

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD
ON WEDNESDAY, APRIL 21, 2004 AT 6:10 P.M.**

The Town Supervisor called the meeting to order at 6:10 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 (Arrived at 6:59 PM)
Councilman Richard B. Woodland, Jr.
Supervisor Ralph B. Humphreys

OTHER TOWN OFFICIALS: Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Town Clerk Gail Wolanin Young, CMC/RMC
Deputy Town Clerk I Margaret M. Jones (Arrived at
7:00 PM)

OTHERS: Attorney Vincent Rossi, Jr. (Arrived at 8:10 PM)

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

PUBLIC PRESENTATIONS

ROAD DEDICATION - FAWNCREST BOULEVARD:

Brian Saville was present to discuss the status of dedicating a portion of Fawncrest Boulevard between the existing public portion of the road and Stanhope Court. Thereafter, the following Resolution was offered for adoption by Councilman Woodland and duly seconded by Councilman Backman:

(RESOLUTION NO. 133 OF 2004)* Amended 05-19-2004

WHEREAS, Attorney for the Town, Vincent J. Rossi, Jr., has received the Abstract of Title for a portion of Fawncrest Boulevard, for a distance of approximately seven hundred (700) feet; and

WHEREAS, the following documents are to be delivered to Attorney Rossi for dedication of the approximate seven hundred (700) foot portion of Fawncrest Boulevard, between the existing dedicated section of Fawncrest Boulevard and Stanhope Court in the Thomas Acres Development:

- Certification by Developer's engineer
- Letter of approval by Highway Superintendent

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 2

- Letter of approval by the Town Engineer, including verification that
 - o he has received the final approved plans
 - o he has received copies of as-built drawings
 - o that, in his judgment, the road has been built in accordance with Town specifications
- Warranty deed describing the road

after which Attorney Rossi will issue his Letter of approval;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby accept and dedicate as a public highway a portion of Fawncrest Boulevard, a distance of approximately seven hundred (700) feet, from the existing public portion of Fawncrest Boulevard to Stanhope Court, in the Thomas Acres Development, as fully described in the Warranty Deed to be delivered to Attorney Rossi, **ALL CONTINGENT UPON THE WRITTEN APPROVAL OF THE HIGHWAY SUPERINTENDENT AND ATTORNEY FOR THE TOWN**; and be it

BE IT FURTHER RESOLVED that Attorney for the Town, Vincent J. Rossi, Jr., be, and he 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, with the original documents to be returned to and permanently filed with the Town Clerk.

Upon roll call, the Town Board voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WOODLAND:

Violations/ NYS Property Maintenance & Fire Code – 17 Medford Avenue

Upon recommendation of Codes Enforcement Officer Joseph Booth in a Memorandum dated April 21, 2004, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Waszkiewicz:

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 3

(RESOLUTION NO. 134 OF 2004)

WHEREAS, the Town Codes Enforcement Officer has received complaints about the accumulation of garbage and waste strewn about the vacant, unsecured premises located at 17 Medford Place (Tax Map Parcel No. 329.013-1-87), New Hartford, New York owned by Janet Dunning whose last known address is 17 Medford Place, New Hartford, New York; and

WHEREAS, the property has been abandoned with March 2002 being the last date property taxes were paid, and the Codes Enforcement Officer had communicated with said owner via certified mail, only to have the letter returned by the United States Postal Service marked “undeliverable as addressed”;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Codes Enforcement Officer, through the Building and Grounds Department, to proceed with securing the residential building and clearing the property of debris at 17 Medford Place and, in the future, any cutting of grass and normal lawn maintenance, which costs and expenses incurred by the Town in connection with said proceedings shall be assessed against the land on which said public nuisance exists; specifically, the Town Board does hereby authorize and direct Oneida County to levy such charges on the 2005 Town and County tax bill.

Upon roll call, the Board members voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL

2004 Budget Revision:

In behalf of Bookkeeper Carol Fairbrother, the Town Supervisor reported that effective May 1, 2004 the NYS Retirement System will no longer accept her computer-generated monthly Retirement Reports and therefore, a custom modification in her computer software is needed. The following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Woodland:

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 4

(RESOLUTION NO. 135 OF 2004)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the following 2004 Budget adjustments for the purpose of conveying New York State Retirement System Reporting via the Internet:

- Increase A1680.41 Computer Programming \$4,800.00
- Decrease A1990.04 Contingent Account \$4,800.00.
-

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

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

The Supervisor declared the Resolution unanimously carried and duly adopted.

PUBLIC PRESENTATIONS (CONT'D)

GRANT CONSULTANT:

Jean O'Connell and Steve Deutch of *J. O'Connell & Associates*, Grant Consultants, 10646 Main Street, Clarence, NY were present to discuss their years of grant consulting experience, to review successful grants and to discuss a possible contract with the Town, including the contractual amount to be paid quarterly (\$7,000) once the contract is signed, and the necessity to meet with department heads to determine their needs or wants in order to prepare a needs assessment, etc.

Mr. Deutch noted that the deadline for submitting grant applications to the NYS Office of Parks and Prehistoric Preservation is June 2004. Councilman Backman raised questions on farmland grants/money as the Town has rapidly diminishing farms and would like to preserve them.

[NOTE: Councilman Butler joined the meeting at 6:59 PM.]

CONSTITUENT COMPLAINTS - CURBSIDE TRASH AND BRUSH COLLECTION:

Terry Wolcott, 36 Benton Circle, New Hartford conveyed her complaint about trash and grass being placed in the road right-of-way on Benton Circle over the past three three (3) years and vehicles being forced into the on-coming lane to avoid the piles. Also, the Highway crews picks up on Wednesdays and piles of garbage are again placed at the

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 5

road side by Friday; photographs were submitted to substantiate the problem. The Town Supervisor stated that the Police Department has performed an on-site inspection and stated that there is not enough debris in the road to issue an appearance ticket for obstruction of vehicles. Councilman Backman explained that the Town does have guidelines regarding the trash and brush collection and the Highway Superintendent stated that it would take manpower to enforce, because the regulations would have to be enforced town-wide and the Highway Department does not have the manpower. The Highway Superintendent did not see a substantive problem. Mrs. Wolcott explained that for five (5) weeks she has been unable drive up and down her street without going around piles of garbage. Councilman Backman further stated that what exacerbates the problem is the narrowness of the road. Councilman Backman noted that the Town's efforts to educate this one violator have failed, and inquired whether the Town should consider serving this person with an appearance ticket. The Highway Superintendent suggested a letter be sent to this person first, putting him/her on notice that he/she would be cited and also include a trash brochure.

Paula Mariano, 9411 Hamilton Street, Chadwicks explained that she lives on Hamilton Street, which is narrower than Benton Circle and the residents abide by the rules and they place their leaves and twigs in containers on their own property.

Shirley Riggles, 18 Golf Avenue, New Hartford agreed with Mrs. Wolcott and Mrs. Mariano, commenting that the Town arbitrarily enforces rules.

Councilman Butler stated that it is the general consensus that the violator be sent a letter including a brochure on the trash and brush pickup.

REPORTS OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Street Signs

The Highway Superintendent reported that Highway crews will be erecting new street signs and he sought the Board's input from the samples he submitted. Highway Superintendent Cleveland explained that the letter size on the signs need to be increased to be in compliance with the Law. Town Board consensus was to place this information on the Town's Web site and seek the Town residents' input.

Higby Hills Street Light District

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

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 6

(RESOLUTION NO. 136 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct Niagara Mohawk Power Corporation to install one (1) one hundred (100) watt high-pressure sodium street light at a location on Pebble Creek Lane between Pole Numbers 114 and 116, all within the existing Higby Hills Street Lighting District, with all associated costs and future energy costs to be borne by said Street Lighting District.

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.

Creation of Working Foreman Position

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

(RESOLUTION NO. 137 OF 2004)

RESOLVED that the New Hartford Town Board does hereby re-establish the Working Foreman Position in the Highway Department with an additional stipend of One Dollar (\$1.00) per hour rate to whoever is appointed to this position, with no other stipends being given to this employee.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

Sanitary Sewer Pump Stations

The Highway Superintendent had received a proposal from Shoemaker Engineers for a multi-year phased system to update and bring in compliance the Town's pumping

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 7

stations; the proposal had been referred to the Public Works Committee for review. Because the Town continues to experience problems with their pumping stations – a drain on the budget, he recommended the Town Board move forward on this project. Thereafter, Councilman Backman offered the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 138 OF 2004)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with Shoemaker Engineers who shall, for the sum of Thirty-two Thousand Five Hundred Dollars (\$32,500), plus One Thousand Dollars (\$1,000) per day for sewer televising services, prepare plans for upgrading three (3) pumping stations; this expense shall be paid from the Sewer Contractual Account. The Town Board agreed to seek competitive bids and for whatever reason, if costs come in too high, the project will be scaled back, with remaining work to be accomplished in fiscal year 2005.

The Town Board then voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

Hourly Wage Rate – Seasonal, Part-time Employees

After having consulted with the Personnel Assistant, the Town Supervisor reported that the hourly rate for seasonal part-time employees has been \$7.75 since March 2003 and he questioned the Eight Dollar (\$8.00) rate, which – upon recommendation of the Highway Superintendent – had been approved at the April 7, 2004 Town Board meeting. Board members had conflicting recollections as to whether part-time, seasonal help were receiving Seven Dollars Seventy-Five Cents (\$7.75) or Eight Dollar (\$8.00), with the three (3%) percent increase factored in for fiscal year 2004. Councilman Backman recommended that the Board leave the rate at Seven Dollars Seventy-Five Cents (\$7.75) and look at this rate when the Board is working on the 2005 Budget. Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Butler:

REGULAR TOWN BOARD MEETING
April 21, 2004
Page 8

(RESOLUTION NO. 139 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby amend Resolution No. 115, adopted April 7, 2004, so that all employees hired by that Resolution will receive Seven Dollars and Seventy-Five Cents (\$7.75) per hour, with hourly wage increases to reviewed during the 2005 Budget process.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

TOWN CLERK:

Special Election – Higby Road Water District

Town Clerk Gail Wolanin Young reported that due to the filing of a Petition from property owners within the proposed Higby Road Water District, a Special Election will need to be held and that dates need to be established for the registration of voters for this Election as well as the date for the Election. The Town Clerk further explained to the Town Board that they would need to establish the type of identification property owners would be required to produce as evidence of their identity. Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Backman:

(RESOLUTION NO. 140 OF 2004)

RESOLUTION DATED APRIL 21, 2004

A RESOLUTION PROVIDING FOR THE DETAILS OF A SPECIAL ELECTION IN THE MATTER OF THE PROPOSED ESTABLISHMENT OF A WATER DISTRICT IN THE TOWN OF NEW HARTFORD, ONEIDA COUNTY, NEW YORK TO BE KNOWN AS HIGBY ROAD WATER DISTRICT AT A MAXIMUM ESTIMATED COST OF \$3,982,000.

WHEREAS, after all other proceedings required by Article 12-A of the Town Law were duly had and taken in connection with the proposed establishment of Higby Road Water District in the Town of New Hartford, Oneida County, New York (the “Water District”), the town Board of said Town duly adopted on the 25th day of February 2004, a resolution

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 9

approving the establishment of said Water District and the construction of the improvements proposed therefor, at an estimated cost of \$3,982,000, which resolution was adopted subject to permissive referendum, and with regard to which a proper and legally sufficient petition has been duly filed requesting a special referendum thereon; and

WHEREAS, the Town Clerk, with the advice of the Town's Bond Attorney, has duly submitted to this Town Board a form for the proposition to be submitted at a special election of said Water District for the approval of the aforesaid resolution; **NOW, THEREFORE, BE IT**

RESOLVED, by the Town Board of the Town of New Hartford, Oneida County, New York, as follows:

Section 1. A special Town (Higby Road Water District) election of the qualified voters of the Higby Road Water District of the Town of New Hartford, Oneida County, New York, being owners of taxable real property situate in proposed Higby Road Water District, shall be held on June 3, 2004, at Kellogg Road Community Center Building, in New Hartford, New York, in said Town. The polls at said special election shall remain open between the hours of 12 o'clock P.M. and 8 o'clock P.M., Prevailing Time, for the purpose of voting by ballot upon the proposition hereinafter set forth in the notice of such special election, as hereinafter provided.

Section 2. Personal registration of voters shall be required at said special election in accordance with the requirements previously established by resolution of this Town Board. The Board of Registration shall meet at the Town Hall on May 22, 2004, [and May 24, 2004], between the hours of 12:00 o'clock P.M. and 6:00 o'clock P.M. and 2:00 o'clock P.M. and 8:00 o'clock P.M., respectively. to add the names of qualified voters to the register of the Town. The Town Clerk, or Deputy Town Clerk in her absence from office is hereby authorized to cause a notice of meeting of the Board of Registration by publication thereof in the official newspaper of said Town, once, at least ten (10) days prior to the first such meeting. The Town Clerk shall also post same in at least five (5) conspicuous places in the Town at least ten (10) days prior to the first such meeting. Such notice shall be in substantially the form provided as part of the notice of special election as hereinafter provided.

Section 3. The Town Clerk, or Deputy Town clerk in her absence from office, is hereby authorized and directed to cause a notice of said special election to be given by the publication thereof in the official newspaper of said Town, the first publication of such notice to be made at least ten (10) days prior to the time of such special election. In addition, the Town Clerk or Deputy Town Clerk in her absence from office, shall post or cause to be posted a copy of such notice on the signboard maintained pursuant to

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 10

subdivision 6 of Section 30 of the Town Law, at least ten (10) days prior to such election and in at least four (4) other conspicuous places in the Town, in addition to said signboard, at least ten (10) days prior to the first meeting of the Board of Registration. The notice of said special election, the proposition to be submitted thereat, and the details concerning personal registration shall be in substantially the following form, to with:

NOTICE OF SPECIAL ELECTION

PERSONAL REGISTRATION AND AVAILABILITY OF ABSENTEE BALLOTS

NOTICE IS HEREBY GIVEN that a special election of the Town of New Hartford, Oneida County, New York, will be held at the Kellogg Road Community Center Building in New Hartford, New York, in said Town, on the 3rd day of June, 2004, at which the polls will be kept open between the hours of 12:00 o'clock P.M. and 8:00 o'clock P.M. Prevailing Time, for the purpose of voting by ballot on the following proposition:

PROPOSITION

Shall the resolution adopted by the Town Board of the Town of New Hartford, Oneida County, New York, on February 25, 2004, approving the establishment of Higby Road Water District in said Town ("Water District"), making a determinations relating thereto and approving the construction of a water distribution system, at a maximum estimated cost of \$3,982,000, to be financed by the issuance of general obligation serial bonds of said Town over a period not exceeding forty years, to be payable by benefit assessments upon the land in said Water District, be approved?

A copy of the aforesaid resolution referred to in the aforesaid proposition including the boundaries of said Water District is on file in the office of the Town Clerk of said Town, located in the Town Hall, 48 Genesee Street, in New Hartford, New York, and may be examined by any interested person during regular business hours.

Any person who is the owner of taxable real property situated in the Water District as shown upon the latest completed assessment roll of said Town shall be entitled to vote upon such proposition. Each tenant by the entirety, tenant in common and joint tenant owning taxable real property in the Water District shall be entitled to vote. Owners of multiple parcels within the Water District are only entitled to a single vote in accordance with applicable law. A corporation shall be entitled to vote upon the aforesaid proposition, provided such is the owner of taxable real property situated in said Water District as shown upon the latest completed assessment roll of said Town.

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 11

NOTICE IS HEREBY FURTHER GIVEN that personal registration of voters is required, and no person shall be entitled to vote at said election whose name does not appear on the Register of said Town. Registration Days, during which time otherwise qualified voters may have their names added to the Register of said Town, shall be Saturday, May 22, 2004, between the hours of 12:00 o'clock P.M. and 6:00 o'clock P.M. and Monday, May 24, 2004, between the hours of 2:00 o'clock P.M. and 8:00 o'clock P.M., at the Town Hall. Any owner of real property located in the District whose name appears on the latest completed assessment roll will be entitled to vote in said special election and need not appear for personal registration on a Registration Day. Owners of real property whose name was omitted from the last assessment roll and corporations and partnerships must personally register to vote and bring legal evidence of ownership as well as written authorization to vote on behalf of the owner.

NOTICE IS HEREBY FURTHER GIVEN that a qualified voter of the Town may vote by absentee ballot if such voter is eligible to vote as an absentee voter in accordance with the requirements therefor set forth in Town Law Section 84-a. persons eligible to vote as an absentee voter and who wish to obtain an absentee ballot must make written application therefor to the Town Clerk upon a form supplied by said Clerk. Such applications must be received by the Town Clerk no later than seven days prior to the election, being May 24, 2004 if the ballot is to be mailed to the voter, or the day before the election if the ballot is to be delivered personally to the voter or the agent of the voter. Absentee voting shall be as otherwise prescribed in the Town Law and in the Election Law, as applicable. A list of all persons to whom absentee ballots shall have been mailed shall be kept at the office of the Town Clerk where it shall be available for public inspection during regular business hours until the day of the election.

Any qualified voter may, upon examination of such list, file a written challenge of the qualifications as a voter of any person whose name appears on such list, stating the reasons for such challenge. Such list shall also be posted in a conspicuous place or places during the election and any qualified voter may challenge acceptance of the absentee voter's ballot of any person on such list by making a challenge and reasons therefor known to the inspectors of election before the close of the polls.

All absentee ballots must be received in the office of the Town Clerk not later than 5:00 P.M. on June 3, 2004.

Dated: New Hartford, New York
April 21, 2004

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD,
ONEIDA COUNTY, NEW YORK**

REGULAR TOWN BOARD MEETING
April 21, 2004
Page 12

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

Section 4. Pursuant to Section 83 of the Town Law, the following persons are hereby selected from the list of Election Inspectors and Ballot Clerks previously designated by this Town Board for General Election purposes (pursuant to the Election Law), to act as Election Inspectors and Ballot Clerks for such special election:

Kathryn Goppert, Chairman
Marie M. McCann
S. Ann Murray
Pauline A. Tracy

Section 5. The persons named above shall be paid the sum of \$7.73 each for their services; in addition, the chairman shall be paid \$1.03 per hour for serving in that capacity.

Section 6. This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

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

The Resolution was thereupon declared duly adopted.

Special Election- Identification to be presented/Higby Road Water District

Upon the recommendation of the Town Clerk, Councilman Backman presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 141 OF 2004)

RESOLVED that the New Hartford Town Board, contingent upon the Town Clerk checking the Election Law, does hereby establish and require that all property owners in the Higby Road Water District who appear to vote at the Special Election on June 3, 2004 must produce one (1) the following documents as proof of identity:

REGULAR TOWN BOARD MEETING
April 21, 2004
Page 13

- current Passport
- current Driver's License
- current Non-driver's Identification
- current Sheriff's Identification Card
- current Pistol Permit.

A roll call vote was duly held as follows:

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

The Resolution was then declared unanimously carried and duly adopted.

Local Government Records Management Improvement Fund

Upon recommendation of the Town Clerk/Record's Management Officer Gail Wolanin Young, the following Resolution was introduced for adoption by Councilman Waszkiewicz; seconded by Councilman Woodland:

(RESOLUTION NO. 142 OF 2004)

WHEREAS, the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the **LGRMIF**, and

WHEREAS, a sunset date for the **LGRMIF** was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the New York State Legislature in 1995 twice has extended the sunset date, most recently to December 31, 2005, and

WHEREAS, the **LGRMIF** has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments and

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 14

WHEREAS, the **LGRMIF** and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

WHEREAS, the Town of New Hartford, has benefited from technical assistance, training, publications and three (3) grants totaling Seventy-Seven Thousand Dollars (\$77,000), supported by the **LGRMIF**, and

WHEREAS, the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorker, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

WHEREAS, the **LGRMIF** and the **CEF** continue to be critically important in the fulfillment of the many records and information related responsibilities of the Town of New Hartford, and to the cultural and scientific needs of the people of New York State, therefore

BE IT RESOLVED that the Town of New Hartford supports the elimination of said sunset provisions in order to make the **LGRMIF** and the **CEF** permanent as proposed in State Assembly Bill A10843 and State Senate Bill S06666.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

State Comptroller – Vital Statistics Audit

Town Clerk/Registrar Gail Wolanin Young provided a summary report of the April 7 through April 8, 2004 audit, which was completed by the State Comptroller's Office, on the Controls over Vital Records. Of the various registrar offices visited, the State auditors commented that New Hartford's was the best for security (of staff, the vital records and forms) and that New Hartford's computer logs to track issuance of birth and death records was one of the best. The State Comptroller's Office has made several recommendations to improve security in the Town Clerk/Registrar computer system. The Town Clerk Committee will meet with the Town Clerk/Registrar on Monday, April 26, 2004 at 12:00 Noon in the Town Clerk's Office to discuss the feasibility of upgrading her

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 15

computer system; Councilman Backman was also requested to attend due to his expertise with computer technology. Town Clerk/Registrar Young further explained that Part-time Clerk Andrea Toomey will be working at home on a project related to this audit as the office is too busy with interruptions with telephones, staff and customers; the Town Clerk/Registrar will monitor Mrs. Toomey’s work and pick up documents on a regular basis. The Town Board concurred with this arrangement.

PERSONNEL ASSISTANT:

207 C Benefits

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

(RESOLUTION NO. 143 OF 2004)

WHEREAS, Sergeant Richard Hammond was injured on March 20, 2004 while involved in an altercation with a suspect; and

WHEREAS, Sergeant Hammond had submitted an application for 207-C benefits on April 2, 2004, accompanied by a physician’s statement confirming a work-related injury;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby determine that Sergeant Richard Hammond is eligible to received benefits under Section 207-C of the General Municipal Law due to injuries sustained on the aforesaid date, while serving as a Police Officer for the Town of New Hartford.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

PUBLIC HEARING

8:00 P.M.

**TEFRA Hearing – Willowvale Fire Co., Inc.
\$1,500,000 Tax-Exempt Obligations**

The Town Supervisor opened the Public Hearing at 8:00 P.M., announcing that the purpose of the Hearing is to consider the Willowvale Fire Company’s application for

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 16

TEFRA eligibility and to offer the Public an opportunity to speak in favor of, in opposition to, or comment upon said matter. The Town Clerk presented the Notice of Public Hearing, Affidavit of Posting and Proof of Publication (Observer Dispatch April 5, 2004).

The following persons were present in support of the TEFRA hearing and issuance of tax-exempt obligations by the Willowvale Fire Company, Inc.

Anita Bastien

Ryan Corrigan

Gary Edwards

William Hughes

Roger Jones

Sandra Linck

Shawn Morgan

Thomas Smith

Charles Strong

Charles Bastien

Joseph David, Jr.

Kristina Hinman

David Jones

James Kuhn

Don Maikranz

Milo Pennock

William Smith

Michael Strong

Rachel Bastien

Joseph David, Sr.

William Hinman

Matthew Jones

Gerald Linck

Paula Mariano

Dale Pfendler

Justin Sorrentino

William Hughes, Chief of the Fire Company, spoke in favor of the tax-exempt bond. Chief Hughes stated that the fire company has outgrown their present facilities and emphasized that the Fire Company does spend their money wisely and that the new facility is needed in order to house all equipment in one location. Fire Company President Gary Edwards spoke in behalf of the TEFRA eligibility, stating that the Fire Company would be able to better serve the district with a new facility where all equipment is under one roof.

No one present spoke in opposition to this proposal. Thereafter, the Supervisor closed the hearing at 8:03 P.M.

Councilman Backman commented that in April 2003 the cost of the project was lower but the Fire Company had subsequently approached him regarding unexpected higher costs of petroleum and blacktop, as well as the undetermined sale price of the Chapman Road and Oneida Street buildings. The Fire Company has agreed that the sale of these buildings would be applied to the cost of the new firehouse. Councilman Backman expressed concern with the fire tax rate in this District. Councilman Butler commended the Fire Company for their hard work and diligent planning on the new firehouse. Councilman Backman stated that often people don't think of the dollars saved with a volunteer fire department and that the alternative is a paid department. Councilman Backman stated that the Board should not deprive the Fire Company of what they need to fund their operation.

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 17

The following Resolution was introduced by Councilman Backman and duly seconded by Councilman Woodland:

(RESOLUTION NO. 144 OF 2004)

WHEREAS, the Willowvale Fire Company, Inc. is a not-for-profit corporation, with a Certificate of Incorporation having been filed August 9, 1950; and

WHEREAS, the Willowvale Fire Company, Inc. is interested in seeking access to federally tax-exempt financing for a capital improvement project, namely, a new firehouse; and

WHEREAS, the New Hartford Town Board conducted a TEFRA Public Hearing on April 2, 2003 at 8:00 P.M. in Butler Memorial Hall on the question of whether a tax-exempt bond should be issued by the Willowvale Fire Company, Inc. to finance the cost of the construction of a new firehouse including original machinery, apparatus and equipment necessary in connection therewith, said firehouse to be located at 3459 Oneida Street, in Chadwicks, Town of New Hartford, New York, and which maximum aggregate face amount of the obligation to be issued with respect thereto will not exceed \$1,000,000; and

WHEREAS, due to unexpected additional expenses identified and being incurred by the Willowvale Fire Company, Inc. for this project, the New Hartford Town Board conducted a subsequent TEFRA Public hearing on April 21, 2004 at 8:00 P.M. in Butler Memorial Hall on the question of increasing the tax-exempt bond and specifically, that the maximum aggregate face amount of the obligation to be issued with respect thereto will not exceed \$1,500,000; and

WHEREAS, approximately twenty-six (26) members of the Willowvale Fire Company, Inc. attended said Public Hearing in favor of a tax-exempt bond being issued for the aforesaid purpose and no one having appeared in opposition to this proposal;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute an **APPROVAL CERTIFICATE**, a copy of which is set forth as Schedule "A", relating to the issuance of a bond and which obligation will not constitute debt of said Town.

Whereupon, the Town Board voted upon roll call:

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

REGULAR TOWNBOARD MEETING

April 21, 2004

Page 18

Councilman Backman - Aye
Supervisor Humphreys - Aye.

The Resolution was then declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Agenda items:

- New York Mills Annexation – Attorney Rossi will make a report on this item when he arrives at the meeting.
- Clark Patterson – Councilman Waszkiewicz just received a report and this matter will be discussed in Executive Session since it is about acquisition of property.
- 501 3 C – Nathaniel Richmond was not present for an update.
- Sewer Extension coinciding with Water system expansion formula & Funding – Subdivision regulation – recreation areas green space – This matter is being reviewed with Attorney Rossi.
- Resolution requiring a site plan to be submitted, including first floor elevations, prior to the issuance of any new building permits – This matter is also being reviewed with Attorney Rossi.
- Updating handbook and/or job description regarding salaried personnel – Attorney Rossi has been studying this matter as well.
- Night construction on Judd Road – Councilman Waszkiewicz has met with the NYS Department Of Transportation and the contractor several times over the last two (2) weeks and a verbal agreement has been reached that the contractor will engage in night construction on the fewest number of nights as possible. The contractor will use construction dumpers (earth movers not dump trucks) while moving forward on the site – not backing up – since OSHA will not give a variance to eliminate the beeping sound made when construction equipment is backing up. Some discussion was held regarding relaxing of lane rentals (9 AM to 7 PM restriction eased) and hoping to expand the number of hours in the day that dirt could be moved. NYS Department Of Transportation is not willing to relax lane rentals at this time.

[NOTE: Attorney Vincent Rossi, Jr., arrived to the Town Board Meeting at 8:10 P.M.]

Andy Roberts is the representative from the Department of Transportation and his telephone number is (315) 736-2272.

Councilman Backman inquired about the effect the hauling of fill from the Litchfield Quarry down Roberts Road to the Commercial Drive site will have on the residents in the

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 19

First Ward. Not in favor of nighttime hauling from the Quarry, Councilman Backman asked if the dirt can be hauled to the work site during the day and then at night draw the dirt across Commercial Drive. Councilman Waszkiewicz recommended that Councilman Backman contact the NYS Department of Transportation regarding his concerns.

ATTORNEY FOR THE TOWN:

Subdivision Regulations - Status

Attorney Rossi reported that he is in the process of drafting legislation and expects to have it available for the May 5, 2004 Town Board meeting.

Annexation to Village of New York Mills (December 17, 2003)

Attorney Rossi has spoken with Village Mayor Robert Maciol and it doesn't appear that a special election is needed, but Attorney Rossi wants to discuss it further with Councilman Waszkiewicz.

COUNCILMAN BUTLER:

Stormwater Drainage - Genesee Street and Marley Place

Upon inquiry of Councilman Butler, the Highway Superintendent stated that the Oneida County Soil and Water Agency has not responded to the Highway Superintendent yet on the Genesee Street and Marley Place drainage problems.

Traffic – “Left-turn only” Lane/TOPS Plaza

Councilman Butler asked that the Highway Superintendent check the status of the “left-turn only” lane into the TOPS Plaza on Kellogg Road, a county highway.

COUNCILMAN BACKMAN:

Zoning Violation – Abelove Property, Oneida Street, Chadwicks

Attorney Rossi stated that the judicial decision was a fine of Seventeen Hundred Fifty Dollars (\$1750) and Mr. Abelove has until June 1, 2004 to pay this fine. Councilman Backman stated that this does not close the matter and asked what happens if Mr. Abelove does not pay the fine. Attorney Rossi replied that the Town could bring a condemnation proceeding against Mr. Abelove for each day he is in violation; Mr. Abelove has been found guilty of the violations and has admitted ownership of the cars. Councilman Backman stated that if the situation doesn't improve, he will ask the Town Board to pursue the matter through Supreme Court..

Ethics Policy – Hiring Immediate Family Members

Discussion ensued on a proposed Resolution that would prevent a department head from hiring an immediate family member on a full-time basis within his/her department, and whether the Town Board should enact this restriction by Resolution or by a Local Law

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 20

since the Town's Ethics Policy was adopted by Local Law. In either event, a suggestion was made to include this restriction in the Employee Handbook. Councilman Butler is not in favor of the Resolution as it is presently written because that portion he/she couldn't even propose to the Town Board should be eliminated. Councilman Butler objected to the phrase that a department head couldn't propose the matter to the Town Board, believing that a department head should be able to bring the matter to the Board and let the Town Board decide yes or no. Thereafter, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 145 OF 2004)

RESOLVED that, effective immediately, and pending enactment of a local law to amend the Town's Code of Ethics, no Town Department Head shall hire as a full-time Town employee an immediate family member of such Department Head. "Immediate family member" means parent, sibling or child.

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

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

The Resolution was then declared unanimously carried and duly adopted.

Rules of Procedure – Amend Location of Town Board meetings (seasonal)

Councilman Backman proposed that the Town Board meetings for the months of May through October be changed to the Kellogg Road Community Center since there is no air-conditioning in the Butler Memorial Hall Community Meeting Room, there seems to be limited parking during these months due to patronage at Cavallo's Restaurant and Lois Humphreys had made a comment about security in the parking lot. Councilman Woodland is only in favor of this change if the Board returns to Butler Memorial Hall in the Fall. Councilman Butler feels that the change should only be for the months of June, July and August. Councilman Waszkiewicz had understood that the Butler Memorial Hall Trustees had planned to install air-conditioning by this summer and suggested this matter be tabled until someone can check with the Trustees. Councilman Backman then offered the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 146 OF 2004)

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 21

RESOLVED that the New Hartford Town Board does hereby amend its Rules of Procedure, adopted December 31, 2003, relative to the location of Town Board meetings; specifically, that during the months of May, June, July, August and September 2004, all Town Board meetings will be held at the Kellogg Road Community Center Building and that beginning in October 2004 the meetings shall return to Butler Memorial Hall.

The Town Board then voted upon roll call:

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

The Resolution was then declared carried and duly adopted.

COUNCILMAN WOODLAND:

Vehicles and Traffic – “Children at Play” signs/Midland Place - Stratford Drive

Councilman Woodland received a constituent request that a “Children at Play” sign be erected in the Midland-Stratford Drive area; the Highway Superintendent will perform an on-site inspection.

ATTORNEY FOR THE TOWN (CONT'D):

Dedication of Roads – Applewood Community

The Town Board and Attorney Rossi discussed the Performance Bond amount and length of term being required for dedication of several roads in the Applewood Community, as well as defective road “core” samples. An inadequate depth of borings were taken by the developer – one at four (4”) inches and one at eight (8”) inches instead of twelve (12”) inches. Attorney Rossi stated that subsequent tests showed better results except for the NYS Department of Transportation requirement for gravel type. Town Board consensus was to approve acceptance of twenty-four hundred feet (2400) feet of roads, namely, Patricia, Norma, Heloon, Annie’s Way, as shown on the map dated April 2004 from Allen Swierczek, P.E., contingent upon Developer John Barkett, Jr. obtaining a Bond in the amount of Fifty Thousand Dollars (\$50,000) for a ten (10) year period. The Town Board clarified that they are accepting the **quality** of the road – **not the title** based on Attorney Rossi being satisfied with the legal data. Attorney Rossi further stated that the Board should demand certification from the developer’s engineer. The Town Board will revisit this matter at the May 5, 2004 Town Board meeting.

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 22

Dedication of Fawncrest Boulevard

Attorney Rossi acknowledged receipt of some legal documents for the acceptance of a portion of Fawncrest Boulevard, at 4:00 P.M. on Tuesday, April 20, 2004 and he will try to review the documents for the May 5, 2004 Town Board meeting. The Highway Superintendent has received all the engineering submittals, but needs to review them with Attorney Rossi. At this time, the Highway Superintendent has not prepared his Letter of Approval.

Annexation – Village of New Hartford

The New Hartford Shopping Center is planning a large expansion and there is an area of land with rubbish and poles on or near the Route 12 Arterial. Shopping Center owner, Mr. Morris would like this parcel of land annexed to the Village of New Hartford. The Village is in agreement; and since Village Attorney Gustave DeTraglia offered to prepare all the legal paperwork, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 147 OF 2004)

RESOLVED that, contingent upon the Village of New Hartford preparing all legal documents, the Town Board of the Town of New Hartford does hereby authorize and approve the investigation into the possibility of annexing a 2.50 acre parcel of land, identified as Tax Map Parcel No. 329.010-3-15, located between the New Hartford Shopping Center and the North-South Arterial and currently owned by William Morris, 35 Jordan Road, New Hartford, from the Town of New Hartford into the Village of New Hartford.

The Town Board members thereafter voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

Agreement – Runaway and Homeless Youth Program

The Supervisor stated that the Town has received an Agreement between the Mohawk Valley Community Action and the Town of New Hartford. Supervisor Humphreys spoke with Chief Philo and was told that the Police Department does not use this agency. However, the Agency, which provides assistance for runaway and homeless youth, does serve New Hartford residents and the Agency has five (5) open cases as of 2003.

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 23

Councilman Backman feels that the service being provided by this Agency should be more visible to Town residents. The cost of their service is Twenty-Five Hundred (\$2500) Dollars. The Town Supervisor will invite a representative of this agency to a future Town Board meeting. Upon the recommendation of the Supervisor, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 148 OF 2004)

WHEREAS, Mohawk Valley Community Action is a not-for-profit Agency providing service to runaway and homeless youth of the Town of New Hartford; and

WHEREAS, Mohawk Valley Community Action has presented an Agreement for their annual services in the amount of Twenty-Five Hundred (\$2500) Dollars;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford before entering into an Agreement with the Mohawk Valley Community Action will invite a representative of this Agency to appear before the Town Board at a future meeting to make a presentation on the services that they provide.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL AND OTHER ROUTINE REPORTS:

Audit of Vouchers

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

(RESOLUTION NO. 149 OF 2004)

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 had been duly audited by the Town Board:

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 24

General Fund Whole-Town Abstract No. 20	\$ 199.98
General Fund Whole-Town Abstract No. 21	\$116,162.09
General Fund Whole-Town Abstract No. 22	\$ 9,132.88
General Fund Part-Town Abstract No. 12	\$ 148.01
Highway Fund Part-Town Abstract No. 9	\$ <u>58,667.17</u>
TOTAL:	\$184,310.13

Upon roll call, the Board members voted as follows:

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

This Resolution was declared unanimously carried and duly adopted.

Garage Sale Law

The Supervisor questioned a portion of the Garage Sale Law, and it was the Town Board's consensus that the Town Clerk would meet with her Committee to discuss this matter further.

Assessment Roll – Web Site

Councilman Waszkiewicz stated that he thought the Town's Assessment Roll would be on the Web site, but it is not. Councilman Backman explained that he had talked to Webmaster last week and changes need to be made but Webmaster is not ready yet to place the Assessment Roll on the Website. Supervisor Humphreys informed the Board that the T-1 line is now operational in three (3) Town buildings.

Dog Enumerators

The Bookkeeper had recommended that the Dog Enumerators be employees rather than a contractual service and the Town Clerk recommended that, due to the escalating cost of gasoline, the Dog Enumerators be paid mileage. Thereafter, Councilman Waszkiewicz offered the following Resolution for adoption; seconded by Councilman Woodland

(RESOLUTION NO. 150 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby amend **Resolution Number 454 of 2003** wherein Dog Enumerators were hired on a contractual basis; specifically, that effective immediately, all Dog Enumerators shall be hourly part-time employees earning Seven Dollars and Seventy-Five Cents (\$7.75); and

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 25

BE IT FURTHER RESOLVED that the Dog Enumerators shall maintain a log of their mileage and submit a voucher to the Town Clerk for reimbursement at the rate of thirty-six cents per mile (\$.36).

A roll call vote was duly held as follows:

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

This Resolution was declared unanimously carried and duly adopted.

Mohawk Valley Water Authority

Town Clerk Gail Wolanin Young submitted Elis DeLia's written report regarding recent Mohawk Valley Water Authority meetings. Also, Mr. DeLia has been appointed Vice-President of the Authority. Supervisor Humphreys will send a letter expressing the Town's congratulations on this appointment.

EXECUTIVE SESSION

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

(RESOLUTION NO. 151 OF 2004)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss acquisition of land

A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, Town Clerk and Deputy Clerk were then excused from the meeting at 10:24 P.M. Attorney Rossi remained for the Executive Session

REGULAR TOWN BOARD MEETING

April 21, 2004

Page 26

[NOTE: The following transcript was provided by the Town Supervisor on April 22, 2004.]

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 152 OF 2004)

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.

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

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

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:47 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 of Councilman Butler, seconded by Councilman Woodland, the meeting adjourned at 10:48 P.M.

Respectfully submitted,

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

**Margaret M. Jones
Deputy Town Clerk I**