

**SPECIAL MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL IN THE VILLAGE OF NEW
HARTFORD ON SATURDAY,
DECEMBER 28, 2002 AT 10:00 A.M.**

The Town Supervisor called the meeting to order at 10:00 A.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 employees being present during the progress of the meeting:

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

ABSENT: Councilman Richard B. Woodland, Jr.

OTHER TOWN OFFICIALS: Town Clerk Gail Wolanin Young

EMPLOYEES: Bookkeeper Carol D. Fairbrother

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

PUBLIC PRESENTATIONS

CONSTITUENT CONCERN(S):

Shirley Riggles of 18 Golf Avenue, New Hartford was present regarding:

- her opposition to Sangertown Mall's proposal for the Town Highway Department to utilize an unoccupied section of the Mall for vehicle storage as she believed the Highway Department would be offering a free service in that area. She compared the proposal to that of the police service under contract with Sangertown Mall.

The Town Board explained the reimbursement the Town receives from the Mall and the reduced response time by having Police Officers at the Mall on weekend evenings. Councilman Waszkiewicz stated his intent next month to ask the Town Board for a study of police and highway costs as well as the readjustment of sales tax revenue received from Oneida County.

- purpose of \$5,000 for a railroad easement

The Supervisor explained the situation involving a private (vs public) grade crossing over Estates Drive that vehicles must traverse to reach a residential development and that Town vehicles need to cross to maintain the public road.

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- her agreement with the Town in making attempts to charge the Village of New Hartford for some services such as police

MATTERS SUBMITTED BY TOWN CLERK:

Local Law Introductory No. Fourteen of 2002 (Building Permit, etc. fees)

After further review of the “draft” local law presented December 18, 2002 for upgrading specific permit fees and instituting new permit fees, the Board’s consensus was to clarify the fee for site grading permits by adding “.. fractional acreage will be rounded to the nearest acre” to the specified fee. Thereafter, the following legislation was introduced for adoption by Councilman Waszkiewicz for the Town Board’s consideration at a future public hearing; co-sponsored by Councilman Backman:

Town of New Hartford, New York
Local Law Introductory No. Fourteen of 2002

A Local Law to amend the Code of the Town of New Hartford, **Chapter 118** thereof entitled **ZONING**, and specifically Article XV [Miscellaneous Provisions], Section 118-93 [Fees], Subparagraphs C. through J., inclusive, as same relate to building permits, certificates of occupancy, zoning and other related fees.

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

SECTION 1. Chapter 118 of the Code of the Town of New Hartford, Article XV [Miscellaneous Provisions], Section 118-93 [Fees] is hereby amended as follows:

Replace the existing Paragraph C. [Issuance of building permits] through Paragraph J. [Demolition permits] with the following new fees:

C. Issuance of building permits		
(1) One or two family residences		\$.15 sq.ft.
Mobile homes		\$.15 sq.ft
Multi-family residences (apartments, condominiums, townhouses – zero lot lines)		\$.15 sq.ft
Additions (residential)	Minimum	\$ 15.00 plus \$.15 sq.ft.
Detached accessory buildings and structures		\$.10 sq.ft or \$ 30.00 minimum

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- (2) Commercial (includes buildings, additions, alterations and repairs and accessory structures) \$.12 sq.ft. for first 100,000 sq.ft. and \$.16 sq.ft. over 100,000 sq.ft.

- (3) WHERE WORK IS STARTED BEFORE A BUILDING PERMIT IS ISSUED, THE APPLICATION FEE IS DOUBLED.

Building Permits expire one (1) year from the date of issue. Renewal for One (1) year is 25% of the original permit fee.

D. Miscellaneous

- (1) Demolition Permits:
a.) Residential buildings \$ 50.00
b.) Commercial buildings \$150.00
- (2) Swimming Pools:
a.) Above ground \$ 30.00
b.) Inground \$ 50.00
- (3) Signs per square foot – face area
Minimum each sign \$ 45.00 minimum plus \$1 sq.ft.
- (4) Fences:
a.) Residential \$ 25.00
b.) Commercial \$ 75.00
- (5) Open decks:
a.) Up to and including 400 sq.ft. \$ 25.00 minimum
b.) Over 400 sq.ft. \$ 40.00
c.) Decks with roofs, same as additions
- (6) Commercial Tents (temporary 20 days maximum) \$100.00
- (7) Fireplaces, stoves and other Solid Fuel burning appliances \$ 30.00

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- (8) Certificates of Occupancy:
 - a.) Residential buildings, one and two family \$ 50.00
 - b.) Multiple dwellings \$ 25.00 per dwelling
 - c.) Non-residential buildings:
 - 1.) first 1,000 sq.ft. \$100.00
 - 2.) each 1,000 sq.ft. or part thereof \$ 10.00
 - d.) Construction inspection. When, at the discretion of the town Codes Enforcement Officer or the Town Engineer, it is determined that independent construction inspection services for site work, exterior utilities and appurtenances are required to ensure compliance with the requirements for town codes and other town policy, an additional fee will be assessed to the applicant to compensate for the charge incurred by the town. A prepaid fee will be established by the Town Board based on the current hourly inspection rate schedule approved by the Town Board.

- (9) Site Grading Permit Fee: \$100 minimum or \$100 per acre; fractional acreage will be rounded to the nearest acre

- (10) Sewer Permits:
 - a.) Residential \$ 50.00
 - b.) Commercial \$150.00

- (11) Septic Tank Permits \$ 50.00

- (12) Driveway Permits \$ 25.00

- E. Application to Zoning Board of Appeals
 - (1) Application for Area Variances:
 - a.) Residential, one and two family \$ 60.00
 - b.) Multiple dwellings and other non-residential uses \$200.00

 - (2) Application for Use Variances (all uses) \$200.00

 - (3) Applicants appearing before the Zoning Board of Appeals, upon payment of the designated fee, are entitled to only one (1) “no-show” at a Zoning Board of Appeals’ meeting, unless otherwise adjourned by said Zoning

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Board; and after that, the applicant must reapply and pay the designated fee.

- F. Fire Inspections
 - (1) Commercial:
 - a.) Up to 5,000 sq.ft. \$ 25.00
 - b.) 5,000 to and including 20,000 sq.ft. \$ 50.00
 - c.) Over 20,000 sq.ft. \$ 75.00
 - (2) Multi-family (three or more) \$ 10.00 per unit
- G. Commercial Plan Review \$.01 per sq.ft.
- H. Request for amendment to Zoning Law, text or map amendment, excluding Planned developments: \$100.00
- I. Request for amendment to Zoning Law for Planned Development District (over five acres): \$500.00
- J. Copy of Zoning Law \$ 50.00
- K. Special permit application \$250.00

SECTION 2. All other provisions of Chapter 118 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Public Hearing Scheduled – Local Law Introductory No. Fourteen of 2002

Councilman Waszkiewicz then offered the following Resolution for adoption; seconded by Councilman Backman:

(RESOLUTION NO. OF 2002)

RESOLVED that the New Hartford Town Board does hereby schedule a Public Hearing to commence at **8:00 P.M.**, or as soon thereafter as reached in the regular course of business, on Wednesday, **January 15, 2003** in the Kellogg Road Community Center Building, to consider **Local Law Introductory No. Fourteen of 2002** that, if adopted, would amend the Code of the Town of New Hartford, **Chapter 118** thereof entitled

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ZONING, Section 118-93 [Fees], as same relate to building permits, certificates of occupancy, zoning and other related fees; and be it

FURTHER RESOLVED that said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in the Observer Dispatch.

Upon roll call, the Town Board voted as follows:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Local Law Introductory No. Fifteen of 2002 (Sewer Permit fees)

The following legislation was introduced for adoption by Councilman Waszkiewicz for the Town Board's consideration at a future public hearing; co-sponsored by Councilman Butler:

Town of New Hartford, New York
Local Law Introductory No. Fifteen of 2002

A Local Law to amend the Code of the Town of New Hartford, **Chapter 98** thereof entitled **SEWERS**, and specifically Article II [Sewer Connection Regulations], Section 98-17 [Permit required; fee.].

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

SECTION 1. Chapter 98 of the Code of the Town of New Hartford, Article II [Sewer Connection Regulations], Section 98-17 [Permit required; fee] is hereby amended as follows:

Section 98-17. Permit required; fee
Replace the first sentence with the following:

Before connecting to the sanitary sewer system, a property owner must obtain a permit given by the Town Board and issued by the Town Engineer upon payment of the sewer permit fee established and set forth in Chapter 118 (Zoning)

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of the Code, Article XV [Miscellaneous Provisions], Section 118-93 [Fees], Subparagraph D. [Miscellaneous], (10) Sewer Permits.

SECTION 2. All other provisions of Chapter 98 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Public Hearing Scheduled – Local Law Introductory No. Fifteen of 2002

Councilman Waszkiewicz then offered the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. OF 2002)

RESOLVED that the New Hartford Town Board does hereby schedule a Public Hearing on Wednesday, **January 15, 2003 at 8:00 P.M.**, or as soon thereafter as reached in the regular course of business, in the Kellogg Road Community Center Building, to consider **Local Law Introductory No. Fifteen of 2002** which, if adopted, would amend the Code of the Town of New Hartford, **Chapter 98** thereof entitled **SEWERS**, by changing the first sentence of Section 98-17 so that sewer permit fees established are referenced and set forth in Chapter 118 (Zoning), Article XV, Section 118-93 [Fees], Subparagraph D. [Miscellaneous], (10) Sewer Permits; and be it

FURTHER RESOLVED that said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in the Observer Dispatch.

The Town Board voted upon roll call as follows:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted.

MATTERS SUBMITTED BY TOWN SUPERVISOR

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Unused employee vacation time

The Town Supervisor apprised the Town Board that two (2) employees were unable to use their vacation time by December 31, 2002; one (1) employee had approached the Town Supervisor about being paid for his unused vacation time and the Town Supervisor suggested payment to the other employee who had not asked for payment of her unused vacation time. Councilman Backman expressed his thought that the Town Board had addressed this matter and made it perfectly clear after resolving this two years ago (November 2000) that the Town's policy was "use it or lose it". The matter was deferred until later during the meeting.

2002 Budgetary Revisions

Bookkeeper Carol Fairbrother presented a list of about one hundred (100) accounts that are over expended and recommended budgetary transfers to balance these accounts. Councilman Waszkiewicz then offered the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the following revisions to balance all over expended accounts in the 2002 Budget, contingent upon the Bookkeeper's confirmation that these transfers are being done according to acceptable general municipal accounting practices:

General Fund, Whole-Town

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
AA1110.11 Court Clerk	\$ 1,136.34	
AA1110.13 Assistant Court Clerk	\$ 1,676.17	
AA1110.4 Town Court contractual		\$ 2,812.51
AA1220.11 Deputy Supervisor	\$ 2.54	
AA1220.4 Supervisor Contractual		\$ 2.54
AA1315.41 Willkie Farr	\$ 5,865.00	
AA1315.42 Fiscal Advisor	\$ 6,101.33	
AA1315.43 Bond Rating	\$ 5,500.00	
AA1315.2 Equipment		\$ 5,500.00
AA1315.4 Comptroller contractual		\$11,966.33
AA1355.2 Equipment	\$ 681.00	
AA1355.4 Assessor contractual		\$ 681.00
AA1355.41 Property Assessment	\$ 8,000.00	
AA1380.4 Contractual	\$ 651.98	
AA1990.4 Contingency		\$ 8,651.98

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<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
AA1410.13 Deputy Town Clerk II salary	\$ 951.98	
AA1410.14 Prior Year Comp	\$ 60.93	
AA1410.2 Town Clerk Equipment		\$ 1,012.91
AA1420.4 Town Attorney contractual	\$ 25,000.00	
AA1990.5 Severance Compensation		\$ 25,000.00
AA2770.0 Miscellaneous		\$ 840.00
AA1440.4 Town Engineer contractual	\$ 840.00	
AA889 Restricted Fund Balance Consumer Sq. Engineering		\$ 6,952.50
AA2705.4 Donation Engineering Fees	\$ 6,952.50	
AA2705.4 Donation Engineering Fees		\$ 6,952.50
AA1440.41 Clerk of Works/Consume	\$ 6,952.50	
AA1440.42 Woods Road Highway	\$ 79,097.90	
AA1440.4 Engineer Contractual		\$ 13,097.90
AA1990.4 Contingency Account		\$ 66,000.00
AA1440.43 Engineer Services - JC Penney Ex	\$ 280.00	
AA1440.4 Engineer Contractual		\$ 280.00
AA1450.4 Election contractual	\$ 1,444.73	
AA1460.4 Records Management contractual		\$ 1,444.73
AA1650.4 Contractual- Central Communication	\$ 8,000.00	
AA1650.41 Phone Repair	\$ 1,500.00	
AA1670.4 Printing & Mailing	\$ 1,500.00	
AA1670.41 Maintenance contracts	\$ 2,000.00	
AA1910.4 Unallocated Insurance		\$ 13,000.00
AA1680.4 Maintenance- Central Data Processing	\$ 6,845.00	
AA1680.2 Equipment		\$ 3,000.00
AA1680.41 Programming		\$ 3,100.00
AA1680.42 Training		\$ 745.00
AA9040.8 Worker's Compensation	\$ 500.00	
AA1910.4 Unallocated Insurance		\$ 500.00
AA3220.1 Dispatch Supervisor	\$ 950.69	
AA1990.4 Contingency Account		\$ 950.69
AA5999.0 Est App Fund Balance	\$ 8,383.26	
AA3310.4 Contractual Traffic Control	\$ 8,383.26	
AA885 Restricted Account Severance Pay	\$ 7,616.74	
AA909 Unexpended Balance		\$ 7,616.74
AA3510.12 Prior Year Comp	\$ 3,027.90	
AA1990.5 Severance Compensation		\$ 3,027.90

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<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
AA5010.1 Highway Superintendent salary	\$ 692.77	
AA5010.4 Highway Superintendent contractual		\$ 692.77
AA7020.1 Recreation Director	\$ 2,684.43	
AA1990.5 Severance Compensation		\$ 2,684.43
AA7020.11 Laborer	\$ 1,774.43	
AA1990.5 Severance Compensation		\$ 1,774.43
AA7020.12 Laborer II	\$ 122.64	
AA1990.5 Severance Compensation		\$ 122.64
AA7110.2 Equipment	\$ 418.04	
AA7110.4 Contractual	\$ 1,601.39	
AA7110.11 Working Supervisor	\$ 1,692.85	
AA7110.14 Seasonal Employees	\$ 1,422.07	
AA7110.15 Laborer	\$ 2,558.52	
AA7110.19 Laborer III	\$ 492.32	
AA7110.16 Overtime		\$ 5,000.00
AA1990.5 Severance Compensation		\$ 2,435.19
AA7110.17 Prior Year Comp		\$ 750.00
AA7140.4 Playgrounds & Rec Contractual	\$ 1,019.57	
AA7140.11 Playgrounds & Rec Seasonal		\$ 1,019.57
AA7230.1 Personal Services-Swim Program	\$ 7,996.80	
AA1990.5 Severance Compensation		\$ 7,996.80
AA7270.4 Concerts	\$ 1,067.60	
AA7310.4 Youth Employment Contractual		\$ 1,067.60
AA9050.8 Unemployment Insurance	\$ 3,000.00	
AA9040.8 Worker's Compensation		\$ 3,000.00
AA9730.6 BAN principal	\$ 42,000.00	
AA9030.8 Social Security		\$ 42,000.00

General Fund, Part-Town

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
BB3120.12 Police Typist	\$ 288.03	
BB3120.13 Police Senior Clerk	\$ 507.80	
BB3120.18 Senior Account Clerk	\$ 1,056.25	
BB3120.19 Comp Wages/Clerk II	\$ 70.13	
BB3120.1 Personal Service/Officers		\$ 1,922.21

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<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
BB4020.1 Registrar salary	\$ 15.30	
BB4020.4 Registrar contractual expense	\$ 216.76	
BB5999.0 Unappropriated Fund Balance--		\$ 232.06
BB8010.13 Assistant Zoning Officer	\$ 4.97	
BB8010.14 Zoning Secretary	\$ 636.54	
BB8020.12 Planner salary	\$ 5,538.54	
BB8020.44 Town Planner Contractual	\$ 14.72	
BB8010.19 Part-Time Codes Officer		\$ 6,100.00
BB8010.18 Part-Time Clerk		\$ 94.77
BB9010.18 State Retirement	\$ 222.10	
BB9030.8 Social Security	\$ 94,005.38	
BB9040.8 Workmen's Compensation	\$ 21,211.63	
BB9055.8 Disability Insurance	\$ 1,148.16	
BB9060.8 Hospital & Medical Insurance	\$ 217,501.00	
BB9710.06 Serial Bond (Principal)	\$ 7,700.00	
BB3120.1 Police Personnel Officers		\$ 130,000.00
BB3120.2 Police Equipment		\$ 30,000.00
BB9015.8 Police State Retirement		\$ 47,267.00
BB9730.6 BAN PR		\$ 40,000.00
BB9730.7 BAN IN		\$ 2,500.00
BB3120.14 Crossing Guards		\$ 7,000.00
BB8010.4 Zoning Contractual Expense		\$ 5,000.00
BB8010.18 PT Zoning Clerk		\$ 8,000.00
BB5999.0 Approp Fund Balance		\$ 72,021.27

Highway Fund, Whole-Town

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
DA5110.4 General Repairs-Contractual Expense	\$ 91,736.77	
DA9730.6 BAN Principal	\$ 72,000.00	
DA9730.7 BAN (Interest)	\$ 3,497.00	
DA5999.0 Approp. Fund Balance		\$ 167,233.77

Highway Fund, Part-Town

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
DB5110.41 Stone Repairs	\$ 851.76	
DB5110.43 Culvert Pipe Repairs	\$ 1,914.45	
DB5110.45 Gasoline		\$ 2,766.21
DB5130.2 Machinery Equipment	\$170,857.16	
DB2665.0 Equipment Sales		\$ 33,822.00
DB5990.0 Est. Approp. Fund Balance		\$137,035.16

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<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
DB8160.4 Refuse & Garbage Contractual	\$ 12,525.63	
DB9710.6 Serial Bond PR	\$ 2,400.00	
DB9710.7 Serial Bond IN	\$ 21,478.94	
DB9730.6 BAN PR	\$ 81,320.00	
DB9730.7 BAN IN	\$ 8,263.57	
DB9010.8 State Retirement		\$ 22,500.00
DB9030.8 Social Security		\$ 7,900.00
DB9040.8 Workmen's Compensation		\$ 5,800.00
DB9050.8 Unemployment Insurance		\$ 11,000.00
DB9060.8 Hospital/Medical Insurance		\$ 30,000.00
DB5142.1 Snow Removal PS Wages		\$ 48,798.14
DB5130.41Machinery Tires	\$ 5,000.00	
DB5110.14 Seasonal Employees		\$ 5,000.00
DB5140.42 Salt	\$ 7,000.00	
DB5140.44 Gasoline		\$ 7,000.00

Sewer Fund

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
SS8110.13 Laborers/Operators	\$ 39,409.72	
SS8110.4 Sewer Contractual Expense		\$ 39,409.72
SS9030.8 Social Security	\$ 1,679.90	
SS9010.8 State Retirement		\$ 1,679.90
SS9040.8 Workmen's Compensation	\$ 1,207.82	
SS9010.8 State Retirement		\$ 1,207.82
SS9050.8 Unemployment Insurance	\$ 3,143.63	
SS9010.8 State Retirement		\$ 3,143.63
SS8110.4 Sewer Contractual Expense	\$120,000.00	
SS5999.0 App. Fund Balance		\$120,000.00

Water Fund

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
FF8310.4 Administration Supplies	\$ 5,728.51	
FF8310.54 Tax Town Park	\$ 6,095.56	
FF5999.0 App. Fund Balance		\$ 11,824.07.

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

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Councilman Waszkiewicz - Aye
 (Councilman Woodland - ABSENT)
 Councilman Butler - Aye
 Councilman Backman - Aye
 Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

2002 Budgetary Revision (Parks and Recreation) – Electronic Scoreboard

Upon request of the Parks and Recreation Director and the recommendation of Bookkeeper Carol Fairbrother, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize the Parks and Recreation Director to purchase an electronic scoreboard at a not-to-exceed cost of Forty-four Hundred Dollars (\$4400) out of General Fund Account No. AA7140.2; since part of the revenue to pay for the scoreboard had been donated by Cocoa Cola through vending machine soda sales, the purchase of the scoreboard is contingent upon Coca Cola having no exclusive contract or rights associated with this purchase; further, while Coca Cola may posted their name on the scoreboard, other vendors may not be excluded from doing so; and be it

FURTHER RESOLVED that said Town Board does hereby authorize and direct the following budgetary revisions to cover the cost of the electronic scoreboard:

<u>Account No. (Description)</u>	<u>Increase</u>	<u>Decrease</u>
AA7140.2	\$ 3,877.15	
AA887		\$ 2,102.15
AA2705.3		\$ 925.00
AA7020.2		\$ 850.00.

The foregoing Resolution was voted upon by roll call:

Councilman Waszkiewicz - Aye
 (Councilman Woodland - ABSENT)
 Councilman Butler - Aye
 Councilman Backman - Aye
 Supervisor Humphreys - Aye.

Thereafter, the Supervisor declared the Resolution unanimously carried and duly.

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2002 Budgetary Revision – Woods Highway Study

The Bookkeeper apprised the Board that the General Fund (Whole-Town) is overdrawn by \$79,000 for the Woods Highway Study completed in 2002. After some discussion, Councilman Backman offered the following Resolution for adoption, seconded by Councilman Butler:

(RESOLUTION NO. OF 2002)

RESOLVED that, pending review and consent from Special Counsel Peter Rayhill, the New Hartford Town Board does hereby authorize and direct that the Woods Highway Study be funded in the amount of Fifty Thousand Dollars (\$50,000) from the Seneca Turnpike Highway mitigation fees and the balance of Twenty-nine Thousand Ninety-seven Dollars and Ninety Cents (\$29,097.90) out of the contingency account; if there is no concurrence from Special Counsel, the Highway Study shall be paid from the appropriate fund balance.

A roll call vote was duly held and resulted as follows:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted.

The Bookkeeper was then excused from the Town Board meeting.

Appointment – Part-time Clerical/Highway Department

The Town Supervisor acknowledged the Highway Superintendent's Memo requesting an extension of employment for seasonal, part-time clerk Ava Massoud; thereafter, Councilman Backman introduced the following Resolution for adoption and Councilman Waszkiewicz seconded same:

(RESOLUTION NO. OF 2002)

WHEREAS, Ava Massoud's part-time, seasonal employment for the Highway and Codes Departments will end January 2, 2003; and

WHEREAS, the Highway Superintendent has demonstrated a need for continued clerical assistance to help with close out of year-end billings, records, filing and other such related clerical work for both the Highway and Codes Departments;

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NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby re-appoint Ava Massoud as a seasonal, part-time clerk for the Highway and Codes Departments for the period January 3, 2003 through January 17, 2003 at the hourly wage of Seven Dollars and Fifty Cents (\$7.50), payable bi-weekly.

Upon roll call, the Board voted as follows:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Creation of weekend shift/Winter Season – Highway Department

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

(RESOLUTION NO. OF 2002)

WHEREAS, the Highway Superintendent is desirous of establishing a five-day work week to include Saturdays and Sundays during the Winter Season, and which work week is expected to reduce overtime hours; and

WHEREAS, Paul Lewis and Wayne Smoulcey have volunteered to work this new shift for an additional One Dollar (\$1) per hour;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby create a five-day work week to include Saturdays and Sundays during the Winter Seasons only and does hereby authorize that the base pay for **Paul Lewis and Wayne Smoulcey** be increased by One Dollar (\$1) per hour for all hours worked during the **winter shift season only**.

The foregoing Resolution was duly put to a vote upon roll call:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

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The Town Supervisor declared the Resolution unanimously carried and duly adopted.

Unused employee vacation time

Discussion resumed on the two (2) employees who were unable to use all of their 2002 vacation time prior to December 31, 2002; namely, the Deputy Highway Superintendent due to the early and continued heavy snow season this Fall and his cancelled vacation and the Bookkeeper. Councilman Backman agreed “..to go with it this time” but gave the history of why the Bookkeeper is where she’s at now; Councilman Butler commented that “...sometimes you have to make exceptions”. Councilman Backman emphasized the Town had “buy outs” for vacations and said it would enforce its “use it or loose it” policy (November 2000). Carrying over the vacation time will force us to do something , commented Councilman Waszkiewicz who suggested paying the employees now for the unused vacation time. Councilman Backman was firm – “...this is the final caviot”. Thereafter, Councilman Backman introduced the following Resolution for adoption and Councilman Waszkiewicz seconded same:

(RESOLUTION NO. .. OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize and direct payment of unused vacation time during fiscal year 2002 to the Deputy Highway Superintendent and to the Bookkeeper, with the full knowledge and understanding that said Town Board will henceforth enforce that section of the Town Employee Handbook wherein employees are required to use their vacation time within the calendar year, or lose it.

The Board then voted upon roll call as follows:

Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was thereafter declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY COUNCILMEN (CONTINUED)

COUNCILMAN WASZKIEWICZ:

Jerome Madden Justice Building (Police and Courts)

Councilman Waszkiewicz petitioned the Town Board to consider adjustments at the existing Police station for their needed additional space. Knowing the Board needs to free up the Kellogg Road Community Center Building first, Councilman Waszkiewicz

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communicated with New Hartford Village Treasurer Earl Cunningham who gave assurance that by mid-January 2003, seating would be in place for the community meeting room in Butler Memorial Hall – the table is already available. Councilman Waszkiewicz sought concurrence to schedule the February 5, 2003 Town Board meeting in Butler Memorial Hall to see how the room works out and possibly consider having meetings at that site, depending on how things go. Councilmen Butler and Backman had no problem as long as chairs, etc. are in place; at the same time Councilman Backman does not advocate moving meetings on a permanent basis from the Kellogg Road Community Center Building. The Town Supervisor doesn't mind having a couple meetings at Butler Memorial Hall but would not vote for moving the meetings permanently or relinquishing the Kellogg Road due to its high use by local organizations. Councilman Backman noted that the Kellogg Road building is home to two (2) election polling sites, which needs to be kept in mind if the building is relinquished.

2003 Wage Level Adjustments

Councilman Waszkiewicz had submitted a chart on wage level adjustments – parity in pay – for some support staff and recommended the adjustment in wages of four (4) support staff members become effective as of the first full pay period of Jan 2003. Councilman Backman was of the understanding that the Town Board had intended to incorporate a longevity clause for the non-union employees. Councilman Waszkiewicz responded that the longevity will not make up the difference in getting parity. After some discussion, Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Butler seconded same:

(RESOLUTION NO. .. OF 2002)

WHEREAS, the Town Board recognizes that some inequities in wage parity do exist in the Town of New Hartford; and

WHEREAS, in fairness to the employees, the Town Board is desirous of bringing wages into parity;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby established the following wage adjustments for the designated employees, with said adjustments to become effective in the first full week pay period of January 2003:

<u>Name</u>	<u>Title</u>	<u>Wage/Manner of Payment</u>
Robin Brindisi	Deputy Registrar of Vital Statistics	\$26,781.00; bi-weekly
Michele Moran	Senior Account Clerk/Typist	\$25,827.00; bi-weekly
Amy Topor	Senior Clerk	\$25,627.00; bi-weekly
Patricia Vasco	Clerk	\$19,669.00; bi-weekly.

A roll call vote was duly held and resulted as follows:

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Councilman Waszkiewicz	-	Aye
(Councilman Woodland	-	ABSENT)
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was thereafter declared unanimously carried and duly adopted; Councilman Backman encouraged the Town Board to look into the longevity matter.

COUNCILMAN BACKMAN:

Contracts - Computer Hardware and Software

Councilman Backman is researching separate hardware and software contracts. He and the Town Supervisor have been discussing service with a couple companies. The idea of an in-house computer study with one key person in each building was discussed. Councilman Backman will draft a letter to be forwarded to each department head asking an inventory of their hardware, software, operating system, etc. (the Board will review this letter before it's sent). ESI will help with network descriptions and map and hopefully get a handle on this. It is desirous to set standards of what's current in the market, etc. This matter should be periodically reviewed and it is expected the Town will issue a user manual for employees.

MATTERS SUBMITTED BY TOWN SUPERVISOR (CONTINUED)

Cemeteries

The Town Supervisor has researched records at the Oneida County offices on old and/or abandoned cemeteries and did not locate any records indicating a cemetery existed on Beechwood Road. Councilman Backman had been contacted by Bonnie Hrebinka, 40 Beechwood Road, who expressed concern about tombstones discovered on her property when her driveway was being excavated and installed; Ms. Hrebinka is concerned with her rights as a property owner and the possibility of decreased property values. It was noted that eight (8) houses on the right hand side of Beechwood Road do not have basements. Councilman Backman would like to form a neighborhood block and communicate that:

- the Town doesn't know what the Beechwood Road residents have on their property but are willing to do research and keep the residents updated
- conduct a neighborhood meeting at which Utica College Professor Thomas Christ – an expert in this field - would speak to the residents

Supervisor Humphreys noted that Professor Christ has volunteered to speak at a neighborhood meeting. The Town Supervisor will discuss this first with Attorney Rossi

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as the Supervisor believes the Town has some responsibility of looking into the law and to advise the residents. It was the Town Board's consensus that Councilman Backman draft a letter to the Beechwood Road residents and that Attorney Rossi review same before it is mailed.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Waszkiewicz and seconded by Councilman Backman, the meeting was adjourned at 12:34 P.M.

Respectfully submitted,

**Gail Wolanin Young, CMC/RMC
Town Clerk**