

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE COMMUNITY CENTER BUILDING,
KELLOGG ROAD, IN SAID TOWN, ON WEDNESDAY,
JANUARY 2, 2002 AT 7:00 P.M.**

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

TOWN BOARD MEMBERS: Councilman Donald C. Backman
Councilman John C. Waszkiewicz III
Councilman David W. Butler
Councilman Richard B. Woodland, Jr.
Supervisor Ralph B. Humphreys

OTHER TOWN OFFICIALS: Assessor Paul E. Smith
Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Parks & Recreation Director Michael Jeffery
Police Chief Raymond Philo
Town Clerk Gail Wolanin Young and Deputy Town
Clerk II Sarah A. Long

Thereafter, a quorum was declared present for the transaction of business.

TOWN OFFICIALS' REPORTS

HIGHWAY SUPERINTENDENT:

Public Property Sale

Upon recommendation of the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Butler:

(RESOLUTION NO. 16 OF 2002)

WHEREAS, the Town of New Hartford had made arrangements with a broker to sell the 1988 Morbark (Body Type – Trailer), Model 16 Total Chiparvestor; and

WHEREAS, said equipment has been sold and after commission to the broker, the Town will receive Twenty-two Thousand Dollars (\$22,000) as the sale price;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby accept the offer to purchase and sale price of Twenty-two Thousand Dollars (\$22,000) for the aforesaid equipment.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 2

Upon roll call, the Town Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted

Jubilee Estates Drainage District

Scheduling a Public Hearing for the proposed Jubilee Estates Drainage District was deferred to the January 16, 2002 Town Board meeting at which time it is expected that former Town Attorney DeTraglia will have delivered the required Order for Public Hearing. According to statute, the Order recites the improvements proposed, cost, manner of funding, property owners benefited as well as the legal description of the proposed district (metes and bounds), which must be entered in the Town Board minutes and published in the newspaper.

Sedgewick Park (landscape improvement)

Councilman Waszkiewicz had received a constituent request for a stone border around the island on Sedgewick Park. After a brief discussion, no action was taken.

ASSESSOR

Assessment Grievances/Counsel

The Assessor apprised the Board that the New Hartford Shopping Center [William Morris] certiorari case is scheduled for trial on January 4, 2002 and he believes this case can be resolved without much time from special counsel; a settlement offer would be made on January 4th and special counsel would present same to the Town Board for a decision. Also pending is a pre-trial certiorari case on the Applewood Community mobile home project.

The following Resolution was introduced by Councilman Waszkiewicz and duly seconded by Councilman Butler:

(RESOLUTION NO. 17 OF 2002)

RESOLVED that the New Hartford Town Board does hereby retain the professional legal services of Gustave J. DeTraglia, Jr. to represent the Town in the certiorari proceeding brought against the Town of New Hartford by the New Hartford Shopping Center [William Morris]; Mr. DeTraglia's hourly rate of One Hundred Dollars (\$100.00) is approved for this certiorari case only.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 3

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted

DIRECTOR OF SENIOR SERVICES

Director M. Eileen Spellman informed the Board that she had received certification for CPR and heart defibrillator.

POLICE CHIEF

DWI Stop Program

Police Chief Raymond Philo suggested the Town Board defer action on the Oneida County DWI STOP Program contract until the January 16, 2002 meeting unless Attorney Rossi has an answer when he appears later during this meeting.

24-Hour Dispatch Committee

Discussion followed relative to current citizen representation, emergency services representation, as well as representatives from the Town Police Commission and New Hartford Village Board. The Committee meets quarterly. The Town Supervisor requested that the Committee list submitted by the Police Chief be entered into the minutes:

24-Hour Dispatch Committee

<u>Member</u>	<u>Term Expires</u>
1. Jeffrey Madden, Chairman (Central Dispatch)	Dec 31, 2002
2. Raymond Philo, New Hartford Police Chief	Dec 31, 2002
3. Stephen Verminski, New York Mills Police Chief	Dec 31, 2002
4. David Reynolds, New Hartford Fire Chief	Dec 31, 2002
5. Robert Glenn, New York Mills Fire Chief	Dec 31, 2002
6. William Hughes, Willowvale Fire Chief	Dec 31, 2002
7. Gary Edwards of Edwards' Ambulance	Dec 31, 2002
8. Daniel Verminski of Central Oneida County Ambulance	Dec 31, 2002
9. George Nassar of Central Oneida County Ambulance	Dec 31, 2002
10. Rodger Reynolds, New Hartford Village Mayor	Dec 31, 2002
11. John Bialek, New York Mills Village Trustee	Dec 31, 2002
12. John Shaw, Town Police Commission member	Dec 31, 2002
13. David Butler, Third Ward Councilman/Town Board	Dec 31, 2002

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 4

24-Hour Dispatch Committee (Cont'd)

<u>Member</u>	<u>Term Expires</u>
14. Richard B. Woodland, Jr., Fourth Ward Councilman	Dec 31, 2002
15. Roger Cleveland, New Hartford Town Highway Supt.	Dec 31, 2002
16. Barbara J. Aiello, Town Personnel Assistant	Dec 31, 2002
17. Terrance P. Martin, Citizen at large	Dec 31, 2002
18. Amy Topor, Secretary/Police-Dispatch	Dec 31, 2002.

PARKS AND RECREATION DIRECTOR

Parks and Recreation Director Michael Jeffery was present but had no report at this time.

PUBLIC PRESENTATIONS:

FOIL REQUEST/TOWN COMPTROLLER RESIDENCY

Shirley Riggles, 18 Golf Avenue, New Hartford stated she has written a letter about the Town Comptroller residency and will deliver it to the Town Clerk tomorrow; this is related to her October 2001 FOIL request.

Also, Ms. Riggles stated she had some problems that have not been resolved.

STANDING COMMITTEE MATTERS

TOWN CLERK STANDING COMMITTEE:

Salary/Deputy Town Clerk II

The following Resolution was introduced for adoption by Councilman Backman and seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 18 OF 2002)

WHEREAS, the term of office of Ann Z. Bowes as Deputy Town Clerk II expired on December 31, 2001; and

WHEREAS, in accordance with Town Law, the Town Clerk has appointed Sarah A. Long to fill the vacancy of Deputy Town Clerk II effective Tuesday, January 1, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby establish Ms. Long's salary as Deputy Town Clerk II at Eighteen Thousand Five Hundred Dollars (\$18,500), payable bi-weekly, effective January 1, 2002; and be it

FURTHER RESOLVED that the said Town Board does hereby authorize the transfer of One Thousand Thirty-one Dollars (\$1,031) from General Fund Account A1430.1

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 5

(Personnel Assistant) to General Fund Account A1410.13 (Deputy Town Clerk II) to cover the salary appropriation.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted

SPECIAL COMMITTEE REPORTS

TOWN PHYSICAL BUILDING FACILITY REVIEW COMMITTEE:

On behalf of the Town Physical Building Facility Review Committee, Councilman Waszkiewicz asked that the Town Board consider:

- enlarging the Committee to include volunteers
- seek Requests For Proposal (RFP's) from existing landowners whose parcels are about 10 acres and have the request open for 30 days so the Committee can review every parcel that might fill the requirements the Town might need.

UPPER MOHAWK VALLEY REGIONAL WATER BOARD (UMVRWB)

Councilman Waszkiewicz reported that the UMVRWB has a procedure for reading meters, including the responsibility of the property owner.

POLICE COMMISSION APPOINTMENT

The following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Butler:

(RESOLUTION NO. 19 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Edward LeFever as Member of the Town Police Commission to fill the vacancy created by the retirement of S. Ross Sloan; said appointment is retroactive to January 1, 2002 and terminates December 31, 2002. It is noted that Mr. LeFever, who has previously conducted business with the Town, must cease any business operations with the Town during his term of office

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 6

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted

MATTERS SUBMITTED BY COUNCILMEN:

STOP Sign Request

Councilman Woodland had received requests for STOP signs at the following locations:

- Balsam Crescent-Elmhurst Drive intersection
- Medford Place-Merritt Place intersection.

The Balsam-Elmhurst request, also presented in 2000, was referred to the Police Chief and Highway Superintendent for their recommendations.

Police Chief Philo stated the Highway Superintendent and he had reviewed the Medford Place-Merritt Place situation and would not recommend a STOP sign for a variety of reasons; although some site problem exists, conditions at the intersection don't meet standards for installation of stop signs according to the New York State Department of Transportation.

Residents would have the option of submitting a petition for a STOP sign, after which a local law would be introduced and a public hearing conducted.

Board of Assessment Review (BAR) Term Expiration

Warren Hall's term of office as Member of the Board of Assessment Review expired September 30, 2001. The matter of reappointment or filling the vacancy was deferred until the January 16, 2002 Town Board meeting by which time the Supervisor will have contacted Mr. Hall to determine his interest in continuing as a BAR member.

Councilman Waszkiewicz noted that Frank Furno had expressed interest in 2001 in serving on this Board and he will contact Mr. Furno to determine his continued interest.

MATTERS SUBMITTED BY TOWN SUPERVISOR

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 7

ABOLISH COMPTROLLER POSITION:

Town Supervisor Humphreys recommended elimination of the Town Comptroller position and entering into a contractual arrangement with Patrick Tyksinski as a financial advisor to work at the Town office with the Supervisor for a certain number of hours. The Town Supervisor will be assuming the Clerk of the Works tasks and performing much of the work previously done by Mr. Tyksinski as Comptroller. Supervisor Humphreys apprised the Board that if the Comptroller position is abolished, that the Town Supervisor and Town Board will then be responsible for auditing vouchers. Councilmen may review vouchers in the Town Clerk's Office on the Friday preceding a Town Board meeting and that the Town Clerk has volunteered to be available some Saturday mornings.

Councilman Waszkiewicz had talked with Mr. Tyksinski who said he was comfortable with this adjustment or arrangement. Councilman Waszkiewicz was willing to introduce a Resolution to abolish the Comptroller position effective January 1, 2002 with the understanding that Mr. Tyksinski feels the Town can reach a level of prudent financial advice.

During discussion, various Board members offered the following suggestions, comments and concerns:

- no set term on the contract
- Mr. Tyksinski to serve at pleasure of the Town Board
- Term of agreement to be \$2,000 per month for one year – 10 hours per week
- if the contract subsequently is determined not to be in the best interest of the Town, or more time is needed from Mr. Tyksinski, or less time is needed, the contract adjustment would need Town Board approval
- concern of lack of financial expertise at Board meetings
- according to Prof. Richmond's 2001 salary study, all towns in the study with populations exceeding New Hartford's have a Comptroller
- similarly, the Board hired an attorney for the Town – serves at pleasure of the Town Board
- the Board has agreed to review the attorney's work in six (6) months and determine whether to continue contractually or appoint him as Town Attorney
- "learning curve" for new Town Supervisor
- individual could be dismissed from a contract for unsatisfactory performance
- question on whether the Town could force Mr. Tyksinski to continue in a contract if he wanted "out"

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 8

- counsel advises the contractual arrangement is not binding on either party
- enter into contractual arrangement with stipulation that Mr. Tyksinski is to work with the Town Supervisor and only dismiss him upon recommendation of the Town Supervisor
- enter into financial advisor contract for \$2,000 per month, at the pleasure of the Town Board and not dismiss Mr. Tyksinski without recommendation of the Supervisor
- “banking” any unused hours during quieter months and save for busier times such as budget time
- the action needed if, after approving abstracts of vouchers and in a couple months the Town Board finds it doesn’t work
- question whether Town could abolish the position of Comptroller – two different opinions from the Department of State
- Mr. Willis’ original opinion was incorrect
- Town Board is free to abolish position and arrange contract for financial advice

Supervisor Humphreys asked if Mr. Tyksinski was comfortable with the contractual arrangement and asked for his comments. Mr. Tyksinski stated that no CPA usually contracts for a certain term or certain project. He stated he has a commitment now – 10 hours a week – which would prevent him from spending 10 hours with his business or another municipality. It was Mr. Tyksinski’s understanding that the Supervisor and he had been discussing a one-year contract. He commended the Town Supervisor for his willingness to take on more duties than previous Supervisors, but he believed some things can only be handled by an individual with financial expertise.

Councilman Waszkiewicz then introduced the following Resolution for adoption, seconded by Councilman Butler:

(PROPOSED RESOLUTION [defeated])

RESOLVED that the New Hartford Town Board does hereby abolish the position of Town Comptroller effective January 1, 2002 with the understanding that the Town will enter into a contract with Patrick Tyksinski for financial advice for a twelve (12) month period and that any adjustment to the contractual agreement with Mr. Tyksinski must receive a consensus of Town Board members.

Thereafter, the Resolution was voted upon by roll call:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Nay

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 9

Councilman Butler	-	Aye
Councilman Backman	-	Nay
Supervisor Humphreys	-	Nay.

The Resolution was declared **DEFEATED** and **NOT ADOPTED**.

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

(RESOLUTION NO. 20 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby **abolish** the position of Town Comptroller effective January 1, 2002.

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Nay
Councilman Woodland	-	Aye
Councilman Butler	-	Nay
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

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

CONTRACT – FINANCIAL CONSULTING SERVICES

After discussion, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 21 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby contract with the *CPA firm of Patrick M. Tyksinski*, 66 Genesee Street, New Hartford, New York for *financial consulting services* for an anticipated period of one year, with the assignment of time to be controlled by the Town Supervisor. Under said contract, the average time Patrick Tyksinski shall dedicate per week shall be ten (10) hours at the fee of Two Thousand Dollars (\$2000) each month. If it is determined that the Town needs a higher quantity of input from the Tyksinski firm, the Town Board will discuss the matter after receiving the recommendation of the Town Supervisor. Further, the CPA firm of Patrick M. Tyksinski shall serve at the pleasure of the Town Board who will only considering dismissing said firm by a supermajority vote unless it is determined that such dismissal by supermajority vote is illegal; in that event, the remainder of this Resolution shall remain in full force and effect.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 10

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

INSURANCE RENEWAL:

Patrick Tyksinski stated that after the Town Board had met in November 2001 with Jack Hunter (insurance consultant) and several insurance agents, Mr. Hunter went back to the Town's current insurance agent with the Board's consensus that as long as the insurance company stays within the projected increase for premiums, the Board would renew the policies. Otherwise, the Town would seek pro-rated cancellation of the policy – allow the town to bid the insurance policies that expire February 1, 2002.

SERIAL BOND ISSUE:

Patrick Tyksinski briefed the Town Board on upcoming bond issues; John Shehadi of Fiscal Advisers may make presentation at the January 16, 2002 Town Board meeting and be available for questions from Board members.

STOP DWI PROGRAM AGREEMENT:

After reviewing the Oneida County STOP DWI Program Agreement, Attorney for the Town Vincent Rossi, Jr. stated the Agreement as presented is fine, but it does have some typos and imperfections that he outlined. He recommended that the Agreement be signed and commented that he just wanted the Board to know what he'll pick out, ignore or offer recommended changes.

Thereafter, the following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Woodland:

(RESOLUTION NO. 22 OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute the ***STOP DWI Program Agreement*** between Oneida County and the Town of New Hartford for fiscal year 2001.

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
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REGULAR TOWN BOARD MEETING
January 2, 2002
Page 11

Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted

SAFETY COMMITTEE – MEMBERSHIP/TERM AMENDMENT:

Town Supervisor Humphreys recommended changing representation on the Safety Committee; specifically, replacing a Comptroller representative with a Personnel Office representative. Councilman Waszkiewicz recommended that someone be charged with the responsibility and accountability for the financial aspect because the Comptroller position has been abolished and he is seeking reassurance that this aspect will be involved. After a brief discussion, Councilman Backman offered the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 23 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby amend, effective immediately, the membership of the *Safety Committee* which had been established on August 2, 2001, to replace the Comptroller representative with a representative from the Personnel Office, whose duties shall include recording and transcribing the meeting minutes and interfacing with the Town Supervisor; and be it

FURTHER RESOLVED that the terms of office for the Safety Committee are hereby amended effective immediately as follows:

- Town employee representation shall be designated annually
- Town resident position #1 shall be for a 1.5 year term to expire December 31, 2002 and thereafter be a two-year term
- Town resident position #2 shall be for a 2.5 year term to expire December 31, 2003 and thereafter be a two-year term.

The Town Board designated Robert Payne for resident position #1 and Ben Benson for resident position #2. Thereafter, the Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 12

The Resolution was declared unanimously carried and duly adopted

CABLE TELEVISION – ADELPHIA:

The Town Supervisor reported that the NYS Department of Public Service (DPS) will be sending crews on-site to determine whether **ADELPHIA** is hanging the cable lines properly. Supervisor Humphreys invited any Board member to join the inspection. It was suggested that one of the Town’s Codes Enforcement Officers also be present and Councilman Waszkiewicz will coordinate this with the Codes Enforcement Office and the DPS.

CODE OF ETHICS:

Attorney for the Town, Vincent Rossi, Jr. distributed excerpts of statute regarding conflicts of interest/code of ethics. As a follow up to discussion at the January 1, 2002 reorganizational meeting, Councilman Backman offered the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 24 OF 2002)

RESOLVED that the New Hartford Town Board does hereby instruct Attorney for the Town, Vincent J. Rossi, Jr., to prepare a local law to amend Chapter 10, Code of Ethics, of the Town Code by abolishing the Board of Ethics and setting in place a procedure to refer any and all conflict of interest issues to the Oneida County Ethics Committee.

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted. The Town Clerk will forward a copy of Chapter 10 to Attorney Rossi.

REORGANIZATIONAL RESOLUTIONS

OFFICIAL DEPOSITORIES/PLEDGE OF SECURITY:

Councilman Waszkiewicz offered the following Resolution for adoption and Councilman Woodland seconded same:

(RESOLUTION NO. 25 OF 2002)

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 2002 the following institutions:

- Fleet Bank
- Chase Bank
- Bank of New York
- NBT Bank
- Adirondack Bank
- HSBC
- Savings Bank of Utica, if eligible

and that the Town Supervisor or Bookkeeper of the Town of New Hartford 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 2002 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.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

INVESTMENT OF FUNDS

The following Resolution was then introduced for adoption by Councilman Waszkiewicz and seconded by Councilman Woodland:

(RESOLUTION NO. 26 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor or Bookkeeper 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

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 14

Depositories listed in the official Investment Policy of the Town, which policy is presented herein as a separate Resolution.

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted

PAYMENT OF BILLS WITHOUT PRIOR AUDIT

The following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 27 OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor or Bookkeeper to pay bills/expenses to Niagara Mohawk Power Corporation, the Upper Mohawk Valley Regional Water Board, VERIZON and long distance telephone carriers, to the Town's designated vendors for all insurance premiums, 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.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

FIRE CONTRACTS

Discussion ensued among the Board members and Vincent Rossi, Jr., Attorney for the Town. After having reviewed the Fire Contracts for Districts 1 through 5, inclusive, Attorney Rossi raised the question of which entity provides the commercial general liability insurance coverage; Mr. Rossi will contact financial consultant, Patrick

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 15

Tyksinski on this matter. The Town Board deferred action on the Fire Contracts until the Attorney renders a report at the January 16, 2002 Town Board meeting.

TRAINING SCHOOL

Upon recommendation of the Town Clerk, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Butler:

(RESOLUTION NO. 28 OF 2002)

WHEREAS, the New York State Comptroller’s Office, Division of Municipal Affairs, has scheduled the 2002 New Town Officials Training School; and

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 authorize and direct Town Supervisor Ralph B. Humphreys, Highway Superintendent Roger Cleveland and Deputy Town Clerk II Sarah A. Long to attend the 2002 New Town Officials Training School with expenses to be paid by the Town as budgeted, upon presentation of proper documentation. Said authorized officials/employees may attend either the Training School being held in Albany, New York from January 7 through January 9, 2002 or the Training School being conducted in Rochester, New York from January 14 through January 16, 2002.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

SOLICITATION – ACQUISITION OF REAL ESTATE

The Town Board discussed the manner in which they could obtain proposals from residents who are desirous of selling their land to the Town in the event the Town Board proceeds with consolidation of Town offices. Property containing a minimum of ten (10) acres is desirable and, for notification purposes to the public, the Board discussed publishing a legal notice or contacting a real estate broker.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 16

Thereafter, Councilman Backman introduced the following Resolution for adoption and Councilman Waszkiewicz seconded same:

(RESOLUTION NO. 29 OF 2002)

RESOLVED that, in connection with the proposed consolidation of Town offices, the New Hartford Town Board does hereby solicit written proposals from Town of New Hartford property owners, whose parcels contain a minimum of ten (10) acres, indicating they would entertain the sale of their acreage and setting forth the conditions under which they would do so.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

EXECUTIVE SESSION

Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Backman seconded same:

(RESOLUTION NO. 30 OF 2002)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the acquisition of real estate.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, were excused from the meeting at 10:05 P.M.

REGULAR TOWN BOARD MEETING

January 2, 2002

Page 17

[NOTE: The following information was provided by Councilman Woodland on Friday, January 4, 2002.]

Councilman Waszkiewicz then offered the following Resolution for adoption and Councilman Woodland seconded same:

(RESOLUTION NO. 31 OF 2002)

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 Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:45 P.M. and the regular portion of the Town Board meeting was immediately reconvened.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting adjourned at 10:45 P.M.

Respectfully submitted,

*Gail Wolanin Young, CMC/RMC
Town Clerk*