

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON WEDNESDAY, AUGUST 10, 2016, 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 James J. Messa
Councilman David M. Reynolds
Councilman Paul A. Miscione
Councilman Richard B. Woodland, Jr.
Supervisor Patrick M. Tyksinski

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Assessor Darlene Abbatecola
Code Enforcement Officer Joseph Booth
Deputy Supervisor Matthew Bohn
Director of Recreation Center John C. Cunningham
Finance Director Daniel Dreimiller
Highway 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

July 13, 2016, Town Board meeting

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

(RESOLUTION NO. 123 OF 2016)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held July 13, 2016, 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 thereafter declared unanimously carried and duly **ADOPTED**.

PUBLIC PRESENTATIONS/COMMENTS

The Town Supervisor inquired if anyone present wished to address the Town Board; people have three (3) minutes to present their matter(s). No one came forth to speak.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN

Parks and Recreation Committee – Councilman Reynolds

Seasonal Swim Employee – Title Change & Pay Increase

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

(RESOLUTION NO. 124 OF 2016)

WHEREAS, on May 11, 2016, the Town Board had appointed Braylin Sheppard as a Lifeguard for the 2016 Summer Swim Program, at the hourly wage of Nine Dollars and Fifty Cents (\$9.50); and

WHEREAS, since her initial appointment, Braylin Sheppard has received her certification as a Water Safety Instructor/Lifeguard;

NOW, THEREFORE BE IT RESOLVED that the New Hartford Town Board does hereby approve and authorize the title change for Braylin Sheppard from Lifeguard to Certified Water Safety Instructor/Lifeguard and does further approve and authorize her hourly wage to be established at Eleven Dollars and Fifteen Cents (\$11.15), payable bi-weekly, retroactive to July 5, 2016.

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

Refund – 2016 Summer Playground Program

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

(RESOLUTION NO. 125 OF 2016)

WHEREAS, on June 14, 2016, Elizabeth Skinner registered her child to attend the six-week 2016 Summer Playground Program and paid the \$180 registration fee but her child stopped attending the program, after which Mrs. Skinner asked for a refund. The refund was pro-rated based upon the date Mrs. Skinner requested the refund, which equated to \$30 per week (August 1-August 5; August 8-August 12, 2016); and

WHEREAS, on June 15, 2016 Elizabeth & Scott Checola registered three (3) children to attend the Summer Playground Programs, paying \$420, an overpayment of \$20 for a family of three (3) children;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Accounting/Finance Department to issue the following refunds:

- Elizabeth Skinner - \$60 for the 2-week period of August 1 through August 12
- Elizabeth and Scott Checola - \$20 for the family discount of three (3) children.

The Supervisor polled the Board members who voted as follows:

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

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

Recreation Center Ice Rental Rates – 2016-2017

Councilman Reynolds noted that the proposed 2016-2017 ice rental fees are a two percent (2 %) increase from the current year. Thereafter, Councilman Reynolds moved the adoption of the following Resolution, duly seconded by Councilman Miscione:

(RESOLUTION NO. 126 OF 2016)

RESOLVED that the New Hartford Town Board does hereby establish the following ice rental rates for the 2016-2017 Winter Recreation Program at the Recreation Center:

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- Prime - \$149.50/hour
- Non-Prime - \$121.50/hour
- After midnight - \$110.00/hour
- Locker Room - \$ 20.00/hour
- Special Interest - \$114.25/hour.

Where upon, the Town Board members voted as follows:

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

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

Administrative Assistant – Permanent Appointment

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

(RESOLUTION NO. 127 OF 2016)

WHEREAS, on June 8, 2016, the Town Board of the Town of New Hartford provisionally appointed Hyesun Lee as Administrative Assistant (Resolution No. 103), for the Parks/Recreation Department, effective July 5, 2016, at an annual salary of Twenty-eight Thousand Dollars (\$28,000), payable bi-weekly; and

WHEREAS, Hyesun Lee has successfully completed the required New York State Civil Service examination for said position;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby permanently appoint Hyesun Lee as Administrative Assistant for the Town Parks/Recreation Department effective August 3, 2016, at the aforesaid annual salary.

The Town Supervisor polled the Board members who voted as follows:

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

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

Town Clerk Committee – Councilman Woodland

Liquor License – The Steak & Pickle

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

(RESOLUTION NO. 128 OF 2016)

RESOLVED, that the Town Board of the Town of New Hartford does hereby acknowledge receipt of the new Liquor License Application/Notice to municipality from Fred F. Pomilio, d/b/a The Steak & Pickle, 3963 Oneida Street, New Hartford, New York, 13413; the Town Board does not object to the State approving this new Application.

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

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

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

Deputy Registrar of Vital Statistics – Permanent Appointment/Budget Adjustment

Upon recommendation of the Town Clerk, the following Resolution was offered for adoption by Councilman Woodland and seconded by Councilman Miscione:

(RESOLUTION NO. 129 OF 2016)

WHEREAS, at the August 12, 2015, Town Board meeting, the Town Clerk-Registrar announced her appointment of Rebecca A. Empey as full-time provisional Deputy Registrar effective August 24, 2015, after which the Town Board, by Resolution No. 133, established Ms. Empey's hourly rate of pay at \$12.29, payable bi-weekly; and

WHEREAS, Rebecca A. Empey has successfully completed the required New York State Civil Service examination for the position of full-time Deputy Registrar, scoring No. 1 on the list of six (6) applicants and achieving a score of 95;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby acknowledge that, effective August 3, 2016, Rebecca A. Empey is a permanent appointment as full-time Deputy Registrar and does hereby establish her rate of pay at Thirteen Dollars and Twenty-one Cents (\$13.21) per hour, payable bi-weekly; and be it

FURTHER RESOLVED that the Town Board does hereby authorize and direct the Accounting/Finance Department to make the following 2016 Budget adjustments:

- Increase BB4020.11 (Deputy Salary) - \$1,000
- Decrease BB4020.12 (Part-time Clerk) - \$1,000

to cover the wage increase associated with the permanent appointment of Rebecca Empey as full-time Deputy Registrar.

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

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

The Resolution was thereafter declared unanimously carried and duly **ADOPTED**. The Town Supervisor thanked Rebecca for doing a great job and offered his congratulations. The Town Clerk-Registrar acknowledged that Ms. Empey is an excellent employee.

Public Works & Sewer Committee – Councilman Miscione

Highway employee Gerald Webb – HEO/Buildings and Grounds appointment

Upon recommendation of the Highway Superintendent, the following Resolution was introduced by Councilman Miscione and duly seconded by Councilman Woodland:

(RESOLUTION NO. 130 OF 2016)

WHEREAS, effective August 5, 2016, Michael Coonradt had retired from his Heavy Equipment Operator (HEO) position with the Town Highway Department thereby creating a vacancy; and

WHEREAS, the Highway Superintendent has appointed former Automotive Mechanic Gerald A. Webb to fill the HEO vacancy, including duties in the Buildings and Grounds department formerly performed by Mr. Coonradt, effective August 11, 2016;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby establish the base hourly wage for Gerald A. Webb at Twenty-three Dollars and Thirty-six Cents (\$23.36) per hour, payable bi-weekly, effective August 11, 2016.

Councilman Miscione noted that this is a pay reduction of \$3.63 per hour. The Town Board members then voted upon roll call:

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

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

Washington Mills Sewer Line Project

Councilman Miscione reported that Oneida County (Soil and Water Conservation District) will be conducting projects for exposed sewer pipes near Piggy Pat's (Kellogg Road) and the streambank stabilization, receiving and accepting sealed bids.

MATTERS SUBMITTED BY COUNCILMEN

Councilman Miscione:

New Town Website

Councilman Miscione reported that the Town's new website has been created and he plans to hold an informational staff meeting for employees and Town Board members on Monday, August 22, 2016 at 4:15 P.M.

Zoning Text Amendments – Fees

Councilman Miscione questioned whether the \$5,000 fee for a zoning text amendment was accurate and/or reasonable, referring to a dentist who had addressed the Town Board several times in the past year about the size of solar panels allowed under the Town's 2014 Zoning Law. "He had no other options except to go to the Town Board," said Councilman Miscione. The Town Attorney and Town Supervisor said the \$5,000 figure was not a typo, but rather a figure reached among Town Officials and a 5-member committee, based upon a number of factors. Councilman Reynolds believed the size of a project should be considered for a zoning text amendment. Supervisor Tyksinski noted that the dentist had appeared before the Zoning Board of Appeals for a variance but was denied. Time, effort, research, Code Book update and publication costs, etc. were cited as some of the expenses to be covered for a zoning text amendment fee of \$5,000. The Town Attorney offered to contact other municipalities for cost comparisons and also

determine what steps the Town would need to initiate to adjust the 2014 Comprehensive Plan and the 2014 Zoning Law, as both documents are read together. The Town Attorney stated that a standard of five (5) years is used to update a Comprehensive Plan and Zoning Law; the Town's revised documents are only about fifteen (15) months old.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN
(Continued)

Zoning (Codes) and Planning Committee – Councilman Messa

Training – Zoning and Planning Board members

Councilman Messa received information today on a training program for Zoning and Planning Board members who are required to have four (4) hours of training per year. A 4-hour program is being hosted by the Town of Schuyler and the registration deadline is Thursday, September 15, 2016. It is not known yet how many Board members will be attending but there are seven (7) members on each Board. The following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Reynolds:

(RESOLUTION NO. 131 OF 2016)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to the Town Planning Board and Town Zoning Board of Appeals members to attend the Planning Board and Zoning Board of Appeals Members' Continuing Education Program on Wednesday, October 5, 2016, from 6:00 P.M. to 10:00 P.M. in the Schuyler Town Hall, Schuyler, New York, with the \$20.00 registration fee per person to be borne by said Town as budgeted. The names of the attendees will be confirmed at the September 14, 2016, Town Board meeting.

The Resolution was voted upon by roll call as follows:

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

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

Finance Director

July 2016 Financial Reports

Finance Director Daniel Dreimiller inquired if the Town Board members had any questions about the e-mailed monthly reports for July 2016; there were none.

2016 Budget adjustment – Parks: \$150,000 Deficit/Parking Fees

At the July 13, 2016 Town Board meeting, the Councilmen’s consensus was not to take action on the proposal submitted by the Finance Director and Town Supervisor to decrease monies in three Funds due to a deficit of \$150,000 in parking fees for the Parks Department which did not pass. Instead, they wanted Department Heads to be consulted and receive their input. Since the July 2016 Town Board meeting, Department Heads had been contacted and input was received from some Department Heads and Board members. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 132 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Accounting/Finance Department to make the following adjustments in the 2016 Budget:

EXPENSE

<i>Account Description</i> <i>Account Number</i>	<i>Current Budget Amount</i>	<i>Proposed Budget Amount</i>	<i>Increase (Decrease)</i>	<i>Explanation</i>
Library Contractual AA7410.04	\$300,000	\$275,000	(\$25,000)	Concession of \$25K from Library based on bequeath received
Eng'ing Contractual AA1440.04	\$ 40,000	\$ 30,000	(\$10,000)	part of closing \$150K budget gap
Liability Insurance AA1910.04	\$210,000	\$190,000	(\$20,000)	part of closing \$150K budget gap
Rec Center Contractual AA7020.04	\$ 26,722	\$ 24,222	(\$ 2,500)	part of closing \$150K budget gap
Parks Contractual AA7110.01	\$ 70,000	\$67,500	(\$ 2,500)	part of closing \$150K budget gap
Workers Comp Insurance AA9040.08	\$ 30,000	\$10,000	(\$20,000)	part of closing \$150K budget gap

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Workers Comp Insurance \$ 67,500 BP9040.08	\$47,500	(\$20,000)	part of closing \$150K budget gap
Gasoline \$120,000 DB5110.45	\$70,000	(50,000)	part of closing \$150K budget gap

REVENUE:

Parking Fees-Town Park \$150,000 AA2001.2	\$ 0	(\$150,000)	part of closing \$150K budget gap
Sales Tax \$914,054 AA1120.0	\$984,054	\$ 70,000	part of closing \$150K budget gap
Sales Tax \$1,204,133 BP1120.0	\$1,184,133	(\$ 20,000)	part of closing \$150K budget gap
Sales Tax \$2,925,759 DB1120.0	\$2,875,759	(\$ 50,000)	part of closing \$150K budget gap.

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

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

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

Purchasing Policies and Procedural Manual – Final Update

Based upon discussion at the July 13, 2016, Town Board meeting, the Finance Director had distributed copies of the revised Purchasing Policies and Procedural Manual to Town Board members and Department Heads for their review and comment. Councilman Reynolds complimented on the “great editing”; and since Central Supply had been abolished around 2010, recommended that all references to Central Supply be removed from this manual. Referring to the Purchasing Requisition – Price Quotes form, he noted three (3) items at the bottom of the form – name of person requesting the item, Supervisor approval, and Administrative approval. Councilman Reynolds thought that Administrative Approval was confusing; the Finance Director stated that Administrative Approval referred to the Finance Department and this would be corrected on the Purchasing Requisition – Price Quotes form. There being no further comments, Councilman Miscione offered the following Resolution adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 133 OF 2016)

RESOLVED that the New Hartford Town Board does hereby approve and adopt revisions to the “Purchasing Policies and Procedural Manual, Final Version, dated August 10, 2016,” contingent upon the Finance Director removing all references to Central Supply (which was abolished in 2010), and on the Purchasing Requisition – Price Quotes form, changing “Administrative Approval” to be approval of the Finance Department.

The foregoing Resolution was duly put to a vote upon roll call, as follows:

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

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

Transfer of Funds – Checks held at July 2016 Town Board meeting

The Finance Director stated that at the July 2016 Town Board meeting, there were a few expenditures that weren’t signed off on. He noted that he was not present at the time the vouchers had been reviewed. There were three (3) checks from other funds to General Whole-Town. When the vouchers were originally paid, the expenditure was supposed to be paid and allocated to various funds, and it wasn’t, by mistake. Action is now needed to correct and reallocate funds relating to expenditures involving the Sangertown Square Mall tax certiorari submitted by Empire State Appraisal. Thereafter, Councilman Miscione introduced the following Resolution for adoption and Councilman Reynolds seconded same:

(RESOLUTION NO. 134 OF 2016)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Accounting/Finance Office to make the following 2016 budget transfers as relates to the payment of the Empire State Appraisal for the Sangertown tax certiorari, thereby reimbursing the General Fund Whole-Town:

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
Fire District Fund	General Fund Whole-Town	\$ 3,963
General Fund Part-town Police	General Fund Whole-Town	\$10,184
Sewer Fund	General Fund Whole-Town	\$ 2,168.

Whereupon, the Board members voted as follows:

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

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

Audit of Vouchers

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

(RESOLUTION NO. 135 OF 2016)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the payment of the bills itemized on the following Abstracts, which had been duly audited by the Town Board:

Street Lighting Abstract #7	
Vouchers SL7	\$ 7,708.53
Fire District Abstract #7	
Vouchers SF16	\$ 3,963.92
Fire District Abstract #8	
Vouchers SF17-SF18	\$ 1,667.02
Water Abstract #1	
Vouchers FF1	\$ 1,440.46
Highway Fund Part-Town Abstract #10	
Vouchers DB408-DB477	\$ 117,679.35
General Fund Part-Town Abstract #17	
Vouchers BB104-BB107	\$ 6,178.48
General Fund Part-Town Abstract #18	
Vouchers BB108-BB111	\$ 2,426.93
General Fund Part-Town Police Abstract #15	
Vouchers BP155-BP159	\$ 46,283.74
General Fund Part-Town Police Abstract #16	
Vouchers BP160-BP170	\$ 24,212.20
Trust & Agency Fund Abstract #23	
Vouchers TT121-TT128	\$ 7,518.04
Trust & Agency Fund Abstract #24	
Vouchers TT129-TT132	\$ 11,162.12
Trust & Agency Fund Abstract #25	

Vouchers TT133-139	\$	8,457.71
General Fund Whole-Town Abstract #17		
Vouchers AA779-AA791	\$	34,850.70
General Fund Whole -Town Abstract #18		
Vouchers AA792-AA867	\$	71,688.26
Sewer Fund Abstract #15		
Vouchers SS61-SS65	\$	8,048.54
Sewer Fund Abstract #16		
Vouchers SS66	\$	979.02
Sewer Fund Abstract #17		
Vouchers SS67-SS72	\$	<u>8,123.72</u>
TOTAL:	\$	362,388.74

The Town Supervisor polled the Board members who voted as follows:

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

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

“Zombie” properties; legislation

Supervisor Tyksinski stated that the Town Attorney had brought to his attention some legislation that had been adopted by a couple of New York State towns to regulate abandoned (“Zombie”) properties; sample legislation requires, among other obligations, that the owner, or the bank holding the mortgage, register the residential property with the municipality when it is expected the property will be vacated for more than a certain number of days. This new registration process would provide the Town with the owner’s name, mortgage lender, and/or contact person. SUNY POLY is sponsoring a seminar on this topic at the NYS Office Building, Utica, New York, on Tuesday, August 30, 2016; Town Board consensus was for the Town Attorney to attend this seminar.

Governor’s Storm Water project FEMA Buy-out/Flood damaged properties

The Town Supervisor and Highway Superintendent met last week with FEMA representatives, making on-site inspections of Oneida Street, Chadwicks, properties proposed for the FEMA Buy-out program. Supervisor Tyksinski stated that the program was initially set up only for properties in flood zones and that is why a lot of houses were not approved; other “qualifiers” were used when FEMA considered homes on Henderson Street. The Town will file an appeal letter, which opens a 60-day period during which

the Town has been asked to provide FEMA with a list of properties the Town Board recommends for approval. Discussion involved Councilman Messa's concerns on how some Oneida Street properties were approved by FEMA while others in the middle were not, as well as the Diefenbacher residence that is near to collapsing in the Creek. If approved to participate in the Buy-out Program and the property owners agree on a price, ownership goes to the Town; nothing can be constructed on the land once the residences are demolished. Initially, FEMA said no fences would be allowed on the vacant land but then mentioned it might be possible to erect a split-rail type fence that would not prohibit water from flowing through. Further, it might be possible to lease the vacant land to an adjacent property owner with all the legal ramifications that would go with it. After further discussion, the Town Supervisor addressed the Councilmen, "Tell me which ones you want me to submit to FEMA". Town Board consensus was to submit the following properties to FEMA for their approval:

<u>Tax Map Number</u>	<u>Street Address</u>	<u>Property Owners' Name</u>
349.012-1-63	3528 Oneida Street	Richard M. Catalone
349.012-1-61	3532 Oneida Street	Thaddeus Ruhnow
349.012-1-60	3534 – 3536 Oneida Street	Robert Corr
349.016-1-7	3506 Oneida Street	Thomas Diefenbacher.

EXECUTIVE SESSION

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

(RESOLUTION NO. 136 OF 2016)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the possible settlement of the Burrstone Energy Center, LLC tax certiorari (Tax Map No. 317.000-2-2.61).

A roll call vote ensued:

Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
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 6:58 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 137 OF 2016)

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 7:06 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public was re-invited to attend the Board meeting.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Miscione, seconded by Councilman Messa, the meeting was adjourned at 7:07 P.M.

Respectfully submitted,

Gail Wolanin Young
Town Clerk