

**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,  
MARCH 20, 2002 AT 7:08 P.M.**

The Town Supervisor called the meeting to order at 7:08 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:** 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:** Highway Superintendent Roger A. Cleveland  
Personnel Director Barbara Aiello  
Police Chief Raymond Philo  
Town Clerk Gail Wolanin Young, CMC/RMC and  
Deputy Town Clerk II Sarah A. Long

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

**MINUTES APPROVAL**

After having reviewed minutes that had been mailed to all Board members, Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 129 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **February 20, 2002** and does further waive the reading of the same.

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.

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

**(RESOLUTION NO. 130 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **March 6, 2002** and as per the request of Councilman Waszkiewicz regarding Resolution No. 107 adopted March 6, 2002, that he be credited with suggesting the following stipulation:

- “the trash enforcement officer will proceed 24 to 48 hours before the Highway crews to determine what the Town won’t pick up” as well as the trash enforcement officer notifying the Codes Enforcement Office of violators within 24 hours of every pick-up and of violators who put out trash a week ahead of time

and that the Town Supervisor be credited with the following stipulation in Resolution No. 107

- that the “Trash Cop” salary not be paid from dumpster savings

and that in discussion on the proposed dedication of Sherman Oaks Drive that Councilman Waszkiewicz asked the Highway Superintendent to reconfirm if residents owned the land in the condominium complex and if they paid a maintenance fee, the amount of said fee; and be it

**FURTHER RESOLVED** that the Town Board does further waive the reading of the same.

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.

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

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**(RESOLUTION NO. 131 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby clarify the minutes of the Special Town Board meeting held **January 31, 2002**, originally approved on March 6, 2002, relative to the Carparelli Bros. Certiorari (Assessment Grievance) brought against the Town, so that the sentence regarding Paul Smith shall read as follows:

- Paul Smith does not have a problem with Attorney Rossi preparing the summary for the Carparelli Bros. Certiorari.

and that Resolution No. 63, adopted January 31, 2002, be clarified to read as follows:

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct Attorney for the Town, Vincent J. Rossi, Jr., to write the Summary relative to the \$906,000 Judgment handed down by Supreme Court on January 31, 2002.

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.

**PUBLIC PRESENTATIONS:**

**BLINKING LIGHT – CHAPMAN ROAD**

Jean Cobb of 9491 Chapman Road, New Hartford, inquired about the time frame for installation of the blinking light on Chapman Road. The Highway Superintendent responded the light would be installed within the next two (2) months.

**REPORTS OF TOWN OFFICIALS**

**HIGHWAY SUPERINTENDENT:**

**Competitive Bid Results – Dump Truck**

On March 15, 2002 bids for a dump truck with plow and sander, including alternate equipment, were opened as follows:

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- Don's Ford, Inc. - \$88,175.00 (apparent low bidder)  
For a 2003 Sterling Acterra M-7500
- Capglo Truck Sales - \$88,944.16 (2<sup>nd</sup> lowest bidder)  
For a 2003 Freightliner Model FL-70
- Bolan GMC - \$91,255.00  
For a 2003 GMC C-7500
- Stadium International Trucks - \$92,703.00  
For a 2002 Diamond SPEC 7300 SFA

After canvassing the bids, it was determined by the Highway Superintendent and others that the apparent low bid from Don's Ford had failed to meet the intent of the bid specifications in one important respect, that being with the hood opening. Don's Ford's bid was for a truck with only one (1) side having a butterfly opening on the hood that allows for only a partial inspection of the engine. In addition, as this truck will be used as a plow, to access the remainder of the engine the plow must be dropped to allow the hood to tilt to expose the engine in its entirety; therefore, during the winter plowing season, should there be a problem with any part of the engine that's inaccessible with the one butterfly opening, a very laborious and time-consuming process will need to be effected which may further delay activities of the plow and driver, that being to maintain the road free of snow and ice. The Town specifications had been written toward the quality of Freightliner, but also specified "or equal". The Highway Department desires to standardize; at the same time, the specifications were written to be non-exclusive and non-proprietary which made the bid process open to everyone. There is a difference in price of \$769 between the apparent low bid and the 2<sup>nd</sup> lowest bid and the Highway Superintendent, stressing the importance of the full butterfly feature, recommended the Town accept the 2<sup>nd</sup> lowest bid of \$88,944.16. The advantage of purchasing a Freightliner, also, is the availability of parts since the Town owns five (5) Freightliners.

Upon recommendation of the Highway Superintendent who had determined the low bidder did not conform to Town specifications, the following Resolution was offered for adoption by Councilman Backman and duly seconded by Councilman Butler:

**(RESOLUTION NO. 132 OF 2002)**

**WHEREAS**, the Town Superintendent of Highways did, on the 20th day of March, 2002, duly recommend the purchase of certain equipment pursuant to the provisions of Section 142 of the Highway Law;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize the Town Superintendent of Highways to purchase, in accordance with

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the provisions of Article 5-A of the General Municipal Law, and with the approval of the County Superintendent of Highways, one (1) 2003 Freightliner Model FL-70 dump truck with plow and sander, as per Town specifications, from Capglo Truck Sales, 703 Oriskany Boulevard, Yorkville, New York 13495, the second lowest bidder, for a maximum aggregate price of Eighty-eight Thousand Nine Hundred Forty-four Dollars and Sixteen Cents (\$88,944.16), delivered at the Sanger Public Works Garage, 111 New Hartford Street, New Hartford, New York, by July 19, 2002. The second lowest bid was accepted because the it fully complied with the intent of the Town specifications, namely, two (2) sides of the truck having a butterfly opening which allows for full inspection of the engine; this feature would eliminate laborious and time-consuming efforts of Highway personnel in inspection time and allow for timely snow and ice removal on roads. A contract for the item(s) purchased shall be duly executed in triplicate between the Town Superintendent of Highways and such vendor and when approved by the County Superintendent of Highways, it shall become effective. When the contract has been executed and approved, and upon delivery of the item(s) purchased, the Town Supervisor shall pay the amount of Eighty-eight Thousand Nine Hundred Forty-four Dollars and Sixteen Cents (\$88,944.16) from the proceeds of obligations issued pursuant to the Local Finance Law.

Upon roll call, the Town Board voted 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.

**Competitive Bid – Stainless Steel Sander Boxes**

Upon recommendation of the Highway Superintendent, Councilman Backman offered the following Resolution for adoption and Councilman Waszkiewicz seconded same:

**(RESOLUTION NO. 133 OF 2002)**

**WHEREAS**, the Town of New Hartford had advertised for bids to be received for three (3) Stainless Steel sander boxes; and

**WHEREAS**, only one (1) prospective bidder had acquired the Town specifications for said equipment, with no bids having been submitted to the Town Clerk’s Office by the deadline of 10:45 A.M. on Friday, March 15, 2002;

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**NOW, THEREFORE BE IT RESOLVED** that the New Hartford Town Board does hereby authorize the re-advertisement for the receipt of bids for three (3) Stainless Steel sander boxes, as per Town specifications, with all sealed bids to be received not later than 10:45 A.M. on Friday, April 12, 2002 in the Town Clerk's Office where all bids received shall be opened and publicly read aloud at 11:00 A.M. on said date; and be it

**FURTHER RESOLVED** that said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite notice to bidders in The Observer Dispatch.

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.

**Bid Bonds/Leaf Machines**

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

**(RESOLUTION NO. 134 of 2002)**

**WHEREAS**, the Town Board received bids on March 1, 2002 for three (3) leaf vacuum machines; and

**WHEREAS**, on March 6, 2002 the Town Board accepted the low bid submitted by Roberts Equipment and awarded the purchase contract to said vendor;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Clerk to return the Bid Bonds submitted by the unsuccessful bidders:

- The Old Dominion Brush Co., Inc.
- CYNCON Equipment, Inc.

The Resolution was voted upon by roll call, resulting as follows:

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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.

**Bid Bonds/Dump Truck with plow and sander**

Upon further recommendation of the Highway Superintendent, Councilman Backman introduced the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 135 OF 2002)**

**WHEREAS**, the Town Board received bids on March 15, 2002 for one (1) small dump truck with plow and sander; and

**WHEREAS**, on March 6, 2002 the Town Board accepted the second lowest bid submitted by Capglo Truck Sales, Inc. and awarded the purchase contract to said vendor;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Clerk to return the Bid Bonds submitted by the unsuccessful bidders:

- Don's Ford, Inc.
- Bolan GMC
- Stadium International Trucks.

A roll call was duly held, resulting 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.

**Wage Adjustment / Part-time Clerk (Codes)**

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

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**(RESOLUTION NO. 136 OF 2002)**

**WHEREAS**, the Town Board had authorized the posting of the vacant Part-time Clerical position in the Codes Enforcement Office, Sanger Public Works Garage; and

**WHEREAS**, the vacancy had been posted at a beginning wage of Eight Dollars and Twenty-five Cents (\$8.25) per hour and interviews had been conducted; and

**WHEREAS**, upon presentation of the Highway Superintendent on March 6, 2002, the Town Board had appointed Monica Bard to fill the vacancy at Eight Dollars and Fifty Cents (\$8.50) per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby establish the hourly wage of Monica Bard, Part-time Clerk in the Codes Department, at the posted rate of Eight Dollars and Twenty-five Cents (\$8.25), payable bi-weekly, effective Monday, March 11, 2002, superseding the Resolution adopted March 6, 2002.

The Supervisor polled the Town Board members who 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.

**Contract – Complete Subdivision regulations**

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

**(RESOLUTION NO. 137 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby agree to enter into a contract with *peter j. smith and associates* whose scope of work shall be to review the draft subdivision regulations prepared by the LA Group and to complete the process of providing the Town with subdivision regulations in a form that the Town Board can consider for adoption; the cost of this work shall not exceed Six Thousand Dollars (\$6,000). The cost of this project shall be paid from Fifty-seven Hundred Dollars

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(\$5700) in unexpended funds from the Agreement between the Town of New Hartford and the LA Group, and supplemented by a Three Hundred Dollar (\$300) payment from Engineering Contractual (Account No. A1440.4) and be it further understood that if the study the Town is undertaking has any impact on the subdivision regulations, that the regulations be amended by *peter j. smith and associates* at no additional cost; and be it

FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Supervisor to execute the contract between the Town of New Hartford and said *peter j. smith and associates.*

A roll call was duly held, resulting 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.

**Release of Retainer**

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

**(RESOLUTION NO. 138 OF 2002)**

**WHEREAS**, Brian Gaetano had deposited the sum of Eighty-three Hundred Dollars (\$8300) with the Town as a retainer to ensure completion of site work at the Smith Barney project in the Business Park; and

**WHEREAS**, all site work has been completed by the developer and the site has been inspected by the Town of New Hartford;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to release to Brian Gaetano the sum of Eighty-three Hundred Dollars (\$8300), representing a full refund of his retainer as same relates to the Smith Barney project which has been completed.

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

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

The Resolution was declared unanimously carried and duly adopted.

### **Underground Facilities Protection Organization (UFPO) - Equipment**

**Dig Safely New York** has notified the Town that due to the volume of UFPO requests to the Town, that being in excess of twelve hundred (1200) notices per year, that the Town is required to switch to an ASCII type modem/printer. The Highway Superintendent's office has researched this directive and it's believed that the hardware will cost approximately Six Hundred Dollars (\$600) and that the Town will also be required to have a separate phone line to the modem/printer. Councilman Backman questioned the need for this additional equipment especially in wanting an additional phone line due to costs and asked that the Town pursue this issue further to ascertain if there were other options available; Councilman Backman believed there were faster modems on the market which would suffice for the higher speed modem being requested by UFPO.

### **Resignation – Part-time Cleaner**

Highway (Buildings & Grounds) Superintendent Cleveland reported that Edward Bowes has resigned from his Part-time Cleaner position effective April 1, 2002; he is seeking to fill this position which provides custodial services to the Jerome K. Madden Justice Building, the Donovan Community Center Building and the Kellogg Road Community Center Building. The Personnel Assistant has posted the position.

Superintendent Cleveland is also looking for coverage for four (4) to six (6) weeks to fill in for Lewis Smith who will be having surgery the week of April 8, 2002.

### **Conversion of Vacation time to Sick Time**

The Highway Superintendent inquired if Highway employee Douglas Gehringer would be permitted to convert 16.5 hours of unused vacation time, which he doesn't want to use, into sick time. The matter was deferred to the Personnel Assistant who will review the Highway Union Contract. It was also noted that the Town Board in late 2000 had reaffirmed that vacation time must be used or lost.

### **Road Dedication – Sherman Oaks Drive**

The Highway Superintendent had placed several calls to the management of the Sherman Oaks condominium complex but had not received a return call as to whether the condo owners also have title to the land, whether they're assessed a maintenance fee, etc.

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The Highway Superintendent believed that some Board members wanted to look at site also. The Board and Superintendent Cleveland briefly discussed the Town's ability to accept the road but not being able to plow the road due to its narrowness; the Superintendent's "...immediate answer is no." It was suggested declaring Sherman Oaks Drive as a "seasonal road" or contract for snow removal - perhaps the current condominium management could handle this responsibility.

The matter will be placed on the April 3, 2002 Town Board agenda.

### **Air-conditioning Bid – Jerome K. Madden Justice Building**

The current contractor is doing the work in the specifications provided by McDonald and Monterose Architects (the latter of whom has not been paid according to the Town Supervisor). Councilman Butler had attended a meeting this morning about what could be done with basically the hardware that's been paid for and re-running some ducts and installing separate zones. Highway (Buildings & Grounds) Superintendent Cleveland summarized that S & D Enterprises could take the existing brand new unit installed and because that has enough excess capacity and use that to provide additional heating and cooling in the police-side of the Madden Building. S & D was very firm in suggesting that the Town install the zones because of heat-generating equipment. The bottom line was using the new system and installing new duct work and remove dust there. In lieu of removing the small, window air-conditioner, S & D suggested blocking up the window area which would be less expensive than installing another zone, or leave window air-conditioner and give the Town a credit. As some Board members wanted to resolve some issues yet and it was time to convene the 8:00 P.M. Public Hearing, the matter was deferred until the Hearing concluded.

### **PUBLIC HEARING (8:02 P.M.)**

**8:02 P.M.**

#### **PUBLIC HEARING on Local Law Introductory No. One of 2002; Zone Map Amendment Application**

The Town Supervisor opened the Public Hearing at 8:02 P.M. The purpose of the Public Hearing was to offer the residents an opportunity to speak for or against the Zone Map Amendment Application submitted by the Charles T. Sitrin Health Care Center, Inc. Current zoning of the 208.8 acre parcel is RA-2 (Residential Agricultural) and LDR (Low Density Residential); the Sitrin Home has requested a rezoning to PDI (Planned Development Institutional) in order to construct fourteen (14) interconnected living units, forty (40) single family homes for persons with disabilities, a community building for medical rehabilitation, a small conference facility, outdoor recreation facilities and a system of internal roadways, parking facilities and utilities. The Town Clerk had the following documents available:

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- Zone Map Amendment Application
- Recommendation of Approval from the Oneida County Planning Department, with comments
  - that rezoning is the first step in creating the Planned Development District
  - the second step is a site plan review of the proposed construction
  - evaluate Agricultural Data Statement for potential impacts to existing agricultural operations
- Comments from Oneida County Department of Public Works
  - proposed access to Higby Road will be aligned with the Mohawk Street intersection
  - Level of Service (LOS), maximum trip generation per hour along County-owned Higby Road
  - sight distances
  - construction shall not adversely affect the highway drainage or drainage of adjacent property
- Recommendation of Approval from the Town Planning Board
- Notice of Public Hearing and Local Law Introductory No. One of 2002
- Affidavit of Posting  
(posted March 7, 2002)
- Proof of Publication  
(published in the March 7, 2002 edition of the Observer Dispatch)
- Copies of letters to sixty (60) property owners within 500 feet of the subject property, providing notification of the March 20, 2002 Public Hearing.

Supervisor Humphreys acknowledged that Richard Wilson, CEO from the Charles T. Sitrin Health Care Center, Inc. and Donald Ehre, P.E. were present. Mr. Wilson then addressed the Board, noting that the 208.8 acre parcel fronts on Higby Road. He reviewed the intended use of the land, as stated in their application, if the rezoning were successful; the Sitrin Home is looking to replace the 173 beds in the current facility and plans to move these individuals into the houses. The Sitrin Home is trying to meet what the public wants by providing home-oriented care versus institutional care and is looking to add to the quality of life at their campus. The Sitrin Home has started a RecNet Recreational Program for quadriplegics, paraplegics, and persons who are missing limbs. Proposed additions include a sports center with an Olympic-size swimming pool; a gym for basketball, a baseball field, a golf course – set up for people in wheelchairs, campgrounds for children in wheelchairs, horse stables for equestrian events. It is intended to provide long-term housing for the disabled and services would be available for families on campus, to provide an opportunity for the disabled for constructive employment. With regard to the existing building on Tilden Avenue,

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the Sitrin Home would like to become involved in Para-Olympic activity. CEO Wilson recognized there is no domestic water available for this project at this time; at the same time, he is aware this need must be accommodated before the project can begin. He believed the traffic impact would be minimal. About 25 to 30 new employees would be hired. CEO Wilson noted that the plans submitted in their Zone Map Amendment application were conceptual and, should the zoning be changed, that the Town Planning Board would review preliminary and final plans and would have authority for final approval.

The Town Supervisor then inquired if anyone present wished to speak in the matter:

- Several unidentified men (in rear of room) simultaneously commenting about the project, including road access  
*CEO Wilson explained the project entrance road will be off Higby Road, opposite Mohawk Street, with the nearest buildings being 400-500 feet off Higby Road.*
- William Delaney, Valley View Road
  - any increased activity regarding service vehicles
  - how will the project affect the Town's tax base

*Regarding vehicle activity, CEO Wilson responded probably none as there are deliveries of food and would expect an increase in quantities on existing trucks. Concerning the tax base, the 208.8-acre parcel is already out of the tax base; the Sitrin Home is a non-profit organization and they're tax exempt except for special districts.*

- Bruce Gendron, 3889 Mohawk Street, CEO of the St. Luke's Home expressed concerns
  - Intersection of Mohawk Street and Higby Road
  - quite a complex to put next to a residential area
  - motorists travel fast along Higby Road*CEO Wilson responded that the Sitrin Home's project could maybe fix the problem ... deceleration lanes.*

*POINT OF ORDER: Supervisor Humphreys asked that only one person speak at a time and that each speaker give their name and address for the record.*

- Mary Goux of 9640 Chapman Road questioned
  - 25 new employees, why 410 parking spaces
  - would Town residents have access to the recreation facilities

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*CEO Wilson stated the Town's Zoning Law requires them to provide a certain number of parking places with the number of people in the buildings (in-patients, out-patients, employees and visitors). Regarding public access to recreation facilities on campus, he responded that anyone with clinical diagnosis or disability and people with ailments such as rheumatoid arthritis – looking at the wellness prospect, yes, people could use the facilities.*

- Kevin Goux, 9640 Chapman Road, inquired
  - number of expected visitors from the community outside of rehabilitation
  - believes the roads are unsafe, vehicular speed and number of accidents
  - this project would bring in huge amount of construction vehicles
  - will Sitrin Home fix the roads and compensate for home values
  - concerned about stormwater drainage running over Higby and Chapman Roads

*CEO Wilson expected the number of visitors outside rehab to be minimal as the project is set up for persons with disabilities; the wellness program is secondary. Relative to drainage, the Sitrin Home has met the water retention requirements and have planned a large retention pond that will be sized with the engineer and the Town into the 100-year flood plan. The project would be constructed over a five (5) to eight (8) year time frame.*

*CEO Wilson was sure that the Sitrin Home expansion project would not replace the amount of traffic created by UNIVAC, Chicago Pneumatic and other companies that moved to other states. He has reviewed past traffic patterns when these companies were in the area and since their relocation from the area, there is less traffic now. Again, he stated the project would have a minimum traffic increase. New employees would include physicians, therapists and like health-related occupations.*

- Unidentified man (in rear of room) commented about lighting
- Michael Heil of 434 Higby Road raised a question on lighting

*POINT OF ORDER: Councilman Butler interjected that these types of questions will be answered at the Town Planning Board level if the zoning classification for this property is changed.*

*POINT OF ORDER: Supervisor Humphreys advised those present that the only matter before the Town Board tonight is the question of rezoning.*

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- Jean Cobb of 9491 Chapman Road
  - would Sitrin Home's project be affected by the proposed GEIS for the southeastern sector of the Town
- Oneida County Legislator James D'Onofrio, had been contacted by peter j. smith & associates for his input into existing problems in that area – traffic and stormwater drainage. He recommended the Town
  - obtain a Generic Environmental Impact Study (GEIS) before rezoning the property
  - he's not necessarily opposed to the project but would like to review any impacts identified through a GEIS

Legislator D'Onofrio commented Oneida County is wholly inadequate regarding roads

- has 800 miles of roads
  - Chapman Road is 2<sup>nd</sup> most heavily traveled road in Oneida County
  - County treats Chapman Road the same as roads in the Town of Florence or Camden and they will never treat them differently
  - Chapman Road will be rebuilt under the TIPS / CHIPS Program but it may increase traffic that already exists
  - Goux property on corner of Chapman-Higby Road gets flooded and County has never taken care of the problem
  - Oneida County won't solve problems on these roads with capital improvements
  - capital improvement of these roads will never solve the truck traffic issue
  - TOPS project (Kellogg Road) is great but affects neighboring road
- Albert Shaheen, owner of adjacent property
    - Sitrin Home is the world's best neighbor
      - beautiful buildings, layouts, lawns and wonderful service to the community
      - everyone of us could end up being a resident of this facility
      - has family and friends who are in rehabilitation or other services there
      - provides state-of-the-art rehabilitation center
      - dedicate themselves to taking care of people ... quadriplegics, etc.
    - the project won't increase existing traffic – Tilden Avenue traffic has decreased about twenty percent (20%) with the out flux of businesses
    - the project will eliminate snowmobiles running through yards, reduced noise

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- the project will not impact school districts because there are no children
- no dogs running around

We should be supporting and encouraging them. On the other hand, if the land were to be developed under the existing RA-2 (Residential Agricultural) zoning, Dr. Shaheen offered that

- hundreds of homes could be built
  - school districts taxed by additional resident children
  - roads, traffic and drainage affected
- Cynthia Sigbienny, 9624 Chapman Road
    - wonderful idea but why this location and who owns this land
    - has Sitrin Home considered doing project another way, behind the existing Sitrin Home and have the road entrance on Tilden Avenue instead of Higby Road

*CEO Wilson responded that the Charles Sitrin Home owns the existing health care center on twenty-four (24) acres fronting Tilden Avenue. The Sitrin Home purchased the 208-acre parcel fronting Higby Road and which runs in a northerly direction behind the existing Tilden Avenue site. There's no room for expansion at the Tilden Avenue location.*

- Kevin Goux
  - don't disagree with the idea
  - objects to trucks, traffic, roads
  - roads are a hazard up hill
  - run-off water needs to be taken care of
- Unidentified woman
  - Work into planning a by-pass road
- Paul Mancuso, 428 Higby Road
  - no water available for the project
  - Sitrin Home pays no taxes

*The Town Supervisor asked for a show of hands on the rezoning request. Of approximately forty (40) persons present, four (4) people were in favor while fourteen (14) opposed the project.*

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- Unidentified persons raised issue of frequency of fire department calls, other emergency services
- Sidney Perry, 415 Higby Road
  - if this matter is tabled, would like notification in the future and to include people on Higby and Chapman Road.
- Bruce Gendron
  - consider leaving entrance on Tilden Avenue rather than Higby Road

*CEO Wilson said there had been no consideration on that; however, they are agreeable to working with the Town Board and what works best for the Town...doesn't make a difference to him.*

- Project Engineer Donald Ehre – clarifications to questions asked
  - these are residential units for people with disabilities
  - provided is a 400-500 foot open lawn space and a detention basin between Higby Road and the first residential units
  - any changes would have to be reviewed by the Town Planning Board for approval, public hearing.

CEO Wilson – we're replacing an existing facility

- meet needs of community
- rehabilitation center was built to cut down travel time to Albany for families

We must appear before the Town Planning Board and have in the past. Currently, the Sitrin Home has two (2) Intermediate Care Facilities which were subject to Planning Board review and the Planning Board stipulated that the Sitrin Home had to provide a fire pond so as not to affect services out of the water tank, etc. The Sitrin Home will be helping with some of the concerns raised tonight. Topography drops off and site hardly visible from road.

- Robert Bullwinkle, 9529 Chapman Road
  - respect CEO Wilson's opinion
  - want facts that it won't impact traffic on Chapman Road...

*CEO Wilson – believes this project would make deceleration lane a reality in the future, improve traffic.*

- Woman speaking (sounded like May Heiland)

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- concerned that once rezoned, the project could change
- concerned with resale value of her home near a PDI zoning classification

The Town Supervisor stated that the Sitrin Home must have a Planned Development Institutional (PDI) classification in order to proceed with their project and that for all planned development areas, the Town Planning Board would have to review more detailed plans and grant any approvals, including building heights, density, trees, shrubs, etc. The latter is not part of the Town Board's jurisdiction.

- Michael Jacobs, 520 Higby Road
  - likes the whole concept
  - the idea is good but feels more information is necessary
    - property values
    - traffic
    - water issues
    - stormwater runoff
  - believes project will be self-contained
    - not so much people going into the project
    - concerned about construction vehicles during the 5 – 8 year construction period
  - like the idea conditioned that
    - project doesn't affect property values
  - agreed with Dr. Shaheen that if 208 acres were kept residential, there would be more homes, more traffic ... more impact than the Sitrin Home project
  - believes when the project is done, it will be great
  - residents will experience some inconvenience only while the project is being built
- Kevin Goux
  - nobody is disagreeing with what the Sitrin Home wants to do
  - problems mentioned have existed for years
  - wants Town Board to address these problems
  - until the problems are resolved, you'll never have my approval for this project.
- Gabriel DiPietro, 438 Higby Road
  - doesn't want an institution across from his home
  - he bought residential property in the Higby Hills development

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- thinks it's unfair that the Sitrin Home, a non-profit organization, doesn't pay taxes

Various Town Board members offered the following comments, not necessarily representative of the thoughts of the entire Board:

- for every point the public made, constituents will call him in the future saying their children grew up, attended college and moved away [lack of employment]; people want their families to stay in the area instead of moving away
- have some questions about GEIS because of cost of same
- can mitigation fees offset improvements
- time frame that mitigation fees might be used to fix some of the problems
- Sitrin Home project would bring water into the Higby Road area
- a Town Councilman has been working with the Upper Mohawk Valley Regional Water Board to bring water into this section of town for two (2) years
- wants concerns positively addressed
- defer Town Board action tonight
- before voting on this request, wants clarification on what the Planning Board can and cannot do under a planned development zoning district
- assurance that Planning Board has as much control over the project as he believes they do
- that building plans can't change, etc.
- a developer can't be forced to resolve existing problems
- a developer can be required not to contribute to existing problems
- table the matter and allow Town Board to perform due diligence.

There being no further comments, and upon recommendation of the Board members, at 9:20 P.M. the Town Supervisor recessed the Public Hearing until Wednesday, April 3, 2002 at 8:00 P.M. in the Kellogg Road Community Center Building, at which time and place the Public Hearing would reconvene.

At 9:21 P.M. Councilman Waszkiewicz again disclosed that he is a member of the St. Luke's Home Board of Directors and that he has no conflict with the Zone Map Amendment hearing.

### **RECESS**

The Town Supervisor declared a ten-minute recess.

### **REPORTS OF TOWN OFFICIALS (CONT'D)**

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**HIGHWAY SUPERINTENDENT:**

**Air-Conditioning Bid – Jerome K. Madden Justice Building (Cont'd)**

Discussion resumed on the work being done, the contractor's offer of \$16,500 to complete work and the manner in which to fund the project. Initially, this project was funded under a bond issue and the monies are still available. The Board also discussed the possibility of not compensating the Architects for the project, McDonald & Monterose. Upon recommendation of the Highway (Buildings & Grounds) Superintendent, the following Resolution was introduced for adoption by Councilman Woodland and seconded by Councilman Butler:

**(RESOLUTION NO. 139 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby approve a Change Order in the not-to-exceed amount of Sixteen Thousand Dollars (\$16,000) for the contract awarded to S & D Enterprises for the heating/ventilation/air-conditioning work being performed at the Jerome K. Madden Justice Building, to be inclusive of all labor and materials costs; and be it

**FURTHER RESOLVED** that said Town Board does hereby authorize and direct S & D Enterprises to proceed with the work contained in their March 2002 proposal except that the window air-conditioner shall not be removed nor shall a zone control be installed in the lobby; and be it

**FURTHER RESOLVED** that this work shall be paid through prior approved bonding, but with the understanding the Town will consult with their Attorney to discuss the possibility of not compensating McDonald & Monterose, Architects who wrote the specifications for the project and that the Town Supervisor be authorized and directed to execute the required Change Order.

The Resolution was voted upon by roll call and 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.

**PUBLIC PRESENTATION**

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**SITRIN HOME EXPANSION PROJECT – ZONE MAP AMENDMENT**

**APPLICATION:**

CEO Richard Wilson inquired if he could present the Sitrin Home’s conceptual plan for expansion to the Town Board at some time. Sitrin Home officials have met with the Upper Mohawk Valley Regional Water Board. Supervisor Humphreys suggested CEO Wilson could meet one-on-one with Board members, but if more than two (2) Board members are present, it constitutes a Town Board meeting. Because the public had left the meeting, the Town Board declined to have any presentation at this time. CEO Wilson left at 9:48 PM

**REPORTS OF TOWN OFFICIALS (CONT’D)**

**PERSONNEL ASSISTANT:**

**Training School**

Upon request of Personnel Assistant Barbara Aiello, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 140 OF 2002)**

**WHEREAS**, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby grant permission to Personnel Assistant Barbara Aiello to attend the New York and Federal Personnel Law Workshop on April 18, 2002 in Albany, New York, with the Two Hundred Sixty-five Dollar (\$265) registration fee to be borne by said Town.

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.

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**Procedural Checklist – New Employees**

The Personnel Assistant submitted a recommended flow chart to streamline the hiring procedures (Ex.: proper title, position created, budgeted line item, pay rate, residency items, etc.). The Town Board will review the draft before taking action.

**Employees – Residency Requirement**

A January 1, 1980 Town Board Resolution requires that all future employees of the Town of New Hartford must be Town residents at the time they are hired. Discussion ensued whether the Employee Handbook prepared by AMTEK, and adopted by the Town Board in September 1999, superseded the 1980 Resolution. The matter was deferred until the Personnel Assistant reviews same with Attorney for the Town, Vincent J. Rossi, Jr.

**Part-time Cleaners, Creation of**

Upon recommendation of the Personnel Assistant, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 141 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby create three (3) Part-time Cleaner positions and does authorize and direct the Personnel Assistant to complete all necessary paperwork, including job duties statements, and to submit same to the Oneida County Personnel Department for their approval in accordance with New York State Civil Service rules and regulations.

The Supervisor called for a roll call vote, which resulted 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.

**Reclassification of Clerical Position – Accounting Department**

Upon recommendation of the Personnel Assistant, Councilman Backman introduced the following Resolution for adoption and Councilman Butler seconded same:

**(RESOLUTION NO. 142 OF 2002)**

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**WHEREAS**, the Oneida County Personnel Department has reviewed the job duties for the position to be vacated on April 5, 2002 by Janis Christofaro, Senior Account Clerk in the Accounting Department; and

**WHEREAS**, the Oneida County Personnel Department has determined that, based upon the duties and functions of this position, it should be reclassified to Account Clerk with a salary range of \$17,000 to \$20,000;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Personnel Assistant to complete and to file the required documents with the Oneida County Personnel Department in order to reclassify this position to Account Clerk and does further authorize and direct the Personnel Assistant to canvass the existing Account Clerk civil service eligibility list and posting a beginning salary of Eighteen Thousand Five Hundred Dollars (\$18,500).

The Resolution was subject to a vote upon roll call, which 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.

**Temporary Employment – Janis Christofaro**

Upon recommendation of the Personnel Assistant, Councilman Backman introduced the following Resolution for adoption and Councilman Butler seconded same:

**(RESOLUTION NO. 143 OF 2002)**

**WHEREAS**, the Oneida County Department of Personnel has advised that the Town of New Hartford may employ Janis Christofaro on a temporary basis up to three (3) months after her position is vacated on April 5, 2002; and

**WHEREAS**, Ms. Christofaro is willing to train the individual who will be hired to replace her;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby appoint Ms. Christofaro temporarily for a minimum of two (2) weeks, but in no event beyond three (3) months, effective April 8, 2002 in order that Ms. Christofaro be available to train the individual to be hired for the Account Clerk position

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in the Accounting Department; during this temporary employment period, Ms. Christofaro shall earn the same salary she was earning as a Senior Account Clerk designated at the January 16, 2002 Town Board meeting.

The Resolution was voted upon by roll call and 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.

**Health Insurance Meeting**

The Personnel Assistant announced a meeting to convene at 9:00 A.M. on Thursday, March 21, 2002 in Butler Memorial Hall; a representative from the Teamsters Health Insurance Fund will be available to review their program and its availability to other employees. Ms. Aiello encouraged everyone to attend.

**POLICE CHIEF:**

**Animal Control Agreement – Town of Kirkland**

Upon recommendation of the Town Police Chief, the following Resolution was introduced for adoption by Councilman Waszkiewicz and seconded by Councilman Butler:

**(RESOLUTION NO. 144 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Intermunicipal Agreement with the Town of Kirkland, wherein the Town of New Hartford will provide Animal Control Services for the Town of Kirkland, the latter of whom will pay for said services, during calendar year 2002 pursuant to the terms of said Agreement

The Supervisor called for a roll call vote, which resulted as follows:

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

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The Resolution was declared unanimously carried and duly adopted.

**Sale of Alcohol to Under-aged Individuals**

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

**(RESOLUTION NO. 145 OF 2002)**

**WHEREAS**, the New Hartford Town Police Department had entered into a cooperative investigation with the Utica Police Department relative to the sale of alcohol to under-aged individuals; and

**WHEREAS**, said cooperative investigation (“sting”) involved nineteen (19) retail stores in the Town of New Hartford with none of these establishments found to be selling alcohol to under-age individuals; and

**WHEREAS**, the New Hartford Town Police Department has also worked with the Utica Police Department, New York State Police, and the U. S. Marshals Office, conducting a warrant sweep throughout the area under the Federal “Weed and Seed” Program and had executed six (6) felony warrants;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Police Chief and Town Board shall send a joint letter to these business establishments congratulating them and their employees on their compliance with State laws and not selling alcohol and cigarettes to under-age individuals, and asking the business establishment managers to furnish their employees with a copy of the Town’s letter of appreciation.

The Resolution was voted upon by roll call and 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.

**TOWN CLERK:**

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**Police Commission Appointment**

After a report from the Town Clerk, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Butler:

**(RESOLUTION NO. 146 OF 2002)**

**WHEREAS**, the Town Board had appointed Patrick Cardinale as a Member of the Town Police Commission effective January 1, 2002; and

**WHEREAS**, the Town Clerk had notified Mr. Cardinale of his appointment, advising that his required Oath of Office must be administered within thirty (30) days of receipt of his Notice of Appointment; and

**WHEREAS**, the thirty (30) day time frame for the Oath of Office had expired without Mr. Cardinale taking is Oath, resulting in a vacancy in that position;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby re-appoint Patrick Cardinale as a Member of the Town Police Commission effective March 20, 2002 and for the duration of a five (5) year term to expire December 31, 2006.

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 Supervisor declared the Resolution unanimously carried and duly adopted.

**Training School**

The Town Clerk presented the request of the Zoning Board of Appeals for permission to attend a one-day conference. The following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 147 OF 2002)**

**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;

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**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby grant permission to Zoning Board Chairman Gerald Green, Zoning Board Member Timothy Tallman and Zoning Board Member Frederick Kiehm to attend the Tug Hill Conference on April 11, 2002 in Watertown, New York, with the Twenty-five Dollar (\$25) registration fee for each employee to be borne by said Town; further, the Zoning Board delegates shall be responsible for their own transportation to the Conference, or they may contact Highway Superintendent Roger Cleveland to car pool inasmuch as he will also be attending this Conference.

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 Supervisor declared the Resolution unanimously carried and duly adopted.

**Penalty – Returned checks**

Upon recommendation of the Town Clerk, Councilman Backman introduced the following Resolution for adoption and Councilman Waszkiewicz seconded same:

**(RESOLUTION NO. 148 OF 2002)**

**WHEREAS**, the General Municipal Law, Section 85 [3] had been amended in 2001 thereby increasing the maximum penalty which municipalities may charge for any returned checks presented to the municipality;

**RESOLVED** that the New Hartford Town Board does hereby increase the penalty for checks returned for any reason from the current fee of Fifteen Dollars (\$15) per check to a new fee of Twenty Dollars (\$20) per check as provided for by State Law, effective March 21, 2002.

A roll call vote ensued:

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

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The Resolution was thereafter declared unanimously carried and duly adopted.

### **REPORTS OF SPECIAL COMMITTEES**

#### **TOWN PHYSICAL BUILDING FACILITIES COMMITTEE:**

Councilman Waszkiewicz recommended that William Virkler be hired as a consultant in behalf of the Town, to invoke the professionalism of his [real estate] license, and to reimburse him at a not-to-exceed amount of Five Hundred (\$500) to cover his expenses. The question of conflict of interest was raised since Mr. Virkler is an elected Town official who would be representing the Town and whether he can carry out real estate matters in the Town of New Hartford. The matter was tabled and Councilman Waszkiewicz will consult with Attorney for the town, Vincent Rossi, Jr.

Also, on April 10, 2002 the Committee is expected to crystallize the analysis short list for building locations and at the same time, is hoping to receive re-confirmation that it's the Town Board's desire that the Committee continue to look at these properties and to bring forth suggestions for a referendum in November 2002. This matter will be placed on the Agenda for the April 17, 2002 Town Board meeting.

### **MATTERS SUBMITTED BY COUNCILMEN**

#### **COUNCILMAN BACKMAN:**

##### ***Beechwood Road drainage project***

Councilman Backman was seeking Board direction or consensus on this project as the Town had encountered problems in June/July 2001 in securing several required easements. The Town Board will await Vincent Rossi's advice upon his return from vacation, including costs about condemning for easements, after which a decision is needed by the Town Board.

##### ***Property Maintenance – 42 Court Knolle***

Councilman Backman briefed the Board members on alleged codes violations and neighborhood complaints about property located at 42 Court Knolle. The owner of said property has piles of debris in the yard and has been investigated by the Codes Enforcement Office. The property owner has been sent a letter and he has retained a lawyer. A June 2002 deadline has been given for clean-up of the property.

##### ***Property Maintenance - 9 Kellogg Road***

Alleged codes violations were brought forth as a reminder from Councilman Backman of the on-going dilapidated structure and over-grown lawn; the property has been abandoned. Discussion ensued whether the Town should wait one year and let Oneida County take it for tax auction, keeping the parcel on the tax rolls and the property might be a "fixer-upper" rather than demolishing the building. Councilman Backman

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disagreed, stating that this abandoned property cannot be helping neighboring property values and he cited a neighboring property owner who has been trying – in vain - to sell his home for over one (1) year.

### **Property Maintenance - 120 Oxford Road**

Councilman Backman wanted an early codes notification to avoid unmowed lawn this summer at 120 Oxford Road. The out-of-town property owner has not paid the property taxes and foreclosure is pending. Councilman Backman suggested that Codes Enforcement Officer Gerald Back approach the Town Board with a plan to have the lawn mowed.

### **Speed Limit Study - Roberts Road**

The Town Board had requested a speed limit study on Roberts Road, from Mohawk Street to Oneida Street and the New York State Department of Transportation (NYS DOT) determined that existing factors did not warrant a reduced speed limit. Although Councilman Backman hadn't identified a funding source yet, he wants to hire an outside firm to evaluate this matter to determine whether

- a lower speed limit is needed, OR
- existing factors do not merit a speed limit reduction

With the study results, the Town Board will either do nothing (reduced speed not warranted) or consider enacting provisions of Suburban Town Law to settle the speed limit reduction issue. The area's State Senator and Assemblyman would need to be contacted. The Town Board's consensus was to contact the NYS DOT requesting copies of the supporting documents, field notes, calculations and computations, any and all documents that were used to reach their decision.

### **Veterans Observances**

The Chadwicks-based Clonan Post, American Legion traditionally displays American flags on utility poles from Memorial Day through July 4 and the Commander inquired of Councilman Backman whether the Town would cover the cost of these flags. The Town Board discussed sponsoring a program and perhaps incurring the cost of flags every two (2) years expense. The Town Clerk stated that for years the adopted Annual Budgets have included appropriations for Memorial Day observances and she will contact the State Comptroller's Office in this regard.

### **Web Site**

Councilman Backman had some meetings and looked at New Hartford Central School, which is contracting with a company to maintain their Web Site. This company has a

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municipal branch – advantage would be that each Department Head could easily maintain their own section of the Web. The bottom line is he thinks it’s expensive.

Upon recommendation of Councilman Backman and seconded by Councilman Waszkiewicz, the following Resolution was introduced for adoption:

**(RESOLUTION NO. 149 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct Janis Christofaro, coordinator of the Town’s Web Site, to forward a letter to **Dreamscape Online** that they are to remove their temporary program from the Town of New Hartford Web Site.

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 Supervisor declared the Resolution unanimously carried and duly adopted.

**COUNCILMAN BUTLER:**

**Employee Wellness Program**

Councilman Butler had met with the Personnel Assistant to review the contents of a notice to be distributed to full-time employees about availability of the program, sign-in required each time an employee uses the Program at the All-American Fitness Center and that the Town Board will be considering whether to continue with the Program for 2003.

Councilman Waszkiewicz interjected that Jim LaFountain of All-American Fitness gave him suggestions on the survey and will try to expand its exposure for the Parks survey. Mr. LaFountain offered to have meetings with Town employees to let them know what’s available - if that’s the Town’s desire - at no charge to the Town.

**COUNCILMAN WOODLAND:**

**Traffic study at Elmhurst-Balsam intersection**

Upon questioning of Councilman Woodland, the Highway Superintendent reported that he had met with the NYS Department of Transportation to review the STOP sign criteria and it was determined that according to the criteria, no STOP sign was warranted at this intersection as there were no problems with sight distance. If any type of traffic control

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were to be placed at the Elmhurst-Balsam intersection, the Town Board might consider a YIELD sign.

### **Fireworks Display – July 4th**

Councilman Woodland initiated discussion on a July 4<sup>th</sup> celebration with possible fireworks. The Town Supervisor had been informed that the Police Chief had budgeted over-time funds for his officers for this event but that no funds for the fireworks had been included in the Parks and Recreation account. The Board consensus was to give Parks and Recreation Director Michael Jeffery permission to obtain quotes for fireworks. In the past, area business donations helped defray the cost of the fireworks.

### **COUNCILMAN WASZKIEWICZ:**

#### **NYS Route 12 Task Force**

Councilman Waszkiewicz distributed a handout to Town Board members as a status update and on a proposed amendment.

He distributed a revised sample draft to send to local and state officials on the NYS Route 12 Task Force and resolution from Oneida County relative to the Liaison Committee and proposed resolution mirroring what Herkimer-Oneida County Committee did.

#### **Time limitation - outside completion of building projects**

Councilman Waszkiewicz initiated discussion on timely completion of construction projects and cited at least one, if not several residences in the South Woods development, that took over one (1) year to complete. He offered this as “food for thought”.

#### **Chenango Road improvements – City of Utica**

Improvements to the City of Utica-portion of Chenango Road is to be contracted out in Spring 2002 and completed by Autumn 2002.

#### **Parks and Recreation Survey**

Councilman Waszkiewicz asked that a notice be included in the first paychecks in April 2002, reminding all Town teammates to complete the parks survey and that they mention to people they know the importance of a responses that the Town considers in formulating future plans.

#### **Grant Writer**

Councilman Waszkiewicz inquired about the status of the Grant Writer. The Town Clerk will contact Connie Miner to schedule a time when Ms. Miner can meet with Town Officials and Department Heads regarding grants and departmental needs. Supervisor Humphreys suggested the Town place an advertisement for a Grant Writer in the

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Observer Dispatch and/or Town Crier. Councilman Waszkiewicz said he has a couple other names besides Ms. Miner.

Thereafter, the following Resolution was offered for adoption by Councilman Waszkiewicz and duly seconded by Councilman Butler:

**(RESOLUTION NO. 150 OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Personnel Assistant to prepare and to publish an advertisement for a Grant Writer for the Town of New Hartford.

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 Supervisor declared the Resolution unanimously carried and duly adopted.

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**ADELPHIA – music in Recreation Center**

Supervisor Humphreys had discussed with Linda Henry of ADELPHIA the possibility of providing music at the Recreation Center. This service usually costs Thirty-four Dollars (\$34) monthly but ADELPHIA is willing to provide this service to the Town for approximately Ten Dollars (\$10) per month. Music is currently being provided at this location for about One Hundred Dollars (\$100) per month.

**Audit of bills**

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

**(RESOLUTION NO. 151 OF 2002)**

**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 that had been duly audited by the Town Board:

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General Fund, Whole-Town Abstract No. 8/2002	\$ 91,812.77
General Fund, Part-Town Abstract No. 7/2002	\$ 30,085.80
Highway Fund Whole-Town Abstract No. 3/2002	\$ 1,500.00
Highway Fund Part-Town Abstract No. 7/2002	\$ 19,735.51
Sewer Fund Abstract No. 6/2002	\$ 7,012.92
Water Fund Abstract No. 3/2002	\$ 1,113.96
Air-Conditioning Capital Project Abstract No. 3/2002	\$ <u>2,821.50</u>
<b>TOTAL:</b>	<b>\$154,082.46</b>

Upon roll call, the Board members voted as follows:

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

This Resolution was declared unanimously carried and duly adopted

**Lease Agreement – Railroad Crossing**

Regarding the annual railroad crossing lease fee for access to the Washington Mills Athletic Park, the matter will be referred to Attorney for the Town, Vincent J. Rossi, Jr., for his advice.

**Woodberry Swim Club**

Town Clerk Gail Wolanin Young and staff had researched the 1960's Town Planning Board and Town Board minutes and found no approvals or required buffer zones to be placed around the perimeter of the Woodberry Swim Club property, corner of Foxcroft and Hubbardton Roads. Building permit records revealed that a permit was applied for in November 1967 for a swimming pool and, in 1973, another permit for a storage building; however, building plans were not required to be submitted at that time. There appeared to be no building permit for erection of the tennis board about which a Woodberry Hills resident had complained at the March 6, 2002 Town Board meeting.

**Health Insurance Coverage – Former Highway Superintendent**

The Town Clerk was requested to research the Town Board minutes of 1997 to determine whether the Town Board, at that time, had authorized the Town's payment of health insurance premiums for a former Highway Superintendent, similar to a benefit offered to retirees.

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**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 11:37 P.M.

Respectfully submitted,

Gail Wolanin Young, CMC/RMC  
Town Clerk