

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE KELLOGG ROAD COMMUNITY CENTER
BUILDING ON WEDNESDAY, MAY 3, 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 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
Town Clerk Gail Wolanin Young, CMC/RMC
Attorney for the Town, Gerald J. Green

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

MINUTES APPROVAL

April 19, 2006 Town Board Minutes

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

(RESOLUTION NO. 131 OF 2006)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Regular* Town Board meeting on *April 19, 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 carried and duly **ADOPTED**.

REPORTS OF TOWN OFFICIALS

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TOWN CLERK:

Refund – Zoning Variance Application

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

(RESOLUTION NO. 132 OF 2006)

WHEREAS, in April 2006 Christopher C. Giambrone of 35 Augusta Drive, New Hartford, New York had filed for a Zoning variance to install a six (6) foot fence on his property, paying a Sixty Dollar (\$60) application fee; and

WHEREAS, since filing for the Zoning variance, Mr. Giambrone notified the Town Clerk on April 21, 2006 of his intent to terminate the Zoning variance process as he has decided to plant a hedge instead of installing a fence; and

WHEREAS, Zoning Board of Appeals' Secretary Dolores B. Shaw has confirmed that Mr. Giambrone had withdrawn his Zoning variance process and that the Town had not incurred any financial expense with regard to this matter;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to refund the Zoning variance application fee of Sixty Dollars (\$60.00) to Christopher C. Giambrone.

Upon roll call, the Board voted as follows:

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

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

Transportation – Speed Limit Study on NYS Route 5 (Seneca Turnpike)

The Town Clerk acknowledged receipt of the April 28, 2006 communication from the New York State Department of Transportation in which they addressed the Town's Resolution adopted July 6, 2005 requesting a lower speed limit on NYS Route 5 (aka Seneca Turnpike), between a point west of Woods Highway and Alfredo's Banquet Hall. The State's study was completed jointly with the State Police and it has been determined that this section of road does not meet the criteria for a further reduction in speed; presently, the speed limit is fifty (50) miles per hour.

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HIGHWAY SUPERINTENDENT:

Advisory Committee on Public Works and Sewers

In behalf of the Highway Superintendent who was on vacation, Councilman Payne brought forth William Wolber for reappointment to the *Advisory Committee on Public Works and Sewers*. [NOTE: At the January 1, 2006 re-organizational meeting, Resolution No. 8 was adopted, reappointing William Wolber, Lewis Smith and Ronald Morelle to three-year terms on this *Advisory Committee*.]

2006 Agreement – Roadside Mowing

In behalf of the Highway Superintendent, Councilman Payne presented the Roadside Mowing Agreement and moved its adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 133 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the Roadside Mowing Agreement between the Town and the County of Oneida wherein the Town agrees to mow town and county roads within the Town of New Hartford during the 2006 Summer Season and the County agrees to furnish the mower that is to be attached to a town tractor and operated by a town employee, and as more fully defined in said Agreement.

The Town Board voted upon roll call as follows:

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

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

MATTERS SUBMITTED BY COUNCILMEN & ATTORNEY

COUNCILMAN WASZKIEWICZ:

Agenda Items:

- Recreation areas green space – Conference call is being set up with Gerald Green and *p. j. smith & associates* to finalize the requirements
- Abandoned building at 217 Fairway Drive –

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Unsafe Building and Property Maintenance – 217 Fairway Drive

In behalf of the Codes Enforcement Officer, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Woodland:

(RESOLUTION NO. 134 OF 2006)

WHEREAS, the Town of New Hartford had adopted on July 21, 1982 a Local Law regulating unsafe buildings (Code, Chapter 52); and

WHEREAS, said Town had adopted on September 24, 1994 a Local Law regulating property maintenance and which Law prohibits the accumulation of brush, grass, rubbish or weeds on any real property in said Town (Code, Chapter 94); and

WHEREAS, the Town Codes Enforcement Officer has continued to receive complaints since August 2005 about an abandoned residence and high grass and weeds upon premises located at 217 Fairway Drive (Tax Map Parcel No. 317.011-3-4), New Hartford, New York owned by Timothy Jones whose last known address is 217 Fairway Drive, New Hartford, New York; and

WHEREAS, the property appears to be abandoned, and the Codes Enforcement Officer had communicated with said owners via certified mail;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Codes Enforcement Officer to secure the building and, through the Parks and Recreation Department, to proceed with mowing the lawn and clearing the property of debris at 217 Fairway Drive and that the costs and expenses incurred by the Town in connection with said proceedings be assessed against the land on which said public nuisance exists; specifically, the Town Board does hereby authorize and direct Oneida County to levy such charges on the 2007 Town and County tax bill.

Upon roll call, the Board members voted as follows:

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

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

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- Wireless Internet – Councilman Waszkiewicz is still working with the City of Utica to obtain the full particulars; he will e-mail the Board members with further information.
- Judd Road signage and trail ways – meeting scheduled for May 10, 2006 at 1:30 P.M. at the Village of New York Mills' offices.
- Reconnection of Old Champion Road – was unsuccessful in finding the resolution he thought the Town had adopted; Town Clerk staff will search prior to 2004.
- “Adopt-A-Highway” program - the Town needs to finalize some graphics – brochures on this program that volunteer groups need to submit to their boards before they can begin picking up roadside debris.
- Inter-municipal Comparison Committee – Councilman Waszkiewicz recommended the Co-chairs to be Mark Smith and Christine Krupa, with a total of eight (8) members whose duties shall be to review the inter-municipal comparison survey results and report to the Town Board.

Appointment – Inter-Municipal Comparison Committee

Thereafter, Supervisor Reed introduced the following Resolution for adoption and Councilman Payne seconded same:

(RESOLUTION NO. 135 OF 2006)

RESOLVED that the New Hartford Town Board does hereby establish a temporary Inter-Municipal Comparison Committee to consist of nine (9) members, two (2) of who will be Co-Chairpersons and which committee shall conduct interviews for the purpose of comparing town services of similar communities in New York State; and be it

FURTHER RESOLVED that the Town Board does hereby appoint the following individuals to said temporary Inter-Municipal Comparison Committee:

- Mark Smith, Co-Chair
- Christine Krupa, Co-Chair
- Karen Madden
- Stuart Schwartz
- Greg Hanna
- Brad Jones
- Alfred Moretz
- Sarala Rayancha
- John C. Waszkiewicz III, Town Board representative and non-voting member

A roll call vote ensued:

Councilman Waszkiewicz - Aye

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

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

COUNCILMAN WOODLAND:

Nuisance Abatement Committee Meeting

The Nuisance Abatement Committee will meet in Butler Memorial Hall on Wednesday, May 10, 2006 at 5:00 P.M.

Change of Venue – October 4, 2006 Town Board Meeting

Councilman Woodland introduced the following Resolution, seconded by Supervisor Reed:

(RESOLUTION NO. 136 OF 2006)

RESOLVED that the New Hartford Town Board does hereby amend Resolution No. 1, adopted January 1, 2006 and specifically with regard to Schedule “A”, Regular Meetings, so that the October 4, 2006 Town Board meeting will be conducted at the Myles Elementary School, Clinton Road, New Hartford, New York at 6:00 P.M.

The Town Board voted upon roll call as follows:

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

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

ATTORNEY GREEN:

Assessment Grievance (Certiorari) Settlement

Upon recommendation of Attorney Green, the following Resolution was introduced for adoption by Councilman Payne and duly seconded by Councilman Reynolds:

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(RESOLUTION NO. 137 OF 2006)

RESOLVED that the New Hartford Town Board does hereby agree to settle the following Certiorari proceeding brought against the Town of New Hartford for the amount(s) specified:

Property Owner: Joe Carucci/Neil Eberley (Higby Woodlands)

Location of property: Sylvan Way, Deerpath Circle and Deerpath Drive

<u>Tax Map No.</u>	<u>Initial</u> <u>Assessment</u>	<u>New</u> <u>Assessment</u>	<u>Tax</u> <u>Year</u>
340.006-1-7)	\$576,000	\$200,000	2003, 2004
340.006-1-8)	aggregate	aggregate	
340.006-1-9)			
340.006-1-10)			
340.006-1-11)			
340.006-1-12)			
340.006-1-13)			
340.006-1-14)			
340.06-1-15)			
340.06-1-16)			
340.06-1-17)			
340.06-1-18)			
340.006-1-23)			
340.006-1-24)			
340.006-1-25)			
340.006-1-26)			
340.006-1-27)			
340.006-1-28)			
340.006-1-29)			
340.006-1-30)			
340.006-1-31)			
340.006-1-32)			
340.006-1-33)			
340.006-1-34)			
340.006-1-35)			
340.006-1-36)			
340.006-1-37)			
340.006-1-38)			
340.006-1-40)			
340.006-1-41)			
340.006-1-42)			

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<u>Tax Map No.</u>	<u>Initial</u> <u>Assessment</u>	<u>New</u> <u>Assessment</u>	<u>Tax</u> <u>Year</u>
340.006-1-43)	See	prior	page
340.006-1-44)			
340.006-1-45)			
340.006-1-46)			
340.006-1-47)			
340.006-1-48)			
340.006-1-49)			
340.006-1-50)			
340.006-1-51)			
340.006-1-52)			
340.006-1-53)			
340.006-1-54)			
340.006-1-55)			
340.006-1-56)			
340.006-1-58)			
340.006-1-59)			

Upon roll call, the Board members voted as follows:

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

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

COUNCILMAN PAYNE:

Electric Utility

The Colonie company that had been contacted to survey the Parks and Highway Department buildings has estimated about a \$2,000 savings monthly by changing to a more energy-efficient type of light fixture and light bulb; payback of thirty (30) months. Councilman Payne will explore grant possibilities and if the Town Board approves this project in the future, authorization would have to be given for preparation of specifications and the competitive bid process.

Energy Consortium – Electricity and Gas

Also, the Onondaga BOCES, which works with schools and municipalities, will give a

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presentation to the Highway Superintendent and Councilman Payne. The Board will be e-mailed on this matter.

Inventory of Computers

Councilman Payne has received from Janice O’Sullivan the complete inventory of Town computers, including those no longer used; he suggested contacting a grant writer to determine if funds are available to upgrade some of systems, like Dispatch and Police.

COUNCILMAN REYNOLDS:

Grant Writer Connie Miner

Connie Miner will be reviewing possible grants for the Town of New Hartford.

Cul-de-sacs, Maintenance of

Councilman Reynolds had met with Parks and Recreation Director Michael Jeffery to become acquainted with maintenance of cul-de-sacs in the Town and the annual problems that the Parks Department encounters.

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 Reynolds:

(RESOLUTION NO. 138 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. 13	
Vouchers AA642-AA672; AA687-AA693	\$ 67,613.32
General Fund Whole-Town Police Abstract No. 13A	
Vouchers AA673-AA680	\$ 28,722.37
General Fund Whole-Town Abstract No. 14	
Vouchers AA681-AA685	\$ 2,929.33
General Fund Whole-Town Police Abstract No. 14A	
Voucher AA686	\$ 50,000.00
General Fund Part-Town Abstract No. 10	
Vouchers BB83-BB90	\$ 3,117.41

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Highway Fund Part-Town Abstract No. 10 Vouchers DB207-DB219	\$ 40,926.68
Sewer Fund Abstract No. 10 Voucher SS36-SS39	\$ 5,602.70
Higby Road Water Tank Abstract No. 9 Vouchers HF26-HF28	<u>\$375,038.88</u>
TOTAL:	\$573,950.69

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:

New Hartford Public Library - Funding

The Town Supervisor attended an April 28, 2006 meeting with officials from the New Hartford Public Library and learned that NYS Senator Meier had obtained a Grant in the amount of One Hundred Fifty Thousand (\$150,000) toward construction costs for the proposed library addition.

Appointment – Police Commission Vacancy

Supervisor Reed introduced the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 139 OF 2006)

WHEREAS, a vacancy exists on the Town Police Commission due to the resignation of Edward LeFever who moved out of the Town of New Hartford;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint Kevin E. Copeland to fill the unexpired term of office of Mr. LeFever on the Town Police Commission, effective May 4, 2006 and terminating December 31, 2007.

Discussion ensued about filling the vacancy and whether this vacancy had been advertised; the Town Supervisor had interviewed a second candidate and an up coming

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vacancy on another Board may be in the offering for this person. A roll call vote was duly held and resulted 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**.

EXECUTIVE SESSION

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

(RESOLUTION NO. 140 OF 2006)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss union negotiations with regard to the New Hartford PBA contract, the proposed acquisition of real estate for Town offices, the Municipal Services Agreement for the Preswick Glen project, and the medical history of a particular employee.

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, were then excused from the meeting at 6:29 P.M. The Town Clerk was asked to stay in the event the Town Board took any action after Executive Session.

END OF EXECUTIVE SESSION

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

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(RESOLUTION NO. 141 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 8:04 P.M. The regular portion of the Town Board meeting was immediately reconvened.

OTHERS IN ATTENDANCE: Police Chief Raymond Philo
Telecommunicator Supervisor Jeffrey Madden

REPORTS OF TOWN OFFICIALS (CONT'D)

POLICE CHIEF:

Payroll – Salary Adjustment

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

(RESOLUTION NO. 142 OF 2006)

WHEREAS, effective July 6, 2005 Police Officer C. Edward Schmidt had been promoted to command the Juvenile Aide Unit, namely, the duties of School Resource Officer, the position formerly held by Police Officer Richard Salamone who now assists the Oneida County Sexual Abuse Task Force;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby increase the annual salary of Police Officer C. Edward Schmidt by the sum of Two Thousand Three Hundred Four Dollars and Sixteen Cents (\$2,304.16), retroactive to January 1, 2006, in accordance with an existing contract.

The Resolution was then voted upon by roll call:

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

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

TELECOMMUNICATOR SUPERVISOR

2006 Budget Transfer

Upon request of Telecommunicator Supervisor Jeffrey Madden, Councilman Payne moved the adoption of the following resolution; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 143 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to transfer the sum of Three Hundred Dollars (\$300) from General Fund Whole-Town Contingent Account No. AA1990.04 to General Fund Whole-Town Dispatch Equipment Account No. AA3220.02 for the purpose of replacing a four-year old computer at the Dispatch Center and does further authorize the Telecommunicator Supervisor to purchase the needed equipment.

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 thereafter declared unanimously carried and duly *ADOPTED*.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 8:08 P.M.

Respectfully submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk