

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE KELLOGG ROAD COMMUNITY CENTER BUILDING
IN SAID TOWN ON WEDNESDAY, MAY 18, 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: Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Parks and Recreation Director Michael W. Jeffery
Telecommunicator Supervisor Jeffrey P. Madden
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk I Margaret M. Jones
Town Police Chief Raymond Philo (Arrived at 9 P.M.)

OTHERS: Attorney Vincent J. Rossi, Jr. (Arrived at 8:30 P.M.)

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

MINUTES APPROVAL

April 20, 2005 Town Board Meeting

Action was deferred until the June 1, 2005 meeting.

PUBLIC PRESENTATIONS

Complaint - Motor Vehicle Parking

Paula Mariano asked for enforcement of no parking of motor vehicles across or on sidewalks on Elm Street, Chadwicks and Oneida Street near New Hartford. A blue van continually parks on the sidewalk on Elm Street, which forces pedestrians to walk in the road. [Aside: State law prohibits parking on sidewalks.]

Public Safety – Crosswalk at Donovan Memorial Park

Ms. Mariano also expressed concern about the Elm Street crosswalk into the Donovan Memorial Park, stating the crosswalk had not been painted in 2004 and needs to be painted this year. Highway Superintendent Cleveland responded that this crosswalk would be painted in 2005.

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Public Safety - Two- and Four-Wheel Vehicles

There has been a problem with two-wheel battery operated vehicles and four-wheel vehicles on the public roadways, and Ms. Mariano explained that by the time the Police arrive after the vehicles have been reported, the drivers are gone. She questioned whether the driver's need to be licensed operators and suggested regulations be considered.

REPORTS OF TOWN OFFICIALS

DIRECTOR OF SENIOR SERVICES:

Recognition Dinner

A Recognition dinner for volunteers serving the New Hartford Adult and Dining Activity Center will be held on May 25, 2005 at 11:30 A.M. at the Roselawn, New York Mills. A list of the volunteers who will be recognized will be posted on the Town's website.

PARKS AND RECREATION DIRECTOR:

Competitive Bid - Award of Donovan Park "Splash Pad" and Release of Bid Security

Having reviewed the "Splash Pad" bids with Attorney Rossi, Parks and Recreation Director Michael Jeffery explained that he would like to award the Bid for the entire project to Parkitects, the second lowest bidder who met all Town specifications. The Town hasn't been notified about their Grant application; however, the Parks and Recreation Director stated that the Town had decided to do the project whether the Town was awarded a Grant or not. Upon recommendation of the Parks and Recreation Director Michael Jeffery, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 125 OF 2005)

WHEREAS, the Town of New Hartford had received and opened three (3) bids on Friday, March 29, 2005 for the Donovan Memorial Park "Splash Pad"; and

WHEREAS, the lowest bidder, Universal Play Systems, Inc., 83 Lincoln Avenue, Pelham, NY, who presented a bid of Sixty-Three Thousand Two Hundred Sixty-Five Dollars (\$63, 265) did not meet the following Town Specification requirement:

Specification Requirements – 1.03 Assurance of Quality

- Pipe Diameter – only above-ground spray feature with a pipe diameter of five (5") inches or greater would be allowed

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and instead, quoted on a three and one-half (3-1/2) inch Pipe Diameter for the above-ground spray feature;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby reject the low bid submitted by Universal Play Systems who did not meet the strength and climability features in the Town Specifications and does hereby accept the second low bid submitted by Parkitects, Inc, 138 Ludlowville Road #1, Lansing, NY in the amount of Sixty-eight Thousand Two Hundred Ninety-eight Dollars (\$68,298) and does hereby award the contract to said Parkitects; and be it

FURTHER RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to release the Bid Security Deposit from the Trust and Agency Account to the following unsuccessful bidder:

- Universal Play Systems, Inc. - \$1,493.12

and does further authorize and direct the Town Clerk to release the Bid Bond submitted as Bid Security Deposit to the following unsuccessful bidder:

- Marturano Recreation Company (GameTime)

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**.

Firework Display – Ice Cream Social/the Town’s 217th Anniversary

The Parks and Recreation Director solicited quotes but only received one (1) bid for the Fireworks Display at the July 2005 Ice Cream Social. Upon his recommendation Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Butler seconded same:

(RESOLUTION NO. 126 OF 2005)

RESOLVED, that the Town Board of the Town of New Hartford does hereby approve an Agreement between the Town of New Hartford and American Fireworks Manufacturing Co., Utica, New York for a 32-minute Fireworks Display at the July 13,

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2005, Ice Cream Social being held at the Recreation Center, 1 Mill Street, at a cost not to exceed Four Thousand Dollars (\$4,000); and be it

FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute said Agreement. Said vendor has furnished a Certificate of Liability Insurance.

The Town Board members then voted upon roll call:

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

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

Appointments – Seasonal Park Employees

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

(RESOLUTION NO. 127 OF 2005)

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 Recreation Department; all wages to be paid bi-weekly:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>	<u>START DATE</u>
Gregory Mallabar	Park Laborer I	\$ 7.40 per hour	May 23, 2005
Christine Cahill	Director at Donovan Park	10.22 per hour	June 20, 2005
Tatyana Sapaleva	Rec Attendant II at Donovan Park	7.25 per hour	June 20, 2005
Jordan Groah	Rec Attendant I at Donovan Park	6.15 per hour	June 20, 2005
Patrick Calli	Rec Attendant I at Oxford Road	6.15 per hour	June 20, 2005
Marc Pitaressi	Rec Attendant I at Clinton Road	6.15 per hour	June 20, 2005
Alison Houck	Rec Attendant I at Clinton Road	6.15 per hour	June 20, 2005

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<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>	<u>START DATE</u>
Ellen Talbot	Bus Driver	11.00 per hour	June 20, 2005
Jenna Humphreys	Evening Lifeguard	7.60 per hour	June 20, 2005

The above individuals are filling vacancies created by previously appointed individuals who subsequently declined employment with the Town for 2005. 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**.

Training - Healthy Trails/Healthy Community-Parks & Trails New York

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

(RESOLUTION NO. 128 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 Michael Jeffery, Director of Parks and Recreation, to attend the Healthy Trails/Healthy Community Educational Workshop from June 15-17, 2005 in New Paltz, 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
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

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

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Proposed Veterans Memorial Park

Responding to Councilman Woodland's inquiry on the proposed Veterans Memorial Park, Michael Jeffery reported that meetings have been held and some funding has been received. FOSTERMARTIN Advertising is designing an artist's rendition of the Park and it's anticipated that construction would begin in Spring 2006.

TELECOMMUNICATOR SUPERVISOR:

Appointment – Part-time Public Safety Telecommunicators

Upon the recommendation of Telecommunicator Supervisor Jeffrey P. Madden, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 129 OF 2005)

RESOLVED that the New Hartford Town Board does hereby promote Nicholas Morosco from his position as Part-time Dispatch Clerk to the position of Part-time Public Safety Telecommunicator, filling the vacancy created by the resignation of Brian Freiberger, at an hourly rate of Nine Dollars and Seventy-three Cents (\$9.73) and does further appoint Nicole Panetta to the position of Part-time Public Safety Telecommunicator replacing Steven Sickler at an hourly rate of Nine Dollars and Twenty Cents (\$9.20); both positions are effective May 23, 2005.

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**.

Training – Emergency Medical Dispatch

The Telecommunicator Supervisor explained there was an opportunity for the Public Safety Telecommunicators to take an advanced Emergency Medical Dispatch (EMD) course. The Federal Government is establishing this advanced training as part of the criteria for funding. The Telecommunicator Supervisor is working on possible funding for this course through the Utica National Foundation. Councilman Waszkiewicz asked if the Town could apply for the grant to help offset this expense after the training has been taken; Madden replied "yes". Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

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(RESOLUTION NO. 130 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 New Hartford Town Board does hereby grant permission to Jeffrey Madden, Telecommunicator Supervisor, to arrange for up to fifteen (15) employees of the Dispatch Center to take an Emergency Medical Dispatch course being offered at Kunkel Ambulance, 410 Catherine Street, Utica, New York, June 13-15, 2005 and June 16-18, 2005 at a cost of Two Hundred Seventy-five Dollars (\$275) per-person, not to exceed a total cost of Four Thousand Dollars (\$4000) with expenses to be borne by said Town.

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**.

HIGHWAY SUPERINTENDENT:

Competitive Bid Results/ Letter of Intent to Award – Bituminous Concrete Paving

The Highway Superintendent has consulted with the Village of New Hartford on the following bids received May 17, 2005 for paving, the Village share being \$81,389:

• Barrett Paving Materials, Inc.	-	\$489,400.55
• Ocuto Blacktop & Paving Co., Inc.	-	\$548,005.69
• Hanson Aggregates	-	\$641,095.75

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

(RESOLUTION NO. 131 OF 2005)

WHEREAS, the Town Superintendent of Highways did, on the 18th day of May 2005, duly recommend the purchase of Bituminous Concrete Paving pursuant to the provisions

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of Section 142 of the Highway Law;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the Town Superintendent of Highways to issue a Letter of Intent to award the Bituminous Concrete Paving Contract for the Town/Village of New Hartford to the low bidder, Barrett Paving Materials, Inc., P.O. Box 400, Washington Mills, New York 13479 contingent upon receiving approval from the Village of New Hartford; and

BE IT FURTHER RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Clerk to release to Hanson Aggregates, P.O. Box 513, Jamesville, New York 13078 their Bid Bond submitted as a bid security deposit and to release to Ocuto Blacktop & Paving Co., Inc. their Bid Bond *after* a contract has been entered into and executed between the Town/Village and Barrett Paving Materials, Inc.

The Town Board voted 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**.

Competitive Bid Results and Letter of Intent to Award – Sewage Pump Station Upgrades – Contract 2

The Highway Superintendent acknowledged receipt of the following bids on May 11, 2005 for the sewer pump station upgrade:

- Bat-Con, Inc. - \$176,500
- John. R. Wilkins Construction, Inc. - \$189,500

There is a bid alternative for a stand-by generator in the amount of Twenty-One Thousand Dollars (\$21,000) but the Highway Superintendent recommended awarding only the base bid at this time. Upon recommendation of the Highway/Sewer Superintendent, the following Resolution was introduced for adoption by Councilman Butler, seconded by Councilman Woodland:

(RESOLUTION NO. 132 OF 2005)

WHEREAS, the Town Superintendent of Highways did, on the 18th day of May 2005, duly recommend the purchase of certain equipment;

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NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the Town Superintendent of Highways to issue a Letter of Intent to Award the Sewage Pump Station Upgrades Contract 2 – Homestead Road Pumps and Force Main to the low bidder, Bat-Con, Inc., 4277 Slate Hill Road, P.O. Box 155, Marcellus, New York 13108, at a cost of One Hundred Seventy-six Thousand Five Hundred Dollars (\$176,500) in accordance with the provisions of Article 5-A of the General Municipal Law; and

BE IT FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Clerk to release to John R. Wilkins Construction, Inc., P.O. Box 220, Warners, New York 13164-0220 their Bid Bond submitted as a bid security deposit.

The Town Clerk polled the 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**.

Proposed Local Law – The Code, Chapter 113, Vehicles & Traffic (Stop Signs)

The Highway Superintendent stated that on May 17, 2005 he e-mailed to the Town Clerk a list of proposed stop signs; this matter was deferred to the June 1, 2005 Town Board meeting by which time the Town Clerk will have prepared the necessary legislation.

Acquisition of Vehicles – State Contract

The Highway Superintendent would like to purchase on State Contract two (2) small plows to replace two (2) 1988 plows in the Highway Department’s fleet, at a cost of Two Hundred Twenty Thousand Four Hundred Sixty-eight Dollars (\$220,468). The dealer indicated that if the vehicles were ordered now, they could be delivered in December 2005; Superintendent Cleveland suggested these vehicles be paid from the 2006 Budget. Councilman Backman reminded the Highway Superintendent that he shouldn’t commit himself to this money without considering the rest of the Highway expenses; doing this once because of a particular matter is one thing, but Councilman Backman has a problem when this is routinely done. Councilman Butler suggested that if there is money still in that budget line, and then use this money first and once the money is used, the balance could be paid out of contingency. Supervisor Humphreys stated that there is no contingency for the Highway Department and recommended this matter be tabled until the June 1, 2005 Town Board meeting, so he could obtain a legal opinion on this matter.

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PUBLIC HEARING

MOHAWK VALLEY WATER AUTHORITY - HIGBY ROAD WATER PROJECT:

From 8:00 P.M. to 8:55 P.M. Principal Engineer Donald E. Weimer, Mohawk Valley Water Authority (MVWA), conducted a Hearing with regard to the MVWA's responsibilities associated with furnishing water to the Higby Road Water District. Mr. Weimer explained that it would not be necessary for the Town Clerk to record minutes of this Hearing and that he would be writing the minutes in behalf of the MVWA.

REPORTS OF TOWN OFFICIALS (CONT'D)

HIGHWAY SUPERINTENDENT (CONT'D)

Surplus Sale – V-Plow

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

(RESOLUTION NO. 133 OF 2005)

RESOLVED that the New Hartford Town Board does hereby declare as surplus one (1) small V-plow and does further authorize Highway Superintendent Roger Cleveland to sell said V-Plow for the market value of Two Hundred Dollars (\$200).

The Town Clerk polled the 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**.

Stormwater Study – Kellogg Road

Schumaker Engineering is approximately eighty percent (80%) done with their computations after which the Highway Superintendent will meet with Engineer Donald Ehre.

Kellogg Road Community Center

The Highway Superintendent is concerned with the food and drink stains on this building's carpeting, noting that the Town had expended Seventeen Thousand Dollars (\$17,000) last year on new carpeting and lighting and he suggested that the Town Board

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ban the use of food and/or drink in this building. After discussion, the Town Board felt that it is not practical to prohibit food and drink and would be very difficult to enforce.

Pre-Development Agreement and Memorandum of Understanding – Eckerd’s

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

(RESOLUTION NO. 134 OF 2005)

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 and Memorandum of Understanding between the Town of New Hartford and Eckerd’s Pharmacy, Henderson Street and Commercial Drive [Town Tax Map No. 317.013-3-14-15-18.4; New York Mills Village Tax Map No. 317.013-2-2-3] wherein said Eckerd’s Pharmacy would offer to contribute the total sum of Twenty-Five Thousand Six Hundred Twenty-Two Dollars and Eighteen Cents (\$25,622.18) as per the conditions of said Pre-Development Agreement as the same relates to off-site mitigation for issues of environmental significance as defined in the Commercial Drive/Seneca Turnpike impact statement findings within the Generic Environmental Impact Study boundary area.

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**.

Pre-Development Agreement and Memorandum of Understanding – Salvation Army

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

(RESOLUTION NO. 135 OF 2005)

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 and Memorandum of Understanding between the Town of New Hartford and the Salvation Army wherein said Salvation Army [Tax Map No. 328.011-1-1.2 and 328.000-2-39.1]

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would offer to contribute the total sum of Twenty-Seven Thousand Three Hundred Ninety-Three Dollars and Seventy-Six Cents (\$27,393.76) as per the conditions of said Pre-Development Agreement as the same relates to off-site mitigation for issues of environmental significance as defined in the Commercial Drive/Seneca Turnpike impact statement findings within the Generic Environmental Impact Study boundary area.

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.

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

Fence on Town Highway Right of Way – Former Washington Mills Water District Pump Station, Oneida Street

Highway Superintendent Cleveland received a request from the Mohawk Valley Water Authority (MVWA), which has begun its annual Safety & Security Fence installation program; said MVWA has chosen the Washington Mills Pump Station, formerly owned by the Town, and built in 1949 along the old Oneida Street right of way. A recent property survey revealed that the Pump Station building actually encroaches into the old Oneida Street right of way by approximately three inches (3”) and the MVWA cannot erect the fence along the front of the building without further encroachment into the highway right of way. The MVWA seeks Town permission to construct and install approximately 165 lineal feet of seven foot (7’) chain link fence w/dual arm barbed wire, twenty foot (20’) slide gate, and a three foot (3’) man gate within the highway right of way. After some discussion, the Town Board concurred with the Highway Superintendent’s recommendation to grant permission and for the Highway Superintendent to forward a letter to this effect to the MVWA.

TOWN CLERK:

Fireworks Display Permit

Upon presentation by the Town Clerk, the following Resolution was introduced for adoption by Councilman Woodland; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 136 OF 2005)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Clerk, who has received an Application For Fireworks Permit and

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upon receipt of the appropriate Certificate of Insurance naming the Town of New Hartford as additional insured, to issue to the Yahnundasis Golf Club, 8639 Seneca Turnpike, New Hartford, New York a Fireworks Display Permit for the display of fireworks upon their premises at 8639 Seneca Turnpike, New Hartford, New York, on July 4, 2005 at 9:30 P.M., in accordance with the State Penal Law and regulations set forth in said Permit

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

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

Whereupon, the Resolution was declared unanimously carried and duly **ADOPTED**.

Appointments – Dog Enumerators (Laborers)

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

(RESOLUTION NO. 137 OF 2005)

RESOLVED that the New Hartford Town Board does hereby appoint Franklin Leve and Edward Tarnowski to the position of Dog Enumerators (Laborers) effective May 31, 2005 to conduct a town-wide Dog Enumeration to be concluded by Labor Day weekend 2005, at the hourly wage of Seven Dollars and Seventy-Five Cents (\$7.75); said wages to be paid bi-weekly, and

BE IT FURTHER RESOLVED that the Dog Enumerators will also be reimbursed for mileage on their vehicles at the rate of Thirty-Six Cents (\$.36) per mile.

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

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

Whereupon, the Resolution was declared unanimously carried and duly **ADOPTED**.

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POLICE CHIEF:

Police Services – Utica College Campus

Police Chief Philo responded to the Town Supervisor’s question regarding the Agreement for coordinated Police Service for Utica College. This Agreement was directed through the New York State Department of Education whereby the Town of New Hartford and City of Utica provide coordinated police services to Utica College since the College Campus and/or dormitories are located in both jurisdictions. Police Chief Philo is waiting for a response from Utica City Police Chief Pylman regarding the Agreement.

Litigation - Warmack-Dingle (2003)

Police Chief Philo reported that Judge Kerr dismissed all action against the Town and its Police Officers. The Police Chief thanked Attorney Rossi for his efforts in this matter.

Sex Offender Policy

The Police Chief Philo reported there are several level two and level three sex offenders residing within the Town. The Police Chief is working with the Webmaster regarding the listing of these offenders on the Town’s Website. This information will be sent to the Clinton School District, New Hartford School District and the Sauquoit Valley School District.

“Secure Our Schools” Grant

Upon the recommendation of Police Chief Philo, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 138 OF 2005)

RESOLVED the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to sign the final approval for the “Secure Our Schools Grant” from the United States Department of Justice in the amount of Twenty-Five Thousand Dollars (\$25,000).

The Town board voted upon roll call as follows:

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

Whereupon, the Resolution was declared unanimously carried and duly **ADOPTED**.

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Four-Wheel Vehicles

Police Chief Philo stated that it is illegal in the Town of New Hartford to operate four-wheel vehicles on the highway. If there is good weather this coming weekend, the Police Chief will have his officers patrol the area around Niagara Mohawk, Bleachery Avenue and Elm Street where complaints have been received.

Fines – Vehicle Parking and Barking Dogs Local Laws

The Town Clerk will work with Police Chief Philo and Attorney Vincent Rossi regarding amending the Local Law for an increase in the fine for illegally parking vehicles and a fine for barking dogs.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Agenda items:

- Annexation of New York Mills – A joint meeting of Town and Village to be rescheduled for June 15, 2005 at 6:00 P.M. at New York Mills Village Offices.
- Property Assessments – listed on the Town Official Website. Councilman Waszkiewicz did a Press Release and forwarded to the Board members for e-mail approval on May 13, 2005. Councilman Waszkiewicz requested a time line for uploading to the Website. Councilman Waszkiewicz stated that this time line needs to be finalized and the process begun for purifying the Town roll. Dreamscape opened up necessary database, but the database has not been populated yet. Dreamscape won't allow population; they want the Town to key in seventy-seven hundred (7,700) parcels. A contract that might be entered into for purification will need to be discussed in Executive Session.

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

(RESOLUTION NO. 139 OF 2005)

RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to James Lawrence to obtain another domain site, which can be linked to the Town's website for the purpose of creating a database for Property Assessments.

The Town board voted upon roll call as follows:

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

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Councilman Backman - Aye
Supervisor Humphreys - Aye.

Whereupon, the Resolution was declared unanimously carried and duly **ADOPTED**.

- Appointment process – Zoning Board vacancies have been posted on the Town’s Website although it’s questionable whether they fall under the Town’s Employee Handbook
- Grant Writer and New Hartford 501-3C – Committee needs start-up fund of One Thousand to Two Thousand Dollars (\$1,000 to \$2,000) and wants to find a grant writer.
- Establish new citizens committee – to collect and analyze the comparable costs and benefits data as developed with the Intermunicipal Comparison Spreadsheet, Councilman Waszkiewicz will e-mail the Board members and discuss this at the June meeting.
- Nuisance Abatement Legislation – The sub-committee is still reviewing options – a recommendation was not available at the time of this agenda printing.
- Taking credit cards for fines and Court Payment – Councilman Waszkiewicz is discussing logistics for implementing payment of fines by credit card with the Chief Justice.
- Officially request Mohawk Valley Water Authority approval to use the unused holding ponds in the Southern Reservoir system for stormwater management detention basins – Meeting scheduled June 9, 2005 with the Mohawk Valley Water Authority
- Oneida-Herkimer County Empire Zone Board – Copies of minutes and Resolution will be given to the Town Clerk.
- New York Mills Community Survey – A Copy will be filed at the Town Clerk’s Office.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of Vouchers

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

(RESOLUTION NO. 140 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, that have been duly audited by the Town Board:

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General Fund Whole-Town Abstract No. 17
 Vouchers AA702-759*; AA774-781 \$ 100,788.11

[*NOTE: Verification was received from the Accounting Department that General Fund Voucher Nos. 760-762 were inadvertently skipped.]

General Fund Whole-Town (Police) Abstract No. 17A Vouchers AA763-773	\$ 1,167.31
General Fund Part-Town Abstract No. 12 Voucher B68-B74	\$ 2,158.58
Highway Fund Part-Town Abstract No. 11 Voucher DB250 – DB260	\$ 3,455.48
Sewer Fund Abstract No. 12 Voucher SS35	\$ 640.00
Street Light Fund Abstract No. 6 Voucher SL6	\$ 6,689.76
Capital Drainage Abstract No. 6 Voucher HC12	\$ 278.65
Higby Road Water Tank Abstract No. 7 Voucher HF7	\$ 114.20
TOTAL:	\$ 115,292.09

Whereupon, the Town Board members voted individually as follows:

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

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

NEW BUSINESS

Teleconference – May 23, 2005

Town Supervisor Humphreys announced a State-sponsored Teleconference scheduled for Monday, May 23, 2005 on “Local Government Cooperation: Get on Board – We’ll Show You How.” No interest was expressed in attending; however, there may be some department heads interested.

Oneida County Association of Towns – Quarterly Business/Dinner Meeting

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

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(RESOLUTION NO. 141 OF 2005)

RESOLVED, that the Town Board of the Town of New Hartford does hereby authorize any Town Board member or Department Head to attend the Oneida County Association of Towns Dinner Meeting on June 21, 2005, at the Town of Trenton Nine Mile pavilion, Fish Hatchery Road, Barneveld with expenses to be borne by the Town as budgeted.

Upon roll call, the 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**.

EXECUTIVE SESSION

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

(RESOLUTION NO. 142 OF 2005)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss a contract relative to purifying the town tax rolls prior to posting them on the Town's Website.

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 10:30 P.M.

[NOTE: The Town Supervisor provided the following on Thursday, May 19, 2005.]

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END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 143 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 10:43 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 by Councilman Butler and seconded by Councilman Waszkiewicz, the meeting was adjourned at 10:44 P.M.

Respectfully submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk

Margaret M. Jones
Deputy Clerk I