

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN
ON WEDNESDAY, MAY 14, 2014 AT 7:00 P.M.**

The Town Supervisor called the meeting to order at 7:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Paul A. Miscione
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Patrick M. Tyksinski

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Assessor Darlene Abbatecola
Codes Enforcement Officer Joseph A. Booth
Deputy Supervisor Matthew Bohn III
Director of Senior Services M. Eileen Spellman
Highway/Sewer Superintendent Richard E. Sherman
Parks & Recreation Director Michael W. Jeffery
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

April 23, 2014 Town Board meeting

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

(RESOLUTION NO. 112 OF 2014)

RESOLVED that the New Hartford Town Board does hereby accept and approve the minutes of the Regular Town Board meeting held on April 23, 2014 and does further waive the reading of said minutes.

Upon roll call, the Board members voted as follows:

Councilman Miscione	-	Aye
Councilman Reynolds	-	Aye

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

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

PUBLIC HEARINGS

**7:01 P.M. Local Law Introductory “C” of 2014
Town Code, Chapter 59, Electrical Standards**

The Town Supervisor opened the Public Hearing at 7:01 P.M. with regard to Local Law Introductory “C” of 2014. [The Town Clerk had available the Notice of Public Hearing and Local Law Introductory, the Proof of Publication (April 30, 2014 edition of The Observer Dispatch), and the Affidavit of Posting.]

The Town Attorney explained that, if adopted, Local Law Introductory “C” would amend the Town’s Code, Chapter 59 (Electrical Standards) by adding The Inspector, LLC as an authorized electrical inspector for the Town of New Hartford, while deleting the New York Board of Fire Underwriters and the Allied Electrical Inspection Agency, both of which are no longer in business.

Supervisor Tyksinski invited anyone present who wished to speak in favor of, in opposition to, or to comment upon Local Law Introductory “C” to come forward and limit their comments to three (3) minutes. No one came forth. It was noted that The Inspector, LCC was not represented at the Public Hearing although a representative had been present at the April 9, 2014 seeking an amendment to the Town’s Code to allow that company to become an authorized electrical inspector.

Thereafter, the Public Hearing was closed at 7:05 P.M.

**7:06 P.M. Local Law Introductory “D” of 2014
Town Code, Chapter 118 (Zoning)
Koury Zone Map Amendment Application**

At 7:06 P.M. the Town Supervisor opened the Public Hearing on Local Law Introductory “D” of 2014. [The Town Clerk had available the Notice of Public Hearing and Local Law Introductory, the Proof of Publication (May 1, 2014 edition of The Observer Dispatch), and the Affidavit of Posting.]

The Town Attorney explained that Local Law Introductory “D” of 2014 was a request of George Koury to amend the Town Code, Chapter 118 (Zoning), and particularly the

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zoning map, by changing the designation of 6.5 acres at 31 Clinton Road (aka NYS Route 12B) from Medium Density Residential to High Density Residential; Mr. Koury's intended use of the property would be to construct four (4) apartment complexes consisting of six (6) units each.

The Town Board invited any comments in support or opposition to Local Law Introductory "D", asking that persons stand, state their name for the record and limit their comments to three (3) minutes. Those who spoke were:

- Daniel Gorczynski – the area already has enough multiple dwellings within a mile, referencing Clintonview Estates, Cardinal Estates, Sherman Oaks, and Wedgewood Apartments. Doesn't see a need to change the zoning. Concerned about potential access onto Merritt Place.

The Town Attorney stated that if the rezoning were to be approved by the Town Board, Mr. Koury would have to appear before the Town Planning Board, which would approve or not approve aspects of the development.

- George Koury, applicant – if the Town Board approves his application, he would actually cut off a lot on Merritt Place ...thinks it's a great location for people of New Hartford. Looking at 24 proposed units and \$1200 per month rent.

The Town Supervisor interjected that a Public Hearing is to hear comments from the public; it is not a question and answer session....just comments.

- Alan Davis – moved here 40 years ago, nice area and don't want a change, enough traffic in area
- Robert Doyle – here for over 25 years, settled because it was so nice. Concerned that Clinton Road or Edna Terrace would become an access road or pass-road to Seneca Turnpike. We have only local traffic and like it that way. Referring to Mr. Koury, his plans for 31 Clinton Road first were a produce plan....already have a traffic problem. Traffic increase all day/night. Stormwater drainage issue and his land typically is affected. Would rather have single-family residential homes built in the area. Not in favor of changing.
- Kenneth Kostolecki – agree with Mr. Doyle. Single asset is our home and apartments would decrease that value. Zoning change would have a significant adverse affect on the neighborhood... traffic, property values go down due to apartments and an increase in air, noise pollution and traffic. Clinton Road already too busy. Apartments mean more people and more people bring problems, why bring more problems to the town. He said the applicant could

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have a grocery store, etc., etc. whatever else is allowed in a High Density Residential zone versus what would be allowed now....the Town is contemplating changing its Zoning Law and map.

- Pamela Knoblock – object....worried about property value of her father’s property. Nearby Cardinal Estates going down hill...maintenance an issue.
- Mark Mercurio – do not support. Put it in his (Koury) own backyard, not ours

George Koury stated that apartments would bring people to the area and that he has to do something with the property. An apartment complex would enhance the area and increase the tax roll. He wants to go forth with an apartment complex.

- Barbara Waddington – if he thinks he will improve land, it only looks trashed. Bulldozer and knock down trees. Wire/no trespass signs. If you want to enhance area, build single-family residences. She’s against the proposed rezoning.
- Richard Matthews – 12B – has attended several Zoning Board meetings and when discussions included a produce stand and a pet cemetery for this property. Concerned with tremendous amount of water that comes down the hillside. One lady had a substantial amount of damage to her home and experienced financial difficulty as a result. Don’t think stormwater system can handle more. Traffic increase over the years is substantial. Nothing will increase the value of his home by building an apartment complex. If rezoned, there’s nothing to say Mr. Koury can’t put in some other type of allowed business.
- Nancy Manion – was not present but had sent a letter to the Town Clerk objecting to Mr. Koury’s request for rezoning; concern that an apartment complex would diminish the quality of the neighborhood for herself and neighbors, cause an increase in noise and crime, and loss of privacy and the feeling of security.

There being no further comments, the Public Hearing was closed at 7:26 P.M.

The Town Attorney stated that the Town Board had declared itself Lead Agency for State Environmental Quality Review (SEQR) and that Local Law Introductory “D” of 2014 had been forwarded to various agencies for SEQR review. Responses included:

- Oneida County Planning Department – No recommendation as to final action, meaning that significant County-wide or inter-community impacts have not been identified. This statement does not address the proposed action’s compliance with all applicable local regulations; or with any other county, state, or federal requirements, including the provisions of SEQRA.

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- *New Hartford Town Planning Board* – recommended that the Town Board not accept Mr. Koury’s Zone Map Amendment application at the present time, in particular, with regard to Board comments/concerns about slopes, drainage and spot zoning, as well as discrepancies in the application.
- *New Hartford Police Department* – consideration was given that the proposed project would generate additional traffic and additional calls for police services but that the project would have a minimal impact on the Police Department to deliver police services to the area.
- *NYS Dept Environmental Conservation* – no objections to the Town being Lead Agency for this project; no comments of the zone map amendment. However, the applicant would need to resubmit project plans for the proposed apartment complexes prior to Planning Board approval.
- *Mohawk Valley Water Authority* – MVWA has a water main that front both road frontages on Merritt Place and Clinton Road and this parcel qualifies for water from either location and can support this development. Because there are no details for the intent of the water utilities plan, this will be handled directly with the Developer once the MVWA receives more detailed plans.
- *Oneida County Health Dept., Environmental Division* – endorses the Town serving as the Lead Agency on this project. Acknowledged that drinking water will be provided by the Mohawk Valley Water Authority and that approval of waste water disposal connections is under the jurisdiction of the Town of New Hartford. No further comments.
- *Oneida County Soil and Water Conservation District* – comments on the Full Environmental Assessment form submitted for the rezoning project:
 - On Page 3 of 21 in Part A, #3, the soils are not 100% well drained per the Oneida County Soil Survey created by the USDA Natural Resources Conservation Service. The soils on site include Chadakoin silt loam (115B), and Aurora Silt loam on both a B and D slope. The Aurora soils comprise 4.3 acres on site and these are moderately well drained with a seasonally high water table. Therefore, the response to #3 should be revised to reflect the moderately well drained portion of the site.
 - Both Aurora on a B slope and Chadakoin soils are within groups 1-4 of the NYS Land Classification System but the land is not currently used for agriculture.

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- The slopes reported for the site are inaccurate as 2.2 acres are mapped as a D slope which is between 15 and 25%.
- The depth of the water table for the site is not accurately reported at 30 feet. Based on the Soil Survey information, 100% of the soils on site have a high seasonal water table where the water is within 3 feet of the surface during the Spring.
- Question 11 should indicate the source of the information about the lack of threatened or endangered species on site. The most readily available source is the NYSDEC Environmental Resource Mapper.
- As the project will disturb more than 1 acre of soil during the construction phase, it should be noted that the following permits will be needed for the site and should be reflected in Part B, #25 on Page 8 of 21;
 - MS4 SWPPP Acceptance form from the Town of New Hartford; This requires the applicant to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) with Erosion and Sediment Controls and possibly stormwater management plans. The SWPPP needs to be submitted to the Town of New Hartford.
 - NYS DEC Construction Activities Permit GP –0-10-001 is also required for all sites where at least 1 acre of soil will be disturbed. This permit can only be secured after the MS4 SWPPP Acceptance form is received by the site's owner.
- New Hartford Fire Department – after reviewing Fire Department Records Management System, it is reliably assumed that there will not be a major increase in calls of service at this site should it be rezoned as requested.
- NYS Department of Transportation – should the rezoning be successful:
 - A NYSDOT Highway Work Permit will be required for any work performed within the highway right-of-way
 - Access to the subject property will require that the entrance conform to NYSDOT standards for a Minor Commercial Driveway.
 - A Stormwater Management Plan will be required as part of the highway work permit application.

- All proposed signage will need to be located on private property and not on NYSDOT right-of-way.
- Oneida County Department of Public Works – no objection to the Town being Lead Agency. Section 136 of the NYS Highway Law requires a permit to be obtained for any access, construction, or reconstruction within the right-of-way of a County highway. Any above recommendation given by the County DPW will be a required action for any permit approval.

Rejection/Denial – Local Law Introductory “D” of 2014/Koury Zone Map Amendment

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

(RESOLUTION NO. 113 OF 2014)

RESOLVED that, based upon the recommendation of the Town Planning Board and comments submitted by the Oneida County Soil and Water Conservation Agency, the New Hartford Town Board does hereby reject the Zone Map Amendment application submitted by George Koury to rezone 6.5 acres situate at 31 Clinton Road (aka NYS Route 12B) and does hereby declare Local Law Introductory “D” of 2014 rejected and denied.

The Supervisor requested a vote upon roll call, resulting 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**.

**7:28 P.M. Comprehensive Plan Update
Zoning Law Update/Local Law Introductory “E” of 2014**

The Town Supervisor opened the Public Hearing at 7:28 P.M. on the Comprehensive Plan update and Zoning Law/Map Update. [The Town Clerk had available the Notice of Public Hearing and Local Law Introductory “E”, the Proof of Publication (May 1, 2014 edition of The Observer Dispatch), and the Affidavit of Posting.] Supervisor Tyksinski stated that this project had started last year when a citizens committee – headed up by Codes Enforcement Officer Joseph Booth – was created to oversee this matter. The Committee did a great job and conducted several meetings open to the public and an

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informational meeting for the public conducted by RiverStreet Planning in early April 2014; he acknowledged Monica from RiverStreet who was present along with the Codes Enforcement Officer. The Town Attorney stated that the purpose of this Hearing was to hear the public's comments on updates to the Town's Comprehensive Plan and Zoning Law that the Town had initiated. The Town Supervisor invited anyone to come forth and offer their comments, limiting same to three (3) minutes.

Max Dudley – presented a packet “Impact of Loss of Billboards in the Town of New Hartford” relating to 39 businesses along with park outdoor advertising that are part of a business community that cannot afford to lose this part of their marketing strategy. He referenced part of the Zoning Law with regard to signs and hoped that their established locations be grandfathered in to the updated Zoning Law/Map, otherwise, affected land owners or businesses will lose money.

Jeff Amidon – supports designation of some agricultural-zoned land on Tibbitts Road that is not being used for that purpose and allow for sports entertainment by such youth groups as AYSO and Little League on those lands. He read a letter from the local AYSO in support of zoning for additional athletic fields, the demand of which is increasing. Fields that children play on are somewhat restricted and some not very well kept. Additional fields are needed for quality recreation space, year-round sports.

Roseann McFail – stated that she and her late husband started AYSO in New Hartford in 1977. Need more fields – continuing problem through the years, never enough. Always competing with others for use of fields. Need sports to keep kids busy.

Jeff Kimball – Vice-President of Little League, in support of zone change for Tibbitts Rd area – facilitate to over 200 or 250 kids including t-ball, little league. Parents have to drive to various fields around the town; would fields at one location.

Carmen Esper - concur with Jeff Kimball. Youth definitely need these fields.

Ralph Humphreys – would like to 2nd the speech on billboard-type signs.

The Town Supervisor recognized committee members who were present: Jane Blaczak, Ralph Humphreys, and Dave Kivela who served as Chairman.

There being no other comments, the Public Hearing was closed at 7:40 P.M. The Town Board withheld action on adopting the Comprehensive Plan and Local Law Introductory “E” as they had not received the Town Planning Board's recommendation as of this meeting; they had, however, received comments from the following agencies:

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- *New Hartford Police Department* – updating the zoning law and maps will have no impact on the police department. However, he reminded Town Board members that any resulting development will have an effect on services provided and he asked that Board members keep in mind the cumulative effect of all development on public safety services.
- *NYS Department of Transportation* – did not have comment on the proposed zoning law
- *City of Utica* – has no objections to the Town of New Hartford declaring itself as “Lead Agency” for the SEQR purposes of updating its Zoning Law and Map and Comprehensive Plan.
- *Oneida County Department of Public Works* – has no objection to the Town Board assuming Lead Agency status.
 - Referencing Pages 40 and 41 of the Final Draft Comprehensive Plan (the Road Classification subsection in the Transportation Section), a portion of Kellogg Road (CR 26), from Oneida Street to the NYS Route 8 overpass, is also a Minor Arterial. Brimfield Street (CR 15), Campion Road (CR 26), New Hartford Street (CR 26), Henderson Street (CR 26B) are also Collectors
 - Referencing Section 118-11 (Referrals under General Municipal Law) on Page 4 of the Draft Update of the Zoning Law, Chapter 118, this department is requesting consideration of an amendment to include Section 239-f of the NYS General Municipal Law since building permits and site plan reviews involving building permits may be subject to Section 239-f of the NYS General Municipal Law.
 - Referencing Section 118-92 (Application for preliminary Site Plan approval) on Page 122 of the Draft Update of the Zoning Law, Chapter 118, this department is requesting consideration of an amendment to include Oneida County Department of Public Works referrals similar to Part E (County Planning Board referral) since site plan reviews involving building permits may be subject to Section 239-f of the NYS General Municipal Law.
- *New Hartford Fire Department* – reviewed the proposed Zoning Law, Schedule and Map and has no comments at this time.

- Oneida County Environmental Health Division – Provided a list of activities and facilities that are regulated by the Oneida County Health Department and the Town Board might want to mention this in the Zoning Law in order to facilitate communication between businesses or individuals planning to conduct these activities in the Town:
 - Real estate subdivision
 - Hotels, motels, and cabin Colonies
 - Swimming pool/bathing beaches
 - Campgrounds
 - Children’s camps
 - Food service establishments
 - Mobile home parks
 - Public water supplies
 - Non-conventional septic systems

- Oneida County Department of Planning – recommended approval with comments:
 - **Community Profile – Land Use – Agriculture (Page 23)** The Town may want to note that Agricultural District #5 is currently under another eight-year review. The Town may want to further note that properties have been added to the district since the 2006 renewal of the district through the annual Open Enrollment process. In addition, the Town may want to note that even though the district #5 modifications will not be certified until later in the year that the current renewal will also add properties to the district. We believe these additions are an indication of the important role agriculture plays in the southern portion of the Town, as is noted in other places within the plan.

 - **Community Profile – Land Management – Town Zoning – Key Findings (Page 30)** The first bullet appears to be incomplete. It does not indicate what the large number of zoning districts creates.

Adoption of Local Law Introductory “C” of 2014 as Local Law No. Three of 2014

Councilman Woodland then moved that Local Law Introductory “C” of 2014 (Electrical Standards amendment) be adopted as Local Law No. Three of 2014, as follows; seconded by Councilman Reynolds:

TOWN OF NEW HARTFORD, NY
LOCAL LAW NO. THREE OF 2014

A Local Law to amend the Code of the Town of New Hartford, Chapter 59 thereof entitled ELECTRICAL STANDARDS in the Town of New Hartford.

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

Section 1. Chapter 59 of the Code of the Town of New Hartford is hereby amended by adding the following to Section 59-4, Electrical Inspectors and Section 59-6 Violations:

ADD: The Inspector, LLC

Section 2. Chapter 59 of the Code of the Town of New Hartford, Sections 59-4 and 59-6, are further amended by deleting the following companies that are no longer in business:

DELETE: New York Board of Fire Underwriters and the Allied Electrical Inspection Agency, Inc.

Section 3. 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 modify or amend.

Section 4. This Local Law shall become effective immediately upon its filing with the Office of Secretary of State.

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

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

Local Law No. Three of 2014 was declared unanimously carried and duly ***ADOPTED.***

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON

Town Clerk Committee – Councilman Woodland

NYS Liquor Authority – Waiver for Change of Licensed Entity

The Town Clerk has received a request from the Tracy Jong law firm in behalf of Homestyle Dining LLC for a waiver of the thirty (30) day period for applying to the State Liquor Authority for renewal of their liquor license. Councilman Woodland then offered the following Resolution for adoption and Councilman Messa duly seconded same:

(RESOLUTION NO. 114 OF 2014)

WHEREAS, the Tracy Jong law firm is representing Homestyle Dining LLC which plans to renovate the former Ponderosa Steakhouse and open a Bonanza Steakhouse at 8548 Seneca Turnpike; and

WHEREAS, State Liquor Authority law requires an applicant to wait at least thirty (30) days after notifying the Town of New Hartford before the applicant can submit an application to the Liquor Authority; and

WHEREAS, the Tracy Jong law firm has requested a waiver of the 30-Day Notice in order for their client to file its application for a beer and wine license without delay;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby waive the thirty (30) day timeframe, having been notified on May 12, 2014 of the change in property ownership.

The Resolution was voted upon by roll call 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***.

Parks & Recreation Committee – Councilman Reynolds

Appointment – Seasonal Employees

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

(RESOLUTION NO. 115 OF 2014)

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; all wages to be paid bi-weekly:

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Swim – A7230.1

Start Date: June 30, 2014

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Marissa Visingardi	WSI/Lifeguard	\$9.30/hour
Joseph Visingardi	WSI/Lifeguard	\$9.30/hour
Avrie Canarelli	Splash Pad Attendant	\$8.35/hour
Rachel Bolton	Splash Pad Attendant	\$8.35/hour

Playground – A7140.11

Start Date: June 30, 2014

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Valerie Kane	Assistant Director	\$9.75/hour
Luke Bogar	Recreation Attendant	\$8.70/hour
Andrew Buckley	Recreation Attendant	\$8.70/hour
Amy Stappenbeck	Bus Driver Sub	\$13.30/hour

Parks – A7110.14

Start Date: May 19, 2014

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Joseph Donovan	Park Laborer I	\$8.80/hour
Michael LaPorte	Park Laborer I	\$8.80/hour.

Whereupon, the Town Board voted upon roll call:

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

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

Senior Citizen Committee – Councilman Reynolds

2014 Donations/Budget adjustment

Upon request of the Director of Senior Services, Councilman Reynolds offered the following Resolution for adoption and Councilman Miscione seconded same:

(RESOLUTION NO. 116 OF 2014)

WHEREAS, on November 4, 1998 the New Hartford Town Board had established a “gift”/“donation” policy pursuant to Section 64(8) of the Town Law;

NOW, THEREFORE, BE IT RESOLVED that said Town Board does hereby accept the Two Hundred Dollar (\$200.00) donation from Fidelis Care New York for the 2014 “Recognition Dinner” for First Responders and the Sixty Dollar (\$60.00) donation from Dr. Joseph and Monica Raj to cover the cost of meals for Seniors on April 30, 2014 at the New Hartford Adult Dining and Activity Center, in memory of the late David Anthunadan; and be it

FURTHER RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Finance Department to make the following 2014 budget adjustments for the New Hartford Adult Dining and Activity Center:

- Increase General Fund Whole-Town Contractual Account A6772.4 - \$260.00
- Increase General Fund Whole-Town Revenue A2705.1 - \$260.00.

A roll call vote ensued:

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

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

AARP Driving Courses – Recognition of Senior Center

Councilman Reynolds acknowledged that the New Hartford Adult Dining & Activity Center has been recognized by AARP with the “Top 100 Host” Award for its outstanding support in 2013. The Center has supported AARP Driver Safety for many years in classroom-based refresher courses, designed to help drivers age 50 and old stay safe and confident behind the wheel.

Public Safety and Courts Committee – Councilman Reynolds

Annual Commendations for Year 2013

Councilman Reynolds also acknowledged that twenty (20) commendations were recently awarded to twelve (12) New Hartford Police Officers for their investigations during 2013, involving burglary, robbery, assault, sex offenses, child pornography and narcotics:

Sgt. Fontaine (1)	Inv. Pietryka (1)	Inv. Colburn (3)
Inv. Sica (2)	Officer Yoxall (2)	Officer Gehringer (1)
Officer Hyatt (4)	Officer Petrie (1)	Officer Freiburger (1)
Officer Sacco (1)	Officer Hulser (2)	Officer Peter Allen (1)

Also, Michele Moran, Account Clerk at the Police Department was recognized for her tireless commitment and consistent attention in managing the Department's Facebook page.

Public Works & Sewer Committee – Councilman Messa

Appointment – Seasonal Employees

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

(RESOLUTION NO. 117 OF 2014)

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 June 16, 2014; all wages to be paid bi-weekly:

<u>Name</u>	<u>Position</u>	<u>Rate of Pay</u>
Garrett Hutchings	Laborer	\$8.50 /hour
Dustin Nicotera	Laborer	\$8.50/hour
Dillon Alexander	Laborer	\$8.50/hour.

Whereupon, the Town Board voted upon roll call:

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

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

Quotes – HVAC @ Sanger Public Works Garage

The Highway Superintendent received four (4) quotes for furnace work with the lowest quote having been submitted by Central Heating and Plumbing:

- \$25,550 for the Sanger Public Works Garage, and
- \$ 9,235 for offices in that building.

Also submitting quotes were Fred F. Collis & Sons of Yorkville, NY (\$36,900 / \$19,320); M&R Heating & Air Conditioning of Utica, NY(\$32,436 / \$12,584); and New Hartford Climate Control of New York Mills, NY (\$29,350 / \$10,250). Finance Director Dreimiller confirmed this work is part of the capital project for which the Town bonded on May 1, 2014.

Quotes – Asbestos Removal/Abatement @ Sanger Public Works Garage

The Highway Superintendent also received two (2) quotes for asbestos abatement that must be performed by another party, separate from the company performing the HVAC work:

- \$9,800 Midlantic Environmental of New Hartford, NY
- \$7,000 Environmental Contracting, LLC of Utica, NY.

Award of Quote – HVAC Work @ Sanger Public Works Garage

Discussion followed including the Town obtaining good references, the company's headquarters in Herkimer, NY and the response time for service problems. Thereafter, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 118 OF 2014)

RESOLVED that the New Hartford Town Board does hereby accept the low quote submitted by Central Heating and Plumbing of Herkimer, New York and does hereby award the contract to said vendor for HVAC work in the Sanger Public Works Garage, 111 New Hartford Street, New Hartford, NY, as follows:

- \$25,550 for the Garage
- \$ 9,235 for the offices adjoining the Garage,

contingent upon Councilman James Messa obtaining good references for prior work performed by Central Heating and Plumbing, after which the Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute all necessary contract documents related to this project.

A roll call vote ensued:

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

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

Award – Asbestos Removal/Abatement

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

(RESOLUTION NO. 119 OF 2014)

RESOLVED that the New Hartford Town Board does hereby accept the low bid submitted by Environmental Contracting, LLC, Broad Street, Utica, New York, in the amount of Seven Thousand Dollars (\$7,000) and does hereby award the contract to said vendor for asbestos abatement services in connection with the HVAC work to be performed at the Sanger Public Works Garage and be it

FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute all required contract documents relating to this project.

The Town Board voted upon roll call 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**.

Road Paving

The Highway Superintendent reviewed with the Town Board a list of roads planned for paving, together with dollar amounts. It was Town Board consensus to approve the Highway Superintendent's paving list and they authorized him to proceed with the paving.

Vehicle/equipment – Auctions International

The Highway Superintendent reported that the Town's Skidsteer was auctioned through Auctions International and received a \$20,000 bid, which is not enough for him to purchase a new one.

Highway Superintendent Sherman then reported on other auction bids for various vehicles/equipment after which Councilman Messa introduced the following Resolution for adoption and Councilman Miscione seconded same:

(RESOLUTION NO. 120 OF 2014)

RESOLVED that the New Hartford Town Board does hereby accept the following bids received through Auctions International for surplus Town vehicles/equipment and does hereby authorize and direct that the necessary paperwork be completed to effect such sales:

2012 Ford F350 Pickup truck		
	VIN 1FTRF3866CEA94823	- \$22,500
2007 Ford Crown Victoria Police Cruiser		
	VIN 2FAFP71W87X151355	- \$ 1,750
2008 Dodge Durango Suburban		
	VIN 1D8HB38NX8F148360	- \$ 4,900
2000 Dodge Ram Van		
	VIN 2B7HB11X9YK117388	- \$ 1,550
Cement Mixer (25 years old)		- \$ 420

And be it

FURTHER RESOLVED that, after the Highway Superintendent receives written confirmation from Auctions International that the bidders have committed to their purchases and once the vehicles/equipment are taken off Town property, the Town Clerk's office shall be notified and shall arrange to terminate insurance coverage on said vehicles/equipment; and be it

YET FURTHER RESOLVED because the 2012 pickup truck sold for \$22,500 and the Highway Superintendent has sufficient funds budgeted for 2014, the New Hartford Town Board shall receive sealed bids for the purchase of one (1) new 4 x 4 pickup truck, in accordance with Town specifications until 10:45 A.M. in the Town Clerk's Office on Tuesday, June 10, 2014 and then shall be publicly opened and read aloud at 11:00 A.M. on said date; and be it

FURTHER RESOLVED that the said Town Board hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

The Town Board voted upon roll call 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**.

MATTERS SUBMITTED BY THE TOWN SUPERVISOR

Financial:

Audit of Vouchers

Upon presentation by the Town Supervisor, Councilman Miscione presented the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 121 OF 2014)

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

Street Lighting Fund Abstract #6 – Reissue VOIDED Check	
Vouchers SL6	\$ 9,500.21
Street Lighting Fund Abstract #7	
Vouchers SL7	\$ 8,708.32
Fire District Fund Abstract #3	
Vouchers SF7	\$ 417.55
Zoning Study Fund Abstract #4	
Vouchers H14	\$ 7,975.00
Trust & Agency Fund Abstract #14	
Vouchers TT69-TT76	\$ 13,061.45
Trust & Agency Fund Abstract #15	
Vouchers TT77-TT80	\$ 8,306.99
Trust & Agency Fund Abstract #16	
Vouchers TT81-TT87	\$ 13,513.50
Trust & Agency Fund Abstract #17	
Vouchers TT88-TT95	\$ 13,037.83
Trust & Agency Fund Abstract #18	
Vouchers TT96	\$ 5,101.23
Highway Fund Part-Town Abstract #8	
Vouchers DB316-DB394	\$ 102,919.84
General Fund Part-Town Abstract #10	
Vouchers BB54-BB57	\$ 3,361.63
General Fund Part-Town Abstract #11	

Vouchers BB58-BB66	\$ 887.63
General Fund Part-Town Police Abstract #10	
Vouchers BP91-BP94	\$ 39,245.58
General Fund Part-Town Police Abstract #11	
Vouchers BP95-BP110	\$ 52,685.48
General Fund Whole-Town Amendment to Abstract # 6	
Voucher AA516- Reissue VOIDED Check	\$ 1,152.44
General Fund Whole-Town Abstract #12	
Vouchers AA500-AA515	\$ 28,871.72
General Fund Whole-Town Abstract #13	
Vouchers AA521-AA542; AA544-550; AA543; AA- 551- AA632; AA634-AA635; AA633	\$ 183,839.21
General Fund Whole-Town Abstract #12	
Vouchers AA517-AA520	\$ 5,089.56
Sewer Fund Abstract #9	
Voucher SS80	\$ 2,608.90
Sewer Fund Abstract #10	
Voucher SS81-SS89	\$ 10,999.18
TOTAL:	\$ 511,283.25

Upon roll call, the Board members voted as follows:

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

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

Finance Director Report

Finance Director Dan Dreimiller informed the Board that the Town audit report for 2013 should be finalized next week and that he would forward copies to Board members for future discussion.

EXECUTIVE SESSION

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

(RESOLUTION NO. 122 OF 2014)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the financial history of a particular employee and to discuss the Town's strategy in union negotiations.

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 8:10 P.M. The Town Attorney, Deputy Supervisor and Highway Superintendent remained for the Executive Session.

[NOTE: The Town Attorney provided the following transcription on June 4, 2014.]

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 123 OF 2014)

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 8:31 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public invited to re-join the meeting.

ADJOURNMENT

REGULAR TOWN BOARD MEETING

May 14, 2014

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There being no further business to come before the Town Board, upon motion duly made by Councilman Miscione and seconded by Councilman Messa, the meeting was adjourned at 8:32 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk