

**SPECIAL MEETING OF THE TOWN BOARD OF THE
TOWN OF NEW HARTFORD, NEW YORK, HELD AT
BUTLER MEMORIAL HALL, NEW HARTFORD ON
WEDNESDAY, DECEMBER 28, 2005 AT 6:00 P.M.**

The Town Supervisor called the meeting to order at 6:00 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
Telecommunicator Supervisor Jeffrey Madden
Deputy Town Clerk I Margaret M. Jones
Clerk Sub Carrie A. Paciello

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

MINUTES

December 21, 2005 Town Board meeting

Deputy Clerk Jones reported that the December 21, 2005 minutes were transcribed with the exception of the Sylvan Way road dedication, Resolution No. 365, as the Town does not have all the required documents. Supervisor Humphreys acknowledged that this had been prematurely presented as his request. Once Attorney Rossi presents the necessary information, the Resolution can be completed and then the minutes will be presented for approval. Supervisor Humphreys thanked the Deputy Clerk for presenting this information to the Board members; the Supervisor had spoken earlier with the Town Clerk regarding this matter.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Highway Funds – Encumbered from 2005 into 2006

The Highway Superintendent presented the following list of expenses, which need to be carried over from the 2005 Budget to be paid in 2006:

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Shumaker Engineering

Pump Station Upgrade, Contract 2, **SS8110.4**

Balance due from Contract 2 plus multi-station
Generator design \$ 9,415.00

Oxford/Tibbitts Stormwater Management Study, **AA1440.4**

Preliminary Design 8,300.00

Central Paving, Inc.

2005 Sidewalk Contract, **DB5110.48**

Work completed but not invoiced 20,000.00

Bat-Con

Homestead Road Pump Station, **SS8110.4**

Retainage plus multi-station generator 21,285.00

Barrett Paving

2005 Paving, **DB5112.4**

Retainage plus uncompleted work 153,775.00

American Asphalt

2005 Paving, **DB5112.4**

Uncompleted slurry seal 45,000.00

Sauquoit Creek Basin Intermunicipal Commission

T/O New Hartford's share **HOCCPP** services and Towns

Share of Equitable Funding Study invoice, **AA1440.4** 10,593.59

The Town Supervisor stated that no action was needed because Purchase Orders had been presented for these items and the voucher will be returned shortly. The Town does not have to encumber moneys as long as the money is "locked in" with the completion of a Purchase Order and a voucher will be presented for payment. Councilman Waszkiewicz asked the Highway Superintendent how much money was encumbered and the Highway Superintendent stated approximately Four Hundred Six Thousand Dollars (\$406,000). Councilman Waszkiewicz stated that he did not want the Highway Superintendent to be surprised if the next administration looks at the total of these moneys and might use some of this for paving or for better application within the Highway Department.

Authorization for Competitive Bid – Crew Cab Dump Truck

Upon request of the Highway Superintendent, Councilman Butler presented the following Resolution and moved its adoption, which was seconded by Councilman Woodland:

(RESOLUTION NO. 371 OF 2005)

RESOLVED that the New Hartford Town Board shall receive sealed bids for the purchase of one (1) new Dump Truck with Crew Cab, in accordance with Town specifications; all bids are to be received by the Town Clerk's Office no later than 10:45

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A.M. on Wednesday, January 18, 2006 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**.

TOWN CLERK:

Fireworks Display Permit

Upon presentation by Deputy Clerk Jones, the following Resolution was introduced for adoption by Councilman Butler and seconded by Councilman Woodland:

(RESOLUTION NO. 372 OF 2005)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Clerk, who has received an Application for a Fireworks Permit and the appropriate Certificate of Insurance naming the Town of New Hartford as an additional insured, to issue to Majestic Fireworks, Inc., Clinton New York, a Fireworks Display Permit for the display of fireworks upon premises owned by Armand Cadieux, at 3 Sherrillbrook Road, on December 31, 2005 at 11:30 P.M., in accordance with the State Penal Law and regulations set forth in said Permit.

Police Chief Philo had made an on-site inspection and had reviewed the application; thereafter, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
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*.

Certification Stamp Machine – Registrar’s Office

Town Clerk Gail Wolanin Young has requested that the \$5,000 Registrar Equipment line item (B4020.2) be encumbered into 2006 for the certification stamp machine with signature, which would automatically place the registrar’s signature on Death and Birth Certificates, thus saving valuable time within the office. After discussion, the Board determined that a Purchase Order and/or voucher need to be on file in 2005 to in order to hold the money for said purchase. Councilman Butler presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 373 OF 2005)

RESOLVED, that the Town Board approves that the 2005 Budget Line Item B4020.2 in the amount of Five Thousand Dollars (\$5,000) for the Registrar’s Office be encumbered to cover the cost of the Certification Stamp machine contingent upon whether it is legal and proper to encumber this Line Item.

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

Donation – Police Department Evidence Van

The Town Supervisor stated that he had mailed the letter of request to Steet-Ponte and has spoken with Lt. O’Neill regarding the letter. Lt. O’Neill confirmed that the specifications were o.k., but reiterated to the Town Supervisor that they have been in contact with Joseph Steet regarding the van.

2005 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 Waszkiewicz:

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General/Whole town Fund

<u>Account No./Description</u>	<u>Increase</u>	<u>Decrease</u>
A1010.4 – Town Board Contractual	\$ 5,000.00	\$
A1990.4 – Contingent Account		5,000.00
A1315.13 – Clerk Parttime	1,100.00	
A2401.0 – Interest Income	1,100.00	
A1330.4 – Receiver of Taxes	2,500.00	
A12322.0 – Receiver of Taxes Fees	2,500.00	
A1410.4 – Town Clerk Contractual	300.00	
A1990.4 – Contingent		300.00
A1420.4 – Attorney Contractual	30,000.00	
A1990.4 – Contingent Account		30,000.00
A1460.4 – Records Management Contractual	1,000.00	
A1460.2 – Records Management Equipment		1,000.00
A1620.4 – Buildings Contractual	1,000.00	
A1990.4 – Contingent Account		1,000.00
A1620.41 – Building Utilities	10,000.00	
A1910.4 – Contingent Account		10,000.00
A1670.4 – Cent. Print & Mail	2,000.00	
A1910.4 – Contingent Account		2,000.00
A1670.41 – Maintenance Agreements	15,000.00	
A9010.8 – ERS Retirement		15,000.00
A1920.4 – Municipal Association Dues	50.00	
A1910.4 – Insurance		50.00
A3120.11 – Police Chief Salary	4,000.00	
A3120.49 – Technology Grant		4,000.00
A6772.2 – Program for Aging	10,146.59	
A3772.1 – State Grant Program for Aging	10,146.59	

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A7020.11 – Recreation Center Work Forman	4,500.00	
A7020.13 – Recreation Center Overtime		4,500.00
A7110.11 – Park Work Supervisor	6,750.00	
A7110.16 – Parks OVT		6,000.00
A7110.17 – Parks Prior Year Comp		750.00
A7110.18 – Recreation Maintenance Worker	6,000.00	
A9010.8 – ERS Retirement		6,000.00
A1440.47 – Oxford/Tibbits	8,300.00	
A1910.4 – Contingent		8,300.00
AA1110.11 – Court Clerk	2,500.00	
AA1110.15 – Prior Year Comp		2,500.00
AA1110.14 – Assistant Court Clerk	3,000.00	
AA1110.16 – Prior Year Comp		3,000.00
<u>General/PartTown Fund</u>		
B4020.4 – Registrar Contractual	2,000.00	
B2401.0 – Interest Income	2,000.00	
<u>Highway/Whole town</u>		
DA5142.4 – Snow Removal	1,000.00	
DA5110.4 – General Repairs Contractual		1,000.00
<u>Highway/PartTown</u>		
DB5110.14 – Seaonal Employee	2,000.00	
DB5110.41 – Stone		2,000.00
DB511045 – Gasoline	5,000.00	
DB5130.2 – New Machinery		5,000.00
DB5130.42 – Tires	10,000.00	
DB5130.2 – New Machinery		10,000.00
DB5130.44 – Items for Stock	4,000.00	
DB5130.2 – New Machinery		4,000.00
DB5142.42 – Salt	14,500.00	
DB5140.4 – Brush & Weeds		14,500.00

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DB5142.44 – Gasoline Winter	10,000.00	
DB5130.2 – New Machinery		10,000.00

Sewer Fund

SS8110.46 – Sewer Chg. New York Mills	3,400.00	
SS8110.4 – Sewer Contractual		3,400.00

SS8110.57 – Sewer Chg. Yorkville	5,520.00	
SS8110.4 – Sewer Contractual		5,520.00

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***.

COUNCILMAN BACKMAN:

Higby Road Water District – DeBlois Water System

Councilman Backman is disappointed that this issue has not been settled; he believes there is no gray area regarding this system, which was built by David DeBlois and is maintained by him, including payment for the electrical usage to run the system for water to his home. With the DeBlois system already built, the Town does not have to install an additional fourteen hundred feet (1400) of water line; the DeBlois system can be incorporated into the Higby Road Water District. Frank Giotto's system is a completely different system and you cannot compare apples to oranges. Councilman Backman feels that this issue has not been addressed. The Town Supervisor agrees with Councilman Backman that the DeBlois system is altogether different than the system at the Giotto residence, but Attorney Rossi does not want to push this matter through since he has found questions regarding the Giotto system. The Town Supervisor has faith that the next Board will be fair and feels that there is not an urgency to settle this matter since the water district will not be completed until next year. Councilman Backman distributed a copy of a Resolution, which he would like to have enacted. Councilman Waszkiewicz stated that the next Board should use this Resolution, but Councilman Backman feels that the Resolution needs to be reviewed by the Town Attorney. The Giotto system is pressure fed while the DeBlois system is metered. Councilman Woodland stated that he would keep this in mind. Councilman Butler agreed that the DeBlois system is different and that this matter should be acted on. Councilman Backman stated that he is going to send a letter to David DeBlois recapping the entire situation. Councilman Butler

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suggested that Councilman Backman present the Resolution at this meeting. Councilman Backman stated “no”.

Audit of Voucher

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

(RESOLUTION NO. 375 OF 2005)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of the following bill itemized on the following Abstract, that has been duly audited by the Town Board:

Capital Funds – Highway Equipment No. 1	
Voucher HN 1	\$243,174.00

Whereupon, the Town Board members voted individually 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**.

Town Supervisor/Councilmen Nameplates

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

(RESOLUTION NO. 376 OF 2005)

RESOLVED that the New Hartford Town Board does hereby authorize that the retiring members of the Town Board; i.e. Supervisor Humphreys, Councilman Backman and Councilman Butler, be entitled to take their respective nameplates with them upon the completion of their terms of office on December 31, 2005.

Whereupon, the Town Board members voted individually as follows:

Councilman Waszkiewicz	-	Aye
Councilman Woodland	-	Aye
Councilman Butler	-	Aye

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Councilman Backman - Aye
Supervisor Humphreys - Aye.

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

Councilman Waszkiewicz stated that it has been a pleasure working with Supervisor Humphreys, Councilman Backman, and Councilman Butler even in good time and bad. There has been a lot of forward motion in this Town working with this Board and Councilman Waszkiewicz thanked each of them for their time and effort spent. Councilman Woodland also thanked the Town Supervisor and the two (2) Councilmen for the help they have given him and further stated that it has been a pleasure working with all three (3) of them. Town Supervisor Humphreys stated that he had the best interest of the Town when acting as Supervisor. Supervisor Humphreys continued that this position was a great learning experience for him and he thanked his wife, Lois, for all of her help and support.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Butler, seconded by Councilman Backman, the meeting adjourned at 6:55 P.M.

RESPECTFULLY SUBMITTED,

MARGARET M. JONES
DEPUTY TOWN CLERK I