

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON WEDNESDAY, APRIL 13, 2016, 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 David M. Reynolds (Arrived at 6:18 P.M.)
Councilman Paul A. Miscione
Councilman Richard B. Woodland, Jr.
Supervisor Patrick M. Tyksinski

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Code Enforcement Officer Joseph Booth
Deputy Supervisor Matthew Bohn
Highway Superintendent Richard C. Sherman
Parks and Recreation Director Michael W. Jeffrey
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.

Supervisor Tyksinski asked for a moment of silence in honor of the late Rodger C. Reynolds for whom the Butler Memorial Hall Community Room is named; he also served as a New Hartford Village Trustee from 1983 - 1998 and New Hartford Village Mayor from 1998 - 2003.

MINUTES

March 9, 2016, Town Board meeting

Councilman Messa introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 49 OF 2016)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held March 9, 2016, and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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

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

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). No one was present to speak.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN

Town Clerk Committee – Councilman Woodland

Raffle Consent

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

(RESOLUTION NO. 50 OF 2016)

RESOLVED that the New Hartford Town Board does hereby grant permission to The Neighborhood Center, Inc., 624 Elizabeth Street, Utica, New York, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets in the Town of New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

Upon roll call, the Town Board voted as follows:

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

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

Zoning (Codes) and Planning Committee – Councilman Messa

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Training Courses

Upon request of Code Enforcement Officer Joseph Booth, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Miscione:

(RESOLUTION NO. 51 OF 2016)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Code Enforcement Officers Joseph Booth, Thomas Rowlands and Anthony Klimek to attend a 6-hour mandatory NYS DEC Floodplain Management training course in Otsego County, New York, on Tuesday, May 10, 2016; there is no cost associated with this training program.

The Resolution was voted upon by roll call as follows:

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

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

Upon request of Code Enforcement Officer Joseph Booth, the following Resolution was introduced by Councilman Messa and seconded by Councilman Miscione:

(RESOLUTION NO. 52 OF 2016)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Code Enforcement Officers Joseph Booth, Thomas Rowlands and Anthony Klimek to attend a 4-hour NYSBOC training course on Friday, May 20, 2016, in Rome, New York, with expenses to be borne by said Town as budgeted; ten dollars (\$10) per person.

The Resolution was voted upon by roll call as follows:

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

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

Upon request of the Zoning Board of Appeals, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Miscione:

(RESOLUTION NO. 53 OF 2016)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Zoning Board of Appeals members Byron W. Elias and John Montrose to attend a 4-hour Land Use Training workshop on Thursday, June 9, 2016, at Mohawk Valley Community College, Utica, New York, with expenses to be borne by said Town as budgeted (\$10 per person).

The Resolution was voted upon by roll call as follows:

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

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

Parks and Recreation Committee – Councilman Reynolds

Agreement – Seasonal Parks Security

Upon recommendation of the Parks and Recreation Director, who stated the Agreement was the same as in 2015, the following Resolution was offered for adoption by Councilman Messa and seconded by Councilman Miscione:

(RESOLUTION NO. 54 OF 2016)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute the “Security Service Agreement” between the Town and L. B. Security and Investigations, Inc., 2507 Genesee Street, Utica, NY 13501, commencing Friday, May 27, 2016, through Monday, September 5, 2016, for security and protective services in the Town parks system, and in accordance with said Agreement to be filed in the Town Clerk’s Office.

A roll call vote was duly held as follows:

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

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

Request for Proposals (RFPs) – Recreation Center Pro Shop, Skate Rental & Skate Sharpening Operations

Upon recommendation of the Parks and Recreation Director, Councilman Messa introduced the following Resolution, which was seconded by Councilman Miscione:

(RESOLUTION NO. 55 OF 2016)

RESOLVED that the New Hartford Town Board will receive Requests for Proposal for the providing of “Pro Shop, Skate Rental and Skate Sharpening Services at the Recreation Center,” until 10:45 A.M. on Tuesday, May 3, 2016, at the Town Clerk’s Office, 48 Genesee Street, New Hartford, New York, where all Proposals received will be opened and read aloud; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to publish the legal requisite notice in the Observer Dispatch.

Whereupon, the Board members voted as follows:

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

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

Position title change (Parks) Clerk/Typist to Administrative Assistant

Councilman Messa introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 56 OF 2016)

WHEREAS, the Parks Department Clerk/Typist Maureen Owens is retiring effective June 23, 2016; and

WHEREAS, the New Hartford Town Board is requesting that the Parks Clerk/Typist title be changed to Administrative Assistant and further requests to fill the position from that title;

NOW, THEREFORE, BE IT RESOLVED that the said Town Board does hereby authorize and direct Personnel Technician Barbara Schwenzfeier to file the required New Position Duties Statement, Form MSD-222, with the Oneida County Department of Personnel for their review and approval in accordance with New York State Civil Service Rules and Regulations.

The Town Attorney questioned why the title is being changed. Parks and Recreation Director Michael Jeffery explained that the Oneida County Personnel Department had phased out the title of Parks Clerk/Typist, leaving three (3) title choices to pick from. With Ms. Owens retiring, a full-time replacement would be required to pass the relevant civil service exam. Personnel Technician Barbara Schwenzfeier, Recreation Center Manager John C. Cunningham and he reviewed these choices and agreed that Administrative Assistant would best fit the role for the Parks and Recreation Department. Thereafter, a roll call vote ensued:

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

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

Appointment – Seasonal Park Laborer

Upon recommendation of Parks and Recreation Director Michael Jeffery, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Miscione:

(RESOLUTION NO. 57 OF 2016)

RESOLVED, that the New Hartford Town Board does hereby appoint Vincent Servadio as a seasonal/temporary Laborer for the Parks Department commencing Monday, May 2, 2016 through Friday, August 26, 2016, at an hourly wage of Nine Dollars and Seventy-five Cents (\$9.75), payable bi-weekly.

The Board voted upon roll call, resulting as follows:

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

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

Public Works and Sewer Committee – Councilman Miscione

Purchase of a Milling Head

The Highway Superintendent would like to purchase a milling head to replace one that is twenty (20) years old and is needed this summer to take care of stormwater issues. The Town Supervisor asked if the Finance Director was aware of this; Finance Director Dreimiller responded it was the first he heard about it. Councilman Miscione stated that the Highway Superintendent can purchase a milling head on State Contract for \$12,008. Discussion ensued about which accounts the milling head could be paid – sewer, highway part-town, caution – sales tax revenue cannot be shifted between sewer and highway accounts. Thereafter, Councilman Woodland introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 58 OF 2016)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Bookkeeper to make the following 2016 Budget adjustments for the purchase of a milling head for the Highway Department:

- *Decrease* Account DB5130.44 (Rental Equipment) - \$12,000
- *Decrease* Account DB5130.04 (Repairs) - \$ 8
- *Increase* Account DB5130.02 (Highway Equipment) +\$12,008

And be it

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FURTHER RESOLVED, that the said Town Board does hereby authorize the Highway Superintendent to purchase a milling head on State Contract PC67141 from Bobcat of Central New York for Twelve Thousand Eight Dollars (\$12,008).

The Resolution was subject to a vote upon roll call:

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

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

Auction and Upgrade of Highway Equipment

Councilman Miscione reported that the Highway Superintendent would like to place three (3) loaders, a skid steer and a backhoe for auction and if he gets the monies needed, buy new equipment under State bid Contract. Supervisor Tyksinski asked the age of the equipment; Highway Superintendent Sherman responded probably 13 or 14 months old after which the Town Supervisor wanted to hold off on this matter. Councilman Miscione stated the request is just to place the equipment on auction to see if sufficient monies can be realized to upgrade the equipment; and if not, the equipment won't be upgraded. Supervisor Tyksinski asked, you're going to sell all of these for exactly what you're going to buy new ones for? The Highway Superintendent answered that's what we've been doing for the past 2 years, 3 years. The Town Supervisor said, but we've ended up having to pay a few extra. Discussion continued with the Highway Superintendent confirming that only one of the equipment items has a lease, that being Loader #3 with a balance owed of \$30,000. Thereafter, Councilman Miscione introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 59 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize the Highway Superintendent to sell at auction through Auctions International the following equipment:

<i>Year</i>	<i>Equipment</i>	<i>VIN</i>	<i>Dept.</i>
2015	John Deere Front Loader	1DW544KZAFE667690	Hwy
2015	John Deere Front Loader	1DW544KZKEE665673	Hwy
2015	John Deere Front Loader	1DW544KZHFE667692	Hwy
2015	John Deere Backhoe	1T0310SLCFF282383	Hwy
2015	Bobcat S630 T4 Skid Steer Loader	AHGL11776	Sewer

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And if sufficient monies are realized through the auction, that the Highway Superintendent is hereby authorized to use the sale proceeds to upgrade each piece of equipment not to exceed the auction sale prices. Further, the Town Clerk's Office shall be notified of the equipment sold and new equipment purchased or leased in order to update the Town's insurance coverage.

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

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

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

Uniform Laundry Service – State Bid

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Miscione and duly seconded by Councilman Messa:

(RESOLUTION NO. 60 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize the Highway Superintendent to obtain laundry service from the Office of General Services (OGS)/National Joint Powers Alliance (NJPA) for Highway/Sewer Department employees' uniforms (\$114.63 weekly) and for floor mats at the Sanger Public Works Garage (\$17.66 every other week) and the New Hartford Police Department (\$38.26 every other week), said services to be provided by UniFirst (U1st), 103 Luther Avenue, Liverpool, New York, 13088, for a 60-month contract in accordance with the Customer Service Agreement on file in the Highway Department Office. The Town of New Hartford is a member of the NJPA.

The Resolution was voted upon by roll call, resulting as follows:

Councilman Miscione	-	Aye, noting that the cost is cheaper than in 2015
Councilman Reynolds	-	ABSENT
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Tyksinski	-	Aye.

It was confirmed that sufficient monies had been budgeted for these expenses in 2016. The Resolution was thereafter declared unanimously carried and duly ***ADOPTED***.

Sewer Contract #8 with Oneida County

Upon request of the Highway/Sewer Superintendent, Councilman Miscione introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 61 OF 2016)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Highway/Sewer Superintendent to “piggy-back” on an Oneida County contract to raise man-hole covers to the level of road pavement in said Town, the cost not to exceed Seventy-five Thousand Dollars (\$75,000), as budgeted.

The Supervisor polled the Town Board members who voted as follows:

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

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

Additional CHIPS money; 2016 Budget Adjustments

Upon recommendation of the Highway Superintendent, the following Resolution was introduced by Councilman Miscione and duly seconded by Councilman Messa:

(RESOLUTION NO. 62 OF 2016)

WHEREAS, additional monies have been identified in the New York State Department of Transportation Consolidated Local Street and Highway Improvement Program (CHIPS) and Local PAVE-NY 2016-17 Enacted Budget; and

WHEREAS, the 2016-17 Apportionment (based on each municipality’s percentage of 438.097 M CHIPS) for the Town of New Hartford is \$36,769.09;

NOW, THEREFORE, BE IT RESOLVED that the Bookkeeper is hereby authorized and directed to make the following 2016 Budget adjustments:

- *Increase* DB5112.04 (Paving Roads) - \$36,769.09
- *Increase* DB3501.0 (Consolidated Highway revenue) - \$36,769.09.

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Upon roll call, the Town Board members voted as follows:

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

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

Agreement to spend Town Highway Funds – Highway Law, Section 284

Councilman Miscione stated that the Highway Superintendent had the main list of roads to be paved in 2016. The Town Supervisor asked that copies be given to the Board members. In addition to the list under Highway Law, Section 284, the Highway Superintendent is working with NY State Senator Griffo in an effort to obtain additional monies to pave the entire length of Tilden Avenue.

[NOTE: Councilman Reynolds joined the meeting at 6:18 P.M.]

The Town Supervisor verbally reviewed the streets to be paved and he inquired about the status of School and Church Streets; the Highway Superintendent replied that he took them off the list. Councilman Messa inquired about Janet Terrace and Wills Drive; the Highway Superintendent said that Twyndom Terrace, Hughes Lane and Roman Road were in worse condition than Janet Terrace and Wills Drive and he had to cut Janet/Wills Drive.

[NOTE: Councilman Reynolds apologized for being late for this Board meeting.]

Councilman Miscione then introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 63 OF 2016)

RESOLVED that, pursuant to the provisions of Section 284 of the Highway Law, the Town Board and Highway Superintendent do hereby agree that moneys levied and collected for the repair and improvements of highways, and received from the State or other sources for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS (5110 and 5120): The sum of \$306,769 may be expended for general repairs upon eighty-five point forty-nine (85.49) miles of Town highways, including sluices, culverts and bridges having a span of less than five (5) feet and boardwalks or the renewals thereof.

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2. IMPROVEMENTS (5112): The following sums shall be set aside to be expended for the improvement of Town highways:

Micro Paving/Slurry:

Gilbert Road	(.22 miles)...	
Brookside Terrace	(.37 miles)....	
Lower Woods Road	(.41 miles).....	
Upper Woods Circle	(.20 miles).....	
Forest Road	(.40 miles).....	
Wheatley Circle	(.20 miles).....	
Morris Circle	(.28 miles).....	TOTAL: \$ 50,153.86

Mill/fill cold pave:

Allen Road/Windsor Terrace	(.21 miles)	\$ 15,325.59
Slaytonbush Lane	(.37 miles)	\$ 32,957.38
Slusser Ave/Orange Ave	(.20 miles)	\$ 14,948.39
Golf Ave	(.26 miles)	\$ 18,195.24
Pleasant Street	(.21 miles)	\$ 15,295.68
Esmeralda Ave	(.09 miles)	\$ 10,466.17
Longfellow Drive	(.21 miles)	\$ 16,058.86
Oxford Heights	(.035 miles)	\$ 34,405.03
Benton Circle	(.10 miles)	\$ 11,613.52
Claridge Court	(.16 miles)	\$ 15,855.87
Bradley Road	(.14 miles)	\$ 14,153.04
Hughes Lane	(.20 miles)	(not specified)
Twyndom Terrace	(.23 miles)	(not specified).

The Resolution was then voted upon as follows:

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

Thereafter, the Supervisor declared the Resolution unanimously carried and duly ***ADOPTED.***

Assessor Committee – Chairman Miscione

Appointment – Board of Assessment Review

Councilman Woodland introduced the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 64 OF 2016)

WHEREAS, the term of office of Krista J. Pembroke as a member of the Board of Assessment Review had expired September 30, 2015; and

WHEREAS, on November 4, 2015, the New Hartford Town Board re-appointed Ms. Pembroke to a five-year term on the Board of Assessment Review; and

WHEREAS, Ms. Pembroke had been notified of her re-appointment but failed to take her Oath of Office in a timely manner;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby re-appointment Krista J. Pembroke to a five-year term as a Board of Assessment Review Member commencing April 14, 2016 and terminating on September 30, 2020.

The Town Supervisor polled the Town Board members who voted as follows:

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

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

Agreement renewal – Engineering services

Upon recommendation of the Town Supervisor, Councilman Miscione offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 65 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into a Master Service Agreement renewal between the Town of New Hartford and Barton & Loguidice for engineering services for calendar year 2016, commencing January 1, 2016, for a not-to-exceed amount of Forty Thousand Dollars (\$40,000) and that said firm shall bill the Town for the amount of hours used. The

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renewal is the same as in prior years and is geared toward developers who will pay the Barton & Loguidice bills.

Upon roll call, the Town Board voted as follows:

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

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

Youth Employment Director (Vacancy)

Parks Department employee Maureen Owens is retiring and the Town Supervisor noted that part of Ms. Owens' job was to handle the Youth Employment program, which basically connects Town residents with New Hartford youths who would like to rake leaves, shovel sidewalks, babysit, etc. Supervisor Tyksinski had talked to Parks and Recreation Director Michael Jeffery and Town Clerk Gail Wolanin Young about transferring those duties from the Parks Department – because it's a stipend position – to a Town Clerk employee, specifically, Melody Fancett. This action would also relieve some pressure off the person being hired to fill Ms. Owens' job, and would also be centrally located for applicants to come to the Town Clerk's Office in Butler Memorial Hall. The Parks and Recreation Director had no problem with the proposal and the Town Clerk was in favor of this change. Thereafter, Supervisor Tyksinski offered the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 66 OF 2016)

WHEREAS, Maureen Owens will be retiring in June 2016 as Parks Clerk/Typist and from the Youth Employment Director position;

NOW, THEREFORE, BE IT RESOLVED that, effective the date of Maureen Owens' retirement in June 2016, the Youth Employment Director position shall be transferred from the Parks and Recreation Department to the Town Clerk's Office and said vacancy shall then be filled by Melody K. Fancett at the (pro-rated) stipend approved for said position at the January 13, 2016, Town Board meeting.

The Resolution was subject to a vote upon roll call, resulting as follows:

Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye

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

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

2016 Agreement – Roadside Mowing

The Town Clerk had received from Oneida County the Roadside Mowing Agreement for 2016 and had emailed copies to the Town Board, Highway Superintendent and Town Attorney on Friday, April 8, 2016. Councilman Miscione then introduced the following Resolution for adoption and Councilman Messa seconded same:

(RESOLUTION NO. 67 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor and the Highway Superintendent to enter into and to execute the Roadside Mowing Agreement between the Town and the County of Oneida wherein the Town agrees to mow 20.48 miles of county roads within the Town of New Hartford during the period beginning May 16, 2016 and ending November 1, 2016; the County shall pay the Town the sum of \$375 per mile for a total cost not to exceed \$7,680 and as more fully defined in said Agreement.

The Town Board voted upon roll call as follows:

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

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

Agreement – Roadside Ditching

Upon recommendation of the Highway Superintendent, Councilman Miscione presented the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 68 OF 2016)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor and Highway Superintendent to execute the 2016 Roadside Ditching Agreement between the said Town and the County of Oneida wherein said Town agrees to ditch the right of way portions of Roads or designated areas as

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directed by the County in accordance with rules and regulations that are incorporated in said Agreement, for the period beginning Monday, May 2, 2016, to Friday, December 2, 2016.

Upon roll call, the Board members voted as follows:

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

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

Audit of Vouchers

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

(RESOLUTION NO. 69 OF 2016)

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 #3	
Vouchers SL3	\$ 8,778.67
Fire Abstract #3	
Vouchers SF9	\$ 8,683.97
Fire Abstract #4	
Vouchers SF10	\$ 1,958.11
Highway Fund Part-Town Abstract #4	
Vouchers DB175	\$ 200.00
Highway Fund Part-Town Abstract #5	
Vouchers DB176-DB255	\$ 136,711.90
General Fund Part-Town Police Abstract #6	
Vouchers BP69-BP73	\$ 46,998.63
General Fund Part-Town Police Abstract #7	
Vouchers BP74-BP92	\$ 17,225.03
Trust & Agency Fund Abstract #8	
Vouchers TT41-TT48	\$ 7,677.34
Trust & Agency Fund Abstract #9	
Vouchers TT49-TT52	\$ 10,481.93

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Trust & Agency Fund Abstract #10	
Vouchers TT53-TT59	\$ 8,397.32
Trust & Agency Fund Abstract #11	
Vouchers TT60-TT67	\$ 7,564.31
Trust & Agency Fund Abstract #11a	
Vouchers TT68	\$ 5,131.00
General Fund Part-Town Abstract #8	
Vouchers BB43-BB47	\$ 6,284.08
General Fund Part-Town Abstract #9	
Vouchers BB48-BB61	\$ 1,730.19
Sewer Fund Abstract #6	
Vouchers SS33	\$ 2,058.65
Sewer Fund Abstract #7	
Vouchers SS34-SS37	\$ 4,315.91
General Fund Whole-Town Abstract #7	
Vouchers AA329-AA341	\$ 36,399.21
General Fund Whole-Town Abstract #8	
Vouchers AA342-AA434	\$ 73,270.90
TOTAL:	\$ 383,867.04

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The Town Supervisor polled the Board members who voted as follows:

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

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

Financial

Finance Director Daniel Dreimiller had submitted the following reports (updated through March 2016) via email on April 8, 2016, to the Town Board members, Town Clerk and Bookkeeper:

- Bank account balances
- Detailed Expenditure Report (Budget to Actual)
- Revenues, Expenditures and Cash Position (Summary Report)

He noted that in the future all monthly finance reports will be sent via email rather than hard copies in inter-office mail and will be distributed prior to the upcoming meetings.

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The Finance Director inquired if any Board members had any comments or questions on his reports; there were none.

Finance Director Dreimiller reported that the 2015 audit is done and that the auditors are finishing the New Hartford Public Library audit. He expected to have a draft final report at the May 2016 Town Board meeting.

2016 Budget – Discussion on \$150,000 Deficit

The Town Supervisor stated that the Town has a very tight budget this year and now there is a \$150,000 deficit as of the April 2016 Town Board meeting due to Local Law Introductory “A” (the Parks parking fees legislation) not having been adopted. Councilman Reynolds believed from the “get go” that the Town would never collect the anticipated \$150,000 in parking fees. Supervisor Tyksinski noted that the 2016 Budget had been unanimously adopted; and if there in fact had been doubts (about collecting that revenue), the budget should never have been passed. Councilman Reynolds countered that you can’t throw out the Budget because of one line item. Councilman Messa also had believed and stated that the Town would not collect \$150,000 in parking fees. Councilman Reynolds said he had made it clear that the Town would not collect \$150,000 in parking fees and that there should have been a Plan “B”. Supervisor Tyksinski said you don’t have a Plan “B” with a budget. Councilman Reynolds believed the proposed revenue was overstated on a program that didn’t even exist; the Supervisor responded that the Town Board should have reduced the appropriation line and that he didn’t believe the Town had overestimated the revenue. He had discussed this matter with the Parks and Recreation Director and the Finance Director. Councilman Reynolds believed that if the program had been in place, there would have been a benchmark which would have been different. Supervisor Tyksinski asked the Board members if they wanted him to make the budget cuts. Councilman Miscione still supports the parking fees and believes that the Parks should generate some revenue, whether it be carnivals, or some other activity. In response to the Supervisor’s inquiry, the Parks and Recreation Director stated that the Town had moved away from large events at Sherrillbrook Park due to traffic concerns and that he was not opposed to parking fees for patrons of the parks. Councilman Messa stated that if the proposal to establish parking fees in the Town’s parks ever comes up again, he “..would not vote for it..ever”! The Town Supervisor reiterated the 2016 shortfall of \$150,000, adding that this gap will continue into 2017. Adding to this situation is a decline in sales tax revenue; the Finance Director said that from 2013 to 2015, sales tax revenue for the Town was down by \$170,000. The Town Attorney also mentioned several certiorari proceedings that have not been settled yet; with that, there’s the possibility of refunds and a drop in property tax which affects the sales tax, said the Town Supervisor.

EXECUTIVE SESSION

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Councilman Reynolds introduced the following Resolution for adoption and Councilman Miscione seconded same:

(RESOLUTION NO. 70 OF 2016)

RESOLVED, that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the Town's strategy with union negotiations.

A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly ***ADOPTED***. All persons present, including the news media and Department Heads, were then excused from the meeting at 6:50 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

[NOTE: The Town Attorney provided the following transcription on Wednesday, April 27, 2016.]

END OF EXECUTIVE SESSION

Councilman Reynolds then offered the following Resolution for adoption and Councilman Miscione seconded same:

(RESOLUTION NO. 71 OF 2016)

RESOLVED, that the New Hartford Town Board does hereby move to end its Executive Session and to reconvene the regular portion of the Town Board meeting.

The Board members voted upon roll call that resulted as follows:

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

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The Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***; the Executive Session ended at 7:35 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the Board meeting.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made by Councilman Miscione and seconded by Councilman Reynolds, the meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk