

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE KELLOGG ROAD COMMUNITY CENTER
BUILDING ON WEDNESDAY, MAY 5, 2004 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: Assessor Paul E. Smith
Director of Senior Services M. Eileen Spellman
Highway Superintendent Roger A. Cleveland
Police Chief Raymond Philo (Arrived at 9:16 P.M.)
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk II Nancy E. Kneller

OTHERS: Attorney Vincent Rossi, Jr. (Arrived at 8:07 P.M.)

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

MINUTES

April 7 and April 21, 2004 Regular Town Board meetings

The Town Board tabled action on these minutes until the May 19, 2004 Town Board meeting.

PRESENTATIONS

CONSTITUENT CONCERNS – REVALUATION PROGRAM

Shirley Riggles, 18 Golf Ave., New Hartford, questioned whether commercial properties are being reassessed as well as residential and whether apartment complexes are being reassessed. Councilman Backman answered that in the year 2000 all commercial properties, including apartment complexes, were re-evaluated. Some property owners have said they've had their assessment changed two (2) and three (3) years in a row. Ms. Riggles believed that apartment complexes should be assessed as often as homes. She asked if the New Hartford Shopping Center's assessment was decreased because of the vacancy of Ames Department store; Supervisor Humphreys stated yes, because the assessment is based on sales according to the State, not Town legislation.

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Jack Jones, 9 Morgan Lane, New Hartford, questioned Consumer Square's assessment and said the Town's assessment program is "...totally out of control". Mr. Jones said there were two hundred sixty-six (266) sales between July 1, 2002 and June 30, 2003; he obtained this information from the Office of Real Property Services in Albany. Statute mandates that a town use no less than thirty (30) property sales in a neighborhood; his neighborhood had only eighteen (18) sales, yet he was raised ten percent (10%) and this is his third raise in assessment in four years. He doesn't want a denial letter from the Board of Assessment Review (BAR) without reasons for denial of lowering his assessment.

John Glorioso, 26 Morgan Lane, New Hartford, objected to the assessment program as well. He questioned why some properties have been assessed two (2) and three (3) times and others not for five (5) years. Councilman Backman answered that some neighborhoods did not have a change in excess of five percent (5%), based on sales reports; the issue is equitable tax assessments.

Joseph Giovannone, 7 Tennyson Circle, New Hartford, said that market values change as interest rates change. Will the tax rate go down if everyone is equitably assessed (market value)? Supervisor Humphreys explained that the taxing entities include town, school and county and the Town reduced their tax rate by five percent (5%) last year; the Town has no control over school and county budgets.

James Robertaccio, 230 Higby Road, New Hartford, commented that it appears the Town is hooked on taxes; driving the tax rate higher and higher through assessments to put into a budget that the town has predetermined what it wants to spend. Supervisor Humphreys explained the budget process that begins with meeting with Department Heads and a "zero" balance.

Gabriel DiPietro of 438 Higby Road, New Hartford, says three (3) houses on Augusta Drive are assessed higher than those on Higby Road. His home is assessed at One Hundred Ninety Thousand Dollars (\$190,000) and houses are selling for One Hundred Sixty-Five Thousand Dollars (\$165,000). Since 1997, Mr. DiPietro's assessment was raised Sixty Thousand Dollars (\$60,000). He claims that Maxwell Appraisal Service pulled in his driveway and never got out of his truck and never measured the square footage of his house.

Jerome Bohling, 2133 Tilden Ave, New Hartford, mentioned that Town taxes are going down. "Taxes may be going up but because the County is sending us a skyrocketed bill" due to State mandates such as Medicaid, and school taxes are increasing also. He asked if the Town had a representative to speak in behalf of the Town at the County level to decrease New Hartford's share of county taxes.

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Don Archer of 34 Homestead Road West, New Hartford, stated that his neighborhood has been reassessed three (3) times in four (4) years.

Another gentleman (Bill) had concerns about the “trending”. Trending could create inequities and an imbalance among homes.

[NOTE: Attorney Rossi joined the meeting at 8:07 PM]

Councilman Butler thanked everyone for attending tonight’s meeting, stating that the Town Board felt this assessment program was the right program (ORPS) to go with; but Councilman Butler is not so sure now. Therefore, he proposed that a Special Town Board meeting be held at Butler Memorial Hall on Tuesday, May 11, 2004 at 7:30 P.M. with the Assessor, Assessor Standing Committee and anyone from the public who would like to attend.

REPORTS OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Appointments – Seasonal Employees

Upon recommendation of Highway Superintendent Cleveland, the following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Backman:

(RESOLUTION NO. 153 OF 2004)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals as Part-time, seasonal Laborers in the Highway Department, at the hourly wage of Seven Dollars and Seventy-Five Cents (\$7.75), commencing May 10, 2004; all wages to be paid bi-weekly:

- Christopher Cirillo
- Matthew Houseman.

Whereupon, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

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Street Lighting – Judd Road Extension Project

Upon recommendation of Highway Superintendent Cleveland, the following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Woodland:

(RESOLUTION NO. 154 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby *AMEND RESOLUTION NUMBER 144* which was unanimously carried at the *April 16, 2003* regular Town Board Meeting as follows:

WHEREAS, the New York State Department of Transportation has presented an Agreement to the Town of New Hartford for installation, maintenance and cost of energizing lights for the Judd Road project, and

WHEREAS, it is the understanding of the New Hartford Town Board that the New York State Department of Transportation was to install said lights at their expense and that the Town of New Hartford would be responsible only for energizing and maintenance of said Judd Road lights;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to sign the Agreement with the New York State Department of Transportation agreement that the Town of New Hartford will pay **ONLY** for the energy costs and maintenance fees for lights on Judd Road, and be it

FURTHER RESOLVED that said forty-two (42) lights, as shown on a New York State Department of Transportation (DOT) map, dated March 4, 2003, shall be directed to be installed by DOT and that the Town shall further direct that said forty-two (42) light shall be SC-3 (unmetered) and that the Town shall be requesting energy-only service for forty-two (42) 250 High Pressure Sodium lights at an estimated annual cost of Five Thousand Sixty-five Dollars and Sixty-two Cents (\$5,065.62), as provided by National Grid, the cost of which shall be borne by the Town of New Hartford town-wide street light district.

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 then declared unanimously carried and duly adopted.

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Authorization for Competitive Bid - Bituminous Concrete Paving

Upon request of Superintendent of Highways Cleveland, Councilman Backman presented the following Resolution and moved its Adoption, which was seconded by Councilman Woodland:

(RESOLUTION NO. 155 OF 2004)

RESOLVED that the New Hartford Town Board shall receive sealed bids for Bituminous Concrete Paving in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 10:45 A.M. on Tuesday, June 1, 2004 and then shall be publicly opened and read aloud at 11:00 A.M. on said date and in said Office; and be it

FURTHER RESOLVED that the said Town Board hereby authorize and direct the Town Clerk to publish the legal requisite Advertisement-Invitation to Bid in The Observer Dispatch.

The Town Board voted upon roll call as follows:

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

The Resolution was declared unanimously carried and duly adopted.

Stormwater Drainage – Genesee Street & Marley Place

Highway Superintendent Cleveland still has not received a response from the Oneida County Soil & Water agency but when he does, he will contact Councilman Woodland.

“Children at Play” Sign

Upon recommendation of the Highway Superintendent who had performed an on-site inspection with the Town Police Chief, Councilman Woodland introduced the following Resolution for adoption, seconded by Councilman Backman:

(RESOLUTION NO. 156 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Highway Superintendent to install a “Children at Play” sign at the corner of Midland Avenue and Stratford Drive.

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The Town Board voted upon 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.

Road Dedication – Fawncrest Boulevard

Brian Saville inquired about the status of the road dedication of Fawncrest Boulevard. Attorney Rossi said the lawyer for Realtor Mr. Carucci had delivered the bulk of the documents yesterday about 4:00 P.M. and due to the late hour, he did not have sufficient time to review the documents. Highway Superintendent Cleveland, Attorney Rossi and/or Senior Engineering Technician John Meagher will meet with Mr. Schneider, Mr. Carucci’s Engineer, to make sure Highway Superintendent Cleveland and Attorney Rossi are satisfied that Town road specifications have been met. Attorney Rossi advised Mr. Saville to expect a decision at the May 19, 2004 Town Board meeting due to the aforesaid circumstances, adding that the Town’s interests must be protected; he does not want to overlook a step in this procedure that might lead to a problem in the future. In particular, the subdivision map was not delivered to the Attorney Rossi, nor was the required certification from the developer’s engineer. Attorney Rossi stated that a list of items needed for road dedication is contained in the Town Code Book.

Special Election – Higby Road Water District

Councilman Backman asked Highway Superintendent Cleveland to have Burley & Guminiak prepare a “non-slanted” (neither pro nor con) flyer setting forth facts regarding costs, debt service, etc. to be included in the Town Clerk’s mailing of the Notice of Special Election and Registration. As the Town Clerk intends to mail the notices not later than Friday, May 14, 2004, immediate action on the flyers is of utmost importance.

PRESENTATIONS (CONT’D)

Willowvale Fire Co., Inc.

Gary Edwards, President of the Willowvale Fire Company appeared with Robert Ranger, the Fire Company’s Financial Consultant. Mr. Ranger needs a letter to show the lender that the Town is willing to make an annual budget appropriation sufficient to cover the annual payments for the new Willowvale Fire Company’s Fire House. This matter will be discussed with Attorney Rossi.

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REPORTS OF TOWN OFFICIALS (CONT'D)

PARKS AND RECREATION DIRECTOR:

Appointments – Part-time, Seasonal Employees

Upon recommendation of Parks and Recreation Director Jeffery, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Butler:

(RESOLUTION NO. 157 OF 2004)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, commencing May 10, 2004 and ending September 11, 2004; all wages to be paid bi-weekly:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Eric Cusworth	Crew Supervisor	\$ 8.00 per hour
Michael Alsheimer	Park laborer II	\$ 7.67 per hour
Mike Steele	Park laborer II	\$ 7.67 per hour
James Miller	Part time laborer (Green Thumb P)	\$ 7.98 per hour
Mike Natale	Assistant Voting Machine Custodian (Annual salary \$1,556 for 2004. Balance remaining through December 31 st - \$1,037)	
Diane Muller	Pool Director & Eve. Supervisor	\$10.61/ \$7.73 per hr
Liam Dwyer	WSI & Sub. Supervisor	\$ 9.00 per hour
Anna Wannier	WSI	\$ 8.30 per hour
Jenna Humphreys	WSI	\$ 8.30 per hour
Mary Carol Karl	Certified WSI	\$ 9.00 per hour
Paul Manfredo	WSI	\$ 8.30 per hour
Kathryn Karl	Evening Lifeguard	\$ 7.50 per hour
Sara Stamboly	Chadwicks Wading Pool Lifeguard	\$ 7.50 per hour
Lauren Kapes	Instructional & Eve Lifeguard	\$ 7.50 per hour
Courtney Kapes	Evening Lifeguard	\$ 7.50 per hour
David Maliani	Evening Lifeguard	\$ 7.50 per hour
Bryce Lamberto	Chadwicks Wading Pool Lifeguard	\$ 7.50 per hour
Jake Pylman	Instructional & Evening Lifeguard	\$ 7.50 per hour
Kacie Cunningham	Evening Lifeguard	\$ 7.50 per hour
Sean Dakus	Evening Lifeguard	\$ 7.50 per hour
Shelby Dakus	Evening Lifeguard	\$ 7.50 per hour
Allison Matt	Evening Lifeguard	\$ 7.50 per hour
Erica Masi	Substitute Evening Lifeguard	\$ 7.50 per hour
Craig Sherman	Boys Locker Attendant	\$ 5.75 per hour

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<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Ashley Mundrick	Girls Locker Attendant	\$ 5.75 per hour
Elaine Hage	Water Aerobics Instructor	\$35.00 per hour
Linda Budlong	Water Aerobics Instructor	\$35.00 per hour
Maurine Farruggia	Water Aerobics Instructor	\$35.00 per hour
Kevin Bovi	Director at Chadwicks	\$10.22 per hour
Rachel Mohr	Assistant Director at Chadwicks	\$ 8.15 per hour
Robert Waterman	Rec Attendant II at Chadwicks	\$ 7.04 per hour
Christine Cahill	Rec Attendant II at Chadwicks	\$ 7.04 per hour
Julie Hulser	Rec Attendant II at Chadwicks	\$ 7.04 per hour
Travis Owens	Rec Attendant I at Chadwicks	\$ 5.95 per hour
Courtney Usmail	Half Day Recreation Attendant I at Chadwicks	\$ 5.95 per hour
Arity Buckley	Co-Director at Oxford Road	\$10.22 per hour
Nick Grimmer	Co-Director at Oxford Road	\$10.22 per hour
Kristi Denison	Rec Attendant II at Oxford Rd	\$ 7.04 per hour
Shaun McQueary	Rec Attendant II at Oxford Rd	\$ 7.04 per hour
Melissa Dunbar	Rec Attendant I at Oxford Rd	\$ 5.95 per hour
Karen Weimer	Rec Attendant I at Oxford Rd	\$ 5.95 per hour
Theresa Corleto	½ day Rec Attendant at Oxford Road	\$ 5.95 per hour
Sara Batson	Co-Director at Clinton Rd	\$10.22 per hour
Adrienne Greer	Co-Director at Clinton Rd	\$10.22 per hour
Kimberly Alberico	Rec Attendant II Clinton Rd	\$ 7.05 per hour
Tracy Steele	Rec Attendant II Clinton Rd	\$ 7.05 per hour
Joseph Karam	Rec Attendant I Clinton Rd	\$ 5.95 per hour
Mark Bieganowski	½ day Rec Attendant Clinton Rd	\$ 5.95 per hour
Jeffrey Lenard	Director at Higby Road	\$10.22 per hour
Rebecca Anderson	Rec Attendant II Higby Road	\$ 7.04 per hour
Elizabeth Perra	Rec Attendant I Higby Road	\$ 5.95 per hour
Robert Greer	Rec Attendant I Higby Road	\$ 5.95 per hour
Tiffany Matuszewski	Rec Attendant I Higby Road	\$ 5.95 per hour
Barbara Kivela	Head Bus Driver	\$11.70 per hour
Linda Mundrick	Bus Driver	\$11.00 per hour
Ellen Tabolt	Bus Driver	\$11.00 per hour
Shirley Root	Substitute Bus Driver	\$11.00 per hour
Tim Madden	Adult Basketball Director	\$16.15 per hour
Jerry Pitarresi	Adult Basketball Assist. Dir	\$11.15 per hour
Ed Prue	Youth Basketball Director	\$14.31 per hour
Harold Kaffka	Adult Pickup Basketball Spvs	\$13.50 per hour
George Kazanjian	St. John's Basketball Dir.	\$16.15 per hour
Jamie Sitera	Dance Director	\$16.15 per hour
Lauren Harrigan	Dance Instructor	\$10.30 per hour
Garrett Lubertine	Tennis Instructor	\$15.00 per hour
Steve Orton	Summer Theater Director	\$17.75 per hour
Jesse Orton	Summer Theater Assistant Assistant Director	\$ 8.10 per hour

After some discussion, the Town Board voted upon roll call:

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

The Resolution was then declared unanimously carried and duly adopted.

Agreement – July 14, 2004 Fireworks

Upon recommendation of the Parks and Recreation Director, the following Resolution was introduced for adoption by Councilman Butler and duly seconded by Councilman Woodland:

(RESOLUTION NO. 158 OF 2004)

RESOLVED that the Town Board of the Town of new Hartford does hereby authorize and direct the Town Supervisor to enter into and to approve an Agreement between the Town and American Fireworks Manufacturing Co., Utica, New York for a Fireworks Display at the July 14, 2004 Community Day to be held at the Recreation Center; the cost of said Fireworks shall not exceed Four Thousand Dollars (\$4,000).

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

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

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

TOWN CLERK:

Raffle Consent

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

(RESOLUTION NO. 159 OF 2004)

RESOLVED that the New Hartford Town Board does hereby grant permission to the Association of Notre Dame, 2 Notre Dame Lane, Utica, New York, an organization duly granted a Games of Chance Identification Number by the New York State Racing and

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Wagering Board, to sell raffle tickets at Sangertown Mall, New Hartford, New York, in accordance with all rules and regulations of said 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.

Upon roll call, the Town Board voted as follows:

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

The Resolution was declared unanimously carried and duly adopted.

SPECIAL COMMITTEE

Appointment - Utica Transit Authority Representative

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

(RESOLUTION NO. 160 OF 2004)

WHEREAS, Carmen Graziano had submitted his written resignation as the Town of New Hartford's representative on the Utica Transit Authority (UTA) effective April 1, 2004;

BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Nicholas F. Laino, 9 Oakwood Drive, New Hartford, New York to fill the unexpired term of Mr. Graziano, commencing May 5, 2004 and expiring December 31, 2005.

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.

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WOODLAND:

Agenda Items

- *Possible Street Light District* – the residents would need to submit a petition
- *Status of road dedications (Applewood Community)* - Attorney Rossi said the road core samples didn't meet gravel fine test. Attorney Rossi had discussed this matter with the Developer's Attorney, John Maya, as well as the Town's request for additional testing. Attorney Rossi anticipates speaking with another lawyer and arbitrate the issue. Attorney Rossi had met with a gravel expert today who told him that the fine gravel is a significant matter; the acceptable rate is zero percent (0%) to ten percent (10%), and the core samples at Applewood ran ten percent (10%) to nineteen percent (19%). There is a concern when fine gravel reaches seven percent (7%).

[NOTE: Police Chief Philo arrived at 9:16 P.M.]

Website Improvement - Dreamscape

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

(RESOLUTION NO. 161 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does authorize and direct Janice O'Sullivan, Account Clerk, to contact Dreamscape to arrange a band-width expansion on the Town's Website at a monthly fee of Forty-five Dollars (\$45) and does further authorize and direct the Town Supervisor to enter into and to execute any necessary documents in this regard.

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.

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COUNCILMAN BACKMAN:

Motor Pool Committee

Councilman Backman and Councilman Woodland finished the review of town vehicles and will review further which ones shall be removed from the Town's fleet and insurance coverage. The Parks/Recreation and Police Department vehicles are in order; all vehicles from all Departments will be required to carry a current insurance card. Because of a recent accident involving a Town vehicle not covered under the Town's insurance policy and the Town Clerk's offer to handle insurance coverage, Councilman Butler presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 162 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby establish the following policy regarding the Town's fleet of vehicles, effective May 6, 2004:

- *all Department Heads shall* notify the Town Clerk's Office in writing when a new or used vehicle that has been purchased has been received, including the descriptive listing of that vehicle (VIN, year, make, model, color, cost, etc.) and the date received
- *all Department Heads shall* likewise notify the Town Clerk's Office when a vehicle has (is being) removed from the Town's fleet, including the date sold or otherwise disposed of
- *all Department Heads*, upon receiving the Certificate of Origin for a vehicle, *shall* immediately arrange to register the vehicle with the NYS Department of Motor Vehicles so that a Certificate of Title will be issued
- *all Certificates of Title shall* immediately be filed in the Town Clerk's Office
- upon receipt of a Department Head's written notification that a vehicle (s) has been received, *the Town Clerk's Office shall* immediately arrange for insurance coverage
- upon receipt of a Department Head's written notification that a vehicle has (will be) removed from the Town's fleet, *the Town Clerk's Office shall* arrange discontinuance of insurance coverage..

Upon roll call, the Board members voted as follows:

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

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The Resolution was declared unanimously carried and duly adopted.

REPORTS OF TOWN OFFICIALS (CONT'D)

POLICE CHIEF:

Grant - Government Safety Traffic Committee

Police Chief Philo acknowledged receipt of a Three Thousand Two Hundred Dollar (\$3,200) Grant from Governor Pataki’s Safety Traffic Committee for a Traffic Safety Corridor Enforcement Program. Chief Philo advised that some special education and enforcement in the high commercial traffic corridor of Route 5-5A area, from the Jay-K Lumber intersection to the Town of Whitestown would be the goal for this grant.

Appointment – Part-time Police Officer

Upon the recommendation of Police Chief Philo, Councilman Butler offered the following Resolution for adoption seconded by Councilman Woodland:

(RESOLUTION NO. 163 OF 2004)

RESOLVED that the New Hartford Town Board does hereby appoint Matthew J. Sica, 20 Hall Avenue, Yorkville, NY to the position of part-time Police Officer, in accordance with all New York State Civil Service rules and regulations, effective May 16, 2004. Officer Sica’s wages are determined by the current union contract and shall be paid bi-weekly.

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.

Retirement - Police Officer

Police Officer Richard Jones has filed retirement papers. Supervisor Humphreys is to send a letter of appreciation to Officer Jones for his years of service.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL AND OTHER ROUTINE REPORTS:

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Audit of Vouchers

Upon recommendation of the Town Supervisor, Councilman Woodland moved the following Resolution for adoption; seconded by Councilman Butler:

(RESOLUTION NO. 164 OF 2004)

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. 23	\$ 2,544.72
General Fund Whole-Town Abstract No. 24	\$102,964.69
General Fund Part-Town Abstract No. 13	\$ 4,962.17
Highway Fund Part-Town Abstract No. 10	\$ 34,390.78
Sewer Fund Abstract No. 9	\$ 4,950.62
Road Construction/Paving Abstract No. 2	\$ <u>169.00</u>
TOTAL:	\$149,981.98

Upon roll call, the Board members voted as follows:

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

This Resolution was declared unanimously carried and duly adopted.

Payroll Direct Deposit

After speaking with Bookkeeper Carol Fairbrother, Supervisor Humphreys reported that the smaller banks needed three (3) days for the Town's checks to clear and therefore, the pay date would need to be changed from Thursday to Friday and a majority of the employees objected to this change.

Unused Vacation Time

The Town Supervisor submitted a request from Telecommunicator Supervisor Jeffery Madden in behalf of Michael Brunet who was unable to use all his vacation time based on his anniversary date, according to the Dispatchers' union contract and who inquired whether the unused five (5) vacation days could be converted to sick time. After some discussion, Councilman Butler offered the following Resolution for adoption; seconded by Councilman Woodland:

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(RESOLUTION NO. 165 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize that the five (5) unused vacation days of Dispatcher Michael Brunet be converted to five (5) sick days.

Upon roll call, the Board members voted as follows:

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

This Resolution was declared unanimously carried and duly adopted.

Fiscal Contribution – Rome Lab

Supervisor Humphreys acknowledged the request of the Floyd Town Supervisor that area Towns consider making a Five Thousand Dollar (\$5,000) contribution to help save the Rome Lab. A decision was made to check with the New York State Comptroller.

Training School

Upon request of Supervisor Humphreys, the following Resolution was introduced for adoption by Councilman Backman and duly seconded by Councilman Woodland:

(RESOLUTION NO. 166 OF 2004)

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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Supervisor Ralph Humphreys to attend the Financial Conference from May 11 –13, 2004 in Saratoga, 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

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Supervisor Humphreys - Aye.

The Resolution was declared unanimously carried and duly adopted.

EXECUTIVE SESSION

Councilman Backman introduced the following Resolution for adoption and Councilman Butler seconded same:

(RESOLUTION NO. 167 OF 2004)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the Cifarelli certiorari proceeding brought against the Town and possible land acquisition.

A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, Town Clerk and Deputy Clerk, were then excused from the meeting at 9:58 P.M. Attorney Rossi remained for the Executive Session.

[NOTE: The following transcript was provided by the Town Supervisor on May 7, 2004.]

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 168 OF 2004)

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	-	Absent
Councilman Butler	-	Aye

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

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 10:55 P.M. The regular portion of the Town Board meeting was immediately reconvened.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Woodland, seconded by Councilman Backman, the meeting adjourned at 10:56 P.M.

Respectfully submitted,

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

**Nancy E. Kneller
Deputy Town Clerk II**