

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL ON
WEDNESDAY, APRIL 19, 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. The Town Supervisor wished a Happy Birthday to former Town Supervisor Ralph Humphreys whose 70th birthday is today. 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: Assessor Paul E. Smith
Highway Superintendent Roger A. Cleveland
Parks and Recreation Director Michael W. Jeffery
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk I Margaret M. Jones

OTHERS: Town Attorney Gerald Green (arrive at 6:08 P.M.)

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

PUBLIC HEARING

**6:02 P.M. Local Law Introductory "B" of 2006 – Amend
Town Code, Chapter 98, Sewers**

Supervisor Reed opened the Public Hearing at 6:02 P.M. and the Town Clerk presented the Notice of Public Hearing, Affidavit of Posting and Proof of Publication. The Supervisor explained that the purpose of the Hearing was to offer the public an opportunity to speak for or against, or to comment upon Local Law Introductory "B" of 2006 which, if adopted, would amend Chapter 98 (Sewers) of the Town Code, Sections 98-20 and 98-21, relating to independent sewer lateral connections and the maintenance of sewer laterals.

Highway/Sewer Superintendent Roger Cleveland gave a brief overview of the Code amendment. Current Law requires that the property owner is responsible for the sewer lateral from their home or business to the highway right-of-way from which point it becomes the Town's responsibility. The Highway Superintendent stated that numerous calls have been received from plumbers and contractors if the sewer blockage is found to be the town's responsibility; however, by that time the Town has lost control of costs for

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 2

repairs, which property owners expect the Town to pay. The proposed legislation would require that the property owner be responsible for the sewer lateral from their home or business to the sewer main.

Supervisor Reed inquired if anyone present wished to speak in favor of the legislation. No one having come forth, the Town Supervisor asked if anyone wished to speak against the proposal or to comment upon the legislation.

There having been no one to speak in the matter, the Supervisor closed the Public Hearing at 6:03 P.M.

Sewer Code Amendment – Local Law No. One of 2006

Thereafter, Councilman Payne moved that Local Law Introductory “B” of 2006 be adopted as Local Law No. One of 2006, in the following format; seconded by Councilman Woodland:

**TOWN OF NEW HARTFORD, NEW YORK
LOCAL LAW NO. ONE OF 2006**

A Local Law to amend the Code of the Town of New Hartford, Chapter 98 thereof entitled SEWERS, Section 98-20, Independent Connections Required for Each Lot, and Section 98-21, Maintenance of Connections, redefining the responsibility of the property owner and the Sanitary Sewer District.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

SECTION 1. Chapter 98 of the Code of the Town of New Hartford, Section 98-20 is hereby amended *so that the last sentence now reads:*

Section 98-20. Independent Connections Required for Each Lot.

No multiple connections involving two or more property owners will be permitted without the recommendation of the Sewer Superintendent and concurrence by the Town Board.

SECTION 2. Chapter 98 of the Code of the Town of New Hartford, Section 98-21, is hereby amended *to read as follows:*

Section 98-21. Maintenance of Connections.

Normal maintenance of the sewer lateral from the house to the sanitary sewer main shall be the responsibility of the property owner. Normal maintenance shall include, but not be limited to, investigation of the lateral for the location and/or

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 3

cause of complete or partial blockages, the removal of grease, tree roots, and the build-up of other material not readily dissolvable in water, and the repair or replacement of the lateral as required to maintain a smooth and unobstructed flow of sewerage from the structure which it serves to the sewer main.

The Town shall:

1. repair or replace only that portion of the sewer lateral within the pavement limits should excavation within the pavement limits be required to remedy a lateral deficiency, and
2. provide pavement restoration, as required.

The Town shall not be responsible for any costs incurred by the property owner related to investigation of the lateral for blockages, the removal from the lateral of foreign material, and/or the repair/replacement of the lateral outside the pavement limits.

SECTION 3. All other provisions of Chapter 98 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 4. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

A roll call vote ensued:

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

Thereafter, Local Law Introductory “B” of 2006 was declared unanimously carried and duly ***ADOPTED*** as Local Law No. One of 2006.

MINUTES APPROVAL

April 5, 2006 Town Board Minutes

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

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 4

(RESOLUTION NO. 118 OF 2006)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Regular* Town Board meeting held on *April 5, 2006* and does further waive the reading of the same.

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**.

PUBLIC ACKNOWLEDGEMENT

Town Supervisor Reed welcomed Oneida County Legislator James D’Onofrio to the meeting.

REPORTS OF TOWN OFFICIALS

ASSESSOR:

Appointment – Temporary Board of Assessment Review Member

Upon request of the Assessor, Supervisor Reed introduced the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 119 OF 2006)

WHEREAS, Board of Assessment Review Member Matthew Bohn is recuperating from unexpected, emergency surgery and will be unable to attend the required State training program relating to Grievance Day and will be unable to work at the May 2006 Grievance Day;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct Councilman Payne to contact three (3) of the 2005 temporary members of the Board of Assessment Review, namely, Nicholas Laino, Kimberly Kershaw and Krista Pembroke, to determine if one of them would serve as a temporary Board of Assessment Review member to fill the temporary vacancy due to Matthew Bohn’s illness.

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 5

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:

Oneida County Sewers District

Highway Superintendent Cleveland introduced Steven Devan of the Oneida County Sewer District, who would speak about state-mandated improvements to the County Sewer District. The Town of New Hartford is one of sixteen (16) municipalities located in Oneida and Herkimer Counties who are part of this District, which operates sewer pump stations and forty-five (45) miles of interceptor sewer. The New York State Department of Environmental Conservation (DEC) is updating the system, which will have a significant impact not only on sewer pump stations but the main plant as well. Mr. Devan explained that the Sauquoit Creek pump station in Yorkville services the western portion of the sewer district. In the 1970's, the pump stations were designed to handle fifteen million (15) gallons of sewer a day. As more users were connected to the system, the pump stations became overwhelmed. At times of heavy rainfall, the sewage needs to be very diluted and released into the Mohawk River; this process alleviates basement flooding in both Yorkville and Whitesboro. Eventually, the discharge in rainy weather must be taken care of by means other than dilution and sending it to the river. Mr. Devan stated that he is expecting to receive a draft permit from DEC within sixty (60) days. The cost for the study of the new development in this area will be about Three (3) to five (5) Million Dollars.

Amended Pre-Development Agreement/MOU

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

(RESOLUTION NO. 120 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an AMENDED Pre-Development Agreement between the Town of New Hartford and the Presbyterian Home of Central New York, 4300 Middle Settlement Road, New Hartford, New York wherein said

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 6

Presbyterian Home of Central New York has offered to contribute, as per the conditions of said AMENDED Pre-Development Agreement, the total sum of Three Hundred Fifty-one Thousand Five Hundred Forty-three Dollars and Eighty-four Cents (\$351,543.84) as same relates to proposed Preswick Glen development within the Seneca Turnpike-Commercial Drive Generic Environmental Impact Study boundary area; and be it

FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the Memorandum of Understanding between the Town and the Presbyterian Home of Central New York as same relates to the Preswick Glen project.

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

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

The Resolution was declared unanimously carried and duly **ADOPTED**. The Highway Superintendent further apprised the Board that the Presbyterian Home would deposit a One Hundred Sixty-nine Thousand Five Hundred Sixty Dollar and Fifty Cent (\$169,560.50) retainer with the Town and which retainer would be fully refundable if the project is built as approved.

Fiscal – 2006 Budget Transfer

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

(RESOLUTION NO. 121 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to transfer in the 2006 Annual Budget the sum of Twenty-Five Hundred Dollars (\$2500.00) from the General Fund Part-Town Contingency Account to the General Fund Part-Town Planner Equipment Account No. BB8020.02 to cover the cost of Power Point Computer Equipment.

The Supervisor polled the Board members who voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

REGULAR TOWN BOARD MEETING
April 19, 2006
Page 7

Councilman Payne - Aye
Supervisor Reed - Aye.

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

Appointments – Seasonal Employees

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

(RESOLUTION NO. 122 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various seasonal positions and for the hourly wages set opposite their several names, for the Highway Department, commencing April 24, 2006 through the summer season; all wages to be paid bi-weekly:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Christopher Budlong	Laborer	\$8.00 per hour
Evan Rossi	Laborer	8.00 per hour
Wayne Rich	Laborer	8.00 per hour.

Whereupon, the Town Board voted upon roll call:

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

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

COR Project – Middlesettlement Road

Town Highway Superintendent Cleveland gave a report regarding the COR Project involving connecting Middlesettlement Road at the New Hartford Business Park to Woods Highway. The Highway Superintendent, Planning Board, and Town Planner are all interested in this project. The Highway Superintendent stated that he does not know what the impact would be. The Highway Superintendent has contacted Clark Patterson, who has completed a proposed fee schedule and scope of work with the Oneida County Department of Public Works and the New York State Department of Transportation. The cost of the project would be Twenty-Six Thousand Dollars (\$26,000) looking at series of intersections and funded out of FILM. Upon the recommendation of the Highway

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 8

Superintendent, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Payne.

(RESOLUTION NO. 123 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 the Town of New Hartford and Clark Patterson, the latter of who shall look at a series of intersections for the possible connection of Middle settlement Road and Woods Highway at a cost not to exceed Twenty-Six Thousand Dollars (\$26,000); said cost shall be funded out of Fees In Lieu of Mitigation (FILM).

Whereupon, the Town Board voted upon roll call:

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

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

Traffic Signals

Councilman Reynolds reported that he had received a letter from National Grid about the traffic signals. Highway Superintendent Cleveland confirmed that the Town has replaced most of the traffic lights with LEDs.

PARKS AND RECREATION DIRECTOR

Appointments – Seasonal Employees

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

(RESOLUTION NO. 124 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, beginning on the dates opposite the Account name and ending when the summer programs are completed; all wages to be paid bi-weekly:

REGULAR TOWN BOARD MEETING**April 19, 2006****Page 9*****Parks – A7110.4, begin April 24, 2006***

NAME	POSITION	RATE OF PAY
Adam Griffin	Park Laborer II	\$8.15/hour
Michael Steele	Park Laborer II	\$8.15/hour
Steve Harmon	Park Laborer II	\$8.15/hour
Michael DePhillips	Park Laborer II	\$8.15/hour
Dustin Benton	Park Laborer II	\$8.15/hour
Richard Davies	Park Laborer I	\$7.65/hour
Sean Dakus	Park Laborer I	\$7.65/hour
Garrett Tomaino	Forestry Employment Prog.	\$8.15/hour

Swim Program – A7230.1, begin June 26, 2006

NAME	POSITION	RATE OF PAY
Diane Muller	Pool Director & Evening Director	\$11.25/\$7.95 hour
Mary Carol Karl	Assistant Supervisor	\$ 9.75/hour
Anna Wanner	Assistant Supervisor	\$ 9.75/hour
Jenna Humphreys	Uncertified Water Safety Instructor	\$ 8.50/hour
Erica Masi	Certified WSI	\$ 9.30/hour
Paul Manfredo	Certified WSI	\$ 9.30/hour
Kathryn Karl	Certified WSI	\$ 9.30/hour
Sean Dakus	Certified WSI	\$ 9.30/hour
Brendan Galinn	Day Lifeguard/Sub Instructor	\$ 8.50/hour
Ashley Mundrick	Day Lifeguard	\$ 7.95/hour
Lindsey Mundrick	Evening Guard/Girls Locker Attdt	\$ 7.95/\$6.75 hour
Sean Dwyer	Evening Lifeguard	\$ 7.95/hour
Kevin Dwyer	Evening Lifeguard	\$ 7.95/hour
Lauren Dunn	Evening Lifeguard	\$ 7.95/hour
John Monaghan	Evening Lifeguard	\$ 7.95/hour
Emily Masi	Evening Lifeguard	\$ 7.95/hour
Lauren Graniero	Sub-Evening Guard & Locker Attdt	\$ 7.95/\$6.75 hour
David Maliani	Sub-Evening Guard	\$ 7.95/hour
Craig Sherman	Boys Locker Attendant	\$ 6.75/hour
Matthew Watkajtys	Substitute Lifeguard	\$ 7.95/hour
Elaine Hage	Water Aerobics Instructor	\$36.00/hour
Maurine Farruggia	Water Aerobics Instructor	\$36.00/hour

Playgrounds – A7140.11 & Summer Theater A7145.1, begin July 3, 2006

NAME	POSITION	RATE OF PAY
Christine Cahill	Director at Chadwicks	\$10.53/hour
Travis Owens	Recreation Sup. at Chadwicks	\$ 8.00/hour
Tatyana Sapaleva	Rec. Attendant II at Chadwicks	\$ 7.50/hour
Courtney Usmail	Rec. Attendant II at Chadwicks	\$ 7.50/hour
Jordan Groah	Rec. Attendant I at Chadwicks	\$ 6.75/hour

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 10

NAME	POSITION	RATE OF PAY
Amanda Horth	Rec. Attendant I at Chadwicks	\$ 6.75/hour
Kristi Denison	Director at Oxford Road	\$10.53/hour
Theresa Corleto	Recreation Sup. at Oxford Road	\$ 8.00/hour
Marc Montesano	Rec. Attendant II at Oxford Road	\$ 7.50/hour
Bianca Falange	Rec. Attendant II at Oxford Road	\$ 7.50/hour
Anjali Pagel	Rec. Attendant I at Oxford Road	\$ 6.75/hour
Michael Matt	Rec. Attendant I at Oxford Road	\$ 6.75/hour
Robert Greer	Director at Clinton Road	\$10.53/hour
Kacie Cunningham	Rec. Sup. at Clinton Road	\$ 8.00/hour
Matt Watkajtys	Rec. Attendant II at Clinton Road	\$ 7.50/hour
Bridget Talerico	Rec. Attendant I at Clinton Road	\$ 6.75/hour
Patrick Calli	Rec. Attendant I at Clinton Road	\$ 6.75/hour
Sarah Gigliotti	Rec. Attendant I at Clinton Road	\$ 6.75/hour
Shirley Root	Director at Higby Road	\$10.53/hour
Elizabeth Perra	Ass't Director at Higby Road	\$ 9.00/hour
Marc Pitarresi	Rec. Attendant II at Higby Road	\$ 7.50/hour
Sarah Heil	Rec. Attendant II at Higby Road	\$ 7.50/hour
Dan Seif	Rec. Attendant I at Higby Road	\$ 6.75/hour
Katrina Marshall	Rec. Attendant I at Higby Road	\$ 6.75/hour
Barbara Kivela	Head Bus Driver	\$12.00/hour
Linda Mundrick	Bus Driver	\$11.33/hour
Ellen Tabolt	Bus Driver	\$11.33/hour
Tim Madden	Adult Basketball Director	\$16.50/hour
Jerry Pitarresi	Adult Basketball Asst. Director	\$11.40/hour
Ed Prue	Youth Basketball Director	\$14.60/hour
Harold Kaffka	Adult Pick-up Basketball Director	\$13.75/hour
George Kazanjian	St. John's Basketball Director	\$16.50/hour
Lauren Barry	Tennis Instructor	\$14.00/hour
Brian Converse	Tennis Instructor	\$ 9.00/hour
Steve Orton	Summer Theater Director	\$17.95/hour
Jesse Orton	Summer Theater Assistant Dir.	\$ 9.00/hour

Whereupon, the Town Board voted upon roll call:

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

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

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 11

TOWN CLERK:

Requests for Use of Town Voting Machines

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

(RESOLUTION NO. 125 OF 2006)

RESOLVED that the New Hartford Town Board does hereby grant the requests of the New Hartford Central School District and the New York Mills Union Free School District to use Town Voting Machines for their May 16, 2006 School Elections and Budget Vote, contingent upon the Schools arranging the transportation and set-up of the machines through Town Voting Machine Custodian Michael Jeffery, and at no expense to the Town of New Hartford.

The Resolution was voted upon by roll call 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**.

MATTERS SUBMITTED BY COUNCILMEN & ATTORNEY

COUNCILMAN WASZKIEWICZ:

Agenda Items:

- Recreation areas green space – A conference call is being set up with Gerald Green, Esq. and *p.j.smith & associates* to finalize requirements.
- Old Champion Road – The tree planting for screen is being completed.
- Wireless internet – Councilman Waszkiewicz continues to work with the City of Utica to get the full particulars.
- Judd Road Signage and Trailways – This matter is to be addressed with NYS Department of Transportation and a meeting date to be scheduled by Town Board.
- Reconnection of Old Champion Road – Reviewed the past Resolution, and reconfirmed that the Town is fine with the Resolution and will submit this Resolution to the Villages of New York Mills and New Hartford for their thoughts and recommendations.

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 12

- Website – Councilman Waszkiewicz reminded the Board of how valuable the Website is, and the more information we can give to the Webmaster, it will benefit the Town residents.

Nuisance Abatement Committee, Expansion of

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

(RESOLUTION NO. 126 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Councilman David Reynolds as a member of the Nuisance Abatement Committee along with Councilman Woodland and Councilman Waszkiewicz.

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

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

COUNCILMAN REYNOLDS:

Building renovation/Consolidation

Councilman Reynolds reported that this is an on-going process.

Old Campion Road Reconnection

Councilman Reynolds reported that the Village of New Hartford would be sending a letter or Resolution to the Town Board regarding the reconnection of this road, with some stipulations and corrections.

COUNCILMAN PAYNE:

Utilities

Councilman Payne will have a proposal next week regarding information on saving money throughout the Town on the annual electricity bills.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

REGULAR TOWN BOARD MEETING
April 19, 2006
Page 13

Audit of Vouchers

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

(RESOLUTION NO. 127 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 have been duly audited by the Town Board:

General Fund Whole-Town Abstract No. 11 Vouchers AA564-AA565	\$ 795.00
General Fund Whole-Town Abstract No. 12 Vouchers AA566-AA615 Vouchers AA635-AA641	\$ 51,294.85
General Fund Whole-Town Abstract No. 12A (Police) Vouchers AA616-AA634	\$ 9,455.51
General Fund Part-Town Abstract No. 9 Vouchers BB71-BB82	\$ 18,683.39
Highway Fund Part-Town Abstract No. 9 Vouchers DB188-DB206	\$ 31,387.02
Sewer Fund Abstract No. 9 Voucher SS31-SS35	\$ 3,118.28
Street Lighting Abstract No. 5 Voucher SL5	\$ 7,540.98
Higby Road Water Tank Abstract No. 8 Vouchers HF25	\$ <u>427.50</u>
TOTAL:	\$ 122,702.53

Whereupon, the Town Board members voted individually as follows:

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

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

NEW BUSINESS:

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 14

Agreement – U.S. Securities & Exchange Commission Rule, 15c2-12

Attorney Green will review this paperwork received from Fiscal Advisors and will report to the Town Board at the next Town Board meeting.

Fiscal – 2006 Budget Transfer

Upon request of Bookkeeper Carol Fairbrother, the following Resolution was introduced for adoption by Councilman Woodland and seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 128 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to make the following budgetary adjustments in the 2006 Annual Budget for the proposed Veteran’s Memorial Park, as follows:

Decrease Account	A883 Appropriated Reserve Veterans Park	\$30,000.00
Increase Account	A5999.2 Reserve Fund Balance Vets Park	30,000.00
Increase Account	AA7110.41 Veterans Park Contractual	30,000.00

The Supervisor polled the Board members who voted as follows:

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

Resolution No. 128 was declared unanimously carried and duly **ADOPTED**.

EXECUTIVE SESSION

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

(RESOLUTION NO. 129 OF 2006)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss proposed and pending litigation.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye

REGULAR TOWN BOARD MEETING

April 19, 2006

Page 15

Supervisor Reed - Aye.

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. All persons present, including the news media, were then excused from the meeting at 6:44 P.M. The Town Clerk was asked to stay in the event the Town Board took any action.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 130 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
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 7:28 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 was adjourned at 7:29 P.M.

Respectfully submitted,

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

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