

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE KELLOGG ROAD COMMUNITY CENTER
BUILDING ON WEDNESDAY, AUGUST 2, 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: Assessor Paul E. Smith
Highway Superintendent Roger A. Cleveland
Personnel Technician II Barbara Aiello
Police Chief Raymond Philo
Telecommunicator Supervisor Jeff Madden
Deputy Town Clerk Margaret M. Jones

Thereafter, a quorum was declared present for the transaction of business. In the absence of the Town Clerk who had a family commitment, Deputy Clerk Jones was present to record the proceedings.

MINUTES APPROVAL

June 7, June 21 and June 28, 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 Waszkiewicz:

(RESOLUTION NO. 219 OF 2006)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Regular* Town Board meetings held *June 7 and June 21, 2006* and the *Special* Town Board meeting held *June 28, 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

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Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

PUBLIC PRESENTATIONS

STORMWATER DRAINAGE:

MaryJo Kelly stated that she has invested a lot of money trying to solve the on-going stormwater problems at her Christopher Circle residence when it rains. She displayed photos, pointing out areas along Christopher Circle that cause water to flow into her yard. During this past storm, the water was flowing down the street. Residents put in a private storm drainage pipe approximately twenty-two (22) years ago. MaryJo has met with the Senior Engineering Technician John Meagher regarding this problem and asked the Board how to rectify the problem. The Highway Superintendent responded that he had discussed this matter with Mr. Meagher this afternoon. One solution considered was the enlargement of one pipe that the Town had installed. A pipe that had been installed by Murphy Excavating Corporation needs to be enlarged as well. Mrs. Kelly does not believe she should have to pay for the repairs to the drainage system for the entire circle. The Highway Superintendent explained the Town's stormwater policy regarding going on private property to do work. Highway Superintendent Cleveland further explained that the Town's right-of-way is about thirty (30') feet from the center of the road. The Highway Superintendent told the Board that he would make an on-site inspection. Mrs. Kelly suggested establishment of a drainage district might be fair to the area residents. The Highway Superintendent stated that there might be roots in the culvert pipe blocking the drainage of water. Supervisor Reed further explained that the Attorney for the Town has concerns about Highway Department employees working on private property. The Town Supervisor asked the Highway Superintendent to follow up with Mrs. Kelly on this matter to see what can be done to solve this problem.

Robert and Ann Giglio presented photographs and explained their existing water problem located at 9529 Mallory Road. The Town Supervisor inquired whether the Town had ever done work on their property. Mr. Giglio stated the Town had. Supervisor Reed stated that the Town should not be going on private property to do work. Mr. Giglio presented a Memo he had received from former Councilman Donald Backman with an e-mail, which stated that the Town would change the pipe to the proper size. Highway Superintendent Cleveland stated that this has been an on-going situation for a number of years. Supervisor Reed stated that he had stopped by the property and noticed that someone had stuffed things in the pipe. The Highway Department has since removed the items and cleaned out the pipe. The Highway Superintendent stated that he offered to remove the entire pipe and create an open ditch; however, the property owner rejected this offer. Councilman Reynolds asked Mr. Giglio if the parcel [a planted field]

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above his property is for sale. Councilman Reynolds asked if any water flow from this field is coming on to the property. Councilman Reynolds suggested that the Board meet with the Highway Superintendent and review the Town's stormwater policy, particularly work on private property. Supervisor Reed apprised Mr. Giglio that the Town Board will review the matter and contact him.

PROPOSED NUISANCE ABATEMENT LEGISLATION

Paula Mariano does not believe that all absentee landlords are bad. She suggested that, instead of fining the absentee landlords that the Town makes them live in one of their apartments for thirty (30) days so that these absentee landlords can see what the area residents endure. Ms. Mariano stated that the tenants hang out in front of their apartments, park on the sidewalks, chain their dog to the porch with a chain long enough for the animal to come out on the sidewalk, forcing pedestrians to walk in the road to get around the area.

STORMWATER DRAINAGE (CONT'D)

Cynthia Nappi and Patricia Wallace explained problems they have been experiencing with stormwater at 35 and 37 South Hills Road. Mrs. Nappi has purchased \$6,000 worth of shrubbery hoping to divert water; she is not sure if the drainage pipe is working properly. Patricia Wallace is having a similar problem. Mrs. Nappi discussed the matter with the Highway Superintendent today. The Highway Superintendent spoke with the foreman taking care of the water problem in this area and it is believed that the force of the water caused the problem in this neighborhood. Councilman Waszkiewicz asked the Highway Superintendent if the MS4 rules and regulations are being met. The Highway Superintendent responded that the Town is required to meet specific requirements. The Nappi property location is lower and they, therefore, are getting all the water. Councilman Waszkiewicz explained that the Board and committees are looking into a way to finalize and solve these drainage problems. Councilman Waszkiewicz stated that an easement is needed on one of the properties to solve the problem and stated further that the Town has been trying to get closure on this problem. Councilman Waszkiewicz will keep in touch with Mrs. Nappi and Mrs. Wallace.

REPORTS OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Storm Water Cleanup

The Highway Superintendent read a prepared statement to the Board regarding the recent storms and the clean up after the storms that hit the area in July 2006. He acknowledged the efforts of the Deputy Highway Superintendent Anthony DeCuffa and Highway Foreman Christopher Moran for their tireless work in directing the operations of the

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Department during and after these storms. He also stated that a number of residents called to thank and compliment the Highway Department on the courtesies of the Highway employees in dealing with the public under these difficult circumstances. The Highway Superintendent further acknowledged and extended his appreciation to the New Hartford Police Department, New Hartford Fire Department and the Willowvale Fire Company for their assistance regarding traffic control and assisting the town residents with manpower and equipment. He thanked the Town Board members who joined him to get first-hand knowledge of the issues facing the Highway Department and the Town, in general, from these storms.

Councilman Reynolds acknowledged the hard work that the Highway employees did on both occasions. Councilman Payne added that he was able to see first hand the damage that these devastating storms caused and the work of the Highway Department. Councilman Reynolds suggested that the Highway Superintendent's statement be published in the Town Crier. Supervisor Reed thanked the Highway Superintendent and his workers for their efforts and assistance to the residents of the Town during these storms.

Storm Damage - Federal Emergency Management Agency (FEMA)

Highway Superintendent Cleveland informed the Board members that the period to apply to the Federal Emergency Management Agency (FEMA) for assistance to cover the costs of the clean up from the recent storm ended on July 10, 2006 but the storm that hit the Town of New Hartford occurred on July 12, 2006. The Highway Superintendent reported that letters have gone out to government officials to get the FEMA closing date extended so that the date of the storm that hit New Hartford would be included for possible assistance from FEMA.

Vehicle & Traffic – Removal of Dead End Sign

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

(RESOLUTION NO. 220 OF 2006)

WHEREAS, a Dead End sign had been installed on Laurelwood Road and the Highway Superintendent has determined that this sign is no longer needed and recommends the removal of the sign; and

WHEREAS, the Highway Superintendent has recommended that a Dead End sign should be installed on Roman Road;

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NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Highway Superintendent to remove the “Dead End” sign located on Laurelwood Drive and does further authorize and direct the Highway Superintendent to install a “Dead End” sign on Roman Road.

A roll call vote ensued:

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

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

Vehicle & Traffic - “No Through Traffic”/Forest Road

A meeting was held among Chief Raymond Philo, Councilman Robert Payne and the Highway Superintended Roger Cleveland regarding the installation of a “No Through Traffic” sign on Forest Road. Upon the recommendation of the Highway Superintendent, Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 221 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Highway Superintendent to install a “No Through Traffic” sign on Forest Road.

Councilman Waszkiewicz is concerned with sign pollution, and asked the Highway Superintendent how many other signs will be needed. The Highway Superintendent stated there would be no other “No Through Traffic” signs. The Highway Superintendent further stated that Forest Road is a unique situation and that he recommends that this sign be installed. A roll call voted was taken, which resulted 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**.

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Cleaner Position – Sanger Public Works Garage

The Highway Superintendent stated that this position has been approved by Personnel and recommends that the Board create this position. Councilman Reynolds asked that this be tabled until September; meanwhile, the matter will be addressed in committee.

Engineering Services

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

(RESOLUTION NO. 222 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute the Engineering Service Agreement among the Town of New Hartford, Shumaker Engineering, and Developer Frank DeLaus for the proposed L’Ambiance Subdivision [near South Woods Development], at no cost to the Town; the Four Thousand Four Hundred Fifty Dollar (\$4450) fee is to be paid by the developer, Dr. DeLaus.

A roll call voted was taken, which resulted 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**.

Pre-Development Agreement & Memorandum of Understanding – Woods Road Cell Tower

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

(RESOLUTION NO. 223 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 Memorandum of Understanding between the Town of New Hartford and Omni-Point Communication, 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 and Forty Cents (\$198.40) as same relates to this development [increased height of existing tower] within

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the Seneca Turnpike-Commercial Drive Generic Environmental Impact Study boundary area.

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.

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

Higby Road Water District – David DeBlois’ Sessions Road Property

David DeBlois, who had been granted the value of one (1) equivalent dwelling unit for the pump and equipment he had installed to have water brought to his home a number of years ago, is requesting that the Town provide One Hundred Twenty-Five (125) feet of eighteen-inch (18) drainage pipe by his home. If the Town installs this pipe, the value of this pipe would be approximately Eight Hundred Dollars (\$800) as per the Highway Superintendent who suggested that the Town provide the pipe and let Mr. DeBlois install it. It was the consensus of the Town Board to discuss this matter and act on it at a later meeting.

Drainage Improvements – Oxford Road

Councilman Reynolds inquired about drainage improvements for Oxford Road. The Attorney for the Town Gerald Green and the Highway Superintendent contacted the Association of Towns regarding information on what the Town can and cannot do. A conference call is scheduled for August 3, 2006 among Attorney Green, Highway Superintendent Cleveland and the Office of Real Property Services as to how to structure drainage districts that would include only parts of land within a subdivision.

Agreement – Engineering Services/2006 Sidewalk Program

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

(RESOLUTION NO. 224 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 Al Swierczek for engineering services related to the 2006 Sidewalk Program, in the amount of Eleven Hundred Dollars (\$1100).

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Councilman Waszkiewicz inquired if the areas for the new sidewalks had been identified. The Highway Superintendent responded that the areas involved would be Burrstone Road, Oneida Street and Elm Street. Thereafter, 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.

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

Sauquoit Creek Basin Intermunicipal Commission (SCBIC)

The Commission has a project, which would include flood control, bank stabilization and gravel removal. Also, Oneida County Sewer Department needs assistance in repairing a sewer line this year that is exposed. The Commission approached Oneida County to see if they would loan money so this project could be completed. The County is asking for a Resolution to show that the Town will repay its proportionate share of Forty Thousand Dollars (\$40,000). This payment of approximately Twenty-One Thousand Dollars (\$21,000) would not be due until the first of June 2007. Upon the recommendation of the Highway Superintendent, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Payne

(RESOLUTION NO. 225 OF 2006)

WHEREAS, the Town of New Hartford is a voting member of the Sauquoit Creek Basin Intermunicipal Commission (**SCBIC** or Commission); and

WHEREAS, the Commission has identified a Flood Control/Bank Stabilization/Gravel Removal project in the Sauquoit Creek, approximately 150 yards downstream of the Clinton Street Bridge; and

WHEREAS, at this same location the County Sewer District has also been identified a County sanitary sewer line that is exposed and must be repaired this construction season; and

WHEREAS, a joint venture project between the County Sewer District and the Commission is being proposed to address both issues simultaneously; and

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WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has represented preliminary approval of the project, pending final plans being submitted and approved; and

WHEREAS, the Commission has contracted with Al Swierczek P.E. to prepare construction documents and cost estimates for the project; and

WHEREAS, the cost of construction has been estimated at \$200,000; and

WHEREAS, DEC will view the work of the Sewer District as a local match, giving the project the following breakdown as regards estimated costs/funding:

Sewer District	\$ 70,000
DEC Reimbursement	\$100,000
Commission Responsibility	\$ 30,000

WHEREAS, with certain other ancillary costs associated with this project it is believed that the Commission should plan on raising an amount of \$40,000; and

WHEREAS, the Commission has approached Oneida County and has received preliminary indications that they will loan the Commission the DEC's reimbursable portion of the project at \$100,000 and the Commission's portion of the project at \$40,000 so that the Commission can move forward with the project in the current calendar year; and

WHEREAS, the County has requested a Resolution from each of the Commission's member communities representing that they will reimburse the County their proportionate share of \$40,000;

THEREFORE, BE IT RESOLVED that the Town of New Hartford is a voting member of the **SCBIC**; and

RESOLVED, that the Town of New Hartford acknowledges that the Commission desires to move forward with the project referenced above and that in doing so it will cause the Commission to need to borrow monies from Oneida County to finance the DEC reimbursable portion and the Commission's portion of the project; and

RESOLVED, that at the Completion of the project the Town of New Hartford hereby resolves to pay to Oneida County its proportionate share of the monies borrowed from Oneida County that are the Commission's responsibility, and to do so no later than June 1, 2007; and

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RESOLVED, that this amount shall not exceed Twenty-One Thousand One Hundred Eighty-Eight Dollars (\$21,188).

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**.

TOWN CLERK:

Appointment – Clerk Sub

In behalf of the Town Clerk who had received approval from Oneida County Personnel Department and the Town Personnel office, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 226 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Melody K. Fancett as a Clerk Sub in the Town Clerk’s Office, commencing Monday, August 7, 2006 at an hourly wage of Seven Dollars and Seventy-five Cents (\$7.75), payable bi-weekly.

Whereupon, the Town Board voted upon roll call:

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

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

Mandatory Upgrade of Postage Meter

Upon recommendation of the Town Clerk who had discussed the matter in writing with Board members last week, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 227 OF 2006)

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RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to sign a Lease Agreement with Upstate Office Equipment, Inc., for the upgrade of the postage meter equipment mandated by the United States Postal Department not later than December 31, 2006; said Agreement setting forth monthly payments of One Hundred Eighty-Nine Dollars (\$189) for 63 months, to include all of the equipment, meter rental, rate changes and a maintenance agreement.

Whereupon, the Town Board voted upon roll call:

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

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

Federal/State Election Changes

Under current election law changes, New York County Boards of Election are wholly responsible for the election process including, but not limited to appointing election workers; paying election works for training, primary and general election day; hiring, training and paying Voting Machine Custodians; purchasing, storing and delivering electronic voting machines for various elections; rental of necessary facilities as polling sites. Because local municipalities had already budgeted for 2006 election expenses, the Oneida County Board of Elections has requested that *this year only* the Town's pay the rental fees for polling locations; the Election Board will pay all election workers and begin paying the Voting Machine Custodian. Michael Jeffery is arranging with the Town Bookkeeper to eliminate further Town payment of his Voting Machine Custodian services since the County will now be paying him. Therefore, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 228 OF 2006)

WHEREAS, the Town of New Hartford has budgeted annually and paid a "building use" fee of Seventy-Five (\$75) Dollars for each Primary Election and General Election at each of the following locations:

- First United Methodist Church, 105 Genesee Street,
- Moravian Church of the Good Shepherd, 350 Higby Road
- Immanuel Conservative Baptist Church, 9501 Weston Road

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WHEREAS, the Oneida County Board of Elections has now assumed the election process in accordance with federal/state legislation and has requested that the Town pay the rental fee for the three (3) churches for the 2006 Primary and 2006 General Elections only;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby agree to pay the Seventy-Five (\$75) Dollar rental fee to each of the churches for use of their buildings during the Primary Election on September 12, 2006 and the General Election on November 7, 2006 only; and

BE IT FURTHER RESOLVED that these rental fees and other associated election expenses will no longer be budgeted by the Town, commencing with the 2007 Annual Budget.

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**.

MATTERS SUBMITTED BY COUNCILMEN & ATTORNEY

COUNCILMAN WOODLAND:

Nuisance Abatement Committee

Councilman Woodland announced there would be another meeting on Monday, August 7, 2006 at the Jerome K. Madden Public Safety Building, starting at 5:30 P.M.

Proposed Change to Town Code, Chapter 72

Councilman Woodland spoke with Councilman Reynolds and Police Chief Philo regarding the Lion’s Club proposed Town-wide Garage Sale planned for next year. The town’s Local Law regulating Garage Sale Permits would need to be restructured to exempt persons from obtaining a permit for this town-wide sale. Deputy Town Clerk I Margaret Jones asked the Board to withhold action at this time as the Town Clerk would like to be present when this matter is discussed.

COUNCILMAN WASZKIEWICZ:

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Agenda Items:

1. Green Waste Pick-up regulations - Publish in Town Crier to help end abuse of rules and regulations.
2. Aerial Towers For Transmission – Propose law to eliminate heights of transmission towers for town. Councilman Waszkiewicz will have a draft resolution available at the next board meeting.
3. Include the Planning Board, ZBA and Board of Assessment and Review – Suggesting that at the next meeting the Board consider implementing policy regarding interviewing and appointments to Town Boards.
4. Regarding the Storm Water Management Procedures – In response to recent storms and flooding negatively impacting my Ward, I would like Board approval to allow me to participate on the sub-committee to facilitate the finalization of the criteria. Councilman Reynolds needs to be on this committee as well. The Board gave approval for Councilmen Waszkiewicz and Reynolds to sit in on this sub-committee.
5. Meeting with DOT to finalize Signage update on the Judd Road Corridor not confirmed at the time of the Agenda submittal – The meeting would be held with the Department of Transportation next Monday or Tuesday.
6. Confirm timing of the Councilmen’s and Citizens’ Budget Review. Should have correspondence by the end of August. The Board should be involved.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

2006 Budget Revisions

Upon request of the Bookkeeper, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 229 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and approve the following 2006 budgetary revisions:

Increase Account	AA3510.4 Animal Control Contractual	\$ 55.96
Increase Account	AA27700 Miscellaneous Revenues	55.96

Reimburse For Expenses Incurred For Microchip For Pit Bull Dog Per Court Order

Increase Account	AA1440.48 Traffic Impact Study	4,200.00
Increase Account	AA2772.0 Reimburse Engineering Service – COR Development	

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Increase Account	AA144049 Storm Water Management Review	6,500.00
Increase Account	AA2705.9 Donation Engineering Service by Shumaker	6,500.00
Increase Account	AA1440.49 Stormwater Management Review	1,800.00
Increase Account	AA2705.9 Donation Engineering Service by Shumaker	1,800.00
Increase Account	BB8160.4 Trash Contractual	90.99
Increase Account	BB27700 Miscellaneous Revenues	90.99

Fees Received To Cover Costs For Trash Violation Incurred By Town.

The Resolution was voted upon by 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 duly **ADOPTED**.

Open Account - Partners Trust Bank

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

(RESOLUTION NO. 230 OF 2006)

RESOLVED that funds of the Town of New Hartford may be deposited in Partners Trust Bank and withdrawn upon the check, draft, note or written order of withdrawal of this Municipality signed by or purporting to be signed by the facsimile signature of any one (1) of the following officers:

Earle C. Reed – Supervisor
David Reynolds – Deputy Supervisor
Carol Fairbrother – Bookkeeper

and Partners Trust Bank is authorized to pay such checks, drafts, notes, orders withdrawals and to receive the same for credit to the account of the payee, or in payment of the individual indebtedness of the payee, or any holder, when so signed, or to otherwise honor any written instructions concerning the account when signed as authorized above without inquiry as to the circumstances of their issue or the disposition of the proceeds or any payment, whether drawn to the individual order or tendered in payment of the individual obligations of any of the above persons or any officer or

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employee of this municipality or otherwise.

If facsimile signatures have been authorized, Bank shall honor all instruments bearing a facsimile signature regardless of by whom or by what means the actual facsimile signature or signatures may have been affixed, if such signature or signatures resemble the facsimile specimen or specimens certified to or filed with Bank by this Municipality.

The Clerk shall furnish Bank with the names of the presently qualified officers of this Municipality and shall immediately certify to Bank any changes in the composition of the officers. Bank is authorized to rely on the certification of the Clerk, and this Municipality shall indemnify and hold Bank harmless from any claims or damages resulting from the honoring by Bank of any signature of its officers so certified or refusing to honor any signature not properly certified.

Any checks, drafts, notes, or other instruments of any kind payable to or belonging to this municipality may be endorsed by any of its officers, employees or agents and deposited with Bank for the credit and use of this Municipality, and such endorsement may be made in writing or by stamp and without designation of the endorser.

A roll call vote ensued:

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

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

Audit of Vouchers

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

(RESOLUTION NO. 231 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. 23	
Vouchers A1042-A1134; A1160; A1151-A1155	\$111,069.23
General Fund Whole-Town Abstract No. 23A (Police)	
Vouchers A1135-A1149	\$ 35,073.25

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General Fund Part-Town Abstract No. 16	
Vouchers BB261-BB269	\$ 27,016.84
Highway Fund Part-Town Abstract No. 17	
Vouchers DB292-DB322	\$ 33,049.08
Sewer Fund Abstract No. 18	
Voucher SS57-SS65	\$ 18,679.09
Drainage Abstract No. 6	
Voucher HC 16-HC 22	\$ 2,958.23
Higby Road Water Tank Abstract No. 14	
Vouchers HF41-45	<u>\$131,375.22</u>
TOTAL:	<u>\$359,220.94</u>

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**.

Grant - Law Enforcement Agency

Chief Philo explained that tentative approval has been received for a Grant, which would allow expansion of law enforcement systems.

Wireless Network

Councilman Waszkiewicz stated that the meeting held earlier this evening went well; Police Chief Philo concurred. Councilman Waszkiewicz stated that the Town should solicit the opinions of the department heads as to what a wireless system might be able to provide them.

[Joseph] Corr Memorial Softball Tournament

Supervisor Reed stated that the July 2006 Corr softball tournament and the motorcycle event held on Sunday went well.

EXECUTIVE SESSION

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

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(RESOLUTION NO. 232 OF 2006)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the employment 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**. Those persons present, including the news media, were then excused from the meeting at 7:25 P.M. The Deputy Town Clerk was asked to stay in the event the Town Board took any action.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 233 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 7:45 P.M. The regular portion of the Town Board meeting was immediately reconvened.

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Abolish Clerk's Position

Upon recommendation of Assessor Paul Smith and Personnel Technician II Barbara Aiello, Supervisor Reed presented the following Resolution; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 234 OF 2006)

WHEREAS, a Clerk position had been created for the Assessor's Office to help with the large volume of work that had been occurring in that office with regards to the re-assessment of properties within the Town of New Hartford;

WHEREAS, since the volume of work has decreased in the Assessor's Office, there is no further need, at this time, to continue with this Clerk position;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby abolish the position of Clerk in the Assessor's Office effective August 11, 2006 since the assessment is now completed and there is not enough available work to keep this position.

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**.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 7:50 P.M.

Respectfully submitted,

**Margaret M. Jones
Deputy Clerk I**