

**SPECIAL MEETING OF THE TOWN BOARD OF  
THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT THE KELLOGG ROAD COMMUNITY CENTER  
BUILDING IN SAID TOWN ON WEDNESDAY,  
NOVEMBER 13, 2002 AT 7:04 P.M.**

The Town Supervisor called the meeting to order at 7:04 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. Introductions were made and 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:** Highway Superintendent Roger A. Cleveland  
Police Chief Raymond Philo  
Town Clerk Gail Wolanin Young, CMC/RMC

**OTHERS:** Attorney for the Town, Vincent Rossi, Jr.

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

**PUBLIC PRESENTATIONS:**

**PROPOSED SEWER EXTENSION – (OLD) PARIS ROAD**

Three (3) weeks ago the Town Board met with residents of (Old) Paris Road with several questions having been raised, such as the possibility of extending sewers to their properties, the question of funding mechanism and the percentage of shared costs for past established sewer districts/improvements and for this proposed extension. Since that meeting, Councilman Butler has noted it was impossible to come up with percentages and methodology of sewer rate. Also, the availability of sewers would not affect the assessed value of a lot until such time there are some sales of property that could be used for comparison purposes. Currently, sewers would not affect it at all.

Highway/Sewer Superintendent Cleveland stated that in the “pre-consolidation” sewer districts, Sewer District #8 and #10 had partial funding through the Part-town General Fund. Sewer District #8 started at 25% funding from the Town and ended at 40%; because the debt payment increased, the Town’s share increased. The Town/taxpayer share for Sewer District #10 (Mason/Snowden Hill Road) was 80%/20%. Answering Councilman Waszkiewicz’s question, the Highway/Sewer Superintendent confirmed that the Part-town General Fund subsidized Sewer Districts #8 and #10 in the “pre-consolidation” years.

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The Highway/Sewer Superintendent explained that in a “district” the debt was paid by the property owners benefited; whereas, in an “improvement area” the municipality subsidizes a portion of the debt and once the percentage is established for a particular improvement area, the percentage could increase – but not decrease.

A question had arisen as to whether all districts/improvements pay an operation and maintenance (“O & M”) fee; and after having met with the Bookkeeper Carol Fairbrother, the Highway/Sewer Superintendent had been told it was her understanding that the Town did not levy “O & M” charges against districts/improvements until such time as an on-going program was instituted by the Town. Prior to that, as maintenance was needed, the Town tended not to reduce the debt service the following year, and pick up extra revenue in that manner.

Councilman Butler discussed a 50%/50% (Town/taxpayer) cost sharing compared to 80%/20% (Town/taxpayer) and provided tentative figures the property owners would have to pay for sewer service on the Town & County tax bill.

Attorney Rossi reviewed the general conventional method (districts) versus the alternative method (improvements) and read three (3) choices of financing outlined in a State Comptroller’s opinion.

Councilman Butler sought consensus from the Town Board of whether residents should proceed with submitting a petition for sewer extension. He confirmed that property owners would be responsible to connect to the sewer main, bearing the cost of their own sewer lateral and, in accordance with Town Code, to do so within one year of sewer availability.

Councilman Woodland was not comfortable with an 80%/20% (Town/taxpayer) cost sharing and expressed concern about the Town setting a precedent.

In general, the average cost to the property owner in the New Hartford Consolidated Sewer District for extension of sewers on Paris Road would be Sixty-five cents (\$.65) to One Dollar and Twenty Cents (\$1.20) per year, based upon an average residential assessment of \$148,000.

Councilman Backman noted that of fourteen (14) sewer districts established before the consolidation of all sewer districts (New Hartford Consolidated Sewer District), ten (10) of the sewer districts (taxpayers) paid their full debt; at the time of consolidation, four (4) districts had remaining debt service of varying amounts. Initially, Councilman Backman believed he could support a 50%/50% sharing of costs for sewer extension to (Old) Paris Road; however, he has been contacted in the past, with a petition for sewers received a number of years ago, from property owners on Roberts Road – and one Roberts Road

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property owner recently person called him stating – we asked for sewers first; if you're giving out sewers, start here. Councilman Backman needs to re-think this matter and wants to look at percentages of cost such as 60%/40%, 66%/33% and 75%/25%. Highway/Sewer Superintendent Cleveland gave him the 75%/25% figures and will get other figures for the Board members.\*(amended – refer to December 14, 2002 Town Board minutes)

Although the Town Supervisor favors a 50%/50% cost sharing, he realizes it won't work for this area.

(Old) Paris Road property owners who were present and participated in discussion were William Koury, Thomas Geruntino, and John and Tracy Mills; other property owners were present but did not provide their names.

This matter will be placed on the December 4, 2002 agenda for further discussion.

### **PUBLIC HEARINGS**

#### **8:18 P.M. LOCAL LAW INTRODUCTORY NO. THREE OF 2002 (DOGS AND PETS):**

The Town Supervisor opened the Public Hearing at 8:18 P.M. and the Town Clerk presented the Notice of Public Hearing, Proof of Publication (November 5, 2002 edition of the Observer Dispatch) and Affidavit of Posting of **Local Law Introductory No. Three of 2002** which, if adopted, would amend the **Code, Chapter 56** thereof entitled **DOGS AND PETS**, by **increasing the dog license local fee by Two Dollars (\$2.00)** for unneutered, unspayed, neutered and spayed dogs and the local fee by Five Dollars (\$5.00) for all purebred dog licenses, as well as **establish a Fifteen Dollar (\$15) per day room and board fee** for all dogs impounded by the Town of New Hartford; all fees shall become effective January 1, 2003.

Supervisor Humphreys inquired if anyone present wished to speak ***in support*** of Local Law Introductory No. Three.

- Police Chief Raymond Philo stated that the recommendation to increase the dog license local fees had originated from the Police Department, Animal Control Officer (ACO) and the Police Commission who believed dog-related expenses should be borne by the pet owners rather than all taxpayers and that the fee-based charges are reasonable costs. Chief Philo cited the Animal Control Officer's time in enforcement of the State Agriculture & Markets law and the Town Clerk's Office time spent issuing dog licenses, sending notices to delinquent dog owners and follow-ups with the ACO. A comparison of local dog license fees had been

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made with contiguous towns/cities and the increased fees fit well into a recommendation to be made in 2003 for a dog enumeration.

- Town Clerk Gail Wolanin Young confirmed that prior to January 1, 1980 the cost of annual State-mandated dog enumerations was paid for by the State; however, after the dog license over-haul effective January 1, 1980, the State made enumerations optional for municipalities and passed the cost of such enumerations to the municipalities. The initial local fee of Two Dollars and Fifty Cents (\$2.50) was instituted in 1989 and has not been increased in thirteen (13) years.
- Chief Philo stated that all dogs impounded by the Town of New Hartford are sheltered at the Stevens-Swan Humane Society whose annual contract includes a charge of Ten Dollars (\$10) per day, or portion thereof, for room and board. Again, the Police Department, ACO and Police Commission recommended establishing a Fifteen Dollar (\$15) per day fee for room and board in order to cover some of the Town's costs when impounding dogs (cost of operating the ACO van, gas, maintenance), as well as the required paperwork involved when the Town Clerk's staff finalize impoundment documents for a dog's release. These departments have recommended costs to be fee based, that the average taxpayer should not be paying for these dog violations and the increased fees would help the Town recoup costs associated with these violations.

Supervisor Humphreys questioned if anyone present wished to speak *in opposition* to Local Law Introductory No. Three; no one came forth.

There having been no one further to speak in the matter, the Supervisor declared the Public Hearing closed at 8:24 P.M.

Thereafter, Councilman Butler moved that Local Law Introductory No. Three of 2002 be adopted as Local Law No. Two of 2002, in the following format; seconded by Councilman Woodland:

***Town of New Hartford, New York***  
***Local Law No. Two of 2002***

A Local Law to amend the Code of the Town of New Hartford, **Chapter 56** thereof entitled **DOGS AND PETS**, and specifically Article II, by increasing local dog license fees and establishing room and board fees for impounded dogs.

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

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**SECTION 1.** Chapter 56 of the Code of the Town of New Hartford, Section 56-9, is hereby amended by increasing dog license fees as follows:

Section 56-9. Fees established.  
Paragraph A.

Increase the local fee to Four Dollars and Fifty Cents (\$4.50) for each and every dog license so that the dog license fees shall be as follows:

- (1) Seven dollars for each spayed or neutered dog.
- (2) Fifteen dollars for each unspayed or unneutered dog.

A local fee for purebred licenses is hereby established at Five Dollars (\$5.00) so that Purebred license fees shall be as follows:

- (1) Thirty dollars for 1 – 10 dogs
- (2) Fifty-five dollars for 11 – 25 dogs
- (3) One hundred five dollars for 26 or more dogs.

**SECTION 2.** Chapter 56 of the Code of the Town of New Hartford, Section 56-9, is hereby amended by adding the following subparagraph:

Section 56-9. Room and Board Fees for Impounded Dogs

- C. The Town Board of the Town of New Hartford does hereby establish a room and board fee of Fifteen Dollars (\$15.00) per day, or portion thereof, for all dogs impounded within said Town and sheltered either in the Town or through contract with an agency outside the Town of New Hartford. The Town shall retain Five Dollars (\$5.00) per day, or portion thereof, for each dog impounded; the balance shall be paid to the shelter agency.

**SECTION 3.** All other provisions of Chapter 56 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

**SECTION 4.** This Local Law shall become effective for all licenses and impoundments issued for the year commencing January 1, 2003, and shall specifically include licenses and impoundments prior to January 1, 2003, for the 2003-issuing year.

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

Councilman Waszkiewicz - Aye

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

The Supervisor declared Local Law Introductory No. Three of 2002 unanimously carried and duly adopted as Local Law No. Two of 2002.

**8:25 P.M. LOCAL LAW INTRODUCTORY NO. FOUR OF 2002**  
**(FIREWORKS):**

The Town Supervisor opened the Public Hearing at 8:25 P.M. and the Town Clerk presented the Notice of Public Hearing, Proof of Publication (November 5, 2002 edition of the Observer Dispatch) and Affidavit of Posting of **Local Law Introductory No. Four of 2002** which, if adopted, would amend the **Code by creating a new Chapter 66** thereof entitled **FIREWORKS, establishing a fee for fireworks display and designating a permit issuing officer**; the law would become effective January 1, 2003.

Supervisor Humphreys inquired if anyone present wished to speak *in support* of Local Law Introductory No. Four:

- Police Chief Philo cited numerous occasions over the past three (3) years working with certain Town Board members and the Town Clerk's office in approving permits for the display of fireworks. The Town has received complaints from neighboring property owners; on-site inspections are necessary and include measuring the site to ensure compliance with the Penal Law and the NFPS standards. Both the Police Department and the Town Clerk expend time in the permit issuing process. Establishing a fee would cover the collateral costs for measuring distances from power lines, roadways, adjoining properties, etc.

The Town Supervisor then queried whether anyone present wished to speak **in opposition** to Local Law Introductory No. Four; no one came forth.

There having been no one further to speak in the matter, the Town Supervisor declared the Public Hearing closed at 8:28 P.M.

Councilman Waszkiewicz then moved that Local Law Introductory No. Four of 2002 be adopted as Local Law No. Three of 2002 in the following format; seconded by Councilman Backman:

*Town of New Hartford, New York*  
*Local Law No. Three of 2002*

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A Local Law to amend the Code of the Town of New Hartford by creating a new **Chapter 66** thereof entitled **FIREWORKS** by establishing a permit fee and designating a permit issuing officer.

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

**SECTION 1.** The Code of the Town of New Hartford is hereby amended by creating a new Chapter 66 as follows:

CHAPTER 66  
Fireworks

Section 66-1. Fees established.

A fee of Seventy-five Dollars (\$75.00) shall be and hereby is charged for a Permit to Discharge Fireworks pursuant to Section 405 of the Penal Law; said permit fee applies to each occasion (day) on which fireworks are discharged.

Section 66-2. Permit Issuing Officer.

The Town Clerk is hereby authorized to collect said fee and to issue said permit, provided that the applicant for such permit has complied in all respects with Section 405 of the Penal Law.

**SECTION 2.** All other provisions of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

**SECTION 3.** This Local Law shall become effective January 1, 2003.

The Town Board members then voted as follows:

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

The Supervisor declared Local Law Introductory No. Four of 2002 unanimously carried and duly adopted as Local Law No. Three of 2002.

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**MINUTES**

Councilman Woodland offered the following Resolution for adoption, seconded by Councilman Backman:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the regular Town Board meeting held September 4, 2002 and does further waive the reading of the same.

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

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

The Supervisor then declared the Resolution unanimously carried and duly adopted.

**MATTERS SUBMITTED BY COUNCILMEN**

**COUNCILMAN BACKMAN:**

**Sessions Road realignment**

Councilman Backman stressed that paving Sessions Road will not take care of the road problem; it needs to be torn up and the Town Board should consider straightening or realigning the road to eliminate the "dip". Councilman Backman had talked to engineer, Donald Ehre about submitting a cost estimate for such work and the Town Police Chief will gather statistics on accidents at this site. The Board was in agreement with Councilman Backman on these steps.

**REPORTS OF TOWN OFFICIALS**

**POLICE CHIEF:**

**Various Matters**

The Police Chief thanked the Highway Superintendent and Highway employee Douglas Gehringer for repairing a police car damaged when a deer hit the vehicle on Chapman Road; by not claiming damages through the Town's insurance policy, this incident is not factored into the Town's loss and repairs were made at a considerably lower cost than it sent to an automotive body repair shop.



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Computer upgrade in the Police Department is proceeding well and a grant will help pay the cost of such upgrade. As a result of the upgrade, Chief Philo noted several surplus computers would be available for distribution to other Town offices.

**Donation:**

Upon recommendation of the Town Police Chief, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Butler:

**(RESOLUTION NO. ... OF 2002)**

**WHEREAS**, the Ladies Auxiliary of the New Hartford American Legion Post #1376 has donated the sum of Five Hundred Dollars (\$500) to the Town Police Department;

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the Town’s Donation Policy, the New Hartford Town Board does hereby accept said donation of Five Hundred Dollars (\$500) and does hereby authorize and direct the Town Clerk to forward a letter of thanks to the Ladies Auxiliary.

A roll call vote ensued:

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

The Supervisor declared the Resolution unanimously carried and duly adopted.

**Personnel – Appointment of Part-time Police Officer**

Upon recommendation of the Town Police Chief, Councilman Waszkiewicz offered the following Resolution for adoption and Councilman Butler seconded same:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Michael J. Reilly, Rome, New York, as a Part-time Police Officer (to fill the position created by the Pre-Development Agreement entered into with Benderson Development Corp. to help add patrols in the commercial district), effective December 1, 2002, at the hourly rate of \$20.28, payable bi-weekly; said appointment is contingent upon final approval of the Oneida County Personnel Department and in accordance with all New York State Civil Service rules and regulations.

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Chief Philo stated that Mr. Reilly had been interviewed consistent with the Town's policy on hiring, that he passed his background investigation, and possesses the required education, training and certification. No eligible New Hartford candidates were available. Thereafter, the Supervisor polled the Board members who voted as follows:

The foregoing Resolution was subject 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.

**HIGHWAY SUPERINTENDENT:**

**Proposed Sewer Extension – (Old) Paris Road**

Based upon his experience with the Town, the Highway/Sewer Superintendent suggested that the Town Board authorize some sort of study before making a decision on sewer cost sharing for this area; after some discussion, the Town Board concurred.

**Agreement for Expenditure of Highway Item I monies – Highway Law, Section 284**

It was the Town Board's consensus that the Highway Superintendent and Town Board members execute the 2003 Agreement for the expenditure of Highway Item I monies for road paving.

**Transportation – 2<sup>nd</sup> Flashing Light/Chapman Road**

Upon presentation of costs by the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Waszkiewicz and seconded by Councilman Backman:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize the expenditure of Five Thousand Two Hundred Forty-three Dollars (\$5,243) to install one (1) "flashing" light on the uphill side of Chapman Road and that Power Line Constructors be authorized and directed to install said "flashing" light; the cost for such installation shall be borne from the remainder of monies received from Oneida County after the initial light had been installed on the downside of Chapman Road.

The foregoing Resolution was subject to a vote upon roll call:

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

Town Supervisor Humphreys declared the Resolution unanimously carried and duly adopted.

**Bleachery Avenue Bridge Reconstruction – temporary easement (amendment)**

Upon recommendation of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Backman and duly seconded by Councilman Woodland:

**(RESOLUTION NO. ... OF 2002)**

**WHEREAS**, on October 9, 2002 a Resolution was adopted authorizing and directing the Town Supervisor and Highway Superintendent to execute a temporary easement map relating to the Bleachery Avenue Bridge reconstruction project; and

**WHEREAS**, subsequent to the October 9, 2002 Resolution, the New York State Department of Transportation found it necessary to implement a minor adjustment on the temporary easement map;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor and Highway Superintendent to execute the “amended” temporary easement map for the Bleachery Avenue Bridge reconstruction project and does authorize and direct the Town Clerk, once all paperwork is received, to record same in the Oneida County Clerk’s Office.

The Town Board was polled and voted as follows:

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

The Town Supervisor declared the Resolution unanimously carried and duly adopted.

**MATTERS SUBMITTED BY COUNCILMEN**

**COUNCILMAN WASZKIEWICZ:**

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**Grant Writer**

Councilman Waszkiewicz reported that Grant Writer Connie Minor would be willing to submit a grant application to acquire a bus for activities related to the New Hartford Adult and Dining Activity Center; her fee would be One Thousand Dollars (\$1,000). After some discussion and consensus of Board members and Attorney Rossi, the Board decided not to engage Ms. Minor's services.

**Consumer Square Shopping Mall – Internal traffic circulation**

Councilman Waszkiewicz expressed concerns that stop signs on the inbound lanes to Consumer Square Shopping Mall are forcing traffic to backup onto Commercial Drive. After asking Steve Zywiak of the NYS Department of Transportation if he had looked at the internal roadways of the shopping mall, Councilman Waszkiewicz was told "No", that the internal roadways were not the State's – nor the Town's - responsibility. After some discussion, Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Butler:

**(RESOLUTION NO. ... OF 2002)**

**WHEREAS**, during the approximate three (3) months that the Consumer Square Shopping Mall has opened, an exorbitant number of complaints about internal traffic circulation, affecting Commercial Drive, have been received in the Town Supervisor's Office, Highway Superintendent's Office, Police Department, Codes Enforcement Officer, Planning Department and Engineering Department; and

**WHEREAS**, within this short timeframe, the Police Department has responded to an inordinate number of calls involving vehicle accidents and this is placing an undue burden on Town resources, in addition to giving the perception that the Town Planning Board review of the project was deficient;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby authorize and direct the Town Clerk to forward a letter to the Benderson Development Corporation, putting them on notice of the problem with traffic flow and circulation on the main entrance-exit road to the newly constructed shopping center and requesting that Benderson review this matter and proposed the necessary modifications so that area residents can patronize this newest addition to the Town's regional retail center without fear of potential accidents and without feeling the need to contact the Town to express their frustrations. Since only a portion of the retail stores are open and the holiday shopping center is rapidly approaching, Benderson must take initiative to decrease the number of vehicle incidents and improve the comfort level of those who patronize the shopping center.

The foregoing Resolution was subject to a vote upon roll call:

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

The Town Supervisor declared the Resolution unanimously carried and duly adopted.

**Timing of Traffic Lights – Village of New York Mills**

Because the traffic lights involved are owned and/or maintained by the Village of New York Mills, Councilman Waszkiewicz will call Mayor Maciol about synchronizing the timing of the lights at Marauder Boulevard, Burrstone Road, New Hartford Street, Henderson Street and Commercial Drive.

**MATTERS SUBMITTED BY TOWN SUPERVISOR:**

**Volunteer and Employee Recognition Luncheon**

Supervisor Humphreys inquired about the Board’s thoughts on continuing the annual Volunteer and Employee Recognition Luncheon. After a brief discussion, Councilman Butler offered the following Resolution for adoption, seconded by Councilman Waszkiewicz:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby agree to sponsor the annual Volunteer and Employee Recognition Luncheon to held in December 2002 at a place to be announced; the Town Supervisor’s Office will coordinate this event.

The Town Board was polled and voted as follows:

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

The Town Supervisor declared the Resolution unanimously carried and duly adopted.

**Insurance Policy - Extension**

Bailey and Haskell had contacted the Town’s insurance carrier who is willing to extend the Town’s insurance policy to June 2003; in the past, the policy terminated February 1st.

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**“In-Lieu Payment Plan” – Health Insurance**

After some discussion, Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Backman seconded same:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby approve and offer an “In-Lieu Payment Plan”, effective January 1, 2003, to qualified Town employees who are eligible for Health Insurance Benefits either by reason of contractual agreement with a bonafide bargaining unit or Resolution of the Town Board, and who have health insurance coverage available to them through an outside professional group or organization, secondary employer, or through a spouse’s outside employer or professional organization; written proof of outside Health Insurance must be submitted by all Town employees who wish to participate in the “In-Lieu Payment Plan”, a detailed copy of which is on file in the Personnel Office.

Councilman Butler inquired if elected officials could accept the “In-Lieu Payment Plan” because their posted salary is different; Attorney Rossi responded yes. Thereafter, a roll call vote ensued:

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

The Supervisor declared the Resolution unanimously carried and duly adopted.

**EXECUTIVE SESSION**

The following Resolution was offered for adoption by Councilman Waszkiewicz and seconded by Councilman Woodland:

**(RESOLUTION NO. ... OF 2002)**

**RESOLVED** that the New Hartford Town Board does hereby move to enter into Executive Sessions to discuss the Applewood Home Community assessment certiorari and pending acquisition of real estate.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye

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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 and Town Clerk, were then excused from the meeting at 10:05 P.M. Attorney Rossi remained for the Executive Session.

[NOTE: The following transcription was provided by Supervisor Humphreys on Thursday, November 14, 2002:]

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. ... 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 that resulted as follows:

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

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:17 P.M. The regular portion of the Town Board meeting was reconvened at 10:17 P.M.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Backman and seconded by Councilman Butler, the meeting adjourned at 10:18 P.M.

**Respectfully submitted,**

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