

**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 4, 2006 AT 6:00 P.M.**

The Town Supervisor called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. Supervisor Reed asked for a moment of silence for the twelve (12) West Virginia miners who passed away as a result of a tragic mine accident on January 2, 2006. 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 Robert A. Payne III  
Councilman John C. Waszkiewicz III  
Councilman David M. Reynolds  
Councilman Richard B. Woodland, Jr.  
Supervisor Earle C. Reed

**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

**OTHERS:** Gerald J. Green, Attorney for the Town

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

**MINUTES APPROVAL**

**December 21, 2005 Town Board minutes**

Action was deferred as the Town Clerk is awaiting confirmation from Attorney Rossi as to the specific documents the Town had received relative to the dedication of the Sylvan Way extension as a public roadway.

**December 28, 2005 Town Board minutes**

These minutes were complete but copies had not yet been furnished to the Board; therefore, action was deferred until the January 18, 2006 Town Board meeting.

**JANUARY 1, 2006 REORGANIZATIONAL MEETING**

**PENDING APPOINTMENTS – PLANNING BOARD**

Supervisor Reed announced there are openings for membership on the Town Planning Board, one due to the term expiration of Robert A. Wood and one due to the resignation of Gerald J. Green as he has been appointed Attorney for the Town. Councilman Waszkiewicz noted that, in the past, when a position became vacant, the Town published an article and reviewed applications from interested persons and he inquired if that's how

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the Board wanted to handle these vacancies. While Supervisor Reed acknowledged the receipt of several applications, he agreed to go with a press release.

**REPORTS OF TOWN OFFICIALS**

**POLICE CHIEF:**

**Agreement – 2006 Animal Shelter Services**

Upon presentation by the Town Police Chief, Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 20 OF 2006)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement between the Town of New Hartford and the Stevens-Swan Humane Society, the latter of whom shall provide animal shelter services for the Town during fiscal year 2006.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**Agreement – Stop DWI Program**

Upon recommendation of the Town Police Chief, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Supervisor Reed:

**(RESOLUTION NO. 21 OF 2006)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with Oneida County for the **STOP DWI Program** for fiscal year 2006, said Agreement having a value of \$37,000 for the Town of New Hartford.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
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Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**Agreement – Seized Assets**

Upon further recommendation of Police Chief Philo, Supervisor Reed offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 22 OF 2006)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement between said Town and the United States Department of Justice wherein the Town would be entitled to revenue sharing, based on a formula, for a fair share of assets seized when working on drug-related case investigations.

The Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**TOWN CLERK:**

**Raffle Consent – St. Peter’s School**

The following Resolution was introduced for adoption by Supervisor Reed and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 23 OF 2006)**

**RESOLVED** that the New Hartford Town Board does hereby grant permission to St. Peter’s School, 19 Herkimer Road, Utica, New York, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets at Sangertown Square Mall, New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

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

Upon roll call, the Town Board voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**HIGHWAY SUPERINTENDENT:**

**Disposition of Surplus Vehicles**

Upon report of the Highway Superintendent, Councilman Woodland introduced the following Resolution for adoption; seconded by Supervisor Reed:

**(RESOLUTION NO. 24 OF 2006)**

**WHEREAS**, by Resolution No. 208 adopted July 20, 2005, the Town Board declared the following vehicles as surplus and authorized the Town Supervisor to solicit bids for the public sale of the surplus vehicles:

- 1989 Chevrolet Suburban - VIN 1GNER16K2KF179482
- 1990 Chevrolet Van - VIN 1GCCG15Z3178151162
- 1991 Chevrolet Pick-up - VIN 1GCGS14ZXM2153887
- 1995 Jeep Cherokee - VIN 1J4FJ68S4SL507785
- 1995 Jeep SPT - VIN 1J4FJ68S0SL646389
- 1996 Ford Crown Victoria - VIN 2FALP71W6TX167995
- 1996 Ford Crown Victoria - VIN 2FALP71W2TX167993
- 1996 Ford Suburban - VIN 1FUKE30H9SHB62081; and

**WHEREAS**, the Highway Superintendent acknowledged receipt of a sole bid on January 4, 2006 which had been canvassed and subsequently discussed with the Public Works & Sewer Committee;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby accept the sole bid submitted by Roberts Construction of Upstate New York in the amount of Eight Thousand Dollars (\$8,000) and does hereby sell the following vehicles

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to said Roberts Construction, in “as is” condition, with no warranties implied or expressed:

- 1988 Ford Dump Truck, VIN 1FDYS90L4JVA45633
- 1988 Ford Dump Truck, VIN 1FDYS90L6JVA45634
- 1989 Chevrolet Suburban, VIN 1GNER16K2KF179482
- 1991 Chevrolet (S-10) Pick-up Truck, VIN 1GCGS14ZXM2153887
- 1994 GMC (3HD) Dump Truck, VIN 1GDKC34F1RJ502454
- 1995 Jeep Cherokee, VIN 1J4FJ68S4SL507785.

The Town Board members voted individually as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**MATTER SUBMITTED BY TOWN SUPERVISOR**

**DEPARTMENT HEADS:**

**Managers’ Meetings**

Supervisor Reed acknowledged the numerous Department Heads and complimented their ability to perform their managerial duties. He distributed copies of an organizational chart and announced his intent to conduct monthly meetings with Department Heads, the first of which will be Friday, January 13, 2006 at 7:00 A.M. in Butler Memorial Hall.

**MATTERS SUBMITTED BY COUNCILMEN**

**COUNCILMAN WASZKIEWICZ:**

**Agenda Items:**

- *Preswick Glen Informational Meeting* - received confirmation from New Hartford School, County Executive Griffo, and Preswick Glen officials about a tentative meeting to be held from 5:00-6:30 P.M. on a date to be determined. Supervisor Reed would like the meeting on March 1, 2006, which would allow time for a structured meeting. After some discussion, the Town Board authorized Councilman Waszkiewicz to select an appropriation location in the Town for this meeting.

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- Annexation –some areas of the Town had been annexed into Village of New York Mills over the past two years and Councilman Waszkiewicz has some areas in his district that might benefit from annexation between Utica and New Hartford.
- Grant Writer – J. T. O’Connell had made a presentation at the December 21, 2005 Board meeting and funds have been appropriated in the 2006 Annual Budget. Having been familiar with Grant Writer Connie Miner who obtained funds for the New Hartford Fire Department, Councilman Reynolds suggested that Ms. Miner be invited to offer a presentation and he was authorized to contact her to learn if she can attend the January 18, 2006 Town Board meeting. Councilman Payne inquired who would administer the grants, what would be available, etc. Nathaniel Richmond, who organized the New Hartford Community Enrichment Foundation, interjected that this group had been established and they would administer grants...the Foundation was established at the Board’s request.
- Budget process/citizen committees – establish time line and process (refer to last year’s file). What committee would handle this?
- Oneida-Herkimer County Empire Zone Board Review - will distribute this Board’s minutes through the Town Clerk

Councilman Woodland suggested to Councilman Waszkiewicz that the Town Board might want to charge Department Heads with preparing a capital improvement list for their respective department for the next five (5) years.

Having contacted the Town of Kirkland, Supervisor Reed stated that Kirkland Supervisor Foley would be interested in sharing a Chief Financial Officer with New Hartford, in light of the financial situations in the Towns of Vienna and Annsville.

- Higby Road Water District – the Highway Superintendent had the Mohawk Valley Water Authority (MVWA) confirm that part of their capital budget in two (2) years was to make a connection between Sherman Hills and Sherman Circle and Councilman Waszkiewicz was hoping the Town Board would reaffirm its importance – improvement of water pressure a priority. Would like a letter to go to MVWA and Councilman Waszkiewicz will draft this for Board approval
- Letter to NYS Department of Transportation requesting review for “no turn on red” and improvement of pedestrian crossings at Henderson Street, and on Commercial Drive; pedestrian overpass for Commercial drive – Philip Rayhill Memorial Trail
- Reconfirm New Hartford Board support for re-engineering the way services are delivered in our town and region – set aside money for a study? In 2004 or 2005 the Board endorsed an effort in delivery of services in the region.
- Improve Town facilities – Supervisor Reed acknowledged that the Police and Court offices violate codes requirements every court night due to the lack of adequate space. Another building lacking in space is the Sanger Public Works

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Garage where the building might accommodate an addition. Supervisor Reed charged Councilman Reynolds to begin looking into a new location/expansion for police/courts and to work with the Town Police Chief.

- “Save Our Home” – left over from 2005. Councilman Waszkiewicz believes there’s a better way to raise funding for schools besides property tax. Possibly petition our State legislators.
- Lighting Districts – any “gaps” is being cleared up with the Engineering Department

Councilman Waszkiewicz also had some matters on the Agenda involving Personnel, Highway/Engineering/Codes, and Parks; Supervisor Reed stated that Department Heads would be working with their Standing Committees and the Committee would be reporting to the Town Board; there also may be times when the Department Head would be need to address the Board.

### **COUNCILMAN WOODLAND:**

#### **Nuisance Abatement**

Councilman Woodland would like to bring up the nuisance abatement matter again and inquired if Councilman Waszkiewicz wished to be a part of it. Since the “noise” issue would tie in with the nuisance abatement, Councilman Waszkiewicz was willing to join in discussion.

### **COUNCILMAN REYNOLDS:**

#### **Campion Road re-connection**

About two years ago, the Highway Superintendent and Councilman Waszkiewicz had talked with the New York State Department of Transportation about extending Campion Road in the Village of New Hartford and connecting it to Old Campion Road and Councilman Reynolds inquired about the Board’s feeling on exploring talks once again. Councilman Reynolds would like to work w Councilman Waszkiewicz and bring this matter off the “back burner” and moved this forward.

#### **Firefighter Service - Breakfast**

The Oneida County Fire Chiefs Association and the Volunteer Firemen’s Association are sponsoring a breakfast for the purpose of highlighting the important of firefighter services and its value to the communities. The breakfast will commence at 8:30 A.M. on Saturday, January 28, 2006 in the Deerfield Fire House and Town and Village representatives are invited to attend.

### **COUNCILMAN PAYNE:**

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**Safety Committee**

Councilman Payne offered the following Resolution that was seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. 25 OF 2006)**

**WHEREAS**, Safety Committee member Robert Payne had been elected as a Town Councilman effective January 1, 2006 and has now resigned from said Safety Committee;

**NOW, THEREFORE, BE IT RESOLVED** that, upon recommendation of Councilman Payne, the New Hartford Town Board does hereby appoint Brian Hansen as a Safety Committee member to fill the unexpired term of Robert Payne, ending December 31, 2006.

Upon roll call, the Board voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**Amendment to Rules of Procedure – Standing Committees**

Councilman Payne then introduced the following Resolution; seconded by Supervisor Reed

**(RESOLUTION NO. 26 OF 2006)**

**WHEREAS**, on January 1, 2006 the Town Board of the Town of New Hartford adopted Resolution No. 1, including Schedule “A”, Rules of Procedure; and

**WHEREAS**, Councilman Payne has recommended that the Safety Committee, which addresses the safety of both employees and the public, become a Standing Committee whose members shall be appointed by the Town Supervisor;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby amend the aforesaid Schedule “A”, Rules of Procedure, specifically relating to Item **V. Standing Committees**, be adding a new Standing Committee to be known as the Safety Committee.



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Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**FINANCIAL:**

**Audit of Vouchers**

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

**(RESOLUTION NO. 27 OF 2006)**

**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 had been duly audited by the Town Board:

General Fund Whole-Town No. 44/2005		
Vouchers AA2107-AA2110	-	\$ 3,803.62
General Fund Whole-Town Police #44A/2005		
Voucher AA2111	-	\$ 16.00
General Fund Whole-Town No. 1/2006		
Vouchers AA1-AA48; AA55-AA56	-	\$111,769.06
General Fund Whole-Town Police No. 1/2006		
Vouchers AA49-AA54	-	\$ 25,700.61
General Fund Part-Town No. 1/2006		
Vouchers BB1-BB5	-	\$ 3,538.93
Highway Fund Whole-Town No. 1/2006		
Voucher DA1	-	\$ 1,000.00
Highway Fund Part-Town No. 1/2006		
Vouchers DB1-DB16	-	\$ 40,372.60
Sewer Fund No. 1/2006		
Vouchers SS1-SS7	-	\$ 15,754.19
Higby Road Water Capital Project No. 1/2006		
Vouchers HF1-HF4	-	<u>\$548,081.74</u>
	<b>TOTAL:</b>	<b>\$750,036.75</b>

Whereupon, the Town Board members voted individually as follows:

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Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

**EXECUTIVE SESSION**

Councilman Reynolds introduced the following Resolution for adoption and Councilman Payne seconded same:

**(RESOLUTION NO. 28 OF 2006)**

**RESOLVED** that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss contractual negotiations relative to attorney services.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	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 6:54 P.M.

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 29 OF 2006)**

**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 Reynolds	-	Aye
Councilman Woodland	-	Aye

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Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 7:34 P.M. The regular portion of the Town Board meeting was immediately reconvened.

The Town Board members then directed the Town Supervisor to write a letter to former Attorney for the Town, Vincent J. Rossi, Jr., regarding Town files in his possession and that the Town Board would review the letter prior to it being forwarded to Attorney Rossi.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 7:45 P.M.

**Respectfully submitted,**

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