

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD, NY ON
WEDNESDAY, NOVEMBER 8, 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 Abatecola
Codes Enforcement Officer Joseph Booth
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

October 2017 Town Board meetings

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

(RESOLUTION NO. 219 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 October 5 and October 18, 2017, with a correction in the Officials attending the October 18th meeting (remove Director of Recreation Center, and Deputy Town Supervisor who did not attend), and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye

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

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

PUBLIC HEARING

6:01 P.M.

2018 Preliminary Budget, including
Special Districts

At 6:01 P.M. the Town Supervisor opened the Public Hearing on the 2018 Preliminary Budget and special districts/improvement area. The Town Clerk had available the Notice of Public Hearing, Proof of Publication (November 1, 2017, edition of The Observer Dispatch), and Affidavit of Posting. The purpose of the Hearing was to offer the citizens an opportunity to speak for or against, or to comment upon the 2018 Preliminary Budget as a whole, or any part thereof, which included the General Fund, whole-town and part-town, Highway Department and special districts, fire protection districts and lighting districts. Copies of the 2018 Preliminary Budget were on hand for public distribution and had been posted on the Town's website. The Town Supervisor then invited anyone present to come forth with comments on the Budget.

The following persons came forth:

- Kevin Copeland, New Hartford Town Justice, requested that the Town Board reinstate funding for the Part-time Clerk position which had been cut from prior budgets, citing the New Hartford Court is the second busiest in Oneida County behind the City of Utica. Requested that \$7,500 be restored in the 2018 Budget.
- Duane Farr, resident – regarding the proposed curbside trash collection, he asked why, if using current Town employees, the Town has budgeted an additional \$30,000. It was explained that the \$30,000 is to cover “tipping fees” at the dump.

At 6:17 P.M., the Town Board agreed to leave the Public Hearing open for persons who might appear later during the meeting.

PUBLIC PRESENTATIONS/COMMENTS

The Town Supervisor inquired if anyone present wished to address the Town Board; people have three (3) minutes to present their matter(s).

- William Rankin came forth noting the comfortable room and that we should count our blessings and remember that this is the day the Lord has made, let us rejoice

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and be glad. Let my words be sweet for tomorrow I may have to eat them. He noticed there was no prayer before the Pledge of Allegiance at the beginning of the Town Board meeting. He congratulated all those who won the (recent) election, whether continuing or just beginning. He noted the great tragedy in Sutherland Springs, Texas, and asked for a moment of silence for those who had died, as well as similar tragedies in Los Angeles, Dallas, Missouri, WalMart, Boston, Las Vegas and Chicago. He urged the Town Board to have a special place in their heart for those who are being ignored, misrepresented, or taken advantage of, pursuing peace and godliness, working for equity (fairness and justice). Mr. Rankin also urged the Board to review the use and conduct of the Codes Department....return phone calls and acknowledge emails....be accessible when one requests to have a word with you....make suggestions to you. Be a good neighbor; in his opinion, gardening is an art and no homeowner should have to fear going to jail because someone does not like the way you garden, or where there is a container or garden items in the garden, nor because someone is sick and tired and calls the Codes Department of the Police, "...and that's why I'm here tonight".

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN

Public Works & Sewer Committee – Councilman Miscione

Competitive Bid Authorization: Contract 2 –Grange Hill Road Downstream Closed Drainage Improvements

Councilman Miscione presented the following Resolution and moved its adoption, which was seconded by Councilman Messa:

(RESOLUTION NO. 220 OF 2017)

RESOLVED that the New Hartford Town Board shall receive sealed bids for ***Contract 2 - , Grange Hill Road Downstream Closed Drainage Improvements***, in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 10:45 A.M. on Tuesday, November 21, 2017, and then shall be publicly opened and read aloud at 11:00 A.M. on said date and in said Office; and be it

FURTHER RESOLVED that the said Town Board hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

It is anticipated that the Town Board will act upon the bids received, at their meeting scheduled for December 13, 2017. The Town Board voted upon roll call as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**. Resolution No. 220 supersedes Resolution No. 204, adopted October 5, 2017, because Barton and Loguidice could not deliver the specifications/plans in time for the November 2017 Town Board meeting.

Public Safety & Courts Committee – Supervisor Tyksinski

Memorandum of Understanding – Police Department and Faxton-St. Lukes Healthcare

Councilman Reynolds moved the adoption of the following Resolution, seconded by Councilman Miscione:

(RESOLUTION NO. 221 OF 2017)

WHEREAS, the Faxton-St. Luke's Healthcare (FSLH) and the Town of New Hartford Police Department (NHPD) are desirous of entering into a Memorandum of Understanding (MOU) with respect to the provisions of security services through the provision of a police presence on the FSLH campus so as to supplement the security services already engaged at FSLH, including the basic elements of the arrangement and the process by which the arrangement will be further developed, evaluated, and documented;

BE IT RESOLVED that the Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute a Memorandum of Understanding between the Town and Faxton-St. Luke's Healthcare, as more fully set forth in said MOU.

The Supervisor polled the Board members who voted 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**.

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

(RESOLUTION NO. 222 OF 2017)

RESOLVED that the Town Board does hereby schedule a Public Hearing to commence at 6:00 P.M. on Wednesday, December 13, 2017, in Butler Memorial Hall, to consider an increase in the hourly amount to be charged to Faxon-St. Lukes Healthcare (FSLH) by the Town of New Hartford (NHPD) in regard to the Memorandum of Understanding between the Town Police Department and FSLH.

Upon roll call, the Board voted 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**.

[NOTE: It was subsequently verified that the hourly rate could be approved by merely adopting a Resolution; no public hearing is required.]

MATTERS SUBMITTED BY TOWN SUPERVISOR

FEMA buyout program - Update

Supervisor Tyksinski received an email yesterday from Tom Cowin, in response to an inquiry from Councilman Miscione; basically, Mr. Cowin stated that the buyout program is an extensive review process and the contracts signed and sent out two (2) months ago haven't been approved by the State or FEMA. According to the November 7, 2017, email, the contracts also require approval from several agencies before it becomes an (executed) approved contract. Further, demolitions are not typically done in the winter and might not take place until Spring or Summer of 2018. [Mr. Cowin is Program Manager, Mitigation Programs for the NYS Division of Homeland Security and Emergency Services.]

Late today, November 8, 2017, another email was received from Mr. Cowin stating that the Town could divulge the appraisal amounts to the homeowners, a reversal of what was initially stated, provided that the homeowners be made aware that they might not receive the exact appraisal amount. The homeowners have been notified of these latest communications. The Town Supervisor noted that the grant ends December 31, 2018.

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Thomas Diefenbacher and his wife were present regarding their home at 3605 Oneida Street; specifically, that there is no brick wall on their property separating their home from the creek, that the brick wall is now their basement cellar. They asked the Town Board to “..stay on the State and FEMA..”. The Town Supervisor suggested that the homeowners contact Congresswoman Claudia Tenney, NYS Senator Joseph Griffo, NYS Assemblyman Brian Miller, and the NYS Governor’s offices.

2013 Mohawk Valley-Upstate Flooding Program Acquisition and Demolition of Flood-prone Properties – FEMA Program

After discussion about services required by FEMA , the following Resolution was introduced for adoption by Councilman Miscione and duly seconded by Councilman Messa:

(RESOLUTION NO. 223 OF 2017)

WHEREAS, as a result of the declared (flooding) disaster in 2013 in the Mohawk Valley area, the Town of New Hartford applied for and received Hazard Mitigation funding from the Federal Emergency Management Agency (FEMA) and the NYSDHSES to acquire fourteen (14) properties within areas of the Town that chronically flood adjacent to Sauquoit Creek, and Mud Creek; and

WHEREAS, the Town intends to demolish the structures on the affected properties and hold the area as undeveloped with associated deed restrictions required under the funding program; and

WHEREAS, Barton and Loguidice has submitted a proposal for Pre-Demolition Asbestos Surveys, Asbestos Removal Design, and Monitoring for fourteen (14) Residential Properties in the Town of New Hartford to assist the Town with completing monitoring services for the 2013 Mohawk Valley-Upstate Flooding Program Acquisition and Demolition of Flood-prone properties project;

NOW, THEREFORE BE IT RESOLVED that the Town Board of said Town does hereby authorize and direct the Town Supervisor to enter into and to execute the aforesaid Agreement between the Town and Barton and Loguidice, the latter of whom shall provide pre-demolition asbestos surveys, contract documents and specifications, technical abatement and demolition specifications, bidding assistanc, and construction/project monitoring services for fourteen (14) residential properties in the Town, namely 6, 10 and 12 Henderson Street, Mapledale Road, 3524-3526 Oneida Street, 3550 Oneida Street, 3506 Oneida Street, 3520 Oneida Street, 3528 Oneida Street, 3532 Oneida Street, 3534-3536 Oneida Street, 3562 Oneida Street, 6 Woodberry Road, and 9264 Grange Hill Road.

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The Board then voted 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***.

Supervisor Tyksinski noted that the Town is a couple thousand dollars over budget for Barton and Loguidice engineering services for the current year; should money be added to the contract or go without engineering services from now until December 31, 2017. The Board concurred to bring this matter for discussion at the December meeting.

MATTERS SUBMITTED BY COUNCILMEN

Councilman Reynolds:

Local Law Introductory “I” of 2017 (Zoning: Solar energy systems)

Councilman Reynolds presented Local Law Introductory “I” of 2017 for the Town Board’s consideration at a future public hearing; co-sponsored by Councilman Miscione:

**Town of New Hartford, New York
Local Law Introductory “I” of 2017**

A Local Law to Amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, Section 118-74 Solar energy systems, and Attachment 3.3 Schedule A, Permitted uses

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

Section 1. Chapter 118 (Zoning) of the Code of the Town of New Hartford, particularly Section 118-74, Solar energy systems, is hereby repealed and replaced by the following text:

§ 118-74 Solar energy systems.

- A. Purpose. The use of solar energy systems/collectors, storage facilities, and distribution components for space heating and cooling, the heating of water, use in industrial, commercial or agricultural processes, and the generation of electricity are recognized as a renewable and nonpolluting energy resource. The purpose of this

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section is to accommodate solar energy systems/collectors as accessory uses while ensuring that such systems are appropriately located and installed.

- B. Definitions. As used in this section, the following terms shall have the meanings indicated:

FLUSH-MOUNTED SOLAR PANELS/COLLECTORS - Photovoltaic panels and tiles that are installed flush to the surface of a roof and which cannot be angled or raised.

FREESTANDING OR GROUND-MOUNTED SOLAR ENERGY SYSTEM/COLLECTORS - A solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure.

NET METERING - A billing arrangement that allows solar customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage at the end of the month.

ROOFTOP MOUNTED OR BUILDING MOUNTED - A solar power energy system/collectors in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or modules fixed to frames which can be tilted toward the south at an optimal angle, but not more than 25° above plane of roof.

SMALL-SCALE SOLAR ENERGY SYSTEM/COLLECTORS - For purposes of this chapter, the term "small-scale solar" refers to solar photovoltaic systems rated up to 25 kilowatts (kW) per hour of energy or solar thermal systems which serve the building to which they are attached.

SOLAR COLLECTOR - A solar photovoltaic cell, panel or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

- C. Applicability.

- (1) This section applies to all types of solar energy systems/collectors that are accessory to a principal use modified or installed after the effective date of this chapter, unless a building permit was properly issued prior to the effective date of this chapter.
- (2) All solar energy systems/collectors shall be designed, erected and installed in accordance with all applicable codes, regulations and standards.

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- (3) Solar energy systems/collectors shall be permitted only to provide power for use by owners, lessees, tenants, residents or other occupants of the premises on which they are erected and only as an accessory use. Nothing contained in this provision shall be construed to prohibit collective solar installations or the sale of excess power through a net billing or net metering arrangement in accordance with New York Public Service Law, § 66-j, or similar state or federal statutes.
- (4) No solar energy system/collectors installed shall exceed the size of a small-scale solar energy system.

D. Permitting.

- (1) Rooftop- and building-mounted solar energy systems/collectors shall be permitted as of right in all zoning districts with issuance of a building permit and only located on an existing structure.
- (2) Freestanding or ground-mounted solar energy systems only on lots greater than 1.5 acres in size.
 - (a) Freestanding or ground-mounted solar energy systems shall be permitted in all zoning districts but shall require a Special Permit review from the Town of New Hartford Planning Board and may be subject to additional requirements as prescribed in this section. Once the special permit is granted a building permit shall be required.
 - (b) Upon receipt of a complete Special Permit application (including the payment of a fee), the Code Enforcement Officer shall submit a copy of the application to the Planning Board for review at the next Planning Board meeting. The Planning Board is to ensure that there is appropriate solar access with regard to neighboring properties to avoid future solar access conflicts and that the collectors are located to minimize aesthetic impacts.
 - (c) The Planning Board shall review the application and provide a recommendation for approval, disapproval or approval with conditions within 45 days of receipt of the application.
- (3) Solar-thermal systems. Solar-thermal systems are permitted in all zoning districts and subject to the same standards as solar energy collectors.
- (4) Reasonable costs incurred by the Planning Board for private consultation fees or other expenses in connection with the review of a proposed site plan shall be

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charged to the applicant. Such reimbursable costs shall be in addition to the fees required in § 118-140, Fees.

E. Additional accessory use development exemptions and standards.

- (1) Solar energy systems/collectors and equipment shall be permitted only if they are determined by the Town of New Hartford not to present any unreasonable safety risks, including, but not limited to, the following:
 - (a) Weight load.
 - (b) Wind resistance.
 - (c) Ingress and egress in the event of fire or other emergency.
 - (d) Maximum height measured to the highest point shall not exceed 15 feet.
- (2) For purposes of this chapter, freestanding or ground-mounted energy systems are Special Permit uses in all districts. They shall be exempt from being counted toward the maximum number of accessory structures and square footage of accessory structures.
- (3) All freestanding or ground-mounted energy systems/collectors shall be permitted in all zoning districts with the issuance of a Special Permit and Building Permit. Installations shall be screened from view and located at least 75 feet from the side and rear lot lines measured from the corresponding side of the solar panel. Screening shall be achieved by the use of architectural features, earth berms or landscaping. In no case shall a system be installed in a front yard.

Section 2. Chapter 118 Attachment 3.3 Schedule A Permitted uses shall be amended as follows:

Change “Solar Energy System, Small Scale” to read “Solar Energy Systems/Collectors, Small Scale”

Add the letter “P” in the PR zone for this use

Add “Ground Mounted, Free standing Energy System/Collectors” in Use Category

Add the letters “SP” for this use.

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Section 3. 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 t shall modify or amend.

Section 4. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Councilman Reynolds stated that the Town Planning Board will be reviewing this proposed legislation at their November 13, 2017 meeting, and that the Oneida County Planning Department had rendered a “No Recommendation as to final action”.

Public Hearing Scheduled – Local Law Introductory “I” of 2017

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

(RESOLUTION NO. 224 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, December 13, 2017, at **6:00 P.M.**, or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford to consider **Local Law Introductory “I” of 2017**, which, if adopted, would amend the Town Code, Chapter 118 thereof entitled **ZONING**, Section 118-74. Solar energy systems, and Attachment 3.3 Schedule A, Permitted uses; and be it

FURTHER RESOLVED, that the Town Board does hereby 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 Miscione	-	Aye
Councilman Messa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

Town Clerk Committee – Councilman Woodland

Budget Adjustment

Upon request of the Town Clerk-Tax Receiver, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Miscione:

(RESOLUTION NO. 225 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper/Finance Department to make the following 2017 budget adjustments:

- *Decrease* Account AA1410.4 (Town Clerk Contractual) by \$180.00
- *Increase* Account AA1410.02 (Town Clerk Equipment) by \$180.00
 - *Purpose:* Purchase copier to replace DELL-1710n copier that is no longer able to be repaired.

The Town Board members voted upon roll call, resulting 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 TOWN SUPERVISOR, TOWN ATTORNEY

Public Hearing on 2018 Preliminary Budget

At 6:58 P.M., there being no one further to speak on the 2018 Preliminary Budget, the Town Supervisor declared the Public Hearing closed.

Public Safety & Courts Committee – Supervisor Tyksinski

Police Commission

The Town Supervisor noted that a vacancy exists on the Police Commission due to the recent death of Patrick Kress. No action was taken at this time to fill said vacancy.

Settlement Agreement/Peters-Adelman Lawsuit – Competitive Bid

The Town Attorney confirmed that the Town has the required, signed easement to remediate a stormwater matter at the Peters-Adelman property at 2 Woodberry Road; and the Highway Superintendent confirmed he had received today the specifications for competitive bid from Shumaker Consulting, Engineering and Land Surveying.

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Councilman Miscione moved the adoption of the following Resolution; seconded by Councilman Woodland:

(RESOLUTION NO. 226 OF 2017)

WHEREAS, by Resolution No. 80 adopted April 12, 2017, the Town Board authorized settling the Peters-Adelman lawsuit against the Town with a Fifteen Thousand Dollar (\$15,000) contribution from the Town, acquire a permanent easement, and complete Shumaker's proposal to finish the channel; and

WHEREAS, by Resolution No. 95 adopted May 10, 2017, the Town Board further authorized the Town Supervisor to sign the Settlement Agreement regarding the Peters-Adelman lawsuit, with the Town contributing Fifteen Thousand Dollars (\$15,000) toward a One Hundred Thousand Dollar (\$100,000) fund to be used to lower pipe and acquire an easement. In addition, the Town will proceed to complete the work with the design of Shumaker Engineering, the cost of which will be paid from the \$100,000 fund;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board shall receive sealed bids for the *Woodberry-Oxford Road Area Drainage Improvements*, in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 10:45 A.M. on Tuesday, December 12, 2017, and then shall be publicly opened and read aloud at 11:00 A.M. on said date and in said Office; and be it

FURTHER RESOLVED, that the said Town Board hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

The Town Board voted upon 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**. Councilman Reynolds noted that the trees will be an issue if not taken care of now.

Article 78 Proceeding vs Zoning Board of Appeals

Councilman Messa moved the adoption of the following Resolution, seconded by Councilman Miscione:

(RESOLUTION NO. 227 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby retain the services of Attorney Herbert J. Cully, at the rate of Two Hundred Dollars (\$200) per hour, to represent the Town Zoning Board of Appeals in an Article 78 Proceeding brought by Joseph Hage/J&C Realty, Inc., in connection with a proposed project on the Parisi property on Commercial Drive, New Hartford, New York. Said action is returnable on January 18, 2018, and must be answered by late December 2017, in Oneida County Supreme Court.

Upon roll call, the Board members voted 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***.

Finance Director:

Budget Adjustments

Upon recommendation of the Finance Director, Councilman Woodland moved the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 228 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Accounting/Finance Department to make the following 2017 budget adjustments:

<i>Increase</i> Account BP3120.4 -	\$4,884 insurance recoveries received for
Police Contractual	repair of police car #47

<i>Increase</i> Account BP2680.0 -	\$4,884 insurance recoveries received for
Insurance Recoveries	repair of police car #47.

A roll call vote was duly held as follows:

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

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Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

Upon recommendation of the Finance Director, Councilman Messa moved the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 229 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Accounting/Finance Department to make the following 2017 budget adjustments:

- *Decrease* Account BP9060.8 - \$5,000
Hospital, Medical Insurance
- *Increase* Account BP3120.02 - \$5,000
Police Equipment
 - Purpose: to purchase a diagnostic scanning system for police cars.

A roll call vote was duly held as follows:

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

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

Requests For Proposal (RFP) – Professional Audit Services Fiscal Year 2017

Finance Director Dreimiller reported the following RFP's were received on Friday, November 3, 2017, for the audit of the Town of New Hartford finances for fiscal year 2017, with an option to audit two (2) subsequent fiscal years:

- D'Arcangelo & Co., LLP
200 E Garden Street
Rome, NY 13440

General audit	-	\$21,000
LOSAP Audit	-	\$ 1,700
New Hartford Town Library	-	\$ <u>4,800</u>

Total \$27,500 FY ending Dec.31, 2017
Total \$28,300 FY ending Dec.31, 2018
Total \$28,500 FY ending Dec. 31, 2019

- EFPR Group, LLP
6390 Main Street
Suite 200
Williamsville, NY 14221

Town's financial statement audit	\$19,500
Library as a Component	<u>\$ 3,000</u>
Total	\$22,500

- The Bonadio Group
7936 Seneca Turnpike
Clinton, NY 13323

Financial Statement Audit	\$18,000 FY ending Dec. 31, 2017
Single Audit (if applicable)	<u>\$ 4,000</u>
Total	\$22,000

Finance Director Dreimiller will contact the three (3) bidders to ensure they are all bidding on the same work. The Bonadio Group has a local presence but will have an auditor from the Albany area to work on the audit. Further, there might be a question of conflict of interest because Heather Mowat, President of the New Hartford Public Library and past Treasurer of the Library, is employed with The Bonadio Group. This matter will be placed on the Agenda for the Town Board's December 2017 meeting.

2018 Annual Budget - Adoption

After a brief discussion, Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Messa:

(RESOLUTION NO. 230 OF 2017)

WHEREAS, the Town Board of the Town of New Hartford held a Public Hearing on November 8, 2017, to consider the special assessment rolls of said Town for fiscal year 2018, and to consider the adoption of the 2018 Preliminary Budget as the 2018 Annual Budget, including special district rates;

NOW, THEREFORE, BE IT RESOLVED that said Town Board does hereby approve the special assessment rolls of said Town for fiscal year 2018 and does further adopt the 2018 Preliminary Budget, as amended with the inclusion of a Part-time Court Clerk, as

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the 2018 Annual Budget as set forth in Schedule “A” annexed hereto and made a part of this Resolution and does hereby set the rates for all funds and the special districts/improvement areas as set forth in said Budget.

Councilman Reynolds did not believe that the Curbside Trash Collection could be accomplished with the \$30,000 line item. Thereafter, the Town Board voted as follows:

Councilman Miscione	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Nay.

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

Audit of Vouchers

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

(RESOLUTION NO. 231 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 #12	
Vouchers SL12	\$ 8,471.87
Capital Project - Tilden Ave- Abstract #4	
Vouchers H38-H39; H310-H315	\$ 7,765.63
FEMA Federal Program Abstract #1	
Vouchers C11-C12	\$ 2,700.00
FEMA State Program Abstract #1	
Vouchers C21-C22	\$ 3,300.00
Highway Fund Part-Town Abstract #18	
Vouchers DB821-DB871	\$ 181,370.40
General Fund Part-Town Abstract #21	
Vouchers BB142	\$ 426.52
General Fund Part-Town Abstract #22	
Vouchers BB143-BB156	\$ 4,250.45
General Fund Part-Town Police Abstract #24	
Vouchers BP266-BP267	\$ 4,355.71
General Fund Part-Town Police Abstract #25	

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Vouchers BP268-BP280	\$ 14,080.96
Trust & Agency Fund Abstract #42	
Vouchers TT213-TT218	\$ 9,101.28
Trust & Agency Fund Abstract #43	
Vouchers TT219-TT220	\$ 1,091.68
Trust & Agency Fund Abstract #44	
Vouchers TT221-TT227	\$ 7,706.08
Trust & Agency Fund Abstract #45	
Vouchers TT228	\$ 215.00
General Fund Whole-Town Abstract #23	
Vouchers AA1005-AA1013	\$ 95,365.75
General Fund Whole -Town Abstract #24	
Vouchers AA1014-AA1067; AA1069-AA1082	\$ 47,062.04
Sewer Fund Abstract #22	
Vouchers SS75	\$ 1,192.93
Sewer Fund Abstract #23	
Vouchers SS76-SS80	\$ 92,095.82
TOTAL:	\$ 480,552.12

Upon roll call, the Board members voted as follows:

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

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

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Miscione and seconded by Councilman Messa, the meeting was adjourned at 7:21 P.M.

Respectfully submitted,

Gail Wolanin Young
Town Clerk