

**REGULAR MEETING OF THE TOWN BOARD OF  
THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT THE KELLOGG ROAD COMMUNITY CENTER  
BUILDING ON WEDNESDAY, JUNE 2, 2004 AT 7:00 P.M.**

The Town Supervisor called the meeting to order at 7:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting:

**TOWN BOARD MEMBERS:** Councilman Donald C. Backman  
Councilman John C. Waszkiewicz III  
Councilman David W. Butler  
Councilman Richard B. Woodland, Jr.  
Supervisor Ralph B. Humphreys

**OTHER TOWN OFFICIALS:** Assessor Paul E. Smith  
Deputy Town Clerk I Margaret M. Jones  
Deputy Town Clerk II Nancy E. Kneller  
Director of Senior Services M. Eileen Spellman  
Highway Superintendent Roger A. Cleveland  
Deputy Highway Superintendent Anthony DeCuffa  
Parks & Recreation Director Michael Jeffery (arrived  
at 7:30 P.M.)  
Police Chief Raymond Philo

**OTHERS:** Attorney Vincent Rossi, Jr. (Arrived at 6:50 P.M.)

Thereafter, a quorum was declared present for the transaction of business. The Deputies Town Clerk were present to record the proceedings in the absence of the Town Clerk who had a family educational commitment.

**MINUTES**

**April 21, 2004 Regular Town Board meeting**

Action on the April 21, 2004 Town Board minutes was tabled until the June 16, 2004 Town Board meeting.

**May 22, 2004 Special Town Board meeting**

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

**(RESOLUTION NO. 183 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Special Town Board* meeting held *May 22, 2004* and does

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further waive the reading of the same.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	ABSTAINED, because he was absent from the meeting
Councilman Butler	-	ABSTAINED, because he was absent from the meeting
Councilman Backman	-	Aye
Councilman Woodland	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared carried and duly adopted.

### **PRESENTATIONS**

#### **CONSTITUENT CONCERNS:**

##### **Real Property Sale**

Shirley Riggles questioned the Town's selling a 40' x 60' Seneca Turnpike parcel (former sewer pumping station) to the Karrat family. Attorney Rossi explained that the Karrat family was the only interested party in this piece of property, for which the Town no longer had any use.

##### **Dog Enumeration Status**

Ms. Riggles asked about the status of the dog enumeration program; Supervisor Humphreys stated that one (1) student is still available to work for the summer.

##### **Road Dedication – Applewood Community/core samples**

Ms. Riggles also asked about the road core borings in the Applewood Community development; Attorney Rossi replied that David McCarthy's expertise is in his field and he is requesting that three (3) more borings be taken.

##### **Part-time Clerk / Highway Department**

Ms. Riggles further inquired about the position for Part-time Clerk with the Highway Department; the Supervisor verified this position was posted at New Hartford High School, on the Town's Web site, as well as other town buildings.

### **REPORTS OF TOWN OFFICIALS**

#### **AGING (DIRECTOR OF SENIOR SERVICES):**

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**Appointment – Part-time, Seasonal Employee**

Upon recommendation of M. Eileen Spellman, the following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 184 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Anya Richmond as a Part-time, Temporary Seasonal Clerk for the New Hartford Adult Dining & Activity Center, at an hourly wage of Seven dollars and Seventy-five cents (\$7.75), commencing June 3, 2004 and ending September 2, 2004; all wages to be paid bi-weekly:

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.

**HIGHWAY SUPERINTENDENT:**

**Appointment – Seasonal Employee**

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

**(RESOLUTION NO. 185 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Catherine Koury as a Part-time, Seasonal Clerk for the Highway Department, at an hourly wage of Eight Dollars (\$8.00), commencing May 24, 2004 and ending August 31, 2004; all wages to be paid bi-weekly:

Whereupon, the Town Board voted upon roll call:

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

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The Resolution was declared unanimously carried and duly adopted.

**Clarification of Hourly Wage – Part-time, Season Highway employee**

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

**(RESOLUTION NO. 186 OF 2004)**

**WHEREAS**, upon request of the Highway Superintendent on April 7, 2004, the Town Board adopted Resolution No. 115, appointing numerous Part-time Seasonal employees at the hourly rate of Eight Dollars (\$8.00); and

**WHEREAS**, after considerable discussion on April 21, 2004, the Town Board adopted Resolution No. 139, changing the hourly wage to Seven Dollars and Seventy-five Cents (\$7.75) for all those appointed by Resolution No. 115; and

**WHEREAS**, by Resolution No. 171 adopted May 19, 2004, the Town Board further amended Resolution No. 115 so that any of the employees appointed who had worked in their job titles with the Town **for a period of one (1) or more years shall earn Eight Dollars (\$8.00) per hour;**

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does finally amend Resolution No.115 to reflect that the hourly wage for **new employee** Bryon Rich shall be **Seven Dollars and Seventy-five Cents (\$7.75);** payable bi-weekly.

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 declared unanimously carried and duly adopted.

**Training School**

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

**(RESOLUTION NO. 187 OF 2004)**

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**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 Anthony DeCuffa, Deputy Highway Superintendent, to attend the Cornell Local Roads Highway School in Ithaca, New York from June 6, 2004 through June 8, 2004, with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

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

The Resolution was declared unanimously carried and duly adopted.

**Proposed Water District - Woods Highway**

Highway Superintendent Cleveland reported that Burley-Guminiak has prepared a pre-application for funding for the proposed Woods Highway Water District. The Mohawk Valley Water Authority will be meeting later this month at which time the Authority will vote on supporting the Town's efforts to get this project moved up on the funding list; Superintendent Cleveland met with Patrick Becher, Executive Director, and Donald Weimer, Principal Engineer, of the Water Authority and both were supportive of the Authority co-authoring a letter to Congressman Boehlert asking him for assistance in moving the project up.

**Road Dedication – Applewood Community**

Attorney Rossi has spoken to David McCarthy about the road core samples in this development and Mr. McCarthy has recommended that the Town have three (3) more boring tests performed, the cost of which will be approximately Five Hundred Dollars (\$500). Attorney Rossi explained that it is important for Mr. McCarthy to take samples himself and the Town will give notice to the developer so he can be present when the borings are done. Councilman Waszkiewicz questioned the costs for these new borings. Attorney Rossi felt that is not unreasonable to ask that the cost be shared 50/50 with the owner. It was the consensus of the Town Board to proceed with the additional borings.

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**Higby Road Water District**

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

**(RESOLUTION NO. 188 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the following Agreements regarding the **Higby Road Water District**, contingent upon the Special Election results of June 3, 2004:

- LaFave, White & McGivern
  - Land Survey and Planimetric Mapping - \$ 44,890.00
- Burley & Guminiak
  - Final Design Construction Administration - \$298,000.00
- Burley & Guminiak
  - plus anticipated additional services at an estimated value - \$ 92,000.00
- Pratt & Pratt
  - phase 1A cultural resource survey - \$ 10,410.20.

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

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

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

**Adopt-a-Highway Program**

The Highway Superintendent would like to revitalize the Adopt-A-Highway Program in the Town. Attorney Rossi will investigate the legal aspects of this program, which is an opportunity for groups that exist within the Town of New Hartford to take part in keeping the Town clean. The Town would provide the various groups with bags and safety apparel as well as instructions on safety issues. The Town would be responsible for picking up the bags once they are filled by the organizations. To Councilman Backman's question about the frequency the State requires that the highways be cleaned of debris; Highway Superintendent said four (4) times a year. The Highway Superintendent reassured the Board Members that no organization would go out on the highways without proper training.

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### Street Signs

The Highway Superintendent reported that a decision was made to use plain, straight-forward block letters for new street signs in the soon-to-begin program that will replace older signs and be in compliance with current State standards.

### Authorization to Purchase Vehicles on State Contract

At the May 19, 2004 Town Board meeting, authorization was given to seek competitive bids for a four-wheel drive plow; however, subsequently, the Highway Superintendent determined that the same vehicle could be purchased on State Contract. He requested permission to purchase two (2) plows and for a brush truck on State Contract. The cost for the three (3) vehicles would be Three Hundred Fourteen Thousand Dollars (\$314,000), this cost being approximately Thirty Thousand Dollars (\$30,000) less than if the Town were to purchase the vehicles by competitive bid. The plow trucks would have to be paid in 2004 since they would be used immediately upon delivery; however, he asked that the brush truck be paid from the 2005 Budget. Councilman Backman was hesitant to commit the 2005 Budget for expenditures in June of 2004. Deputy Highway Superintendent DeCuffa explained that the two older trucks that the Highway Department would be replacing are getting more expensive to repair; the cost of steel is going up and if these vehicles are purchased now the Town will save money.

Several members of the public questioned spending from the 2005 Budget especially since moneys are not in place.

After further discussion, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Backman:

### **(RESOLUTION NO. 189 OF 2004)**

**WHEREAS**, the Town Superintendent of Highways did, on the 2<sup>nd</sup> day of June 2004, duly recommend the purchase of certain equipment;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize the Town Superintendent of Highways to purchase on New York State Contract PC 60109, the following equipment:

- one (1) 2005 International Brush Truck for a maximum aggregate price of Sixty-two Thousand Eight Hundred Thirty-nine Dollars (\$62,839).
- one (1) 2005 Four-wheel Plow Truck for a maximum aggregate price of One Hundred Twenty-six Thousand Five Hundred Twelve Dollars (\$126,512).

Upon roll call, the Town Board voted as follows:

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

The Supervisor declared the Resolution unanimously carried and duly adopted.

**Agreement – Sidewalk Construction on Merritt Place**

Discussion ensued on the D'Amore masonry bill for Eleven Hundred Ninety-three Dollars and Thirty-seven Cents (\$1,193.37). Councilman Backman suggested that the Town settle the matter for a not-to-exceed amount of Six Hundred Dollars (\$600.00) and Councilman Woodland agreed; however, after further discussion, no action was taken since Attorney Rossi needs time to review the contract.

**Stormwater Damage Claim – Doti, 712-714 Parkway East, Utica**

Attorney Rossi apprised the Board that the Doti claim is now down to Five Hundred Dollars (\$500), and no one can explain to Attorney Rossi who is culpable for the alleged June 28, 2002 driveway damage resulting from "...inadequate construction and/or maintenance of the new reservoir access road off of Pleasant Street, Utica, New York...". The Town Board does not want to pay the Five Hundred Dollars (\$500). The insurance company is obligated to defend the Town.

**Stop Sign on Viburnum and Thistle Court at their intersection with Ironwood Road**

Councilman Waszkiewicz received a request from a resident for a stop sign at this intersection. The Highway Superintendent will perform an on-site inspection and then report his recommendations to the Town Board.

**Stormwater Drainage - Marley Place/Merritt Place**

Councilman Woodland asked the Highway Superintendent about the progress being made on this issue. The Highway Superintendent reported that the design report would be ready by the June 16, 2004 Town Board meeting.

**PARKS AND RECREATION DIRECTOR:**

**Appointments – Part-time Seasonal Employees**

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

**(RESOLUTION NO. 190 OF 2004)**



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**RESOLVED** that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Receptions Department, commencing at various dates and ending August 31, 2004; all wages to be paid bi-weekly:

**Start Date: June 3, 2004**

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Joseph Plyman	Park Laborer II	\$ 7.67 per hour.

**Start Date: June 21, 2004**

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Rachel Mohr	Director of Chadwicks.	\$10.22 per hour.
Marissa Sarcone	Dance Instructor	\$10.22 per hour.
Nicole Grande	Dance Instructor	\$10.22 per hour.

**Start Date: July 1, 2004**

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Brendan Galinn	Evening Lifeguard	\$ 7.50 per hour.
Michelle Tebsherany	Instructional & Sub.WSI	\$ 7.50 per hour.

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.

**Award of Competitive Bid – Donovan Memorial Park Splash Pad**

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

**(RESOLUTION NO. 191 OF 2004)**

**WHEREAS**, upon authorization of the Town Board in 2003, Parks and Recreation Director Michael Jeffery had submitted a Grant application to the New York State Office of Parks, Recreation and Historic Preservation in an amount not to exceed Seventy-five Thousand Dollars (\$75,000) for financial assistance to the Town for the Donovan Memorial Park Wading Pool conversion; and

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**WHEREAS**, the Town of New Hartford received two (2) sealed bids on April 5, 2004 for the furnishing of all water spray equipment, control center and panels to renovate the Donovan Memorial Park wading pool into a “splash pad”;

**NOW, THEREFORE, BE IT RESOLVED** that, *contingent upon the Town’s successful acquisition of a State grant for financial assistance in converting the Donovan Memorial Park wading pool into a “splash pad”*, the New Hartford Town Board does hereby award the contract for the “splash pad” to the lowest, responsible bidder, **Universal Play Systems, Inc.**, 83 Lincoln Avenue, Pelham, NY 10803:

- \$27,616.80 for Phase I
- \$30,861.60 for Phase II.

The Town Board was polled individually and voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

**Competitive Bid – Refund of Bid Security on Splash Pad**

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

**(RESOLUTION NO. 192 OF 2004)**

**WHEREAS**, the Town Board has awarded to Universal Play Systems, Inc. the contract for conversion of the Donovan Memorial Park wading pool into a “Splash Pad”, contingent upon receiving a State grant;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Clerk to release the Bid Bond to Parkitects, Inc., the unsuccessful bidder.

The foregoing Resolution was voted upon by roll call as follows:

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

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Councilman Backman - Aye  
Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

**Grant Application – Donovan Memorial Park wading pool conversion**

Upon recommendation of Parks & Recreation Director, Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Backman:

**(RESOLUTION NO. 193 OF 2004)**

**RESOLVED** that Michael W. Jeffery, Director of Parks and Recreation, Town of New Hartford, New York, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed Seventy-five Thousand Dollars (\$75,000), and upon approval of said request, to enter into and to execute a project agreement with the State for such financial assistance to the Town of New Hartford for the Donovan Memorial Park Wading Pool conversion and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

The foregoing 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.

**Grant Application – Outdoor Skating Facility**

Upon recommendation of the Parks & Recreation Director, Councilman Waszkiewicz offered the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 194 OF 2004)**

**RESOLVED** that Michael W. Jeffery, Director of Parks and Recreation, Town of New Hartford, New York, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or

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the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed Sixty-two Thousand Dollars (\$62,000), and upon approval of said request, to enter into and to execute a project agreement with the State for such financial assistance to the Town of New Hartford for the New Hartford Recreation Center Outdoor Skating Facility and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

The foregoing 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.

**Sherrillbrook Park Soccer Field Project**

Parks and Recreation Director thanked the Highway Superintendent for all the work his Department has been doing on the soccer field project.

**TOWN CLERK:**

**Oneida County Association of Towns Meeting**

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

**(RESOLUTION NO. 195 OF 2004)**

**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 any Department Head to attend the Oneida County Association of Towns Meeting on June 15, 2004 in Rome, New York with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye

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

The Resolution was declared unanimously carried and duly adopted.

**Raffle Consent**

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

**(RESOLUTION NO. 196 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby grant permission to the Central New York Community Arts Council, 261 Genesee Street, Utica, NY, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets at Sangertown Square, New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

**FURTHER RESOLVED** that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

Upon roll call, the Town Board voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

**PUBLIC PRESENTATIONS (CONT'D)**

**CITIZENS REFORM COMMITTEE (ASSESSMENTS):**

At 8:15 P.M. Councilman Backman gave a lengthy presentation on the State assessment program in an effort to clarify the assessment process for property owners, after which the following Citizens Reform Committee members raised questions regarding assessments and the presentation given by Councilman Backman:

- Nathaniel Richmond, 30 Woodberry Road, New Hartford
- David Antanavige, 1 Higby Hills Drive, New Hartford

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- Donald Ryan, 63 Pearl Street, New Hartford
- George Shaheen, - representative of the New Hartford School Board
- Kristine Giotto, 3665 Mohawk Street, New Hartford
- George Koury, Route 5, Schuyler

Assessor Paul Smith and Town Board members addressed the following questions and comments:

- Can a percentage (1%) of the sales tax revenue be shared with the school board
- Review the trending analysis --too many errors in trending.
- Roll back taxes to 2003 and ask for a revalue
- Start gathering accurate data.
- Are other towns trending
- Did the town trend the commercial properties.
- What is the definition of neighborhood
- Group feels town should hire part-time person for data collection to assist Assessor.
- Group would like to have an annual public meeting to hear residence complaints on assessments.
- The committee feels NYS Senator Ray Meier and Assemblyman David Townsend should be petitioned to have the State Legislature roll back the assessments.

Thereafter, Councilman Backman presented the following Resolution for adoption, seconded by Councilman Woodland:

### **(RESOLUTION NO. 197 OF 2004)**

**WHEREAS**, the Town of New Hartford has been engaged in the New York State Office of Real Property Services (ORPS) Re-assessment Program for the past four (4) years; and

**WHEREAS**, this Re-assessment Program has caused anger, frustration and claims of inequitable revaluation figures among Town of New Hartford property owners due to the inaccurate reassessment of properties and the continual raising of property taxes;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town's exit from the ORPS Re-assessment Program effective immediately and does authorize and direct the preparation of Requests For Proposal (RFP) for a full-town revaluation, with all RFPs to be received in the Town Clerk's Office.

Further discussion was held regarding what this resolution would achieve; Councilman Butler stated he would vote nay for this resolution because he believes that the State

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should be petitioned to roll back trended areas to the 2003 assessment figures. Thereafter, the foregoing resolution was voted upon by roll call as follows:

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

The Resolution was declared carried and duly adopted.

Councilman Butler presented the following Resolution for adoption and upon which further discussion was held regarding petitioning New York State to roll back trended areas to the 2003 figures. Councilman Waszkiewicz stated that the Town Board’s goal is to be fair to everyone after which he seconded the resolution:

**(PROPOSED RESOLUTION)\*Defeated**

**WHEREAS**, the Town of New Hartford has been engaged in the New York State Office of Real Property Services (ORPS) Re-assessment Program for the past four (4) years; and

**WHEREAS**, this Re-assessment Program has caused anger, frustration and claims of inequitable revaluation figures among Town of New Hartford property owners due to the inaccurate reassessment of properties and the continual raising of property taxes;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby petition the New York State Legislature to roll back trended areas of the Town to the 2003 assessment values and further, that the Town does hereby authorize and direct the immediate receipt of Requests For Proposal (RFP) for a Town-wide re-evaluation, with all RFPs to be received in the Town Clerk’s Office, where all such RFPs shall be publicly opened and read at a date and time to be announced.

The Town Board voted as follows:

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

The Resolution was declared not carried and therefore, defeated. This subject matter concluded at 10:42 P.M.

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**MATTERS SUBMITTED BY COUNCILMEN**

**COUNCILMAN BACKMAN:**

**Computer Software Back-up Package**

Councilman Backman moved the adoption of the following Resolution; seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 198 OF 2004)**

**RESOLVED** that the Town Board does hereby approve the purchase from ESI of a new back-up software package to be installed in the exchange server at a cost not to exceed Four Hundred Ninety-five Dollars (\$495). The cost of this package, to be installed by the Town's computer consultant, will be charged to the computer account or taken from the contingency fund.

Upon roll call, the Town Board voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

**Hiring Policy**

Councilman Backman moved the adoption of a Resolution to amend the Town's hiring policy whereby a town resident applicant for a full-time position be invited for an interview where practicable, even if the person lacks in qualifications. Because the Town Supervisor did not want to piece-meal the hiring policies but wanted to do a full package, Councilman Backman withdrew his Resolution.

**COUNCILMAN WOODLAND:**

**Paulevan Place Speed Limit**

Relative to a constituent complaint received by Councilman Woodland, Police Chief Philo will discuss this matter with the Highway Superintendent. One solution to this problem would be to erect a "No Through Traffic" sign.



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### COUNCILMAN WASZKIEWICZ:

#### Agenda items

- Comprehensive Plan Update - Expecting completed update from Town Planner by December 2004
- Change Tax Exemptions - Veterans' exemptions may be fixed dollar figures; the Town could petition the State to have those figures go to percentages. Councilman Waszkiewicz will work on this and report at a future Town Board meeting
- Sub-division Regulation & Resolution requiring a first floor elevation included on the site plan – working with Attorney Rossi on this
- Status of Citizens Budget Review and Re-assessment committees – Residents have received letters and are waiting a response
- Grant Writer - Mr. Fariello submitted his application; the Town Supervisor stated Helen Madden is also interested in writing grants
- Updating Employee Handbook - Town Supervisor is working on this
- Update on Metro Government - Tax reduction initiative; Board consensus reached to have Councilman Waszkiewicz continue this initiative
- Re-Assessment Program – Dovetailing with this consensus Town-wide revaluation presentation at Certified Public Accountants meeting, Oneida County Medical Association Meeting, and Oneida County Bar Association Meeting and other professional and community organizations
- Herkimer-Oneida County Industrial Development – Meeting was postponed until June 15, 2004.

#### Vouchers - Maxwell Invoice/Reassessment Program

Supervisor Humphreys spoke with Assessor Smith regarding the invoice for the re-assessment services provided by Maxwell Appraisal Service. The Assessor Standing Committee will meet with Maxwell Appraisal Service to review these bills. The amount of money due is Fifteen Thousand Dollars (\$15,000). The Town Supervisor requested that the Assessor have his meeting before the June 16, 2004 Town Board meeting.

#### Office Space - Partlow Building

The Assessor and Councilman Butler had visited the Campion Road Partlow office building and believes that it will meet the needs for his office. Realtor William Virkler believes there is potential to be used by the Assessors Office. Councilman Waszkiewicz feels that this matter should be discussed in Executive Session due to proposed lease and financial aspect of this matter. Attorney Rossi suggested that the Town request Mr. Virkler to send a simple proposal regarding the leasing of this property.

### MATTERS SUBMITTED BY TOWN SUPERVISOR

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**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 Backman:

**(RESOLUTION NO. 199 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:

General Fund Whole-Town Abstract No.26	\$ 55,771.58
General Fund Whole-Town Abstract No.27	\$ 2,077.81
General Fund Whole-Town (Police) Abstract No. 28	\$ 18,150.34
General Fund Part-Town Abstract No.15	\$ 2,619.25
Highway Fund Part-Town Abstract No.12	\$125,683.77
Sewer Fund Abstract No.11	\$ 4,387.21
Sessions Road Construction/Paving Abstract No.3	\$ <u>278.16</u>
<b>TOTAL:</b>	<b>\$208,968.12</b>

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.

**Foreign Visitor – “Hartford” municipalities**

Supervisor Humphreys reported that Keith Marshall from Hartford, England would be visiting the Town offices on June 10, 2004. Mr. Marshall, who is visiting areas in the United States that contain ‘Hartford’ in their names, will be in the New Hartford area for approximately four (4) to five (5) hours.

**Law Enforcement Policy - TRIDENT Deductible Invoice**

Attorney Rossi reported that there is a running feud with the insurance carrier regarding this matter. Attorney Rossi asked for a copy of the insurance policy to review. .

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**Parking Sign – New Hartford Public Library**

Since the New Hartford Historical Society meets at the New Hartford Public Library, it was requested that the Town erect a sign directing motorists to park at the rear of the Library. Thereafter, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 200 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Highway Department to erect a “Parking In Rear” sign at the New Hartford Town Library.

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.

**Appointment – Part-time, Seasonal Clerk:**

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

**(RESOLUTION NO. 201 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Cheri Fairbrother as a Part-time, seasonal Clerk effective July 6, 2004 through August 31, 2004, to fill in for vacation and other leave time for the Personnel Assistant, Bookkeeper, Account Clerk and Supervisor’s Confidential Secretary; her hourly wage is hereby set at Seven Dollars and Seventy-five Cents (\$7.75); payable bi-weekly.

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.

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**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Waszkiewicz, seconded by Councilman Woodland, the meeting adjourned at 11:30 P.M.

**Respectfully submitted,**

**Nancy E. Kneller  
Deputy Town Clerk II**

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