOR - Richard Argotsinger stated that the county budget was approved. Rate for the Town of Mayfield will be \$12.41 per \$1000.00; which is down from last year by \$0.45. County tax rate will remain the same as last year. Discussed how equalization rate affects tax rate. Town of Mayfield rate is %68 of total assessed value. Towns of Stratford, Bleeker and the City of Gloversville are at %100 percent and have a tax rate between \$8.00 and \$9.00 per \$1000 of assessed value. Typical reevaluation of properties results in approximately 1/3 of properties going up in assessed value, while 1/3 stay the same and 1/3 go down. Historian report for the year was turned in.

HISTORIAN – Sandy Town gave her report stating she has been organizing historic maps, deeds and other records found in the historians office. She stated she has been helping the Clerk with scanning birth, death, and marriage licenses to help not handle the historic records. She also stated she started a Facebook page and has many followers.

OLD BUSINESS:

HARASSMENT POLICY – Councilman Vincent Coletti , the Town of Mayfield Harassment Officer has read the policy that Fulton County had sent. Carmel Greco stated that the Town of Broadalbin and Perth has received a policy from NYMIR which they will be adopting. The Town of Mayfield will review the policy.

LETTERS OF INTEREST FOR PLANNING BOARD AND ZONING BOARD OF APPEALS – A letter of interest was received from Frederick Castiglione to serve on the Zoning Board of Appeals and Jerry Moore expressed interest in continuing to serve on the Planning Board. Both positions will be left advertised on the Town Website until the Organizational Meeting January 1, 2019

6:45 PM – OPEN PUBLIC HEARING ON LOCAL LAW #3

PUBLIC HEARING NOTICE – PLEASE TAKE NOTICE that the Mayfield Town Board will hold a Public Hearing on Tuesday December 11th 2018 at 6:45 PM at the Mayfield Municipal Complex, 28 N. School St.

Mayfield NY 12117 to receive comments regarding proposed Local Law #3 of 2018 for the purpose of a zoning change from R-1 Residential to Mixed Use 1 for property at 125 Griffis Rd. Tax Map 136.-4-8.

Dated November 29th 2018

Nancy Parker

Town Clerk

Town of Mayfield

No public comments at this time. The Public Hearing will be left open as Town Business continues.

NEW BUSINESS:

NATIONAL GRID – The estimate from Nation Grid to convert to LED street lighting is approximately \$53,000.00. The Town of Mayfield has 34 lights. All of the street lights in the Town of Mayfield are owned by National Grid with the exception of the lights at the Vail Mills Roundabout. A letter was received explaining grants available to reduce these costs. Town Attorney Carmel Greco will look over the contract before any decisions are made.

FIRST LIGHT - A request was received from First Light stating that they would like to erect 2 poles on the Town Barn Property to service the future potential cell tower that will be on the future village water tower. The Mayfield Town Board will request further information, and a contract to be looked at by the Town Attorney.

At this time Mayor Cornell introduced the Village of Broadalbin Trustees and The Town of Mayfield Board members introduced themselves.

7:00 – OPEN JOINT PUBLIC HEARING FOR ANNEXATION OF LAND TO THE VILLAGE OF BROADALBIN.

NOTICE IS HEREBY GIVEN that a Petition, pursuant to General Municipal Law, Article 17, has been received by the Town Board of the Town of Mayfield and the Board of Trustees of the Village of Broadalbin, Fulton County, New York, for the annexation to the Village of Broadalbin of the following described territory situated in the Town of Mayfield.

Parcel # 137.10-2-3.5 (Owner: Mazzarelli, 183 Ext. N. Main St., Broadalbin NY

Parcel # 137.10-2-4 (Owner: Westfall, 175 Ext. N. Main St. Broadalbin NY

Parcel # 137.10-2-2.2 (Owner: Charland, 199 Hickory Ridge Dr., Amsterdam NY

NOTICE IS FURTHER GIVEN, that the Town Board of the Town of Mayfield and the Board of Trustees of the Village of Broadalbin have agreed to jointly hold and conduct a public hearing upon such petition, on December 11th 2018, at 7:00 PM in the Town of Mayfield's Town Hall at 28 N. School St. Mayfield New York. At such time and place all persons interested in the matter may be heard. Objections based on any of the grounds set forth in General Municipal Law section 704(1)(a),(b),(c), or (d) shall, in addition to oral testimony thereon, be submitted in writing.

Dated November 20, 2018

Sheila Bleyl

Clerk-Treasurer, Village of Broadalbin

And Nancy Parker

Town Clerk, Town of Mayfield.

Carmel Greco: There are rules we have to follow. Section 705 of the General Municipal Law pertaining to the annexation says that this hearing the governing board shall meet at the time and place set forth by the notice. The members of the participating board shall agree on the selection of one of their members to preside at such a meeting and in the event of no such agreement is reached, he shall be chosen by lot. So we have to elect a presider first for this hearing.

Mayor Cornell: I would like to make a motion for Supervisor Argotsinger to preside over the Public Hearing

Trustee Cristaldi: I second it.

(Mayfield Town Board states collectively yes)

(General Laughter)

Carmel Greco: This also has to be voted on by the Village Trustees also, I guess the next question is are there any other nominees?

(Collective NO)

(General Laughter)

Mike Stewart: Are you sure you don't want to nominate someone Rick?

(General Laughter)

Supervisor Argotsinger: So the Village Board has to vote separately?

Carmel Greco: No, we are one board for the purpose of this hearing.

Supervisor Argotsinger: Ok. Is there any other nominations?

(Collective No)

Supervisor Argotsinger: We have a motion and a second. All in favor?

(Collective AYE)

Supervisor Argotsinger: Opposed?

Motion Carried

RES #165 On motion by Mayor Cornell, seconded by Trustee Cristaldi the following resolution was adopted 10 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson, Cornell, Jennings, Cristaldi, DeRocker Murray)

RESOLVED that the Mayfield Town Board and the Village of Broadalbin Trustees nominate Supervisor Richard Argotsinger to preside over the Joint Public Hearing.

Carmel Greco: Such governing boards shall hear testimony and receive evidence and information which may be presented concerning the petition and the question of whether the annexation is in the over-all public interest, including but not limited to testimony, evidence and information concerning the following:

Everyone is familiar with the petition and so the first question is: I don't think any of these apply here but we have to ask them. First is (a.) that a person signing the petition is not qualified therefore, Does anyone have that opinion? I have looked at it, under the circumstances the property owners themselves are the petitioners so we have overcome that hurdle so...

#2 is (b.) with respect to a petition, other than one purporting to be signed by owners of a majority of the assessed valuation of real property, that the persons signing such petition do not constitute twenty per cent of the persons residing with such territory; we do not have that here either because everyone is in the proposed territory to be annexed has signed the petition so we are not concerned with that.

The next is (c.) with respect to a petition, other than one purporting to be signed by at least twenty percent of persons qualified to vote for local officers, that the persons signing such petition do not represent the owners of a majority in assessed valuation of the real property in such territory...that does not apply here either as we have 100% of those affected signing the petition. (d.) that the petition does not otherwise substantially comply in form or content with the provisions of this article, or...I guess that's a kind of legal call and the petition as I've seen it appears to meet all of the legal requirements for a petition for annexation. Let's go through the requirements for the record just to make sure that all the bases are covered.

Supervisor Richard Argotsinger: Just so everyone knows, Nancy is recording this, we will have everything verbatim.

Carmel Greco: Technically we are supposed to have a stenographer but if for any reason we have to make a transcript of this proceeding that it can be reduced to writing from the tape that's being run

right now. Like we said, the petition for annexation states the approximate number of inhabitants thereof, that's a no brainer here, signed by at least 20%, no brainer here, the owners of a majority of the assessed valuation, same, doesn't apply here. Certified copy has to go the governing boards, Town of Mayfield has received a copy, Village of Broadalbin has received a copy. Petition must be authenticated as to the signatures, which was done. Assessors certificate has to be attached to petition, which was done as well, certifying that these are the people that are affected by the annexation. Alright, so we have gone over those so the remaining question that for purposes of this hearing, that is opened to the floor now is first of all whether or not the proposed annexation is or is not in the overall public interest. This is broken down into 4 categories. First, is whether it is or is not in the overall public interest of the territory proposed to be annexed so that would be the territory which is presently in the Town of Mayfield, which wants to be annexed into the Village of Broadalbin. Does anyone have anything for or against on that question? This is a question for the public or anyone who has interest.

Supervisor Richard Argotsinger: Does anyone want to comment on this? No comments, moving on..

Carmel Greco: alright.. next is whether the proposed annexation is or is not in the overall public interest of the local government, to which the territories are proposed to be annexed to, that would be the Village of Broadalbin. Any comment on that? Next is whether or not the proposed annexation is or is not in the overall public interest of the remaining area of local government or governments in which territory is situated, that would be the Town of Mayfield.

Supervisor Richard Argotsinger: Anyone have any comments?

Carmel Greco: say that we are going to lose our tax base and things like that is what they are looking for, anything negative with regard to the Town of Mayfield. Lastly whether or not it is in the overall public interest, school district, fire district, or other district corporations, public benefit corporations, fire protection districts, fire alarm district, town or county improvement district situated wholly or partly in the territory supposed to be annexed... Notices were supposed to be sent out to fire districts and school districts. Was that done?

Supervisor Richard Argotsinger: Sheila?

Village Clerk Sheila Bleyl: No, I didn't realize that. I didn't send them to the school district or the fire district, but there is no change.

Carmel Greco: Objections based on any of the grounds set forth from paragraphs a, b, c, or d, which we have already ruled out, as far as being applicable to this proceeding shall be in writing. So that's a moot question. Any oral testimony presented at the hearing related to the grounds set forth in (e) which is what we just went through, shall be reduced to writing, and shall be part of the record. The hearing may be adjourned but must be concluded 10 days after the date fixed in the notice. Costs for providing the record shall be shared by the local governments equally. Ok.. If there is no public comment but if you want to keep the hearing open a little bit longer, but I don't see any reason..

Supervisor Richard Argotsinger: I will ask for public comments. Is there anyone from the public that would like to comment?

Greg Hitchcock: what parcel area are you talking about?

Carmel Greco: there are 3 parcels, owned by Mazzarelli, Cornell and Charlin. The Mazzarelli property has an address of #183 Ext. N. Main St. Broadalbin, the Cornell property has an address of #175 Ext. N. Main St. Broadalbin, and the Charlin property is an unimproved lot. All of these properties are located in the geographic borders of the Town of Mayfield, although they are in the village of Broadalbin.

Supervisor Argotsinger: Adjacent to the village?

Carmel Greco: Yes, adjacent to the village.

Mayor Cornell: One of the problems is that in a couple of cases the lots are split, in other words they are getting tax bills from the town and village and we have to figure out the difference of how they get charged by each municipality. This would put the property wholly under one bill for each the Village and

Town. They would remain in the Town of Mayfield but also be in the Village of Broadalbin and that would eliminate the tax bill split. It will be easier to figure out the assessment.

Susan DeRocker: The other problem was in looking at the tax maps, every set of maps we looked at, the lines are different. There is no pure science, should I say, to any of it.

Greg Hitchcock: So this will be clarifying everything, if you annexed it to the Village?

Carmel Greco: I guess there is an advantage, obviously, to be annexed to the Village because they would get Village Sewer...

Supervisor Argotsinger: Village Sewer and Water.

Carmel Greco: Right. I don't mean to put him on the spot but Mr. Mazzarelli is here, he is one of the petitioners. If you can just give a simple overall view as to why you feel that the annexation is in the best interest of....

Gary Mazzarelli: I think the annexation, it works out well. We have lived along the edge of the Village for 20 plus years. They put the sewer system in and the last manhole cover is right in front of my house, but we can't access it because we don't live in the village. And our adjacent neighbor Brenda, her property is a similar situation so, it's just logic that there's the sewer system and you can't tap in unless you are part of the village. And not to mention it clarifies all the different things these people have talked about. It's just real common sense to annex in and straighten out the lines, solve it, and move forward for everyone. Thank you.

Carmel Greco: Is there anyone on the Mayfield Town Board that has any objections to the proposed annexation for any reason?

Town Board: Collective no

Carmel Greco: Is there anyone on the Broadalbin Village Board that has any reservations or negative comments in regards to the proposed annexation?

Councilman Thomas Ruliffson: I have something. Is there any cost to the town residents on this paperwork for doing this? Is all the paperwork, the legal fees paid by the Village of Broadalbin?

Carmel Greco: The petitioners are taking care of that.

Councilman Thomas Ruliffson: Now, the Town of Mayfield plows that road. There is a turnaround right past the cemetery. So if they are building a house there now, the town trucks are going to have to go all the way down to First Ave., turn around and come back. Is there any way to share a different street or something, so it works out better for both village and town?

Supervisor Argotsinger: Typically what I have been aware of, the highway superintendents or highway commissioners figure that out?

Mayor Cornell: I know we have worked out things in the past, like Bellen Rd.

Supervisor Argotsinger: Typically, like Bellen Rd. where the annexation at that time, half of it belonged to the Village and half of it belonged to the Town. Jack and our highway superintendent, which Jack is the DPW director, they worked it out and I am sure they will work out something.

Carmel Greco: Alright, are there any comments from anybody else in the public, other than members of the boards? If not I don't see any reason why we can't close the hearing. The next step is to jump ahead; the statute says that within 90 days after the hearing is concluded, which would be 90 days from tonight: The governing board of each affected local government shall determine by majority vote of its total voting strength, whether the petition complies with the provisions of this article, whether on the basis of considerations, including but not limited to those relating to the affects upon the territory to be annexed, the local government to which the territory is proposed to be annexed remaining there at the local government, or any school district, fire district etc, whether it is in the overall public interest to approve this proposed annexation. That usually comes in the form, it goes on to say, that each such governing board will adopt a resolution which shall include findings that are in compliance with the petition, and the effect of the proposed annexation, so both boards have to do that separately within 90 days of the close of the public hearing. I believe Sheila has a template of the proposed order.

Sheila Bleyl: I have a couple of drafts, they are very rough at this time.

Carmel Greco: That's ok. So the Mayfield Town Board will be adopting a resolution similar to what you have.

Sheila Bleyl: Right

Carmel Greco: The Village Board will be also. Presumably both boards will, if there is no opposition adopt the same resolution, with the same findings

Sheila Bleyl: I haven't had an opportunity to go over it, I followed one of the same as the ones we did when we annexed Bellen Rd. I followed that but I don't know if everything applies. I did find a shorter more simplified version, maybe you can look them over.

Carmel Greco: Ok, we exchange drafts

Sheila Bleyl: We can the best wording and I haven't had a chance to go over it with my board either

Carmel Greco: Ok, so we've got 90 days so, not that we are going to wait that long but we have time to accomplish that.

Sheila Bleyl: Ok, our board meeting is next week so I can forward you my drafts once my board sees them

Carmel Greco: Ok we will probably be meeting again at least until next month; that would be the earliest we would be the earliest we would take any action.

(Several speaking at once.)

Supervisor Argotsinger: Is there anyone from the public, before we close the public hearing that has a comment?

Greg Hitchcock: Yeah, just to verify this, will Mayfield lose any kind of tax base with this annexation? And will Broadalbin gain anything by this annexation?

Supervisor Argotsinger: Yes and no

Greg Hitchcock: ok so

Sheila Bleyl: Mayfield won't lose any tax base

Supervisor Argotsinger: Well, no not tax base, the property is still in the town of Mayfield.

Greg Hitchcock: Ok, no further questions from me.

Carmel Greco: Will someone make a motion to close the public hearing?

Councilman Jack Putman: I make that motion.

Councilwoman Roberta Ricciardi: I second that

Supervisor Argotsinger: Motion by Councilman Putman, seconded by Councilwoman Ricciardi, any discussion? All in favor? 10 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson, DeRocker, Jennings, Cristaldi, Murray, Cornell) 0 NOES, motion carried.

The Public Hearing closed at 7:21 pm.

The Mayfield Town Board took a 5 minute break, during this time the members of the Broadalbin Village Board left the meeting, with members of the public who came from Broadalbin for the hearing.

At 7:26 PM the meeting was called back into session.

Public Comments on Local Law # 3 of 2018 were asked for at this time, with Greg Hitchcock asking questions about the local law and how many parcels it changed.

The Public Hearing for Local Law #3 closed at 7:27 PM

CEO Mike Stewart has filled out the SEQR form and we are declaring it a negative declaration.

RES# 166 On motion by Councilman Coletti, seconded by Councilwoman Ricciardi the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board authorizes the filing of a negative declaration under SEQR in connection with the adoption of Local Law # 3 of 2018, authorizing the Supervisor to sign the declaration and the SEQR form.

RES # 167 On motion by Councilman Putman, seconded by Councilwoman Ricciardi the following

resolution was adopted by Roll Call Vote: Supervisor Richard Argotsinger	AYE
Councilman Thomas Ruliffson	AYE
Councilman Vincent Coletti	AYE
Councilwoman Roberta Ricciardi	AYE
Councilman Jack Putman	AYE

RESOLVED that the Mayfield Town Board adopts Local Law #3 of 2018 as follows:

Town of Mayfield

Local Law #3 of 2018

A local law to amend the Zoning Law of the Town of Mayfield for the purpose of amending the Zoning Classification of a Parcel.

Be it enacted by the Town Board of the Town of Mayfield as follows:

SECTION 1. PURPOSE

The purpose and intent of this Local Law is to amend the Zoning Law of the Town of Mayfield also known as Local Law No. 2 of the year 2005, as hereinafter provided, and to amend the Town zoning Map accordingly.

SECTION 2. AMENDMENT

The following property situated on the north side of Griffis Road, presently classified, zoned and designated "Residential" (R-1), shall be and is reclassified, zoned and designated "Mixed Use 1" (M-1) under the Town of Mayfield Zoning Law which was duly adopted on August 17, 2005, subject to all regulations created and established relative to a Mixed Use 1 (M-1) District:

125 Griffis Road, Tax Map ID: 136.-4-8

SECTION 3. REPEALER

All Local Laws, ordinances and parts thereof which are inconsistent with this Local Law are hereby repealed.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the New York Secretary of State.

SET TIME FOR YEAR END MEETING:

RES# 168 On motion by Councilman Putman, seconded by Councilwoman Ricciardi, the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board sets the time for the Year End Meeting at 5:00 pm on Thursday, December 27, 2018.

SET TIME FOR ORGANIZATIONAL MEETING:

RES# 169 On motion by Councilwoman Ricciardi, seconded by Councilman Coletti the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board sets the time for the Organizational Meeting for 2019 at 11:00 AM on January 1st, 2019.

Attorney Carmel Greco left the meeting at 7:40 PM

APPROVAL OF MINUTES FROM NOVEMBER 13TH 2018

RES# 170 On motion by Councilman Coletti, seconded by Councilwoman Ricciardi the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board approves the minutes from November 13th 2018.

FINANCIAL REPORTS:

The Town Clerks report was submitted with fees in the A account of \$280.00 and the B account of \$360.00.

PETTY CASH

RES# 171 ON motion by Councilman Coletti, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board approves a \$100.00 check for Tax Collection Petty Cash.

APPROVAL OF VOUCHERS

RES # 172 On motion by Councilman Ruliffson, seconded by Councilman Coletti the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Boards approves the payment of vouchers in the following accounts for Abstract #12 for 2018 to include the voucher for payment for repair of the Round About Lights in Vail Mills traffic circle.

A.	GENERAL TOWNWIDE	\$58,241.76
B.	GENERAL OUTSIDE VILLAGE	\$15,782.48
DA.	HIGHWAY TOWNWIDE	\$81,893.33
DB.	HIGHWAY OUTSIDE VILLAGE	\$176.04

PUBLIC COMMENT

Discussion about Tomantown Bridge and Salt usage and a safety glasses requirement for the employees on the back of the refuse truck.

REMINDERS

All Town offices are closed December 25 and January 1 2018 for the Christmas and New Years holidays.

The Yearend Meeting will be on December 27th 2018 at 5:00 PM

The Organizational Meeting will be January 1st 2019 at 11:00 AM

Next Regular Meeting is January 8th 2019

Year End vouchers due Friday December 21st 2018

Regular vouchers due January 4th 2019

EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

RES# 173 On motion by Councilman Coletti, seconded by Councilwoman Ricciardi the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board enters Executive Session at 7:55 PM

RES# 174 On motion by Councilman Ruliffson, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Coletti, Putman, Ricciardi, Ruliffson)

RESOLVED that the Mayfield Town Board approves the addendum for the Union Contract for the hiring of non CDL employees.

Discussion about the new timeclock

ADJOURNMENT

On motion by Councilman Ruliffson, seconded by Councilwoman Ricciardi the meeting was adjourned at 8:40 PM

Respectfully Submitted

Nancy Parker, Town Clerk/RMO

