

**REGULAR 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, FEBRUARY 19, 2003 AT 7:00 P.M.**

The Town Supervisor called the meeting to order at 7:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting:

TOWN BOARD MEMBERS: Councilman Donald C. Backman
Councilman David W. Butler
Councilman Richard B. Woodland, Jr.
Supervisor Ralph B. Humphreys

ABSENT: Councilman John C. Waszkiewicz III

OTHER TOWN OFFICIALS: Highway Superintendent Roger A. Cleveland
Personnel Assistant Barbara Aiello
Planner Kurt L. Schwenzfeier
Police Chief Raymond Philo
Telecommunications Supervisor Jeffrey Madden –
Arrived at 8:00 P.M.
Deputy Town I Margaret Jones and Deputy Town
Clerk II Sarah A. Long

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

Thereafter, a quorum was declared present for the transaction of business. In the absence of the Town Clerk who was on vacation, the Deputy Town Clerks were present to record the proceedings.

MINUTES

November 6, 2002 Regular Meeting

After reviewing minutes that had been mailed to all Board members, Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 71 OF 2003)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **November 6, 2002** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

November 20, 2002 Regular Meeting

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

(RESOLUTION NO. 72 OF 2003)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **November 20, 2002** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

January 15, 2003 Regular Meeting

Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 73 OF 2003)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held **January 15, 2003** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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(Councilman Waszkiewicz - Absent)
Councilman Woodland - Aye
Councilman Butler - Aye
Councilman Backman - Aye
Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

January 18, 2003 Special Meeting

Councilman Butler introduced the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 74 OF 2003)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Special Town Board meeting held **January 18, 2003** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

(Councilman Waszkiewicz - Absent)
Councilman Woodland - Aye
Councilman Butler - Aye
Councilman Backman - Aye
Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

February 5, 2003 Regular Meeting

Action was deferred on the Town Board minutes of the February 5, 2003.

PUBLIC PRESENTATION

SHIRLEY RIGGLES:

Residency Of Town Staff

Shirley Riggles stated that she has received a list of Town Committees but does not believe it was complete. Answering Ms. Riggles question about residency of certain employees, the Town Supervisor stated that the Town Board members reside within their Councilman's district and that the Police Chief and Highway Superintendent also reside within the Town of New Hartford.

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Foil Fees

Shirley Riggles also believed that the Town Board should have charged Attorney DeTraglia the One Hundred Fourteen Dollars (\$114) for the photocopies he requested under Foil. [NOTE: While the copies were made, they were not provided to Attorney DeTraglia because he refused to pay the fee.] It was explained to Ms. Riggles that the next time the attorney needs copies he would need to pay the reproduction fees prior to the copies being made.

Dispatcher (No. 6)

Regarding the situation with Craig Burnop in the Dispatch Center, Shirley Riggles felt that the money was not spent wisely in view of the fact that the attorney stated that he was against it and that the Board voted for this rate of pay anyway. Supervisor Humphreys' feelings are that there is a difference of opinion on this matter.

Overtime Hours/Deputy Highway Superintendent

Ms. Riggles raised the question regarding the wages that Deputy Highway Superintendent received when he had put in over three hundred (300) over-time hours. Supervisor Humphreys explained that Deputy DeCuffa did not receive any additional compensation for overtime; he works on straight hours.

Surplus Land Sale

Shirley Riggles questioned the Town's possible sale of the surplus land on Seneca Turnpike to Mr. Karrat. Ms. Riggles feels that the Town should keep the property. Councilman Backman explained that the Board is trying to do as much for the Town by trying to receive as much money for this property as the Town originally paid.

REPORTS OF TOWN OFFICIALS

PERSONNEL ASSISTANT

Part-Time Dispatcher

Personnel Assistant Barbara Aiello explained that one of the part-time dispatchers did not pass the Civil Service test, and his name will be removed from the list. It was further explained that Thomas Cook, a provisional part-time dispatcher, had passed the Civil Service test but was not "reachable" in the top three (3). Upon recommendation of the Personnel Assistant, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 75 OF 2003)

WHEREAS, part-time Dispatcher Thomas Cook successfully completed the required Civil Service exam for dispatcher but did not place within the top three (3) candidates;

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Thomas Cook as Part-Time Clerk in the Dispatch Center until such time he can be appointed from the Dispatch Civil Service List.

Upon roll call, the Board members voted as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Amendment – Part-Time Employee Health Insurance

Upon the recommendation of the Personnel Assistant Barbara Aiello, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 76 OF 2003)

WHEREAS, at the Special Meeting of the Town Board held on January 18, 2003, Resolution No. 41 of 2003 was duly adopted to offer health insurance coverage to the regular part-time employees, exclusive of seasonal employees; and

NOW THEREFORE BE IT RESOLVED, that the New Hartford Town Board does hereby amend Resolution No. 41 of 2003 so that health insurance coverage is offered only to the regular part-time police officers and part-time dispatchers, exclusive of seasonal employees, effective immediately, with the monthly premiums for such health insurance coverage to be the sole responsibility of said employees who shall, in order to remain eligible for this benefit, pre-pay the monthly premiums by a specific date to be prescribed by the Personnel Assistant, and be it

FURTHER RESOLVED that the Personnel Assistant is hereby authorized and directed to amend the Town Employee Handbook to reflect the above-referenced fringe benefit.

A roll call vote was duly held as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye

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Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

HIGHWAY SUPERINTENDENT:

Judd Road Lighting

Highway Superintendent Roger Cleveland introduced Stephen Zywiak from the New York State Department of Transportation (NYSDOT). The Highway Superintendent explained that in March 2000 the Town Board adopted Resolution No. 68 approving the State's installation of thirty-five (35) lights along the Judd Road Connector Project, P.I.N. 2801.27B and agreeing to maintain or cause to be maintained the new lighting; the projected annual lighting bill was Nine Thousand Two Hundred Seventy-Five Dollars (\$9275). Since that time, the NYSDOT, having contacted a professional consultant, is now proposing one hundred two (102) lights at an annual expense of Twenty-Four Thousand Seven Hundred Dollars (\$24,700). In an effort to avoid lighting pollution of the contiguous residential neighborhoods, NYSDOT reduced the height of the light poles, the light wattage and increased the number of lights from 35 to 102 thus the roughly one hundred sixty-six percent (166%) increase in annual maintenance. The lights are near the interchange near Commercial Drive and Middle Settlement Road with very few lights in the Town of Whitestown. The Town Supervisor inquired if arrangements include accidents knocking them over; Mr. Zywiak believes so and will check into this. Discussion included possible alternatives for maintenance of lamps and luminaries; i.e. the Town Highway Department versus calling Niagara Mohawk. Having reviewed the Town's prior discussions and final adoption of the Resolution in March, 2000 for the Judd Road Lighting, Councilman Backman supported thirty-five (35) lights but not one hundred and two (102) lights; Councilman Backman suggested creating a lighting district and tie this into the Route 5A business corridor. NYSDOT representative Zywiak stated that now is the time to put the lights in rather than to go back later and try to retrofit them. After reviewing the plot plan distributed by Mr. Zywiak, the Highway Superintendent asked Mr. Zywiak if there was any way to see how much light spillage there will be into the area residents' yards. Steve Zywiak feels that the lighting is really needed due to the intersections. Mr. Zywiak will discuss the Board's concerns with his superiors and report to the March 5, 2003 Town Board Meeting.

Judd Road Connector – Access to Sanger Public Works Garage

Councilman Backman asked Mr. Zywiak how NYSDOT is doing about getting better access to the highway garage. There is potential for a connector from Old Campion Road; this is one option.

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Water Supply

Donad Weimer, Principal Engineer of the Mohawk Valley Regional Water Board appeared before the Board to discuss, primarily, the water supply situation from the water tank located at the Higby Road and Mohawk Street intersection. The Water Board has committed water to a number of major and minor subdivisions, which they will honor based on historical data of about two building permits being issued per month, and other improvements being made to the supply system including a proposed second tank located adjacent to the Higby Road tank. A currently being investigated project by the Town of New Hartford to site a tank in the High-High zone near the County line on Higby Road would not only expand significantly the area which can be served by public water, but also help to solve the existing pressure problems experienced by some of the development served by the Higby Road tank at Mohawk Street. Until the improvements are installed, the Town should not be approving any additional major or minor subdivisions that require public water from the Higby tank at Mohawk Street.

Storm Water Regulation

Highway Superintendent Roger Cleveland and Town Planner Kurt Schwenzfeier distributed copies of a Notice of Intent Form (NOI), which is a requirement of the New York State Department of Environmental Conservation (DEC) for MS4 SPDES General Permit issued for storm water discharges from the small municipal separate storm sewer system. Some communities are required to complete this form and others are not. One-half (1/2) of the Town of New Hartford is included in this MS4. Anyone who does construction, which disturbs over one (1) acre of land, is required to have this permit and land cannot be contaminated. The Town Planner will be doing the update and this application must be submitted to the DEC by March 5, 2003. Applicants for the permit will have to have their engineers complete it. The Town of New Hartford would be basically reviewing the permits. Regarding the inspection, the Town can hire an engineer to perform this or, in a cost-saving measure perform the inspection in house. This MS4 Form can be amended if need be at a later date, and state that the municipality will comply with regulations. Upon recommendation of the Highway Superintendent and the Town Planner, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 77 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to sign the Notice of Intent for Coverage Under an SPDES General Permit for Storm Water Discharges from SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS.

The Resolution was voted upon roll call, as follows:

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(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Training

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

(RESOLUTION NO. 78 OF 2003)

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission the Highway Superintendent Roger Cleveland to attend the Tug Hill Conference on March 27, 2003 in Watertown, New York with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Hourly Wage – Highway Mechanic

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

(RESOLUTION NO. 79 OF 2003)

WHEREAS, at the meeting of the Town Board held on January 15, 2003, Resolution No. 30 of 2003 was duly adopted setting forth the hourly wages for Gerald Webb at Twenty-One Dollars Eighty-Eight Cents (\$21.88); and

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WHEREAS, the Highway Superintendent has explained there was an error in the computing said hourly rate, that should have been Twenty-Two Dollars Seventy-Two Cents (\$22.72);

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby amend and establish the hourly pay rate for Gerald Webb, Jr. Twenty-Two Dollars Seventy-Two Cents (\$22.72), the rate of the lowest full-time mechanic in that class minus any adjustments for longevity, retroactive to December 9, 2002; payable bi-weekly.

The Resolution was voted upon by roll call as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

Curbside Collection

Highway Superintendent Roger Cleveland reported that the curbside collection flyer is being drafted and that public relations articles will be sent to the Observer Dispatch. The Highway Superintendent and Attorney Rossi have reviewed Utica's collection policy that once crews pass a house, which has material improperly or illegally put out, the municipality will give the resident notice and a time element to rectify the problem; also, Utica reserved the right to go back to the resident and have the material removed at the expense of the resident, with the cost to be levied against their tax bill. Not wanting to be adversarial, Councilman Backman said if the material is not containerized, turn the matter over to the Codes Department and have it dealt with in a Code-like manner. After further discussion about resident compliance with Town policy, the Highway Superintendent emphasized he is looking for a mechanism to accelerate the process of the trash pick up; if there is non-compliance, then turn the matter over to the Codes Department, which can give them thirty-days to clean up. Attorney Rossi, advised that the resident can be issued a ticket after the thirty (30) days notice and then the town would follow normal procedure by having the resident appear in court. Councilman Butler questioned the time frame to serve violators when the Codes Department is busy with other projects and sought the Police Chief's opinion if people do not comply. The Police Chief stated that the police officers are authorized to issue appearance tickets and can assist during the heavy workload seasons in the Codes Enforcement Office; he was confident this could be handled well. Town Board consensus was that once the trash has been collected in a specific area, then the Town will not go back to that area to pick up the trash; it then

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becomes the responsibility of the resident to take the trash to the dumpster, which would be available.

Dig Safely New York – Formerly UFPO

The Highway Superintendent stated that Dig Safely New York would prefer the Town to have a dedicated fax line for this program. Highway Superintendent Cleveland reported that he received a bill for Five Hundred Dollars (\$500) and Councilman Backman inquired as to the time period that the bill represented. The Highway Superintendent will look into alternative solutions, such as e-mail; Councilman Backman will meet with the Highway Superintendent on this matter and a report will be made at a future Town Board Meeting.

Sanger Public Works Garage Expansion (March Associates)

The Town Supervisor stated that Bond Counsel has informed the Town that in order for the Town Board to adopt a Bond Resolution to fund the development for architectural drawings and bid specifications, the Bond Resolution must be adopted by a super majority of the board members, i.e. four (4) members out of five (5).

Sessions Road Realignment

Responding to Councilman Backman's request for a status report on this matter, Highway Superintendent Cleveland stated that he is "playing phone tag". Councilman Backman asked the Highway Superintendent to push the matter.

Speed Limit Study - Oneida Street

Councilman Backman stated that in November 2002 he asked for a study in the 3800 block of Oneida Street to determine if a speed limit sign needs to be placed nearer to Sessions Road for motorist traveling in a northerly direction on Oneida Street.

Flashing Lights – Chapman Road

Responding to Councilman Backman's question the Highway Superintendent stated that the flashing lights have been installed and both are on timers, which are set for the hours of 6:00 A.M. – 9:00 P.M. The Highway Superintendent stated that these times could be adjusted.

Informal Quotes - Bid on Dump Box

The Highway Superintendent reported that one truck dump box would not pass inspection, that the box is too badly decayed. The box has been removed from the truck and a sander has been installed on the truck. Since the cost of a new dump box is under Ten Thousand Dollars and competitive bid is not required, the Highway Superintendent obtained the following informal quotes:

Utica Mack, Inc. - \$9,862.84

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Wayne's Welding	-	9,900.00
Tracey Equipment	-	9,900.00

After discussion on available budgetary funds, Councilman Backman offered the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 80 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct Highway Superintendent Roger Cleveland to send a "Letter Of Intent" to purchase a dump box to Utica Mack, Inc., 9426 River Road, Marcy, New York, in the amount of Nine Thousand Eight Hundred Sixty-Two Dollars and Eighty-Four Cents (\$9,862.84); and be it

FURTHER RESOLVED that at the Town Board Meeting to be held on March 5, 2003, the Highway Superintendent Roger Cleveland will have available those account numbers from which payment will be made for the dump box.

The Resolution was voted upon by roll call as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

POLICE CHIEF

Police Report Fees

Police Chief Raymond Philo stated that the Town Board should reconsider the October 1980 Resolution that established a Five Dollar (\$5) fee for Police Accident Reports; in most cases the charge would be Twenty-Five Cents (\$.25) under the Freedom Of Information Law. Town Supervisor Ralph Humphreys stated that the Association of Towns is willing to work with the State Legislature to enact legislation-allowing towns to charge more than the Twenty-Five Cent (\$.25) fee under FOIL. Chief Philo and Supervisor Humphreys feel that it is better to give the reports away. Councilman Backman stated that the Town should only send accident reports only when a self-addressed stamped envelope is included. The Attorney for the Town, Vincent J. Rossi, Jr. stated that the only thing the Town can do is send out the report and hopefully make the change at the legislative level. Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

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(RESOLUTION NO. 81 OF 2003)

RESOLVED that the New Hartford Town Board does hereby rescind, effective immediately, the Town Board Resolution adopted October 15, 1980, establishing a Five Dollar (\$5) fee for Police Accident Reports.

The Resolution was voted upon by roll call as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

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

(RESOLUTION NO. 82 OF 2003)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize that no fee be collected for Police Accident Reports when no more than three reports are requested at one time, and if requested via the United States Mail a self-addressed, stamped envelope must be provided by the requester; and be it further

RESOLVED that should four (4) or more Police Accident Reports be requested then a charge of Twenty-Five Cents (\$.25) per page will be assessed to the applicant.

The Resolution was voted upon by roll call as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

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Jerome K. Madden Justice Building – Proposed Expansion

Police Chief Raymond Philo stated that Clark Patterson Associates would do a structural and codes estimate for the second floor on the existing Jerome K. Madden Justice Building for a fee not to exceed Fifteen Hundred Dollars (\$1500). Codes Enforcement Officer Gerald Back stated that it was not practical to use our Codes since this building is already there and the Codes Enforcement Officer only acts on buildings that are new construction. Town Supervisor Ralph Humphreys stated that this item should be added to the agenda for the March 5, 2003 Meeting. The Board Members concurred.

TOWN CLERK

Applewood Community Rezoning Application

Deputy Town Clerk I Margaret M. Jones presented a Memo from the Town Planner regarding the Zone Map/Text Amendment Application for the Applewood-Barkett Group, Inc. asking that the Town Board refer this application to the Oneida County Department of Planning and the Town Planning Board for their recommendations. Councilman Woodland presented the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 83 OF 2003)

RESOLVED that the New Hartford Town Board does hereby refer the Zone Map/Text Amendment Application of the Applewood-Barkett Group, Inc. to the Oneida County Planning Board and the Town Planning Board for their review and recommendation pursuant to General Municipal Law and the Town's Zoning Law.

The Resolution was voted upon as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY TOWN ATTORNEY AND COUNCILMEN

COUNCILMAN BUTLER:

Dispatch Center Computer Aid Dispatch (CAD) and Records Management Systems (RMS)

Councilman Butler stated that one dispatch line item had been taken out of the 2003 Budget with an indication to Telecommunicator Supervisor Jeffrey Madden that the

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Town Board would reconsider this matter in 2003. The Telecommunicator Supervisor distributed a Memorandum to the Board explaining that the existing Cad System and RMS are well over ten (10) years old and it will cost between Seventy Thousand (\$70,000) and Seventy-Five Thousand (\$75,000) dollars to up date the software for these systems. He received quotes for buying the systems as well as for leasing. The Town Supervisor asked the Telecommunicator Supervisor if this system has more capability and questioned if grants were available. The Telecommunicator Supervisor stated that there are not many grants in the communication field. This new software can be used with hardware that is presently in the Dispatch Center. The Town Board requested that the Telecommunications Supervisor find out if support for this new system could be given through the year of 2004. The Telecommunications Supervisor is going to talk with Pamet Systems to see if he can get the nineteen percent (19%). He has sent a letter to Congressman Boehlert for assistance in trying to obtain a grant, and has been on the Internet. Councilman Backman stated that nineteen per cent (19%) for support is a very high premium. Councilman Backman further asked if the Town has to go out for bid on this matter. Vincent J. Rossi, Jr., the Attorney for the Town, will research to determine if computer software is exempt from competitive bid. Once the Dispatch Center is window based the Center will be compatible with other agencies in the County. This matter is to be put on the Agenda for March 5, 2003. The Telecommunicator Supervisor will also try to find out what the City of Utica is paying for maintenance on their system.

COUNCILMAN BACKMAN:

Comp Time for Clerk's Assessor's Staff

Councilman Backman stated that the Assessor Paul Smith had requested approval for his staff to work five (5) to ten (10) comp hours a week due to the excessive Star Applications. Councilman Backman wants the time kept down to five (5) hours per week. The Town Supervisor Ralph Humphreys is to speak with the Assessor on February 20, 2003, regarding this matter.

Willowvale Fire Company – Proposed Construction Of New Firehouse

Councilman Backman asked if the Town Clerk Gail Wolanin Young had received any information from Bond Counsel regarding the Tefra Hearing. Councilman Backman requested that the Deputy Town Clerk I Margaret Jones to follow up with the Town Clerk when she returns from vacation as this matter is of high importance to him. Councilman Backman will talk with Patrick Tyksinski, the former Comptroller, to see what specific information was needed for this.

COUNCILMAN WOODLAND

School Crossing Guards

Councilman Woodland asked if all the Crossing Guards are working within the twenty (20) hour compliance. As per the Police Chief Raymond Philo, the Town does have a

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couple people working more than twenty (20) hours. There are two (2) issues. Doreen Reynolds works four and one-half hours a day, which equals twenty-two and one-half hours a week. The crossing guards get show up pay. Doreen Reynolds works no more than thirty - weeks a year. The twenty-two and one-half (22 ½) hours a week pushes the crossing guards over the hours that the Civil Service considers appropriate threshold of twenty (20) hours per week. The two and one-half (2 ½) hours was requested from the Police Chief a couple of years ago to accommodate a request from the school regarding a musical student who needed to come to school, and Doreen Reynolds was requested to start work one-half (½) hour earlier for this purpose. Doreen Reynolds works part-time at the New Hartford Adult Dining & Activity Center. This created an overtime issue occasionally. The Police Chief Raymond Philo recommends that the Board revert Doreen Reynolds' hours to comply with the twenty (20) hour rules, i.e. no more than twenty (20) hours per week. The Board Members concurred. Doreen Reynolds actual work time is ninety minutes a day. Civil Service has not contacted the Town about not being in compliance.

Jane Kreutzer, the other Crossing Guard affected, works at Oxford Road/Sanger Avenue/Daly Place. Jane Kreutzer took the place of Patricia Kazanjian. Jane Kreutzer was recently asked if she could work five (5) hours a day, which is in violation of the threshold of twenty (20) hours a week. It was proposed that Ms. Kreutzer be put back to a twenty (20) hour workweek. Councilman Butler said one person couldn't handle that area as a response to the Town Supervisor's question of cutting her back fifteen (15) minutes a day and letting Lewis Smith handling the crossing. The Town Supervisor Ralph Humphreys stated that they could rotate the position. The Town Supervisor stated that the Town is to see if Jane Kreutzer would be willing to rotate her time to make the time more equitable so that one person is not working more than another. The first course of action is to make sure that there is no gape in coverage at this intersection. This crossing guard matter brings up a larger issue perhaps a comprehensive study should be done on all positions. The Town Supervisor questioned if there was some way that a count could be taken at each crossing and then go from thee. Is there a possibility the children can be bused? Another issue would be seniority. Some of the crossing guard positions were not transferred from the Village to the Town, but were created at a later time. The Town Supervisor asked the Police Chief to do a study of how many students are using the crossing areas. One area where the crossing guard might be eliminated would be on Higby Road if the New Hartford School could bus these students. Councilman Backman believes that if the speed limit could be restored on Higby Road by the school to thirty-five (35) mph, this would be doing a service to the residents.

MATTERS SUBMITTED BY TOWN SUPERVISOR

AUDIT OF VOUCHERS

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

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(RESOLUTION NO. 84 OF 2003)

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 No. 5	\$ 2,000.00
General Fund, Whole-Town Abstract No. 6	\$ 29,494.05
General Fund, Part-Town Abstract No. 5	\$ 1,500.00
General Fund, Part-Town Abstract No. 6	\$ 5,064.91
Highway Fund, Part-Town Abstract No. 5	\$284,112.54
Stormwater Drainage Abstract No. 4	<u>\$ 497.27</u>
TOTAL:	\$322,668.77

Upon roll call, the Board members voted as follows:

(Councilman Waszkiewicz	-	Absent)
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

The Resolution was declared unanimously carried and duly adopted

Association of Towns Meeting

At the recent Association of Towns Meeting in New York, the Town Supervisor found out that the Town could petition the State Legislature to create a "Police Taxing District". The Town Supervisor met with Attorney Kevin Crawford of the State Association of Towns who will review town documents and determine if the Town has a legitimate contract with the Village for school crossing guards.

Police Backup for New York Mills

The Police Department is continually being asked to provide back up service in New York Mills. The Police Chief reported that the department always goes, but we should be the police department of last resort. The Town Supervisor feels that the Police Chief should leave this matter alone right now, even though New York Mills police should be using the Sheriff's Department or State Police as backup. Police Chief Raymond Philo stated that if it is an emergency the Town of New Hartford will back them up, but these are routine calls. The Town Supervisor Ralph Humphreys feels that if New York Mills Police Department asks for assistance at this point we should go. The Police Chief has been telling them that we are not their back up. The Town Supervisor asked the Police Chief if the Town' Police Department were ever asked to go outside the Town of New

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Hartford. The Chief's response was "not often". The Town Supervisor Ralph Humphreys clarified his question meaning Whitestown or Yorkville. The Police Chief stated that said quite rarely does his department respond to these municipalities.

ATTORNEY

Vincent J. Rossi, Jr., Attorney for the Town, stated that he had settled two (2) certiorari cases, and that he has looked up the law on the assessment matter.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made by Councilman Backman and seconded by Councilman Woodland, the meeting was adjourned at 10:30 P.M.

Respectfully Submitted,

**Margaret M. Jones
Deputy Town Clerk I**