

PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)
DECEMBER 19, 2012 at 7:00 P.M.
Butler Memorial Hall

I. MINUTES

- A. None

II. PRESENTATIONS (Resident Comments)

III. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON

- A. Zoning (Codes) & Planning Committee – Councilman Reynolds
 - 1. Co-location of telecommunications equipment on existing structures
- B. Town Clerk Committee – Councilman Woodland
 - 1. Change Shelby's title from Park-Time Clerk to Temporary Laborer for tax collection period

IV. REPORTS OF SPECIAL COMMITTEES

V. MATTERS SUBMITTED BY COUNCILMEN / ATTORNEY / DEPUTY SUPERVISOR

- A. Town Attorney – FOIL Appeal (see attachment)
- B. Councilman Miscione – Mud Creek projects (see attachment)

VI. MATTERS SUBMITTED BY TOWN SUPERVISOR

- A. Financial and other routine reports
 - 1. 2013 Salaries
 - 2. Finance Director report
- B. Unfinished Business
- C. Miscellaneous communications
 - 1. Mohawk Valley Water Authority appointment
- D. New Business
 - 1. Planning Board vacancy
 - 2. 2013 Schedule of Town Board meetings

REMINDER: Next Town Board meeting is January 9, 2013

From the desk of

DAVID M. REYNOLDS

PLEASE ADD TO
AGENDA FOR 12-19:

- COLLOCATION OF
TELECOMMUNICATIONS
EQUIPMENT ON
EXISTING STRUCTURES
-

RECEIVED

DEC 18 2012

TOWN OF NEW HAVEN
TOWN CLERK

8:58 AM
Jh,

Young, Gail

From: Young, Gail
Sent: Monday, December 17, 2012 4:30 PM
To: Town-Board; Cully, Herb
Subject: Emailing; FOIL APPEAL 12.17.12 Agreement \$600,000
Attachments: FOIL APPEAL 12.17.12 Agreement \$600,000.pdf

Importance: High

Town Board and Herb:

Cathy Lawrence delivered this Appeal at 3:05 PM today. This must be addressed within 10 days of receipt so I'm adding this to the December 19th Agenda.

Gail

Your message is ready to be sent with the following file or link attachments:

FOIL APPEAL 12.17.12 Agreement \$600,000

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

December 17, 2012

Patrick Tyksinski
Town Supervisor
Town of New Hartford
Butler Hall
New Hartford, N.Y. 13413

Re: New York State Freedom of Information Law Appeal - Denial of Town Record(s)

Dear Supervisor Tyksinski:

I hereby appeal the denial of access regarding part of my FOIL request(s) made via email on November 14, 2012. The initial response stated that I would receive an answer by Friday, November 23, 2012.

On November 28, 2012, I sent a second request and the next day, November 29, 2012, I received an email from Gail Wolanin Young, Town Clerk, "...a certification for the Supervisor's signature" was being prepared.

To date, I have not received either the FOILED documents, a letter stating that the records are not available; or a certification that no records exist as requested in my FOIL.

The records that were denied include:


- **ATTACHMENT A:**

...any agreement for the repayment of the \$600,000 that was borrowed by the Town of New Hartford in July 2011 for the right in, right out and the Clinton Street Extension. It might be called a PILOT Allocation Agreement...or it might be called something else; I don't know the particular name. I am looking any **signed and dated** agreement, regardless of what it is called, detailing how and/or by whom the \$600,000 plus interest BAN/bond is going to be repaid.

The Freedom of Information Law requires the head or governing body of an agency, or whoever is designated to determine appeals to respond within 10 business days of the receipt of an appeal. If the record(s) are denied on appeal, the reasons for the denial must be fully articulated in writing. [§89.4(a), (b) & (c)].

Please be advised that the Freedom of Information Law directs that all appeals and the determinations that follow be sent to: Robert Freeman, Executive Director, Committee on Open Government, Department of State, One Commerce Plaza, Suite 650, 99 Washington Avenue, Albany, New York 12231.

Sincerely,


Catherine R. Lawrence
67 Imperial Drive
New Hartford, N.Y. 13413

ATCHS - A - FOIL request emails

RECEIVED
3:05 pm
DEC 17 2012
TOWN OF NEW HARTFORD
TOWN CLERK

ATTACHMENT A

From: Young, Gail [mailto:gyoung@town.new-hartford.ny.us]
Sent: Thursday, November 29, 2012 9:50 AM
To: Cathy
Subject: RE: FOIL - agreement with Larry Adler regarding the \$600,000 BAN - SECOND REQUEST

Dear Cathy:

A certification for the Supervisor's signature is being prepared. Hope to have it available by Monday, December 3, 2012.

Gail.

From: Cathy [mailto:cathy@snsdoll.com]
Sent: Wednesday, November 28, 2012 5:49 PM
To: Young, Gail
Subject: FW: FOIL - agreement with Larry Adler regarding the \$600,000 BAN - SECOND REQUEST

From: Cathy [mailto:cathy@snsdoll.com]
Sent: Monday, November 19, 2012 9:31 AM
To: 'Young, Gail'
Subject: RE: FOIL - agreement with Larry Adler regarding the \$600,000 BAN

Hi Gail,

I am looking for any agreement for the repayment of the \$600,000 that was borrowed by the Town of New Hartford in July 2011 for the right in, right out and the Clinton Street Extension. It might be called a PILOT Allocation Agreement...or it might be called something else; I don't know the particular name. I am looking any **signed and dated** agreement, regardless of what it is called, detailing how and/or by whom the \$600,000 plus interest BAN/bond is going to be repaid.

Thank you.

Cathy Lawrence

From: Young, Gail [mailto:gyoung@town.new-hartford.ny.us]
Sent: Monday, November 19, 2012 9:23 AM
To: Cathy (cathy@snsdoll.com)
Subject: FW: FOIL - agreement with Larry Adler regarding the \$600,000 BAN

Cathy,

Are you referring to the PILOT agreement?

Gail Wolanin Young

From: Young, Gail
Sent: Thursday, November 15, 2012 9:46 AM
To: Cathy
Cc: Tyksinski, Patrick M.
Subject: RE: FOIL - agreement with Larry Adler regarding the \$600,000 BAN

Dear Cathy:

Receipt is hereby acknowledged of your FOIL request defined below.

By copy of this e-mail to the Town Supervisor, I am asking that he provide any existing.....signed and dated.....agreement to which you allude herein below, by Friday, November 23, 2012.

Gail Wolanin Young.

From: Cathy [<mailto:cathy@snsdollars.com>]
Sent: Wednesday, November 14, 2012 4:08 PM
To: Young, Gail
Subject: FOIL - agreement with Larry Adler regarding the \$600,000 BAN

Gail,

I would like to FOIL a copy of any **signed and dated** agreement between Larry Adler; or any other entity representing Mr. Adler and the New Hartford Business Park...and the Town of New Hartford, and/or Oneida County and/or New Hartford Central School District regarding the re-payment of the \$600,000 [plus interest] that was borrowed to construct the Rte, 840 right in/right out and the Clinton Street Extension.

Please send this to me electronically. If no such agreement exists, please have Supervisor Tyksinski certify to that effect.

Thank you.

Cathy Lawrence

Young, Gail

From: Miscione, Paul
Sent: Sunday, December 16, 2012 10:10 PM
To: Young, Gail
Subject: Agenda for 12-19 meeting

Mud creek drainage basin flood prevention study is complete. I am requesting the board to approve the following projects to be completed using current Film money.

1. Channel improvements for Royal Brook Lane project proposal EST \$50,000
2. Outlet structure improvements at Sanger town EST \$150,000
3. Improve flow entry conditions at J-K Lumber EST 20,000

Thank you.

Paul Miscione, MBA
New Hartford Town Council 2nd Ward
315-868-2996

Young, Gail

From: Young, Gail
Sent: Monday, December 17, 2012 4:39 PM
To: Town-Board
Subject: Emailing: Salary Schedule 2013
Attachments: Salary Schedule 2013.pdf

Gentlemen:

Barb has provided the following schedule of salaries/hourly rates for 2013; this is an agenda item for December 19, 2012.

Gail

Your message is ready to be sent with the following file or link attachments:

Salary Schedule 2013

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

12-19-12 TBmtg

(RESOLUTION NO. ... OF 2013)

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 2013 Salaries for the employees and officials of the Town of New Hartford, payable in the manner designated:

<u>Title and Name</u>	<u>2013 Base</u>	<u>2013 Salary</u>	<u>Manner of Payment</u>
Councilman Donald C. Backman		\$ 6,165	bi-weekly
Councilman Paul Miscione		\$ 6,165	bi-weekly
Councilman David M. Reynolds		\$ 6,165	bi-weekly
Councilman Richard B. Woodland, Jr.		\$ 6,165	bi-weekly
Town Justice James VanSlyke		\$17,965	bi-weekly
Senior Justice James VanSlyke		\$ 2,500	bi-weekly
Town Justice William M. Virkler		\$17,965	bi-weekly
Clerk to Court Justice Ann Rose	\$19.54/hr		bi-weekly
Court Attendant Raymond Hamo	\$28.35/hr		bi-weekly
Court Attendant Daniel Buley	\$28.35/hr.		bi-weekly
Court Attendant Joel Campbell	\$28.35/hr.		bi-weekly
Court Attendant Steven Laymon	\$28.35/hr.		bi-weekly
Court Attendant Andrew Miller	\$28.35/hr.		bi-weekly
Clerk to Court Justice Donna Fanelli	\$15.79/hr		bi-weekly
Part-time Clerk Mary Kennedy	\$12.52/hr		bi-weekly
Supervisor Patrick M. Tyksinski		\$14,795	bi-weekly
Deputy Town Supervisor Matthew Bohn		\$ 1,000	bi-weekly
Account Clerk Carol Ryan	\$22.78/hr		bi-weekly
Finance Director Daniel Dreimiller		\$37,000	bi-weekly
Account Clerk Janice O'Sullivan	\$17.48/hr		bi-weekly
Assessor Paul E. Smith	\$29.54/hr		bi-weekly
Real Property TSA Teresa Brown	\$15.01/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 Edward Goggin		\$ 400	annually
BAR Member Jonathan Purdy		\$ 400	annually
Town Clerk/Collector Gail Wolanin Young		\$45,015	bi-weekly
Deputy Town Clerk I Melody K. Fancett	\$13.12/hr		bi-weekly
Deputy Town Clerk II Ruth Irwin	\$10.75/hr		bi-weekly
Clerk Part-time Andrea K. Toomey	\$14.81/hr		bi-weekly
Clerk Part-time Shelby Bohling	\$ 8.47/hr		bi-weekly
Personnel Technician II Barbara Schwenzfeier	\$26.02/hr		bi-weekly
Town Attorney Herbert J. Cully		\$53,000	bi-weekly
Cleaner Part-time Roger Jones	\$ 10.09/hr		bi-weekly
Cleaner, Part-time Sub Lewis Smith	\$10.71/hr		bi-weekly
*Police Chief Michael Inerra	\$47.43/hr		All Police bi-weekly
*Police Lieutenant Timothy O'Neill	\$40.71/hr)		
*Police Officer Andrew Allen	\$29.50/hr)		
*Police Officer Peter Allen	\$25.75/hr)		

*Police Officer Peter Colburn	\$32.03/hr	
*Police Officer W. Jason Freiberger	\$29.93/hr	
*Police Officer Justin Gehringer	\$29.30/hr	
*Police Officer Daniel G. Herman	\$29.69/hr	
*Police Officer James Hyatt II	\$29.30/hr	
*Police Officer Thomas Hulser	\$25.12/hr	
*Police Officer Jarod T. Petrie	\$29.30/hr	
*Police Officer Brad Pietryka	\$31.50/hr	
*Police Officer Patrick Sacco	\$28.68/hr	
*Police Officer Matthew J. Sica III	\$30.30/hr	
*Police Officer Jordan Spinella	\$30.12/hr	
*Police Officer Shane Yoxall	\$28.87/hr	
*Police Officer Part-time Scott Adsit	\$28.49/hr	
*Police Officer Part-time Daniel Buley	\$28.49/hr	
*Police Officer Part-time Raymond Hamo	\$28.49/hr	
*Police Officer Part-time Andrew Miller	\$28.49/hr	
*Police Officer Part-time Michael Reilly	\$28.49/hr	
*Police Officer Part-time Jason Livingston	\$28.49/hr	
*Police Officer Part-time Joseph Zwijacz	\$28.49/hr	
*Police Sergeant Ronald Fontaine, Jr.	\$35.63/hr	
*Police Sergeant Michael Kowalski	\$34.82/hr	
*Police Sergeant Robert Philo	\$34.77/hr.....	
School Crossing Guard Rosemari Bennett	\$9.49/hr	bi-weekly
School Crossing Guard Bernard Green	\$9.49/hr	bi-weekly
School Crossing Guard MaryAnn Jordan	\$9.49/hr	bi-weekly
School Crossing Guard Susan Jordan	\$9.49/hr	bi-weekly
School Crossing Guard Jacqueline Mosakowski	\$9.49/hr	bi-weekly
School Crossing Guard Part-time Tina Ryan	\$9.49/hr	bi-weekly
School Crossing Guard Part-time (Subs):		
Patricia Randall	\$9.49/hr	bi-weekly
Thomas V. Randall	\$9.49/hr	bi-weekly
Lewis Smith	\$9.49/hr	bi-weekly
James Wilcox	\$9.49/hr	bi-weekly
Mary C. Wilcox	\$9.49/hr	bi-weekly
**Senior Account Clerk Typist Michele Moran	\$17.27/hr **Under Negotiations	bi-weekly
**Senior Clerk Amy Topor	\$17.14/hr Union Contract	bi-weekly
**Senior Typist Susan M. Donnenwirth	\$13.67hr Expires 12/31/2009.....	bi-weekly
Animal Control Officer Nicholas J. Morosco	\$20.66/hr	bi-weekly
ACO Part-time Eric Cappelli	\$13.06/hr	bi-weekly
ACO Part-time James Zwijacz	\$13.06/hr	bi-weekly
Clerk Candy J. Currier	\$15.09/hrUnder Negotiations	bi-weekly
Highway Superintendent Richard Sherman	\$42,720	bi-weekly
Clerk Part-time Janet Bennett	\$7.98/hr	bi-weekly
Clerk Part-time Bernard Green	\$7.98/hr	bi-weekly
Clerk Part-time Thomas Muller	\$7.98/hr	bi-weekly
Meal Site Manager Sub Marjorie Anweiler	\$12.00/hr	bi-weekly
Clerk Sub Marjorie Anweiler	\$8.47/hr	bi-weekly
Food Service Helper Part-time John "Jack" Jecko	\$10.09/hr	bi-weekly
Food Service Helper Sub Carol Burney	\$9.25/hr	bi-weekly
Food Service Helper Sub Philip Talento	\$8.72/hr	bi-weekly
Meal Site Manager Part-time Theresa Hock	\$12.00/hr	bi-weekly
Senior Citizen Center Coordinator M. Eileen Spellman	\$19.77/hr	bi-weekly
Clerk Typist Maureen Owens	\$19.76/hr**Under Negotiations	bi-weekly
Youth Employment Director Maureen Owens	\$5957	bi-weekly

Director of Recreation Center John C. Cunningham	\$25.21/hr **Under Negotiations		bi-weekly
Director of Recreation Programs Michael Jeffery	\$29.49/hr		bi-weekly
Laborer Sheldon Gordon	\$11.66/hr**Under Negotiations		bi-weekly
Recreation Maintenance Worker James Miller	\$14.39/hr**Under Negotiations		bi-weekly
Recreation Maintenance Worker Michael K. Natale	\$15.96/hr**Under Negotiations		bi-weekly
Recreation Maintenance Worker John Randall	\$15.96/hr**Under Negotiations		bi-weekly
Working Supervisor Brian Jenny	\$20.61/hr**Under Negotiations		bi-weekly
Working Supervisor James R. Campbell	\$17.43/hr**Under Negotiations		bi-weekly
Registrar of Vital Statistics Gail Wolanin Young	\$11,774		bi-weekly
Deputy Registrar of Vital Statistics Robin L. Brindisi	\$19.20/hr		bi-weekly
Assistant Codes Enforcement Officer Thomas Rowlands	\$20.91/hr		bi-weekly
Codes Enforcement Officer Joseph A. Booth	\$43.22/hr		bi-weekly
Zoning Enforcement Officer Part-time Carmen Anthony Luppino	\$21.22/hr		bi-weekly
Codes Enforcement Officer Part-time Anthony Klimek		\$30,000	
Office Specialist I Part-time Dolores B. Shaw	\$10.99/hr		bi-weekly
Zoning Board of Appeals Chairman Randy Bogar		\$ 2,500	semi-annual
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 Taras Tesak		\$ 1,250	semi-annual
ZBA Member Timothy Tallman		\$ 1,250	semi-annual
ZBA Member Karen Stanislaus		\$ 1,250	semi-annual
ZBA Secretary Dolores B. Shaw		\$ 10.99/hr	bi-weekly
Planning Board Chairman Elias J. DeLia		\$ 2,500	semi-annual
Planning Board Member Jerome F. Donovan		\$ 1,250	semi-annual
Planning Board Member G. Brymer Humphreys		\$ 1,250	semi-annual
Planning Board Member Ellen Rayhill		\$ 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		\$ 10.99/hr	bi-weekly
Automotive Mechanic Gerald Webb	\$29.37/hr)	Currently	bi-weekly
Automotive Mechanic Thomas Smith	\$22.95/hr)		bi-weekly
Heavy Equipment Operators:			
Michael L. Coonradt	\$24.26/hr)		bi-weekly
Robert J. Dziedzic	\$24.50/hr)		bi-weekly
Corey Halpin	\$24.14/hr)	Under	bi-weekly
William Marshall	\$25.60/hr)		bi-weekly
Kevin W. Martin	\$24.55/hr)		bi-weekly
Christopher R. Moran	\$24.14/hr)		bi-weekly
Norman Naber	\$25.03/hr)		bi-weekly
Michael Roberts	\$24.50/hr)	Union	bi-weekly
Michael Smoulcey	\$24.14/hr)		bi-weekly
Laborer Christopher Budlong	\$15.03/hr)		bi-weekly

Laborer James Hinman	\$14.60/hr)		bi-weekly
Laborer Kevin Mathews	\$14.97/hr)		bi-weekly
Laborer Jeramy Waterman	\$14.32/hr)	Negotiations	bi-weekly
Motor Equipment Operator Jesse Conhaim	\$20.64/hr)		bi-weekly
Motor Equipment Operator			bi-weekly
Bryon Rich	\$20.64/hr)	Expired	bi-weekly
David J. DeBlois	\$21.73/hr)		bi-weekly
Joseph G. Fletcher	\$23.00/hr)		bi-weekly
Keith Gehringer	\$20.70/hr)	12/31/10	bi-weekly
Jeffery M. Mundrick	\$20.94/hr)		bi-weekly
Thomas S. Panzone, Jr.	\$20.88/hr)		bi-weekly
Brian Smith	\$20.76/hr)		bi-weekly
Timothy Solan	\$21.00/hr)		bi-weekly
Sewer Superintendent Richard Sherman		\$17,280	bi-weekly

Young, Gail

From: Tyksinski, Patrick M.
Sent: Monday, December 17, 2012 8:13 AM
To: Young, Gail; Town-Board
Subject: RE: Emailing: MVWA Representative.Vacancy.2013 Appointment

Gentlemen be ready to appoint someone at the Dec 19th meeting.

Thanks
Pat

-----Original Message-----

From: Young, Gail
Sent: Wednesday, December 12, 2012 6:22 PM
To: Town-Board
Subject: Emailing: MVWA Representative.Vacancy.2013 Appointment

Gentlemen:

Please read the attached letter from the Mohawk Valley Water Authority. You have the privilege of a 3-year appointment to be made.

Do you want this on the Agenda for December 19th?

Gail

Your message is ready to be sent with the following file or link attachments:

MVWA Representative.Vacancy.2013 Appointment

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Proposed Meeting Schedule
2013

Following a 2nd Wednesday and 4th Wednesday monthly meetings, except for summer months

January 9, January 23
February 13, February 27
March 13, March 27
April 10, April 24
May 8, May 22
June 12
July 10
August 14
September 11, September 25
*October 9, October 23
++November 13, ## November 27
December 11, ^^December 25

*Town Board needs to meet prior to October 5th for Tentative Budget compliance
++Town Board needs to meet/hold Public Hearing on Budget on or before Thurs., Nov 7th
##Town Board needs to meet and adopt budget on or before November 20th
^^Christmas is obviously a Holiday