

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, JULY 8, 2009 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 PRESENT:**

Councilwoman Christine G. Krupa  
Councilman David M. Reynolds  
Councilman Richard B. Woodland, Jr.  
Supervisor Earle C. Reed

**ABSENT:**

Councilman Robert A. Payne III

**OTHER TOWN OFFICIALS PRESENT:**

Director of Budget Heather Mowat  
Director of Senior Services M. Eileen Spellman  
Highway Superintendent Richard C. Sherman  
Parks and Recreation Director Michael W. Jeffery  
Planner Kurt L. Schwenzfeier  
Police Chief Raymond Philo  
Senior Engineering Technician John Meagher  
Town Clerk Gail Wolanin Young

Thereafter, a quorum was declared present for the transaction of business. Due to out-of-town business with his full-time employer, Councilman Payne was unable to attend this meeting.

**MINUTES**

**June 17, 2009 Town Board Meeting**

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

**(RESOLUTION NO. 137 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Special* Town Board meeting held *June 17, 2009* and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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

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

### **PUBLIC PRESENTATIONS (PUBLIC COMMENTS)**

#### **Property Maintenance – Bradley Road Properties:**

Gerald J. Gilberti, of the Benton Hills area, addressed the Town Board on two (2) property maintenance issues, namely:

- 14 Bradley Road – a vacant house for about four (4) years (Note: Refer to Town Board minutes of June 9, 2009). Broken water pipes flooded and damaged floors; infested with animals. Mr. Gilberti believes the Oneida County Health Department should be able to give some positive response.
- Property at the corner of Bradley and Knoll Roads - about a year ago this property was sold to a family whose culture is different than the neighbors – as he understands it, there is no written code about trampolines in the front yard and the use of trees/shrubs to hang and dry residents' clothing and sheets. They are good people, stay by themselves, the children stay in their yard – only complaint is trampoline and hanging clothes. It appears that the occupants include nine (9) children and there are four (4) cars.

In order to preserve the integrity of their neighborhood, Jill Breckel, also of the Benton Hills area, inquired what action the residents could take to initiate adoption of regulations that would prohibit people from hanging their clothes in the front yard and parking vehicles on their front lawn. She acknowledged that the grass at 14 Bradley Road had been mowed again today by the Parks Department and that the Oneida County Health Department had made an on-site inspection, but that agency can't do anything about the condition of the property. The Town Board will have Codes Enforcement Officer Joseph Booth contact Ms. Breckel.

### **REPORTS OF TOWN OFFICIALS**

#### **DIRECTOR OF BUDGET:**

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**2009 Budget Modifications; Closing of Capital Project Accounts**

Director of Budget Mowat reported that the Town Supervisor and she had met with all Department Heads to determine cuts in appropriations for fiscal year 2009. Of the 2009 Budget modifications proposed, a majority are reductions and some include closing capital accounts. The following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilwoman Krupa:

**(RESOLUTION NO. 138 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby approve and authorize the following 2009 Budget modifications and the closing of seven (7) capital project accounts noted hereinbelow:

(NOTE: Copy in from email computer at time these minutes are printed on archival paper for permanent retention)

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

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

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

**Higby Road Water District**

Upon presentation by Director Mowat, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 139 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the refund of overpayments made by individual property owners to the Higby Road Water District estimated at \$5,484, to be appropriated through the Water Fund Balance of FF-5999.0. Of the five (5) property owners involved, two (2) have been certified for refunds.

The Town Board members voted as follows:

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

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

**Police Seized Assets**

Upon recommendation of Director Mowat, Councilwoman Krupa offered the following Resolution for adoption; seconded by Councilman Woodland:

**(RESOLUTION NO. 140 OF 2009)**

**WHEREAS**, funds derived from police-seized assets amounting to \$19,057.12 were classified to a reserve account to be used towards the expenditures of the Town's Police Department; and

**WHEREAS**, the funds had been received and expended through December 31, 2008;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the release of said funds in the amount of \$19,057.12 to the Town's General Whole-Town Fund balance.

A roll call vote ensued:

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

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

**Johnson Controls – Energy Evaluation Study**

This matter was tabled until the August 12, 2009 Town Board meeting.

**Request Additional Pre-pays of Certain Vendors**

Upon recommendation of Director Mowat, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilwoman Krupa:

**(RESOLUTION NO. 141 OF 2009)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby amend Resolution No. 346 adopted December 29, 2008 with regard to the Town Supervisor or Bookkeeper being authorized to pay certain bills/expenses without prior audit by the Town Board for fiscal year 2009, so that said Resolution shall also include the payment of bills/expenses from Ford Credit (lease of the Police Chief vehicle) and Time Warner Cable in order to avoid incurring finance charges due to the timing and processing of abstracts.

Councilwoman Krupa asked the Director of Budget to look into including the E-Z Pass thruway tolls for Town-related expenses; Director Mowat will have an answer at the August 2009 Town Board meeting. Thereafter, the Board members voted by roll call:

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

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

**Reimbursement from Seneca Turnpike/Commercial Drive GEIS Corridor FILM Funds to General Whole Town for period ending December 31, 2008; Reimbursement from French Road/Burrstone Road/Champlin Avenue/New Hartford Street GEIS Corridor FILM Funds to General Whole Town Fund for period ending December 31, 2008**

Upon presentation by Director Mowat, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 142 OF 2009)**

**WHEREAS**, the Town of New Hartford had borrowed \$571,146 (including interest) from the General Whole-Town Fund to cover expenses with regard to the 1991 Seneca Turnpike-Commercial Drive GEIS that had been performed and completed, of which amount \$91,363 was previously reimbursed from GEIS Land Use FILM Funds; and

**WHEREAS**, the said Town had borrowed \$182,123 (including interest) from the General Whole-Town Fund to cover expenses with regard to the 1993 French Road-Burrstone Road-Champlin Avenue-New Hartford Street GEIS that had been performed and completed, of which amount \$77,245 was previously reimbursed from GEIS Land Use FILM Funds;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the following reimbursements to the General Whole-Town Fund:

- \$479,783, the balance owed with regard to the 1991 Seneca Turnpike-Commercial Drive GEIS Corridor
- \$104,878, the balance owed with regard to the 1993 French Road-Burrstone Road-Champlin Avenue-New Hartford Street GEIS Corridor.

The Supervisor polled the Board, which voted as follows:

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

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

**Zoning Study Capital**

The Town borrowed \$75,000 for a zoning study but did not pursue this matter and currently, Town staff believes there is no need at this time to use the money. With the Planning Board Chairman's recent discovery that the Hartford Insurance building is not located within the New Hartford Business Park boundaries and questions about the site approval, the idea of an overlay of districts, etc. on maps might be a good use for the funds. The Town Board instructed Director Mowat to move forward and make a recommendation at the August 2009 Town Board meeting.

**ENGINEERING:**

**Change Order – Infrastructure Construction at New Hartford Office Park**

Upon presentation of Senior Engineering Technician John Meagher, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 143 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute Change Order No. 1, dated December 19, 2008, for Contract 1 – Infrastructure Construction at New Hartford Office Park, said Change Order being an increase of \$38,429.50 due to an increase in quantities for Road “C” that had been reconfigured from a curve to an “s” and affecting sewer and water lines.

The Town Board members voted upon roll call, resulting as follows:

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

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

**NYS Department of Transportation Betterment Agreement (Route 5/Woods Highway)**

Senior Engineering Technician Meagher reported that the Betterment Agreement ties into Contract 2 of the New Hartford Office (Business) Park. As per her communication of last week to the Town Board, Director of Budget Mowat stated that the Town needs to determine from what account this would be paid. Thereafter, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 144 OF 2009)**

**WHEREAS**, pursuant to Highway Law §10 (27) the Commissioner of Transportation may (the “Commissioner”), upon the request of a municipality, perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection the performance of any work of construction, reconstruction or improvement under the Highway Law; and

**WHEREAS, the Town of New Hartford** is a municipality within the meaning of such section of the Highway Law (“Municipality”); and

**WHEREAS**, pursuant to Highway Laws §10 (27) the Municipality, in connection with the mitigation of traffic impacts of **the Highway Project at the Intersection of State Route 5 with Woods Highway** wishes the New York State Department of Transportation (“NYSDOT”) to perform certain work described in SCHEDULE A (that describes the “Betterment”) annexed to this resolution; and

**WHEREAS**, there is a substantial public interest in and benefit to the performance of the Betterment, which will be part of the State of municipal highway system and will be available for use by the general public; and

**WHEREAS**, NYSDOT has estimated the cost of the Betterment; and

**WHEREAS**, in connection with the Betterment Agreement and no later than NYSDOT's award of contracts inclusive of the work contemplated by such agreement, the Municipality shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of the such cost estimate, to be expended by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, in any, to the Municipality; and

**WHEREAS**, upon completion and payment of the costs of the Betterment the Commissioner shall determine the costs thereof to be borne by the Municipality, and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner; and, in the event such costs exceed the amount of the deposit, the Municipality shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller; and

**NOW, THEREFORE, the Town Board of the Town of New Hartford** duly convened does hereby

**RESOLVE**, that the **Town of New Hartford** hereby approves the above-subject Betterment; and be it

**FURTHER RESOLVED**, that the Town of New Hartford conditions their approval subject to determining the account from which the sum of \$182,000.00 is to be appropriated and deposited with the State Comptroller pursuant to a Betterment Agreement with NYSDOT and expenditure on the draft of requisition of NYSDOT for betterment project costs in accordance with Highway Law § 10 (27) and such Betterment Agreement: and be it

**FURTHER RESOLVED**, that the **Town Supervisor of the Town of New Hartford** be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the **Town of New Hartford** in connection with the advancement or funding of the Betterment; and be it

**FURTHER RESOLVED**, that a certified copy of this resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT, it being understood that upon completion of the Betterment by NYSDOT, NYSDOT shall transmit to this body a statement showing the actual costs and expenses of the Betterment and shall notify the fiscal officer of the amount due from of to be returned to the Municipality, as the case may be, and that any



sum due to NYSDOT shall be paid by the Municipality within ninety (90) days after the date of transmittal of such statement, and the funds therefore shall be raised according to law and the terms of the Betterment Agreement, as applicable.

A roll call vote was duly held and resulted as follows:

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

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

**Authorization to re-bid Contract 2 – New Hartford Office Park, NYS Route 5 Highway Improvement Plans**

Senior Engineering Technician Meagher acknowledged receipt of revised plans last week, stating that the temporary traffic signal will be replaced with a permanent traffic signal. Councilman Reynolds then offered the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 145 OF 2009)**

**RESOLVED** that the New Hartford Town Board shall receive sealed bids for the ***Town of New Hartford, New Hartford Office Park NYS Route 5 Highway Improvement Plans***, 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, August 10, 2009 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 does 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:

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

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

**PARKS AND RECREATION DIRECTOR:**

**Appointments – Substitute Bus Drivers**

Upon request of the Parks and Recreation Director who had received approvals from the Personnel Department, Councilwoman Krupa offered the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 146 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Kristin Abbe and Sandra DeSarro as Substitute Bus Drivers for the Parks and Recreation Department, effective July 13, 2009, at an hourly wage of Twelve Dollars and Thirty-Eight Cents (\$12.38); wages to be paid bi-weekly:

The foregoing Resolution was duly put to a vote upon roll call, resulting as follows:

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

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

**Agreement – Maintenance of “Gateway” Pond with Fountain**

Director of Parks and Recreation Michael Jeffery had previously provided the Town Board with a copy of the proposed Resolution that would address maintenance of the pond to be installed at the intersection of NYS Route 12 and Genesee Street, in the Veterans Memorial. The New York State Department of Transportation is asking for the maintenance agreement and Director Jeffery stated that it was always the Town’s intent to be responsible for the maintenance. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Woodland:

**(RESOLUTION NO. 147 OF 2009)**  
**RESOLUTION FOR MAINTENANCE OF**  
**“GATEWAY” POND WITH FOUNTAIN**  
**TOWN OF NEW HARTFORD**

**WHEREAS**, the Town of New Hartford proposes the construction of a decorative pond with fountain at the intersection of New York State Routes 12, 12B, 5, and 921E;

**WHEREAS**, the Town of New Hartford will provide for the installation of the above-mentioned work, as shown on the proposed plans/documents/Highway Work Permit relating to the project;

**BE IT RESOLVED** that the New York State Department of Transportation approves the construction/installation of a GATEWAY POND WITH FOUNTAIN at the intersection of New York State Routes 12, 12B, 5, and 921E.

The Town of New Hartford will be responsible for maintenance of all physical components of the project including power supply lines, water pumps/fountains, inlets and outlets, lighting, as well as landscape plant material elements and will also maintain the pool elevation of the pond at the design level.

**BE IT FURTHER RESOLVED** that the Clerk of this Board is hereby directed to submit (5) five certified copies of this foregoing Resolution to the New York State Department of Transportation.

The Board voted upon roll call, as follows:

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

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

**Update on Dog Run in Sherrillbrook Park**

Director Jeffery reported that, to date, sixty (60) applications for use of the Dog Run have either been approved or are awaiting approval by the Animal Control Office. There is a group of dog owners who are organizing a Dog Club.

**Summer Programs**

Director Jeffery reported that 512 children had registered for the summer playground programs and about 400 youth enrolled in the swim program and other related recreational programs (basketball, theater, etc.)

**PLANNER:**

**Agreement – Annual Site License Software Support Plan for the Town’s Image Mate Desktop**

Upon request of the Town Planner, the following Resolution was introduced for adoption by Councilwoman Krupa and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 148 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby authorize renewal of the Annual Site License Software Support Plan for fiscal year 2009 at a cost of Fifty-two Hundred Dollars (\$5200) and does hereby authorize and direct the Town Supervisor to enter into and to execute any necessary documents for said renewal; the Software Support Plan is utilized by the Highway and Sewer Departments, Assessor’s Office, Planning Department, Codes Department and Engineering Department.

Currently, the cost of this support program is budgeted under contractual in various accounts. The Town Board then voted upon roll call:

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

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

**TOWN CLERK:**

**Planning Board Vacancy**

The Town Clerk reported that Town Planning Board member Rodger Reynolds will retire effective July 15, 2009; the resultant vacancy is required to be filled by a Village of New Hartford resident.

**Committee on Budget Analysis**

Town Clerk Young reported that two (2) applications have been received for consideration of appointment to the Committee on Budget Analysis.

**HIGHWAY SUPERINTENDENT:**

**Authorization for Competitive Bid – Arlington Terrace Sewer Pump Station**

Shumaker Engineering is preparing plans and specifications for the upgrade of the Arlington Terrace Sewer Pump Station that had been built in 1976. The proposed upgrade is an old project that did not get done, reported Highway Superintendent Sherman. Thereafter, Councilwoman Krupa introduced the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 149 OF 2009)**

**RESOLVED** that the New Hartford Town Board shall receive sealed bids for the ***Sewage Pump Station Upgrades; Contract 4 – Arlington Terrace***, in accordance with Town specifications; all bids are to be received by the Town Clerk’s Office no later than 10:30 A.M. on Wednesday, August 5, 2009 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 does 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:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye

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

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

**Authorization for Competitive Bid – Jordan Road Sewer Main**

Included in the 2009 budget is an appropriation to redirect the Jordan Road sewer main to a sewer manhole on Genesee Street; the main changes from 90 degrees to 45 degrees and it pops the manhole. [NOTE: The disrupted manhole cover caused damage to the underside of Kevin Kelly’s vehicle in November 2008; refer to minutes of January 2009]. Councilman Reynolds offered the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 150 OF 2009)**

**RESOLVED** that the New Hartford Town Board shall receive sealed bids for the **Jordan Road Sewer Main**, 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 or about September 1, 2009 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 does 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:

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

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

**Authorization for Competitive Bid – Sewer Line/Commercial Drive – Raspberries Café & Creamery**

Highway/Sewer Superintendent Sherman reported that the sewer main is now open and is working; however, after televising the main, it was determined that 300 feet of the main needs to be relined and that the second 300 feet connected to the County interceptor has holes in it. Superintendent Sherman has discussed the matter with an excavator and he’s considering emergency repairs in-house for the line to the County interceptor instead of installing a new line out back. An appropriation of \$20,000 has been budgeted for 2009 but may only cost 50-60% of that figure.

**Proposed Purchase of Sewer Truck / Trade-in Value**

Highway/Sewer Superintendent Sherman has contacted a couple companies with regard to the purchase of a sewer truck (budgeted in 2009/reserve account), with trade-in-of the Town's 2004 sewer truck; repairs on the latter are beginning to nickel and dime the Town. It is possible to purchase a sewer truck on State contract. Director of Budget Mowat confirmed that money in the reserve account can only be used for sewer purposes.

**POLICE CHIEF:**

Upon request of the Town Police Chief, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 151 OF 2009)**

**WHEREAS**, a vacancy exists in the position of Part-time Police Officer due to the retirement of Part-time Police Officer Richard C. Sherman;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Andrew Miller as Part-time Police Officer in accordance with NYS Civil Service Rules and Regulations, effective July 13, 2009, at an hourly wage of Eleven Dollars and Ninety-three Cents (\$11.93), payable bi-weekly.

Mr. Miller has met the regulations of Civil Service and has been interviewed by the Police Commission and the Public Safety Committee. The Supervisor polled the Board who voted as follows:

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

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

**Nuisance Abatements**

Police Chief Philo reported that the Police Department successfully processed two (2) nuisance abatements in accordance with Local Law No. One of 2008, one (1) at Slusser Avenue and one (1) on Clinton Road (aka NYS Route 12B).

**Speed Limit – Woods Highway**

Discussion ensued among the Police Chief, Highway Superintendent and Councilman Woodland with regard to the speed limit on Woods Highway, from NYS Route 5 (aka Seneca Turnpike) to the Whitestown municipal line. Consideration may be given to petition the New York State Department of Transportation to establish a 40-mile per hour speed limit; unposted roads have a speed limit of 55 miles per hour.

## **REPORTS OF SPECIAL COMMITTEES**

### **Stormwater Management (Advisory) Improvement Committee**

- Oxford Road Area Drainage Improvements - Fred Burrows Trucking and Excavating has been on site for the “**Oxford Road Area Drainage Improvements**” project and will start installing stone dams. The culvert will be delivered in the very near future.
- Authorization for Competitive Bid - Oxford Road and Kellogg Road Stormwater Detention Project – Highway Superintendent Sherman stated that this project, near the Jubilee Estates development, is ready for competitive bid.

Upon recommendation of the Stormwater Advisory Committee, Councilwoman Krupa presented the following Resolution and moved its adoption; seconded by Councilman Reynolds:

#### **(RESOLUTION NO. 152 OF 2009)**

**RESOLVED** that the New Hartford Town Board shall receive sealed bids for the ***Oxford Road and Kellogg Road Stormwater Detention Project***, 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 Wednesday, August 5, 2009 and then shall be publicly opened and read aloud at 11:15 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:

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

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

## **MATTERS SUBMITTED BY COUNCILMEN**

### **COUNCILMAN WOODLAND:**

#### **Status of Citizens Committee on Budget Analysis**

Town Clerk Gail Wolanin Young had received two (2) applications for this special committee and had provided copies to the Town Board members.

Accounting for the Sewer Fund

Town Supervisor Earle Reed informed the Board that staff is working on the Sewer Fund. Councilman Woodland requested that Highway/Sewer Superintendent Sherman provide future updates on sewer projects.

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**FINANCIAL:**

Audit of Vouchers

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

**(RESOLUTION NO. 153 OF 2009)**

**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, which had been duly audited by the Town Board:

General Fund Whole-Town Abstract #32		
Vouchers A1016-A1018	-	\$ 686.33
General Fund Whole-Town Abstract #34		
Vouchers A1021-A1023	-	\$ 146.27
General Fund Whole-Town Abstract #35		
Vouchers A1024-A1028	-	\$ 7,609.24
General Fund Whole-Town Abstract #35A (Police)		
Vouchers A1092-A1096; A1099-A1109		\$ 38,687.14
General Fund Whole-Town Abstract #36		
Voucher A1031-A1091; A1097; A1110-A1137		\$220,889.38
General Fund Whole-Town Abstract #36A(Police)		
Voucher A1138	-	\$ 299.70
General Fund Whole-Town Abstract #37		
Vouchers A1098	-	\$ 107.19
General Fund Part-Town Abstract # 18		
Vouchers BB105-BB110		\$ 13,619.71
Highway Fund Whole-Town Abstract #12		
Vouchers DA1	-	\$ 106.80
Highway Fund Part-Town Abstract #14		
Voucher DB427-DB453	-	\$ 58,451.37
Sewer Fund Abstract #16		
Vouchers SS42		\$ 1,147.19
Sewer Fund Abstract # 17		
Vouchers SS43-SS52		\$ 5,670.05
Street Light Abstract #7		
Voucher SL7	-	\$ 6,525.00
Stormwater Drainage Capital Project Abstract #9		
Vouchers HU20	-	\$ <u>120.00</u>



**TOTAL            \$212,735.88**

Upon roll call, the Board members voted as follows:

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

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

**PUBLIC COMMENT (CONT'D)**

**Zoning Violation**

Ralph Humphreys inquired who authorized Town Attorney Gerald Green to have Codes Enforcement Officer Joseph Booth send him a notice of zoning violation. Codes Officer Booth stated there are two (2) open violations on the Humphreys property. The Town Board will look into both matters, said the Town Supervisor.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and duly seconded by Councilwoman Krupa, the meeting adjourned at 7:11 P.M.

**Respectfully submitted,**

**Gail Wolanin Young, Town Clerk**