

**SPECIAL MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON MONDAY, MAY 4, 2015 AT 5:00 P.M.**

Town Supervisor Patrick Tyksinski called the meeting to order at 5:00 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
Councilman Paul A. Miscione
Councilman Richard B. Woodland, Jr. (Arrived at 6:06 P.M.)
Supervisor Patrick M. Tyksinski

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

Thereafter, a quorum was declared present for the transaction of business, and the Town Attorney introduced Attorney Daniel Vincelette to the Councilmen.

EXECUTIVE SESSION

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

(RESOLUTION NO. 72 OF 2015)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the Town's strategy in the following pending tax certioraris against the Town:

- United Parcel Service (UPS)
- Talkeetna, LLC
- Utica National Insurance Group
- Special Metals
- Widewaters French Road Co. (Home Depot)
- Robert Morris (Brookside)
- Sangertown Square Mall
- Burrstone Energy
- PMB
- Yahnundasis

A roll call vote ensued:

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Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	ABSENT
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 5:02 P.M. The Town Attorney and Attorney Vincelette remained for the Executive Session.

[NOTE: The Town Attorney provided the following transcription on Tuesday, May 5, 2015.]

NOTE: Councilman Woodland joined the Executive Session at 6:06 P.M.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 73 OF 2015)

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.

The Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***; the Executive Session ended at 6:02 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the meeting.

Retain Special Counsel

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

(RESOLUTION NO. 74 OF 2015)

RESOLVED that the New Hartford Town Board does hereby retain Attorney Daniel Vincelette at the rate of Two Hundred Fifty Dollars (\$250) per hour to represent the Town of New Hartford in the following certiorari proceedings: United Parcel Service (UPS), Utica National Insurance Company, Widewaters French Road Co., and Sangertown Square Mall.

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

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

The Supervisor declared the Resolution unanimously carried and duly ADOPTED.

Fence Construction near Rayhill Trail

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

(RESOLUTION NO. 75 OF 2015)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement between the Town of New Hartford and Alan J. Rosenblum, to install a fence along a portion of the Rosenblum property at 117 New Hartford Street, Tax Map No. 329.006-3-15, adjacent to the Philip Rayhill Memorial Trail, in accordance with the terms and conditions set forth in said Agreement.

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

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

The Supervisor declared the Resolution unanimously carried and duly ADOPTED.

ADJOURNMENT

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There being no further business to come before the Town Board, upon motion duly made by Councilman Miscione and seconded by Councilman Woodland, the meeting was adjourned at 6:08 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk