

**SPECIAL MEETING OF THE TOWN BOARD OF  
THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD  
ON WEDNESDAY, OCTOBER 27, 2004 AT 7:30 P.M.**

The Town Supervisor called the meeting to order at 7:30 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 John C. Waszkiewicz III  
Councilman David W. Butler (arrived 7:35 P.M.)  
Councilman Richard B. Woodland, Jr.  
Supervisor Ralph B. Humphreys

**OTHER TOWN OFFICIALS:** Highway Superintendent Roger A. Cleveland  
Police Chief Raymond Philo (Arrived at 8:43 PM)  
Town Clerk Gail Wolanin Young, CMC/RMC

**OTHERS:** Attorney Vincent Rossi, Jr. (Arrived at 7:30 PM)

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

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**Commendation – Telecommunicator Supervisor**

Supervisor Humphreys announced that the Rotary Club had selected Telecommunicator Supervisor Jeffrey Madden to receive the Pride of Workmanship Award for vocational exceptionalism; a luncheon and award ceremony is scheduled for Friday, October 29, 2004.

**Storm Water Drainage – Hilton Property**

Joanne Faulkner of the Oneida County Soil & Water Agency notified Supervisor Humphreys that Forty Thousand Dollars (\$40,000) has been awarded to help restore the Hilton property that had been damaged during the July 2004 rainstorms; the Hiltons will need to pay Ten Thousand Dollars (\$10,000) toward this restoration.

[NOTE: Councilman Butler joined the meeting at 7:35 P.M.]

A meeting will be held Monday, November 1, 2004 between Senior Engineering Technician John Meagher, the Town Supervisor and Ms. Faulkner to initiate the required paperwork.

**2005 Preliminary Budget**

Supervisor Humphreys distributed copies of the 2005 Preliminary Budget and will post this document on the Town's Website. Town Clerk Gail Wolanin Young announced that

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New Hartford Central School is not available for the November 3, 2004 Budget Hearing; therefore, the Hearing will be conducted in Butler Memorial Hall.

Councilman Backman complimented the citizen committees on an outstanding job and thanked them for their input. The tax rate is down \$.035 per \$1M from last year. There was general discussion on the budget. Councilman Waszkiewicz is not convinced that Attorney Rossi's attendance is required for the duration of Town Board meetings ... and suggested the Board consider having him attend on an "as-needed" basis. Attorney Rossi was in favor of limiting his attendance to those times when he is useful to the Board, stating there certainly is substantial portion of meetings where he has no expertise. Basic principle he agrees with – but the Board needs to come up with a specific time for him to be present. Attorney Rossi will meet with the Town Supervisor to develop some plan for his presence – perhaps lop off one (1) hour or forty-five (45) minutes per meeting.

Councilman Butler had asked in the past that Attorney Rossi attend all meetings and there may be times when the public wants an answer to a question. Attorney Rossi noted that the town is legally bound up with laws....different than private business

### **MATTERS SUBMITTED BY ATTORNEY**

#### **Budget Rent-A-Car**

Hold for discussion until the November 3, 2004 Town Board meeting.

#### **Amadan Claim**

Pre-trial is set for November 3, 2004.

#### **Cedarbrook project**

Attorney Rossi distributed copies of a letter. Cedarbrook officials don't want to fill out tax-exempt status forms.

#### **Dr. Wilcox, Sessions Road - Well**

Dr. Wilcox would like this resolved before winter 2004. (NOTE: See prior minutes)

#### **Purchase Offer – Partlow Building**

Realtor William Virkler will hold the Campion Road, Partlow property offer until November 20, 2004.

#### **Municipal Services Agreement (MSA) - Preswick Glen**

The matter was deferred until the November 3, 2004 Town Board meeting.

#### **Agreement – Architectural Services/HBMA, PLLC**

Discussion ensued on the Short Form Agreement proposed by HBMA, PLLC as same

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relates to a Pre-referendum and Master Planning Study services to evaluate the concept expansion options of the Partlow Building for Town offices.

[NOTE: Chief Philo joined the meeting at 8:43 P.M.]

Thereafter, Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Butler seconded same:

**(RESOLUTION NO. 363 OF 2004)\*Defeated**

**RESOLVED** that the New Hartford Town Board does hereby agree that a study of Butler Memorial Hall should be conducted to evaluate the best use of existing office space, with the study to be performed by Hummel Office Equipment at a cost not-to-exceed Fifteen Hundred Dollars (\$1500), to be paid by the Butler Memorial Hall Association and that the said Town Board does hereby authorize a study to be conducted by HBMA, PLLC, of the vacant Partlow building to evaluate this building for consolidation plans for Town offices, including infrastructure review, the cost of which shall not exceed Fourteen Thousand Six Hundred Dollars (\$14,600), to be paid by the Town.

Upon roll call, the Board members voted as follows:

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

The Resolution was not carried and was declared **DEFEATED**.

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

**(RESOLUTION NO. 364 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute a Short Form Agreement, as amended, between the Town of New Hartford and **HBMA, Architecture, Engineering, Land Surveying, PLLC**, the latter of whom shall conduct a study of the vacant Partlow building and evaluate said building for consolidation plans for Town offices, including infrastructure review, the cost of which shall not exceed Fourteen Thousand Six Hundred Dollars (\$14,600), to be paid by the Town; this study shall not include Butler Memorial Hall.

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

Councilman Waszkiewicz	-	Nay
Councilman Butler	-	Nay, based on the fact that information would not be included on Butler Memorial Hall
Councilman Woodland	-	Aye
Supervisor Humphreys	-	Aye
Councilman Backman	-	Aye.

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

**EXECUTIVE SESSION**

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

**(RESOLUTION NO. 365 OF 2004)**

**RESOLVED** that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the (assessment) certiorari brought against the Town by Antonio Cristiano.

A roll call vote ensued:

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

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. All persons present, including the news media, were then excused from the meeting at 9:01 P.M.

**END OF EXECUTIVE SESSION**

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

**(RESOLUTION NO. 366 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:

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 9:12 P.M. and 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 Waszkiewicz, seconded by Councilman Backman, the meeting adjourned at 9:13 P.M.

*Respectfully submitted,*

*Gail Wolanin Young, CMC/RMC  
Town Clerk*