

**REGULAR 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 WEDNESDAY, SEPTEMBER 17, 2003 AT 7:05 P.M.**

The Town Supervisor called the meeting to order at 7:05 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: Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Planner Kurt L. Schwenzfeier
Police Chief Raymond Philo
Parks and Recreation Director Michael Jeffery
Town Clerk Gail Wolanin Young and Deputy Town
Clerk I Margaret M. Jones

OTHERS: Attorney for the Town, Vincent Rossi, Jr

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

PUBLIC PRESENTATIONS

BLEACHERY AVENUE BRIDGE:

Robert Mundrick, 3545 Bleachery Place, Chadwicks expressed concern about the looks of the new Bleachery Ave bridge; mainly, that "...the steel is supposed to be 'super duper'", but he says "...the wrong stuff is in the wrong spot". Mr. Mundrick understood that the bridge won't be painted and he asked that it be painted because rust is getting on passersby clothing and the bridge doesn't look good – looks rusty. He inquired whether signatures on a petition would help get it painted.

Highway Superintendent Cleveland responded that the bridge is not rusty steel, it's galvanized steel and was used for aesthetics – pleasing for the area. Several area property owners had been solicited for their opinion on using something different than the standard run-of-the-mill bridge. Because of oxidation, it is unlikely that the bridge can be painted; at the same time, the Town Engineering Department will be asked to investigate this. Further, the Highway Superintendent has been on-site and rubbed his hands on the bridge and did note that if someone rubs hard enough, they can get some residue. While

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acknowledging Mr. Mundrick's dissatisfaction, the Highway Superintendent stated the steel will "cure"-darken over five (5) years.

Councilman Backman acknowledged a complaint from Joseph Borgia about his dissatisfaction as well. In response to Mr. Mundrick's question about a petition, the Town Supervisor stated that obtaining signatures wouldn't hurt but that he is not sure if the bridge can be painted.

PROPOSED RELOCATION – NEW HARTFORD ADULT DINING & ACTIVITY CENTER

Ben Ciocca, 10 Croft Road, New Hartford, understood that the Town Board is considering the relocation of the senior center from the Village to Commercial Drive and he inquired about the status and rationale behind this idea. The Town Supervisor responded that if the Town owned a building and would have room for the senior center, that it would not make sense to continue paying Twenty-Five Thousand Dollars (\$25,000) annual rent to St. John the Evangelist Church. The Town is looking ahead to acquire a facility to house all town offices, including the senior center. Mr. Ciocca further questioned the Board on how they would determine if this is in the best interest of the seniors. Commercial Drive is a heavily traveled area and would be a deterrent for seniors who are afraid of driving in a congested area. The Supervisor commented that once the Judd Road project is completed, the motorists would exit the Judd Road extension and the building would be on the right. Also, the Town would still provide bus service for those who can't or don't want to drive. The senior center would be one of the last departments moved --- probably three (3) years down the road. Councilman Butler said the Town would have a number of public hearings on the purchase and relocation of town offices and senior center and welcomed public comment.

Director of Senior Services M. Eileen Spellman stated that the New Hartford Adult Dining & Activity Center has obtained six hundred (600) signatures of seniors who do not want the center moved to the high-traffic area of Commercial Drive, preferring to remain in a residential area.

COMMUNITY FOUNDATION OF HERKIMER AND ONEIDA COUNTY

At 7:25 P.M. Elayne Johnson, a representative of the *Community Foundation of Herkimer and Oneida County*, a non-profit community public foundation that has been in existence for fifty (50) years, explained that a 501 3 C Plan could be established for a community at large and serves a particular community. Community foundations are developed by donors of a community (hundreds of people) and can only make grants to the community where they exist and nowhere else; these particular foundations have geographic limitations. The Community Foundation is dedicated to providing resources to the community and has the largest pool of capital contributors in the region. Contributions are tax deductible up to the amount allowed. Over one hundred thirty-five (135) funds have been created over the last fifty (50) years and serve any charitable

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interest in a community – memorials, funds, singly and those started by families as well as organizations that want to start an endowment fund for themselves. The Community Foundation accepts all types of gifts – cash, stocks, cars, etc. and has over forty-three (43) million in endowments and still have the “original” gifts invested.

Councilman Waszkiewicz asked about set-up fees and how the funds were set up. Ms. Johnson stated that by setting up a fund through the Community Foundation, the Town would save money – there are no start-up fees. Whatever funds the Town generates, the Town must manage; and by going establishing a fund through the Community Foundation, the Town would use their managers, which is cost effective. Councilman Waszkiewicz added that because the Community Foundation has so much money, fees would be less for the Town. The Foundation would handle all accounting aspects, Internal Revenue Service and audits. The Town would receive a quarterly statement, and there is a fee of one to one and one-half (1 to 1.5%) percent annually, which offsets administrative fees. A minimum of Five Thousand Dollars (\$5,000) must be kept in the account at all times. The presentation concluded at 7:55 P.M.

REPORTS OF TOWN OFFICIALS

PARKS AND RECREATION DIRECTOR:

Competitive Bid – Award for Ice Resurfacers

Parks and Recreation Director Michael Jeffery reported that one bid had been received for a new Ice Resurfacing Machine and the bid met specifications and was within the anticipated price range. Discussion ensued on method of payment for the equipment. Upon recommendation of the Parks and Recreation Director and the Parks and Recreation Standing Committee, Councilman Waszkiewicz presented the following Resolution for adoption, seconded by Councilman Butler:

(RESOLUTION NO. 330 OF 2003)

WHEREAS, the Town of New Hartford had received one (1) Bid for the purchase of a new Ice Resurfacing Machine and which bid met all Town specifications;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby accept the sole bid submitted by and does hereby award the contract to ***Arena Operating Co., Inc.***, 585 John Fitch Boulevard, South Windsor, CT, for the purchase of one (1) Olympia “Millennium” Ice Resurfacers as per their bid submitted in the amount of Sixty-three Thousand Five Hundred Dollars (\$63,500); and be it

FURTHER RESOLVED that delivery of the Ice Resurfacers shall occur in January 2004, with said equipment to be subsequently invoiced, vouchered and paid from the 2004 Parks and Recreation Budget, Equipment Account No. AA7020.2.

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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.

Appointments – 2003-2004 Winter Recreation Seasonal Employees

Upon recommendation of the Parks and Recreation Director, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Woodland:

(RESOLUTION NO. 331 OF 2003)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, all wages to be paid bi-weekly:

Parks – A7020.14; commencing September 21, 2003

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Sean Virkler	Zamboni Driver	\$7.90/per hour
Erik Cusworth	Zamboni Driver	\$7.90/per hour
Eric Radley	Ice Attendant	\$5.75/per hour
Daniel Kunze	Ice Attendant	\$5.75/per hour
Michael Chiellino	Ice Attendant	\$5.75/per hour
Jennifer Tesak	Ice Attendant	\$5.75/per hour
Joshua Noggle	Ice Attendant	\$5.75/per hour
Sarah Gros	Ice Attendant	\$5.75/per hour

Parks – A7230.1; commencing September 18, 2003

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Stephen Blaker	Lifeguard	\$7.36/per hour
Lauren Dunn	Lifeguard	\$7.36/per hour

Whereupon, the Town Board voted by roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

2003 Report of Park Repairs

The Parks and Recreation Director presented a Report of 2003 completed repairs at the three parks, and other facilities. The Director also submitted a 2003-2004 work list.

Training Seminar

Upon request of the Parks and Recreation Director, Town Board consensus was to allow Director Michael Jeffery to attend the “Spray Park Construction” Seminar in Albany, NY on Monday, September 23, 2003.

POLICE CHIEF:

Appointment - Part-time Animal Control Officer

Having followed Town policy for recruitment and interview with the Personnel Assistant, Police Chief Raymond Philo and the Public Safety Committee recommended that Town-resident Frank S. McCully be appointed as part-time Animal Control Officer. The Public Safety Committee reviewed this applicant. Thereafter, Councilman Butler presented the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 332 OF 2003)

WHEREAS, a vacancy exists in the position of Part-time Animal Control Officer due to the resignation of Jordan Spinella, the former incumbent thereof;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Frank S. McCully as Part-Time Animal Control Officer under the auspices of the Police Department, effective September 21, 2003, at an hourly rate of Ten Dollars (\$10.00), payable by-weekly.

Upon roll call, the Board members voted 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.

Emergency Disaster - Hurricane Isabel

The Police Chief reported that his Department has been working with the Highway Department and area officials preparing for possible adverse effects from Hurricane Isabel that is expected to pass northward through western New York State.

HIGHWAY SUPERINTENDENT:

Agreement - 2003-2004 County Snow and Ice Control

Upon recommendation of the Highway Superintendent, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 333 OF 2003)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Superintendent of Highways and the Town Supervisor to enter into and to execute an Agreement with the County of Oneida, by and through Dennis S. Davis, Deputy Commissioner, County Department of Public Works, 6000 Airport Road, Oriskany, New York, for the control of snow and ice on County Roads for the Snow Season dating from November 1, 2003 through April 30, 2004, and as more fully set forth in an Agreement to be filed in the New Hartford Town Clerk's Office.

Discussion ensued with Councilman Backman wishing to see a fuel escalation clause on the 2004-2005 Contract. Councilman Backman believes that since the cost of fuel is increasing that perhaps a twenty (20) or thirty (30) cent fuel surcharge should be added to the 2004-2005 Contract and sought the support of the Oneida County Highway Superintendents Association. Highway Superintendent Cleveland, former President of the County Highway Superintendents' Association, stated that the organization had tried for years with no success and he suggested that Town Board write to the Oneida County Department of Public Works and County Legislature. Thereafter, the foregoing Resolution was duly put to vote upon roll call, 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.

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Emergency Disaster - Hurricane Isabel

The Highway Superintendent reported that he has been surveying the Town with the Police Chief and his staff preparing for potential Hurricane Isabel; Highway crews have been cleaning culverts and ditches in anticipation of the Hurricane, which may affect our area.

Highway Department Shift Leaders

With the retirement of Ronald Wehrle in 2002 and Francis Kelly's upcoming retirement in October 2003, the vacancies for Shift leaders need to be posted. The Highway Superintendent explained that he has the prerogative to select the individual he believes is most qualified and can do the job. Basically, when the Deputy Highway Superintendent isn't available, one (1) individual in each shift is designated shift leader and is paid a flat One Dollar (\$1) rate per hour for the eight (8) hour shift but no stipend is paid for hours worked over the eight (8) hour shift. Due to pending Highway Department union negotiations, the Town Board delayed action and will discuss the matter in Executive Session.

NYS Legislature "Member Item" – Senator Ray Meier

The Highway Department is the recipient of a One Hundred Seventy-Five Thousand Dollar (\$175,000) "member item" from NY Senator Raymond Meier and Highway Superintendent Cleveland suggested that the money be used for the following projects:

- Sessions Road reconstruction
- finish compost green waste site
- sidewalk work.

In behalf of the Town Board, Supervisor Humphreys will send a letter of thanks to Senator Meier.

PLANNER:

Financial Retainer - Slocum Dickson Medical Group expansion

Based on the recommendation of the Town Planner, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 334 OF 2003)

WHEREAS, on September 11, 2000, the Town of New Hartford received a Thirty-Four Thousand One Hundred Twenty Dollar (\$34,120) Check [No. 1168] from Slocum Dickson Medical Group as a Retainer to insure the completion of an expanded three-story, thirty-six hundred (3600) square feet medical facility on Burrstone Road; and

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WHEREAS, the Town Planner has reported that the aforesaid construction project has been satisfactorily completed and there are no outstanding issues pertaining to the project;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Bookkeeper to return to Slocum-Dickson Medical Group their retainer fee in the amount of Thirty-Four Thousand One Hundred Twenty Dollars (\$34,120), either by the return of their original Check Number 1168, if it has not been deposited in a Town of New Hartford account, or by refunding the amount in the form of a check.

Upon roll call, the Town Board voted as follows:

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

Thereafter, the Resolution was declared unanimously carried and duly adopted.

Memorandum of Understanding – St. Lukes’Hospital/Burrstone Energy, LLC

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

(RESOLUTION NO. 335 OF 2003)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute a Memorandum of Understanding between the Town of New Hartford and St. Luke’s Hospital/Burrstone Energy, LLC, 1656 Champlin Avenue, New Hartford, New York, wherein said St. Luke’s Hospital/Burrstone Energy, LLC would contribute, as per the conditions of said Memorandum of Understanding, the total sum of Four Thousand Nine Hundred Twenty-Five Dollars and Ninety-Eight Cents (\$4,925.98) as same relates to their construction and operation of a ten (10) megawatt Combined Heat and Power (CHP) facility within the Burrstone Road/French Road/Champlin Avenue Corridor Generic Environmental Impact Study boundary area.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye

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Councilman Backman - Aye
Supervisor Humphreys - Aye.

Whereupon, the Resolution was declared unanimously carried and duly adopted.

Pre-Development Agreement – St. Lukes’ Hospital/Burrstone Energy, LLC

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

(RESOLUTION NO. 336 OF 2003)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute a Pre-Development Agreement between the Town of New Hartford and St. Luke’s Hospital/Burrstone Energy, LLC, 1656 Champlin Avenue, New Hartford, New York, wherein said St. Luke’s Hospital/Burrstone Energy, LLC would contribute, as per the conditions of said Pre-Development Agreement, the total sum of One Hundred Seventy Three Thousand Two Hundred Dollars (\$173,200) as same relates to the construction and operation of a ten (10) megawatt Combined Heat and Power (CHP) facility within the Burrstone Road/French Road/Champlin Avenue Corridor Generic Environmental Impact Study boundary area.

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

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

Whereupon, the Resolution was declared unanimously carried and duly adopted.

GEIS impact – (Agenda Item #3 - Councilman Waszkiewicz)

Councilman Waszkiewicz believed that in starting to progress through a potential GEIS process, thought should be given one step at a time. In reviewing the Town’s Master Plan and discussions of the Town Board, much concern has been expressed regarding a GEIS. The first step should be that the Master Plan is updated as it is specified that a five (5) year review occur and the last review was done in 1995. The next proactive step is to update the Town’s Master Plan, he wanted to bring to the Town Board’s attention of what it entails. For the October 1, 2003 meeting, Councilman Waszkiewicz anticipated a presentation of facts to the Town Board for their consideration and possible action. The consensus of the Town Board was that the Town Planner will review the comprehensive Master Plan with Zoning.

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Road Dedication - Whitetail Meadows

The Town Supervisor questioned if a “punch list” had been provided regarding work to be done in the Whitetail Meadows subdivision. The Town Planner stated that the Department of Environmental Conservation (DEC) is requiring that Developer John Barkett, Jr. file a new “Notice of Intent” for a SPDES General Permit.

Vincent J. Rossi, Esq., Attorney for the Town, stated that Attorney John Maya has provided Twenty-Three Thousand Five Hundred Dollars (\$23,500) in cash as security to ensure completion of the top course for the two (2) roads. Attorney Rossi acknowledged receipt of all required documents for road dedication. Based upon the certification of the Highway Superintendent and Attorney Rossi that the Whitetail Meadow roads meet all Town requirements, Councilman Backman presented the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 337 OF 2003)

WHEREAS, the following documents have been received by the Town Clerk and Town Engineer for dedication of two (2) roads in the Whitetail Meadows development:

- Certification by Developer’s engineer
- Letter of approval by Highway Superintendent
- Letter of approval by the Town Engineer
- Warranty deed describing each street
- Warranty deed for sewer easement
- Warranty deed for stormwater easement
- Letter of approval by the Attorney for the Town
- Copies of final approved plans
- In lieu of as-built drawings and completion of the top course, the Developer has delivered a Letter of Credit for \$23,500 to secure completion of those items.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby accept and dedicate as public highways the entire length of Kay Circle and Florence Court in the Whitetail Meadows development, as fully described in a Warranty Deed dated September 17, 2003 with the understanding that the Developer must install the top course of both roadways; and be it

FURTHER RESOLVED that the said Town Board does hereby accept a permanent right of way and easement for sanitary sewer purposes, a utility easement and a permanent right of way and easement for stormwater retention purposes, as more fully described in Warranty Deeds dated September 17, 2003; and be it

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YET FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to record the necessary documents relating to public dedication of the aforesaid highways and easements in the Office of the Oneida County Clerk.

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 foregoing Resolution was thereafter declared unanimously carried and duly adopted.

Building Lot No. 23 – Whitetail Meadows

On August 20, 2003 the Town Board had authorized the issuance of one building permit in Whitetail Meadows, and only for Lot No.23 contingent upon the title to said Lot being retained by Whitetail Meadows, Inc.; however, Attorney John Maya, in behalf of developer John Barkett, Jr., is now asking that the title to this lot be transferred to Lewis Custom Homes. Highway Superintendent Cleveland explained that this particular lot is not within the Water Transportation Corporation district. Since the particular lot is not within said transportation corporation district, Attorney Maya questioned why it couldn't be transferred. Attorney Rossi stated that it is okay if the Town Board concurs, which they subsequently did.

HIGHWAY SUPERINTENDENT:

Signs (Private Industry) - Sitrin Healthcare Center

Regarding the Sitrin Healthcare Center request for a location or directional sign to be erected at the Higby-Sessions Road intersection, the Real Estate Office of the New York State Department of Transportation has confirmed that safety can be used to justify posting of signs, the Highway Superintendent reported. A 2'x3' sign is recommended for a two-lane road and the Sitrin Healthcare Center is willing to pay the cost. The Highway Superintendent stated that the neighbors would be consulted as well as the Oneida County Department of Public Works that has jurisdiction over Higby Road. It was the consensus of the Board Members to move forward with this matter.

Inter-municipal Fuel Agreements

Upon recommendation of the Highway Superintendent, Councilman Waszkiewicz presented the following Resolution for adoption, seconded by Councilman Butler:

(RESOLUTION NO. 338 OF 2003)

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RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute a Fuel Agreement with the *New York Mills Union Free School District*, 1 Marauder Boulevard, New York Mills whereby the New York Mills Union Free School District agrees to make payment on a monthly basis for fuel used the previous month. This Agreement is for the period of October 1, 2003 to September 30, 2007.

A roll call vote ensued:

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

The Resolution was declared unanimously carried and duly adopted.

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

(RESOLUTION NO. 339 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute a Fuel Agreement with the *Willowvale Fire Company*, 3472 Oneida Street, Chadwicks whereby the Willowvale Fire Department agrees to make payment on a monthly basis for fuel used the previous month. This Agreement is for the period of October 1, 2003 to September 30, 2007.

A roll call vote ensued:

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

The Resolution was declared unanimously carried and duly adopted.

Storm Drainage - Beechwood Road

The Highway Superintendent, Town Planner and Attorney Rossi had discussed a list of requested repairs/improvements made by Mrs. Zammiello, 23 Beechwood Road (NOTE:

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See August 20, 2003 Town Board minutes). While the Town has been maintaining the catch basin on Mrs. Zammiello's property, the Highway Superintendent is sure that the Town hasn't caused all the damage to the property that she is requesting be improved, but the Town has contributed to some extent to the damage. Because of the Town's history on the property and the fact that the catch basin does protect a lot of people downstream, the Highway Superintendent believes the Town should have the right to access the facility and that redefining the channel will help contain the stormwater flow; he requested Town Board permission to pursue obtaining the drainage easements from Mrs. Zammiello and her uphill neighbor.

Curbside Trash Collection Expense – 9367 Elm Street, Chadwicks

The Highway Superintendent is to file a Small Claims action in Town Court to recover the Town's expenditure of Two Hundred Twenty-One Dollars (\$221) for removal of trash on July 3, 2003 that had been placed along the road right-of-way in violation of the Town's policy.

Higby Road Water Tower – (Agenda Item #5 – Councilman Waszkiewicz)

Councilman Waszkiewicz agreed that this matter should be discussed in Executive Session.

Vehicular Sight Distance - Wadsworth Road and Sherman Circle

Councilman Waszkiewicz asked the Police Chief and Highway Superintendent to make an on-site inspection at this intersection, addressing the line-of-sight problem due to overgrowth at this intersection.

Inter-Fund Reimbursement – Additional Road Paving

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

(RESOLUTION NO. 340 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize Bookkeeper Carol Fairbrother to make an inter-fund transfer in the amount of Sixty-Seven Thousand Thirty-Five Dollars and Forty-One Cents (\$67,035.41) from the Storm Water Drainage Capital projects account into the Highway/Part-Town Account to reimburse the Highway Department for wages and equipment related to storm drainage work performed by the Highway Department crews; said reimbursement to be used for additional road paving in 2003.

A roll call vote ensued:

Councilman Waszkiewicz - Aye

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

The Resolution was declared unanimously carried and duly adopted.

TOWN CLERK:

Training School

Upon presentation by the Town Clerk, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Butler:

(RESOLUTION NO. 341 OF 2003)

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 retroactive permission to the Town Supervisor and Town Clerk to attend the quarterly business meeting of the Oneida County Association of Towns on Tuesday, September 16, 2003 in Sauquoit, New York, with expenses to be borne by said Town as budgeted.

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.

MATTERS SUBMITTED BY COUNCILMEN AND ATTORNEY

COUNCILMAN WASZKIEWICZ:

Agenda Items

- ASR System Group - Bob Dudley has been extremely busy with installation work from other grants and hasn't had time to contact the Town Clerk and Police Chief

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- *New York Mills Annexation* - The Town Planner has given a copy of the map to Councilman Waszkiewicz. Attorney Rossi also has the map and he hopes that by the next Town Board meeting the petitions will be available. Attorney Rossi has discussed this matter with the Town Planner and Senior Engineering Technician Meagher is finalizing calculations of the difference in taxes with and without annexation; Councilman Waszkiewicz acknowledged he would like this information for the door-to-door canvass of signatures.
- *Sewer Extension Formula* - Councilman Waszkiewicz complimented the Highway Superintendent on his letter to the State and Federal Representatives, seeking funding support for this project.
- *Identification Card for New York Mills residents in the Town of New Hartford* - At the Town dumpster days, there seems to be some confusion regarding New York Mills village residents who live in the Town of New Hartford and Councilman Waszkiewicz thought if identification cards were available to residents it would make it less embarrassing or confusing. Discussion ensued with the Police Chief noting that Town residents also have mailing addresses of Utica, Chadwicks, Washington Mills, Clinton, Whitesboro, Sauquoit and Frankfort. Chief Philo believes there is an easier way and will meet with Councilman Waszkiewicz.

COUNCILMAN BUTLER:

CAD System Software - PAMET

Telecommunicator Supervisor Jeffrey Madden continues to work with PAMET and they are negotiating Twenty Thousand Dollars (\$20,000) for data conversion, which should be budgeted for 2004.

COUNCILMAN BACKMAN:

Small Claims Assessment Cases

Councilman Backman reported that Assessor Paul Smith is reviewing the Hearing Officers' decisions on Small Claims cases and there are some settlements.

Chapman Road Reconstruction

Councilman Backman reported that the Oneida County Department of Public Works had conducted a meeting Tuesday, September 16, 2003 on the proposed improvements to Chapman Road; a second meeting is tentatively set for November 2003.

Sessions Road Reconstruction

Councilman Backman discussed with Guy Wilcox the plans to straighten the curve on Sessions Road and Dr. Wilcox is amenable to softening the curve, aware that he would need to deed some land to the Town for this effort.

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Town Web site

Under the direction of James and Cathy Lawrence, the Town's Web site is improving daily and there are still some "bios" needed.

2001 Bid (Salt Barn) - Town vs. D'Onofrio

Attorney Rossi reported that the matter is at a standstill.

Telephone and Internet Provider

Councilman Backman stated that meetings with phone and Internet providers are on-going, and he is trying to obtain concrete information about switching the types of lines.

COUNCILMAN WOODLAND:

Vehicle and Traffic – "School Bus Stop Ahead" Sign

At the request of Councilman Woodland, Police Chief Philo performed an on-site inspection of the vicinity of 130-132 Clinton Road (NYS Route 12B). The Police Chief had received a letter from residents at 130 Clinton Road stating that a child awaits the bus on the street and motorists come around the curve fast. There is a sign in the area of Cardinal Estates but the Police Chief advised that the request must be referred to the New York State Department of Transportation who has jurisdiction over Clinton Road. Thereafter, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 342 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct Town Clerk Gail Wolanin Young to write a letter to the New York State Department of Transportation, Attention of Robert White, Regional Traffic Engineer, requesting that the Department of Transportation perform an "on site" investigation of the vicinity of 132 Clinton Road, New Hartford, New York for the purposes of placing a "School Bus Stop Ahead" sign in the area.

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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Proposed “No Parking Sign” - Irving Road

The Highway Superintendent recommended that a “No Parking” sign be erected on Irving Road, approximately sixty-eight (68) feet from the driving lane of Seneca Turnpike. A sight distance and radius-turning problem exist because motorists park on Irving right up to Seneca Turnpike.

Debris - Marley Place

Councilman Woodland reported there is a neighborhood dispute regarding gardening debris and he will meet with the neighbors.

Real Property Tax Law – Parent/Grandparent Exemption

Councilman Woodland inquired about the status of the mother-in-law real property tax exemption. It was reported that the Oneida County Board of Legislators is not interested in offering this exemption and the New Hartford Central School Board “..is not on board”. The Town Board is not ready to support this exemption.

MATTERS SUBMITTED BY TOWN SUPERVISOR:

Audit of Vouchers

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

(RESOLUTION NO. 343 OF 2003)

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, which ha been duly audited by the Town Board:

General Fund, Whole-Town Abstract No. 32	\$ 189.24
General Fund, Whole-Town Abstract No. 33	\$ 39,131.11
General Fund, Part-Town Abstract No. 23	\$ 4,014.70
Highway Fund, Whole-Town Abstract No. 4	\$584,175.40
Highway Fund, Part-Town Abstract No. 21	\$ 37,103.83
Sewer Fund Abstract No. 13	\$ 1,221.38
Street Light District Abstract No. 12	\$ 6,749.41
Drainage Abstract No. 14	\$ <u>7,719.27</u>
TOTAL:	\$680,304.34

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz - Aye
Councilman Woodland - Aye

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

The Resolution was declared unanimously carried and duly adopted

Union Recognition – Certain Police Clerical Employees

The Town Supervisor presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 344 OF 2003)

RESOLVED that the Town of New Hartford, based upon a card check of union authorization cards, hereby recognizes the New Hartford Dispatchers Benevolent Association, Inc., as the bargaining representative for certain secretarial employees employed in the Town of New Hartford Police Department and authorizes those employees to be included within the bargaining unit with the Town's dispatchers in the upcoming collective bargaining negotiations.

Upon roll call, the Board members voted as follows:

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

The Resolution was declared unanimously carried and duly adopted

EXECUTIVE SESSION

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

(RESOLUTION NO. 345 OF 2003)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the acquisition of real property for construction of a water tower and union negotiations.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz - Aye

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

The Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, Town Clerk and Deputy Town Clerk were then excused from the meeting at 10:29 P.M. The Highway Superintendent and Attorney Rossi remained for the Executive Session.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 346 OF 2003)

RESOLVED that the New Hartford Town Board does hereby move to end its Executive Session and to reconvene the regular portion of the Town Board meeting.

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 Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:58 P.M. The regular portion of the Town Board meeting was immediately reconvened.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made by Councilman Waszkiewicz and seconded by Councilman Butler, the meeting was adjourned at 10:59 P.M.

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Respectfully Submitted,

Margaret M. Jones
Deputy Town Clerk I

Gail Wolanin Young, CMC/RMC
Town Clerk