

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, OCTOBER 1, 2014, 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 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:**

Deputy Supervisor Matthew Bohn III  
Director of Finance Daniel Dreimiller  
Highway/Sewer Superintendent Richard C. Sherman  
Town Attorney Herbert J. Cully  
Town Clerk Gail Wolanin Young

Thereafter, a quorum was declared present for the transaction of business.

MINUTES

**September 24, 2014, Town Board meeting:**

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

**(RESOLUTION NO. 214 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 September 24, 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***.

PUBLIC PRESENTATIONS/COMMENTS

No one was present to address the Town Board.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON

Zoning (Codes) and Planning Committee – Councilman Messa:

**Codes Violation - Ponderosa signs**

Discussion ensued about the signs in disrepair on the former Ponderosa property on Seneca Turnpike, and which have been in violation of codes for the past six (6) months. The Town Supervisor has talked to the Codes Enforcement Officer about this three (3) months ago and the owners have done nothing to resolve the matter. A free-standing sign has two (2) missing panels, exposed light tubes, and rusted supports while the building sign is missing a panel. It was agreed that the owners should either repair the signs or remove them. The Town Attorney will work with Codes Officer Booth to formulate a letter to the property owners, to either repair the signs or remove them.

Town Clerk Committee – Councilman Woodland:

**2015 Tentative Budget**

Councilman Woodland acknowledged that the Town Clerk had presented each Town Board member with a copy of the 2015 Tentative Budget that had been filed in her office on September 29, 2014.

Public Works and Sewer Committee – Councilman Messa:

**Sanitary Sewer Maintenance**

Upon request of the Highway/Sewer Superintendent, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 215 OF 2014)**

**WHEREAS**, Oneida County is in the process of receiving bids for “Contract Number 8 – Sanitary Sewer Mainline Rehabilitation – Phase IV”; and

**WHEREAS**, the Town of New Hartford is interested in participating in project NHD-23 (Contract 8) at the bid price being submitted by the successful bidder, the scope of work to include:

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- Rehabilitation of sanitary sewers
- Testing and sealing joints
- Cured-in-place spot repairs and full length lining
- Lateral connection grouting and lining
- Open cut repairs
- And associated work;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby agree to fund the work in NHD-23 (Contract 8) for Paris Road and side streets from existing Town sewer district funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000).

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***.

**FEMA - Golf Ave Cuvert repairs**

Councilman Messa recalled discussion at the July 2014 Town Board meeting with regard to FEMA funds that the Highway Superintendent obtained to repair Wilbur Road and Golf Ave. The Town has the FEMA money, and has obtained the following quotes for Golf Ave repairs:

- \$27,140.00 – D. H. Smith Company, Inc., Clayville, NY 13322
- \$26,675.00 – Murphy Excavating Corporation, New Hartford, NY 13413.

Upon recommendation of the Highway Superintendent, Councilman Messa offered the following Resolution for adoption and Councilman Miscione seconded same:

**(RESOLUTION NO. 216 OF 2014)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby accept the quote of Twenty-seven Thousand One Hundred Forty Dollars (\$27,140.00) submitted by D. H. Smith Company, Inc., 2190 Oneida Street, Clayville, New York 13322, and does hereby award the contract to said vendor to perform repairs to the Golf Ave culvert to include:

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- grub and clear area
- reshape banks and place riprap
- remove and reset guide rails
- maintain and protect traffic, and
- reseed;

and be it

**FURTHER RESOLVED** that the vendor shall commence the repairs on Thursday, October 2, 2014.

A roll call vote ensued:

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

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

Parks and Recreation Committee – Councilman Reynolds:

**Agreements – Ice Rental**

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

**(RESOLUTION NO. 217 OF 2014)**

**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 period beginning September 15, 2014, and ending February 21, 2015, between the Town of New Hartford and the following organizations:

- Mohawk Valley Community College
- SUNY Oneonta

all of which groups have provided the Town with the appropriate Certificate of Insurance.

The Town Attorney has reviewed the standard agreements. Thereafter, Town Board members voted as follows:

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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

#### Financial:

#### **2015 Tentative Budget**

The Town Supervisor gave some highlights to the 2015 Tentative Budget:

- tax rates remained the same for General Fund Whole-Town and General Fund Part-Town Police
- addressing an obstacle of an extra \$300,000 (wages, benefits, and payroll taxes) for a 27<sup>th</sup> payroll for the year 2015, something that occurs for bi-weekly payrolls approximately every eleven (11) years
- creation of a capital budget list for Town Board review
- overall total budget is just over \$14,000,000, about \$165,000 over the 2014 Budget
- assessment increased over last year
- no reduction of services, no new projects, “business as usual”

The Town Supervisor asked for comments from the Town Board; there being none at this time, he asked the Board to review the Tentative Budget and be prepared for a Preliminary Budget at the October 22, 2014, meeting.

Councilman Messa questioned the Town’s projected sales tax revenue in comparison to prior years. Finance Director Dreimiller replied that it’s pretty much stayed the same the last few years. Supervisor Tyksinski said if you go back four or five years, it has increased and that’s attributable to a couple things; one (1) is the sales tax pot – New Hartford has more retail businesses in the Town that generate more sales tax, so the entire sales tax for the County goes up and the Town gets a bigger share of that bigger pie because the total taxable assessment of the Town is one of the main factors in determining how that pie gets divided up. So as more retail comes in, the more sales tax there is, and assessment goes up, means a bigger piece of the pie for us. However, what we have projected in sales tax is not what we get – we leave a slack – “..hate to budget the maximum because if we do get a bad year I hate to see us coming up \$50,000 - \$100,000 short in sales tax.”

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The Finance Director confirmed that the Town is on track with the sales tax in the 2014 Budget.

The Town Supervisor stated that if Board members had any questions on the Tentative Budget prior to the October 22, 2014, Town Board meeting that they should contact either the Finance Director or him, and either would be happy to meet and discuss the concerns.

**Audit of Vouchers**

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

**(RESOLUTION NO. 218 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:

Stormwater Series II Abstract #6	
Vouchers HK26- HK27	\$ 16,079.00
Mud Creek Project Fund Abstract #1	
Vouchers HR1	\$ 895.00
Parks Capital Project Fund Abstract #3	
Vouchers HX4-HX5	\$ 1,783.61
Trust & Agency Fund Abstract #32	
Vouchers TT177-TT185	\$ 12,440.81
Trust & Agency Fund Abstract #33	
Vouchers TT186-TT190	\$ 9,474.40
Trust & Agency Fund Abstract #34	
Vouchers TT191-TT198	\$ 12,964.55
General Fund Whole-Town Abstract #26	
Vouchers AA132-AA1148; AA1186	\$ 24,216.98
General Fund Whole-Town Abstract #27	
Vouchers AA1149-AA1185;	
AA1188-AA1203; AA1205-AA1214	\$ 46,884.44
Highway Fund Part-Town Abstract #14	
Vouchers DB693-DB717; DB719-DB778	\$ 231,156.10
General Fund Part-Town Abstract #22	
Vouchers BB132-BB136	\$ 3,334.08
General Fund Part-Town Abstract #23	
Vouchers BB140-BB147	\$ 3,047.99
General Fund Part-Town Police Abstract #22	

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Vouchers BP199-BP203	\$ 45,047.31
General Fund Part-Town Police Abstract #23	
Vouchers BP205-BP215	\$ 10,063.86
Sewer Fund Abstract #22	
Voucher SS136	\$ 684.62
Sewer Fund Abstract #23	
Voucher SS138-SS145	<u>\$ 17,536.52</u>
<b>TOTAL:</b>	<b>\$ 435,609.27</b>

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 duly made by Councilman Reynolds and seconded by Councilman Miscione, the meeting was adjourned at 7:10 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk