

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT THE KELLOGG ROAD COMMUNITY CENTER
BUILDING ON WEDNESDAY, MARCH 15, 2006
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. He then asked that everyone remain standing in honor of the late Patrolman Joseph Corr, to offer prayers and thoughts for his family and Supervisor Reed further stated that the Town would be available to assist the Corr Family for as long as they need us. Supervisor Reed also welcomed back Councilman Waszkiewicz after his lengthy recuperation. 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 Robert A. Payne III
Councilman John C. Waszkiewicz III
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Earle C. Reed

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 7:15 P.M.)
Parks and Recreation Director Michael W. Jeffery
Telecommunicator Supervisor Jeffrey P. Madden
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk Margaret M. Jones

OTHERS: Attorney Gerald J. Green

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

MINUTES APPROVAL

February 8 and February 15, 2006 Town Board Minutes

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

(RESOLUTION NO. 71 OF 2006)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Special* Town Board meeting held on *February 8, 2006* and

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 2

the *Regular* Town Board meeting on *February 15, 2006* and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

absent from these meetings	Councilman Waszkiewicz	-	ABSTAINED as he was
	Councilman Reynolds	-	Aye
	Councilman Woodland	-	Aye
	Councilman Payne	-	Aye
	Supervisor Reed	-	Aye.

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

REPORTS OF TOWN OFFICIALS

AGING (DIRECTOR OF SENIOR SERVICES):

Appointment – Part-time Employee

Upon recommendation of Director M. Eileen Spellman, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Woodland:

(RESOLUTION NO. 72 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Carolyn Burney as a Food Service Helper-Sub at the New Hartford Adult Dining & Activity Center, retroactive to March 1, 2006 at an hourly wage of Seven Dollars and Seventy-Five Cents (\$7.75), to be paid bi-weekly:

Upon roll call, the Town Board voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

HIGHWAY SUPERINTENDENT:

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 3

Agreement –Mudd Creek/Greenbelt Wetland Mitigation Feasibility Assessment

Shumaker Consulting Engineering & Land Surveying, PC, has submitted a proposal to start the green belt corridor study, identified in the 1992 GEIS Findings Statement, the cost of which the Highway Superintendent said could be paid from Fees In Lieu of Mitigation (FILM). Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 73 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement between the Town of New Hartford and *Shumaker Consulting Engineering & Land Surveying, PC*, to begin the Mudd Creek/green belt corridor study (downstream of the Presbyterian Home/Seneca Turnpike) at a cost not to exceed Twenty-five Hundred Dollars (\$2500).

The foregoing Resolution was duly put to a vote upon roll call:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye

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

Agreement – COR's Development, Middlesettlement Road

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

(RESOLUTION NO. 74 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute a three-party Agreement between Clark Patterson, the Town of New Hartford and Cor, the developer who will fund the project in the amount of Forty-Two Hundred Dollars (\$4200), as same relates to the COR project to be located on Middlesettlement Road, a county highway, adjacent to Twin Orchards.

The foregoing Resolution was duly put to a vote upon roll call:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 4

Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye

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

Town Code, Chapter 98 Sewers – Proposed Amendment

Currently, Section 98-21 of the Town Code provides that the property owner is responsible for the maintenance of the sanitary lateral from the building to the right-of-way of either the road or the improvement area, and that the Sewer District shall be responsible for maintenance of all connections from the road sewer to either the right-of-way line of the highway or the permanent easement line granted for the public sewer. The Highway/Sewer Superintendent had forwarded a Memo to the Town Board relating problems of this approach vs. having the property owner take normal maintenance responsibility for the entire length of the lateral from the building to the main line sewer. The Town Clerk will prepare the necessary Local Law and have the Highway/Sewer Superintendent and Attorney review same prior to the April 2006 Town Board meeting.

Appointments – Seasonal Highway Employees

Upon recommendation of the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Payne and duly seconded by Councilman Waszkiewicz:

:

(RESOLUTION NO. 75 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Jesse Conhaim, Michael Shaw and Robert Reynolds as Seasonal Laborers for the Highway Department at an hourly rate of Eight Dollars (\$8.00) since they are returning summer employees, and Andrew Mosher at the hourly rate of Seven Dollars and Seventy-Five Cents (\$7.75) since he is a first-time employee; all appointments are effective May 1, 2006 with wages to be paid bi-weekly.

Whereupon, the Town Board voted upon roll call:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 5

Agreement – COR’s Stormwater Management

Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 76 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute an Agreement between the Town and *Shumaker Consulting Engineering & Land Surveying, PC*, for a stormwater site plan review in the amount of Nine Thousand Two Hundred Dollars (\$9200) relating to the proposed COR’s Middlesettlement Road retail development project, said cost to be paid for by the Developer.

The foregoing Resolution was duly put to a vote upon roll call:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Roberts Avenue – Streetlights

The Highway Superintendent acknowledged receipt of a letter from Mr. Boucher regarding the streetlights for Roberts Avenue and will forward the letter to National Grid.

Higby Road Water District, Extension No. 1 - Change Order

Upon the recommendation of the Highway Superintendent, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Supervisor Reed:

(RESOLUTION NO. 77 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute Change Order No. 1-4 with Bat Con, Inc. in the amount of One Hundred Thirty-One Thousand Five Hundred Ten Dollars (\$131,510) for installing the necessary infrastructure for Extension No. 1 of the Higby Road Water District.

The Town Supervisor polled the Board who voted as follows:

Councilman Waszkiewicz	-	Aye
------------------------	---	-----

REGULAR TOWN BOARD MEETING
March 15, 2006
Page 6

Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Appointment – Cleaner at Sanger Public Works Garage

Highway Superintendent Roger Cleveland reviewed a Cleaner vacancy and the interest of an existing employee to assume those duties, said matter having been discussed with the Personnel Assistant, Oneida County Department of Personnel and the Teamsters bargaining unit. Thereafter, Councilman Payne presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 78 OF 2006)

WHEREAS, a Cleaner position, a permanent, part-time, non-bargaining unit position at the Sanger Public Works Building is vacant and has been vacant since January 25, 2006; and

WHEREAS, the position reports direct to Roger Cleveland, Superintendent of Highways; and

WHEREAS, the position has been posted by the Town; and

WHEREAS, a current employee of the Town has made application for the position; and

WHEREAS, it has been determined by the Town that the current job duties of the subject employee and the job duties of the Cleaner position are different enough that the same employee can perform both jobs; and

WHEREAS, it has also been determined by the Teamsters that the subject employee is not in violation of the bargaining unit contract if the subject employee, who is a bargaining unit member, performs the duties of this non-bargaining unit Cleaner position; and

WHEREAS, the budgeted part-time position carries a maximum of twenty (20) hours per week, and a maximum salary of One Hundred Sixty (\$160) Dollars per week; and

WHEREAS, in review of the cleaning duties it has been determined that the duties can be performed during a maximum of eight (8) hours per week;

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 7

NOW, THEREFORE, BE IT RESOLVED that the Town Board does agree with the Highway Superintendent's recommendation to appoint Candy Currier, currently a Clerk in the Highway Department, working forty (40) hours per week, at a rate of Twelve Dollars Sixty Cents (\$12.60) per hour, to also fill the permanent, part-time position of Cleaner for the Sanger Public Works Building effective March 16, 2006; and

BE IT FURTHER RESOLVED that Ms. Currier shall perform the duties of the Cleaner position in a maximum of eight (8) hours per week, at a base of Twelve dollars Sixty Cents (\$12.60) per hour, that would total at a maximum as follows: 8 hours per week X \$12.60 per hour X 1.5 for a total of One Hundred Fifty-One Dollars Twenty Cents (\$151.20); and

RESOLVED, that at the time the Town Board authorizes a rate of pay increase for part-time Cleaner positions, that the rate of increase shall be divided by one and one-half (1.5) for Ms. Currier; and

RESOLVED, that should Ms. Currier either vacate the Cleaner position or be discharged from the Cleaner position, that the rate of compensation for the Cleaner position for the Sanger Public Works Building shall revert to the same rate of compensation as are established for other Cleaner positions in the Town.

A roll call vote was duly held as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

PARKS AND RECREATION DIRECTOR:

Appointments – Seasonal Employees

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

(RESOLUTION NO. 79 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various seasonal positions and for the hourly wages set opposite their

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 8

several names, for the Parks and Recreation Department, effective, March 20, 2006; all wages to be paid bi-weekly:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
James Miller	Crew Supervisor/Gardener	\$10.28
Edward Bowes	Gardener	8.50

Whereupon, the Town Board voted upon roll call:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Training – NYS Parks and Recreation Conference

Upon request of Parks and Recreation Director Michael Jeffery, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Supervisor Reed:

(RESOLUTION NO. 80 OF 2006)

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 Parks and Recreation Director Michael Jeffery to attend the New York State Parks and Recreation Conference from April 2-5, 2006 in Kerhonkson, New York, with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 9

Training – EPF and LWCF

Upon request of the Parks and Recreation Director, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Supervisor Reed:

(RESOLUTION NO. 81 OF 2006)

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 Michael W. Jeffery, Parks and Recreation Director, to attend a 2-hour Informational Workshop on the Environmental Protection Fund and the Land and Water Conservation Fund on March 31, 2006 in Syracuse, New York, with any expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Summer Playground Programs

Parks and Recreation Director Michael Jeffery distributed and recapped a report of recommendations from the Playground Sub-committee and the Parks and Recreation Advisory Committee. Since times have changed, some parents expressed concern about safety of children. The Parks and Recreation Director feels that additional pressure is being placed on 19 and 20 year olds who manage activities for the Parks. Director Jeffery has spoken to over thirty (30) communities and has met with directors. There are some large attendance issues. Since society has changed, the Parks and Recreation Director would like to implement the recommended improvements especially with regards to “stranger danger”; one change being implemented would be having the parent/guardian sign-in and sign-out the child/children participating in the Parks programs. Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

REGULAR TOWN BOARD MEETING
March 15, 2006
Page 10

(RESOLUTION NO. 82 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize Parks and Recreation Director Michael Jeffery to implement the changes recommended by the Parks & Recreation Advisory Committee and the Playgrounds Sub-Committee so that these recommendations take effect with the 2006 Summer Playground Programs.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

TOWN CLERK:

Use of Town Voting Machines

Upon presentation of the Town Clerk, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 83 OF 2006)

RESOLVED that the New Hartford Town Board does hereby grant the request of the Village of New Hartford to use one (1) Town Voting Machine for their Village Election on Tuesday, March 21, 2006, contingent upon transportation and set-up of the machine to be arranged through Town Voting Machine Custodian Michael W. Jeffery and at no expense to the Town.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 11

NYS Liquor Authority – Waiver

The Town Clerk has received a request from Gino Laurenzo for a waiver of the thirty (30) day period for re-applying to the State Liquor Authority for a change in his liquor license. Councilman Payne then offered the following Resolution for adoption and Supervisor Reed duly seconded same:

(RESOLUTION NO. 84 OF 2006)

WHEREAS, the application of Gino Laurenzo, owner of the *Rio Grande Tex-Mex Grill*, 3913 Oneida Street, Washington Mills, New York, had been returned to the applicant due to errors or deficient information; and

WHEREAS, State Liquor Authority law requires the applicant to wait at least thirty (30) days after notifying the Town of New Hartford before the applicant can submit an application to the Liquor Authority;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby waive the thirty (30) days, having been notified on March 1, 2006 that Mr. Laurenzo was applying for a change in his liquor license.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

MATTERS SUBMITTED BY COUNCILMEN & ATTORNEY

COUNCILMAN PAYNE:

Committee Updates – Safety Manual

Brian Hanson will be reviewing the Town’s Safety Manual to make sure it is up-to-date. Also, Councilman Payne stated that he would like to see an Awareness Program for safety be implemented and that all employees are made aware of it. Further, he would like to put together corrective actions in regards to safety. When a department head comes across a safety issue, resolve the issue in a timely fashion.

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 12

Energy Management

Together with the Highway Superintendent and Parks and Recreation Director, Councilman Payne has been looking at energy management programs for the town. Councilman Payne contacted Smart Watt, a company that evaluates electrical usage, and they are presently working to see what type of electrical saving can be achieved for the Town. He has also spoken with John Thomas from Mirabid, which company has saved Albany County money for their gas. As an example, when we are paying One Dollar Fifty Cents (\$1.50) a therm for gas; Albany County is paying Sixty-Nine Cents (69¢) a therm.

Communication Committee

Barbara Sweeney and Jesse White, a former Utica College student who has since graduated, were members of this committee. Councilman Payne will keep Barbara Sweeney informed regarding the meetings of this committee. The Councilman envisions the committee will help improve the Town's image. Lisa Payne and Linda Madore would also like to be involved with this program.

Inter-municipal Comparison Sub-Committee

Upon the recommendation of Councilman Payne, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Supervisor Reed:

(RESOLUTION NO. 85 OF 2006)

RESOLVED that the New Hartford Town Board does hereby approve the formation of a temporary committee consisting of five (5) to seven (7) resident volunteers for the purpose of investigating Inter-municipal comparison of services.

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

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

COUNCILMAN WASZKIEWICZ:

Agenda Items:

- Subdivision regulations – Master Plan Trail System – recreation areas green space – Findings Statement – Planning Board. Councilman Waszkiewicz is not

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 13

sure if a findings statement has been completed. Attorney Gerald Green said subdivision regulations are tied in with park findings, which are on hold presently because the Town doesn't have a basis to charge a percentage or dollar figure per building lot. The Planning Board will be meeting either within the next week with another municipality who has done this.

- Finalize a plan to develop the Parks interconnecting railway system - ***pj smith & associates*** has distributed a comprehensive plan for railways, which might be able to be incorporated and tied in parks/recreational facilities by some type of intermode transportation trail.
- Sidewalks – Burrstone Road and Paris Road upgrade, response from attorney as to whether mitigation fees can be used on a State Highway and get estimated cost of installation of Sidewalks or inter-modal transportation trails – Copy of Assemblyman Townsend's reply and consideration for member-item funding
- Stormwater Management Criteria – Councilman Waszkiewicz will e-mail Board members guidelines for their review and consideration. Special attention needs to be placed on the Ironwood, Sedgewick Park and Tilden Ave watershed areas.
- Oneida-Herkimer Counties Empire Zone Board review – Councilman Waszkiewicz has information from the last meeting, copies of minutes and Draft Development policy, which he will give to the Town Clerk.
- Planning Board Nomination – an acknowledgement needs to be sent to the volunteers who applied for the open seats.

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

(RESOLUTION NO. 86 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Robert A. Wood as a Member of the Town Planning Board (filling the New York Mills Village representative position) to fill the unexpired term of Ronald Morelle who resigned, said term to commence March 16, 2006 and expire on December 31, 2012.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 14

- Draft a letter to State Legislators requesting adopting of "Save our Home" Legislation capping assessment changes – similar to either Florida or Massachusetts laws or stop using property values as a way to levy taxes. Councilman Waszkiewicz will e-mail some articles to Board members for their consideration in support of either capping assessment changes or capping the percentage of value that a property can be taxed
- Judd Road and peripheral road signage with Villages of New York Mills, Whitesboro, Yorkville and Town of Whitestown updating Department Of Transportation (DOT) map and finalize meeting with DOT. Supervisor Shannon confirmed Whitestown did approve the signage and March 17th there's a meeting with DOT in New York Mills at the Village Hall. Councilman Waszkiewicz will coordinate with New York Mills.
- Noise ordinance and nuisance abatement legislation – A sub-committee needs to discuss noise restriction and/or time limitation for construction and heavy equipment and implementation of nuisance abatement legislation. The Town Clerk has obtained from General Code Publishers sample legislation used in other communities and Councilman Waszkiewicz will contact *pj smith* for any suggestions on these subjects
- Socially responsible energy policies – Town participation in **International Council for Local Environmental Initiatives** – Page one of website.

Rayhill Memorial Trail – Pedestrian Crossing of NYS Route 5A

Councilman Waszkiewicz thanked the Parks and Recreation Director and the Highway Superintendent for recognizing the danger that pedestrians incur when darting across Route 5A (Commercial Drive) using the Rayhill Memorial Trail. People will need to be directed to the traffic light at Consumer Square to cross Route 5A. The State of New York has been put on notice regarding this danger.

COUNCILMAN REYNOLDS:

Grant Writer

Councilman Reynolds has a contract for a potential grant writer. Attorney Green had some concerns and had met with an insurance representative yesterday and what they said is that for an intentional act, that something could definitely be covered with additional premium; if unintentional, this would be covered under errors and omissions. Once resolved, Councilman Reynolds will bring this matter back before the Town Board.

Update on Consolidation/Expansion

Councilman Reynolds continues to meet with John Dow and has supplied him with past studies on the various Town offices. Councilmen Waszkiewicz and Reynolds have met with Mr. Dow who's perusing information and developing a statement.

REGULAR TOWN BOARD MEETING
March 15, 2006
Page 15

Hazard Mitigation Plan

Councilman Reynolds reported that he attended this meeting at the County with the Highway Superintendent.

NYS Association of Towns Meeting

Councilman Reynolds attended the NYS Association of Towns meeting in New York, NY in February 2006 and gave an overview of the different classes he attended:

- Fire fighting information – volunteering challenges
- Human resources strategies
- NIMS Training – Mandatory
- Suburban Core Development Issues
- Wind Generated Power

ATTORNEY GREEN:

Settlement of Certiorari (Assessment) Cases

Upon recommendation of Gerald Green, Attorney for the Town of New Hartford, the following Resolution was introduced for adoption by Supervisor Reed and duly seconded by Councilman Reynolds:

(RESOLUTION NO. 87 OF 2006)

WHEREAS, several claims had been brought against the Town of New Hartford relative to property assessments; and

WHEREAS, these claims can be released as against the Town of New Hartford;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby agree to settle the following Certiorari (assessment) proceeding brought against the Town for the amount(s) specified for the designated tax years:

<u>Tax Map No.</u>	<u>Initial Assessment</u>	<u>New Assessment</u>	<u>Tax Year</u>
Martin Lewis, 9499 Sessions Road – Single Family Residence			
350.000-1-21.3	\$215,700	\$190,000	2004
Martin Lewis, 9499 Sessions Road – 3 dilapidated housing structures on 16 acres			
350.000-1-21.2	\$153,000	\$130,000	2004

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 16

**Homestead Enterprises, Inc. (Michael Cancilla), 151 Clinton Road - 18 Unit
Apartment Building**

328.000-2-79 \$495,000 \$270,000 2004

John Wisniewicz, 9493 Sessions Road – Single family residence on 28.7 acres

350.000-1-21.1 \$258,700 \$214,000 2004

**James Salerno, 1910 Tilden Avenue – Single Family residence on 34 acres only 5 or
6 acres of which are good**

340.000-2-23.1 \$849,000 \$750,000 2004

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of Vouchers

Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 88 OF 2006)

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, that have been duly audited by the Town Board:

General Fund Whole-Town Abstract No. 8 Vouchers AA382-AA436; 438-442	\$ 45,878.99
General Fund Whole-Town Abstract No. 8A (Police) Vouchers AA437	\$ 123.68
General Fund Part-Town Abstract No. 7 Vouchers BB42-BB56	\$ 18,544.81
Highway Fund Part-Town Abstract No. 6 Vouchers DB117-DB137	\$ 38,901.71

REGULAR TOWN BOARD MEETING
March 15, 2006
Page 17

Highway Fund Part-Town Abstract No. 7 Vouchers DB138-DB164	\$ 2,700.00
Sewer Fund Abstract No. 6 Vouchers SS25	\$ 1,200.00
Higby Road Water Tank Abstract No. 5 Vouchers HF17-HF18	\$ <u>606.30</u>
TOTAL:	\$107,955.49

Whereupon, the Town Board members voted individually as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

NEW BUSINESS:

Appointment – Zoning Board Member

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

(RESOLUTION NO. 89 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Timothy Tallman as Member of the Zoning Board of Appeals to fill an unexpired term of office, commencing March 16, 2006 and ending December 31, 2010.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Appointment – Planning Board Member

Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Payne:

REGULAR TOWN BOARD MEETING
March 15, 2006
Page 18

(RESOLUTION NO. 90 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Rodger C. Reynolds as a Member of the Town Planning Board (filling the New Hartford Village representative position) to fill the unexpired term of Timothy Tallman who resigned to return to the Zoning Board of Appeals, said appointment commencing March 16, 2006 and expiring on December 31, 2010.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

POLICE CHIEF:

Acknowledgement of Support – Robbery/Murder

Police Chief Philo acknowledged the tremendous support that has been received from the Town Board over the past two and one-half (2 ½) weeks with regards to the death of Officer Joseph Corr who died in the line of duty on February 27, 2006.

Appointment – Full-time Police Officer

Upon recommendation of Police Chief Philo, Councilman Payne introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 91 OF 2006)

WHEREAS, a vacancy exists in a full-time Police Officer position due to the death of Joseph D. Corr on February 27, 2006;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint Peter Colburn as full-time Police Officer effective April 2, 2006 at a salary of Twenty-three Dollars and Ninety-five Cents (\$23.95) per hour, payable bi-weekly.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 19

Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

ASSESSOR:

Equalization Rate

Assessor Paul Smith stated that he had not come before the Board regarding Equalization due to Councilman Waszkiewicz' injury. He will get have the opportunity to present to the Office of Real Property Services the Town of New Hartford's viewpoint or objection to the proposed equalization rate. Last year the rate was ninety-seven (97%) percent. Sales tax revenue affects this figure. This year the Town might be ninety-two (92%) percent. Kirkland is in the low sixties; Whitestown at least in the high seventies or low eighties; Marcy is in the high eighties and Paris is about ninety-five to nine-six, because they recently did a revaluation. In correlation to the Town's roll, everyone else is dropping at a greater percentage rate. Councilman Waszkiewicz asked the Assessor about purification of the roll and the Assessor explained that this would be an on-going process. Supervisor Reed acknowledged receipt of a letter about residential ratio. The Assessor stated that he had the same letter and has challenged it and corrected some items and expects to be at the ninety-two (92%) percent equalization rate.

TELECOMMUNICATOR SUPERVISOR:

New Generator – Jerome Madden Justice Building

Telecommunicator Supervisor Madden reported that the generator for the Jerome Madden Justice Building was funded one-hundred (100%) percent through a grant from Assemblyman Townsend's office. Supervisor Madden also thanked the Highway Department for their help in moving the old equipment.

New Radio – Sanger Public Works Garage

Telecommunicator Supervisor Madden explained that the Highway radio at the Dispatch Center "crashed". Since this radio is fifteen (15) years old, has been repaired numerous times and parts for the radio are now obsolete, he would like to purchase a new radio. Supervisor Reed presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 92 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize the purchase, on State Contract No. PC59589, one (1) radio for communications between Dispatch and the Highway Department for a price not to exceed One Thousand Four Hundred Fifty-Seven

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 20

Dollars and Eighty Cents (\$1,457.80); funds for the replacement of this radio are a budgeted item.

Upon roll call, the Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

EXECUTIVE SESSION

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

(RESOLUTION NO. 93 OF 2006)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the employment history of a particular employee, union bargaining negotiations and contract negotiations regarding stormwater repair.

A roll call vote ensued:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly adopted. All persons present, including the news media, and Deputy Clerk, were then excused from the meeting at 8:21 P.M. Attorney Green remained for the Executive Session and the Town Clerk was asked to stay in the event the Town Board took any action.

END OF EXECUTIVE SESSION

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

REGULAR TOWN BOARD MEETING

March 15, 2006

Page 21

(RESOLUTION NO. 94 OF 2006)

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	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly adopted; the Executive Session ended at 8:54 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 duly made and seconded, the meeting was adjourned at 8:54 P.M.

Respectfully submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk

Margaret M. Jones
Deputy Town Clerk I