

**SPECIAL MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD
ON WEDNESDAY, DECEMBER 29, 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 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 (arrived at 8:50 P.M.)
Telecommunicator Supervisor Jeffrey Madden
(arrived at 7:45 P.M.)
Deputy Town Clerk I Margaret M. Jones

OTHERS: Attorney Vincent J. Rossi, Jr. (arrived at 7:51 P.M.)

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

PUBLIC PRESENTATIONS

ONEIDA COUNTY SALES TAX – IMMINENT PERCENTAGE INCREASE:

Nathanial Richmond of 30 Woodberry Road, New Hartford, spoke regarding the proposed increase of the Oneida County Sales Tax. Recently, Mr. Richmond spoke with County Executive Griffo about the proposed 9.75 % sales tax. Mr. Richmond wanted the Town Board to know that the County never performed a study to build the sales tax increase around and that the Town should be concerned regarding this increase as the Town may have a significant budget shortfall this year, resulting in cut back on expenses this year or increase taxes next year. Councilman Backman's fear is that the Town of New Hartford will suffer the most from this tax increase should it be approved by the State. Councilman Backman has written to the State Legislature that he is against raising the sales tax this high. Mr. Richmond was shocked by the discussion he had; that the County just made the number up. A discussion was held on the concern of area residents going elsewhere to do their shopping. Mr. Richmond stated that he just wants the Town Board to be aware of his conversation and what he found out about the possible increase in the sales tax.

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 2

CHAPMAN ROAD IMPROVEMENTS

Councilman Backman spoke with Oneida County officials and had been under the impression that the County would schedule one more meeting, but apparently the County will not be holding another meeting. Councilman Backman will schedule a neighborhood meeting in January 2005 to update the residents on this project. Oneida County has sent Councilman Backman a copy of the final plans. Eugene Torchia of 9557 Chapman Road spoke regarding a pole that will be placed in the middle of his front yard. Councilman Backman was wondering why this pole could not be placed to the side of Mr. Torchia's property line. This is one of the questions regarding this project that needs to be answered. Councilman Backman will see that notification of this neighborhood meeting will be placed in the newspaper.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Appointment – Seasonal Student Worker

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

(RESOLUTION NO. 429 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby appoint Allison Back as a Seasonal Student Worker in the Highway Department effective December 27, 2004 to January 19, 2005, at an hourly rate of Eight Dollars (\$8.00) for a maximum forty (40) hour week, payable bi-weekly.

Upon roll call, the Board members voted as follows:

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

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

Pump Station Upgrade - Phase 2

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

(RESOLUTION NO. 430 OF 2004)

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 3

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with Shumaker Consulting Engineering & Land Surveying, P.C. for Phase 2 design and bidding of the Homestead Road Pump Station at a cost of Twenty-Eight Thousand Nine Hundred Dollars (\$28,900).

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

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

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**.

Authorization for Competitive Bid – 2005 Pick-Up Truck

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

(RESOLUTION NO. 431 OF 2004)

RESOLVED that the New Hartford Town Board shall receive sealed bids for the purchase of one (1) new 2005 pick-up truck, 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 Friday, January 14, 2005 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	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye
Councilman Backman	-	Aye
Supervisor Humphreys	-	Aye.

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

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 4

CME Associates, Inc. – Higby Road Water Project

Highway Superintendent Cleveland presented the CME Associates, Inc. Agreement for Geotechnical Drilling and Engineering Services for the Higby Road Water Project. Attorney Rossi had reviewed the contract and acknowledged that the requested changes had been made. Thereafter, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 432 OF 2004)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement with CME Associates, Inc. for Geotechnical Drilling and Engineering Services for the Higby Road Water Project at a total estimated cost of Ten Thousand Seven Dollars and Fifty Cents (\$10,007.50)

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

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

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

Claim – Applewood Pump Station/Hanna Construction Settlement

Regarding this matter, the Town has offered Fifty-Seven Hundred (\$5700) Dollars and Ninety-Six Hundred Dollars (\$9600). Mr. Hanna is looking for Twenty-Six Thousand Dollars (\$26,000). The controversy is over what material was rock and what material was not abnormal rock for Mr. Hanna to dig through. When the Town first contracted with Hanna it was an emergency situation with sewage on residents lawns. It was the consensus of the Board that the Highway Superintendent would approach Mr. Hanna and offer him Ten Thousand Five Hundred Dollars (\$10,500) to settle the matter. Also, the Town Board wanted more input from Attorney Rossi on this matter.

Sale of 2001 Chevrolet Tahoe

The Highway Superintendent reported that he has the keys for the 2001 Chevrolet Tahoe, VIN 1GNEK13V61J270835, which someone is supposed to look at the Highway Garage. The vehicle has been cleaned up, the decals removed and the asking price for the vehicle is Eleven Thousand Dollars (\$11,000).

Claim - Laundry Bills/Sewer Damage

The Highway Superintendent has received bills from two (2) Harrogate Road residents

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 5

for ruined clothes alleged to have happened in July 2004 when the Town was cleaning a thirty (30") inch storm line with the sewer truck hose -- there was not enough water volume to be able to flush the sediment in the line. The Sewer Department then tried what has been successful in the past, connecting to a fire hydrant for the water supply. In doing so, it caused sediment in the waterline to be stirred up. At the same time, two (2) residents were doing laundry and the discolored water flowed into their washing machines and ruined the laundry. The people involved are Marilyn Loughlin at 18 Harrogate Road and the value of the clothes she lost is One Hundred Ninety Dollars (\$190) and the other person is Robert Caine at 11 Harrogate Road and the value of the clothing he lost is One Hundred Twenty Dollars (\$120). The Board feels that if the Town is going to pay full value for the clothing then the Town should be given the clothing so that the clothing can, at least, be donated to the Salvation Army. The Town Board stated that if the clothes are not available, then perhaps the Town could offer the residents eighty (80%) percent of the value to settle this matter. The Highway Superintendent will contact these people to see if they still have the clothing. Did the Highway Superintendent check with the water board to see what their policy was regarding this matter? Councilman Butler presented the following Resolution for adoption; seconded by Councilman Backman:

(RESOLUTION NO. 433 OF 2004)

WHEREAS, while in the process of cleaning out a storm line on Harrogate Road the Highway Department used a fire hydrant for flushing and caused sediment-laden water to enter into the homes at 18 Harrogate Road and 11 Harrogate Road while the residents were doing laundry causing damage to the clothing that was being laundered;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Town of Highway Superintendent to offer a settlement to Robert Caine at 11 Harrogate Road in the amount of One Hundred Twenty Dollars (\$120) and to Marilyn Loughlin the amount of One Hundred Ninety Dollars (\$190) if Mr. Caine and Ms. Loughlin turn over to the Town of New Hartford the damaged clothing or the Town Highway Superintendent is to offer a settlement of eighty (80%) percent of the value of the loss clothing should Mr. Caine and Ms. Loughlin be unable to relinquish the clothing.

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

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

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 6

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

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Proposed Street Light – Intersection of Tilden Avenue-Taber Road

Councilman Waszkiewicz presented a petition signed by some residents of the Tilden Avenue-Tabor Road area requesting an additional street light at that intersection. Highway Superintendent Cleveland stated that it is the Town's responsibility to provide safe ingress and egress from an area in order to avoid accidents and if an additional street light provides this safety, then the Town should install a light. Councilman Backman stated that the General Town Street Light District is escalating. Councilman Backman recommended that when anyone requests that a street light be added, the Town should perform a traffic study at night to include, but not be limited to:

- determine how many lights are presently in the area where the request for an additional street light is made
- calculate the number of accidents there have been in the location; especially at night
- identify the nearest lighting district to the proposed location so that the Town Board is satisfied that the proposed light is not close enough to an existing lighting district and therefore needs to be in the General Town Street Light District.

Councilman Waszkiewicz recommended that this matter be referred to the Public Works Committee for their recommendations. According to Councilman Waszkiewicz, this area is a concern and additional facts are needed. Attorney Rossi stated that creating a lighting district is the most perfect way to solve this problem. Attorney Rossi suggested that the Town consider creating a large lighting district, which encompasses the entire Town, except the very rural areas of the town and then develop a criteria within the lighting district. Councilman Butler agreed with Attorney Rossi but disagreed with the suggestion of getting an accident and/or traffic count. Councilman Backman stated that he would like to have a map drawn up showing these lighting districts and where the lights are placed within the district. The Highway Superintendent has a description of each lighting district, and he will ask the Town Planner about making a map of these districts. Attorney Rossi will review the town-wide documents to see how the parameters are set up and will bring the information to the Board at their first meeting in February 2005.

MATTERS SUBMITTED BY ATTORNEY FOR THE TOWN

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 7

Claim - Applewood Pump Station/Hanna Construction Settlement

Attorney Rossi believes that the Town should stand by their Five Thousand Seven Hundred Nine-Six Dollar (\$5,796) offer and does not advocate that the Town pay a penny more. The Town Supervisor suggested Eight Thousand Dollars (\$8000). Attorney Rossi stated that Mr. Hanna would be hard pressed to win anything from the Town. It is the contractor's responsibility to familiarize himself with the subterranean area. Councilman Waszkiewicz suggested the Town cut a check with a Release Form and send it to Mr. Hanna to see if he cashes it. The last correspondence that the Town has had with Mr. Hanna was six (6) months ago. Highway Superintendent Cleveland received a call from Mr. Hanna regarding the matter. It was the consensus of the Town Board was to withhold action at this time. Should the Highway Superintendent receive any correspondence from Mr. Hanna, he will submit it to either Attorney Rossi or the Town Supervisor. If Mr. Hanna requests any more money, the Town will negotiate with him in the future.

Road Dedication – Applewood Community

Pending since the September 1, 2004 Town Board meeting and brought up at the December 15, 2004 Town Board meeting, Attorney Rossi reported that he is waiting for the Developer or his attorney to provide a map.

MATTERS SUBMITTED BY COUNCILMEN (CONT'D)

COUNCILMAN WASZKIEWICZ:

911 Address – Taber Road

Councilman Waszkiewicz spoke with Telecommunicator Supervisor Jeffrey Madden regarding the fact that some of the addresses on Taber Road are shown as Taber Lane as their 9-1-1 address. The Telecommunicator Supervisor explained that there has been some discrepancy regarding this matter and if Assessor Smith would contact him, he would review the matter with him.

COUNCILMAN BACKMAN:

Agenda Items:

1. Develop Criteria to Add Street lights to the Town-Wide Lighting District - Propose moratorium on additional street lights until criteria is developed and approved.
2. Signs to honor athletic excellence in local schools - Reasonable to honor everyone in their own districts. New Hartford School, Sauquoit Central, New York Mills and Clinton Central. Councilman Waszkiewicz thought this was a good idea. Councilman Backman asked the Highway Superintendent to work on this matter. The signs will be cycled out over a period of time or if additional space is needed on a sign for another achievement.

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 8

3. Chapman Road Neighborhood Meeting – The Reconstruction Project is going to bid.
4. Mandatory Left Lane at TOPS – Councilman Backman will present this matter to the Town this coming year.
5. Written survey – If the Board is still interested in this survey, Councilman Backman proposes that this be finalized sometime in the Spring. Councilman Waszkiewicz submitted five (5) or six (6) questions to Nathaniel Richmond and asked for his recommendation as to when the proposed survey would be sent out.
6. Sitrin - A decision to finalize recommendation to Board the revalue and the RFP structuring language from Attorney Rossi. Attorney Rossi, as far as he is concerned, the RFP is ready to go. Councilman Waszkiewicz will contact the Sitrin Home to get the necessary information required to Assessor Smith.

COUNCILMAN WASZKIEWICZ

Agenda Items:

1. Property Assessment listed on the Town Official Web – Time Line for uploading to web. Additional adjustment being reviewed. Exact deadline not ready yet.
2. Improve existing Town Offices – Administrative office layout paid by Butler Hall Memorial Trust not available at this time of printing Agenda. Does not have report to distribute yet.
3. Intermunicipal Agreement – With Town of Frankfort addressing storm water management – No update with discussions with Frankfort Town Supervisor. Councilman Waszkiewicz will e-mail the Board.
4. Commercial Drive – Pedestrian Crossing Lights/Overhead Pedestrian Walkway - It is almost impossible to cross Commercial Drive at Henderson Street between the through traffic and arrow traffic. The timing of crossing Commercial Drive is way off. Spoke with the Department of Transportation about a “no turn” on red sign, but they did not change. Councilman Waszkiewicz wants to generate a letter asking the Department of Transportation to put in a pedestrian crossing lights and or an overhead crosswalk at no cost to the Town. Councilman Waszkiewicz stated that perhaps if both the Town of New Hartford and New York Mills ask the Department of Transportation to do this that perhaps there would be an opportunity there to maybe make a change there.
5. Intermunicipal Comparison – Still have not received enough responses yet. I am still following up with each Supervisor, hopefully by February Meeting.
6. Taxes Pie Chart – Councilman Waszkiewicz would like to get place on the website a formula pie-chart showing how taxes were received and where they are spent and an additional pie-chart showing our town’s portion in relation to school and county taxes. Jim Lawrence asked if this comparison was going to be with all school districts. Councilman Waszkiewicz stated “no”. Mr. Lawrence also stated that it would be nice to have the final budget to place on the website.

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 9

COUNCILMAN BUTLER:

Exempt Salaries (vs Hourly)

Councilman Butler believes that originally there were twenty-four people affected and the Town Board was able to lower the list to seven (7) people employees. Councilman Butler believes that these particular employees are not being treated fairly, that their salaries should be figured on two hundred sixty (260) days in 2004 rather than two hundred sixty-one and a quarter (261.25) days. Councilman Backman asked how much would these employees be getting. Councilman Butler stated that the Bookkeeper said it would amount to less than Fifteen Hundred Dollars (\$1500). Councilman Butler presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 434 OF 2004)

RESOLVED by the Town Board of the Town of New Hartford that the following employees who are exempt from overtime and compensatory time are to be paid for two hundred sixty days (260) of work in 2004 instead of the originally approved two hundred sixty one and one-quarter (261.25) days in 2004:

- Assessor
- Codes Enforcement Officer
- Director of Senior Services
- Parks and Recreation Director
- Police Chief
- Senior Engineering Technician
- Town Planner

and be it

FURTHER RESOLVED THAT these employees are entitled to a refund for the difference in their salary, which will be paid to them in their next paycheck in 2005.

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

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

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

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 10

TOWN POLICE CHIEF:

Agreement – Stop DWI Program

Upon recommendation of the Town Police Chief, Councilman Backman presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 435 OF 2004)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the **STOP DWI** Contract with the County of Oneida for the period January 1, 2005 – December 31, 2005, in the amount of Thirty Thousand Dollars (\$30,000).

The Resolution was voted upon by roll call as follows:

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

The Resolution was declared unanimously carried and duly adopted.

MATTERS SUBMITTED BY TOWN SUPERVISOR

AGENDA ITEMS:

2004 Budgetary Increases/Transfers

On behalf of Bookkeeper Carol Fairbrother, Supervisor Humphreys presented the Board with a list of Budget revisions that need to be made to close out the year. Upon the recommendation of the Town Supervisor, Councilman Backman presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 436 OF 2004)

RESOLVED that the New Hartford Town Board does hereby authorize and approve the following budgetary revisions in the 2004 Budget:

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
A2705.1 – Memory Cheryl Konapski	\$ 118.00	\$
A7110.4 - Parks Contractual		118.00

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 11

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
A8540.4 – Jubilee Estates	5,000.00	
A1315.42 –Finance/Fiscal Advisor		5,000.00
A3220.2 – Insurance Recovery/Dispatch Center	58,714.00	
A2680.0 – Insurance Recovery Check	58,714.00	
B8010.19 – Wages – Ronald Thomas	500.00	
B1990.4 Contingency Account		500.00
<u>General/Whole town – Balance Overdrawn Accounts</u>		
AA1010.4 Town Board contractual	59.80	
AA1220.4 Town Supervisor contractual		59.80
AA1110.4 Town Court contractual	2,000.00	
AA1110.14 Prior Year Compensation		2,000.00
AA1110.13 Assistant Court Clerk	2,000.00	
AA1110.15 Prior Year Compensation		2,000.00
AA1110.11 Court Clerk	2,250.00	
AA1315.41 Finance/Willkie Farr		2,250.00
AA1110.16 Court Clerk, Part-time	1,500.00	
AA1220.2 Town Supervisor Equipment		1,500.00
AA1330.4 Rec’r Taxes contractual	1,600.00	
AA1315.44 Finance/Grant Writer contract		1,600.00
AA1355.4 Assessor contractual	2,200.00	
AA1315.44 Finance/Grant Writer contract		2,200.00
AA1355.14	500.00	
AA1315.44 Finance/Grant Writer contract		500.00
AA1420.4 Attorney contractual	69,000.00	
AA1440.42 Engineer/Woods Road Highway		69,000.00
AA1620.4 Buildings contractual	25,000.00	
AA1910.4 Special items/Unallocated insurance		24,314.10
AA1930.4 Purchase Land/Right of Way		685.90

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 12

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
AA1620.11 Buildings/Grounds Traffic	2,500.00	
AA1930.4 Purchase Land/Right of Way		2,500.00
AA1650.41 Central Comm/phone repair	300.00	
AA1680.2 Central Data Processing Equipment		300.00
AA3120.1 Patrolmen	37,852.00	
AA3120.2 Police Equipment		14,852.00
AA3120.4 Police contractual		10,000.00
AA3120.14 School Crossing Guards		5,000.00
AA3120.49		8,000.00
AA5010.14 Highway Clerk	3,000.00	
AA5010.4 Highway Supt contractual		3,000.00
AA7020.1 Recreation Director	6,000.00	
AA7020.11 Recreation Laborer	2,500.00	
AA7110.14 Parks Seasonal Employees	8,000.00	
AA7110.15 Parks Laborers	4,500.00	
AA7110.18 Parks Laborers II	8,000.00	
AA7110.19 Parks Laborers III	3,000.00	
AA7270.4 Band Concerts	655.00	
AA7310.1 Youth Employment Salary	800.00	
AA7020.2 Recreation Equipment		33,455.00
AA7230.1 Swim Program salaries	12,000.00	
AA7020.2 Recreation Equipment		12,000.00
AA9010.8 NYS Retirement	55,300.00	
AA1440.44 Engineer/Sauquoit Creek Basin		15,000.00
AA1990.4 Contingency Account		27,300.00
AA3220.11 Dispatchers		8,000.00
AA3510.4 Animal Control contractual		5,000.00
AA9015.8 State Retirement/Police & Fire	900.00	
AA1990.4 Contingency Account		900.00
AA9060.8 Health Insurance	32,855.00	
AA1355.41 Property Assessment		15,216.00
AA1620.1 Buildings & Grounds salary		1,000.00
AA1620.2 Buildings/Grounds Equipment		2,500.00

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 13

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
AA1680.41 Central Data Processing/Programming		5,139.00
<u>General Part-Town – Balance Overdrawn Accounts</u>		
BB4020.4 Registrar contractual	350.00	
BB1990.4 Contingency Account		350.00
BB8010.11 Zoning Board Salary	1,000.00	
BB1990.4 Contingency Account		1,000.00
BB9030.8 Social Security	5,000.00	
BB1990.4 Contingency Account		5,000.00
<u>Highway Part-Town – Balance Overdrawn Accounts</u>		
DB5110.1 Personal Services	40,693.84	
DB5112.41 Road Repairs/Sessions		40,693.84
DB5110.14 Seasonal Employees	7,195.04	
DB5112.41 Road Repairs/Sessions		7,195.04
DB5110.46 Colprovia	1,000.00	
DB5112.41 Road Repairs/Sessions		1,000.00
DB5110.47 Contractual Expense	700.00	
DB5112.41 Road Repairs/Sessions		700.00
DB5110.48 Sidewalks/retaining wall	17,664.70	
DB5112.41 Road Repairs/Sessions		17,664.70
DB5130.4 Machinery repairs	10,000.00	
DB5130.41 Machinery tires		10,000.00
DB5130.44 Machinery rental	1,300.00	
DB5112.41 Road Repairs/Sessions		1,300.00
DB5140.4 Brush & Weeds contractual	7,225.44	
DB5112.41 Road Repairs/Sessions		7,225.44
DB5140.46	4,284.38	
DB5112.41 Road Repairs/Sessions		4,284.38

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 14

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
DB5142.4 Stone	48,000.00	
DB5112.41 Road Repairs/Sessions		29,500.00
DB5142.11 Overtime Wages		13,000.00
DB9010.8 State Retirement		5,500.00
DB5142.42 Salt	10,000.00	
DB9060.8 Hosp/Medical Insurance		10,000.00
DB5142.44 Gasoline	10,000.00	
DB5110.45 Gasoline		10,000.00
DB5130.2 Machinery Equipment	134,702.00	
DB47890 Revenue/Federal aid-FEMA		64,349.26
DB5142.43 Sand		10,000.00
DB5142.48 Radio		3,400.00
DB5110.42 Gravel		10,000.00
DB5130.42 Machinery Oil & Grease		2,000.00
DB5110.42 Gravel		12,000.00
DB5112.04 Paving Roads		32,952.74
<u>Water – Balance Overdrawn Accounts</u>		
FF8310.54 Tax Town Park	3.89	
FF8310.4 Supplies	38.21	
FF24010 Interest & Earnings	42.10	
<u>Sewer – Balance Overdrawn Accounts</u>		
SS9010.8 State Retirement	5,902.00	
SS8110.4 Sewer Contractual		5,902.00
SS9030.8 Social Security	1,000.00	
SS8110.4 Sewer Contractual		1,000.00

The Resolution was voted upon by roll call as follows:

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

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

**SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 15**

2005 Budget Revision – Plumbing Inspector Salary

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

(RESOLUTION NO. 437 OF 2004)

WHEREAS, at the December 15, 2004 Town Board meeting a Resolution had been adopted to increase the 2005 salary of the Plumbing Inspector by three percent (3%) over what he earned in calendar year 2004;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and approve the following budgetary revisions in the 2005 Budget:

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
B8010.19 – Wages – Ronald Thomas	695.00	
B1990.4 Contingency Account		695.00

A roll call vote ensued:

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

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

Appointment - Board Assessment Review

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

(RESOLUTION NO. 438 OF 2004)

RESOLVED that the Town Board of the Town of New Hartford does hereby re-appoint Jonathan Purdy, 96 Oxford Road, New Hartford, NY as a member of the Board of Assessment Review for a five (5) year term, retroactive to October 1, 2004 and ending September 30, 2009.

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 16

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

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

Assessment Notice

Supervisor Humphreys stated that two (2) property owners, John & Eileen Hamlin, 1 Butternut Road, New Hartford and McCraith Beverages, 20 Burrstone Road, New York Mills did not receive notification of their assessment change, which the Town cannot dispute. The amount of the increase in the Hamlins' assessment was Eight Thousand Dollars (\$8,000). The Hamlin property owners would be willing to settle for tax refund on one-half (1/2) of the Assessment of Four Thousand Dollars (\$4,000), which would be One Hundred Thirty-Nine Dollars (\$139). Councilmen Backman and Waszkiewicz have a problem paying back School and County taxes that the Town collected for other entities. Councilman Woodland asked if the two properties would be staying at the higher assessment. The Town Supervisor replied "yes". Councilman Waszkiewicz presented the following Resolution for adoption, seconded by Councilman Butler:

(RESOLUTION NO. 439 OF 2005)

RESOLVED that the New Hartford Town Board does hereby authorize a refund of taxes in an amount not to exceed One Hundred Fifty Dollars (\$150) to be refunded to John & Eileen Hamlin; which refund would be based on one-half (1/2) of the amount of the increase in their assessment or Four Thousand Dollars (\$4000).

The foregoing Resolution was duly put to vote upon roll call, which resulted as follows:

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

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

Well Water - Dr. Wilcox property, Sessions Road

The attorney for Dr. Wilcox sent excellent work regarding the title to the new portion of Sessions Road. The Town will give title to the old portion of Sessions Road. The Town had previously agreed to reimburse Dr. Wilcox for work completed minus Four Hundred Dollars (\$400) for work completed on the well. It was the consensus of the members of

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 17

the Board to reimburse Dr. Wilcox, which is approximately Forty-Seven Hundred Dollars (\$4,700).

Union Contract – Parks and Recreation Department

The Union Contract for Parks and Recreation Department was signed on Monday, December 27, 2004 and the Contract is for four (4) years.

Training – Association of Towns Meeting

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

(RESOLUTION NO. 440 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;

THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the following Town Officials to attend the February 2005 New York State Association of Towns educational seminar in New York City, New York:

- Town Supervisor
- Councilmen
- Codes Enforcement Officer
- Highway Superintendent
- A Planning Board member
- A Zoning Board of Appeals member

and be it

FURTHER RESOLVED that the Town of New Hartford shall pre-pay the conference registration and hotel accommodations for each of the above-referenced Town Officials who then shall be advanced the sum of Five Hundred Dollars (\$500) for meals and round-trip transportation; upon return from said educational seminar, each Town Official shall substantiate their expenditure of Five Hundred Dollars (\$500) upon a Town voucher with supporting documents/receipts and/or deliver any unexpended funds to the Town Bookkeeper, and be it

FURTHER RESOLVED that various modes of transportation will be utilized to and from the seminar and that the New Hartford Town Board does hereby establish the maximum **transportation allowance** not to exceed the cost of a round trip train fare

SPECIAL TOWN BOARD MEETING

December 29, 2004

Page 18

from Utica, New York to New York, New York, less the Ten Percent (10%) discount offered by the State Association of Towns, whether officials/employees utilize:

- round-trip bus transportation
- round-trip train transportation from Utica to New York, NY
- round-trip train transportation from Albany to New York, NY, including any round-trip mileage from Utica to Albany
- drive his/her personal automobile to the educational seminar.

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

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

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

EXECUTIVE SESSION

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

(RESOLUTION NO. 441 OF 2004)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss union negotiations for the Emergency Dispatch Center and to discuss the Hage Tax Certiorari.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
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 and Deputy Town Clerk, were then excused from the meeting at 9:30 P.M.

[NOTE: The Supervisor provided the following action of the Town Board.]

SPECIAL TOWN BOARD MEETING
December 29, 2004
Page 19

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 442 OF 2004)

RESOLVED that the New Hartford Town Board does hereby move to end its Executive Session 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 Butler	-	Aye
Councilman Backman	-	Aye
Councilman Woodland	-	Aye
Supervisor Humphreys	-	Aye

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 9:55 P.M. The regular portion of the Town Board meeting was reconvened at 9:56 P.M.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Waszkiewicz, seconded by Councilman Butler, the meeting adjourned at 9:57 P.M.

Respectfully submitted,

Margaret M. Jones
Deputy Town Clerk I