

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, MARCH 18, 2014 AT 5:30 P.M.**

Town Supervisor Patrick Tyksinski called the meeting to order at 5:30 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 Abbatecola  
Codes Enforcement Officer Joseph A. Booth  
Deputy Supervisor Matthew Bohn III  
Director of Finance Daniel Dreimiller  
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**

**February 12, 2014 Town Board meeting:**

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

**(RESOLUTION NO. 70 OF 2014)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held February 12, 2014 and does further waive the reading of the same.

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 duly ***ADOPTED***.

RESCHEDULED TOWN BOARD MEETING & PUBLIC HEARING

**March 12, 2014 Town Board meeting**

The Town Supervisor announced that due to the inclement weather on March 12, 2014, the Town Board meeting previously scheduled for that evening had been cancelled, which included a Public Hearing on Local Law Introductory "A" of 2014.

**Public Hearing Rescheduled – Local Law Introductory "A" of 2014**

The following Resolution was then offered for adoption by Councilman Messa and duly seconded by Councilman Miscione:

**(RESOLUTION NO. 71 OF 2014)**

**RESOLVED** that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, April 9, 2014 at **7:00 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 "A" of 2014** which, if adopted, would amend the Code, Chapter 88 thereof entitled **PARKS** by adding a new Section 88-10.2 entitled Fishing as it pertains to the Washington Mills Athletic Park; and be it

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

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

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON

Town Clerk Committee – Councilman Woodland

**Raffle Consent**

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

**(RESOLUTION NO. 72 OF 2014)**

**RESOLVED** that the New Hartford Town Board does hereby grant permission to The Neighborhood Center, Inc., 293 Genesee Street, Utica, NY 13501, 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 Messa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

Public Safety & Courts Committee – Supervisor Tyksinski

**Appointment – School Crossing Guard**

Upon recommendation of the Police Chief, Councilman Miscione offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 73 OF 2014)**

**WHEREAS**, a vacancy exists in a part-time School Crossing Guard position due to Bernard Green accepting a new appointment with the Town of New Hartford;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Deborah J. Green to fill said vacancy of part-time School Crossing Guard, retroactive to March 17, 2014 at an hourly rate of Nine Dollars and Seventy-seven Cents (\$9.77), payable bi-weekly.

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***.

**Appointment – Part-time Court Clerk**

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

**(RESOLUTION NO. 74 OF 2014)**

**WHEREAS**, a vacancy exists in the Part-time Court Clerk position due to the resignation of Michaela J. Traglia;

**NOW, THEREFORE, BE IT RESOLVED** that, upon recommendation of Chief Justice William M. Virkler, the Town Board of the Town of New Hartford does hereby appoint Jeffrey M. Emerson to fill the vacancy of Part-time Court Clerk, retroactive to March 13, 2014, at an hourly wage of Ten Dollars (\$10.00), payable bi-weekly.

The Town Supervisor polled the Board members who voted 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***.

**Public Works & Sewer Committee – Councilman Miscione**

**Appointment to fill Cleaner vacancy**

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

**(RESOLUTION NO. 75 OF 2014)**

**WHEREAS**, Roger Jones has submitted his letter of resignation to become effective Friday, March 28, 2014, thereby creating a vacancy in the part-time Cleaner position of

the Buildings and Grounds Unit of the Highway Department;

**NOW, THEREFORE, BE IT RESOLVED** that, upon recommendation of the Highway Superintendent, the New Hartford Town Board does hereby appoint Bernard Green, former part-time School Crossing Guard, to fill the vacancy of part-time Cleaner for the Town, effective March 24, 2014 at an hourly rate of Ten Dollars and Thirty-nine Cents (\$10.39), payable bi-weekly.

The Resolution was voted upon by 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***.

**Agreement – 2014 Roadside Mowing**

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

**(RESOLUTION NO. 76 OF 2014)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor and Highway Superintendent to enter into and to execute the Roadside Mowing Agreement between the Town of New Hartford and the County of Oneida wherein the Town agrees to perform roadside mowing on the improved County road system within said Town from May 15, 2014 to November 1, 2014 in accordance with the terms and conditions set forth in said Agreement.

The Town Board voted upon roll call 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***.

**Agreement – 2014 Pavement Marking (Striping)**

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

**(RESOLUTION NO. 77 OF 2014)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor and Highway Superintendent to enter into and to execute the 2014 Pavement Marking (Road Striping) Agreement between said Town and the County of Oneida wherein said County will provide road striping within the Town of New Hartford between May 1, 2014 and November 1, 2014 in accordance with the terms and conditions set forth in said Agreement, the cost of which will be determined upon completion of the work.

The Town Board agreed that the County of Oneida will consult the Town Highway Superintendent to determine if Town roads will be paved and, if so, avoid striping those roads until the paving has been completed. Thereafter, the Board members voted 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***.

**Municipal Separate Storm Sewer System (MS4) – Annual Report**

With the Highway Superintendent being absent, the MS4 Annual Report will be addressed at the April 9, 2014 Town Board meeting.

**Senior Citizen Committee – Councilman Reynolds**

**\$500 Check – 2013 Summer Mentoring Program from Oneida County**

Councilman Reynolds requested that this Agenda item be deferred to the April 9, 2014 Town Board meeting.

**MATTERS SUBMITTED BY COUNCILMEN**

None

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

Finance

**Audit of Vouchers**

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

**(RESOLUTION NO. 78 OF 2014)**

**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:

Applewood Traffic Signal Abstract #2	
Vouchers HI2	\$ 231.00
Street Lighting Fund Abstract #3	
Vouchers SL4	\$ 10,917.40
Stormwater Series II Abstract #2	
Vouchers HK3	\$ 3,975.00
Zoning Study Fund Abstract #3	
Vouchers H13	\$ 392.49
Fire Districts Fund Abstract #2	
Vouchers HP2-HP6	\$1,150,670.23
Brine Equipment Fund Abstract #3	
Vouchers HS28-HS30	\$ 4,120.23
Trust & Agency Fund Abstract #7	
Vouchers TT26-TT34	\$ 13,292.73
Trust & Agency Fund Abstract #8	
Vouchers TT35-TT37	\$ 6,335.11
Trust & Agency Fund Abstract #9	
Vouchers TT38-TT47	\$ 14,145.87
Trust & Agency Fund Abstract #11	
Vouchers TT57	\$ 5,101.23
Highway Fund Part-Town Abstract #5A	
Vouchers DB212	\$ 285.30
Highway Fund Part-Town Abstract #6	
Vouchers DB151-DB211; DB213-DB245	\$ 27,570.76
Highway Fund Whole-Town Abstract #1	
Vouchers DA1	\$ 25,644.00
General Fund Part-Town Abstract #5	
Vouchers BB24-BB26	\$ 794.76
General Fund Part-Town Abstract #6	
Vouchers BB27-BB40	\$ 2,201.80

REGULAR TOWN BOARD MEETING  
March 18, 2014  
Page 8 of 10

General Fund Whole-Town Abstract #5	
Vouchers AA203-AA213	\$ 26,994.49
General Fund Whole-Town Abstract #6	
Vouchers AA214-AA217; AA220-AA274; AA276-AA288; AA290-AA292; AA336-AA362	\$ 104,318.28
General Fund Whole-Town Abstract #8	
Vouchers AA368-AA371; AA375	\$ 2,564.14
General Fund Whole-Town Abstract #9	
Vouchers AA372-AA374; AA376-AA379	\$ 8,873.57
General Fund Part-Town Police Abstract #5	
Vouchers BP40-BP43	\$ 40,923.66
General Fund Part-Town Abstract #7	
Vouchers BB41	\$ 349.06
General Fund Part-Town Police Abstract #6	
Vouchers BP44-BP48; BP50-BP62	\$ 11,676.24
General Fund Part-Town Police Abstract #7	
Vouchers BP63-BP64	\$ 35,978.72
Sewer Fund Abstract #5	
Voucher SS66	\$ 2,071.21
Sewer Fund Abstract #6	
Voucher SS67-SS70	\$ 6,857.20
<b>TOTAL:</b>	<b>\$1,606,248.48</b>

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

**Finance Director Report**

Finance Director Dan Dreimiller had supplied Town Board members with a finance report a few weeks ago, cumulative reports basically showing cash position and an update on existing capital projects.

**Budget adjustment – 2014 Highway Fund**

Director Dreimiller acknowledged the continued and successful efforts of Highway Superintendent Sherman to obtain monies owed the Town by the State over the past six



REGULAR TOWN BOARD MEETING

March 18, 2014

Page 9 of 10

(6) or seven (7) years regarding the State Multi-Modal Project. The Town has now received full payment for certain paving projects that had been completed and Director Dreimiller asked for approval of a budget adjustment in the 2014 Highway paving account. The Town Supervisor recalled that the Highway Superintendent and he had discussed this matter in the Fall of 2013 and agreeing that, if the Town was reimbursed in 2014, to increase the Highway paving line item by a like amount. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

**(RESOLUTION NO. 79 OF 2014)**

**WHEREAS**, the Town of New Hartford has received reimbursement in the amount of \$278,592.70 from the New York State Department of Transportation for road improvements under the State Multi-Modal Funding Program for the following projects;

- PIN 2MS490.30A, Contract No. D026502  
Collins Avenue: Aitken Avenue to Dead End - \$ 16,370.03
- PIN 2MS489.30A, Contract No. D026502  
Alexandria Road: Route 12B to Route 5 - \$ 33,503.47
- PIN 2MS491.30A, Contract No. D026502  
Roberts Avenue: Middlesettlement to Aitken Ave - \$ 25,860.72
- PIN 2MS494.30A, Contract No. D026502  
Upper Mallory/Sessions Road: Town line to Higby - \$202,858.48

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby increase Part-Town Highway Revenue Account DB3501.0 (State Aid) for the year 2014 by the amount of \$278,592.70 and does further hereby increase Part-Town Highway Contractual Paving Account DB5112.4 by a like amount.

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

REGULAR TOWN BOARD MEETING

March 18, 2014

Page 10 of 10

Deputy Town Supervisor

**Digital Towpath**

Deputy Supervisor Bohn had spent time with the Digital Towpath representative at the NYS Association Conference in New York City in February 2014 and he believes the Town should re-develop or finish developing the website to sustain it, noting that the Town is paying for membership. He stressed the need to have a more professional design. Digital Towpath has a working product that would keep track of meetings, minutes, etc. After some discussion, the Board's consensus was for the Deputy Supervisor to go forward with Digital Towpath and that Councilman Messa would work jointly with him.

Town Attorney

**Easements – Rayhill Memorial Trail Extension**

Town Attorney Cully stated he has two (2) easements and has met with Mr. McCraith who is willing to give property to the Town with the condition of a safety measure being installed, a barrier to access the trail through his parking lot; the Town would provide him with a piece of land equal to what he's giving up. The Town Attorney requested approval of this proposal; however, the Town Supervisor was reluctant to take action now, preferring to wait until the survey has been completed. No action was taken.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made by Councilman Messa and seconded by Councilman Miscione, the meeting was adjourned at 5:52 PM

Respectfully submitted,

Gail Wolanin Young, Town Clerk