

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON WEDNESDAY, JANUARY 11, 2017, 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 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
Director of Recreation Center John C. Cunningham
Highway/Sewer Superintendent Richard C. Sherman
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

December 14, 2016, Town Board meeting

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

(RESOLUTION NO. 1 OF 2017)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held December 14, 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 Messa	-	Aye
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

PUBLIC PRESENTATIONS/COMMENTS

The Town Supervisor invited anyone present who wished to address the Town Board to come forth at this time. No one came forth.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON

Parks and Recreation Committee – Councilman Reynolds

Seasonal Appointment

Upon recommendation of the Director of Recreation Center, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 2 OF 2017)

RESOLVED that the New Hartford Town Board does hereby appoint Dennis Philipkoski as the Adult Basketball Director for the Winter Recreation program effective January 9, 2017 and ending March 27, 2017, for the Parks and Recreation Department; his hourly wage is hereby established at \$11.25 per hour, payable bi-weekly.

Upon roll call, the Board members voted as follows:

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

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

Zoning (Codes) and Planning Committee – Councilman Messa

Training

Upon request of the Code Enforcement Officer, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Miscione:

(RESOLUTION NO. 3 OF 2017)

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 Code Enforcement Officers Joseph Booth and Thomas Rowlands to attend the New York State Building Officers Conference, Mohawk Chapter Winter Training, on February 10, 2017, with expenses to be borne by said Town as budgeted. This educational session is credited toward their mandatory training.

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

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

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

Public Works and Sewer Committee – Councilman Miscione

Highway Department Employee Upgrades

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

(RESOLUTION NO. 4 OF 2017)

RESOLVED that the New Hartford Town Board does hereby approve the upgrade of the following Highway Department employees effective January 15, 2017 and for the wages set opposite their several names, to be paid bi-weekly:

Position – Motor Equipment Operator to Heavy Equipment Operator

- Jeff Mundrick (replacing William Smith who retired) \$23.36/hour
- Timothy Solan (replacing Robert Dziedzic) \$23.36/hour

Position – Laborer to Motor Equipment Operator

- Jeramy Waterman (replacing Jeff Mundrick) \$18.00/hour
- Christopher Budlong (replacing Tim Solan) \$20.46/hour.

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

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

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

Upgrade 2015 Pick-up Truck

Upon request of the Highway Superintendent, Councilman Miscione offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 5 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Highway Superintendent to place one (1) 2015 Ford F150XL 4x4 Pick-up truck, VIN 1FTEX1E89FKD74027, with Auctions International and that if sufficient monies are realized through the auction, that the Highway Superintendent is hereby authorized to use the sale proceeds to upgrade and cover the cost of a new truck.

A roll call vote was duly held and resulted as follows:

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

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

Informal Quotes – Bottled Water

Upon presentation of the Highway Superintendent, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 6 OF 2017)

WHEREAS, the Highway Superintendent had obtained the following Informal Price Quotes for bottled water for all Town Departments, in accordance with the Town's purchasing/procurement policy:

REGULAR TOWN BOARD MEETING
 January 11, 2017
 Page 5 of 36

Vendor	Description	Quote
Campione Water Co. 405 S. Washington St Herkimer, NY 13350	5-gallon jugs, electric units including delivery	\$6.00 each
W. B. Mason 9396 River Road Marcy, NY 13403	5-gallon jugs, electric units including delivery	\$3.29 each*
Catskill Water 800 Broad Street Utica, NY 13501	5-gallon jugs, electric units including delivery	\$4.90 each

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the purchase of bottled water for fiscal year 2017 from the lowest bidder, W. B. Mason of Marcy, New York at their price quote hereinabove set forth*.

(Attached to the Informal Quote sheet was a disclosure notice from the Highway Superintendent.) The Resolution was duly put to a vote on roll call, as follows:

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

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

MATTER SUBMITTED BY TOWN ATTORNEY

Local Law Introductory “A” – Amend the Code, Chapter 59, Electrical Standards

In accordance with prior discussions to amend the registration fee for electrical inspectors over the past several months, the Town Attorney had prepared legislation to reduce the registration fee and had provided the Town Board members with copies of same. Thereafter, Councilman Woodland introduced the following legislation for Town Board consideration at a future Public Hearing; co-sponsored by Councilman Miscione:

**Town of New Hartford, New York
 Local Law Introductory “A” of 2017**

A LOCAL LAW to amend Chapter 59 of the Code of the Town of New Hartford entitled **ELECTRICAL STANDARDS** as it relates to a portion of Section 59-3. Designation of approved agencies.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

SECTION 1. Chapter 59, Section 59-3, E shall be amended as follows:

E. Such agency shall pay an annual fee of \$250.00, regardless of the number of inspectors they employ, to perform inspections in the Town of New Hartford. Registration shall commence on the first working day of December – and end on the last working day of December for the subsequent year.

SECTION 2. All other provisions of Chapter 59 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall amend or modify.

SECTION 3. This Local Law shall become effective immediately upon filing with the Secretary of State.

It was noted that only the registration fee would be changed; that the inspectors still have to meet the qualifications set forth in Chapter 59, Electrical Standards.

Public Hearing Scheduled – Local Law Introductory “A” of 2017

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

(RESOLUTION NO. 7 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, February 8, 2017 at 6:00 P.M., or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford, NY, to consider Local Law Introductory “A” of 2017 which, if adopted, would amend the Code, Chapter 59 thereof entitled ELECTRICAL STANDARDS as it pertains to amending the annual registration fee set forth in Section 59-3. E; 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 Messa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

Town Clerk Committee – Councilman Woodland

Hartford Luxury Apartments – REVISED SUBMITTAL

On January 10, 2017, the Town Clerk's Office received from the Town Planning Board correspondence regarding the Hartford Luxury Apartments – REVISED SUBMITTAL for a proposed residential housing complex on a 15.255 acre parcel located at 167 Clinton Road, Tax Map No. 328.000-2-78 & 81. The Town Clerk's Office emailed copies to the Town Board members. At its July 11, 2016, meeting, the Town Planning Board requested a coordinated review to the Town Board acting as Lead Agency as this is a Planned Development Overlay district. The Town Board received this recent letter as an involved/interested Agency under SEQR, among other agencies. Any response to the January 10, 2017 Planning Board letter should be sent to the attention of Joseph Booth, Code Enforcement Officer by Thursday, February 9, 2017.

The Town Attorney confirmed that the project had changed substantially and that is why the project is being sent out again for SEQR review. Also, there will be a hearing next week by the Industrial Development Agency (IDA) because they are seeking relief in the form of a waiver as to payment of sales tax and mortgage tax on any mortgage; the Town Attorney plans to attend that hearing. Brief discussion was held on whether the developer had conducted a market feasibility study and whether the Town could demand such a study; the Town Attorney will send a letter to the developer on this matter.

NOTE: Since their submittals in May and June 2016, Alan Swierczek, P.E., verified that the development name was misspelled in their plans. The development name should be Hartford Luxury Apartments, not Heartford Luxury Apartments.

Public Safety and Courts Committee – Supervisor Tyksinski

Appointments – School Traffic Officers, Part-time

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

(RESOLUTION NO. 8 OF 2017)

WHEREAS, long-time School Traffic Officers, James and Mary Wilcox, have submitted their resignations, leaving two (2) part-time vacancies;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint M. Doreen Reynolds and Peter Rebisz to fill the vacancies as Part-time School Traffic Officers effective January 16, 2017, at an hourly rate of Ten Dollars and Sixty-seven Cents (\$10.67), payable bi-weekly.

The Supervisor polled the Board members who voted as follows:

REGULAR TOWN BOARD MEETING
January 11, 2017
Page 8 of 36

Councilman Miscione	-	Aye
Councilman Messa	-	Aye
Councilman Reynolds	-	Abstained from voting on M. Doreen Reynolds
Councilman Reynolds	-	Aye, for Peter Rebisz
Councilman Woodland	-	Aye
Supervisor Tyksinski	-	Aye.

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

Financial:

December 2016 Monthly Financial Reports

None of the Town Board members had any questions relating to the December 2016 monthly financial reports that the Finance Director had submitted to them. The Finance Director noted that the reports were cash basis for all funds/departments and that all Departments are well within their budgets.

2016 Audit

The Finance Director stated that D’Arcangelo & Associates will return in February 2017 to finish their audit for 2016 and the Town should have a report sometime in March 2017.

2015 Audit – Town Justice Court funds and accounts

The Finance Director reported that, in accordance with Section 2019-a of the Uniform Justice Court Act, he examined the Town’s Justice Court records for the year 2015, which included the following areas:

- Cash Receipts Book, including deposit testing and reconciliations
- Cash Disbursement Book, including check testing
- Review of Monthly Bank Reconciliations
- Review of Dockets and Case Files
- Reporting to the Division of Criminal Justice Services
- Reporting to the Justice Court Fund
- Reporting to the Department of Motor Vehicles – TSLED Program.

No major exceptions or issues were noted during the review/examination of the above areas for the year 2015. In conclusion, the Town of New Hartford’s Justice Court System appears to be in compliance with the NYS Comptroller’s Justice Court Handbook and appears to be operating effectively and efficiently for the year reviewed.

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

(RESOLUTION NO. 9 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby accept and approve the Finance Director's audit report of the Town's Justice Court funds and accounts for the calendar year 2015.

A roll call vote ensued:

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

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

Audit of Vouchers

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

(RESOLUTION NO. 10 OF 2017)

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:

General Whole-Town Abstract #29 of 2016	
Vouchers A1344-A1353	\$ 40,475.67
General Whole-Town Abstract #1 of 2017	
Vouchers AA1-AA80	\$ 62,404.65
General Part-Town Abstract #28 of 2016	
Vouchers BB171-BB173	\$ 6,629.27
General Part-Town Abstract #1 of 2017	
Vouchers BB1-BB6	\$ 1,010.55
Highway Part-Town Abstract #1 of 2017	
Vouchers DB1-DB64	\$119,243.51
Police Abstract #27 of 2016	
Vouchers BP269-BP272	\$ 6,623.29
Police Abstract #1 of 2017	
Vouchers BP1-BP24	\$ 39,151.75
Sewer Abstract #28 of 2016	
Vouchers SS 1-7	\$ 1,500.50

REGULAR TOWN BOARD MEETING
 January 11, 2017
 Page 10 of 36

Sewer Abstract #1 of 2017	
Vouchers SS1- SS3	\$ 2,291.64
Street Light Abstract #1 of 2017	
Vouchers SL1-36	\$ 9,995.14
Trust & Agency Abstract #41 of 2016	
Vouchers TT226-TT232	\$ 8,136.81
Trust & Agency Abstract #41a of 2016	
Voucher TT233 (Check reissued)	\$ 25.00
Trust & Agency Abstract #42 of 2016	
Vouchers TT234-TT237	\$ 6,504.79
Trust & Agency Abstract #43 of 2016	
Vouchers TT238-TT242	\$ 5,734.91
Trust & Agency Abstract #1 of 2017	
Vouchers TT1 & TT2	\$ <u>60.00</u>
TOTAL:	\$309,787.48

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

Oneida County Youth Bureau: Youth Employment & Summer Mentoring Programs

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

(RESOLUTION NO. 11 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the Youth Service Agreements between the Town of New Hartford and the Oneida County Youth Bureau for the period January 1, 2016, to December 31, 2016, wherein the Town will receive \$3,628.00 toward the Youth Employment Program and \$1,145.00 toward the Mentoring/Tutoring for the same time period.

The foregoing Resolution was subject to a vote upon roll call:

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

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

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

Discussion ensued on the FEMA Buy-out program and which properties the Town Board might approve for participation. FEMA will not commence appraisals of the parcels until they receive confirmation that the Town and property owners are on board with the buy-out. (NOTE: Refer to Town Board minutes of February 10, July 13, and August 10 of 2016.)

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

(RESOLUTION NO. 12 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford, New York, does hereby approve and does hereby submit to FEMA for participation in the Governor's Storm Water Project: FEMA Buy-out Program, the property owned by Thomas Diefenbacher, located at 3506 Oneida Street, Chadwicks, NY, in the Town of New Hartford, New York, Tax Map #349.016-1-7.

A roll call vote was duly held and resulted as follows:

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

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

Retainer Release – Texas Roadhouse and Core restaurants

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

(RESOLUTION NO. 13 OF 2017)

WHEREAS, the construction of the Texas Roadhouse and the Core restaurants on Commercial Drive, New Hartford, NY, has been completed;

BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Accounting/Finance Office to release the retainers to WACHS New Hartford Development, LLC, c/o G & A Group, Inc., 215 West Church Road, Suite 107, King of Prussia, PA, 19406, as follows:

- \$16,725.80 – Core restaurant
- \$31,062.20 – Texas Roadhouse.

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

Appointments – New Hartford Public Library Trustees

Upon recommendation of the New Hartford Public Library Board of Trustees, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 14 OF 2017)

WHEREAS, the term of office of John Klein as a New Hartford Library Board Trustee had expired on December 31, 2016, and he chose not to be reappointed; and

WHEREAS, the term of office of Carolyn Buckley, who had been appointed to fill the unexpired term of Les Cortright, had expired on December 31, 2016;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint Diane H. Baldwin as a Library Trustee to fill the vacancy created by the expiration of John Klein’s term, said appointment for a 5-year term commencing January 1, 2017, and ending December 31, 2021; and be it

FURTHER RESOLVED, that the New Hartford Town Board does hereby re-appoint Carolyn C. Buckley as a Library Trustee for a 5-year term beginning January 1, 2017 and ending December 31, 2021.

A roll call vote was duly held and resulted 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**.

Appointment – Planning Board Member

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

(RESOLUTION NO. 15 OF 2017)

WHEREAS, the term of office of Elis J. DeLia as a Planning Board member had expired on December 31, 2016;

BE IT RESOLVED, that the New Hartford Town Board does hereby re-appoint Elis J. DeLia as a member of the Planning Board for a seven (7) year term commencing January 1, 2017, and ending December 31, 2023.

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**.

Town Court Statistics

The Town Attorney acknowledged statistics from Town Justice Virkler comparing New Hartford Town Court to other town and village courts in Oneida County, relating to cases involving vehicle and traffic, misdemeanors, felonies, and Penal Law violations; New Hartford Town Court handles 14.5% of all such cases in all of Oneida County.

Certiorari Proceeding – Burrstone Energy Center, LLC

The Town Attorney stated that the New York Mills Union Free School District and the Town are litigating the Burrstone Energy Center, LLC, tax certiorari proceeding and the

School District has adopted a resolution for the parties to share 50/50 of the appraisal cost estimated at \$15,000; this would be for preliminary summary format. For consulting fees and/or testimony, the rate would be Two Hundred Dollars (\$200) per hour. After brief discussion, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Miscione:

(RESOLUTION NO. 16 OF 2017)

RESOLVED that the New Hartford Town Board does hereby agree to share with the New York Mills Union Free School District, on a 50/50 basis, the estimated appraisal cost of Fifteen Thousand Dollars (\$15,000) with regard to the tax certiorari proceeding initiated by Burrstone Energy Center, LLC, located at Champlin Ave, Tax Map No. 317-000-2-2.61, said appraisal to be handled by the firm Emminger, Newton, Pigeon, Magyar, Inc., 950-A Union Road, Suite 213, Buffalo, New York, 14224.

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 declared unanimously carried and duly **ADOPTED**.

“Paper Streets”

The Town Attorney had been contacted by two (2) law firms representing property owners adjacent to Coxe Ave (Liberty Gardens). In 1914 a proposed subdivision had been filed in the Oneida County Clerk’s Office, including a map which created a paper street referred to as Coxe Ave which runs off Liberty Ave. The stub at the end was never created, never developed and never conveyed to the Town of New Hartford. There is statutory authority that if a “paper street” had never been developed or was abandoned over a certain amount of time, that ownership reverts to the adjoining land owners. The attorneys have requested a letter that the Town is not interested in this property. Councilman Miscione then introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 17 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Attorney to send a letter to Michael Misiaszek, Esq. and to the O’Shea Law Firm that the Town of New Hartford has never accepted Coxe Ave/”paper street” as a town

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 15 of 36

road, does not plow this “paper street”, does not exercise any control over it nor does the Town intend to proceed to develop it.

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***.

Holiday Office Closings

The Town Supervisor suggested that the Town Board clarify the official holiday schedule for non-union officials and employees, particularly relating to Christmas Eve and Good Friday. Last year when Butler Memorial Hall was open, a Town resident visited a particular office only to find that it was closed, while other offices were open. Some union contracts recognize Good Friday as an official holiday. No union contract gives Christmas Eve as a holiday. The Board discussed whether to recognize one or both as holidays and whether they should be paid holidays. The Town Clerk stated that for many years the Town Clerk’s Office has been open from 8:00 A.M. to 12 Noon on Christmas Eve and Good Friday, with notices posted a couple weeks in advance; further, the Town Clerk has notified Funeral Directors that, although the office may be closed in the afternoon, she can be reached to perform necessary tasks related to the filing of death certificates. Also, staff must use three (3) hours of either vacation, personal or compensatory time for the time not worked on Christmas Eve and Good Friday. Councilman Reynolds moved to table the matter until department heads can be reached for input.

2017 Organizational Resolutions

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

(RESOLUTION NO. 18 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby establish the normal operating hours for the Town of New Hartford offices to be 8:00 A.M. through 4:00 P.M., Mondays through Fridays during Fiscal Year 2017;

RESOLVED that Patrick M. Tyksinski, Supervisor of the Town of New Hartford, New York, be and he hereby is authorized and directed to sign all checks for the disbursement of funds of the Town of New Hartford for the Fiscal Year 2017;

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 16 of 36

RESOLVED that the New Hartford Town Board does hereby re-adopt the “*TOWN OF NEW HARTFORD EMPLOYEES HANDBOOK*”, prepared by AMTEK, dated September 15, 1999, and thereafter amended from time to time. Found within this manual is the official schedule of fringe benefits of non-union personnel for the year 2017. Also adopted herewith is the Non-union Benefits and Compensation document;

RESOLVED, that the New Hartford Town Board does hereby establish the mileage rate at forty-six cents (\$.46) for all Town Officials and employees while performing regular and continuous business transactions in and for the Town of New Hartford during the Fiscal Year 2017. Effective January 11, 2017, Officials and employees shall be paid for travel as provided in the Internal Revenue Service (IRS) rules and regulations; namely, from the town office to the destination and return to the town office;

RESOLVED that the Town Board of the Town of New Hartford does hereby designate as Official Depositories in which all funds of the Town of New Hartford shall be deposited in 2017 the following institutions:

- M & T Bank
- Chase Bank
- BNY Mellon
- NBT Bank, N.A.
- Adirondack Bank

and that the Town Supervisor or Deputy Town Supervisor of said Town be and hereby is authorized and directed to secure a Pledge of Security covering the maximum amount of money the Town would have on deposit at any one time during the Fiscal Year 2017 from each of the Official Depositories designated. A written security agreement and custodial agreement (which can be combined into one document) must be obtained. The Town, however, will try to have delivery of the collateral to an unrelated third party. If this cannot be effected, then all pertinent legal and financial risks will be evaluated;

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor or Deputy Town Supervisor of the said Town to deposit funds not needed for immediate expenditures in the form of interest-bearing Certificates of Deposit, Repurchase Agreements, Treasury Bills and Money Market Certificates with the Official Depositories listed in the official Investment Policy of the Town, amended July 10, 2013, which policy is presented herein as a separate Resolution;

RESOLVED that the New Hartford Town Board does hereby appoint Patrick M. Tyksinski as Marriage Officer in and for the Town of New Hartford for a one-year term commencing January 1, 2017, and ending December 31, 2017, with no remuneration;

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 17 of 36

RESOLVED that the Town Board of the Town of New Hartford does hereby appoint the President of the New Hartford Historical Society as the Town's Historian for Fiscal Year 2017 at a contractual sum of \$3,700.00 payable to the Historical Society;

RESOLVED that the Rules of Procedure which were initially adopted April 21, 1965, and amendments thereto, are hereby affirmed and re-adopted by the New Hartford Town Board for Fiscal Year 2017 as set forth in the attached Schedule "A" that is made a part of this resolution;

RESOLVED that the New Hartford Town Board does hereby confirm the Supervisor's appointment of Matthew Bohn as Deputy Town Supervisor, to serve at the pleasure of the Town Supervisor, with a corresponding stipend of One Thousand Thirty Dollars (\$1,030) annually;

RESOLVED that Matthew Bohn, Deputy Town Supervisor of the said Town be, and he hereby is authorized and directed to sign all checks for disbursements of funds of said Town for Fiscal Year 2017, in the absence of the Town Supervisor;

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor or Finance Officer/Account Clerk to pay bills/expenses to National Grid, to the Mohawk Valley Water Authority, to all telephone carriers, to the Town's designated vendors for all insurance premiums, to Ford Credit, to Verizon On-line, to Time Warner Cable and to the United States Postal Service (electronic replenishing of postage meter) without prior final audit by the Town Board and does further authorize the Town Supervisor or Personnel Technician to pay bills/expenses to the New York State and Local Retirement Systems (Employees' Retirement System and Police and Fire Retirement System) for employer contributions without prior final audit by the Town Board;

RESOLVED, that the New Hartford Town Board does hereby re-adopt the Purchasing Policies and Procedural Manual, originally adopted on January 1, 1992, and revised on August 10, 2016.

RESOLVED that the New Hartford Town Board does hereby re-adopt the Official Investment Policy for the Town of New Hartford originally adopted on March 3, 1993, last amended on July 13, 2013, and in accordance with Chapter 708 of the Laws of 1992;

RESOLVED that the Town Board of the Town of New Hartford does hereby designate The Observer Dispatch as the Town's official newspaper for Fiscal Year 2017.

SCHEDULE "A"

RULES OF PROCEDURE

I. REGULAR MEETINGS:

Regular meetings of the New Hartford Town Board shall be held in Butler Memorial Hall, 48 Genesee Street, New Hartford, New York, on the following Wednesdays commencing at 6:00 P.M. for the Fiscal Year 2017, unless otherwise changed and publicized:

January 11
February 8
March 8
April 12
May 10
June 14
July 12
August 9
September 13
October 5**
October 18
November 8
December 13

** (deadline for tentative budget submission to Town Board)

II. SPECIAL MEETINGS:

The Supervisor may, and upon written request of two (2) members of the Board, call a special meeting of the Town Board at any time by giving at least two (2) days' notice in writing to the other members of the Board of the time when and the place where the meeting is to be held.

III. QUORUM:

A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

IV. VOTING UPON QUESTIONS:

Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all members of the Town Board, except in such instances in which a large number of affirmative votes shall be required by law. The vote upon every question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

V. STANDING COMMITTEES:

The Supervisor shall appoint the following Standing Committees:

- Assessor
- Human Resource
- Library
- Parks and Recreation
- Public Safety and Courts
- Public Works and Sewer
- Senior Citizens
- Town Clerk
- Village/Town/School Liaison
- Zoning and Planning

Such Committees shall consist of members of the Board and shall assist the Town Board in the performance of its duties with reference to such matters as may from time to time be referred to such Committees.

VI. SPECIAL COMMITTEES:

The Town Board may, from time to time, appoint such Special Committees as may be deemed desirable to assist the Board in performance of its duties. Such Committees may include Town Officers other than Board members in their membership in an advisory capacity only.

- Each group is to consist of at least one (1) Town Board member and one (1) Department Head, which act in an ADVISORY CAPACITY only, unless prohibited by law
- Each group is to have at least
 - A written list of objectives
 - A Chairperson who is to be recommended by the group's members and submitted to the Town Board for approval. Duties of Chairperson shall include:
 1. Chair open meetings
 2. Act as the official spokesperson for said group
 - Vice-Chairperson is to be appointed directly by the group members. Duties of Vice-Chairperson shall include:

Assume the duties of the Chairperson in his/her absence

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 20 of 36

- Maximum number of members to be determined by the Department Head. Unexcused absence from four (4) consecutive meetings is cause for removal of member(s) by the Chairperson
- If possible, each group shall consist of one member from each of the four (4) Wards in the Town. Selection of Members:
 1. Participation shall be based on written request to the Department Head for consideration.
 2. Appointed by the Town Board
 3. If there are more volunteers than openings, membership shall be determined by the Department Head who shall consider:
 - i. Resume or list of qualifications
 - ii. Personal interview
- Term limits not to exceed two (2) four-year terms, which shall be staggered
- Remuneration to members shall require Town Board budget approval
- Department Heads shall maintain a list of all appointments and terms which shall be reviewed annually with the Town Board and filed with the Town Clerk's Office
- This policy EXCLUDES:
 - Zoning Board of Appeals
 - Planning Board
 - Board of Assessment Review
 - Police Commission.
 - Library Board of Trustees

All member terms of the above boards/committees/commissions shall be posted on the Town's website so that the public is aware of when terms end and that any individual desiring to serve on a board, committee, commission must submit their letter of interest/resume to the Town Supervisor's Office at least six (6) months in advance of the term expiration.

VII. ORDER OF BUSINESS:

The business of all regular meetings of the Town Board shall be transacted in the following order:

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 21 of 36

- Reading of minutes of previous meeting, unless waived by a majority of the members of the Board present
- Public Hearings (6:00 P.M.)
- Consideration of Public Presentations
- Reports of Town Officials presented by the Chairperson of the respective Standing Committee
- Reports of Standing Committees
- Reports of Special Committees
- Consideration of matters submitted by Town Board members
- Consideration of matters submitted by Town Supervisor in the following order:
 - Financial and other routine reports
 - Miscellaneous communications
 - Unfinished business
 - New business.

VIII. LEGISLATIVE MATTERS:

All resolutions, ordinances and local laws, other than routine resolutions approving payment of bills, minutes and like matters, shall be in writing and filed with the Town Clerk and made available to Board members not later than the Saturday prior to the meeting at which they are to be introduced unless this provision be waived as to any such resolution, ordinance or local law by a majority of the members of the Board present at such meeting.

Resolutions, ordinances and local laws shall be introduced in the regular order of business and shall be read aloud by the Town Clerk before being acted upon by the Board.

IX. ABSENCE OF SUPERVISOR:

In the absence of the Supervisor, the Deputy Supervisor shall call the Town Board to order and shall be Chairman of the meeting; and, in the absence of the Supervisor and the Deputy Supervisor, then the Town Clerk shall call the Town Board to order and if a quorum be present, the Town Board shall elect one of its members as Chairman of the meeting.

X. MEMBERS MAY NOT ABSENT THEMSELVES:

No member of the Town Board may absent himself from a meeting of the Town Board for more than ten (10) minutes at a time unless for good cause he is excused by the Supervisor.

XI. REFUSAL TO VOTE:

Each member of the Board shall vote upon each question presented unless for good cause he is excused therefrom by the unanimous consent of all members of the Board present. Any member refusing to vote other than by consent of the Board shall be subject to a motion of censure.

XII. PARLIAMENTARY RULES:

Except as otherwise provided herein, all parliamentary questions shall be decided in accordance with the latest edition of Roberts' Rules of Order, revised, for deliberative assemblies.

XIII. SUSPENSION OF RULES:

Any rule of the Town Board may at any time be temporarily suspended for special reasons by a majority vote of all of the members of the Town Board present at a meeting thereof. No permanent alteration may be made except by resolution in writing duly filed with the Town Clerk prior to the meeting at which such amendment is introduced.

The Town Board 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 declared unanimously carried and duly ***ADOPTED***.

Appointment – Planning Board Chairman

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

(RESOLUTION NO. 19 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby re-appoint Elis J. DeLia as Chairman of the Planning Board for a one (1) year term commencing January 1, 2017, and ending December 31, 2017.

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

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

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

Appointment – Zoning Board of Appeals Chairman

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

(RESOLUTION NO. 20 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby re-appoint Randy J. Bogar as Chairman of the Zoning Board of Appeals for a one (1) year term commencing January 1, 2017, and ending December 31, 2017.

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**.

[NOTE: Zoning Board of Appeals member terms expire June 9th.]

Appointment – Police Commissioner

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

(RESOLUTION NO. 21 OF 2017)

RESOLVED, that, in accordance with the Town Code, Chapter 24, Police Commission, Section 24-3. Paragraph A. (1) through (3), the Town Board of the Town of New Hartford does hereby re-appoint Peter Acquaviva as a Member of the Town Police Commission for a five-year term commencing January 1, 2017, and ending December 31, 2021.

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**.

Appointment – Police Commission Chairman

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

(RESOLUTION NO. 22 OF 2017)

RESOLVED, that, in accordance with the Town Code, Chapter 24, Police Commission, Section 24-3. Paragraph E. the Town Board does hereby re-appoint Patrick Cardinale as Chairman of the Town Police Commission for a one-year term beginning January 1, 2017, and ending December 31, 2017.

A roll call vote was duly held 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**.

Appointment – Mohawk Valley Water Authority

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

(RESOLUTION NO. 23 OF 2017)

WHEREAS, the term of the Town of New Hartford’s representative, Elis J. DeLia, to the Mohawk Valley Water Authority expired on December 31, 2016; and

WHEREAS, in accordance with the Water Authority’s enabling legislation, the Town Board is the appointing authority for this Regional Water Board seat;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby re-appoint Elis J. DeLia to a full three-year term on the Mohawk Valley Water Authority board, commencing January 1, 2017, and ending December 31, 2019.

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

Councilman Miscione	-	Aye
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REGULAR TOWN BOARD MEETING
January 11, 2017
Page 25 of 36

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

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

Appointments – 2017 Town Board Standing Committees

Supervisor Tyksinski had submitted his recommendations for the Standing Committees for fiscal year 2017:

<u>Committee</u>	<u>Chairperson</u>	<u>Co-Chairperson</u>
Assessor	Miscione	Woodland
Human Resource	Messa	Miscione
Library	Woodland	Reynolds
Parks and Recreation	Reynolds	Messa
Public Safety and Courts	Tyksinski	Reynolds
Public Works and Sewer	Miscione	Messa
School/Village/Town Liaison	Reynolds	Woodland
Senior Citizens	Woodland	Reynolds
Town Clerk	Woodland	Reynolds
Zoning (Codes) and Planning	Messa	Miscione

Board of Ethics

Councilman Miscione introduced the following Resolution, which was seconded by Councilman Messa:

(RESOLUTION NO. 24 OF 2017)

RESOLVED, that the Town Board does hereby confirm that Ralph B. Humphreys, David Corr and Councilman Woodland were appointed to the Board of Ethics by Resolution No. 11 adopted January 8, 2014, and to serve at the Pleasure of the Town Board.

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 declared unanimously carried and duly **ADOPTED**.

Appointments – Advisory Committee on Public Works and Sewer

No action was taken as Highway Superintendent Sherman stated that a couple of members of this Committee had passed away and he needs to pursue new members.

Appointments – Advisory Committee on Parks and Recreation

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

(RESOLUTION NO. 25 OF 2017)

RESOLVED, that the Town Board of the Town of New Hartford does hereby re-appoint Sean Virkler, Lorraine Garfinkle, and Margaret Brady as Members of the ***Advisory Committee on Parks and Recreation***, all for four-year terms commencing January 1, 2017, and terminating December 31, 2020.

NOTE: This Resolution provides for 4-year terms, a change from 3-year terms in past years. 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 declared unanimously carried and duly ***ADOPTED***.

Appointment – Advisory Committee on Senior Citizen Services

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

(RESOLUTION NO. 26 OF 2017)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to serve as Members of the ***Advisory Committee on Senior Citizen Services*** for a one-year term beginning January 1, 2017, and ending December 31, 2017:

- John Leech - New Hartford Senior Citizen
- Joseph Pintar - New Hartford Senior Citizen
- Kathy Contino - Acacia Village
- Linda Avolio - Masonic Home
- Mary Welch, Mgr. - Oxford Towne Apartments
- Carol Jubenville - Director/Sunset Wood Apartments and Pastor/New Hartford First Methodist Church Represented by Dominick Manfredo

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 27 of 36

- Eileen Spellman - Senior Center Coordinator
- Fr. Kevin Bungler - Pastor/St. John the Evangelist Church
- Samantha White - Oneida County OFA Outreach worker
- Clair Murad - Presbyterian Home Social Worker
- David M. Reynolds - Councilman
- James J. Messa - Councilman
- Charlene Lojewski - President AARP
- Diana Williams

The Board members voted upon roll call:

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

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

Training School – Town Clerk-Registrar, Tax Collection, Records Management

Upon request of the Town Clerk, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Miscione:

(RESOLUTION NO. 27 OF 2017)

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 Town Clerk Gail Wolanin Young to attend the 34th Annual New York State Town Clerks Association Conference from April 23 through April 26, 2017, in Rochester, New York, with expenses to be borne by said Town as budgeted; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized to attend the business/educational meetings of the Oneida County Association of Town Clerks and State-sponsored Workshops on Records Management and Vitals Statistics during fiscal year 2017, with incidental expenses to be borne by said Town as budgeted.

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 declared unanimously carried and duly **ADOPTED**.

2017 Salary Schedule

The Personnel Technician had provided the list of salaries that coincide with the 2017 approved budget; therefore, Councilman Reynolds offered the following Resolution for adoption, seconded by Councilman Miscione:

(RESOLUTION NO. 28 OF 2017)

WHEREAS, Town Law, Section 27, provides that the Town Board of each town shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby approve and establish the following **Schedule of 2017 Salaries** for the employees and officials of the Town of New Hartford, payable in the manner designated:

<u>Title and Name</u>	<u>2017 Base</u>	<u>2017 Salary</u>	<u>Manner of Payment</u>
Councilman James Messa		\$ 6,350	bi-weekly
Councilman Paul Miscione		\$ 6,350	bi-weekly
Councilman David M. Reynolds		\$ 6,350	bi-weekly
Councilman Richard B. Woodland, Jr.		\$ 6,350	bi-weekly
Town Justice Kevin Copeland		\$18,504	bi-weekly
Senior Justice William Virkler		\$ 2,800	bi-weekly
Town Justice William M. Virkler		\$18,504	bi-weekly
Clerk to Court Justice Gertrude Pick	\$16.03/hr		bi-weekly
Court Attendant Raymond Hamo	\$32.06/hr		bi-weekly
Court Attendant Jerome Murray	\$32.06/hr		bi-weekly
Clerk to Court Justice Dorothy Spina	\$16.03/hr		bi-weekly
Supervisor Patrick M. Tyksinski		\$15,240	bi-weekly
Deputy Town Supervisor Matthew Bohn		\$ 1,030	bi-weekly
Account Clerk Carol Ryan	\$25.63/hr		bi-weekly
Finance Director Daniel Dreimiller		\$41,645	bi-weekly
Bookkeeper Lisa Smigle	\$20.06/hr		bi-weekly
Assessor Darlene Abbatecola	\$29.12/hr		bi-weekly
Real Property TSA Teresa Webb	\$15.43/hr		bi-weekly
Assessor Temporary Clerk Margaret Jones	\$11.00/hr		bi-weekly
BAR Member Krista Pembroke		\$ 400	annually
BAR Chairman Duane C. Farr		\$ 500	annually
BAR Member James P. Varieur		\$ 400	annually
BAR Member Byron W. Elias		\$ 400	annually

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 29 of 36

BAR Member Jonathan Purdy		\$ 400	annually
Town Clerk/Receiver Gail Wolanin Young		\$50,666	bi-weekly
Deputy Town Clerk I Melody K. Fancett	\$14.77/hr		bi-weekly
Deputy Town Clerk II Hannah Empey	\$11.66/hr		bi-weekly
Clerk Part-time Allison K. Adams	\$10.00/hr		bi-weekly
Personnel Technician II Barbara Schwenzfeier	\$29.28/hr		bi-weekly
Town Attorney Herbert J. Cully		\$59,652	bi-weekly
Cleaner Part-time Bernard Green	\$11.35/hr		bi-weekly
*Police Chief Michael Inserra	\$52.59/hr		All Police bi-weekly
*Police Lieutenant Timothy O'Neill	\$45.62/hr)		
*Police Officer Andrew Allen	\$34.87/hr)		
*Police Officer Peter Allen	\$33.50/hr)		
*Police Officer Annemarie Brelinsky	\$33.50/hr)		
*Police Officer Jeffrey Emerson	\$31.07/hr)		
*Police Officer W. Jason Freiburger	\$33.70/hr)		
*Police Officer Justin Gehringer	\$33.07/hr)		
*Police Officer Daniel G. Herman	\$33.46/hr)		
*Police Officer James Hyatt II	\$33.07/hr)		
*Police Officer Thomas Hulser	\$32.88/hr)		
*Police Officer Andrew Miller	\$33.98/hr)		
*Police Officer Brad Pietryka	\$35.25/hr)		
*Police Officer Patrick Sacco	\$32.45/hr)		
*Police Officer Jordan Spinella	\$33.89/hr)		
*Police Officer Shane Yoxall	\$32.64/hr)		
*Police Officer Part-time Scott Adsit	\$32.06/hr)		
*Police Officer Part-time Daniel Buley	\$32.06/hr)		
*Police Officer Part-time Paul Colburn	\$32.06/hr)		
*Police Officer Part-time Phillip Brockway	\$32.06/hr)		
*Police Officer Part-time Gaetano LaGatta	\$32.06/hr)		
*Police Officer Part-time Jason Livingston	\$32.06/hr)		
*Police Officer Part-time Robert Philo	\$32.06/hr)		
*Police Officer Part-time Michael Reilly	\$32.06/hr)		
*Police Officer Part-time Anthony Salerno	\$32.06/hr)		
*Police Officer Part-time Richard Wehrle	\$32.06/hr)		
*Police Officer Part-time Joseph Zwijacz	\$32.06/hr)		
*Police Sergeant Peter Colburn	\$40.36/hr)		
*Police Sergeant Ronald Fontaine, Jr.	\$40.07/hr)		
*Police Sergeant Michael Kowalski	\$39.25/hr)		
*Police Sergeant Matthew Sica III	\$38.63/hr)		
School Crossing Guard Rosemari Bennett	\$10.67/hr		bi-weekly
School Crossing Guard Paul Lewis	\$10.67/hr		bi-weekly
School Crossing Guard Deborah Green	\$10.67/hr		bi-weekly
School Crossing Guard MaryAnn Jordan	\$10.67/hr		bi-weekly
School Crossing Guard Susan Jordan	\$10.67/hr		bi-weekly
School Crossing Guard Jacqueline Mosakowski	\$10.67/hr		bi-weekly
School Crossing Guard Part-time Tina Ryan	\$10.67/hr		bi-weekly
School Crossing Guard Part-time (Subs):			
David Burnham	\$10.67/hr.		bi-weekly
M. Doreen Reynolds	\$10.67/hr		bi-weekly
Peter Rebisz	\$10.67/hr		bi-weekly
**Senior Account Clerk Typist Michele Moran	\$21.49/hr		bi-weekly

REGULAR TOWN BOARD MEETING
 January 11, 2017
 Page 30 of 36

**Senior Clerk Amy Topor	\$21.33/hr		bi-weekly
**Senior Typist Susan M. Donnenwirth	\$17.07/hr.		bi-weekly
Animal Control Officer Nicholas J. Morosco	\$23.26/hr		bi-weekly
ACO Part-time Jeffery Madden	\$14.70/hr		bi-weekly
ACO Part-time Vacant	\$ /hr		bi-weekly
Clerk Candy J. Currier	\$15.76/hr		bi-weekly
Highway Superintendent Richard Sherman		\$47,720	bi-weekly
Clerk Part-time Janet Bennett	\$8.98/hr		bi-weekly
Clerk Part-time Bernard Green	\$8.98/hr		bi-weekly
Meal Site Manager Sub Marjorie Anweiler	\$13.50/hr		bi-weekly
Clerk Sub Marjorie Anweiler	\$9.53/hr		bi-weekly
Food Service Helper Part-time John "Jack" Jecko	\$11.35/hr		bi-weekly
Food Service Helper Carolyn Burney	\$10.41/hr		bi-weekly
Food Service Helper Sub Cheryl Kupiec	\$ 8.72/hr		bi-weekly
Meal Site Manager Part-time Theresa Hock	\$13.50/hr		bi-weekly
Senior Citizen Center Coordinator M. Eileen Spellman	\$22.25/hr		bi-weekly
Administrative Assistant Hyesun Lee	\$15.84/hr		bi-weekly
Youth Employment Director Melody Fancett Director of Recreation Center John C. Cunningham	\$33.19/hr	\$6,705	bi-weekly
Laborer Sheldon Gordon	\$13.52/hr		bi-weekly
Working Supervisor Michael K. Natale	\$19.24/hr		bi-weekly
Working Supervisor John Randall	\$19.24/hr		bi-weekly
Recreation Maintenance Worker James Miller	\$16.27/hr		bi-weekly
Working Supervisor James R. Campbell	\$20.75/hr		bi-weekly
Registrar of Vital Statistics Gail Wolanin Young Deputy Registrar of Vital Statistics Rebecca Empey	\$13.61/hr	\$12,144	bi-weekly
Assistant Codes Enforcement Officer Thomas Rowlands	\$23.20/hr		bi-weekly
Codes Enforcement Officer Joseph A. Booth	\$48.66/hr		bi-weekly
Zoning Enforcement Officer Part-time Carmen Luppino	\$23.20/hr		bi-weekly
Codes Enforcement Officer Part-time Anthony Klimek		\$33,765	bi-weekly
Office Specialist I Part-time Dolores B. Shaw Zoning Board of Appeals Chairman Randy Bogar	\$12.37/hr	\$ 2,500	bi-weekly
ZBA Member Frederick Kiehm		\$ 1,250	semi-annual
ZBA Member John Montrose		\$ 1,250	semi-annual
ZBA Member Lenora Murad		\$ 1,250	semi-annual
ZBA Member Byron W. Elias		\$ 1,250	semi-annual
ZBA Member Teras Tesak		\$ 1,250	semi-annual
ZBA Member Karen Stanislaus		\$ 1,250	semi-annual
ZBA Secretary Dolores B. Shaw	\$12.37/hr		bi-weekly
Planning Board Chairman Elis J. DeLia		\$ 2,500	semi-annual
Planning Board Member William C. Morris II		\$ 1,250	semi-annual
Planning Board Member G. Brymer Humphreys		\$ 1,250	semi-annual

REGULAR TOWN BOARD MEETING

January 11, 2017

Page 31 of 36

Planning Board Member Elisabetta DeGironimo	\$ 1,250	semi-annual
Planning Board Member Julius V. Fuks, Jr.	\$ 1,250	semi-annual
Planning Board Member Margaret Rotton	\$ 1,250	semi-annual
Planning Board Member Heather Mowat	\$ 1,250	semi-annual
Planning Board Secretary Dolores B. Shaw	\$12.37/hr	bi-weekly
Automotive Mechanic William Bell	\$23.64/hr	bi-weekly
Automotive Mechanic Lynne Brodock	\$23.64/hr	bi-weekly
Automotive Mechanic Benjamin Owens	\$23.64/hr	bi-weekly
Heavy Equipment Operators:		
Gerald Webb	\$25.90/hr	bi-weekly
Corey Halpin	\$25.08/hr	bi-weekly
William Marshall	\$26.56/hr	bi-weekly
Kevin W. Martin	\$25.50/hr	bi-weekly
Christopher R. Moran	\$27.08/hr	bi-weekly
Norman Naber	\$25.98/hr	bi-weekly
Michael Roberts	\$25.44/hr	bi-weekly
Michael Smoulcey	\$25.08/hr	bi-weekly
Jeff Mundrick	\$23.36/hr	bi-weekly
Timothy Solan	\$23.36/hr	bi-weekly
Laborer	\$ /hr	bi-weekly
Laborer Ferdinand Callahan	\$14.63/hr	bi-weekly
Laborer Brian McCormick	\$14.63/hr	bi-weekly
Laborer Mark Scatko	\$14.63/hr	bi-weekly
Laborer	\$ /hr	bi-weekly
Motor Equipment Operator		
Jeremy Waterman	\$18.00/hr	bi-weekly
Christopher Budlong	\$20.46/hr	bi-weekly
Bryon Rich	\$21.49/hr	bi-weekly
Joseph G. Fletcher	\$23.90/hr	bi-weekly
Keith Gehringer	\$21.55/hr	bi-weekly
Jesse Conhaim	\$21.49/hr	bi-weekly
Thomas S. Panzone, Jr.	\$21.73/hr	bi-weekly
Brian Smith	\$21.61/hr	bi-weekly
Sewer Superintendent Richard Sherman	\$17,280	bi-weekly.

The Town 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***.

New Web Site

Councilman Miscione reported that the Town's new web site is complete and is on a different web address than the current site, the latter of which is currently owned by Trainor & Associates who is not willing to sell it to us or to give the Town the actual domain name. The Town needs to send Trainor & Associates a letter to stop publishing the Town's web site information and then start going with the new web site (.org) and publish it in the newspaper. Once the new web site is up and running, Councilman Miscione will set up training for various departments at the end of January, beginning of February (2017). After that the new site will go live. The Councilman wants to apply for a (.gov) web domain and that will be the Town's main domain in the future; it takes about six (6) months for approval.

Agreement – Ice Rental

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

(RESOLUTION NO. 29 OF 2017)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Ice Rental Agreement between the Town of New Hartford and the New Hartford Central School District for the period beginning November 7, 2016, and ending March 12, 2017; said School District having provided the appropriate Certificate of Insurance.

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 declared unanimously carried and duly **ADOPTED**.

Agreement for Fire Protection Districts 1 and 2– Village of New Hartford and Fire Department

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

(RESOLUTION NO. 30 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the execution of the one-year Fire Protection Contract commencing January 1,

2017, and ending December 31, 2017, between the Town of New Hartford and District 1 and 2, Village of New Hartford and its Fire Department, in the amount of \$641,637.

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*.

Agreement for Fire Protection District 3 – Village of New Hartford and Fire Department

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

(RESOLUTION NO. 31 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the execution of the one-year Fire Protection Contract commencing January 1, 2017, and ending December 31, 2017, between the Town of New Hartford and District 3, Village of New Hartford and its Fire Department, in the amount of \$55,087.

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*.

Agreement for Fire Protection District 4 - Willowvale Fire Company, Inc.

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

(RESOLUTION NO. 32 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the execution of the one-year Fire Protection Contract commencing January 1, 2017, and ending December 31, 2017, between the Town of New Hartford and District 4, Willowvale Fire Company, Inc., in the amount of \$320,908.

Upon roll call, the Board members voted as follows:

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

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

Agreement for Fire Protection District 5– Village of New York Mills Fire Department

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

(RESOLUTION NO. 33 OF 2017)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the execution of the one-year Fire Protection Contract commencing January 1, 2017, and ending December 31, 2017, between the Town of New Hartford and District 5, Village of New York Mills and its Fire Department., in the amount of \$140,631.

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**.

EXECUTIVE SESSION

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

(RESOLUTION NO. 34 OF 2017)

RESOLVED, that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss union negotiations between the Town of New Hartford and the Joseph Corr Police Benevolent Association and the Dispatch Contract, as well as pending litigation against the Town (namely, Mysliwicz vs the Town).

A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. All persons present, including the news media, were then excused from the meeting at 7:34 P.M. The Town Attorney, Deputy Supervisor and Police Chief remained.

[NOTE: The Town Attorney provided the following transcription on Tuesday, February 7, 2017.]

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 35 OF 2017)

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 7:51 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the meeting.

Ratification of Dispatch Union Contract (Amended)

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

(RESOLUTION NO. 36 OF 2017)

RESOLVED, that the Town Board of the Town of New Hartford does hereby amend Resolution No. 153, adopted September 14, 2016, to revise the Dispatchers Union Contract to include health insurance for current Town employees with eighteen (18) years or more of service to the Town, to provide coverage on the Town plan for retirees until Medicare eligible.

Upon roll call, the Board members voted as follows:

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

Thereafter, the Resolution was declared unanimously carried and duly ***ADOPTED***.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Miscione and seconded by Councilman Messa, the meeting was adjourned at 7:56 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk