

**SPECIAL MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON TUESDAY, OCTOBER 5, 2010 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 Donald C. Backman
Councilwoman Christine G. Krupa
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 Senior Services M. Eileen Spellman
Highway Superintendent Richard C. Sherman and Working Foreman
Christopher Moran
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

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

FISCAL

2011 Tentative Budget – Presentation to Town Board

Supervisor Tyksinski stated that the purpose of this special meeting was to be in compliance with statute that requires the Town Clerk to present the Supervisor's Tentative Budget to the Town Board on or before October 5th. {NOTE: The Town Supervisor filed the 2011 Tentative Budget with the Town Clerk's Office on Thursday, September 30, 2010.}

The Town Supervisor stated that the Tentative Budget was not put together haphazardly, but is the culmination of work with help from Deputy Supervisor Matthew Bohn and Town Attorney Herbert Cully, which began in January 2010. This is not a bare bones budget nor does it contain one-time reductions, which could come back to haunt the Town in the future. This is a budget that maintains services for Town residents and increases the efficiency of how the Town does business. Within the last nine months, reorganization in several departments had produced savings of taxpayer dollars and the process is not over. He is currently, and will continue to look at ways to reduce spending and become more effective in what the Town does. Everything contained in the budget is substantiated.

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When he took office January 1, 2010, the Supervisor had many obstacles to overcome in preparation of this budget, one of which was an inherited deficit of \$300,000 together with many deficiencies within the current 2010 Budget such as the elimination of needed positions within the Town and expenses that were not budgeted, totaling over \$200,000. These expenditures comprised items that were either a necessary element of the operations of the Town or expended in a prior year and not accounted for. However, these hurdles were overcome and resulted in a sound, fiscally responsible budget for 2011.

Supervisor Tyksinski touched upon the highlights of the 2011 Tentative Budget:

- General Whole-town tax reduction of 20%
- General Part-town Police tax rate reduction of 13%
- Reduction of labor force of 20%
- Reduction of 6% in General and Highway appropriations
- Maintain same level of service and returned some lost services such as trash pickup.

None of what's been done here is a one-time deal, it's not a wage freeze, and the Town is not asking the union for a wage freeze. This is a good budget, workable.....a work not only to continue in 2011 but also in the future.

Town Clerk Gail Wolanin Young presented the Board members with their copy of the 2011 Tentative Budget.

LEGAL

Authorization to sue – Motor Vehicle Accident

Town Attorney Cully distributed a police memorandum with regard to an August 10, 2010 motor vehicle accident wherein a Town police vehicle had been struck by another vehicle on Oneida Street in Washington Mills. The Town had submitted a claim through the other driver's insurance company; however, that insurance company only offered to pay 90% of the claim, saying that the police officer was 10% at fault. The other driver was trying to pull into McDonald's restaurant (left-hand turn) and drove into the police car. The Town Attorney had received information that this other insurance company routinely takes this stance. The Town Attorney suggested he sue for the full amount at no expense to the Town of New Hartford. Thereafter, Councilman Backman introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

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(RESOLUTION NO. 249 OF 2010)

RESOLVED that the New Hartford Town Board does hereby authorize and direct Town Attorney Herbert J. Cully to sue Shelby L. Carl, through her insurance company, for full recovery of property damage sustained by a Town police vehicle on August 10, 2010.

Councilman Backman inquired if the Town would bear any expenses or if related expenses were recoverable. Attorney Cully said he would represent the Town pro bono and that the \$25.00 filing fee is recoverable. Thereafter, the Town Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Woodland	-	Aye
Councilman Reynolds	-	Aye
Councilman Backman	-	Aye
Supervisor Tyksinski	-	Aye.

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

EXECUTIVE SESSION

Councilwoman Krupa introduced the following Resolution for adoption and Councilman Backman seconded same:

(RESOLUTION NO. 250 OF 2010)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss pending litigation, namely, Adelman-Peters vs. the Town of New Hartford, New York.

A roll call vote ensued:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Backman	-	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 6:06 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

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The Town Attorney provided the following transcription on Wednesday, October 6, 2010.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 251 OF 2010)

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:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Backman	-	Aye
Supervisor Tyksinski	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 6:15 P.M. The regular portion of the Town Board meeting was immediately reconvened.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 6:15 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk