

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, NOVEMBER 4, 2015, AT 7:00 P.M.**

Town Supervisor Patrick Tyksinski called the meeting to order at 7:00 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 David M. Reynolds  
Councilman Paul A. Miscione  
Councilman Richard B. Woodland, Jr.  
Supervisor Patrick M. Tyksinski

**ABSENT:**

Councilman James J. Messa

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

Assessor Darlene Abbatecola  
Code Enforcement Officer Joseph Booth  
Director of Finance Daniel Dreimiller  
Highway Superintendent Richard C. Sherman  
Police Chief Michael Inserra  
Town Attorney Herbert J. Cully  
Town Clerk Gail Wolanin Young

Councilman Messa was absent due to out-of-town business. Thereafter, a quorum was declared present for the transaction of business.

**MINUTES**

**October 5 and October 19, 2015, Town Board meetings**

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

**(RESOLUTION NO. 170 OF 2015)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held October 5, 2015, and the Special Town Board meeting held October 19, 2015, 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	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	ABSENT
Supervisor Tyksinski	-	Aye.

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

### PUBLIC HEARING

7:01 P.M.

2016 Preliminary Budget, including  
Special Districts

At 7:01 P.M. the Town Supervisor opened the Public Hearing on the 2016 Preliminary Budget and special districts/improvement area. The Town Clerk had available the Notice of Public Hearing, Proof of Publication (October 29, 2015, 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 2016 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 districts and lighting districts. Copies of the 2016 Preliminary Budget, which included no increase in taxes, a reduction in the contribution to the New Hartford Public Library, and parking fees for non-residents utilizing the Town's parks, were on hand for public distribution. The Town Supervisor invited anyone present to come forth with comments on the Budget; those speaking were:

- **Jay Winn – resident and President of the Library Board of Trustees**  
Reading from his open letter to the Town Board, Mr. Winn said "...that this proposed cut in the New Hartford Public Library funding of \$100,000 represents a very real threat to the stability and possibly even the long term existence of your Library as you now know it." He stated they have tried to find ways to absorb this \$100,000 cut but have only been able to identify about \$50,000 in service and expense cuts that they could "reluctantly apply" which involves using a large portion of their fund balance...a short-term solution. He continued, "Despite all of the discussions about efficiency and good use of resources etc. the real underlying source of our differences is in the definition of what constitutes a good library." Mr. Winn requested that the Town Board members carefully think about continuing cuts in the Town's level of support for the New Hartford Public Library and how it will affect the constituents.
- **Heather Mowat – lives in the Village of New Hartford – a Non-Resident; Treasurer for the Library Board of Trustees**

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understood why the contribution was lower but it will come with some pain. The Library having to use its fund balance would be a temporary solution and once the money is used, it is gone; in past years when a person died, they might be a benefactor, leaving a specific amount for the Library. If the Library reduces the number of hours it is open, the Library could lose its accreditation. While she lives in New Hartford, she is considered a non-resident, based upon which library where she obtained her library card.

- **Mary Senn** - wrote letters to town counsel – parking fee might have adverse effect on non-residents and broader community. In cross-country trips, she stopped at parks and was never charged fees. Also, a New Hartford family might be planning a reunion with out-of-town family and friends – and the Town might lose pavilion rental fee as a result.
- **Margaret Preston** – when considering buying a home years ago, she questioned “Should I live in New Hartford?” Today, I may think - what’s going on with library? The attitude? She said the Town Board needs to stop and think of the reputation they’ve established in this community.

There being no one further to speak in the matter, the Supervisor closed the Public Hearing at 7:17 P.M.

### PUBLIC PRESENTATIONS/COMMENTS

**Albert Fraccola – town resident** – claimed that property at 13 Wadsworth Road, directly across from his home, had a lot of dirt moved and a substantial house built upon the property in 2004, creating a rise from the road to the house about 12 degrees. He believes an enormous amount of rainwater flows across Wadsworth Road onto his property and into his cellar. He alleged that his concrete driveway has shifted from water that got underneath. He had a copy of the Driveway Permit for this property and much of the information was left blank. The Town Supervisor assured Mr. Fraccola that he and Councilman Miscione would make an on-site inspection the week of November 9, 2015. *[NOTE: See page 13 of these minutes for Highway Superintendent Sherman’s comments with regard to the Driveway Permit.]*

**Mark Karam – bought property in 2014.** Described an on-going problem with his neighbor whose large flagpole and lighting interrupts his sleep with the snapping of the flag against the pole and the light shining in his bedroom. The Town Supervisor explained that the Town does not have a noise ordinance and the Town Attorney stated that if the Board wanted to regulate flagpoles, it would have to amend the Town Code, introduced a local law, hold a public hearing, etc. The question is, does the Town Board want to take this action. With regard to the distance from the flagpole to the property

boundary line, this is a Civil matter. This isn't defined in the Town's Zoning Law, only accessory uses. The Town Supervisor stated that he would contact Mr. Karam's neighbor to see what solutions might be available.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN

Zoning (Codes) and Planning Committee – Councilman Miscione

**Zoning (Notice of Appeal) - Refund**

Councilman Miscione offered the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 171 OF 2015)**

**WHEREAS**, on October 1, 2015, Niranjan Selvarajah had applied for a Zoning (Notice of Appeal) to erect a shed on his property at 100 Kingfisher Lane; and

**WHEREAS**, on October 21, 2015, Mr. Selvarajah had submitted a written statement that he was withdrawing his Zoning (Notice of Appeal), No. 2015-30, and had requested a refund of the One Hundred Dollar (\$100) fee he had paid; and

**WHEREAS**, the Town of New Hartford has not expended any time or money with regard to the said Zoning (Notice of Appeal No. 2015-30), as confirmed by Code Enforcement Officer Joseph Booth;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Accounting Department to issue a refund of the One Hundred Dollar (\$100) payment made by Mr. Selvarajah for the above-referenced fee.

The Resolution was voted upon by roll call as follows:

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

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

**Abandoned vehicle – Root Street fire**

The Highway Department had towed an abandoned vehicle on the 55 Root Street parcel owned by the late George G. Hopkinson (Tax Map No. 339.006-3-11) and stored the

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vehicle at the Sanger Public Works Garage. This is same parcel that was subsequently destroyed by fire. A last attempt will be made to identify/locate any heirs of George Hopkinson by running the vehicle identification number through the NYS Department of Motor Vehicles; if no one can be located, the Town Board will proceed with disposition of the vehicle.

**Town Code, Chapter 52, Unsafe Buildings – Demolition specifications**

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

**(RESOLUTION NO. 172 OF 2015)**

**WHEREAS**, the New Hartford Town Board conducted Hearings on August 12, 2015, pertaining to unsafe buildings located at 1414 Ney Avenue (Tax Map No. 317.012-3-69) owned by Jody Iredell, and at 44 Beechwood Road (Tax Map No. 339.001-3-49) owned by James M. Seemann; and

**WHEREAS**, as a result of the Hearings, the said Town Board had determined that both properties were in violation of the Town Code, Chapter 52, Unsafe Buildings, and the Town's Code Enforcement Officer had mailed notices to the property owners giving notice and requesting abatement measures be taken; and

**WHEREAS**, neither owner has contacted the Town of New Hartford and/or taken any measures to bring their respective properties into compliance with the Town Code, Chapter 52, Unsafe Buildings;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby authorize and direct Highway Superintendent and Councilman Miscione to prepare bid specifications for the demolition of the aforementioned properties.

Whereupon, the Board members voted as follows:

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

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

Town Clerk Committee – Councilman Woodland

**NYS Liquor Authority – Waiver of 30-day notification**

The following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 173 OF 2015)**

**WHEREAS**, on October 28, 2015, Town Clerk Gail Wolanin Young received a request from the NYS ABC Law Consulting Group, in behalf of ***Wall-Berry, Inc., dba Painting with a Twist***, located at The Orchard, 8647 Clinton Street, New York, for a waiver of the thirty (30) Day Advanced Notice to Municipality; and

**WHEREAS**, said Wall-Berry, Inc. has requested a waiver of the 30-day advanced notice in order to file their liquor license application as soon as possible;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby waive the thirty (30) day advanced notification timeframe, having been notified on October 28, 2015, that ***Wall-Berry, Inc., dba Painting with a Twist***, is applying for their liquor license.

The Resolution was voted upon by roll call as follows:

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

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

**Town of Paris notification of draft Subdivision Law**

On October 26, 2015, Town Clerk Gail Wolanin Young received written notification from the Town of Paris that their Town Board had scheduled a Public Hearing for the review of the newly accepted Draft Subdivision Law at the Paris Town Hall, on November 11, 2015, at 6:30 P.M. (The link to the proposed Subdivision Law is: <http://town.paris.ny.us/content/Departments/View/2>).

Parks and Recreation Committee – Councilman Reynolds

**Agreements- Ice Rental**

The following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Miscione:

**(RESOLUTION NO. 174 OF 2015)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute Ice Rental Agreements for the 2015-2016 Ice Season between the Town of New Hartford and the following organizations:

- Mohawk Valley Community College
- Oneonta State College
- New Hartford High School

all of which groups have provided the Town with the appropriate Certificate of Insurance and the Town Attorney having reviewed said Agreements.

The Town Board members voted as follows:

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

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

**Budget Transfers - 2015**

Upon request of the Parks & Recreation Director, Councilman Reynolds introduced the following resolution for adoption; seconded by Councilman Miscione:

**(RESOLUTION NO. 175 OF 2015)**

**WHEREAS**, the Recreation Center incurred a number of unanticipated expenses initiating the need for budget transfers to cover expenses for compressor #2 repairs;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to make the following 2015 budget transfers:

<u>Account</u>	<u>Amount</u>	<u>Transfer to</u>
A7020.2 Recreation Equipment	\$ 2,476	A7020.4
A7110.2 Park Equipment	\$ 1,766	A7020.4
A7230.4 Swim Program	\$ 4,049	A7020.4
A7140.4 Playground Program	\$ 2,290	A7020.4
A7140.2 Playground Equipment	<u>\$ 928</u>	A7020.4
TOTAL:	\$11,509	

The Resolution was subject to a vote upon roll call:

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

Whereupon, the Resolution was declared unanimously carried and duly ***ADOPTED***.

**Appointment – Seasonal Parks and Recreation Employees**

Upon recommendation of the Parks and Recreation Director, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

**(RESOLUTION NO. 176 OF 2015)**

**RESOLVED** that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, commencing on December 1, 2015, and ending March 31, 2016; all wages to be paid bi-weekly:

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Dennis Philipkoski	Recreation Leader	\$11.25/hour
Harold Kaffka	Adult Basketball Director	\$15.25/hour.

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

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

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

**Veterans' Memorial, Rte 5 & 12 Junction – November 11, 2015**

In behalf of Parks and Recreation Director Michael Jeffery, Councilman Reynolds announced there would be a memorial service at 3:00 P.M. on Wednesday, November 11, 2015, at the Veterans' Memorial in New Hartford, NY, in honor of all veterans.

Public Works and Sewer Committee – Councilman Miscione



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

**(RESOLUTION NO. 177 OF 2015)**

**WHEREAS**, on October 5, 2015, the New Hartford Town Board, by Resolution No. 163, authorized the Highway Superintendent to sell at auction through Auctions International one (1) 2014 Ford F250, 4X4 Super Duty Pickup Truck, VIN 1FTBF2B60EEA45664, the proceeds of which would be earmarked toward the upgrade of a newer truck; and

**WHEREAS**, the aforementioned 2014 Ford F250 sold for Twenty-four Thousand Six Hundred Fifty Dollars (\$24,650), Invoice dated November 4, 2015;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby authorize the Highway Superintendent to purchase, “piggy-backed” on Oneida County’s State Contract No. PC66688, one (1) 2015 Ford F-150 XL Super Cab, 4-wheel drive, VIN 1FTEX1E89FKD74027, at a cost of Twenty-five Thousand Two Hundred Ninety-nine Dollars (\$25,299), of which Twenty-four Thousand Six Hundred Fifty Dollars (\$24,650) shall be paid from the proceeds of the sale of the 2014 Ford Pickup truck.

*[NOTE: The October 5, 2015, Resolution specified the purchase of a 2016 truck; however, a 2015 is being purchased.]* Upon roll call, the Board members voted as follows:

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

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

Assessor Committee – Councilman Miscione

**Appointment – Board of Assessment Review**

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

**(RESOLUTION NO. 178 OF 2015)**

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

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**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 November 4, 2015 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	-	ABSENT
Supervisor Tyksinski	-	Aye.

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

MATTERS SUBMITTED BY COUNCILMEN / TOWN ATTORNEY

Councilman Miscione:

**Retention Area behind Royal Brook Lane**

Councilman Miscione said there appears to be some erosion in the retention area behind Royal Brook Lane; Highway Superintendent Sherman will make an on-site inspection to determine what, if any, action should be taken at this time.

**Website Proposals**

Councilman Miscione submitted to the Board members two (2) proposals for a Town website and asked them to review the proposals for consideration at a future meeting.

Councilman Reynolds:

**Traffic Sign – “Children at Play”**

Councilman Reynolds received a phone call regarding 12 Golf Avenue and specifically a “Children At Play” sign that has existed in their driveway for about twenty (20) years. The Highway Department will move the sign down from the driveway.

MATTERS SUBMITTED BY TOWN SUPERVISOR

Financial:

**Audit of Vouchers**

On recommendation of the Town Supervisor, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Miscione:

**(RESOLUTION NO. 179 OF 2015)**

**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:

Rayhill Trail Project Abstract #8	
Vouchers H569-H577	\$ 167,674.75
Grange Hill Drainage Abstract #2	
Vouchers HQ2	\$ 84.39
Street Light Abstract #11	
Vouchers SL11	\$ 8,579.84
Highway Part-Town Abstract #15	
Vouchers DB688	\$ 429.99
Highway Part-Town Abstract #15	
Vouchers DB689-DB764	\$ 143,970.56
General Part-Town Abstract #25	
Vouchers BB158-BB161	\$ 4,247.34
General Part-Town Abstract #26	
Voucher BB162-BB172	\$ 3,534.80
General Part-Town Police Abstract #24	
Vouchers BP229-BP235	\$ 45,387.21
General Part-Town Police Abstract #25	
Vouchers BP236-BP254	\$ 7,565.78
General Whole-Town Abstract #30	
Vouchers AA1042-AA1063	\$ 41,300.27
General Whole-Town Abstract #31	
Vouchers AA1064-AA1149	\$ 89,598.89
Sewer Fund Abstract #27	
Voucher SS60-SS61	\$ 982.80
Sewer Fund Abstract #28	
Voucher SS62-SS68	\$ 397,273.69
Trust & Agency Fund Abstract #34	
Voucher TT203-TT209	\$ 7,751.00
Trust & Agency Fund Abstract #35	
Vouchers TT210-TT214	\$ 9,918.17
Trust & Agency Fund Abstract #36	
Voucher TT215-TT220	\$ <u>8,767.05</u>
<b>TOTAL</b>	<b>\$937,066.53</b>

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

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

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

Finance Director:

**Appointment – Auditors for 2015 Finances**

Finance Director Daniel Dreimiller stated that D’Arcangelo will perform the Town’s annual audit for the same cost as fiscal year 2014. Thereafter, Councilman Reynolds introduced the following Resolution, seconded by Councilman Miscione:

**(RESOLUTION NO. 180 OF 2015)**

**RESOLVED** that the New Hartford Town Board does hereby accept the Proposal submitted by D’Arcangelo & Associates in the amount of Twenty Thousand Five Hundred Dollars (\$20,500) to perform the 2015 Town audit; and be it

**FURTHER RESOLVED** that the said Town Board does hereby authorize and direct the Town Supervisor to execute all necessary documents with regard to the audit.

A roll call vote ensued:

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

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

Public Works & Sewer Committee – Councilman Miscione

**Seasonal Motor Equipment Operator (MEO) – Establish position/wages**

Highway Superintendent Sherman reported that he has an employee out on worker’s compensation and that he has an individual who is willing to work “on call” to fill this gap. Supervisor Tyksinski noted that the Highway Superintendent has the authority to

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hire his employees but that Town Board action is required to set wages and establish new positions. Thereafter, Councilman Reynolds moved the adoption of the following Resolution and Councilman Woodland seconded same:

**(RESOLUTION NO. 181 OF 2015)**

**RESOLVED** that the New Hartford Town Board does hereby establish the position of Seasonal MEO in the Highway Department effective Monday, November 30, 2015, with the employee to work on an “on-call” basis during the absence of an employee who is out on worker’s compensation; and be it

**FURTHER RESOLVED** that the Town Board does hereby establish the hourly wage for the Seasonal MEO at Twenty Dollars and Forty-six Cents (\$20.46), payable bi-weekly, the lowest MEO rate for a seasonal, part-time position; and be it

**YET FURTHER RESOLVED** that the 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 Board voted upon roll call, resulting as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**. The Highway Superintendent stated that Peter Schipano, who is an experienced truck driver, will fill this newly created position.

**Driveway Permit, 13 Wadsworth Road – A. Fraccola comments (see Page 3 of these minutes)**

With regard to Mr. Fraccola’s comments made in the Public Presentation portion of tonight’s Board meeting, and specifically the incomplete Driveway Permit issued in 2004, Highway Superintendent Sherman clarified that he became Highway Superintendent in late 2008 and permits issued after that date have contained all necessary information; prior to that time, Driveway Permits were issued by the Code Enforcement Office.

**2016 Annual Budget - Adoption**

Councilman Reynolds had received several calls concerning the proposed annual budget for 2016. He acknowledged that it is a tight budget and that, by increasing the rate by One Percent (1%), would only raise \$37,000. With regard to less funding for the Library, he acknowledged it is “a jewel in the community” and the Library just using their fund balance to make up for less Town funding would be “a very short fix.” The Town Supervisor stated that the Finance Director and he had reviewed the budget and that he is willing to listen to any ideas and finding extra money; however, last year the Town was hit with a large assessment case and the final payment is due in 2016. As a result, more certiorari cases are forthcoming. The Highway Department is down four (4) employees and the Police Department is down two (2) employees. Concerning the proposed parking permit fees for use of Town Parks by non-residents, Councilman Reynolds believes it will be a real challenge to raise \$150,000 in parking fees. Councilman Woodland concurred with Councilman Reynolds.

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

**(RESOLUTION NO. 182 OF 2015)**

**WHEREAS**, the Town Board of the Town of New Hartford held a Public Hearing on November 4, 2015, to consider the special assessment rolls of said Town for fiscal year 2016, and to consider the adoption of the 2016 Preliminary Budget as the 2016 Annual Budget, including special district rates; and

**NOW, THEREFORE, BE IT RESOLVED** that said Town Board does hereby approve the special assessment rolls of said Town for fiscal year 2016 and does further adopt the 2016 Preliminary Budget, as presented, as the 2016 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.

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

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

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

**EXECUTIVE SESSION**

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

**(RESOLUTION NO. 183 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 union negotiations and to discuss matters leading to the discipline of a particular employee.

A roll call vote ensued:

Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	ABSENT
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 7:58 P.M. The Town Attorney and the Highway Superintendent remained for the Executive Session.

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

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 184 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	-	ABSENT
Supervisor Tyksinski	-	Aye.

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The Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***; the Executive Session ended at 8:25 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the Town Board meeting.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made by Councilman Reynolds and seconded by Councilman Miscione, the meeting was adjourned at 8:26 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk