

**REGULAR MEETING OF THE TOWN BOARD OF  
THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT BUTLER MEMORIAL HALL IN THE VILLAGE OF NEW  
HARTFORD ON WEDNESDAY, JANUARY 5, 2005 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:** Police Chief Raymond Philo  
Town Clerk Gail Wolanin Young, CMC/RMC

**OTHERS:** Attorney Vincent Rossi, Jr. (Arrived at 7:53 P.M.)

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

**MATTERS SUBMITTED BY COUNCILMEN**

**COUNCILMAN WASZKIEWICZ:**

**Manner of Payroll Payment for certain Town Officials/employees**

As a result of numerous discussions on salaried vs hourly employees over the past year, Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 1 OF 2005)**

**WHEREAS**, the Town of New Hartford ("Town") recognizes that its employees are the most important asset to the Town and its government;

**WHEREAS**, positive employee relations and goodwill among employees are beneficial to help foster productivity and amicable interactions with the public;

**WHEREAS**, cost effective and efficient delivery of services is dependent in large part upon a dedicated group of salaried, exempt (as well as hourly) employees;

**WHEREAS**, the Town recognizes an obligation to treat all employees, including its salaried exempt employees, equally and fairly;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

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That the Town will determine the salary of all exempt employees for 2005 and beyond, until a different resolution be adopted, by taking the projected annual salary for 2005 for each salaried, exempt employee and dividing that salary figure by twenty-six (26), to obtain a gross bi-weekly salary figure. That gross bi-weekly salary figure will be paid to the salaried, exempt employee in a bi-weekly payroll check, subject to deductions for tax, benefits, and other lawfully authorized purposes in accordance with Town personnel policy. From this time forward, the Town will hire and pay salaries for exempt employees on the foregoing basis. Salary increases, if any, for salaried, exempt employees will be determined annually and will take effect on or about the first payroll of each calendar year.

After brief further discussion, the Town Board voted upon roll call as follows:

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

Thereafter, the Resolution was declared carried and duly **ADOPTED**.

**REPORTS OF TOWN OFFICIALS**

**TOWN CLERK:**

**Reorganizational Resolutions**

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

**(RESOLUTION NO. 2 OF 2005)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby establish the normal operating hours for the Town of New Hartford offices to be 8:00 A.M. through 4:00 P.M., Mondays through Fridays during Fiscal Year 2005;

**RESOLVED** that Ralph B. Humphreys, Supervisor of the Town of New Hartford, New York, be and he hereby is authorized and directed to sign all checks for the disbursement of funds of the Town of New Hartford for the Fiscal Year 2005;

**RESOLVED** that the New Hartford Town Board does hereby re-adopt the “TOWN OF NEW HARTFORD EMPLOYEES HANDBOOK”, prepared by AMTEK, dated September 15, 1999, and thereafter amended from time to time. Found within this

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manual is the official schedule of fringe benefits of non-union personnel for the year 2005;

**RESOLVED** that the New Hartford Town Board does hereby establish the mileage rate at thirty-six cents (\$.36) for all Town Officials and employees while performing regular and continuous business transactions in and for the Town of New Hartford during the Fiscal Year 2005;

**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Supervisor to retain an auditing firm to audit the 2004 financial accounts and for subsequent preparation of the 2004 Annual Report, that auditing firm being Patrick Tyksinski, CPA;

**RESOLVED** that the Town Board of the Town of New Hartford does hereby designate as Official Depositories in which all funds of the Town of New Hartford shall be deposited in 2005 the following institutions:

- Bank of America
- Chase Bank
- Bank of New York
- NBT Bank, N.A.
- Adirondack Bank
- HSBC
- Partners Trust (formerly known as the Savings Bank of Utica), if eligible

and that the Town Supervisor or Bookkeeper of said Town be and hereby is authorized and directed to secure a Pledge of Security covering the maximum amount of money the Town would have on deposit at any one time during the Fiscal Year 2005 from each of the Official Depositories designated. A written security agreement and custodial agreement (which can be combined into one document) must be obtained. The Town, however, will try to have delivery of the collateral to an unrelated third party. If this cannot be effected, then all pertinent legal and financial risks will be evaluated;

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

**RESOLVED** that the New Hartford Town Board does hereby appoint Donald C. Backman as Marriage Officer in and for the Town of New Hartford for a one-year term

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commencing January 1, 2005 and ending December 31, 2005;

**RESOLVED** that the Town Board of the Town of New Hartford does hereby appoint the New Hartford Historical Society as the Town's Historian for the Fiscal Year 2005 at a contractual sum of \$3,300.00;

**RESOLVED** that the Rules of Procedure which were initially adopted April 21, 1965, and amendments thereto, are hereby affirmed and re-adopted by the New Hartford Town Board for the Fiscal Year 2005 as set forth in the attached Schedule "A" that is made a part of this resolution;

**RESOLVED** that the New Hartford Town Board does hereby appoint Councilman Butler as the Delegate to attend the Annual Business Session of the Association of Towns of the State of New York, (Councilman Backman as Alternate), to be held at New York, New York on February 23, 2005 and to cast the vote of the aforesaid Town, pursuant to Section 6 of Article 3 of the Constitution and By-laws of said Association;

**RESOLVED** that the New Hartford Town Board does hereby confirm the Supervisor's appointment of Donald C. Backman as Deputy Town Supervisor for a term of one (1) year commencing January 1, 2005, with a corresponding stipend of One Thousand Dollars (\$1,000.) to Councilman Backman for 2005;

**RESOLVED** that Donald C. Backman, Deputy Town Supervisor of the said Town be, and he hereby is authorized and directed to sign all checks for disbursements of funds of said Town for Fiscal Year 2005, in the absence of the Town Supervisor;

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

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

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

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**RESOLVED** that the Town Board of the Town of New Hartford does hereby designate The Observer Dispatch as the Town's official newspaper for Fiscal Year 2005.

### **SCHEDULE "A"** **RULES OF PROCEDURE**

#### **I. REGULAR MEETINGS:**

Regular meetings of the New Hartford Town Board shall be held in the Community Meeting Room of Butler Memorial Hall, 48 Genesee Street, New Hartford, New York on the first and third Wednesdays of January, February, March, April, October, November and December at 7:00 P.M. for the Fiscal Year 2005, and on the first and third Wednesdays of May, June, July, August and September in the Kellogg Road Community Center Building at 7:00 P.M. The Town Board reserves the right to dispense with the second regularly-scheduled meeting each month if no urgent matters need the Town's attention; if cancelled, notice shall be provided to the Department Heads and the news media by the Friday immediately preceding the meeting to be cancelled;

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

#### **II. SPECIAL MEETINGS:**

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

#### **III. QUORUM:**

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

#### **IV. VOTING UPON QUESTIONS:**

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

#### **V. STANDING COMMITTEES:**

The Supervisor shall appoint the following Standing Committees:

- Assessor
- Elections

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

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

### **VI. SPECIAL COMMITTEES:**

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

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

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

### **VII. ORDER OF BUSINESS:**

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

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

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

### **VIII. LEGISLATIVE MATTERS:**

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

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

### **IX. ABSENCE OF SUPERVISOR:**

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

### **X. MEMBERS MAY NOT ABSENT THEMSELVES:**

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

### **XI. REFUSAL TO VOTE:**

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

### **XII. PARLIAMENTARY RULES:**

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

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**XIII. SUSPENSION OF RULES:**

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

The Town Board voted upon roll call, resulting as follows:

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

The Supervisor declared the Resolutions unanimously carried and duly **ADOPTED**.

**Appointment – Attorney for the Town**

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

**(RESOLUTION NO. 3 OF 2005)**

**RESOLVED** that the New Hartford Town Board does hereby retain the professional legal services of Vincent J. Rossi, Jr. as Attorney for the Town for fiscal year 2005, at the contractual hourly rate of One Hundred Dollars (\$100) for services rendered in Town offices and at the contractual hourly rate of One Hundred Twenty-five Dollars (\$125) for services rendered in his private law office.

A roll call was duly held and resulted as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**Appointment – Planning Board Chairman**

The Town Supervisor presented the name of current Planning Board member N. Joseph Yagey for re-appointment as Chairman of that Board for one (1) year. After Councilman Butler announced that he had been contacted by several Planning Board members who

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recommended that current Planning Board member Hans G. Arnold be appointed as Chairman, the matter was deferred until the January 19, 2005 Town Board meeting.

**“Hold-over” Appointment – Planning Board**

Due to health-related issues, the Supervisor announced that Ronald Morelle [whose term expired December 31, 2004] had agreed to be a “hold-over” Planning Board member for a six month period, at which time his re-appointment will be reviewed.

**Appointment – Zoning Board of Appeals Chairman**

Councilman Backman offered the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 4 OF 2005)**

**RESOLVED** that the New Hartford Town Board does hereby re-appoint Randy Bogar as Chairman of the Zoning Board of Appeals for a one (1) year period, commencing January 1, 2005 and ending December 31, 2005, subject to Mr. Bogar’s acceptance of this appointment.

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

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**Appointment – Police Commission**

The Town having received a letter from John Shaw expressing his interest in re-appointment to the Police Commission, which also recommended his re-appointment, Councilman Butler offered the following Resolution for adoption and Councilman Waszkiewicz seconded same:

**(RESOLUTION NO. 5 OF 2005)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby re-appoint John M. Shaw as a Member of the Town Police Commission for a five-year term commencing January 1, 2005 and ending December 31, 2009.

The Town Board members voted individually as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**Appointments - 2005 Town Board Standing Committees**

Supervisor Humphreys submitted his list of Standing Committees for fiscal year 2005:

<b><u>Committee</u></b>	<b><u>Chairperson</u></b>	<b><u>Co-Chairperson</u></b>	<b><u>Term To Expire</u></b>
Assessor	Backman	Waszkiewicz	December 31, 2005
Elections	Woodland	Waszkiewicz	December 31, 2005
Human Resource	Butler	Woodland	December 31, 2005
Library	Waszkiewicz	Butler	December 31, 2005
Motor Pool	Backman	Woodland	December 31, 2005
Parks & Recreation	Waszkiewicz	Woodland	December 31, 2005
Public Safety & Courts	Backman	Waszkiewicz	December 31, 2005
Public Works/Sewer	Backman	Butler	December 31, 2005
School/Village/Town Liaison	Butler	Backman	December 31, 2005
Senior Citizen	Waszkiewicz	Butler	December 31, 2005
Town Clerk	Butler	Woodland	December 31, 2005
Zoning & Planning	Woodland	Backman	December 31, 2005

**Appointments - Safety Committee**

After a brief discussion, Councilman Backman introduced the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 6 OF 2005)**

**RESOLVED** that the New Hartford Town Board does hereby appoint the following individuals to the Safety Committee, initially created on August 1, 2001 and expanded on January 16, 2002 by a 6<sup>th</sup> position (Parks Department) and on January 7, 2004 by a 7<sup>th</sup> position (Senior Services Department):

**Town Resident Member:**

- Robert Payne, subject to his acceptance of the appointment (two-year term commencing January 1, 2005 and ending December 31, 2006)
- Note: One (1) vacant two-year position since December 31, 2003

**Town Department Representatives (one-year appointments)**

- Personnel Assistant Barbara Aiello

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- Parks and Recreation Director Michael W. Jeffery
- Police Chief Raymond Philo
- Deputy Highway Superintendent Anthony DeCuffa (in event he is not available to attend a meeting(s), Highway Superintendent Roger Cleveland is to attend)
- Director of Senior Services M. Eileen Spellman

Upon roll call, the Town Board members voted as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

### Ethics Committee

It was the consensus of the Town Board that the three-member Ethic Committee, comprised of Richard B. Woodland, Jr., Nathaniel Richmond and a vacant position, not be disbanded and that, in the event a situation arises, that the Town would use the County Ethics Committee.

### Appointments – 24-Hour Emergency Dispatch Committee

After the Police Chief verified the member list of the 24-Hour Emergency Dispatch Committee, Councilman Waszkiewicz introduced the following Resolution for adoption; seconded by Councilman Butler:

#### **(RESOLUTION NO. 7 OF 2005)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby appoint the following individuals to the **24-Hour Emergency Dispatch Committee** commencing January 1, 2005 and ending December 31, 2005:

1. Jeffrey P. Madden, Central Dispatch
2. Raymond Philo, New Hartford Police Chief
3. Brad Frankland, New York Mills Police Chief
4. David Reynolds, New Hartford Fire Chief
5. Robert Glenn, New York Mills Fire Chief
6. William Hughes, Willowvale Fire Chief
7. Gary Edwards, Edwards Ambulance
8. Daniel Verminski, Central Oneida County Ambulance
9. George Nassar, Central Oneida County Ambulance

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10. Rodger Reynolds, New Hartford Village Representative
11. Robert Maciol, New York Mills Village Mayor
12. Janet Hughes, Town Police Commission member
13. Donald Backman, First Ward Councilman/Town Board
14. John C. Waszkiewicz III, Second Ward Councilman/Town Board
15. Roger Cleveland, Town Highway Superintendent
16. Barbara J. Aiello, Town Personnel Assistant
17. Terrance P. Martin, Citizen at large
18. Lawrence Gilroy, Chairman

Recording Secretary – Amy Topor.

The foregoing Resolution was subject to a vote upon roll call as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**Employee Handbook, Section 500 – Operational Policies (Vehicle Usage)**

Because the Town Clerk had not received any requests from Town Department Heads for use of Town vehicles during calendar year 2005, Councilman Backman, who is Chairman of the Motor Pool Committee, will contact employees and also advise them that, with the exception of the Police Chief, a mileage log must be maintained.

**Training School**

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

**(RESOLUTION NO. 8 OF 2005)**

**WHEREAS**, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby grant permission to Town Clerk Gail Wolanin Young to attend the 23<sup>rd</sup> Annual New York State Town Clerks Association Conference from April 17 through April 20, 2005 in Buffalo, New York, with expenses to be borne by said Town as

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budgeted.

The Resolution was voted upon by roll call as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**Request for Use of Voting Machines**

Town Clerk Gail Wolanin Young presented a request from the Village of New York Mills for use of Town voting machines; Councilman Waszkiewicz offered the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 9 OF 2005)**

**RESOLVED** that the New Hartford Town Board does hereby grant permission to the Village of New York Mills to use two (2) Town voting machines for the Village Election on Tuesday, March 15, 2005, with the understanding that the transportation and set-up of the machines shall be arranged with Voting Machine Custodian Michael W. Jeffery.

A roll call vote ensued:

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**2005 Salary Schedule**

The Personnel Assistant had provided the Town Supervisor with a list of salaries that coincide with the 2005 approved budget; therefore, Councilman Waszkiewicz offered the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 10 OF 2004)**

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**WHEREAS**, Town Law, Section 27, provides that the Town Board of each town shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby approve and establish the following *Schedule of 2005 Salaries* for the employees and officials of the Town of New Hartford, payable in the manner designated:

A1010.1	Councilman Donald C. Backman	\$ 6,165, bi-weekly
A1010.1	Deputy Town Supervisor Donald C. Backman	\$ 1,000, bi-weekly
A1010.1	Councilman David W. Butler	\$ 6,165, bi-weekly
A1010.1	Councilman John C. Waszkiewicz III	\$ 6,165, bi-weekly
A1010.1	Councilman Richard B. Woodland, Jr.	\$ 6,165, bi-weekly
A1110.1	Town Justice James VanSlyke	\$15,962, bi-weekly
A1110.1	Senior Justice James VanSlyke	\$ 2,500, bi-weekly
A1110.1	Town Justice William M. Virkler	\$15,962, bi-weekly
A1110.11	Clerk to Court Justice Ann Rose	\$28,902.10 bi-weekly
A1110.12	Court Attendant John Rukavena	\$ 22.16/hr, bi-weekly
A1110.13	Clerk to Court Justice Donna Fanelli	\$23,368.44, bi-weekly
A1110.16	Part-time Clerk Mary Kennedy	\$ 8.50/hr, bi-weekly
A1220.1	Supervisor Ralph Humphreys	\$14,795, bi-weekly
A1220.2	Confidential Secretary Carol Ryan	\$33,712.22 bi-weekly
A1315.11	Bookkeeper Carol D. Fairbrother	\$52,167.44, bi-weekly
A1315.12	Account Clerk Janice O'Sullivan	\$20,215.45, bi-weekly
A1330.1	Receiver of Taxes Hilarie Elefante	\$23,187, bi-weekly
A1330.11	Deputy Receiver of Taxes Kathleen Glenn	\$11,940.43, bi-weekly
A1355.1	Assessor Paul E. Smith	\$43,709.08, bi-weekly
A1355.11	Deputy Assessor Janet L. Halpin	\$31,827, bi-weekly
A1355.12	Clerk Patricia Vasco	\$20,866.84, bi-weekly
A1355.13	BAR Chairman Matthew Bohn	\$ 500, annually
A1355.13	BAR Member Duane C. Farr	\$ 400, annually
A1355.13	BAR Member Catherine Lawrence	\$ 400, annually
A1355.13	BAR Member Edward F. Goggin	\$ 400, annually
A1355.13	BAR Member Jonathan Purdy	\$ 400, annually
A1410.1	Town Clerk Gail Wolanin Young	\$33,385, bi-weekly
B4020.1	Registrar of Vital Statistics Gail Wolanin Young	\$ 9,860, bi-weekly
B4020.11	Deputy Registrar Robin L. Brindisi	\$28,412.55, bi-weekly
A1410.11	Deputy Town Clerk I Margaret M. Jones	\$23,861.76, bi-weekly
A1410.12	Part-time Clerk Andrea K. Toomey	\$ 10.61/hr, bi-weekly
A1410.13	Deputy Town Clerk II Nancy E. Kneller	\$19,626.65, bi-weekly
A1430.1	Personnel Assistant Barbara J. Aiello	\$30,388.42, bi-weekly
A1440.1	Part-time Engineer Roger A. Cleveland	\$ 7,924, bi-weekly
A5010.1	Highway Superintendent Roger A. Cleveland	\$41,470, bi-weekly
S8110.1	Sewer Engineer Roger A. Cleveland	\$16,761, bi-weekly
A1440.11/ S8110.15	Senior Engineering Technician John Meagher	\$52,167.44, bi-weekly
A1620.11	Cleaner (Substitute) Lewis Smith	\$ 8.71/hr, bi-weekly
A1620.11	Cleaner Roger Jones	\$ 8.20/hr, bi-weekly

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A1620.11	Bldgs & Grounds/Traffic Michael Coonradt	\$ 2,080, bi-weekly
A3120.11	Police Chief Raymond Philo	\$74,237.25, bi-weekly
A3120.1	Police Lieutenant Timothy O'Neill	<b>SALARIES</b>
A3120.1	Police Sergeant Daniel Appler	<b>TO BE</b>
A3120.1	Police Sergeant Richard Hammond	<b>SET</b>
A3120.1	Police Sergeant Marc Marziale	<b>BY</b>
A3120.1	Police Officer Christopher Burns	<b>UNION CONTRACT</b>
A3120.1	Police Officer Paul Colburn	<b>SALARIES</b>
A3120.1	Police Officer Daniel Herman	<b>TO BE</b>
A3120.1	Police Officer Michael Inserra	<b>SET</b>
A3120.1	Police Officer Matthew Sica II	<b>BY</b>
A3120.1	Police Officer Michael Kowalski	<b>UNION</b>
A3120.1	Police Officer Steven Laymon	<b>CONTRACT</b>
A3120.1	Police Officer Robert Philo	
A3120.1	Police Officer Brad Pietryka	<b>SALARIES</b>
A3120.1	Police Officer Richard Salamone	<b>TO</b>
A3120.1	Police Officer C. Edward Schmidt	<b>BE</b>
A3120.1	Police Officer Peter Colburn	<b>SET</b>
A3120.1	Police Officer (vacancy)	<b>BY</b>
A3120.1	Police Officer Joseph Corr	<b>UNION</b>
A3120.1	Police Officer Ronald Fontaine	<b>CONTRACT</b>
A3120.1	Police Officer Part-time Scott Adsit	
A3120.1	Police Officer Part-time Raymond Hamo	<b>SALARIES</b>
A3120.1	Police Officer Part-time Peter Hawes	<b>TO</b>
A3120.1	Police Officer Part-time Francis Manfredo	<b>BE</b>
A3120.1	Police Officer Part-time Michael Reilly	<b>SET</b>
A3120.1	Police Officer Part-time Richard Sherman	<b>BY UNION CONTRACT</b>
A3120.1	Police Officer Part-time Jordan Spinella	<b>SALARIES</b>
A3120.12	Senior Typist Susan Donnenwirth	<b>TO BE</b>
A3120.13	Senior Clerk Amy Topor	<b>SET BY</b>
A3120.18	Senior Account Clerk/Typist Michelle Moran	<b>UNION CONTRACT</b>
A3120.14	School Crossing Guard Rosemari Bennett	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard Edward Bowes	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard MaryAnn Jordan	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard Jane Kreutzer	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard Jacqueline Mosowski	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard Thomas Randall	\$ 7.71 hr, bi-weekly
A3120.14	School Crossing Guard Lewis Smith	\$ 7.71/hr, bi-weekly
A3120.14	School Crossing Guard James Wilcox	\$ 7.71/hr, bi-weekly
A3120.14	School Crossing Guard Mary Wilcox	\$ 7.71/hr, bi-weekly
A3120.14	School Crossing Guard M. Doreen Reynolds	\$ 7.71/hr, bi-weekly
A3120.14	School Crossing Guard Janet Reynolds	\$ 7.71/hr, bi-weekly
A3120.12	Part-time Clerk (Police Comm.) Barbara Couture	\$ 8.74/hr, bi-weekly
A3220.1	Dispatch Supervisor Jeffrey Madden	\$36,961.60, bi-weekly
A3220.11	Dispatcher Michael Brunet	<b>SALARIES</b>
A3220.11	Part-time Dispatcher Daniel Buley	<b>TO</b>
A3220.11	Dispatcher Craig Burnop	<b>BE</b>
A3220.11	Part-time Dispatcher Thomas Cook	<b>SET</b>
A3220.11	Part-time Dispatcher Joseph Crandall	<b>BY</b>
A3220.11	Part-time Dispatcher Jarod Petrie	<b>UNION</b>
A3220.11	Dispatcher Gregory DeBernardis	<b>CONTRACT</b>

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		<b>SALARIES</b>
A3220.11	Dispatcher Deborah Demko	<b>TO</b>
A3220.11	Part-time Dispatcher Vito Sinisgalli	<b>BE</b>
A3220.11	Part-time Dispatcher Steven Sickler	<b>SET BY UNION</b>
A3220.11	Dispatcher Steve Ingersoll	<b>CONTRACT</b>
A3220.11	Part-time Dispatcher Nicholas Morosco	<b>SALARIES TO</b>
A3220.11	Part-time Dispatcher James Kreutzer	<b>BE</b>
A3220.11	Part-time Dispatcher David Maier	<b>SET</b>
A3220.11	Part-time Dispatcher Laurie Marshall	<b>BY</b>
A3220.11	Part-time Dispatcher Michael Geller	<b>UNION</b>
A3220.11	Part-time Dispatcher Michael Talento	<b>CONTRACT</b>
A3220.11	Dispatcher Nancy Woeltje	
A3510.1	Animal Control Officer Shawn Morgan	\$32,459.30, bi-weekly
A3510.11	Part-time ACO Frank McCully	\$ 10.61/hr, bi-weekly
A5010.11	Deputy Highway Supt. Anthony DeCuffa	\$60,861.71, bi-weekly
A6772.1	Director of Senior Services M. Eileen Spellman	\$28,704.77, bi-weekly
A6772.11	Meal Site Manager, Part-time, M. Doreen Reynolds	\$ 9.41/hr, bi-weekly
A6772.12	Clerk Part-time Patricia Butler	\$ 10.50/hr, bi-weekly
A6772.13	Food Service Helper Margaret Brady	\$ 8.20/hr, bi-weekly
A6772.13	Food Service Helper Robin Sherman	\$ 7.98/hr, bi-weekly
A6772.13	Food Service Helper Kathleen Cleveland	\$ 7.98/hr, bi-weekly
A6772.13	Food Service Helper Adella Roberts	\$ 7.98/hr, bi-weekly
A6772.13	Food Service Helper Mary Appler	\$ 8.61/hr, bi-weekly
A6772.13	Bus Driver Robert Garrabrant	\$ 10.38/hr, bi-weekly
A6772.13	Food Service Helper Jack Jecko	\$ 8.20/hr, bi-weekly
A6772.13	Bus Driver Diane Muller	\$ 11.02/hr, bi-weekly
A6772.13	Bus Driver (Sub) William Stevenson	\$ 11.02/hr, bi-weekly
A6772.13	Bus Driver (Sub) Scott Vanderver	\$ 11.02/hr, bi-weekly
A7020.1	Recreation Center Mgr John C. Cunningham	\$ 21.42/hr, bi-weekly
A7020.11	Working Supervisor Mark Roller	\$ 15.86/hr, bi-weekly
A7020.12	Laborer Sheldon Gordon	\$ 9.03/hr, bi-weekly
A7110.1	Parks and Recreation Director Michael Jeffery	\$ 24.70/hr, bi-weekly
A1450.11	Voting Machine Custodian Michael Jeffery	\$ 2,366.87, bi-weekly
A7110.11	Working Supervisor Brian Jenny	\$ 17.42/hr, bi-weekly
A1450.12	Asst Voting Machine Custodian Michael Natale	\$ 1,542.55, bi-weekly
A7110.13	Clerk Maureen Owens	\$ 16.69/hr, bi-weekly
A7310.1	Youth Employment Director Maureen Owens	\$ 4,891.47, bi-weekly
A7110.15	Recreation Maintenance Worker James Campbell	\$ 13.00/hr, bi-weekly
A7110.18	Recreation Maintenance Worker Michael Natale	\$ 12.00/hr, bi-weekly
A7110.19	Recreation Maintenance Worker John Randall	\$ 12.00/hr, bi-weekly
B8010.1	Codes Enforcement Officer Gerald F. Back	\$57,333.16, bi-weekly
B8010.11	Zoning Board of Appeals Chairman Randy J. Bogar	\$ 2,000, semi-annual
B8010.11	ZBA Member John Montrose	\$ 1,000, semi-annual
B8010.11	ZBA Member Stephen Welty	\$ 1,000, semi-annual
B8010.11	ZBA Member Timothy Tallman	\$ 1,000, semi-annual
B8010.11	ZBA Member Kristin Shaheen	\$ 1,000, semi-annual
B8010.11	ZBA Member Frederick Kiehm	\$ 1,000, semi-annual
B8010.11	ZBA Member Robert Schulman	\$ 1,000, semi-annual

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B8010.13	Asst. Codes Enforcement Officer Joseph Booth	\$37,675.74, bi-weekly
B8010.15	CEO – Village, Joseph Booth	\$ 4,000, bi-weekly
B8010.14	Senior Stenographer Dolores B. Shaw	\$34,184.32, bi-weekly
B8010.16	Part-time Clerk (Codes) Vacant	\$ 7.75/hr, bi-weekly
B8010.19	Part-time Codes Officer Ronald Thomas	\$ 6,695, bi-weekly
B8020.12	Planner Kurt Schwenzfeier	\$43,260, bi-weekly
B8020.1	Planning Board Chairman N. Joseph Yagey	\$ 2,000, semi-annual
B8020.1	Planning Board Member Robert Imobersteg	\$ 1,000, semi-annual
B8020.1	Planning Board Member Gerald Green	\$ 1,000 semi-annual
B8020.1	Planning Board Member Jerome F. Donovan	\$ 1,000, semi-annual
B8020.1	Planning Board Member Hans Arnold	\$ 1,000, semi-annual
B8020.1	Planning Board Member Robert Wood	\$ 1,000, semi-annual
B8020.1	Planning Board Member Ronald Morelle	\$ 1,000, semi-annual
D5110.1	Highway HEO – Thomas Panzone, Sr.	<b>SALARIES</b>
D5110.1	Highway HEO – Lawrence Miller	<b>TO BE</b>
D5110.1	Highway HEO – Richard Manuele	<b>SET</b>
D5110.1	Highway HEO– Richard Davies	<b>BY UNION</b>
D5110.1	Highway HEO – Douglas Gehringer	<b>CONTRACT</b>
D5110.1	Highway HEO – William Smith	<b>SALARIES</b>
D5110.1	Highway Automotive Mechanic – Kim Griffith	<b>TO</b>
D5110.1	Highway HEO – William Marshall	<b>BE</b>
D5110.1	Highway Automotive Mechanic – Jack Webb	<b>SET</b>
D5110.1	Highway MEO – Michael Roberts	<b>BY</b>
D5110.1	Highway MEO – Joseph Fletcher	<b>UNION</b>
D5110.1	Highway MEO – Kevin Martin	<b>CONTRACT</b>
D5110.1	Highway MEO - Michael Coonradt	<b>SALARIES</b>
D5110.1	Working Foreman – Christopher Moran	<b>TO</b>
D5110.1	Highway MEO – Michael Smoulcey	<b>BE</b>
D5110.1	Highway MEO – Corey Halpin	<b>SET</b>
D5110.1	Highway MEO – David DeBlois	<b>BY</b>
D5110.1	Highway Automotive Mechanic – Gerald Webb	<b>UNION</b>
A5010.14	Highway Clerk – Candy Currier	<b>CONTRACT</b>
D5110.1	Highway MEO – Timothy Solan	<b>SALARIES</b>
D5110.1	Highway MEO – Jeffery Mundrick	<b>TO</b>
D5110.1	Highway Laborer – Wayne Smoulcey	<b>BE</b>
D5110.1	Highway Laborer – Thomas Panzone, Jr.	<b>SET</b>
D5110.1	Highway Laborer – John Kelly	<b>BY</b>
D5110.1	Highway Laborer Brian Smith	<b>UNION CONTRACT</b>
D5110.1	Highway – Various seasonal laborers	<b>SALARIES</b>
S8110.13	Sewer Dept HEO Norman Naber	<b>TO BE</b>
S8110.13	Sewer Dept HEO Robert Dzedzic	<b>SET BY</b>
S8110.13	Sewer Dept MEO	<b>UNION CONTRACT</b>

all payable bi-weekly.

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

Councilman Waszkiewicz	-	Aye
Councilman Butler	-	Aye

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

**REPORTS OF TOWN OFFICIALS (CONT'D)**

**TOWN POLICE CHIEF:**

Chief Philo was present but had no report at this time.

[NOTE: Attorney Rossi joined the meeting at 7:53 P.M.]

**MATTERS SUBMITTED BY ATTORNEY FOR THE TOWN AND COUNCILMEN**

**ATTORNEY FOR THE TOWN:**

**Litigation – Town vs D’Onofrio Contracting (Salt Barn Bid)**

Attorney Rossi announced that the Town of New Hartford won the lawsuit brought against D’Onofrio Contracting relating to the 2001 Competitive Bid for construction of salt barns.

**Road Dedication – Applewood Community**

Attorney Rossi is still waiting road dedication documents for various roads within the Applewood Community off Seneca Turnpike. [NOTE: This matter has been pending since the September 1, 2004 Town Board meeting.]

**COUNCILMAN WASZKIEWICZ:**

**Agenda items:**

- Tilden Ave-Taber Road street light – Councilman Waszkiewicz had presented a Petition at the December 29, 2004 Special Town Board meeting, signed by residents who were seeking a street light at this intersection.

After brief discussion, Councilman Waszkiewicz offered the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. 11 OF 2005)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize

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and direct Niagara Mohawk, a National Grid company, to install one (1) 150-watt high-pressure sodium street light at the intersection of Tilden Avenue and Taber Road, for public safety reasons, as petitioned by residents in that area; the cost of said light and annual energy costs shall be borne by the General Town Street Light District.

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

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

The Resolution was declared unanimously carried and duly **ADOPTED**.

- Property Assessments posted on the Town Official Website – Time line for uploading to the Web
- Improve existing Town Offices – Administrative office layout paid by Butler Memorial Hall Association has not been completed by Hummel's but is expected to be finished by the February 2005 Town Board meeting
- Intermunicipal Agreement with Town of Frankfort – addressing stormwater management. Councilman Waszkiewicz sent out a draft and he'll try to fine tune it with the Frankfort Town Supervisor and address that watershed coming off the hill
- Town 2005 budget and Pie charts listed on Website - will try to consolidate figures within couple weeks and have the Town Board review before posting on the Website
- Adopt-A-Highway Program – Councilman Waszkiewicz filed with the Town Clerk information on this program and asked that she distribute copies to the Town Board and Attorney Rossi

### Fire Hydrant Painting/Mohawk Valley Water Authority (MVWA)

Councilman Waszkiewicz had spoken with a MVWA official, asking if they would paint the Town's fire hydrants and was told that this request would be presented to the MVWA to see if they can supply manpower and paint. New Hartford Fire Chief David Reynolds stated that the New Hartford Fire Department has an on-going annual program to paint the fire hydrants. Councilman Waszkiewicz thought that the Village of New York Mills might benefit if the MVWA approves this and Councilman Backman was interested for the Willowvale Fire district also.

### MATTERS SUBMITTED BY TOWN SUPERVISOR

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**Audit of Vouchers**

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

**(RESOLUTION NO. 12 OF 2005)**

**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:

2004 -

General Fund Whole-Town Abstract No. 70	
Vouchers A2206-A2210	\$ 2,351.88
Highway Fund Part-Town Abstract No. 28	
Voucher DB592	\$ 10,789.77

2005 -

General Fund Whole-Town Abstract No. 1	
Vouchers A1-A83	\$123,448.31
General Fund Whole-Town Police Abstract No. 1A	
Vouchers A84-A103	\$ 20,852.72
General Fund Part-Town Abstract No. 1	
Voucher B1-B5	\$ 2,906.22
Highway Fund Part-Town Abstract No. 1	
Voucher DB1-DB23	\$ 61,933.72
Sewer Fund Abstract No. 1	
Voucher SS1-SS6	\$ 5,353.68
Higby Road Water Tank Abstract No. 1	
Voucher HF1	\$ 12,894.82
Capital Drainage Account Abstract No. 1	
Voucher HC1-HC2	\$ 712.73
<b>TOTAL:</b>	<b>\$241,243.85</b>

Upon roll call, the Board members voted as follows:

audited the vouchers	Councilman Waszkiewicz	-	Aye, although he hadn't
	Councilman Butler	-	Aye
	Councilman Backman	-	Aye
audited the vouchers	Councilman Woodland	-	Aye, although he hadn't
	Supervisor Humphreys	-	Aye.

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This Resolution was declared unanimously carried and duly *ADOPTED*.

### Use Variance vs Zoning Law text Amendment – Landing Strip/Airport

Attorney Rossi briefed the Town Board on Ralph Humphreys' application for a "use" variance from the Zoning Board of Appeals in order to operate a (airplane) landing strip on his Tibbitts Road property. After speaking with Zoning Board Chairman Randy Bogar, Attorney Rossi said that the use variance may not be the way to go – that the Zoning Board may not have the authority to approve a use not addressed anywhere in the Zoning Law.

Attorney Rossi believed that a more clear-cut way to address the matter would be for the Town Board to amend the Zoning Law text, and specifically Agriculturally-zoned districts, to provide site plan review for such a use, and wherein the Town Planning Board would be granted authority to review and have final approval/disapproval for (airplane) landing strip(s)/airport as applications come before that Board. This proposed Zoning Law text amendment would be reviewed by the Town and County planning departments and be subject to a public hearing before the Town Board approved the text amendment. Discussion included whether the Town Board should initiate the text amendment or whether recommendation of staff should be received. The Town Clerk emphasized that definitive language for this amendment would need to be submitted to the Town Board who, after considering the proposal, might consider adopting a resolution to refer the matter to the Town Planning Board and Oneida County Planning Department for their review and written recommendation in accordance with General Municipal Law and the Town's Zoning Law. At the same time, the Town would need to address the SEQR process, after which a public hearing would be scheduled; this process could involve several months.

Councilmen Waszkiewicz and Butler believed that Mr. Humphreys' application for a landing strip or airport should be handled through the Zoning Board of Appeals. Councilman Butler acknowledged receipt of many phone calls from Pippin Wood and Woodberry Hills residents bordering the Humphreys' property who oppose the landing strip/airport proposal. Councilman Backman moved that this matter be *TABLED*.

### EXECUTIVE SESSION

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

#### (RESOLUTION NO. 13 OF 2005)

**RESOLVED** that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the existing certiorari proceeding (Worosylo vs the Town) and to discuss proposed litigation.

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A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Butler	-	Aye
Councilman Woodland	-	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 Town Clerk, were then excused from the meeting at 9:05 P.M.

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 14 OF 2005)**

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

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 9:58 P.M. The regular portion of the Town Board meeting was immediately reconvened.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting adjourned at 10:00 P.M.

**Respectfully submitted,**

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