

**REGULAR MEETING OF THE TOWN BOARD OF  
THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT THE KELLOGG ROAD COMMUNITY CENTER  
BUILDING ON WEDNESDAY, SEPTEMBER 1, 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:** Deputy Town Clerk I Margaret M. Jones and Deputy  
Town Clerk II Nancy E. Kneller  
Director of Senior Services M. Eileen Spellman  
Highway Superintendent Roger A. Cleveland (arrived  
at 7:10 P.M.)  
Telecommunicator Supervisor Jeffrey P.Madden

**OTHERS:** Attorney Vincent J. Rossi, Jr. (Arrived at 7:50 P.M.)

Thereafter, a quorum was declared present for the transaction of business. In the absence of the Town Clerk who is recuperating from surgery, Deputies Jones and Kneller were present to record the proceedings.

**MINUTES**

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

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

**(RESOLUTION NO. 290 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **July 21, 2004** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye

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Councilman Woodland - Aye  
Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

**August 4, 2004 Regular Town Board meeting**

Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 291 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **August 4, 2004**, with the following comment by the Town Supervisor:

Page 4, relating to Resolution No. 258

*The additional two (2) HEO positions designated now match records in the Oneida County Personnel Department and correct bookkeeping problems **only**, not to hire additional employees.*

Page 5, relating to July 2004 Stormwater Damage – Robert Hilton Property

*Would like Federal Government to pay 75% and the property owner to pay 25%.*

and be it

**FURTHER RESOLVED** that the reading of said minutes be waived.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz - Abstained, as he was on vacation.  
Councilman Butler - Aye  
Councilman Backman - Aye  
Councilman Woodland - Aye  
Supervisor Humphreys - Aye.

The Resolution was declared carried and duly adopted.

**August 18, 2004 Regular Town Board meeting**

Councilman Waszkiewicz then introduced the following Resolution for adoption, seconded by Councilman Butler:

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**(RESOLUTION NO. 292 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve the minutes of the Town Board meeting held **August 18, 2004**, with the following comment by the Town Supervisor:

Page 20, relating to Resolution No. 281 should read “carried” instead of “unanimously carried”.

Upon roll call, the Board members 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.

**PRESENTATIONS**

**CONSTITUENT CONCERNS:**

***Tax-exempt Status – Charles T. Sitrin Healthcare facility***

William Jenkins encouraged the Town Board to generate a letter to the Oneida County Industrial Development Agency opposing tax-exempt status for the Charles Sitrin Home property. Councilman Backman stated that there is not enough information to write this letter. The Sitrin Home may not be permitted to be tax-exempt once their application is completed. If this healthcare facility’s residents qualify as independent living, Councilman Backman would have a problem with it.

***Outdoor Light Regulations***

Lincoln Morrison, 6 Lower Wood South would like the Town to develop legislation to regulate neighborhood lighting. A neighbor allegedly has a floodlight pointing toward Mr. Morrison’s property, shining towards his house and illuminating the houses on either side of him and passes between houses to Benton Circle. This light seems to be on a timer, turning on during early evening; during the evening, if anyone walks by, the light will intensify. Mr. Morrison has approached his neighbor on three (3) occasions to change this light but got no response from him. Mr. Morrison provided samples of lighting ordinances from other states and has contacted Codes Enforcement Officer Gerald Back who mentioned the Town does not have a lighting ordinance for commercial property. [NOTE: The Town Clerk’s Office has contacted General Code Publishers for sample lighting legislation and perhaps Mr. Morrison should then be contacted.]

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William Trapanick, 5 Lower Woods Road said he's the neighbor that has been mentioned and that this halogen light was installed on his garage five (5) years ago for security purposes. Mr. Trapanick has adjusted the light that is on a motion detector (with 500 watts) and believes it does not shine in Mr. Morrison's home. Codes Officer Back adjusted the light so it does not shine in anyone's yard. Supervisor Humphreys said that he would look at the light after this meeting.

**Fences**

Answering Mr. Morrison's questions, Supervisor Humphreys said Town code does not address the material that is used for fencing.

Mr. Trapanick said the reason he has an orange fence is because he is having contracting work done. When the work is done, the fence will be removed and his cedar fence will be reinstalled.

**REPORTS OF TOWN OFFICIALS**

**DIRECTOR OF SENIOR SERVICES:**

**Part-Time Appointments**

Upon recommendation of Director of Senior Services Eileen Spellman, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Butler:

**(RESOLUTION NO. 293 OF 2004)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby appoint Kathleen Cleveland, Adella Roberts and Robin Sherman as Part-Time Clerks and Substitute Food Service Helpers in the New Hartford Adult Dining & Activity Center at an hourly rate of Seven Dollars and Seventy-five Cents (\$7.75); payable bi-weekly. These appointments are effective Thursday, September 2, 2004.

The Oneida County Personnel Department has approved their applications and this has been discussed with Personnel Assistant Barbara Aiello. Upon roll call, the Board members voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

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### **Mentoring Program**

Councilman Butler commented on the recent newspaper article relative to the mentoring program and he extended congratulations to Director of Senior Services Eileen Spellman for her work and that of her staff.

### **Grant for Senior Bus**

Councilman Woodland questioned Director Spellman as to the status of the Senior bus. Director Spellman responded that the Community Foundation Board would meet with Jan Squadrito the last week of September on the requested funding. She has also requested funding through the offices of State Senator Raymond Meier and Congressman Sherwood Boehlert. Assemblyman Townsend has committed to Five Thousand Dollars (\$5,000) towards the purchase of a new bus for the Dining & Activity Center. Director Spellman has contacted the Utica National Foundation and sent a letter of request to Partners Choice and Walmart however, has not received any response as of yet.

## **HIGHWAY SUPERINTENDENT:**

### **Stop Sign Legislation**

Councilman Waszkiewicz, Chief of Police Ray Philo, Highway Superintendent Roger Cleveland and South Woods residents had a meeting on stop sign legislation and policy; they are in agreement to take a comprehensive look at where the Town stands with subdivisions and where to make changes. The Town Board tabled this matter until a further date.

### **Pre-Development Agreement & Memorandum of Understanding (MOU) – James Johnson (Accounting firm)**

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

#### **(RESOLUTION NO. 294 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute a Pre-Development Agreement between the Town of New Hartford and James Johnson, 8620 Seneca Turnpike, New Hartford, New York wherein said James Johnson would contribute, as per the conditions of said Pre-Development Agreement, the total sum of Three Thousand Four Hundred Fifty-four Dollars (\$3,454) as same relates to three (3) lots being combined into a single parcel, the demolition of the existing garage and removal of the existing trailer at #8 Paulevan Place and creation of office space, all within the Seneca Turnpike/Commercial Drive Corridor Generic Environmental Impact Study boundary area; and be it

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**FURTHER RESOLVED** that the Town Board does hereby authorize and direct the Town Supervisor to execute the Memorandum of Understanding relative to this project.

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

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

The Resolution was declared unanimously carried and duly adopted.

**Agreement/Contract - Higby Road Water District**

Highway Superintendent Cleveland and Attorney Rossi confirmed that the proposal from Pratt & Pratt was a time-matter contract, not to exceed the amount of Ten Thousand Four Hundred Dollars (\$10,400.00).

**Paulevan Place**

Because Paulevan Place, between Route 12B (Clinton Road) and Route 5 (Seneca Turnpike) is being used as a short cut, the Highway Superintendent recommends a “no outlet sign” be installed on Paulevan Place. A “no outlet” sign clearly indicates to drivers not to use this street for further destination. Superintendent Cleveland would like the Town Board to consider this for a Local Law. Councilman Woodland has talked with Chief Philo about this and he is in favor of it. Neighbors in this area have noticed an increase in traffic and a traffic study showed extensive amount of traffic on this street, Superintendent Cleveland commented. Councilman Backman inquired about enforceability and whether a ticket can be issued for a “no outlet” sign. Supervisor Humphreys asked Superintendent Cleveland what the counts showed on the traffic study, as he is interested in those figures. The Town Board has agreed to look into legislation.

**Pre-Development Agreement & MOU – Faxton-St. Luke’s Healthcare**

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

**(RESOLUTION NO. 295 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute a Pre-Development Agreement between the Town of New Hartford and Faxton-St. Lukes Healthcare, Burrstone Road, New Hartford, New York wherein said Faxton-St. Lukes Healthcare, as per the conditions of said Pre-Development Agreement would contribute a zero amount (\$00.00) as same relates to the

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construction of a temporary graveled parking area around the northerly and westerly sides of the existing parking field in order to permit the parking of 100 additional cars during the transition period of said facility, all within the Burrstone Road/French Road/Champlin Avenue Corridor Generic Environmental Impact Study boundary area; and be it

**FURTHER RESOLVED** that the Town Board does hereby authorize and direct the Town Supervisor to execute the Memorandum of Understanding relative to this project.

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

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

The Resolution was declared unanimously carried and duly adopted.

**Road Dedication - Applewood Community**

Highway Superintendent Cleveland had sent a memo regarding Applewood Community; as he checked with the Engineer's office, documents were missing but the Abstract of Title is with Attorney Rossi, along with the Letter of Credit. The paving work has been completed to the satisfaction of the Highway Superintendent. At the September 15, 2004 Town Board Meeting the roads will formally be dedicated. Superintendent Cleveland asked the Town Board to authorize Attorney Rossi to record the deed for sections of Norma Drive, Susan Drive, Patricia Drive, and Annie's Way. Councilman Backman added that one and a half (1 1/2) inch of binder has been added on top of the two (2) inch that was already there; Attorney Rossi stated that this theory with extra thickness of asphalt would have a "snowshoe" effect and take care of any problems. Thereafter, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Butler:

**(RESOLUTION NO. 296 OF 2004)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize Attorney Rossi to record the deed with the Oneida County Clerk's Office for the dedication of Norma Drive, Susan Drive, Patricia Drive, Annie's Way in the Applewood Community mobile home park.

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

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

The Resolution was declared unanimously carried and duly adopted

**Private Water Systems within the Higby Road Water District**

Attorney Rossi wrote a letter to Burley-Guminiak and asked Superintendent Cleveland to call Mr. Guminiak regarding this subject. Councilman Backman wrote a letter regarding acquisition of two (2) private water systems and guidance on how to proceed since the Town has no yardstick to measure the value of the DeBlois and Giotto systems. Mr. Giotto wrote a letter about his expense incurred for water on his Mohawk Street property. The Sessions Road property owner has not contacted the Town regarding their property; Attorney Rossi will contact the DeBlois about their water system.

**Presentation by Mohawk Valley Water Authority**

Due to serious issues, the Highway Superintendent recommended that the Mohawk Valley Water Authority, former the Upper Mohawk Valley Regional Water Board, make a presentation to the Town Board and Town Planning Board on September 15, 2004 at 5:30 P.M. in the Kellogg Road Community Center Building.

**License Agreement for Sewer Service – Fiorentino property, Paris Road**

Attorney Rossi has not received a copy of the signed License Agreement from the Fiorentinos as Mr. Fiorentino had several questions regarding the License that needed to be resolved. Attorney Rossi stated that, according to the License Agreement, a map is needed to show the installation location of the sewer lateral within the Town highway right-of-way. Highway Superintendent Cleveland agreed to provide a map from Senior Engineering Technician John Meagher. Mr. Fiorentino also questioned the need for continuing insurance as called for in the License Agreement. Attorney Rossi stated that now that the lateral has been installed, the need for the liability insurance is no longer required. Attorney Rossi asked Supervisor Humphreys to sign this License Agreement. Thereafter, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 297 OF 2004)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to sign the License Agreement between the Town of New Hartford and Thomas & Lori Fiorentino of 197 Paris Road, New Hartford, NY for sewer service to the latter, whose property is further identified as Tax Map Parcel No. 338.000-



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3-8.1, excluding the requirement that the Fiorentinos provide insurance coverage inasmuch as the sewer lateral has been installed.

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

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

The Resolution was declared unanimously carried and duly adopted

**Authorization for Competitive Bid – Sewer Pump Station Upgrade**

Upon request of Highway/Sewer Superintendent Cleveland, Councilman Woodland presented the following Resolution and moved its adoption; seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 298 OF 2004)**

**RESOLVED** that the New Hartford Town Board shall receive sealed bids for the electrical upgrade of three Sewer Pump Stations, in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 8:45 A.M. on Wednesday, September 15, 2004 and then shall be publicly opened and read aloud at 9:00 A.M. on said date and in said Office; and be it

**FURTHER RESOLVED** that the said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

The Town Board voted upon roll call as follows:

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

The Resolution was declared unanimously carried and duly adopted.

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**Stormwater Drainage – Genesee Street and Marley Place**

Highway Superintendent received a call regarding the water run-off situation on Genesee Street and mentioned the Oneida County Soil and Water Conservation Agency was finishing the design and survey work and the Town should have this shortly. The issue on Marley Place has been resolved.

**Stormwater Drainage - Harrogate Road**

Councilman Backman explained that in the Spring of 2004 the owner of 8 Harrogate Road notified the Town that the stormwater collector by his home was broken and defective. Allegedly, the Town did not fix the broken stormwater collector by his home; however, did repair the neighbor's stormwater collector. Councilman Backman questioned why the insurance company did not settle for damages to his property. Attorney Rossi stated that usually there is exclusion for surface water damage.

**TOWN CLERK & TOWN SUPERVISOR:**

Upon recommendation of the Town Clerk and Town Supervisor, Councilman Butler presented the following Resolution and moved its adoption, which was seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 299 OF 2004)**

**WHEREAS**, at the August 18, 2004, Town Board meeting, Resolution No. 285 was adopted granting permission for Barbara Aiello, Carol Ryan, Ann Rose, Donna Fanelli, Mary Bovee, Amy Topor, Michele Moran, Maureen Owens, Patricia Vasco, Janet Halpin, Candy Currier, Kurt Schwenzfeier and Dory Shaw to attend a Microsoft Workshop on October 14, 2004, at the Radison Hotel, Utica, New York, with expenses to be borne by said Town as budgeted;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of New Hartford does hereby amend Resolution No. 285 to allow only two (2) employees from Town Court and only one (1) employee in the Assessor's Office to attend this Microsoft Class so that these two (2) departments would still have employees available to cover these offices; and

**BE IT FURTHER RESOLVED** that the Town Board does hereby grant permission for Deputy Town Clerk I Margaret Jones, Account Clerk Janice O'Sullivan and Director of Senior Services Eileen Spellman to attend this Microsoft Class.

The Town Board voted upon 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.

### **MATTERS SUBMITTED BY ATTORNEY**

#### ***Property Maintenance & Zoning Violation – Abelove property, Oneida Street, Chadwicks***

Attorney Rossi recommended pursuing this matter through Court. Councilman Backman suggested sending a letter again to Mr. Abelove; Attorney Rossi agreed to send this letter reconfirming that the vehicles must be removed by October 1, 2004 and if the vehicles are not removed by that date, Mr. Abelove should apply for either a Demolition Permit or a Building Permit and submit engineering plans to repair this building. The Town Board concurred.

### **MATTERS SUBMITTED BY COUNCILMEN**

#### **COUNCILMAN WASZKIEWICZ:**

##### **Agenda items**

- Update Citizens Assessment Procedures Review Committee - Interviews completed with three (3) contractors, Assessor Standing Committee to meet and develop recommendations for RFP for board review before September 15, 2004.
- Update on Tax Reduction Initiative i.e. Re-engineering the delivery of services – September 8, 2004 meeting with Oneida-Herkimer Medical Society Executive Committee.
- Status Inter-Town Comparison- Departmental Spreadsheet sent and each community is to respond by September 15, 2004.
- Draft letter to State Legislators requesting adoption of “Save Our Home” legislation capping assessment changes similar to either Florida or Massachusetts Laws- To be distributed at meeting for review after the meeting and discussion at the September 15, 2004.
- Sidewalk Maintenance Resolutions – Samples to be distributed at meeting for review and discussion before September 15, 2004 meeting.
- Resolutions covering licensing, permits or simply monitoring of Independent contractors performing services within a municipality- Samples to be distributed at meeting for review and discussion before September 15, 2004.

### **MATTERS SUBMITTED BY TOWN SUPERVISOR**

#### **FINANCIAL AND OTHER ROUTINE REPORTS:**

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**Petty Cash – Spending Limit**

Supervisor Humphreys needs to check a boot bill from the Highway Department. Councilman Backman suggested sending a memo to departments to reiterate that petty cash spending is only for Fifteen Dollars (\$15) maximum on any one (1) item and anything over that amount, a voucher is required. Bookkeeper Carol Fairbrother will be asked to send a memo on this matter.

**Audit of Vouchers**

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

**(RESOLUTION NO. 300 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 Whole-Town Abstract No. 43	\$192,681.90
General Fund Whole-Town Abstract No. 44	\$ 21,335.96
General Part-Town Abstract No. 22	\$ 2,048.65
Highway Fund Part-Town Abstract No. 18	\$ 23,549.86
Sewer Fund Abstract No.19	\$ 10,068.12
Street Light Fund Abstract No. 9	\$ 6,319.31
Drainage Abstract No. 9	<u>\$ 3,010.68</u>
<b>TOTAL:</b>	<b>\$252,695.17</b>

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Town of New Hartford Delegate/Alternate - Sauquoit Creek Intermunicipal Commission**

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

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**(RESOLUTION NO. 301 OF 2004)**

**RESOLVED**, that the New Hartford Town Board does hereby appoint Roger A. Cleveland, Highway Superintendent, to be the Town of New Hartford's delegate on the Sauquoit Creek Intermunicipal Commission and does further appoint Town Supervisor Ralph Humphreys as the alternate.

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Oneida County Association of Towns Business Meeting**

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

**(RESOLUTION NO. 302 OF 2004)**

**RESOLVED**, that the Town Board of the Town of New Hartford does hereby authorize and direct the Highway Superintendent and his Deputy, the Police Chief and the Town Supervisor to attend the Oneida County Association of Towns Business Meeting on Tuesday, September 21, 2004 at Kitty's On the Canal, Utica, with expenses to be borne by the Town as budgeted.

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Training**

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

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**(RESOLUTION NO. 303 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 Codes Enforcement Officer Gerald F. Back to attend the Codes School for the New York State Building Code from September 15-17, 2004 in Ithaca, New York, with expenses to be borne by said Town as budgeted.

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Budget Revisions**

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

**(RESOLUTION NO. 304 OF 2004)**

**RESOLVED**, that the Town Board of the Town of New Hartford does accept the following budget revisions:

Increase Account	A2680.0 Insurance Rec.	\$ 3,696.93
Increase Account	A3120.4 Contractual Exp.	\$ 3,696.93
Increase Account	A2680.0 Insurance Rec.	\$ 3,645.89
Increase Account	A3120.4 Contractual Exp.	\$ 3,645.89
Increase Account	A2665.0 Sale of Equip	\$ 3,750.00
Increase Account	A3120.2 Equipment	\$ 3,750.00
Increase Account	A2680.0 Insurance Rec.	\$14,156.68
Increase Account	A3120.2 Equipment.	\$14,156.68

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Increase Account	A3310.4 Traffic Control	\$ 3,090.00
Increase Account	A2680.0 Insurance Rec.	\$ 3,090.00
Increase Account	A2680.0 Insurance Rec.	\$ 53.47
Increase Account	DB2680.0 Insurance Rec.	\$ 37.02
Increase Account	A3310.4 Traffic Control	\$ 53.47
Increase Account	DB5110.1 Personal Services	\$ 37.02
Increase Account	A6090.0 Work Comp Reimb.	\$ 6,080.00
Increase Account	A7110.11 Working Supervisor	\$ 6,080.00
Increase Account	A3120.1 Personal Services	\$10,800.00
Increase Account	A6090.0 Work Comp Reimb.	\$10,800.00
Increase Account	A7410.4 Library	\$ 8,250.00
Decrease Account	A1990.4 Contingent	\$ 8,250.00

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Part-Time Dispatch Employee**

Personnel Barbara Aiello had reported that a dispatch employee is being paid Six Dollars and Thirty Seven Cent (\$6.37) per hour while the Town had adopted a seasonal employee rate of Seven Dollars and Seventy-five Cents (\$7.75) per hour. After some discussion, upon recommendation of Supervisor Humphreys, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Butler:

**(RESOLUTION NO. 305 OF 2004)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby establish the 2004 hourly wage for Part-time Dispatcher Joseph Crandall to be Seven Dollars and Seventy-five Cents (\$7.75) per hour retroactive to January 1, 2004 for the two hundred ninety-six (296) hours he worked in fiscal year 2004, the retroactive pay totaling Four Hundred Eight Dollars and Forty-eight Cents (\$408.48).

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The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**Utica Transit Authority**

Due to shortcomings in their budget, the Utica Transit Authority has requested the Town's third and final payment of Ten Thousand Dollars (\$10,000) for fiscal year 2004. Upon recommendation of Supervisor Humphreys, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Backman:

**(RESOLUTION NO. 306 OF 2004)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to issue the third and final payment of Ten Thousand Dollars (\$10,000) to the Utica Transit Authority for fiscal year 2004.

The Town Board voted upon roll call as follows:

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

This Resolution was declared unanimously carried and duly adopted.

**EXECUTIVE SESSION**

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

**(RESOLUTION NO. 307 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss compensation of a particular employee, to discuss the Giotto assessment certiorari, and to discuss matters leading to the appointment of a particular employee.



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A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media and Deputies Jones and Kneller were then excused from the meeting at 9:15 PM. Highway Superintendent Cleveland remained for the Executive Session.

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 308 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 Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:41 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 Waszkiewicz, seconded by Councilman Butler, the meeting adjourned at 10:42 P.M.

**REGULAR TOWN BOARD MEETING**  
**September 1, 2004**  
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**Respectfully submitted,**

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

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