

**SPECIAL MEETING OF THE TOWN BOARD OF THE
TOWN OF NEW HARTFORD, NEW YORK, HELD AT
THE KELLOGG ROAD COMMUNITY CENTER BUILD-
ING, WASHINGTON MILLS, IN SAID TOWN, ON
THURSDAY, JANUARY 31, 2002 AT 12:50 P.M.**

The Town Supervisor called the meeting to order at 12:50 P.M. with the following Town Officials being present during the progress of the meeting:

TOWN BOARD MEMBERS: Councilman Donald C. Backman
Councilman John C. Waszkiewicz III
Supervisor Ralph B. Humphreys

ABSENT: Councilman David W. Butler
Councilman Richard B. Woodland, Jr.

Thereafter, a quorum was declared present for the transaction of business. Deputy Clerk I, Margaret M. Jones was present to record the minutes.

INSURANCE POLICY RENEWAL

A quorum was declared present for the transaction of business. After the Pledge to the Flag, Supervisor Humphreys called the Special Meeting to order. Jack Hunter of J. Hunter Associates, consultant and Robin Lowitz of Bailey, Haskell and LaLonde, were present for this meeting regarding the Insurance for the Town of New Hartford. The Town Supervisor presented an overview of what had transpired at the Special Meeting held on January 29, 2002 regarding the town's insurance.

The Town Supervisor stated that he had the Town Clerk checking into what has been done about the water tank in the Washington Mills Water District. The tank should have been turned over to the Upper Mohawk Valley Regional Water Board when the water district became centralized.

Jack Hunter stated that Argonaut will waive the co-insurance clause if the Town would agreed to insure the Madden Police Department Building and the Sanger Highway Garage Building for their total value. The Board consensus was that they did not see a problem with this part of the agreement.

Backhoes, pay loader and other such equipment are covered under mobile equipment. Robin Lowitz stated that everything has to be registered. She stated that the Department of Motor Vehicles is clamping down on registrations. These vehicles are added to the auto policy but are rated at a different premium.

Argonaut did not include on the original quote the seven (7) vehicles from the Parks Department.

The Board Members asked for clarification on multiple claims on an incident. Is each claim considered a wrongful act or the total number of claims on one incident considered one (1) wrongful act. Robin Lowitz and Jack Hunter explained this part of the insurance coverage to the Board.

**Special Board Meeting
January 31, 2002
Page 2**

The Insurance Carrier is asking that one central location be used to keep all information such as certificates of title, certificates of insurance, etc. Supervisor Humphreys stated that this information could be kept in the Town Clerk's Office.

Robin Lowitz stated that the insurance carrier is recommending some specific wording be placed in contracts for construction projects. Ms. Lowitz will send a specimen of this wording to the Town Supervisor. Councilman Waszkiewicz stated that the Town should develop a standard addendum to any contract that the Town signs stating this specific wording. The Town Supervisor stated that he would work on this wording with the Safety Committee and the Attorney for the Town.

Argonaut wants to exclude water insurance from the policy. Mr. Hunter stated that if the Town could avoid excluding it, Mr. Hunter would like to do that. Robin Lowitz will get further clarification on this. Regarding the water issue, Councilman Backman explained what was involved with the forming of a new Water District and that once the district has been formed and the work completed and everything is functioning, then the water district is turned over to the Upper Mohawk Valley Regional Water Board.

Robin Lowitz explained that claims would be handled in the same manner as they are at the present time. If an attorney is required for a claim, then the insured can recommend an attorney that they would like to handle the case.

Ms Lowitz gave an overview of the differences between what Kempest was offering the Town and what Argonaut's policy would contain.

Councilman Waszkiewicz presented the following Resolution to be Adopted; seconded by Councilman Backman:

(RESOLUTION NO. 62 OF 2002)

RESOLVED that, based upon the recommendation of the Town's Insurance Consultant, J. Hunter Associates, the New Hartford Town Board does hereby accept the proposal submitted by Bailey, Haskell & LaLonde (agent for Argonaut Insurance) for the Town's various insurance policies renewable effective February 1, 2002.

The foregoing Resolution was voted upon by roll call and resulted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

ASSESSMENT GRIEVANCE (CARPARELLI CERTIORARI)

Supervisor Ralph Humphreys reported that Vincent Rossi, Jr., Attorney for the Town of New Hartford, stated that the proposed Judgment for the Carparelli Certiorari had come down this afternoon (January 31, 2002). Paul Smith does not have a problem with the proposed Judgment.** [amended March 20, 2002]

Upon the recommendation of Town Supervisor Ralph Humphreys, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Backman:

(RESOLUTION NO. 63 OF 2002)**

RESOLVED that the New Hartford Town Board does hereby agree to accept the proposed Judgment for the Carparelli Certiorari in the amount of Nine Hundred Sixty Thousand (\$960,000) Dollars.

Upon roll call, the Board members voted as follows:

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

The Resolution was declared unanimously carried and duly accepted.

INSURANCE CONSULTANT

Councilman Waszkiewicz presented the following Resolution for adoption; seconded Councilman Backman:

(RESOLUTION NO. 64 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby agree to continue to retain the services of Jack Hunter from J. Hunter Associates as the insurance consultant for the Town of New Hartford.

The Town Board members then voted upon roll call:

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

The Resolution was declared unanimously carried and duly adopted.

INSURANCE CONTRACT EXTENSION

A discussion was held about extending our next insurance Contract for sixteen (16) months so that thereafter the insurance renewal will be June 30th of each year and not fall on February 1st of each year. Our insurance consultant, Jack Hunter, was going to check into the possibility of this happening. Robin Lowitz was also going to check with their carriers to see if this can feasibly be done. Councilman Waszkiewicz presented the following Resolution for Adoption; seconded by Councilman Backman:

(RESOLUTION NO. 65 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does grant our insurance consultant, Jack Hunter, of J. Hunter Associates, permission to check into the possibility of extending our next insurance contract sixteen (16) months so that the expiration of any future insurance contracts would fall on June 30th of each year rather than on February 1st of each year.

Upon roll call, the Board voted as follows:

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

The Resolution was unanimously carried and duly adopted.

There being no further business to be brought before the Town Board, upon motion of Councilman Backman and seconded by Councilman Waszkiewicz, the meeting adjourned at 2:15 P.M.

Respectfully submitted,

Margaret M. Jones
Deputy Town Clerk I

**Page 3

ASSESSMENT GRIEVANCE (CARPARELLI CERTIORARI)

Paragraph and Resolution No. 63 amended; refer to the March 20, 2002 Town Board minutes.