

**SPECIAL MEETING OF THE TOWN BOARD OF THE
TOWN OF NEW HARTFORD, NEW YORK
HELD IN BUTLER MEMORIAL HALL ON THURSDAY,
DECEMBER 31, 2003 AT 1:40 P.M.**

The Town Supervisor called the meeting to order at 1:40 P.M. and then led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials being present during the progress of the meeting:

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

ABSENT: Councilman Richard B. Woodland, Jr.

OTHER TOWN OFFICIALS: Town Clerk Gail Wolanin Young, CMC/RMC

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

MINUTES

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

(RESOLUTION NO. 453 OF 2003)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **November 19, 2003** and does further waive the reading of the same.

Upon roll call, the Board members 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.

OATHS OF OFFICE / SWEARING-IN CEREMONY

Town Clerk Gail Wolanin Young then conducted the Swearing-In Ceremony for Town Justice William M. Virkler and Second Ward Councilman John C. Waszkiewicz III, both of whom were re-elected in the November 2003 General Election.

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REPORTS OF TOWN OFFICIALS

TOWN CLERK:

Appointment of Dog Enumerators

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

(RESOLUTION NO. 454 OF 2003)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals as Dog Enumerators (Part-time) for the Town of New Hartford, effective immediately, at an hourly wage of Seven Dollars and Seventy-five Cents, payable bi-weekly:

- Allison Back
- Megan Grimmer.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

Training School

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

(RESOLUTION NO. 455 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 permission to Town Clerk Gail Wolanin Young and Deputy Town Clerk II Nancy E. Kneller to attend the New York State Town Clerks Annual

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Conference from April 18 through April 21, 2004 in Saratoga Springs, 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 | - | ABSENT) |
| Councilman Butler | - | Aye |
| Councilman Backman | - | Aye |
| Supervisor Humphreys | - | Aye. |

The Resolution was declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Grant Consultant Resignation

Councilman Waszkiewicz acknowledged receipt of a copy of the December 18, 2003 letter of resignation from Grant Consultant Connie Miner, addressed to the Town Supervisor; Councilman Waszkiewicz stated there are some inaccuracies of allegations in Ms. Miner's letter. After Board discussion, it was the consensus to look for another grant writer, and meanwhile, since the Town has hired a Planner/Grant Writer, that Planner Kurt Schwenzfeier may be able to write the Records Management Grant application due by February 1, 2004.

Employee Handbook – Section 810/Flexible Spending Plan

Relative to the Flexible Spending Plan fringe benefit offered Town officials and employees in the Employee Handbook, Councilman Waszkiewicz said that although the Town Board thought all officials/employees had withdrawn from the Plan (**NOTE: See Minutes of November 5, 2003, Town Supervisor's comments on Page 28**) there is, in fact, one (1) individual who may still be interested. Discussion then ensued about the \$25 monthly administrative fee that has recently increased to \$50 monthly and whether this fee should be shared by participating employees. Councilman Waszkiewicz believed the Flexible Spending Plan should be free to all, as officials/employees had never been charged previously. Discussion included discontinuance with the current vendor and therefore, the Plan would not be available due to the exorbitant cost. Supervisor Humphreys is hesitant to end this fringe benefit without a new vendor because this benefit is in the union contract for either, or possibly both, the Police and Highway Departments. Thereafter, Councilman Waszkiewicz offered the following Resolution for adoption; seconded by Councilman Butler:

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(RESOLUTION NO. 456 OF 2003)

RESOLVED that the New Hartford Town Board does hereby establish policy regarding the Flexible Spending Plan offered to Town officials and employees; specifically, any participants of such program, regardless of the number of participants, shall bear any increased costs charged by the vendor above the Twenty-five Dollar (\$25) per month administrative fee, and that any charges above the Twenty-five (\$25) monthly fee shall be split equally among all participants. However, the Two Hundred Dollar fee (\$200) to re-write the plan will be borne totally by the Town.

A roll call vote ensued:

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

The Resolution was declared unanimously carried and duly adopted. Meanwhile, the Town Supervisor will ask the Bookkeeper to check with the bank to determine if this plan can be offered for free – the Town Supervisor said it’s getting expensive.

COUNCILMAN BUTLER:

Payroll – Direct Deposit

Councilman Butler questioned whether the Town offered direct deposit, stating he had talked with several employees who expressed concerns that their paychecks, received December 31, 2003, were dated January 1, 2004 and the checks couldn’t be cashed. After some discussion, the Town Supervisor will consult with the Bookkeeper who may have information on a past solicitation of employees for payroll direct deposit.

MATTERS SUBMITTED BY TOWN SUPERVISOR

2003 Budgetary Increases/Transfers

Upon request of the Bookkeeper, Councilman Backman introduced the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 457 OF 2003)

RESOLVED that the New Hartford Town Board does hereby authorize and approve the following budgetary revisions to balance overdrawn accounts in the 2003 Budget:

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| <u>Account No./Description</u> | <u>Increase</u> | <u>Decrease</u> |
|---|-----------------|-----------------|
| A1355.41 Property Assessment | \$ 1,000.00 | |
| A1410.13 Deputy Town Clerk II Salary | | \$ 1,000.00 |
| A1440.4 Engineer Contractual | \$ 41.91 | |
| A1430.4 Personnel Contractual | | \$ 41.91 |
| A1620.11 Traffic Signs/Personal Services | \$ 102.00 | |
| A1620.1 Buildings/Personal Services | | \$ 102.00 |
| A1440.45 Clerk of the Works/"The Orchards" | \$ 1,140.00 | |
| A9060.8 Health Insurance | | \$ 1,140.00 |
| A1010.1 Town Board Non-benefit | \$ 8,396.58 | |
| A1315.41 Finance/Bond Counsel | | \$ 8,396.58 |
| A1110.1 Town Justices Non-benefit | \$ 3,558.82 | |
| A1315.42 Finance/Fiscal Advisors | | \$ 3,558.82 |
| A1110.2 Town Justice Equipment | \$ 508.92 | |
| A1220.4 Town Supervisor Contractual | | \$ 508.92 |
| A1110.16 Town Justice Part-time Clerk | \$ 3,223.10 | |
| A1220.2 Town Supervisor Equipment | | \$ 1,500.00 |
| A1220.4 Town Supervisor Contractual | | \$ 1,723.10 |
| A1220.11 Deputy Supervisor Salary | \$ 3.08 | |
| A1220.4 Supervisor Contractual | | \$ 3.08 |
| A1315.11 Bookkeeper Salary | \$ 470.64 | |
| A1315.02 Finance/Equipment | | \$ 470.64 |
| A1330.4 Receiver Taxes Contractual | \$ 2,300.00 | |
| A1330.2 Receiver Taxes Equipment | | \$ 800.00 |
| A1315.4 Finance/Contractual | | \$ 1,500.00 |
| A1420.4 Town Attorney/Contractual | \$25,000.00 | |
| A1315.4 Finance/Contractual | | \$ 1,000.00 |
| A1440.2 Engineer/Equipment | | \$ 3,000.00 |
| A1440.4 Engineer/Contractual | | \$ 5,000.00 |
| A1440.13 Engineer/Part-time | | \$ 5,000.00 |
| A1450.2 Elections/Equipment | | \$ 1,000.00 |
| A1620.1 Buildings/Personal Services | | \$10,000.00 |
| A1680.41 Central Data Proc./Programming | \$ 2,300.00 | |
| A1680.2 Central Data Proc./Equipment | | \$ 2,300.00 |
| A1670.4 Central Printing and Mailing | \$ 1,219.03 | |
| A1670.41 Central Prtg/Maintenance Contracts | \$ 8,105.79 | |
| A1930.4 Reserve for Self-Insurance | | \$ 9,324.82 |

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| <u>Account No./Description</u> | <u>Increase</u> | <u>Decrease</u> |
|--|-----------------|-----------------|
| A1910.4 Unallocated Insurance | \$27,805.71 | |
| A1990.4 Contingency Account | | \$17,305.71 |
| A5010.4 Highway Superintendent/Contractual | | \$ 1,500.00 |
| A5010.12 Highway Supt./Part-time Clerk | | \$ 7,000.00 |
| A5182.4 Street Light Contractual | | \$ 2,000.00 |
| A3510.11 ACO/Part-time | \$ 315.01 | |
| A3510.2 ACO/Equipment | | \$ 315.01 |
| A5010.11 Highway Supt./Deputy | \$ 1,460.92 | |
| A5010.4 Highway Supt./Contractual | | \$ 1,460.92 |
| A7020.1 Recreation Director Non-benefit | \$ 5,724.43 | |
| A7330.1 Youth Coalition/Personal Services | | \$ 1,000.00 |
| A7330.4 Youth Coalition/Contractual | | \$ 1,000.00 |
| A7550.4 Celebrations | | \$ 1,500.00 |
| A9040.8 Workers Compensation | | \$ 2,224.43 |
| A7020.4 Recreation/Contractual | \$ 5,924.98 | |
| A9040.8 Workers Compensation | | \$ 4,307.06 |
| A9050.8 Unemployment Insurance | | \$ 1,617.92 |
| A7110.11 Parks/Working Supervisor | \$ 396.20 | |
| A7110.17 Parks/Prior Year Comp | | \$ 396.20 |
| A7110.14 Parks/Seasonal Employees | \$ 2,837.22 | |
| A7110.15 Parks/Laborer | \$ 2,569.01 | |
| A7110.19 Parks/Laborer III | \$ 373.94 | |
| A7140.2 Playgrounds/Equipment | | \$ 657.02 |
| A7140.11 Playgrounds/Seasonal | | \$ 5,123.15 |
| A7110.2 Parks/Equipment | \$ 611.96 | |
| A7140.4 Playgrounds/Contractual | | \$ 611.96 |
| A7230.1 Swim Program/Personal Services | \$ 1,585.60 | |
| A7230.4 Swim Program/Contractual | | \$ 1,585.60 |
| A7310.1 Youth Employment/Personal Services | \$ 9.45 | |
| A7270.4 Band Concerts | | \$ 9.45 |
| A9010.8 NYS Retirement | \$20,839.00 | |
| A9060.8 Health Insurance | | \$20,839.00 |
| A1430.1 Personnel/Personal Services | \$ 26.39 | |
| A1430.4 Personnel/Contractual | | \$ 26.39 |
| A1440.11 Town Engineer employee | \$ 447.62 | |
| A1440.4 Town Engineer/Contractual | | \$ 447.62 |

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| <u>Account No./Description</u> | <u>Increase</u> | <u>Decrease</u> |
|---|-----------------|-----------------|
| A1440.42 Woods Road Highway Study | \$24,481.69 | |
| A9060.8 Health Insurance | | \$24,481.69 |
| A7510.4 Historian Contractual | \$ 3,453.00 | |
| A9060.8 Health Insurance | | \$ 3,453.00 |
| A1110.11 Town Justice/Court Clerk | \$ 781.42 | |
| A1110.12 Town Justice/Court Attendant | \$ 2,678.10 | |
| A1110.13 Town Justice/Asst. Court Clerk | \$ 2,208.10 | |
| A9060.8 Health Insurance | | \$ 5,667.62 |
| B3120.11 Police Chief Salary | \$ 423.05 | |
| B3120.04 Police Contractual | | \$ 423.05 |
| B8010.4 Zoning Contractual | \$ 4,727.39 | |
| B3120.49 Police Technology | | \$ 4,727.39 |
| B8010.16 Zoning/Part-time Clerk | \$ 1,305.26 | |
| B9030.8 Social Security | | \$ 1,305.26 |
| B8020.12 Town Planner Salary | \$ 961.48 | |
| B8020.44 Town Planner Contractual | | \$ 961.48 |
| B3120.12 Police/Typist | \$ 487.23 | |
| B3120.13 Police/Senior Clerk | \$ 286.36 | |
| B3120.18 Police/Senior Account Clerk | \$ 772.60 | |
| B3120.49 Police Technology | | \$ 1,546.19 |
| B9015.8 State Retirement Police | \$ 3,619.00 | |
| B9060.8 Hospital & Medical Insurance | | \$ 3,619.00 |
| B2665.0 Revenue/Sale of Equipment | \$10,397.56 | |
| B9901.3 Interfund transfer – Mitigation Fees (Police) | | \$10,397.56 |
| B9901.2 Interfund transfer – Water Fund | \$ 9,616.85 | |
| B9060.8 Hospital & Medical Insurance | | \$ 9,616.85 |
| DB5142.1 Snow Removal/Personal Services | \$61,612.02 | |
| DB5110.1 General Repairs/Personal Services | | \$61,612.02 |
| DB5110.14 General Repairs/Seasonal Emp. | \$ 5,469.61 | |
| DB5110.1 General Repairs/Personal Services | | \$ 5,469.61 |
| DB5110.41 Stone | \$ 582.89 | |
| DB5110.42 Gravel | \$ 5,000.00 | |
| DB5110.46 Colprovia | \$ 2,000.00 | |
| DB5130.2 Machinery Equipment | \$10,000.00 | |
| DB5140.4 Snow & Misc/Stone | \$25,000.00 | |
| DB5140.48 Radio | \$ 1,000.00 | |
| DB5142.11 Winter/Overtime Wages | \$ 7,000.00 | |

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| <u>Account No./Description</u> | <u>Increase</u> | <u>Decrease</u> |
|--|--------------------|-----------------|
| DB9010.8 State Retirement | \$23,121.00 | |
| DB9040.8 Workmen's Compensation | \$ 1,880.14 | |
| DB9060.8 Hospital/Medical Insurance | \$ 3,982.18 | |
| DB5140.42 Salt | <u>\$20,000.00</u> | |
| DB4789.0 Federal Revenue-FEMA | \$99,566.21 | |
| DB5031.0 Interfund Transfer-Debt use only | \$100,000.00 | |
| DB5112.4 Paving Roads | \$100,000.00 | |
| SS8110.1 Sewer Supr Salary | \$ 369.12 | |
| SS8110.13 Sewer Laborers/Operators | \$ 2,469.91 | |
| SS9030.8 Social Security | \$ 1,356.96 | |
| SS8110.4 Sewer Contractual | | \$ 4,195.99 |
| FF5031.0 Transfer from Part-town General | \$ 9,616.85 | |
| FF8030.4 Survey Study Water Extension | \$ 9,616.85 | |
| HH5030.1 Internal transfer – Gen'l Part-town | \$10,397.56 | |
| HH2775.01 Police Mitigation | \$10,397.56 | |

Donation from Senior Spirit Group to offset cost of Sound System:

| | |
|-------------------------------------|-----------|
| AA2705.3 Donations/Celebrations | \$ 795.00 |
| A6772.2 Program for Aging/Equipment | \$ 795.00 |

Donation to purchase sewing from Senior Spirit Group:

| | |
|-------------------------------------|------------|
| A2705.3 Donations/Celebrations | \$ 269.00 |
| A6772.2 Program for Aging/Equipment | \$ 269.00. |

Upon roll call, the Board members voted 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.

Interfund transfer

Upon further recommendation of the Bookkeeper, Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Butler:

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(RESOLUTION NO. 458 OF 2003)

WHEREAS, Highway Superintendent Roger Cleveland has submitted Storm Water Expense Summary sheets for the period September 3, 2002 through November 27, 2003 and from August 29, 2003 through December 10, 2003, itemizing the following reimbursable expenses:

- Wages \$ 71,875.47
- Social Security \$ 5,498.47
- Equipment \$ 65,338.73
- TOTAL \$142,712.67;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to make an Inter-fund Transfer of One Hundred Forty-two Thousand Seven Hundred Twelve Dollars and Sixty-seven Cents (\$142,712.67) from the Storm Water Drainage Capital Project Account into the Part-Town Highway Fund to reimburse the Highway Department for wages and equipment used for work performed.

The Supervisor polled the Board members who 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.

Establish Police Checking/Money Market Accounts

Upon the request of the Bookkeeper, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Butler:

(RESOLUTION NO. 459 OF 2003)

RESOLVED: That Fleet (the “Bank”) be, and hereby is, designated a depository of funds of the Town of New Hartford (the “Town”) for Police Checking Account #9475695869 and Money Market Account #9475695871, with authority to accept at any time for the credit of the Depositor deposits in checking and money market accounts, by whomsoever made in whatever manner endorsed; and

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RESOLVED: That the Bank shall not be liable in connection with the collection of such items that are handled by the Bank without negligence and the Bank shall not be liable for the acts of its agents, subagents or for any other casualty; and

RESOLVED: That the Town assumes full responsibility for and shall indemnify the Bank against all losses, liabilities and claims resulting from payments, withdrawals or orders made or purported to be made in accordance with, or from actions taken in good faith and in reliance upon, these Resolutions; and

RESOLVED: That the Bank be, and hereby is, authorized and directed to certify, pay or otherwise honor all checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments or orders for the payment, transfer or withdrawal of money for whatever purpose and to whomsoever payable when such instruments and orders are properly made, signed, or endorsed by the signature or purported facsimile signature, or the oral direction of any of the authorized signers below; and

RESOLVED: That any authorized signer acting alone be, and hereby is, authorized on behalf of the Town to endorse, negotiate and collect any and all checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments and to open and close and update information on any account of the Town at the Bank; and

RESOLVED: That any of the authorized signers below acting alone be, and hereby is, authorized on behalf of the Town to instruct, orally or by such other means as the Bank may make available to the Town, the Bank to initiate the transfer of funds by wire, telex, automated clearinghouse, book entry, computer or such other means, and to execute agreements with the Bank for the transfer of funds from any of the Town's accounts and to delegate from time to time to other persons the authority to initiate the transfer of funds from any such account; and

RESOLVED: That the Bank may rely on any signature, endorsement or order and any facsimile signature or oral instruction reasonably believed by the Bank to be made by an authorized signer, and the Bank may act on any direction of an authorized signer without inquiry and without regard to the application of the proceeds thereof, provided that the Bank acts in good faith; and

RESOLVED: That the Town assumes full responsibility for and shall indemnify the Bank against all losses, liabilities and claims resulting from payments, withdrawals or orders made or purported to be made in accordance with, or from actions taken in good faith and in reliance upon, these Resolutions; and

RESOLVED: That the Bank may rely on this document and on any certificate by an authorized representative of the Town as to the names and signatures of the authorized

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signers of the Town until the Bank has actually received written notice of a change has had a reasonable period of time to act on such notice; and

RESOLVED: That the Town agrees to notify the Bank promptly and in writing of any change in (a) these Resolutions, (b) the identity of persons authorized to sign, endorse or otherwise authorize payments, transfers or withdrawals, (c) ownership of the Town or the Town's legal structure or status, including the Town's dissolution or bankruptcy; and

RESOLVED: That any of the following named persons, or persons from time to time holding the following offices of the Town be, and hereby are, designated as the authorized signers to act on behalf of the Town in accordance with the above resolutions:

- Town Supervisor – Ralph B. Humphreys
- Deputy Town Supervisor – Donald C. Backman
- Bookkeeper – Carol D. Fairbrother.

The Supervisor noted that this request was due to the manner in which police appropriations/revenues were budgeted for 2004, excluding the Village of New York Mills that has its own Police Department. He then polled the Board members who 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.

Establish Street Light Money Market Account

Upon further request of the Bookkeeper, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Backman:

(RESOLUTION NO. 460 OF 2003)

RESOLVED: That Fleet (the "Bank") be, and hereby is, designated a depository of funds of the Town of New Hartford (the "Town") for Street Light Money Market Account #947569740, with authority to accept at any time for the credit of the Depositor deposits in checking and money market accounts, by whomsoever made in whatever manner endorsed; and

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RESOLVED: That the Bank shall not be liable in connection with the collection of such items that are handled by the Bank without negligence and the Bank shall not be liable for the acts of its agents, subagents or for any other casualty; and

RESOLVED: That the Town assumes full responsibility for and shall indemnify the Bank against all losses, liabilities and claims resulting from payments, withdrawals or orders made or purported to be made in accordance with, or from actions taken in good faith and in reliance upon, these Resolutions; and

RESOLVED: That the Bank be, and hereby is, authorized and directed to certify, pay or otherwise honor all checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments or orders for the payment, transfer or withdrawal of money for whatever purpose and to whomsoever payable when such instruments and orders are properly made, signed, or endorsed by the signature or purported facsimile signature, or the oral direction of any of the authorized signers below; and

RESOLVED: That any authorized signer acting alone be, and hereby is, authorized on behalf of the Town to endorse, negotiate and collect any and all checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments and to open and close and update information on any account of the Town at the Bank; and

RESOLVED: That any of the authorized signers below acting alone be, and hereby is, authorized on behalf of the Town to instruct, orally or by such other means as the Bank may make available to the Town, the Bank to initiate the transfer of funds by wire, telex, automated clearinghouse, book entry, computer or such other means, and to execute agreements with the Bank for the transfer of funds from any of the Town's accounts and to delegate from time to time to other persons the authority to initiate the transfer of funds from any such account; and

RESOLVED: That the Bank may rely on any signature, endorsement or order and any facsimile signature or oral instruction reasonably believed by the Bank to be made by an authorized signer, and the Bank may act on any direction of an authorized signer without inquiry and without regard to the application of the proceeds thereof, provided that the Bank acts in good faith; and

RESOLVED: That the Town assumes full responsibility for and shall indemnify the Bank against all losses, liabilities and claims resulting from payments, withdrawals or orders made or purported to be made in accordance with, or from actions taken in good faith and in reliance upon, these Resolutions; and

RESOLVED: That the Bank may rely on this document and on any certificate by an authorized representative of the Town as to the names and signatures of the authorized

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signers of the Town until the Bank has actually received written notice of a change has had a reasonable period of time to act on such notice; and

RESOLVED: That the Town agrees to notify the Bank promptly and in writing of any change in (a) these Resolutions, (b) the identity of persons authorized to sign, endorse or otherwise authorize payments, transfers or withdrawals, (c) ownership of the Town or the Town's legal structure or status, including the Town's dissolution or bankruptcy; and

RESOLVED: That any of the following named persons, or persons from time to time holding the following offices of the Town be, and hereby are, designated as the authorized signers to act on behalf of the Town in accordance with the above resolutions:

- Town Supervisor – Ralph B. Humphreys
- Deputy Town Supervisor – Donald C. Backman
- Bookkeeper – Carol D. Fairbrother.

The Supervisor requested a roll call vote that resulted 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.

Reorganizational Resolutions

Councilman Waszkiewicz then introduced the following Resolutions for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 461 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby establish the normal operating hours for the Town of New Hartford offices to be 8:00 A.M. through 4:00 P.M., Mondays through Fridays during Fiscal Year 2004;

RESOLVED that Ralph B. Humphreys, Supervisor of the Town of New Hartford, New York, be and he hereby is authorized and directed to sign all checks for the disbursement of funds of the Town of New Hartford for the Fiscal Year 2004;

RESOLVED that the New Hartford Town Board does hereby re-adopt the "TOWN OF NEW HARTFORD EMPLOYEES HANDBOOK", prepared by AMTEK, dated

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September 15, 1999, and thereafter amended from time to time. Found within this manual is the official schedule of fringe benefits of non-union personnel for the year 2004;

RESOLVED that the New Hartford Town Board does hereby establish the mileage rate at thirty-six cents (\$.36) for all Town Officials and employees while performing regular and continuous business transactions in and for the Town of New Hartford during the Fiscal Year 2004;

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor to retain an auditing firm to audit the 2003 financial accounts and for subsequent preparation of the 2003 Annual Report, that auditing firm being Moore and Hart;

RESOLVED that the Town Board of the Town of New Hartford does hereby designate as Official Depositories in which all funds of the Town of New Hartford shall be deposited in 2004 the following institutions:

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

and that the Town Supervisor or Bookkeeper of said Town be and hereby is authorized and directed to secure a Pledge of Security covering the maximum amount of money the Town would have on deposit at any one time during the Fiscal Year 2004 from each of the Official Depositories designated. A written security agreement and custodial agreement (which can be combined into one document) must be obtained. The Town, however, will try to have delivery of the collateral to an unrelated third party. If this cannot be effected, then all pertinent legal and financial risks will be evaluated;

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor or Bookkeeper of the said Town to deposit funds not needed for immediate expenditures in the form of interest-bearing Certificates of Deposit, Repurchase Agreements, Treasury Bills and Money Market Certificates with the Official Depositories listed in the official Investment Policy of the Town, which policy is presented herein as a separate Resolution;

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RESOLVED that the New Hartford Town Board does hereby appoint Donald C. Backman as Marriage Officer in and for the Town of New Hartford for a one-year term commencing January 1, 2004 and ending December 31, 2004;

RESOLVED that the Town Board of the Town of New Hartford does hereby appoint the New Hartford Historical Society as the Town's Historian for the Fiscal Year 2004 at a contractual sum of \$3,100.00;

RESOLVED that the Rules of Procedure which were initially adopted April 21, 1965, and amendments thereto, are hereby affirmed and re-adopted by the New Hartford Town Board for the Fiscal Year 2004 as set forth in the attached Schedule "A" that is made a part of this resolution;

RESOLVED that the New Hartford Town Board does hereby appoint Councilman Butler as the Delegate to attend the Annual Business Session of the Association of Towns of the State of New York, (Councilman Backman as Alternate), to be held at New York, New York on February 18, 2004 and to cast the vote of the aforesaid Town, pursuant to Section 6 of Article 3 of the Constitution and By-laws of said Association;

RESOLVED that the New Hartford Town Board does hereby confirm the Supervisor's appointment of Donald C. Backman as Deputy Town Supervisor for a term of one (1) year commencing January 1, 2004, with a corresponding stipend of One Thousand Dollars (\$1,000.) to Councilman Backman for 2004;

RESOLVED that Donald C. Backman, Deputy Town Supervisor of the said Town be, and he hereby is authorized and directed to sign all checks for disbursements of funds of said Town for Fiscal Year 2004, in the absence of the Town Supervisor;

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor or Bookkeeper to pay bills/expenses to Niagara Mohawk, the Mohawk Valley Water Authority, all telephone carriers, to the Town's designated vendors for all insurance premiums, to the New York State and Local Retirement Systems (Employees' Retirement System and Police and Fire Retirement System) for employer contributions, without prior final audit by the Town Board;

RESOLVED that the New Hartford Town Board does hereby re-adopt the purchasing policies and procedural manual, originally adopted on January 1, 1992 and revised on January 1, 1995;

RESOLVED that the New Hartford Town Board does hereby re-adopt the Official Investment Policy for the Town of New Hartford originally adopted on March 3, 1993 and in accordance with Chapter 708 of the Laws of 1992;

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RESOLVED that the Town Board of the Town of New Hartford does hereby designate The Observer Dispatch as the Town's official newspaper for Fiscal Year 2004.

SCHEDULE "A"
RULES OF PROCEDURE

I. REGULAR MEETINGS:

Regular meetings of the New Hartford Town Board shall be held in the Community Meeting Room of Butler Memorial Hall, 48 Genesee Street, New Hartford, New York on the first and third Wednesdays of each month at 7:00 P.M. for the Fiscal Year 2004. The Town Board reserves the right to dispense with the second regularly-scheduled meeting each month if no urgent matters need the Town's attention; if cancelled, notice shall be provided to the Department Heads and the news media by the Friday immediately preceding the meeting to be cancelled;

In addition, the Town Board shall meet on or after the 28th day of December but not later than the 31st day of December as determined by the Supervisor pursuant to Law.

II. SPECIAL MEETINGS:

The Supervisor may, and upon written request of two (2) members of the Board, call a special meeting of the Town Board at any time by giving at least two (2) days' notice in writing to the other members of the Board of the time when and the place where the meeting is to be held.

III. QUORUM:

A majority of the Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

IV. VOTING UPON QUESTIONS:

Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all members of the Town Board, except in such instances in which a large number of affirmative votes shall be required by law. The vote upon every question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

V. STANDING COMMITTEES:

The Supervisor shall appoint the following Standing Committees:

- Assessor
- Elections
- Human Resource
- Motor Pool

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- Parks and Recreation
- Public Safety and Courts
- Public Works and Sewer
- Senior Citizens
- Town Clerk
- Village/Town/School Liaison
- Zoning and Planning
- Library

Such Committees shall consist of members of the Board and shall assist the Town Board in the performance of its duties with reference to such matters as may from time to time be referred to such Committees.

VI. SPECIAL COMMITTEES:

The Town Board may, from time to time, appoint such Special Committees as may be deemed desirable to assist the Board in performance of its duties. Such Committees may include Town Officers other than Board members in their membership in an advisory capacity only.

- Each group is to consist of at least one (1) Town Board member and one (1) Department Head, which act in an ADVISORY CAPACITY only, unless prohibited by law
- Each group is to have at least
 - A written list of objectives
 - A Chairperson who is to be recommended by the group's members and submitted to the Town Board for approval. Duties of Chairperson shall include:
 1. Chair open meetings
 2. Act as the official spokesperson for said group
 - Vice-Chairperson is to be appointed directly by the group members. Duties of Vice-Chairperson shall include:
 1. Assume the duties of the Chairperson in their absence
 - Maximum number of members to be determined by the Department Head. Unexcused absence from four (4) consecutive meetings is cause for removal of member(s) by the Chairperson

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- If possible, each group shall consist of one member from each of the four (4) Wards in the Town. Selection of Members:
 1. Participation shall be based on written request to the Department Head for consideration.
 2. Appointed by the Town Board
 3. If there are more volunteers than openings, membership shall be determined by the Department Head who shall consider:
 - i. Resume or list of qualifications
 - ii. Personal interview
- Term limits not to exceed two (2) four-year terms, which shall be staggered
- Remuneration to members shall require Town Board budget approval
- Department Heads shall maintain a list of all appointments and terms which shall be reviewed annually with the Town Board and filed with the Town Clerk's Office
- This policy EXCLUDES:
 - Zoning Board of Appeals
 - Planning Board
 - Board of Assessment Review
 - Police Commission.

VII. ORDER OF BUSINESS:

The business of all regular meetings of the Town Board shall be transacted in the following order:

- Reading of minutes of previous meeting, unless waived by a majority of the members of the Board present
- Consideration of Public Presentations
- Reports of Town Officials
- Reports of Standing Committees
- Reports of Special Committees
- Public Hearings (8:00 P.M.)
- Consideration of matters submitted by Town Board members
- Consideration of matters submitted by Town Supervisor in the following order:

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- Financial and other routine reports
- Miscellaneous communications
- Unfinished business
- New business.

VIII. LEGISLATIVE MATTERS:

All resolutions, ordinances and local laws, other than routine resolutions approving payment of bills, minutes and like matters, shall be in writing and filed with the Town Clerk and made available to Board members not later than the Saturday prior to the meeting at which they are to be introduced unless this provision be waived as to any such resolution, ordinance or local law by a majority of the members of the Board present at such meeting.

Resolutions, ordinances and local laws shall be introduced in the regular order of business and shall be read aloud by the Town Clerk before being acted upon by the Board.

IX. ABSENCE OF SUPERVISOR:

In the absence of the Supervisor, the Deputy Supervisor shall call the Town Board to order and shall be Chairman of the meeting; and, in the absence of the Supervisor and the Deputy Supervisor, then the Town Clerk shall call the Town Board to order and if a quorum be present, the Town Board shall elect one of its members as Chairman of the meeting.

X. MEMBERS MAY NOT ABSENT THEMSELVES:

No member of the Town Board may absent himself from a meeting of the Town Board for more than ten (10) minutes at a time unless for good cause he is excused by the Supervisor.

XI. REFUSAL TO VOTE:

Each member of the Board shall vote upon each question presented unless for good cause he is excused therefrom by the unanimous consent of all members of the Board present. Any member refusing to vote other than by consent of the Board shall be subject to a motion of censure.

XII. PARLIAMENTARY RULES:

Except as otherwise provided herein, all parliamentary questions shall be decided in accordance with the latest edition of Roberts' Rules of Order, revised, for deliberative assemblies.

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XIII. SUSPENSION OF RULES:

Any rule of the Town Board may at any time be temporarily suspended for special reasons by a majority vote of all of the members of the Town Board present at a meeting thereof. No permanent alteration may be made except by resolution in writing duly filed with the Town Clerk prior to the meeting at which such amendment is introduced.

Discussion followed that the Community Meeting Room of Butler Memorial Hall (in which the Board conducts its meetings) may not meet State Code concerning public assembly; some deficiencies might be able to be corrected while others may not be able to be resolved. The Town Board agreed to discuss the matter with the New Hartford Village Board who are Trustees for the Butler Memorial Hall Association. Thereafter, the Town Board voted upon roll call, resulting 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.

2004 Standing Committees

The Town Supervisor will announce his appointments to the various Standing Committees at the January 7, 2004 Town Board meeting.

Training – Association of Towns Meeting

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

(RESOLUTION NO. 462 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;

THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the following Town Officials to attend the February 2004 New York State Association of Towns educational seminar in New York City, New York:

- Supervisor Ralph B. Humphreys
- Councilman Donald C. Backman
- Councilman David W. Butler

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- Councilman Richard B. Woodland, Jr.
- Highway Superintendent Roger A. Cleveland
- Codes Enforcement Officer Gerald F. Back
- Zoning Board of Appeals Chairman Gerald F. Green

and be it

FURTHER RESOLVED that the Town of New Hartford shall pre-pay the conference registration and hotel accommodations for each of the above-referenced Town Officials who then shall be advanced the sum of Five Hundred Dollars (\$500) for meals and round-trip transportation; upon return from said educational seminar, each Town Official shall substantiate their expenditure of Five Hundred Dollars (\$500) upon a Town voucher with supporting documents/receipts and/or deliver any unexpended funds to the Town Bookkeeper.

The Town Board then voted upon roll call:

| | | |
|------------------------|---|---------|
| 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.

Transportation Allowance

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

(RESOLUTION NO. 463 OF 2003)

WHEREAS, the Town Board has authorized certain Town officials and employees to attend the February 2004 Association of Towns annual seminar in New York City; and

WHEREAS, various modes of transportation will be utilized to and from the seminar;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby establish the **maximum transportation allowance not to exceed the cost of a round trip train fare from Utica, New York to New York, New York, less the Ten Percent (10%) discount offered by the State Association of Towns**, whether officials/employees utilize:

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- round-trip bus transportation
- round-trip train transportation from Utica to New York, NY
- round-trip train transportation from Albany to New York, NY, including any round-trip mileage from Utica to Albany
- drive his/her personal automobile to the educational seminar.

The Town Board members then voted upon roll call that resulted as follows:

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

Supervisor Humphreys declared the Resolution unanimously carried and duly adopted.

2004 Payroll – 27 pay periods

The Town Supervisor recalled that at the December 17, 2003 Town Board meeting, a Resolution had been adopted to divide all 2004 salaries by 27 pay periods but was told by Bookkeeper Carol Fairbrother that some employees are not truly salaried people. After, he consulted with Financial Consultant Patrick Tyksinski, the Town Supervisor drafted correspondence as of December 30, 2003 as follows:

- To all Elected Officials – “...that 2004 will have a 27-week payroll that will affect all elected officials. The 27-week payroll year only occurs about every twelve years. After much deliberation and discussion with persons with accounting and payroll expertise, the Board has determined that this method of payment be implemented to avoid overpayment of salaries, as published in the newspaper.”
- To all Salaried Employees – “...that 2004 will have a 27-week payroll that will affect all “salaried” employees. The 27-week payroll only occurs about every twelve years. After much deliberation and discussion with persons with accounting and payroll expertise, the Board has determined that the following method is the best way to calculate wages for salaried employees.
 - To accomplish this accounting procedure, all salaried employees’ time will be computed on an hourly basis. The number of days worked have been calculated to equal 261.25 days. The following is the breakdown for both seven (7) and eight (8) hour days based on this calculation.

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- 8 hrs x 261.25 days = 2,090 divided into annual salary = hourly rate
- 7 hrs x 261.25 days = 1,828 divided into annual salary = hourly rate.

Discussion ensued about the Supervisor's proposal.

The Town Supervisor also proposed that Resolution No. ..., adopted December 17, 2003 be amended to replace the phrase "... all salaried employees" with "...all elected officials" and that the Deputy Receiver of Taxes and Assessments be included because of her work schedule (submits no time sheet, receives no overtime/comp time or sick time. After Board discussion and the suggestion that the Deputy Receiver be contacted first and upon questioning of Councilman Butler, the Town Supervisor said that because the payroll was due January 1, 2004, he had already made the decision to include the Deputy Receiver in the elected official category so that her salary would be divided by 27 payrolls. Upon the Board's request, the Town Supervisor will meet with the Deputy Receiver and report to the Town Board, including confirmation of whether the Deputy Receiver submits a time sheet.

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

(RESOLUTION NO. 464 OF 2003)

RESOLVED that, upon recommendation of the Town Supervisor, the New Hartford Town Board does hereby amend Resolution No. ..., adopted December 17, 2003, so that the phrase "...all salaried employees" is replaced with the phrase "...all elected officials, including the Deputy Receiver of Taxes and Assessments", referring to their 2004 salary being divided by twenty-seven (27) pay periods.

Upon roll call, the Town Board members voted 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.

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Appointment of Senior Justice (Chief Justice)

Councilman Waszkiewicz then introduced the following Resolution for adoption;
Councilman Butler seconded same:

(PROPOSED RESOLUTION OF 2003)*Defeated

RESOLVED that the New Hartford Town Board does hereby re-appoint Town Justice James VanSlyke as the Senior (Chief) Justice for the Town of New Hartford, commencing January 1, 2004.

Discussion ensued with Councilman Backman stating he would vote against this action because he didn't want to re-appoint without the full Town Board being present (NOTE: Councilman Woodland was unable to attend this meeting). Thereafter, the Supervisor polled the Board members who voted as follows:

| | | |
|------------------------|---|--------------------------|
| Councilman Waszkiewicz | - | Aye |
| (Councilman Woodland | - | ABSENT) |
| Councilman Butler | - | Aye |
| Councilman Backman | - | Nay, stating his vote is |

not a reflection on the person being considered for re-appointment

| | | |
|----------------------|---|------|
| Supervisor Humphreys | - | Nay. |
|----------------------|---|------|

The Resolution was declared **DEFEATED** by a vote of 2 – 2. This matter will be placed on the Agenda for the January 7, 2004 Town Board meeting when the full membership will be present.

Inter-municipal Agreement for Building Code Services (Village of New Hartford)

New Hartford Village Mayor Donald Ryan had informed the Town Supervisor that the Village Board had approved the Inter-Municipal Agreement for 2004 wherein the Town would continue to provide Building Code services to the Village, in accordance with the terms and conditions set forth in the initial Agreement entered into for 2003. Thereafter, Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 465 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby approve and does hereby authorize and direct the Town Supervisor to enter into an Inter-municipal Agreement with the Village of New Hartford, wherein said Town will provide Building Code services to said Village during Calendar Year 2004 in accordance with the same terms and conditions set forth in the 2003 Inter-Municipal Agreement; a copy of the 2004 Agreement will be filed in the respective Clerks' Offices.

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Discussion followed with Councilman Waszkiewicz believing that the full Town Board should be present to review this action.

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

The Resolution was declared unanimously carried and duly adopted.

Agreement - Fire Protection Districts 1 and 2

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

(RESOLUTION NO. 466 OF 2003)

RESOLVED that the New Hartford Town Board does hereby approve and does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with the Village of New Hartford and the Village of New Hartford Fire Department, wherein said Village Fire Department shall provide fire protection services during Calendar Year 2004 to properties within the Town Fire Protection Districts 1 and 2; the Town shall pay the Village of New Hartford Three Hundred Eighty-six Thousand Three Hundred Fifty-six Dollars (\$386,356) for this contractual service.

The Supervisor polled the Board members who 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.

Agreement - Fire Protection District 3

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

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(RESOLUTION NO. 467 OF 2003)

RESOLVED that the New Hartford Town Board does hereby approve and does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with the Village of New Hartford and the Village of New Hartford Fire Department, wherein said Village Fire Department shall provide fire protection services during Calendar Year 2004 to properties within the Town Fire Protection District 3; the Town shall pay the Village of New Hartford Thirty-three Thousand Five Hundred Ninety-six Dollars (\$33,596) for this contractual service.

The Supervisor polled the Board members who 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.

Agreement - Fire Protection District 4

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

(RESOLUTION NO. 468 OF 2003)

RESOLVED that the New Hartford Town Board does hereby approve and does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with the Willowvale Fire Company, Inc., wherein said Fire Company shall provide fire protection services during Calendar Year 2004 to properties within the Town Fire Protection District 4; the Town shall pay said Fire Company One Hundred Thirty Thousand Dollars (\$130,000) for this contractual service.

The Supervisor polled the Board members who 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.

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Agreement - Fire Protection District 5

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

(RESOLUTION NO. 469 OF 2003)

RESOLVED that the New Hartford Town Board does hereby approve and does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with the Village of New York Mills and the Village of New York Mills Fire Department, wherein said Village Fire Department shall provide fire protection services during Calendar Year 2004 to properties within the Town Fire Protection District 5; the Town shall pay the Village of New York Mills Sixty-three Thousand Two Hundred Dollars (\$63,200) for this contractual service.

The Supervisor polled the Board members who 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.

Financial Advisor – Fiscal Year 2004

Supervisor Humphreys stated that Financial Consultant Patrick Tyksinski still has unused hours “banked” from Fiscal Year 2002 and that Consultant Tyksinski has been and continues to be available to the Supervisor for financial advice; no action is needed at this time.

Vehicle Usage

(Section 500-4; Town of New Hartford Employee Handbook)

As the Town Clerk had received only two (2) requests for use of Town vehicles, this matter was deferred to the January 7, 2004 Town Board meeting.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made by Councilman Waszkiewicz and seconded by Councilman Backman, the meeting was adjourned at 3:40 P.M.

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Respectfully Submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk