

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE COMMUNITY CENTER BUILDING,
KELLOGG ROAD, IN SAID TOWN, ON WEDNESDAY,
JANUARY 16, 2002 AT 7:00 P.M.**

The Town Supervisor called the meeting to order at 7:00 P.M. and then led those in attendance in the Pledge of Allegiance. 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 Donald C. Backman
Councilman John C. Waszkiewicz III
Councilman David W. Butler
Councilman Richard B. Woodland, Jr.
Supervisor Ralph B. Humphreys

OTHER TOWN OFFICIALS: Assessor Paul E. Smith
Codes Enforcement Officer Gerald F. Back
Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Parks & Recreation Director Michael Jeffery
Personnel Assistant Barbara J. Aiello
Police Chief Raymond Philo
Town Clerk Gail Wolanin Young and Deputy Town
Clerk I Margaret M. Jones

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

MINUTES APPROVAL

Action on the following minutes was deferred until the February 6, 2002 Town Board meeting:

November 7, 2001
December 5, 2001
December 19, 2001
January 1, 2002
January 2, 2002.

AUDIT OF VOUCHERS

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

(RESOLUTION NO. 32 OF 2002)

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 former Town Comptroller:

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 2

General Fund, Whole-Town Abstract No. 35/2001	\$ 4,394.54
General Fund, Part-Town Abstract No. 23/2001	\$ 80.00
Clinton Street Sewer Capital Project Abstract No. 5/2001	\$ 75,950.60
Street Light District Abstract No. 13/2001	\$ 8,161.40
General Fund, Whole-Town Abstract No. 2/2002	\$113,979.03
General Fund, Part-Town Abstract No. 2/2002	\$ 99,960.06
Highway Fund Whole-Town Abstract No. 1/2002	\$ 11,161.91
Highway Fund Part-Town Abstract No. 1/2002	\$ 54,458.82
Sewer Fund Abstract No. 1/2002	\$ 7,363.13
Clinton Street Sewer Capital Project Abstract No. 1/2002	\$ 84,613.84
Telephones Capital Project Abstract No. 1/2002	\$ <u>22,925.00</u>
TOTAL:	\$488,048.33

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye

This Resolution was declared unanimously carried and duly adopted

REPORTS OF TOWN OFFICIALS

ASSESSOR:

Reassessment Program

Town Assessor Paul Smith reported that Maintenance Aid, State-mandated for the Reassessment Program, should be forthcoming. All neighborhoods included in the Program in 2001 will be completed and include the age, size and style of dwelling for accurate and comparable information. Assessor Smith explained that most of the area bordering Utica – Tilden Avenue, Oneida Street, Chapman Road, Higby Road – will be completed. Both Villages will probably be reassessed at the same time. Next to be completed would be the outlying areas towards NYS Route 12. The Assessor’s Office is planning on completing all agricultural property in one year.

STAR Program

The STAR Program will stay in effect until the State Legislature or Governor changes the law.

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 3

Board of Assessment Review (BAR) vacancy

With regard to the vacancy on the Board of Assessment Review, Councilman Waszkiewicz stated that Frank Furno would like to be considered for the position; he is an attorney and has handled certioraris (assessment grievances). Assessor Smith stated that Mr. Furno would have to relinquish all real estate dealings within the Town of New Hartford if he were to be appointed. No action was taken.

South Woods Street Light District

Supervisor Humphreys informed the Board that fourteen (14) residents in the South Woods Development had received their 2002 Town and County tax bills with an exorbitant amount for street lighting. After checking records, Assessor Paul Smith confirmed that the Town Clerk had notified former Assessor W. Bert Stuhlman of the creation of Extension No.1 of the South Woods Street Light District in December 1998. However, Oneida County confirmed that Extension No. 1 of the aforesaid Light District had never appeared on the assessment/tax rolls until 2002. The Assessor did locate a note stating that the Assessor's Office was waiting for a decision from Engineering. Records show the original fourteen (14) residents in the South Woods Street Lighting District were charged for all lighting improvements and excluding any charges to the properties in the Extension No. 1 area. Therefore, the original district of fourteen (14) properties was paying the entire bill.

Highway Superintendent Roger Cleveland stated there had been some question about the number of lights and figures being accurate and through all this, the property owners were never placed in a light district. Former Comptroller Patrick Tyksinski's suggestion was to refund the property owners of the original district and then re-levy the district costs to all property owners (original district and extension area) over the next couple years.

Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTON NO. 33 OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to refund to the fourteen (14) property owners within the original South Woods Street Light District the total amounts paid for Street Light services on their 2002 Town and County tax bills; and be it

FURTHER RESOLVED that the lighting expenses accumulated for two (2) years for the South Woods Street Light District be proportionately

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 4

levied upon all one hundred five (105) parcels within the original Street Light District and Extension No. 1, to be payable in 2003; a copy of this Resolution shall be filed with the Assessor's Office and the Bookkeeper.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye

The Resolution was declared unanimously carried and duly adopted.

Assessment Roll Changes - Deadline

The Town Assessor reminded the Town Board that in order to put the new districts and/or extensions on the Assessment Roll, action needs to be taken before October 1st each year..

PUBLIC PRESENTATIONS

FISCAL ADVISORS – BOND ISSUES:

John Shehadi of *FISCAL ADVISORS & MARKETING, INC.*, Syracuse, New York made a presentation to the Town Board on temporary notes that the Town will need to renew or convert to permanent bonds in March 2002. Mr. Shehadi then reviewed the following charts:

- Recommended 2002 Debt Service Budget for Outstanding Bond Anticipation Notes, dated September 15, 2001 and included in the 2002 Annual Budget
- 2002 Debt Service Budget for Outstanding Bond Anticipation Notes, dated January 16, 2002
- Principal and Interest Schedule for Public Improvement (Serial) Bonds, 2002; Estimated Debt Service.

Everything that Fiscal Advisors does is reviewed and approved by Bond Counsel. On permanent bonds, the principal is paid annually but the interest is paid semi-annually. There is an approximate six (6) week process for selling bonds and the Town Board needs to make a decision shortly. Discussion included the proper use of bond money to

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 5

pay off projects and to use unexpended funds to pay down debt service. According to New York State Law, notes cannot be renewed for more than five (5) years. At the five (5) year point, the State wants the notes converted to Serial Bonds. John Shehadi told the Board members that the Town of New Hartford is in good financial shape. Sewer and water debt are not included in debt service because the improvements are paid by the particular districts. Mr. Shehadi suggested that the Town go for serial bonds since a "glut" is expected this summer. Through prior legislation, the Town Supervisor has the authority to sell the bonds. Councilman Waszkiewicz introduced the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 34 OF 2002)

RESOLVED that the New Hartford Town Board does hereby authorize Fiscal Advisors to prepare the Debt Statement pursuant to Title 8, Article II of the Local Finance Law, relative to the sale of Public Improvement (Serial) Bonds for the following objects or purposes:

\$2,975,000 Serial Bond to be sold:

- Salt Storage Barns (\$193,000)
- Storm Sewer (\$958,000)
- Air Conditioning (\$80,000)
- Clinton Street Sewer (\$78,000)
- Butler Hall Renovations (\$35,000)
- Heavy Highway Equipment (\$344,000)
- Road Reconstruction (\$300,000)
- Butler Hall Renovations (\$150,000)
- Sanger Highway Garage Roof (\$300,000)
- Telephone System (\$60,000)
- Parks Master Plan (\$25,000)
- Highway Computer Improvements (\$30,000)
- Purchase Highway Machinery (\$284,000)
- Woodberry Sewer District (\$72,000)
- Purchase Highway Machinery (\$66,000)

\$3,353,000 Bond Anticipation Notes (Issued in anticipation of the bonds listed hereinabove and are now outstanding):

- \$ 461,000 Capital Improvements to Town
- \$1,683,000 Capital Improvements to Town
- \$1,209,000 Capital Improvements to Town.

The Resolution was voted upon by roll call as follows:

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 6

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

REPORTS OF TOWN OFFICIALS (CONT'D)

HIGHWAY SUPERINTENDENT:

Surplus Equipment Sale

Highway Superintendent Roger Cleveland submitted a list of office equipment to be declared surplus and included in the auction on January 31, 2002 to be conducted by Knapp Auctioneer.

Since the Town receives very little for the sale of surplus equipment, it was suggested that either the New Hartford Public Library or the Mohawk Valley Resource Center for Refugees be contacted to determine their interest in donation of any or all of the items. Thereafter, Councilman Backman introduced the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 35 OF 2002)

RESOLVED that the New Hartford Town Board does hereby declared the following office equipment as "Surplus":

- 1 – 30" X 50" Table
- 4 – 30" X 60" Desks
- 1 – 21" X 35" Table
- 1 – 2-Drawer Filing Cabinet
- 1 – Brother Typewriter
- 1 Adler Adding Machine
- 1 – GE Answering Machine
- 2 Panasonic Telephones
- 1 – 4-Drawer Filing Cabinet;

and be it

FURTHER RESOLVED that said Town Board does hereby approve and authorize that the aforesaid surplus equipment be offered as a donation to the Mohawk Valley Resource Center for Refugees and if they are not

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 7

interested in these donations, that the surplus equipment be placed in an auction to be conducted in behalf of the Town by Knapp Auctioneers on January 31, 2002.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Waterford Heights - Swale

The Highway Superintendent had been contacted by Mr. Misiaszek of 650 Pleasant Street concerning a swale that was to have been constructed in the new Waterford Heights subdivision, but the improvement was never installed. The Town has had numerous communications with the developer, last of which was on January 14, 2002 and at which time the developer had indicated the swale would be completed within three (3) to four (4) weeks.

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

(RESOLUTION NO. 36 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Highway Superintendent to send a letter to David Zumpano, Esq., developer of the Waterford Heights subdivision, notifying him that within four (4) weeks the swale in said subdivision is to be installed and that if the swale is not installed by this time frame, the Town will take it upon itself of have the swale installed in accordance with the Waterford Heights approved plans and at the earliest possible date, and that any incurred costs to the Town for the installation of said swale shall be placed on the tax bill for the undeveloped lots in the subject subdivision; and be it

FURTHER RESOLVED that until said swale is installed and approved by the Town, the Codes Enforcement Officer is hereby directed to refrain

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 8

from issuing any additional Building Permits for the Waterford Heights Subdivision.

Upon roll call, the Town Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Clerical Position - Codes and Highway Department

Upon the recommendation of Highway Superintendent Roger Cleveland, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 37 OF 2002)

WHEREAS, there is a vacancy in the Part-time Clerk position for the Codes – Highway Departments due to the resignation of Angela Thieme;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford hereby authorizes the Highway Superintendent to advertise that this position is available and that the work week shall not exceed twenty (20) hours, in accordance with New York State Civil Service rules and regulations.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Telephone System

The Town Highway Superintendent reported continual problems with regard to the new automated telephone system at the Sanger Public Works Garage. After some discussion,

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 9

it was decided that the Highway Superintendent will contact Gaffney Communications to review the problems

POLICE CHIEF:

Monthly Report

Police Chief Raymond Philo distributed his monthly report to the Councilmen.

PERSONNEL ASSISTANT:

Safety Committee – Membership Amendment

Upon recommendation of the Personnel Assistant and Robert Payne of the Safety Committee, Councilman Waszkiewicz introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 38 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby amend, effective immediately, the membership of the *Safety Committee* which had been established on August 2, 2001, and amended January 2, 2002, by increasing membership to include a representative from the Parks and Recreation Department due to the size of that Department and the scope of their equipment and vehicles.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

PUBLIC PRESENTATIONS (CONT'D AT 8:44 P.M.)

J. N. HUNTER & ASSOCIATES - INSURANCE POLICY RENEWALS

Jack Hunter distributed a chart of insurance renewal proposals and the Town's loss experience for the insurance period February 1, 1998-1999 through February 1, 2001-2002; the premiums are based on last year's exposures, to be updated with the latest exposures (i.e., budget, number of vehicles, Police Department, etc.):

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 10

<u>Type of Insurance</u>	<u>02/01/2002</u>	<u>02/01/2001</u>	<u>% Incr.</u>
**Package	\$149,289	\$ 94,530	158%
Public Officials Liability	\$ 11,995	\$ 6,550	184%
Umbrella	\$ 17,000	\$ 6,000	284%
Total:	\$178,284	\$107,080	167%

**Includes Auto, General Liability, Law Enforcement Liability and Property Insurance.

During Autumn 2001, it was thought that the increase in the insurance premiums would be forty-five percent (45%) to fifty percent(50%).

Supervisor Humphreys inquired if the New York Municipal Insurance Reciprocal (NYMIR) program had been considered for insurance quotes; he reviewed facts about NYMIR which he had received at the State-sponsored 2002 Training School in Rochester, NY this week. Mr. Hunter advised that in comparing the NYMIR program with a conventional insurance program, the Town needs to look at the risks of self-insurance and compare what is being offered by conventional insurance versus NYMIR.

Insurance companies would not quote rates prior to January 1, 2002 and the market has been negatively affected by the September 11, 2001 terrorist attacks in New York City, Washington, DC and Pennsylvania. The Board agreed that Mr. Hunter is to obtain further information on the policy renewals and keep the Supervisor up-to-date on a daily basis and the Town Board will schedule a Special Meeting at the end of January to finalize the renewals. Vincent Rossi, Jr., Attorney for the Town, inquired about liability limit and policy deductibles. The presentation concluded at 9:41 P.M.

REPORTS OF TOWN OFFICIALS (CONT'D)

HIGHWAY SUPERINTENDENT:

Proposed Generic Environmental Impact Study (GEIS) – peter j. smith & associates

Relative to the proposed agreement with peter j. smith & associates, copies of Attorney Rossi's January 11, 2002 Memo were distributed and which outlined several questions raised by him. Highway Superintendent Cleveland will meet with Attorney Rossi within the next couple of weeks and anticipate having answers by the February 6, 2002 Town Board meeting. Attorney Rossi expressed an interest in reading the other two (2) GEIS to see what benefits the Town of New Hartford has achieved. The Town Supervisor, Attorney Rossi, and members of the Steering Committee on Planning will meet to discuss the GEIS.

Councilman Waszkiewicz asked the Town Highway Superintendent if he had been in touch with Mrs. Palumbo regarding the right of way. Councilman Waszkiewicz

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 11

would like the Town Boards approval for the Highway Superintendent and himself to meet with the town residents to try to reach a resolution on this matter. The general consensus of the Board is that they are fine with the Councilman having this meeting.

TOWN CLERK:

Raffle Consent Form

Upon recommendation of Town Clerk Gail Wolanin Young, Councilman Waszkiewicz introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 39 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Compeer of the Mohawk Valley, Inc., Utica, New York, an organization granted a Games of Chance Identification Number by the N.Y.S. Racing and Wagering Board, to sell raffle tickets at Sangertown Square Mall, New Hartford, who has approved such activity, and in accordance with all rules and regulations of the New York State Racing and Wagering Board; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

The Resolution was subject to roll call:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Use of Voting Machines

Upon the recommendation of the Town Clerk, Councilman Butler introduced the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 40 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to the Village of New York Mills for use of

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 12

two (2) Town voting machines for their March 19, 2002, General Village Elections with the stipulation that transportation and set-up of the machines be arranged through Town Voting Machine Custodian Michael W. Jeffery and at no expense to the said Town.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Vehicle Usage

(Section 500-4; Town of New Hartford Employee Handbook)

Town Clerk Gail Wolanin Young presented requests for use of Town-owned vehicles by the Highway Superintendent, Deputy Highway Superintendent, and the Stormwater Engineer.

Councilman Backman of the Motor Pool Standing Committee also acknowledged vehicle use requests from a Bus Driver for the New Hartford Adult Dining & Activity Center, the Codes Enforcement Officer, the Police Chief and the Recreation Center Manager. After discussion, the Town Board raised questions on the request of the Bus Driver and which matter will be discussed with the Director of Senior Services. It was suggested that these requests be reviewed in the future. Supervisor Humphreys stated that a value needs to be put on this benefit and it becomes taxable. Councilmen Woodland and Backman stated that a questionnaire should be drawn up listing the vehicle, current mileage, mileage driven, maintenance schedule, and include insurance records. Councilman Butler offered the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 41 OF 2002)

RESOLVED that the New Hartford Town Board does hereby grant permission for the following Town officials and/or employees to take home a Town-owned vehicle at the end of the day for their use in conducting official Town business, and as provided for in the Town of New Hartford Employees Handbook:

Highway Superintendent Roger Cleveland
Deputy Highway Superintendent Anthony DeCuffa

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 13

Stormwater Engineer John Meagher
Codes Enforcement Officer Gerald Back
Police Chief Raymond Philo
Recreation Center Manager John Cunningham

The Resolution was subject to roll call:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted. The request of Diane Muller was tabled subject to discussion with Director of Senior Services M. Eileen Spellman.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Grant Writer

Councilman Waszkiewicz stated that the Grant Writer candidate will not be able to attend a Board meeting until March 6, 2002 and will attend at no cost to the Town. Councilman Waszkiewicz will reconfirm this date.

Solicitation – Acquisition of Real Estate

Councilman Waszkiewicz believed it was prudent to publish a legal notice in the Observer Dispatch in order to solicit proposals from property owners who own and may be interested in selling ten acres or more for consideration should the Town consolidate Town offices. The Town Supervisor stated that a legal notice is not required and he suggested that Observer Dispatch reporter, Tom Lambert who was present, be contacted to write and publish an article on this matter.

Oneida-Herkimer Counties Empire Zone – Administrative Board

Councilman Waszkiewicz serves as the Town's representative on the Oneida-Herkimer Counties Empire Zone Administrative Board and he apprised the Town Board that he is planning near-future development for his business. Neither the Administrative Board nor counsel foresee a problem with Councilman Waszkiewicz continuing as the Town's representative. Vincent Rossi, Jr., Attorney for the Town, did not believe Councilman Waszkiewicz had a conflict of interest. The Town Board had no objection to Councilman Waszkiewicz continuing as the Town's representative.

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 14

Police Commission

Councilman Waszkiewicz feels that a letter needs to be sent to Edward LeFever explaining to him that as a member of the Police Commission it would not be appropriate for him to do business with or solicit business from the Town of New Hartford. The Town Supervisor will send this letter to him and also a letter to S. Ross Sloan thanking him for his service to the Town.

N.Y.S. Route 12 Task Force

Councilman Waszkiewicz reported that Oneida County Executive Ralph Eannace has solicited support from U. S. Senator Hillary Clinton regarding the Route 8 or North/South Expressway between Binghamton and Utica. He requested permission to communicate directly with U. S. Senators Clinton and Schumer and U. S. Congressman Boehlert restating the importance of better access to the Southern Tier. The Town Board approved same.

Cable Television

Councilman Waszkiewicz requested Town Board approval to drop off correspondence he had received to Sidney Perry that the Department of Public Service plans to test the cable signal quality. The Town Board Member's consensus is that this is o.k.

Website

Councilman Waszkiewicz believes there were still some problems regarding the Town's Website and was wondering who is handling the site. Staff in the former Comptroller's office used to take care of the website. Supervisor Humphreys stated that there is only one code to get into the Website and discussion included whether the Town could have a main code to access the Website and auxiliary codes by which departments could access their own web page. The Parks and Recreation Director and the Police Chief would like the ability to update their respective Department's Website on a more frequent basis. The Board members discussed the security problems of having the Website too accessible. Councilman Waszkiewicz believed only one person should be responsible for the Website.

MATTERS SUBMITTED BY TOWN SUPERVISOR

2002 BUDGET TRANSFER:

Councilman Backman offered the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 42 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Bookkeeper to make a budget transfer of

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 15

Two Hundred Eighteen Dollars (\$218) from General Fund, Comptroller Personal Service Account No. A1315.1 to General Fund, Supervisor's Confidential Secretary Account No. A1220.12 to cover the 2002 Salary for Carol Ryan.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

2002 SALARY SCHEDULE:

Councilman Backman offered the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 43 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford does hereby approve the following Schedule of 2002 Salaries for the employees of the Town of New Hartford:

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 16

See Salary Document for pages 16 – 20 showing wages

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 21

The Resolution was subject to roll call:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Salary Discrepancies

The Town Supervisor Ralph Humphreys stated that the Bookkeeper Carol Fairbrother had discovered two (2) discrepancies regarding the payment of elected official salaries from last year which differed from the salaries published in the Observer Dispatch. Town Clerk Gail Wolanin Young had been underpaid by Eighty Dollars (\$80) and the Highway Superintendent Roger Cleveland had been overpaid by Four Hundred Four Dollars (\$404). The Highway Superintendent had been given a three (3%) percent raise on Sewer which is above the amount published in the newspaper. Councilman Butler stated the Board's intent had been to grant a three (3%) percent raise to all officials and employees "across the board." Discussion was held on how to correct the overpayment which would involve adoption of a Local Law.

Councilman Backman offered the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 44 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford hereby authorizes a Budget Transfer from General Fund, Comptroller Personal Services Account No. 1315.1 to General Fund, Town Clerk Personal Services Account No. A1410.1 in the amount of Eighty Dollars (\$80) to reimburse the Town Clerk Gail Wolanin Young for an underpayment of her salary in 2000 and 2001.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 22

The Resolution was declared unanimously carried and duly adopted.

EXECUTIVE SESSION

Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman:

(RESOLUTION NO. 45 OF 2002)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the New Hartford Shopping Center and Hook, Line & Sinker certioraris, possible real estate acquisition and the police union negotiations:

A roll call ensued:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, were then excused from the meeting at 10:48 P.M.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 46 OF 2002)

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, which resulted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 23

The Resolution was declared unanimously carried and duly adopted; the Executive Session ended at 11:30 P.M. and the regular portion of the Town Board meeting was immediately reconvened.

ASSESSMENT GRIEVANCE SETTLEMENT (CERTIORARI)

Upon the recommendation of former Town Attorney Gustave DeTraglia, Councilman Waszkiewicz presented the following Resolution for Adoption; seconded by Councilman Backman:

(RESOLUTION NO. 47 OF 2002)

RESOLVED that the New Hartford Town Board does hereby accept the following Certiorari proceeding brought against the Town of New Hartford:

HOOK, LINE & SINKER, INC.
8471 Seneca Turnpike
New Hartford, NY 13413

<u>Parcel I.D.</u>	<u>Initial Assessment</u>	<u>New Assessment</u>	<u>Tax Year</u>
328.011-1-16	\$677,000	\$590,000	2001-2002

A roll call ensued:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted.

REAL ESTATE ACQUISITION

Councilman Backman presented the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 48 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford agrees to table any action regarding the real estate acquisition.

A roll call ensued:

REGULAR TOWN BOARD MEETING

January 16, 2002

Page 24

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted.

FIRE PROTECTION CONTRACTS

The Town Supervisor Ralph Humphreys stated that he has the Fire Contracts for the New Hartford Fire Department, New York Mills Fire Department and Willowvale Fire Department. The Town has received from the New Hartford Fire Department and the Willowvale Fire Department the requested insurance certificates and they are attached to the Contracts. New York Mills has not sent in their insurance certificate but it has been requested. Councilman Waszkiewicz presented the following Resolution for Adoption; seconded by Councilman Butler:

(RESOLUTION NO. 49 OF 2002)

RESOLVED that the Town Board of the Town of New Hartford accept the Fire Contracts with the area departments with the necessary language changes, and be it

FURTHER RESOLVED that the Town Board of the Town of New Hartford will immediately execute said Contracts with the New Hartford Fire Department and Willowvale Fire Department, and be it

FURTHER RESOLVED that the Town Board of the Town of New Hartford will execute the Contract with the New York Mills Fire Department as soon as the Town of New Hartford has received a copy of the Insurance Certificate from said fire department.

The Town Board then voted upon roll call which resulted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted.

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 25

ASSOCIATION OF TOWNS MEETING

The following Resolution was then introduced for Adoption by Councilman Woodland and duly seconded by Councilman Backman:

(RESOLUTION 50 OF 2002)

RESOLVED that the New Hartford Town board does hereby authorize the following Town Officials to attend the February 2002 New York State Association of Towns educational seminar in New York City, New York:

- Supervisor Ralph B. Humphreys
- Councilman Donald C. Backman
- Councilman David W. Butler
- Councilman Richard B. Woodland, Jr.
- Highway Superintendent Roger A. Cleveland
- Codes Enforcement Officer Gerald F. Back
- Zoning Board of Appeals Chairman Gerald F. Green
- Patrick Tyksinski, Financial Consultant

And be it

FURTHER RESOLVED that each of the above-referenced Town Officials be advanced the sum of Nine Hundred Fifty Dollars (\$950.) which, upon return from said educational seminar, shall be substantiated upon a Town voucher with supporting documents/receipts.

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

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting adjourned at 11:45 P.M.

REGULAR TOWN BOARD MEETING
January 16, 2002
Page 26

Respectfully submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk

Margaret M. Jones
Deputy Town Clerk I