

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK, HELD
AT THE WILLOWVALE FIRE HOUSE, 3459 ONEIDA STREET,
CHADWICKS IN SAID TOWN ON WEDNESDAY,
JUNE 21, 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
Highway Superintendent Roger A. Cleveland
Parks and Recreation Director Michael Jeffery
Police Chief Raymond Philo
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk I Margaret M. Jones

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

MINUTES APPROVAL

May 17, 2006 Town Board Minutes

Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Reynolds:

(RESOLUTION NO. 184 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 **May 17, 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 Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 2

PUBLIC HEARING

6:01 P.M.

Local Law Introductory "C" of 2006
Town Code, Chapter 74 (Garbage, Rubbish and Refuse)

The Town Supervisor opened the Public Hearing at 6:01 P.M. and the Town Clerk presented the Notice of Public Hearing, Proof of Publication and Affidavit of Posting. Supervisor Reed announced 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 "C" which, if adopted, would amend the Town Code, Chapter 74, thereof entitled **GARBAGE. RUBBISH AND REFUSE**, Section 74-5.1, Curbside Collection Program, to include green waste and to provide penalties for violations.

Highway Superintendent Roger Cleveland gave an overview of the proposed legislation, stating that the Town currently has nothing on the Town books as far as policy regarding green waste; more specifically, placing it on the street. The Town *does* have a policy for *curbside trash collection*. At times when the Highway Department has picked up green waste and are proceeding down a street, people are placing additional green waste on the street as soon as the crews have left. The Town has received numerous calls – 'I know you picked up yesterday, but we have a pile again'. With the proposed law, residents can't place green waste at the street prior to the weekend before the scheduled pickup. The purpose of this law is not to penalize the homeowner or contractor that comply with the law, but the people who habitually put out items ahead of their scheduled pick-up time. For those people who violate this law, the Town will place a hanger on their door; if the resident still does not comply, a letter will be sent to them after which the Town may take the resident to Court. Supervisor Reed stated that the Town does mail out a brochure outlining guidelines each spring, and the Town does realize that the weather could cause problems. .

The Town Supervisor invited comments from the audience; those speaking included:

- **Dean Gordon** acknowledged the well intention of this new policy, but he said most people clean up their own lawns and don't use commercial contractors. Most people take care of their own lawns between soccer games, shopping, and with weather permitting; the homeowners have to take care of their green waste by piece meal. Homeowners take care of their lawns when they can fit it into their schedules, which is difficult enough. With this new policy, it will be hard to get the job done within the timeframe set by the Town.
- **Jerome Donovan** read a written statement (copies to the Town Board) regarding his opinion on the proposed green waste program. Mr. Donovan believes this

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 3

green waste policy will be good for the Town and it is his hope that the Town will be able to enforce the policy.

- **Lewis Smith** is displeased about the green waste, stating that three (3) doors from his house is a pile of brush and his area will not be due for pick up for three (3) weeks; Kellogg Road is another example of many situations where there are piles of debris waiting to be picked up. The Town has a very satisfactory system of the collection. Mr. Smith continued that he has seen people put out debris right after the pay loader and highway employees leave the property and this disturbs him. Every spring the Town goes to the expense of mailing out a brochure but apparently the brochure doesn't get read. Mr. Smith is a member of the Advisory Committee on Public Works & Sewers, which recommends adoption of this legislation.
- **Paula Mariano** stated that she's retired and does her yard daily, using three (3) barrels to store the debris until the Highway crews are scheduled to do the green waste pick up in her area. She's in favor of this legislation. Mrs. Mariano also believes that landlords should be held responsible for their tenants.
- **Shirley Riggles** is in favor of this legislation. She containerizes her debris and doesn't want to dump it along the road as suggested by the Highway Superintendent. Highway Superintendent Cleveland stated that it is quicker to pick the debris up with a payloader rather than employees picking up and dumping containers.
- **Elizabeth Brewer** does her own pruning. She can't hire a professional and has a young man do her lawn work. Ms. Brewer was under the impression that green waste wasn't supposed to be in containers. The Highway Superintendent stated that Elizabeth is correct, that it's the Town's preference that green waste be placed along the side of the road. She would like to see a wider window in which to place green waste by the side of the road rather than the last weekend before it's picked up.

Deputy Highway Superintendent Anthony DeCuffa stated that the Supervisor had mentioned that it is a matter of educating the public regarding the collection of green waste. Deputy DeCuffa would like to have a meeting with contractors to explain the brochure and the guidelines and then the Town could listen to and discuss any problems, which the Contractors might have regarding this new policy.

- **Steven Paravoti** asked if the Contractors were required to obtain a permit. Deputy DeCuffa stated "no".

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 4

- **Joseph Massoud** thinks it's a matter of timing and that people need to be educated.

No one further having appeared in the matter, Supervisor Reed declared the Public Hearing closed at 6:31 P.M.

Councilman Waszkiewicz commented that the Town's curbside collection brochure should include the new green waste restrictions, if adopted. The brochure should also list quantifiable guidelines with regards to sizes and timing of pick-up and perhaps the Highway Department could have a larger window regarding the placement of the green waste at the side of the road. Also, enforcement should be consistent.

Councilman Woodland believes that extra days should be allowed due to inclement weather conditions.

Councilman Reynolds acknowledged that the Highway Superintendent has worked on this Law for some time and he inquired if any chronic offenders had been identified -- a single contractor or an individual. The Highway Superintendent stated, "yes". The Highway Superintendent said that he has been trying to get the offenders to comply. There are also people who are trucking debris into the Town from other municipalities. Councilman Reynolds acknowledged that this legislation isn't designed to be punitive, but to correct blight on the community.

Councilman Payne believes that a wider window might be needed when placing green waste out for pick-up.

Approval of Code Text Amendment – Local Law No. Three of 2006

Councilman Waszkiewicz then moved that Local Law Introductory "C" of 2006 be adopted as Local Law No. Three of 2006 in the following format; seconded by Councilman Payne:

TOWN OF NEW HARTFORD, NEW YORK LOCAL LAW NO. THREE OF 2006

A Local Law to amend the Code of the Town of New Hartford, **Chapter 74** thereof entitled **GARBAGE. RUBBISH AND REFUSE**, Section 74-5.1, Curbside Collection Program, to include green waste and to provide penalties for violations.

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

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 5

SECTION 1. Chapter 74 of the Code of the Town of New Hartford, Section 74-5.1 is hereby amended *so that the entire Section shall be replaced and read as follows:*

Section 74-5.1. Curbside collection program.

The following shall apply to each and every private residential property that participates in the Town's annual curbside trash collection program and to each and every private residential property that participates in the Town's seasonal collection of green waste, excluding leaf pick-up:

- A. Trash, as defined elsewhere in this Code, and on a year-to-year basis in the Town's Annual Curbside Collection Brochure, shall not be placed within the highway rights-of-way prior to one week before the Town's published collection date.
- B. Green waste, excepting leaves, as defined elsewhere in this Code and on a year-to-year basis in the Town's Annual Curbside Collection brochure, shall not be placed within the highway rights-of-way prior to the weekend preceding the Town's published collection date.
- C. Violations shall be given by the Town to the resident, and to the property owner if different from the resident, and the resident or property owner shall have twenty-four (24) hours to remove the trash and/or green waste from the highway rights-of-way. Non-compliance within the twenty-four (24) hour period shall result in the Town's ability to cause the removal of the trash and/or green waste to the Oneida-Herkimer Solid Waste Authority facility, and the property owner, if different from the resident, shall be subject to a fine of Two Hundred Dollars (\$200) and be responsible for any and all costs incurred by the Town for the removal of the trash and/or green waste.

SECTION 2. All other provisions of Chapter 74 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 3. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 6

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

The Supervisor declared Local Law Introductory “C” unanimously carried and duly **ADOPTED** as Local Law No. Three of 2006.

PUBLIC PRESENTATIONS

Noise Level - Woodberry Swim Club

William Koury, a fifteen-year resident of Woodberry Hills whose home is close to the Woodberry Swim Club, spoke regarding problems that are occurring with the pool being open later than it once was. Initially, the Club was only open to Woodberry residents until 7:00 P.M.; however, for the past four to five years, the pool has been opened to the public until 9:00 P.M. This past weekend the pool was open until 10:00 P.M. The residents have tolerated a lot from the pool; at the same time, residents living close to the pool should have the right to sit outside and enjoy their homes, family and time. Does the Town have any control over the noise and times that the pool is open and are there any Codes that might control the noise levels that are created by those at the pool?

Councilman Reynolds suggested that a meeting be held with the Woodberry Swim Club association. Mr. Koury stated that he has spoken with Bob Kane but didn’t receive any satisfaction from their discussion. Supervisor Reed stated that he would give information to Attorney Green and have him render an opinion on this matter.

REPORTS OF TOWN OFFICIALS

PARKS AND RECREATION DIRECTOR:

Appointment – 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 Woodland:

(RESOLUTION NO. 185 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 June 19, 2006 and ending when the summer programs are completed; all wages to be paid bi-weekly:

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 7

Parks – A7110.14

NAME	POSITION	RATE OF PAY
Brandon Goodman	Park Laborer I	\$7.65 per hour
Brice Vallieres	Park Laborer I	7.65 per hour
Will Zogby	Park Laborer I	7.65 per hour

Playgrounds - A7140.11

NAME	POSITION	RATE OF PAY
Ksenya Klyachko	Tennis Instructor	\$14.00/hour

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

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

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

Easement – Veterans Memorial Park

Upon recommendation of the Parks and Recreation Director, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 186 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 with National Grid for an easement to the Veterans Memorial Park for the purposes of placing electrical service to said Park.

The Attorney Gerald Green has approved this Easement received from National Grid, according to the Parks and Recreation Director; thereafter, the Town Board voted 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***

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 8

Grant – Veterans Memorial Park

Parks and Recreation Director Michael Jeffery informed the Board that a grant in the amount of Fifteen Thousand Dollars (\$15,000) has been received from the Community Foundation for use in the Veterans Memorial Park.

Recreation Center – Ice Season Schedule and Rates

After having reviewed operating costs, revenue and National Grid expenses, Parks and Recreation Director Michael Jeffery recommended that the ice season be shortened by sixty (60) days, eliminating ice time for April and September and officially opening in October. The Parks and Recreation Director would like to leave the window open whereby consideration could be made for an organization to rent ice time fifteen (15) days prior to the October start date, but said organization(s) utilizing this time would be required to cover all expenses for operating the Recreation Center during that time period.

Councilman Reynolds clarified that there would not be a rate increase this year for ice time; however, the season will be shortened. Jamie Zaleski of the New Hartford Youth Hockey favored Director Jeffery's suggestion; Mr. Zaleski stated that the local hockey organizations are trying to keep their membership numbers by bringing people into the community for tournaments, etc. Mr. Zaleski stated that this is a quality-of-life issue. He believes the Recreation Center is getting "tired" and suggested the Town might, down the road, consider replacing the present facility. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 187 OF 2006)

WHEREAS, due to the following reasons, the Parks and Recreation Director has recommended that the ice season for the Recreation Center be shortened by sixty (60) days:

- Higher charges being paid to National Grid for utility expenses
- Higher expenses being paid for staff, supplies and equipment – The Department has grown over the past eight (8) years and the Town has the same staff level to maintain the Donovan Memorial Park, Washington Mills Athletic Park, Sherrillbrook Park and additional cul-de-sacs
- Even with a three (3%) percent revenue increase annually, the Town is showing a loss at the Recreation Center
- The facility needs upgrade of dasher boards, lights, furnace and floor matting.
- Contract user numbers have declined
- Mid-August, September and April ice is taxing on an aging fifty-two (52) ton compressor

REGULAR TOWN BOARD MEETING

June 21,2006

Page 9

NOW, THEREFORE, BE IT RESOLVED that, effective October 2006, the Town Board of the Town of New Hartford does hereby return to the original ice season for the Recreation Center so that ice rental shall begin the first Saturday in October and end on March 31st each year; and

BE IT FURTHER RESOLVED that the Town Board does hereby hold the line on ice rates for the 2006-2007 ice season, after which the annual three (3%) percent cost of operation increase will apply for the 2007-2008 ice season.

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

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

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

HIGHWAY SUPERINTENDENT:

Authorization for Competitive Bid – Pump Station

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

(RESOLUTION NO. 188 OF 2006)

RESOLVED that the New Hartford Town Board shall receive sealed bids for the Sewage Pump Station Upgrades, Contract 3 – Concord Boulevard and Fairway Estates, in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 10:45 A.M. on Monday, July 10, 2006 and then shall be publicly opened and read aloud at 11:00 A.M. on said date and in said Office; and be it

FURTHER RESOLVED that the said Town Board hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

The Town Board voted upon roll call as follows:

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

REGULAR TOWN BOARD MEETING
June 21, 2006
Page 10

Councilman Payne - Aye
Supervisor Reed - Aye.

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

Vehicle Usage

Upon recommendation of the Highway Superintendent, Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 189 OF 2006)

RESOLVED that the New Hartford Town Board does hereby grant permission for Christopher Moran, Working Foreman for the Highway Department, to take home a Town-owned vehicle at the end of the workday for the sole use in conducting official Town business, and as provided for in the Town of New Hartford ***Employee Handbook, Section 500 – OPERATIONAL POLICIES***.

The foregoing Resolution was subject to a vote upon 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**.

SEOR on Comprehensive Plan

Upon recommendation of Highway Superintendent Cleveland, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 190 OF 2006)

WHEREAS, the Town Board has designated a Steering Committee consisting of the members of the Town of New Hartford Planning Board, Town Board, residents and others with consultant, **peter j. smith & company, inc.**, to develop a Comprehensive Plan Update for the Town of New Hartford; and

AND WHEREAS, the Committee has begun work on the comprehensive plan and wishes to initiate the **SEQRA** process with the Town Board; and

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 11

AND WHEREAS, the Town Board has the authority to adopt the Comprehensive Plan for New Hartford and wishes to pursue this possibility;

IT IS HEREBY RESOLVED that the Town Board of the Town of New Hartford hereby declares its intent to serve as Lead Agency in accordance with the State Environmental quality Review Act, 6 NYCRR Part 617.6;

AND BE IT FURTHER RESOLVED that the Town Board will send a copy of this resolution to all involved agencies and interested parties;

AND BE IT FURTHER RESOLVED that the Town Board will offer a 30-day comment period on this designation and Part 1 of the Long Form EAF for all involved and interested parties to object or agree to this designation.

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

Grant - Transportation Trail

In order for the Town to accept a Grant for the New York State Department of Transportation Enhancement Program, Highway Superintendent explained that Resolution No. 151 of 2006, which had been approved at the May 17, 2006 Town Board Meeting needs to be amended. Councilman Payne introduced the following Resolution for adoption; seconded by Supervisor Reed:

(RESOLUTION NO. 191 OF 2006)

WHEREAS, the Towns of Whitestown and New Hartford, the Village of New York Mills, the City of Utica, the Sauquoit Creek Basin Intermunicipal Commission, Oneida County and New York State Department of Transportation Region 2 are desirous of seeing pedestrian and bike trails extended within and to connect to these respective communities and along the Sauquoit Creek corridor; and

WHEREAS, the entities mentioned above desire to use as a base trail from which to extend, the Phillip A. Rayhill trail, installed as a function of the recently completed NYSDOT Judd Road extension project; and

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 12

WHEREAS, the proposed trails will interface with, extend and connect to other existing pedestrian and bike trail facilities, and provide expanded opportunities for local residents and visitors to the area to access educational, recreational, environmental and tourist destinations along the length of the proposed trails; and

WHEREAS, through installing these improvements, a network of trails in the area can provide for an enhanced quality of life, and the movement of people without having to use motorized vehicles on state and local highways within the referenced communities, thereby assisting in the reduction of traffic on highways and not adding to the increase of air contaminates;

THEREFORE BE IT RESOLVED, that the Towns of Whitestown and New Hartford, the Village of New York Mills, the City of Utica and the Sauquoit Creek Basin Intermunicipal Commission, do support the extension of pedestrian and bike trails both within their respective communities and along the Sauquoit Creek corridor to effect an interconnection between their communities by providing off-highway opportunities for the movement of people including local residents and visitors to the area seeking educational, recreational, environmental and tourist destinations along the trails; and

RESOLVED, that the proposed expansion of the existing pedestrian and bike trail systems shall be, in part or in whole, effected through a grant application to the New York State Department of Transportation's Transportation Enhancements Program (TEP); and

RESOLVED, that the realization of these trails shall result in an improvement to the quality of life for our holistic area and for all who use these trails; and

RESOLVED, that the Town of New Hartford shall progress the TEP application through the assimilation of an application package including written material and the development of engineering cost estimates; **and**

RESOLVED, that if the Town of New Hartford, as lead agency for the consortium of municipalities participating in the application/funding/construction of the proposed Rayhill Trail Extension, Phase I, is offered a reimbursable grant through the Transportation Enhancements Program, that the Town of New Hartford shall accept such offering.

Upon roll call, the Town Board voted as follows:

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

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 13

Councilman Payne - Aye
Supervisor Reed - Aye.

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

Pre-Development Agreement & Memorandum of Understanding – (Omni-Point Communication)

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

(RESOLUTION NO. 192 OF 2006)

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 a Memorandum of Understanding between the Town of New Hartford and Omni-Point Communications, 103 Monarch Drive, Liverpool, New York wherein said Omni-Point Communication has offered to contribute, as per the conditions of said Pre-Development Agreement, the total sum of One Hundred Ninety-Eight Dollars Forty Cents (\$198.40) as same relates to construction of a cellular tower on Woods Road within the Seneca Turnpike-Commercial Drive Generic Environmental Impact Study boundary area. Said Omi-Point Communications shall also deposit a Four Thousand Dollar (\$4,000) retainer fee with the Town to ensure construction in compliance with current State and local regulations.

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

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

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

Pre-Development Agreement & Memorandum of Understanding – (Faxton-St. Luke's Hospital)

Upon recommendation of the Highway Superintendent, Supervisor Reed introduced the following Resolution for adoption and Councilman Reynolds seconded same:

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 14

(RESOLUTION NO. 193 OF 2006)

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 a Memorandum of Understanding between the Town of New Hartford and Faxton-St. Luke's Hospital, 1656 Champlin Avenue, New Hartford, New York wherein said Faxton-St. Luke's Hospital has offered to contribute, as per the conditions of said Pre-Development Agreement, the total sum of Five Thousand One Hundred Thirty-Five Dollars (\$5,135.00) as same relates to an amendment to their parking lot within the French-Champlin-Burrstone Road General Environmental Impact Study. Faxton-St. Luke's Hospital shall also deposit with the Town a Four Thousand Four Hundred Seventy-Two Dollars (\$4,472) retainer fee to ensure construction in compliance with State and local regulations.

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

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

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

Cul-de-sac - Jewel Ridge Subdivision

Addressing the Highway Superintendent, Councilman Reynolds was of the understanding that the cul de sac in the Jewel Ridge Subdivision will contain standing water, which is a concern. The Highway Superintendent will review this matter and contact Councilman Reynolds.

New York State Route 8 – Standing Water

Councilman Reynolds expressed concern about stagnant water between the railroad tracks and Route 8. Councilman Reynolds is aware that the Highway Superintendent has contacted the Army Corps of Engineers, but Councilman Reynolds was wondering if the Town has a handle on this water problem with the State.

DIRECTOR OF SENIOR SERVICES:

White Elephant Sale

Supervisor Reed complimented Director Spellman on the White Elephant Sale that was held at the New Hartford Adult Dining and Activity Center. Director Spellman also

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 15

informed the Board members that the Dining and Activity Center has received a matching grant from Wal-Mart in the amount of Fourteen Hundred Dollars (\$1400).

501 – C – 3 Designation

The Director of Senior Services also stated that the New Hartford Adult Dining & Activity Center has have received a 501 – C - 3 designation. Director Spellman acknowledged the work that Claudia Tenney and Patrick Tyskinski did to complete the work toward this achievement, at no expense to the Town.

CODES ENFORCEMENT OFFICER:

Property Maintenance – 3432 Oneida Street

Upon recommendation of the Codes Enforcement Officer, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 194 OF 2006)

WHEREAS, the Town of New Hartford 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 received complaints about high grass and weeds upon premises located at 3432 Oneida Street (Tax Map Parcel No. 349.016-1-36), Chadwicks, New York owned by Richard A. Jones, Jr. whose last known address is 3432 Oneida Street, Chadwicks, New York; and

WHEREAS, the Codes Enforcement Officer had communicated with said owner via certified mail, with no response having come forth;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Codes Enforcement Officer, through the Parks and Recreation Department, to proceed with mowing the lawn at 3432 Oneida Street, 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 Reynolds	-	Aye
Councilman Payne	-	Aye
Councilman Woodland	-	Aye

REGULAR TOWN BOARD MEETING
June 21, 2006
Page 16

Supervisor Reed - Aye.

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

Property Maintenance – 82 Taber Road

Upon recommendation of the Codes Enforcement Officer, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 195 OF 2006)

WHEREAS, the Town of New Hartford 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 received complaints about high grass and weeds upon premises located at 82 Taber Road (Tax Map Parcel No. 340.008-1-7), New Hartford, New York owned by U. S. Bank Associates (formerly owned by Maribel Lozada); and

WHEREAS, said property appears to be abandoned;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Codes Enforcement Officer, through the Parks and Recreation Department, to proceed with mowing the lawn at 82 Taber Road, 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 Reynolds - Aye
Councilman Payne - Aye
Councilman Woodland - Aye
Supervisor Reed - Aye.

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

TOWN CLERK:

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 17

Fireworks Display Permit

Upon presentation by the Town Clerk, the following Resolution was introduced for adoption by Supervisor Reed; seconded by Councilman Reynolds:

(RESOLUTION NO. 196 OF 2006)

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 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, 2006 at 9:30 P.M., in accordance with the State Penal Law and regulations set forth in said Permit

The Town Police Chief and Codes Department had reviewed the application and the Police Chief had performed an on-site inspection. The Town Supervisor polled the Board members who voted as follows:

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

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

COMPETITIVE BID – RELEASE OF BID DEPOSITS

The Town Clerk received written confirmation that the Highway Superintendent had received a 2006 Ford F-55- Crew Cab Truck that meets Town specifications. Thereafter, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Payne:

(RESOLUTION NO. 197 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to release from the Trust and Agency Account the bid security deposit in the amount of Two Thousand Two Hundred Three Dollars Ninety-One Cents (\$2,203.91) received from Nye Automotive Group, 1479 Genesee Street, Oneida, NY 13421 for a 2006 Ford F-550 Crew Cab Truck.

Upon roll call, the Board members voted as follows:

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 18

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

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

MATTERS SUBMITTED BY COUNCILMEN & ATTORNEY

COUNCILMAN WASZKIEWICZ:

Agenda Items:

- *Wording for Noise Ordinance* – The wording has been forward to the Board from the Town Planner. Attorney Green will put some language together for this legislation
- *Wireless Internet* – A Public meeting has been tentatively set for 5:00 P.M., August 2, 2006, Kellogg Road Community Center Building.
- *Community Preservation Act* – Councilman Waszkiewicz informed the Board of this legislation and how it can fund the purchase of development rights from agricultural properties so that agricultural lands stay agricultural.
- *Recreation areas green space Findings Statement* – Received correspondence from **pj smith** and finalizing requirements. This matter will be sent back to the Planning Board for their review and recommendation.
- *Website Update* – Application forms from the Town Clerk's Office and Assessment information hasn't been available on the Website since June 12, 2006. It is my understanding from Councilman Payne that these are being taken care of and that the forms have been posted again effective today.

COUNCILMAN PAYNE:

Town's Website

Councilman Payne distributed a proposed plan for the Town's Website, which included a list of goals and key personnel. Councilman Payne would like to get the Website to a point where an umbrella site can be created, which would include schools and other organizations or agencies.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

REGULAR TOWN BOARD MEETING
June 21, 2006
Page 19

Audit of Vouchers

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

(RESOLUTION NO. 198 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. 18	
Vouchers AA861-AA911	
Vouchers AA919-AA930	\$ 48,561.47
General Fund Whole-Town Abstract No. 18A (Police)	
Vouchers AA912-AA918	
Vouchers AA931-AA943	\$ 23,038.47
General Fund Whole-Town Abstract No. 19	
Vouchers AA944-AA945	\$ 1,100.00
General Fund Part-Town Abstract No. 13	
Vouchers BB242-BB252	\$ 17,053.02
Highway Fund Part-Town Abstract No. 14	
Vouchers DB258-DB279	\$ 31,726.05
Sewer Fund Abstract No. 14	
Voucher SS48-SS49	\$ 487.52
Drainage Abstract No. 4	
Vouchers HC10-HC14	\$ 10,453.81
Higby Road Water Tank Abstract No. 12	
Voucher HF35	\$ <u>195.00</u>
TOTAL:	\$132,615.34

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**.

REGULAR TOWN BOARD MEETING

June 21, 2006

Page 20

NEW BUSINESS:

Insurance Renewal

The insurance for the Town expires on June 30, 2006. Because Board members had some questions about the quotes received and wanting an “apples to apples” comparison, the Town Board scheduled a Special Meeting for June 28, 2006 at 4:30 P.M. in the Kellogg Road Community Center Building. The Town Supervisor requested that the Town Clerk’s Office contact Bailey, Haskell and LaLonde about the possibility of their extending the Town’s current insurance policies for an additional two (2) weeks into July 2006.

July Town Board Meeting – Date Change

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

(RESOLUTION NO. 199 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby change the date of the July 2006 Town Board Meeting from Wednesday, July 5, 2006 to Wednesday, July 12, 2006, at 6:00 P.M. at the Kellogg Road Community Center Building.

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**.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 7:26 P.M.

Respectfully submitted,

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

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