

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, SEPTEMBER 14, 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  
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.

**Certificates of Achievement – New Hartford Little League All Star Team**

Members of the New Hartford Little League, together with their Coaches Jeff Kimball, Steve Strassberger, Carmen Esper and John Randall, were present as Supervisor Tyksinski, assisted by Deputy Supervisor Matthew Bohn, distributed Certificates of Achievement to 11- and 12-year old All Star Baseball Players. The New Hartford Town Board acknowledged the many accomplishments of the players on the 2016-17 New Hartford Little League All Star Team that included a New York State District 10 Championship, New York State North Section 2 Championship, and placing 6<sup>th</sup> in the New York State Little League Championship. The following All Star Baseball Players received a Certificate of Achievement:

- Luke Strassberger
- Roman Kimball
- John Davis
- John Karwowski
- Will Gall
- Rocco Macera
- Jack Darby

- Connor Karwowski
- Kyle Philipkoski
- Kieran Ronan
- Matthew Knoth
- Jake Martyniuk
- Tyler Potocki.

Supervisor Tyksinski commended the players on a great job adding that it's not easy to achieve what they did. The coaches also offered congratulations for a great job this year, saying "...we did something no one else has ever done," and stating that the boys had made them proud. The coaches thanked the Town Board for recognizing the players' achievements and having the great fields to play on.

MINUTES

**August 10, 2016, Town Board meeting**

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

**(RESOLUTION NO. 138 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 August 10, 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.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRMAN

Senior Citizen Committee – Councilman Reynolds

**Health Fair**

Councilman Reynolds noted that this year's Health Fair at the New Hartford Dining and Activity Center is scheduled for Thursday, October 6, 2016. The event, which includes flu shots and several vendors, continues to grow each year.

**30<sup>th</sup> Anniversary**

Councilman Reynolds announced that the 30<sup>th</sup> anniversary celebration of the New Hartford Dining and Activity Center has been scheduled for Friday, October 14, 2016 and all are invited.

Parks and Recreation Committee – Councilman Reynolds

**Recreation Center seasonal appointments**

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

**(RESOLUTION NO. 139 OF 2016)**

**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 the dates specified hereunder, all wages to be paid bi-weekly:

Recreation Center A7020.14

Start: October 1, 2016 – March 31, 2017

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Matthew Crumrine	Ice Attendant	\$9.00 per hour
Madelyne Morris	Ice Attendant	\$9.00 per hour
James Hinman	Ice Attendant	\$9.00 per hour
Jordyn Gardinier	Ice Attendant	\$9.00 per hour
Shaye Gardinier	Ice Attendant	\$9.00 per hour
Louisa Pandolfo	Ice Attendant	\$9.00 per hour
Ariel Smith	Ice Attendant	\$9.00 per hour
Seth Garrett	Ice Attendant	\$9.00 per hour.

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 Basketball Program**

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

**(RESOLUTION NO. 140 OF 2016)**

**WHEREAS**, on April 18, 2016, Pamela Howe registered her child for the six-week 2016 Summer Basketball Program and paid the \$55 registration; and

**WHEREAS**, prior to the commencement of said Basketball Program, her child suffered an injury, requiring surgery, which prevented him from participating in said Program;

**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 a refund of the \$55 registration fee paid by Mrs. Howe.

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**.

**Plaque: Jaycees, beginning of Sherrillbrook Park**

The New Hartford Historical Society has requested permission to honor the New Hartford Jaycees by erecting a plaque in the Sherrillbrook Park. The Historical Society noted that, in 1960, the Town of New Hartford had purchased 204 acres of farm land from several families and created a recreational area for the community. The newly-organized New Hartford Jaycees transformed much of the terrain where the baseball fields, tennis courts, and pavilion-picnic areas are now located. Thereafter, Councilman Reynolds introduced the following Resolution, which was duly seconded by Councilman Miscione:

**(RESOLUTION NO. 141 OF 2016)**

**RESOLVED** that the New Hartford Town Board does hereby grant permission to the New Hartford Historical Society to install a plaque honoring the New Hartford Jaycees for their role in transforming the beginning of what is now known as Sherrillbrook Park on Route 12 (aka New Paris Road), New Hartford.

The foregoing Resolution was duly put to a vote 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**. The plaque will be installed with the time capsule near the Administration Building in Sherrillbrook Park.

Town Clerk Committee – Councilman Woodland

**Liquor License – LaFamilia Restaurant, LLC**

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

**(RESOLUTION NO. 142 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 LaFamilia Restaurant LLC, 1 Genesee 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**.

**Liquor License – Mangia Macrina’s Wood Fired Pizza**

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

**(RESOLUTION NO. 143 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 Christopher M. Woodbeck, d/b/a Mangia Macrina's Wood Fired Pizza, LLC, 8636 Seneca Turnpike, 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**.

Zoning (Codes) & Planning Committee – Councilman Messa

**Training – Mandatory for Planning and Zoning Board members**

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

**(RESOLUTION NO. 144 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; and

**WHEREAS**, on August 10, 2016, the New Hartford Town Board adopted Resolution No. 131 authorizing Planning and Zoning Board members to attend the Continuing Education Program on Wednesday, October 5, 2016, in the Schuyler Town Hall, Schuyler, New York, with the registration fee being borne by the Town as budgeted;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby confirm that the following Planning and Zoning Board members have been granted permission to attend the foregoing educational program:

Planning Board members: Elisabetta DeGironimo  
William Morris

Zoning Board of Appeals members:  
Randy Bogar  
Frederick Kiehn  
Taras Tesak  
John Montrose.

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***.

Assessor Committee – Councilman Miscione

**Re-appointment – Board of Assessment Review**

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

**(RESOLUTION NO. 145 OF 2016)**

**WHEREAS**, the term of office of Duane Farr as a member of the Board of Assessment Review will expire September 30, 2016; and

**WHEREAS**, Mr. Farr has submitted a letter requesting re-appointment to said Board of Assessment Review;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby re-appoint Duane Farr as a member of the Town’s Board of Assessment Review for a five-year term, commencing October 1, 2016, and ending September 30, 2021.

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**.

Public Works & Sewer Committee – Councilman Miscione

**Declaration of Surplus Vehicle – Authorization to Sell**

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Messa and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 146 OF 2016)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus one (1) 2002 Ford F550, small dump truck, VIN 1FDAF56S02EC88919, inasmuch as it will not pass inspection due to a bad frame; and be it

**FURTHER RESOLVED** that the aforesaid vehicle shall be placed for sale through Auctions International and once sold, the Town Clerk’s office shall be notified and shall arrange to terminate insurance coverage on said vehicle.

The foregoing 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**.

**Appointment to fill Automotive Mechanic vacancy – set hourly wage**

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

**(RESOLUTION NO. 147 OF 2016)**

**WHEREAS**, effective August 11, 2016, Gerald A. Webb had been appointed as a Heavy Equipment Operator (HEO), including Buildings and Grounds duties, thereby creating a vacancy in the Automotive Mechanic position he formerly held; and



**WHEREAS**, the Highway Superintendent has appointed Benjamin Owens to fill the vacant Automotive Mechanic position effective September 28, 2016;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby establish the base hourly wage for Benjamin Owens at Twenty-two Dollars and Ninety-five Cents (\$22.95) per hour, payable bi-weekly, effective September 28, 2016.

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***.

**Non-Agenda Item**

Councilman Messa stated that the New Hartford Central School bus garage floor is in bad shape and the Town Highway Department has spare millings, which, if not used, begin to deteriorate. Councilman Messa moved the following Resolution for adoption, seconded by Councilman Miscione:

**(RESOLUTION NO. 148 OF 2016)**

**RESOLVED** that the New Hartford Town Board does hereby authorize the Highway Superintendent to donate spare millings from the Highway Department to and for the use of the New Hartford Central School (bus garage), as part of their shared services.

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

**Presentation – Town of New Hartford Sanitation Department**

Councilman Messa has been working with Councilman Miscione, reviewing the budget and trying to find ways to enhance Town services, such as forming a Sanitation

Department where the Town would have control over trash and recyclables, reduce the number of trash haulers and noise pollution, etc. With the savings from current haulers, they are looking to bring back the curbside trash collection program. Councilman Miscione has looked at trucks and has found a 50/50 matching grant for the purchase of sanitation trucks. The Councilmen will work on costs, including dumpsters and labor costs, over a ten-year period and hope to have all information available for the October 2016 Town Board meeting.

MATTERS SUBMITTED BY COUNCILMEN

None.

MATTERS SUBMITTED BY TOWN SUPERVISOR

Finance:

**Appointment – Auditors for 2016 Finances**

The Finance Director recommended getting D’Arcangelo on board for the 2016 Town Audit, at the same price as for the past couple of years; it is intended that their field work would commence in November and December 2016. After a brief discussion on whether to bid out these professional services, Supervisor Tyksinski offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 149 OF 2016)**

**RESOLVED** that the New Hartford Town Board does hereby appoint D’Arcangelo & Associates to perform the 2016 Town Audit for the amount of Twenty Thousand, Five Hundred Dollars (\$20,500); 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	-	Aye
Supervisor Tyksinski	-	Aye.

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

**Audit of Vouchers**

Councilman Miscione initiated discussion on proposed payment to Barton & Loguidice for staff meetings and Town Hall meetings and the Councilmen believed that additional detail should be submitted by Barton & Loguidice as to the type of meetings involved to ensure they are paid from the proper accounts. The Town Attorney reviewed the bills in question and confirmed that “staff meetings” referred to monthly meetings that the Town Codes Officer, Planning Board Chairman and he had with Barton & Loguidice prior to the monthly Planning Board meetings. Also, “Town Hall” referred to a new Town administrative office building proposed by Councilman Miscione. After further discussion, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Miscione:

**(RESOLUTION NO. 150 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 SL9	\$ 7,953.12
Highway Fund Part-Town Abstract #11	
Vouchers DB478-DB582	\$ 252,007.91
General Fund Part-Town Abstract #19	
Vouchers BB112-BB115	\$ 6,178.52
General Fund Part-Town Abstract #20	
Vouchers BB116-BB130	\$ 10,555.68
General Fund Part-Town Police Abstract #17	
Vouchers BP171-BP174	\$ 50,553.14
General Fund Part-Town Police Abstract #18	
Vouchers BP175-BP190	\$ 9,414.67
Trust & Agency Fund Abstract #26	
Vouchers TT140-TT147	\$ 7,633.51
Trust & Agency Fund Abstract #27	
Vouchers TT148-TT150	\$ 12,052.87
Trust & Agency Fund Abstract #28	
Vouchers TT152-TT159	\$ 27,524.29
Trust & Agency Fund Abstract #29	
Vouchers TT160-TT167	\$ 6,960.03
Trust & Agency Fund Abstract #30	
Vouchers TT168-TT169	\$ 4,402.47
General Fund Whole-Town Abstract #19	
Vouchers AA868-AA880	\$ 33,076.05

General Fund Whole -Town Abstract #20	
Vouchers AA881-AA993	\$ 158,252.40*
*(Excluding AA955 for \$3,772)	
Sewer Fund Abstract #18	
Vouchers SS73	\$ 970.87
Sewer Fund Abstract #19	
Vouchers SS74; SS76-SS78	\$ <u>2,968.09*</u>
*(Excluding SS75 for \$859.14)	
<b>TOTAL:</b>	<b>\$ <u>590,503.62</u></b>

and be it **FURTHER RESOLVED** that Finance Director Daniel Dreimiller be directed to contact Barton & Loguidice and request that they further break down and clarify their invoices; and should they have any questions, to contact Councilman Reynolds for what he wants to see on the invoices.

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**.

**August 2016 Financial Reports**

The Town Supervisor acknowledged receipt of the August 2016 monthly financial reports from Finance Director Daniel Dreimiller. Town Board members had no comments on the reports.

**EXECUTIVE SESSION**

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

**(RESOLUTION NO. 151 OF 2016)**

**RESOLVED**, that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the Town's strategy in the Dispatch Union contract.

A roll call vote ensued:

Councilman Miscione	-	Aye
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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 6:35 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

*[NOTE: The Town Attorney provided the following transcription on Thursday, September 15, 2016.]*

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 152 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 7:05 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public was re-invited to attend the Board meeting.

**Ratification of Dispatch Union Contract**

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

**(RESOLUTION NO. 153 OF 2016)**

**RESOLVED** that the New Hartford Town Board does hereby ratify the Dispatch Union Contract and does hereby authorize the Town Supervisor to sign said contract for the

years 2017, 2018 and 2019, containing raises of Three Percent (3%) each year; classifying Good Friday as a holiday with one (1) member providing coverage for which the member will receive compensatory time; and providing new hires will be covered under Excellus Plan with Twenty Percent (20%) contribution.

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 Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***.

**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 7:10 P.M.

Respectfully submitted,

Gail Wolanin Young  
Town Clerk