

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL ON
WEDNESDAY, MARCH 12, 2008 AT 6:00 P.M.**

In the absence of the Town Supervisor who was out of town, the Deputy 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
Councilwoman Christine G. Krupa
Councilman David M. Reynolds
Councilman Richard B Woodland, Jr.

ABSENT: Supervisor Earle C. Reed

OTHER TOWN OFFICIALS: Codes Enforcement Officer Joseph A. Booth
Highway Superintendent Roger A. Cleveland
Police Chief Raymond L. Philo
Town Clerk Gail Wolanin Young and Deputy
Clerk I Melody K. Fancett

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

PRESENTATIONS

Higby Road Water District Tax

Jerry Bohling expressed his displeasure with regard to the \$364.68 water tax levy on the 2008 Town and County Tax bill for his property being located within the Higby Road Water District. He's been a New Hartford taxpayer since 1957 when his well was installed and he stated the well water today is just as good or equal to a lot of bottled water; he believes his well should be "grandfathered". He objected to paying the same amount as nearby homes that are assessed over \$1 million dollars and believes there should be a sliding scale for paying the water tax. Mr. Bohling didn't blame the current administration but "...it's on your watch." He'll attend the March 26, 2008 Town Board meeting to see if anything's been acted upon.

Deputy Supervisor Reynolds stated the Town will try to prepare a response for him by the March 26, 2008 meeting, noting that the Highway Superintendent and Councilwoman Krupa have been reviewing the matter.

REPORTS OF TOWN OFFICIALS

AGING (DIRECTOR OF SENIOR SERVICES):

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Senior Day Activities

- 90 New Hartford elementary students will sing and entertain the Seniors at noon time on March 14, 2008
- Recognition of fire and police departments on March 17, 2008 for the community service they provide; corned beef and cabbage lunch and entertainment to follow. Seniors \$2; non-seniors \$5.
- Oneida County Clerk's Office processed over 15 passports/cards on March 12, 2008
- St. Elizabeth School of Nursing will offer a cardiac-related presentation on April 23, 2008.

CODES ENFORCEMENT OFFICER:

Moratorium – Signs (Zoning Law)

Having discussed this matter at the February 27, 2008 Town Board meeting, Code Enforcement Officer Joseph Booth presented a resolution for the Board's consideration of establishing a moratorium on signs. He estimated that the Zoning Law text amendment process and approval by the Town Board would take ninety (90) days. Currently, building signage for malls, like Consumer Square where there's an enormous amount of signage, aren't regulated in the Town Code, except for the height of a sign on a building; however, there is more to address. The Town regulates pylon signs including height but not building signs. The Zoning Board of Appeals has quite a bit of interest in readerboard or programmable signs, which are not currently addressed in Town Code and need to be addressed one way or another. Thereafter, the following Resolution was introduced for adoption by Councilman Payne and duly seconded by Councilwoman Krupa:

(RESOLUTION NO 66 OF 2008)

WHEREAS, a review of the Code of the Town of New Hartford indicates a regulation and enforcement deficiency with regard to the placement and size of building-mounted signs and automated, electronic and programmable readerboard signs; and

WHEREAS, recent requests for variances and permits relating to such signs has brought these deficiencies to the attention of the Code Enforcement Office and Zoning Board of Appeals; and

WHEREAS, this lack of regulation has left the Town without a full, proper and up-to-date guide with which to issue or deny sign permits of this nature;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford, at the request of Code Enforcement Officer Joseph Booth, places a moratorium

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on the issuance of all new sign permits for building-mounted signs and for automated, electronic, programmable, readerboard signs in any location. This moratorium shall remain in full force and effect until these aspects of the local law can be addressed by staff and new Code language can be drafted and approved by the Town Board; and

BE IT FURTHER RESOLVED that, in advance of imposing such a Town-wide sign moratorium, the Town Board does hereby schedule a Public Hearing upon this moratorium request for Wednesday, March 26, 2008 at 6:00 P.M., or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford, NY. The Town Clerk is hereby directed to provide and post all requisite notices.

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

HIGHWAY SUPERINTENDENT:

Kellogg Road Community Center Building

With regard to the possible reopening of the Kellogg Road Community Center Building for public use by May 1, 2008, the Highway Superintendent (Buildings and Grounds) will reassess the roof first before any internal repairs are initiated. Highway Superintendent Cleveland suggested replacing the carpet with a “mop-able” floor covering, or adopting a policy prohibiting food and drink in the building. Accounting Clerk Janice O’Sullivan will be contacted for a cost-savings comparison on the National Grid bills.

Consent Order – County Sanitary Sewer Overflows

NYS DEC has issued a Consent Order against Oneida County for Sanitary Sewer Overflows. Part of the analysis by the County is to ascertain the quantity of clean water entering the sanitary system. To this end, the County is installing flow meters in the sanitary system tributary to the Sauquoit Creek Pump Station, in total about 30 meters. County employees and agents of the County will be checking the operation of the meters on both a regular basis, in anticipation of wet weather flow events, during dry conditions, wet weather conditions, and during both day and nighttime hours.

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The County will be issuing a press release on this matter, but wanted to alert the Board and the Police Department that, as part of the investigative process, engineers and County staff will be opening manholes at all hours of the day and night.

Machinery

Upon recommendation of the Highway Superintendent, Councilman Payne introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO 67 OF 2008)

WHEREAS, in accordance with the Town’s Purchasing Policy and Procedural Manual, the Highway Superintendent received the following quotes for purchase of a replacement tire changer and replacement tire balancer:

- MATCO - \$10,951.42
- Snap-On - \$10,700.00
- NAPPA - \$ 9,999.00

and

WHEREAS, sufficient monies are available in the 2008 Budget, including the \$7600.00 that had been budgeted for machinery and the estimated \$14,000.00 in savings between the budgeted amount and actual purchase price of a new pick-up truck with trade-in;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Highway Superintendent to purchase one (1) new tire changer and one (1) new tire balancer from NAPPA at a total cost of Nine Thousand Nine Hundred Ninety-nine Dollars (\$9,999.00).

The Police Chief offered his support of this purchase as the equipment is also used for the police vehicles. Thereafter, the Board voted upon roll call:

- | | | |
|---------------------|---|---------|
| Councilwoman Krupa | - | Aye |
| Councilman Reynolds | - | Aye |
| Councilman Woodland | - | Aye |
| Councilman Payne | - | Aye |
| Supervisor Reed | - | ABSENT. |

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

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Training – Continuing Education

Upon request of the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Payne and seconded by Councilman Woodland:

(RESOLUTION NO 68 OF 2008)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission for the following employees to attend training sessions:

- Christopher Moran, Highway Department Working Foreman, to attend the ***Cornell Local Roads Program – Small Highway Management*** (\$40.00) in Lewis County, NY on April 15, 2008
- Christopher Moran, Highway Department Working Foreman, to attend the ***NYS Office of Homeland Security – Public Works: Preparing for and Responding to WMD/Terrorists Incidents*** at the Oneida County Airport, Oriskany, NY from April 22 – April 24, 2008
- Michael Conrad, HEO and Traffic Officer, to attend the ***Cornell Local Roads – Traffic Signs and Pavement Management*** (\$40.00) in Oneida County, NY on April 23, 2008

with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Update on Recent Storms

As a result of heavy rains on Friday, March 7, 2008, the ground was totally saturated and Highway Superintendent Cleveland reported that HEO William Marshall had been called

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out on the weekend due to the volume of rain and being prepared for what might happen. The saturated ground, not blockages, created most of the water problems. Highway Superintendent Cleveland briefed the Board on a situation on Woodberry and Beechwood Roads; tree down on Bradley Road; some problems on Grange Hill Road but not the magnitude in the past; drains had been cleaned; hay bale found elsewhere; Thurston shoulder has now been repaired; minor problem on Jordan Road and some problem on Meadowbrook; in Whitetail Meadows, people working over the weekend. Between the significant amount of rain and the snowmelt, the ground was saturated.

The Sauquoit Creek Basin Commission is attempting to obtain an Article 15 permit, to work in a classified stream. Councilwoman Krupa stated that some residents believed that snowmelt contributed to water run-off problems, that where property owners were supposed to be removing the snow to alleviate surface water, this wasn't being done. The Highway Superintendent will give a report at the March 26, 2008 Town Board meeting.

Inter-municipal Agreement with Village of New York Mills (sanitary sewer system)

Upon recommendation of the Highway Superintendent, Councilman Payne offered the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO 69 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford does hereby approve and does hereby authorize and direct the Town Supervisor or, in his absence, the Deputy Town Supervisor to enter into and to execute an Inter-Municipal Agreement between the Town of New Hartford and the Village of New York Mills, as follows:

WHEREAS, flow from the Village's sanitary sewer system is transported to the Sauquoit Creek Pump Station; and

WHEREAS, a 1982 Sewer System Evaluation Survey (SSES) (Hazen and Sawyer, P.C., Stetson-Dale, Project No. C36-1032-1) in the Village, identified approximately 403,630 gallons per day ("gpd") in excess infiltration and inflow ("I/I") entering the Village's sanitary sewer system; and

WHEREAS, the Village has publicly bid a construction contract (Contract #2, Sanitary Sewer Sealing [2007]) for the removal of said excess I/I, and determined the low, responsive, responsible bidder to be National Water Main Cleaning Co., at a total bid price of \$31,009.55; and

WHEREAS, the Village has extended an offer to the Town to participate in removing the identified 403,630 gallons of excess I/I from the Village's sanitary system, and further, in consideration of the Town's participation, the Village has agreed to relinquish to the

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Town all right, title, interest and claim to the resultant 80,726 gpd of offset flow credits calculated in accordance with the 5:1 offset ratio required under Consent Order R6-20060823-67; and

WHEREAS, in letter dated October 25, 2007 from the New York State Department of Environmental Conservation Regional Water Engineer, Steven Botsford, to Steven Devan, Oneida County Commissioner of Water Quality and Water Pollution Control, the NYSDEC states it has reviewed the methodology used in the referenced SSES and finds the calculations for estimating the existence of the subject 403,630 gpd in excess I/I and its removal rate to be acceptable, and goes further, to state that “in accordance with the 5:1 offset ratio required under Consent Order R6-20060823-67, 80,726 gpd of offset flow credits will be granted for future projects connecting to the Sauquoit Creek Pump Station, subject to the I/I removal project, Contract #2, being completed; and

WHEREAS, the County of Oneida (“County”), as party to Consent Order R6-20060823-67 is under obligation to submit to the NYSDEC a plan that ensures that new connections to the Sauquoit Creek Pump Station are offset by removal of I/I in an amount five (5) times the flow the new connections are expected to contribute. To that end, the County has submitted to the NYSDEC ‘INFLOW/INFILTRATION OFFSET PLAN’ dated January 4, 2008 (“Offset Plan”); and

WHEREAS, in said Offset Plan, the County has determined a need to establish a “SEWER BANK” comprised of individual sub-accounts for each member municipality for future economic development projects throughout the Towns and Villages in the part-County sewer district which connect and discharge sanitary flow to the Sauquoit Creek Pump Station; and

WHEREAS, the Town has reviewed the results of the Village’s public bid results for Contract #2, Sanitary Sewer Sealing (2007), under which approximately 403,630 gpd of excess I/I would be eliminated from the sewer system, and determined that the 80,726 gallons of off-set flow credits resulting from the work of Contract #2 is critical to the ability of the Town to advance future economic development projects in New Hartford having sanitary flows that are routed to the Sauquoit Creek Pump Station; and

WHEREAS, the Town, in effort to initiate a proactive response to the need to begin the process of I/I removal in the part-County sewer district, agrees to fund the full construction cost of Contract #2, Sanitary Sewer Sealing (2007) with the full knowledge and consent of the Village, County and NYSDEC, subject to the following terms and conditions:

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1. *That Contract #2, Sanitary Sewer Sealing (2007) between the Village and National Water Main Cleaning Company, shall be jointly executed by the Village and National Water Main Cleaning Company, and administered by the Village at no cost to the Town.*
2. *That all engineering costs associated with the work of this contract shall be paid for by the Village, to include, but not be limited to, detailed and/or general construction inspection, certification reports to the Town, County and NYSDEC, and the preparation of any As-Built drawings or other records pertaining thereto.*
3. *That the Village agrees to compensate National Water Main Cleaning Company the full amount of invoiced work, as recommended by the Village Engineer.*
4. *That the Village shall submit invoices to the Town based on the Village Engineer's recommendation for payment to the Contractor for work performed on the subject project, and that the Town shall promptly remit payment to the Village of the invoiced amount not to exceed \$31,009.55.*
5. *That the Village agrees to provide legal defense and representation to the Town and to hold the Town harmless from any and all liability arising from the performance of the Contract #2 and from any and all claims, suits, causes of action, damages, property damage and personal injuries resulting therefrom.*
6. *That in consideration of payment, the Village shall relinquish to the Town any and all right, title, interest and proprietary claim to and in the subject 80,726 gpd of offset flow credits resulting from the performance of Contract #2.*
7. *That upon successful completion of the subject contract work by the Village and payment therefore by the Town, the 80,726 gpd of offset flow credits resulting from the work of Contract #2, Sanitary Sewer Sealing (2007) shall become part of, and deposited in, the Town's individual sub-account (as part of the County's SEWER BANK) as sanctioned and approved by the Commissioner of the Department of Water Quality and Water Pollution Control of the County of Oneida ("bank administrator") in a letter to the Town dated March 11, 2008.*

That the County has been given notice of the within agreement between the Village and the Town and deems same in conformity and compliance with the provisions and mandates of the Offset Plan dated January 4, 2008, which provides in concept at paragraph 4.0 et. Seq. for the deposit of the subject 80,726 gpd of flow credits into the Town's individual sub-account (as part of the District's SEWER BANK) from which the Town can transfer and withdraw said flow credits subject to approval from the bank administrator.

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That the work of this project shall be a stand-alone project and not relate in any manner to other I/I removal projects within the Village that may be dictated by the County or NYSDEC, or undertaken by the Village or private developers.

That the foregoing terms, conditions and representations represent the full, complete and entire understanding of the parties and cannot be changed, altered or modified without the express written consent of all parties hereto.

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Consumer Square

The Town did authorize Clark Patterson to perform a traffic circulation study at the Consumer Square Shopping Mall; staff will be on site this weekend.

Acknowledgements

Councilman Payne conveyed a constituent's thank you to the Highway Superintendent for quick response to a problem in the First Ward.

Councilman Reynolds noted that a letter had been received complimenting the Highway Superintendent for work done on Oneida Street in the First Ward.

POLICE CHIEF:

Donation

In late Fall 2007 a benefactor, originally wishing to remain anonymous, had donated a motorcycle to the Town Police Department, which has two (2) qualified Police Officers to operate the vehicle. The motorcycle will be used for special events annually during Spring, Summer and Autumn; i.e. bike-a-thons, festivals, walk-a-thons, etc., as well as participation in the Governor's Traffic Safety Committee's Motorcycle Safety Program. The Police Department sometimes participates in three (3) events on a weekend. Upon recommendation of Police Chief Philo, the following Resolution was introduced for adoption by Councilwoman Krupa and seconded by Councilman Woodland:

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(RESOLUTION NO 70 OF 2008)

WHEREAS, on November 4, 1998 the New Hartford Town Board had established a “gift”/“donation” policy pursuant to Section 64(8) of the Town Law;

NOW, THEREFORE, BE IT RESOLVED that said Town Board does hereby accept the donation of one (1) 2008 Harley-Davidson Motorcycle, Vehicle Identification No. 1HD1FMM178Y643048, and associated equipment, donated to the Town Police Department by Drs. Michael G. and Margaret H. Kowalski who are funding the donation through a 24-month lease, at no cost to the Town of New Hartford. The only cost to the Town for this donation will be insurance coverage.

The Town Supervisor polled the Board members who voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Declaration of Surplus Vehicles – Authorization to Sell

Upon request of the Town Police Chief, the following Resolution was offered for adoption by Councilman Payne and duly seconded by Councilwoman Krupa:

(RESOLUTION NO 71 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus the following Police vehicle:

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
1999	Ford Crown Victoria	2FAFP71W4XX110777

and be it

FURTHER RESOLVED that the aforesaid vehicle shall be placed for sale on e-Bay and once sold, the Town Clerk’s office shall be notified and shall arrange to terminate insurance coverage on said vehicle.

The foregoing Resolution was voted upon by roll call as follows:

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Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Vehicular Traffic – Sessions Road; Roberts Road

Councilman Payne and Chief Philo will meet with residents on Sessions Road and Roberts Road to discuss motorists driving at high rates of speed along those roads. Of particular concern to one party on Sessions Road, is their autistic child. This would be the second meeting with residents of Roberts Road. [The NYS Department of Transportation recently determined that Roberts Road did not meet the criteria for a lower speed limit.]

TOWN CLERK:

February 27, 2008 Town Board Meeting

Councilwoman Krupa introduced the following Resolution for adoption, seconded by Councilman Payne:

(RESOLUTION NO 72 OF 2008)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the **Regular** Town Board meeting held **February 27, 2008** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Reschedule Public Hearing - Local Law Introductory "A" of 2008

Whereas the Oneida County Planning Department and the Town Planning Board have submitted their recommendations with regard to Local Law Introductory "A" of 2008, Councilman Woodland offered the following Resolution for adoption, seconded by Councilman Payne:

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(RESOLUTION NO 73 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on **Wednesday, April 9, 2008 at 6:00 P.M.**, or as soon thereafter as reached in the regular course of business, in the New Hartford High School Auditorium, 33 Oxford Road, New Hartford to consider **Local Law Introductory "A" of 2008** which, if adopted, would amend the Code, Chapter 118 thereof entitled **ZONING** by amending Section 118-93, Schedule of Use, Area and Bulk Regulations for a Planned Highway Business District and, specifically, the list of Site Plan Review Uses and Special Permit Uses with regard to convenience stores without gasoline service and convenience stores with gasoline service.

and be it

FURTHER RESOLVED that the Town Board does authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in The Observer Dispatch.

A roll call vote ensued:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Training – Planning and Zoning Board Members; Planner

The Town Clerk presented the following Resolution that was introduced for adoption by Councilman Payne and duly seconded by Councilwoman Krupa:

(RESOLUTION NO 74 OF 2008)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Planning Board Member Margaret Rotton; Zoning Board of Appeals Members John Montrose, Robert Schulman and Frederick Kiehm; and Town Planner Kurt Schwenzfeier to attend a Wind Energy Conference on

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April 5, 2008 at Herkimer County Community College, Herkimer, New York, with related expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

Training – Oneida County Association of Towns

The Town Clerk presented the following Resolution that was introduced for adoption by Councilman Payne and duly seconded by Councilman Woodland:

(RESOLUTION NO 75 OF 2008)

WHEREAS, Section 77-b of the General Municipal Law allows the governing board of municipalities to authorize any officer or employee to attend a convention, conference or school conducted for the betterment of such municipality;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to interested Town Board members and Town Department Heads to attend the March 18, 2008 quarterly business meeting of the Oneida County Association of Towns, to be held in the Town of Vernon, New York, with related expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	ABSENT.

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

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FOIL Appeal - FILM

The Town Clerk had distributed copies of the FOIL Appeal submitted by Catherine Lawrence on March 11, 2008, with regard to her January 31, 2008 FOIL for Fees In Lieu of Mitigation: Land Use/Highway Impact Fees \$478,000. The matter will be reviewed and a written response provided within ten (10) business days of receipt of the Appeal.

MATTERS SUBMITTED BY COUNCILMEN/ATTORNEY

COUNCILWOMAN KRUPA:

204 Valley View Road/ SOS Septic Site (Scully) – update on remediation process

On March 4, 2008 Lockwood Martin and its contractors, along with representatives of the NYS Department of Environmental Conservation and Department of Health conducted a session for residents to learn more about the plans to clean up Sylvan Glen Creek in 2008, off Valley View Road. While more than 1700 truckloads of soil had been removed between December 2005 and July 2006 from the former SOS Septic Tank Service site, further investigation in 2007 revealed locations where contamination remains above the soil cleanup standards. A Conceptual Remedial Design Plan was submitted to NYS DEC in January 2008 and is available for review; plans include digging out the areas where contamination remains beneath the Lockheed-Martin's on-site Groundwater Collection and Treatment System. Councilwoman Krupa noted that Highway Superintendent Cleveland notified the adjacent residents who are in favor of removal of the contaminated soil and that an article had been prepared for publication in the Town Crier, informing the residents.

PRESENTATIONS (CONT'D)

Higby Road Water District Tax (Continued)

Jerry Bohling inquired if anyone else had complained about the water tax like he did tonight. Deputy Supervisor Reynolds was not aware of any complaints but that doesn't mean there weren't any.

ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilman Payne, seconded by Councilwoman Krupa, the meeting was adjourned at 6:55 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk