

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK, HELD
AT BUTLER MEMORIAL HALL, IN SAID TOWN ON
WEDNESDAY, APRIL 11, 2007 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 John C. Waszkiewicz III
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Earle C. Reed

ABSENT: Councilman Robert A. Payne III

OTHER TOWN OFFICIALS: Assessor Paul Smith (arrived at 6:10 PM)
Highway Superintendent Roger A. Cleveland
Parks and Recreation Director Michael Jeffery
Planner Kurt Schwenzfeier
Police Chief Raymond Philo (arrived at 6:15 PM)
Telecommunicator Supervisor Jeffrey Madden
Town Attorney Gerald Green
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk I Margaret M. Jones

Thereafter, a quorum was declared present for the transaction of business. Councilman Payne, who was out of town on business, was unable to attend the meeting as Chicago's O'Hare Airport was closed due to a snowstorm.

PUBLIC HEARINGS

6:01 P.M.

Comprehensive Plan – Final GEIS

The Town Supervisor opened the Public Hearing at 6:01 P.M. and the Town Clerk presented the Notice of Public Hearing, Proof of Publication and Affidavit of Posting. Supervisor Reed announced the purpose of the Hearing was to offer the public an opportunity to speak for or against, or to comment upon the Comprehensive Plan – Final Generic Environmental Impact Statement (GEIS).

Planner Kurt Schwenzfeier gave a presentation on the GEIS as it relates to the Town's Comprehensive Plan and the potential impact, if any, it may have on the Town's resources. There could be a potential impact because the Plan deals with development, existing stormwater and traffic issues. The Town Board had previously declared itself as lead agency under SEQR. The Town Planner then answered questions that the Public had regarding this GEIS.

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General conclusions were that this could have an impact on growth and affect the character of the neighborhood as well as density of development and types of precedents like stormwater, DEC regulations and what the Town will be required to do. A question to be considered is the impact on neighboring communities.

The Town Supervisor inquired if anyone present wished to speak in favor of the proposed legislation; no one having come forth, Supervisor Reed asked if anyone present wished to speak against the proposed legislation.

A gentleman from Yorkville presented his concern regarding an article that appeared in the Utica-Observer Dispatch this morning regarding sewer disposal problems in Oneida County and the environmental problems that the area municipalities may have regarding sewage treatment. A determination regarding this problem, as per Highway Superintendent Cleveland, has not been made and the municipalities involved are waiting to hear from DEC and Oneida County. The Town does do infiltration studies. Storm water and infiltration of water are addressed in the GEIS. The article is about County-owned sewers. Until there is a consent order, the Town can't determine any impact this would have on the Town. Fourteen (14) communities are involved in this problem.

Supervisor Reed declared the Public Hearing closed at 6:07 P.M.

Approval of Final GEIS – Comprehensive Plan

Upon recommendation of Planner Schwenzfeier, Councilman Reynolds presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 56 OF 2007)

WHEREAS, the Town Board of the Town of New Hartford has designated a Steering Committee to work with the consultant, *peter j. smith & company, inc.*, to develop a comprehensive plan for the Town of New Hartford; and

WHEREAS, the committee has completed a draft comprehensive plan and wishes to continue the **SEQRA** process with the Town Board; and

WHEREAS, the Town Board has the authority to adopt the comprehensive plan for New Hartford and wishes to pursue this possibility; and

WHEREAS, the Town Board has been designated lead agency; and

WHEREAS, the Committee has completed a Final Generic Environmental Impact statement that addresses potential impacts and alternative;

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IT IS HEREBY RESOLVED that the New Hartford Town Board accepts the Final Generic Environmental Impact Statement in accordance with the State Environmental Quality Review Act, 6 NYCRR Part 617.6, for the preparation of the Comprehensive Plan; and

BE IT FURTHER RESOLVED THAT the Town Board will file a Notice of Completion with the ENB and all involved agencies to receive comments from interested parties.

Upon roll call, the Board members voted as follows:

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

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

6:08 P.M. ***Local Law Introductory “D” of 2006 – Amend the Code of the Town of New Hartford, Chapter 118 thereof entitled Zoning, Section 118-60***

Supervisor Reed opened the Public Hearing at 6:08 P.M. and the Town Clerk presented the Notice of Public Hearing, Affidavit of Posting and Proof of Publication. The Supervisor explained that the purpose of the Hearing was to offer the public an opportunity to speak for against, or to comment upon Local Law Introductory “D” of 2006 which, if adopted, would amend the Code of the Town of New Hartford, **Chapter 118** thereof entitled **ZONING**, Section 118-60, Additional Height Requirements, and the Schedules of Use, Area and Bulk Regulations for Zoning Classifications A, RA-2, LDR, MDR, HDR, RBI, RB2, RB3, M, PO, PHB, PDMH and PDMU.

Councilman Waszkiewicz gave a brief overview of the legislation, stating that this is a good law and in the best interest of the community. The information regarding this amendment had been referred to the Oneida County Planning Department and the Town Planning Board for their review and written recommendation, both of which were positive recommendations.

Walter Dluginski asked what if NYRI came in and put up their towers? Councilman Waszkiewicz stated that it is his understanding that eminent domain would most likely supersede this law, but it would depend on the federal government and their determination. Councilman Waszkiewicz stated that the Town’s Zoning Board could

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approve a variance but would have to determine whether the variance is worthwhile and in the best interest of the town.

There having been no one further to speak in the matter, the Supervisor closed the Public Hearing at 6:12 P.M.

Adoption – Local Law No. One of 2007

Thereafter, Supervisor Reed moved that Local Law Introductory “D” of 2006 be adopted as Local Law No. One of 2007, in the following format; seconded by Councilman Waszkiewicz:

**TOWN OF NEW HARTFORD, NEW YORK
LOCAL LAW NO. ONE OF 2007**

A Local Law to amend the Code of the Town of New Hartford, **Chapter 118** thereof entitled ZONING, Section 118-60, Additional Height Requirements, and the Schedules of Use, Area and Bulk Regulations for Zoning Classifications A, RA-2, LDR, MDR, HDR, RB1, RB2, RB3, M, PO, PHB, PDMH and PDMU.

SECTION 1. Chapter 118 of the Code of the Town of New Hartford, Section 118-60, *is hereby amended as follows:*

Section 118-60. Additional height requirements

The existing paragraph shall become A. and the words “, transmission and communication towers and cables..” shall be deleted from the first sentence in paragraph A.

Add New Paragraph:

B. Communication and transmission towers and cables shall be a maximum of 100 feet.

SECTION 2. Chapter 118 of the Code of the Town of New Hartford, 118 Attachments 4, Schedules of Use, Area and Bulk Regulations for zoning classifications:

(Attachment 4:1)	A – Agricultural District
(Attachment 4:3)	RA-2 Residential Agricultural District
(Attachment 4:4)	LDR – Low-Density Residential District
(Attachment 4:5)	MDR – Medium-Density Residential District
(Attachment 4:6)	HDR – High-Density Residential District
(Attachment 4:7-8)	RB1 – Retail Business District
(Attachment 4:9-10)	RB2 – Retail Business 2 District

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(Attachment 4:11)	RB3 – Office Business District
(Attachment 4:13)	M – Manufacturing District
(Attachment 4:15)	PO – Professional Office District
(Attachment 4:16)	PHB – Planned Highway Business District
(Attachment 4:17)	PDMH – Planned Development Mobile Home District
(Attachment 4:18)	PDMU – Planned Development Mixed Use District

shall be changed so that all Public Utility(ies) shall have a Maximum Height of one hundred (100) feet.

SECTION 3. All other provisions of Chapter 118 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

SECTION 4. This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

The Town Board then voted upon roll call as follows:

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

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

PUBLIC PRESENTATION

NYS Department of Transportation - Route 5 & 5A Project

Steven Zywiak, Christopher Neely and Christopher Lanjet from the Department of Transportation made a presentation regarding the Route 5 & 5A Project to be started, which involves widening Commercial Drive under the Judd Road Project and adds multiple turning lanes in the area of Sangertown, Tehans, Toys R Us and then paving up to the curb line at Route 5. The estimated completion of this project would be by October 31, 2007. Phase I would focus on drainage and some widening of the road at the mall entrances. Phase II would require the movement of all traffic to three (3) lanes and reconstruct the North side of roadway. Phase III would then move the traffic so that the South side of the road can be reconstructed. Also in Phase II and III the binder course will be added and new sidewalks would be constructed. Finally, Phase IV would be the completion of the project to include permanent signs, top course of pavement, and landscaping. Any additional water run-off will be addressed with retention ponds. The

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engineer explained that there would be substantial night work and DOT would try not to impact businesses; weekdays 10:00 P.M. to 9:00 A.M. and Sundays 7:00 P.M. to 9:00 A.M.

REPORTS OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT:

Lease Agreement – Grad-all

After research, Town Attorney Gerald Green determined that a Highway Superintendent has the right to enter into a Lease Agreement but the Town Board must approve the amount. In September 2006 Highway Superintendent Cleveland had entered into a Lease Agreement, the amount of which needs Town Board approval, and would like the Board to authorize the Bookkeeper to transfer existing funds to cover this expense. Thereafter, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 57 OF 2007)

RESOLVED that the New Hartford Town Board does hereby approve the Lease Agreement entered into between Highway Superintendent Roger Cleveland and Vantage Equipment, LLC for the lease of a Grad-all at the rate of Five Thousand Dollars (\$5,000) per month and does further authorize Bookkeeper Carol Fairbrother to make the following budgetary transfers:

2006 Budget Transfer

From DB5130.4 to DB5130.44 - \$15,000.00

2007 Budget Transfer

From DB5130.2 to DB 5130.44 - \$ 5,000.00

Whereupon, the Town Board members voted individually as follows:

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

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

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Kellogg Road Traffic Signal

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

(RESOLUTION NO. 58 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into an Agreement between Benderson Development Company, LLC, the New York State Department of Transportation, the Oneida County Department of Public Works and the Town of New Hartford for relocation of the signal support pole across from Hannaford's Plaza on Kellogg Road, at no cost to the Town of New Hartford.

The Town Board members voted individually as follows:

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

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

Change Order #3-1 - Higby Road Water District

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

(RESOLUTION NO. 59 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute Change Order No. 3-1 between the Town of New Hartford and JEM Smith Construction Co., Inc., P.O. Box 56, Sherrill, NY 13461 for a decrease in the amount of One Thousand Three Hundred Seventy-Two Dollars and Four Cents (\$1,372.04) as same pertains to the Higby Road Water District.

Upon roll call the Board members voted as follows:

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

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

Appointments – Seasonal Employees

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

(RESOLUTION NO. 60 OF 2007)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals as seasonal Highway Department Laborers at the hourly wage of Eight Dollars and Fifty Cents (\$8.50) commencing on the date set opposite their names for the 2007 summer season; all wages to be paid bi-weekly:

- Alexander VanDyke April 23, 2007
- Andrew Mosher April 23, 2007
- Evan Rossi July 5, 2007
- Kenneth Rowe April 16, 2007
- Steven Rieben April 23, 2007

The Town Board voted on roll call as follows:

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

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

Bid Authorization – One (1) Small Pick Up Truck

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

(RESOLUTION NO. 61 OF 2007)

RESOLVED that the New Hartford Town Board shall receive sealed bids for one (1) new small 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, June 1, 2007 and then publicly opened and read aloud at 11:00 A.M. on said date and in said Office; and be it

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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.

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

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

Agreement – Road Striping

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

(RESOLUTION NO. 62 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to execute the 2007 Road Striping Agreement between the Town of New Hartford and the Oneida County Department of Public Works wherein said County will provide road striping within the Town; the cost of which will be determined upon completion of the work.

Upon roll call, the Board members voted as follows:

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

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

PARKS AND RECREATION DIRECTOR:

Part-Time Seasonal Appointments

Upon recommendation of the Parks and Recreation Director, Councilman Waszkiewicz offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 63 OF 2007)

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RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various seasonal positions and for the hourly wages opposite their several names, for the Parks and Recreation Department, beginning on the dates opposite their name and through the 2007 summer season; all wages to be paid bi-weekly.

NAME	POSITION	RATE OF PAY	START DATE
Kevin Hebert	Gardener	\$9.00 per hour	April 16, 2007
Adam Griffin	Park Laborer II	8.40 per hour	April 2, 2007
Michael Steele	Park Laborer II	8.40 per hour	May 21, 2007
Richard Davies	Park Laborer II	8.40 per hour	May 21, 2007
Christian Lutz	Park Laborer I	7.85 per hour	May 21, 2007

The Board members voted as follows:

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

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

Town Code – Chapter 88 proposed park rule changes

This matter was deferred until the May 9, 2007 Town Board Meeting.

Authorization to Purchase – Smithco Infield Conditioner

Parks and Recreation Director Jeffery stated that his department has been awarded a NYS Member Item Grant in the amount of Ten Thousand Dollars, which he would like to use towards the purchase of a Groom Master for the Parks Department. The Parks and Recreation Director explained that his current Equipment budget is Twelve Thousand One Hundred Eighty Dollars (\$12,180). Thereafter, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 64 OF 2007)

WHEREAS, the Parks and Recreation Director has received a Ten Thousand Dollar (\$10,00) NYS Member Item Grant; and

WHEREAS, Parks and Recreation Director Michael Jeffery has requested that he be allowed to purchase a Groom Master for use by his Department;

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NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize the Parks and Recreation Director to purchase a 42-001D Smithco Superstar V Groom Master at a cost of Nine Thousand Eight Hundred Seventy-One Dollars (\$9,871), said purchase to be paid with funds from the NYS Member Item Grant.

The foregoing Resolution was subject to a vote upon roll call as follows:

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

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

Credit & Debit Cards – Parks & Recreation Programs

Parks and Recreation Director Michael Jeffery has received many inquiries that Debit/Credit cards be a method of payment for use of the park facilities and programs offered by the Parks Department. The Parks and Recreation Director distributed a comparison chart, which he had created for the Town Board’s review. Mr. Jeffery is not looking for the Board to take action at this meeting, but asked the Board to review the different scenarios that are available for these types of cards.

TOWN PLANNER:

Presbyterian Homes – Preswick Glen Retainer

The Town Planner requested that the Town Board release the existing Letter of Credit, which was provided by the Presbyterian Home and accept a new Letter of Credit for the remaining site construction. Attorney Green has reviewed this paperwork. Planner Schwenzfeier reassured the Town Board members that, per a telephone conversation he had with Attorney Daniel Vincelette, passing this Resolution has no legal connection with the Preswick Glen tax exemption issue. Thereafter, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 65 OF 2007)

WHEREAS, the Presbyterian Home has provided a Letter of Credit to the Town of New Hartford in the amount of One Hundred Sixty-Nine Thousand Five Hundred Sixty Dollars and Fifty Cents (\$169,560.50) for the Preswick Glen project and which Letter of Credit is due expire at the close of business on April 19, 2007, and

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WHEREAS, a new Letter of Credit in the amount of One Hundred Four Thousand, Seven Hundred Fifty-Eight Dollars and Thirty Cents (\$104,758.30) will be provided to the Town of New Hartford by the Presbyterian Home as it relates to remaining site construction, and

WHEREAS, it the understanding of the Town of New Hartford that the Presbyterian Home will need to provide a Letter of Credit for any remaining outstanding site work next year at this time;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does release the existing Letter of Credit in the amount of One Sixty-Nine Thousand Five Hundred Sixty Dollars and Fifty Cents (\$169,560.50) provided by the Presbyterian Home, and

BE IT FURTHER RESOLVED that the New Hartford Town Board does accept a new Letter of Credit in the amount of One Hundred Four Thousand Seven Hundred Fifty-Eight Dollars and Thirty Cents (\$104,758.30), which is Ten Percent (10%) of the estimated balance of \$1,047,583.

A roll call vote ensued:

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

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

POLICE CHIEF:

Surplus Vehicle Sale

Upon recommendation of the Police Chief, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 66 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus the following vehicles:

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Vehicle Year and Make/Model

1995 Ford Winstar
2000 Ford Crown Victoria
2003 Ford Crown Victoria

Vehicle Identification Number

2FMDA5144SBA99190
2FAFP71W6X175643
2FAHP71WX3X310846

and,

BE IT FURTHER RESOLVED that Police Chief Raymond Philo be, and he hereby is, authorized to place the aforementioned vehicles for sale on E-Bay.

The Resolution was upon by roll call as follows:

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

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

NYS Member Item Grant

Police Chief Raymond Philo acknowledged receipt of a Seven Thousand Dollar (\$7,000) Grant from NYS Assemblyman David Townsend, to be used toward the upgrade of a number of laptop computers and a desktop computer at the Sangertown Mall substation. Because of budget constraints, the Police Department was unable to upgrade all of their computers and this Grant will allow the Department to do this. Thereafter, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 67 OF 2007)

RESOLVED that the New Hartford Town Board does hereby accept a \$7,000 Member Item Grant From NYS Assemblyman David Townsend, and does further authorize and direct Bookkeeper Carol Fairbrother to establish Revenue Account No. A3089.3 for Seven Thousand Dollars (\$7,000) and to increase the Police Equipment Account No. A3120.2 by Seven Thousand Dollars (\$7,000).

The Board members voted as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

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Councilman Payne - Aye
Supervisor Reed - Aye.

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

State Anti-Crime Grant -Warrant Investigator Position

Police Chief Philo stated that the Police Department has received funding from “Operation Impact” to establish the position of Warrant Investigator. Thereafter, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland.

(RESOLUTION NO. 68 OF 2007)

RESOLVED that the New Hartford does hereby establish the position of Warrant Investigator in and for the Police Department to specifically address the arrest and enforcement of Court issued warrants, which position is being funded by “Operation Impact” funds, a state anti-crime grant. This position shall be a temporary addition to the Police Department’s table of organization and shall be eliminated by attrition upon funding termination.

Upon roll call, the Board members voted as follows:

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

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

Appointment - Warrant Investigator

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

(RESOLUTION NO. 69 OF 2007)

WHEREAS, a full-time Position as a Warrant Investigator has been created in the Police Department;

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NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby promote New Hartford Police Officer Steven Laymon to the position of Full-Time Warrant Investigator, effective April 15, 2007; his hourly wage will be commensurate with the current union contract.

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

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

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

Appointment – Full-Time Police Officer

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

(RESOLUTION NO. 70 OF 2007)

WHEREAS, full-time Police Officer Steven Laymon has been promoted to the position of Warrant Investigator for the Police Department, leaving a vacancy in a full-time Police Officer position;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint Part-time Police Officer Steven P. Snyder, Jr. to fill the vacancy of Full-Time Police Officer, effective April 15, 2007; his hourly wage will be commensurate with the current union contract and shall be made consistent with final approval by civil service.

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

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

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

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Toussaint Davis Sentencing

Police Chief Raymond Philo reported that on Thursday, April 19, 2007, Toussaint Davis (John Healy) would be sentenced in the February 2006 murder of Police Officer Joseph Corr.

TELECOMMUNICATOR SUPERVISOR:

National Public Safety Telecommunications Week – April 8-14, 2007

Telecommunicator Specialist Jeffrey Madden introduced Dispatcher Craig Burnop and explained Mr. Burnop, on his own, obtained a Grant for a scholarship to become an APCO Instructor for Dispatch. Since the week of April 8-14th is National Public Safety Telecommunications Week, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 71 OF 2007)

WHEREAS, National Public Safety Telecommunication Week has been established to honor communication specialists throughout America including the Town of New Hartford, and

WHEREAS, in 1991 the Town of New Hartford recognized a vital need and opened its own sophisticated and effective emergency response dispatch system, and

WHEREAS, the residents of the Town of New Hartford are very well served by our professional dispatchers who possess the necessary skills to provide effective emergency response to fire, police, medical, highway, and non-emergency calls in the shortest possible time,

NOW THEREFORE BE IT RESOLVED that I, Earle C. Reed, Town Supervisor of the Town of New Hartford, do hereby declare, proclaim and set aside, Wednesday, April 11, 2007 as:

“NATIONAL PUBLIC SAFETY TELECOMMUNICATOR’S DAY”

throughout the Town of New Hartford, and be it further

RESOLVED that on behalf of the New Hartford Town Board and the many residents of the Town of New Hartford, I officially extend our heartfelt appreciation to our communications specialists for the tireless and dedicated service they provide the community.

The Resolution was subject to a vote upon roll call that resulted as follows:

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

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

TOWN CLERK:

Minutes Approval

March 14, 2007 Town Board Minutes

Councilman Waszkiewicz introduced the following Resolution for adoption, seconded by Councilman Reynolds:

(RESOLUTION NO. 72 OF 2007)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the **Regular** Town Board meeting held **March 14, 2007** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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

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

Carnival/Circus Permit

The Town Clerk reported that the application of *Midway Rides of Utica*. had been referred to the Codes Department, Police Department and New York Mills Fire Department for compliance with Town Code, who found the application to be in compliance with Town Code, Chapter 44, Mass Assembly of Larger Number of Persons; the Codes Department expressed concern that ample bathroom facilities be made available. Thereafter, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 73 OF 2007)

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WHEREAS, on March 28, 2007, the Town Clerk received an application from the *Midway Rides of Utica* for permission to conduct a Carnival from May 9 – May 13, 2007, upon the Home Depot premises on French Road; and

WHEREAS, the Codes Enforcement Officer, Town Police Chief and the New York Mills Fire Chief have reviewed said application and find the contents therein to meet Chapter 44 of the Town Code,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of New Hartford does hereby approve the *Midway Rides of Utica* application to conduct a Carnival upon premises owned by Home Depot from May 6 – May 9, 2007 and the Town Clerk be, and she hereby is, directed to issue the permit in accordance with Chapter 44 (Assembly, Mass Public) of the Town Code.

Upon roll call, the Board members voted as follows:

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

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

Raffle Consent Form – ALS

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

(RESOLUTION NO. 74 OF 2007)

RESOLVED that the New Hartford Town Board does hereby grant permission to ALS of Utica, 9169 River Road, Marcy, New York 13403, an organization duly granted a Games of Chance Identification Number by the New York State Racing and Wagering Board, to sell raffle tickets in the Town of New Hartford, New Hartford, New York, in accordance with all rules and regulations of said Racing and Wagering Board; and be it

FURTHER RESOLVED that the Town Clerk be, and she hereby is, authorized and directed to execute Form GC-RCF, Raffle Consent Form.

Upon roll call, the Town Board voted as follows:

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

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

Results of March 29, 2007 Special Election

The Town Clerk stated that Attorney Gerald Green will address the Special Election vote results.

MATTERS SUBMITTED BY COUNCILMEN/ATTORNEY

COUNCILMAN WOODLAND:

Requests For Proposal - Insurance Renewal

Councilman Woodland presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

(RESOLUTION 75 OF 2007)

RESOLVED that the New Hartford Town Board shall receive sealed Requests for Proposal for renewal of existing Insurance Policies that will expire June 30, 2007, all Proposals to be received not later than 4:00 P.M. on Wednesday, June 13, 2007 in the Town Clerk's Office, 48 Genesee Street, New Hartford, New York where the Proposals will be publicly opened and read aloud by the Town Clerk; and

BE IT FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Clerk to publish the requisite legal notice in The Observer Dispatch.

Upon roll call, the Town Board voted as follows:

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

The Resolution was declared unanimously carried and duly **ADOPTED**. The Board would like multiple year quotes if feasible.

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COUNCILMAN WASZKIEWICZ:

Agenda Items

1. Regarding the adoption of Military Sealift Command MSCO Kuwait Camp Patriot APO AE 09337 – Would like to set up a citizen’s committee and get out a press release. Some people from the American Legion are willing to serve.
2. Submit letter to State Legislators requesting adoption of “Save our Home” legislation capping assessment changes – similar to either Florida or Massachusetts Laws.

“Save Our Home” Legislation

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

(RESOLUTION NO. 76 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize Councilman John C. Waszkiewicz III to craft a letter to the New York State Legislature asking their adoption of legislation to cap assessment changes at some reasonable maximum amount.

A roll call vote ensued:

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

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

3. Oneida County Empire Zone Board Update – resolution passed supporting the expansion of the Zone Loan Program and supporting a requested by a local New York Mills company for a loan.
4. Regarding Storm Water Projects – he would like to serve as the Councilperson on the evaluation and prioritization committee and would like to have the meetings open to the public and have an updated spreadsheet relating pertinent details presented monthly to the Town Board.

COUNCILMAN REYNOLDS:

Complimentary Letter - Charles Kobielski

Councilman Reynolds acknowledged receipt of a letter complimenting Charles Kobielski, and how he dealt with difficult issues in the Assessors Office.

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Census for 2010

Councilman Reynolds inquired who worked on the 2000 Census and Town Clerk Gail Wolanin Young stated that Highway Superintendent Roger Cleveland, former Town Planner Jane Brouillette and Senior Engineering Technician John Meagher were involved with the census. The Highway Superintendent acknowledged his awareness of the meetings being held in regards to the 2010 Census. Councilman Reynolds asked questions regarding data gathered so that the Town doesn't lose money. The Highway Superintendent suggested that Town Planner Schwenzfeier also be involved. Councilman Reynolds mentioned that the data maintained at Dispatch (street addresses, etc.) could be helpful with the information needed for the census.

Franchise Agreement - Time-Warner

Councilman Reynolds asked Attorney Green to review the Franchise Agreement with Time Warner Cable. The Town attorney will review the Agreement, which the Town Clerk's office will provide to him.

TOWN ATTORNEY:

Preswick Glen

Assessor Paul Smith and Attorney Daniel Vincelette had reviewed additional information that had been requested of and furnished by Preswick Glen. There was a reference to the charitable policy and what it meant as well as income and expense information. All requested items have been provided. Also, Attorney Green stated that Executive Director Raymond Garrett [Presbyterian Home] had filed a Petition with the Codes Department and the Planning Board for their action regarding the purchase of a house, which is located at the foot of Preswick Glen to be used as an office. The Presbyterian Home is requesting a zoning change from MDR to PDI. According to Town policy, anything related to Preswick Glen is being referred to Special Counsel for review. The Planning Board tabled the Zone Map Amendment request of the Presbyterian Home and referred it to Attorney Vincelette.

Legal Services – Daniel Vincelette

Attorney Green explained that Attorney Vincelette has submitted two (2) invoices for February and March 2007 services. The Town will issue one check and be reimbursed by the New Hartford Central School and Oneida County for their portions of these invoices.

(RESOLUTION NO. 77 OF 2007)

WHEREAS, the Town of New Hartford, New Hartford Central School and Oneida County had entered into an Agreement with Attorney Daniel G. Vincelette, 21 Everett Road Extension, Albany, New York to represent the aforementioned parties regarding the Preswick Glen project; and

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WHEREAS, Attorney Gerald Green has reviewed the invoices submitted by Attorney Vincelette and has determined that the invoices are in order for payment;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct Bookkeeper Carol Fairbrother to pay the invoices presented by Attorney Vincelette; and

BE IT FURTHER RESOLVED that the Town of New Hartford shall, in turn; receive reimbursement from the New Hartford Central School and the County of Oneida for their share of these invoices.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

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

Dedication - Kavod Road

The signed paperwork has been sent to Attorney Levitt including the indemnification agreement.

SDG/ORPS Contract – Assessment Information

Attorney Green explained that Grant Write, Connie Miner was successful in securing a Sixteen Thousand One Hundred Dollars (\$16,100) grant for the Town to hire a company to post assessment information on the Town’s Website. A contract was received from the Office of Real Property Services (ORPS) as well as from SDG. The Town Attorney has reviewed the contracts. Thereafter, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 78 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does authorize and direct the Town Supervisor to enter into an Agreement with the Office of Real Property Services (ORPS) to in put the Assessment information on to the Town’s Website.

Upon roll call, the Town Board Members voted as follows:

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

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

Recount on Bond Vote – March 29, 2007 Special Election

Attorney Green did a lengthy investigation regarding the verification of vote totals on the eight bond propositions. The New York State Board of Elections stated that it is not uncommon to double check, even triple check figures after an election.

- Frank Montecalvo stated that the Town Clerk would not let him see the tally sheets. Attorney Green explained that he was out-of-town and had asked the Town Clerk not to release the information.

Attorney Green was of the understanding that after the polls are closed that seals are placed on voting machines. Michael Jeffery, former voting machine custodian, confirmed that sealing of the voting machines is the responsibility of the election inspectors, which is done immediately after the polls close and the tally has been taken. Michael Jeffery clarified that the County is actually the owner of the machines and is responsible for the set up and transportation of the machines. The County provided staff from the Department of Public Works to transport the machines in a county vehicle. Michael Jeffery, Parks and Recreation Director, only made access for storage of the machines and he had to be notified in advance for the machines to be stored. Voting Machine Custodian James Staffo did his part in preparing the machines for the elections. Mike Jeffery stated that the voting machines are moved quickly from the school sites because students can break the seal and by moving the machines quickly, security is the first priority.

- An unidentified person wanted to know the names of the inspectors and how they are chosen. It was explained that the inspectors were chosen from the list of qualified inspectors kept by the Oneida County Board of Elections and the inspectors were appointed at the January 17, 2007 Town Board meeting and listed therein.
- An unidentified person inquired why the legal notice of Estoppel was published. Bond Counsel in February 2007 had notified the Town Clerk that if any propositions passed, the legal notice must be published. The Town Clerk had explained to Bond Consul the matter regarding the discrepancies in vote totals and Bond Counsel subsequently furnished the Town Clerk with the legal notice of

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Estoppel and told her to publish it as soon as possible. Attorney Gerald Green stated that he would speak with Bond Consul regarding this procedure.

The Town of New Hartford does not have an election law, so the Town must follow the New York State Election Law. Regarding the checking of the count for the votes cast, Attorney Green stated that there was nothing clandestine. The error by inspectors was done innocently and the Town Clerk rechecked the figures due to the closeness of the count for the Stormwater proposition.

After the voting was completed, the machines were returned to Sherrillbrook Park where they have been stored under lock and key since that time.

After the polls closed at the March 29, 2007 Special Election, the Town Clerk received from the Inspectors the Certificates of Election (tally sheet) and recorded the totals on a chart. On March 30, 2007, the Town Clerk, Deputy Town Clerk I, Councilman Waszkiewicz, Edmund Wiatr, Jr. and Chinki Sinha counted the Absentee and Affidavit Ballots, which the Town Clerk kept a tally sheet. On Monday, April 2, 2007, the Town Clerk and Deputy Town Clerk reviewed each of the Certificates of Election (tally sheets) for the five (5) polling sites and that is when errors were discovered in three (3) of the five (5) Certificates of Election signed by the inspectors. The Town Clerk has a tally sheet for these figures. These figures and the machines have been secure since this time.

New York State Board of Election made it very clear that there is nothing wrong with a double check and Boards of Election double check and triple check figures for accuracy as a routine matter.

Attorney Gerald Green would like to set a time on Friday, April 13, 2007 for a recount of the March 29, 2007 vote at Noon Sherrillbrook. Any and all people interested in attending would gather at the Town Clerk's office and retrieve the paper work. The committee would consist of the Town Clerk or her representative, Councilman Reynolds, possibly Councilman Woodland, Town Attorney Green, Edmund Wiatr, Jr. or his representative, and Chinki Sinha from the Observer Dispatch. Ms. Sinha stated that she might not be available, but would speak with her editor to have someone available in her place. Town Clerk Gail Wolanin Young has been asked to contact the respective polling inspectors, County Voting Machine Custodian James Staffo, and Oneida County Department of Public Works employee Doug Potter..

Attorney Green stated the Town is operating within the fifteen (15) day time period for performing a recount. Once the totals have been reviewed and if there are any discrepancies, the Inspectors will be required to complete Amended Certificates of Election. The paper printouts for each machine will be read and each machine will be available to reopen and inspect the numbers on the machine. Thereafter, Councilman

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

(RESOLUTION NO. 79 OF 2007)

WHEREAS, the Town of New Hartford held a Special Election on March 29, 2007, to vote on eight (8) propositions; and

WHEREAS, at the close of the polls a count of each proposition voted upon was given to the Town Clerk by the Inspectors in five (5) polling locations; and

WHEREAS, on March 30, 2007, a count of the Absentee and Affidavits Ballots had been performed; and

WHEREAS, on April 2, 2007 a verification of the Inspectors' Certificates of Election reflected discrepancies between the machine totals and the paper Certificate totals, now reflecting that Bond Proposition No. 4 had passed by seventy-five (75) votes;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize a recount of the votes casts for this Special Election with the following people to be members of the Recount Committee:

- Gerald Green, Attorney for the Town of New Hartford
- Town Clerk Gail Wolanin Young, or her representative
- Councilman David Reynolds
- Councilman Richard B. Woodland, Jr., if available
- Edmund Wiatr, Jr. or his representative
- Observer Dispatch Reporter Chinki Sinha or her representative, and

BE IT FURTHER RESOLVED that said recount will take place on Friday, April 13, 2007 at 12:00 Noon at Sherrillbrook Park, Route 12, New Hartford and that all interested parties shall meet at the Town Clerk's Office, 48 Genesee Street, New Hartford at 11:00 A.M. before proceeding to Sherrillbrook Park.

Upon roll call, the Board members responded as follows:

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

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

Several questions were asked of Attorney Green:

- Mr. Montecalvo was wondering why the Town Clerk would not respond to his question regarding a copy of count of the machines? Attorney Green stated the Town Clerk was advised not to take any further action pending investigation into the matter.
- What time were the voting machines closed? Attorney Green stated he could not give an exact time, and he did not ask James Staffo from the Oneida County Board of Election for a precise time that the machines were closed.
- What happened to the machines after they were locked? The machines were moved to Sherrillbrook Park where they have been under lock and key since election. The Department of Public Works moved the machines and the Oneida County Board of Elections is the owner of the machines; therefore, their voting machine custodian is responsible for them. The Town Clerk verified that the machines have been maintained in a secure building since the election.
- A question was raised regarding the keys to the voting machine. Again the Town Clerk verified that the keys are in the safe in the Town Clerk's Office.
- Could anyone remove the back of the machine to check the counts? The answer is no.
- Another questions asked was regarding the "Notice of Estoppel" which was printed in the newspaper and Attorney Green told those present that he is waiting a call from Bond Consul, and would have his response printed on the Town's website or anyone could call his office tomorrow. James Lawrence stated that he would like Attorney Green to e-mail those people that would like to know what the response from Bond Consul is regarding the printing of the "Notice of Estoppel".
- Where is Sherrillbrook Park and can anyone attend the recount? Directions were given to Sherrillbrook Park and Attorney Green stated that anyone could attend.
- Joseph Bolton inquired whether just the storm water proposition will be checked or will all propositions be checked. Attorney Green stated that the count for storm water was in question; however, all propositions will be recounted.

At this point, Attorney Green explained how the miss count happened. Attorney Green explained, with the assistance of the Town Clerk, that when the machine printouts are read the inspectors should read from the right to the left (mirror image), and inadvertently at two (2) polling sites the inspectors misread from the left to the right. Joseph Bolton thanked Attorney Green and the Town Clerk for explaining how this miscount could have happened.

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MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of Vouchers

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

(RESOLUTION NO. 80 OF 2007)

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. 7 Vouchers AA469-AA484	\$ 8,454.10
General Fund Whole-Town Abstract No. 7A Voucher AA485	\$ 17.00
General Fund Whole-Town Abstract No. 8 Vouchers AA486-AA574; AA596-AA608 and AA614-AA620	\$ 208,167.24
General Fund Whole-Town Police Abstract 8 Vouchers AA575-AA595; AA609-AA613	\$ 41,337.11
General Fund Part-Town Abstract No. 7 Vouchers BB50-BB53	\$ 856.00
General Fund Part-Town Abstract No. 8 Vouchers BB54-BB64	\$ 4,254.50
Highway Fund Part-Town Abstract No. 5 Vouchers DB154-DB155	\$ 15,379.33
Highway Fund Part-Town Abstract No. 6 Vouchers DB156-DB190	\$ 121,605.07
Sewer Fund Abstract No. 7 Vouchers SS20	\$ 1,937.58
Highway Equipment Abstract No. 1 Voucher HO 1	\$ 103,750.00
Highway Equipment Abstract No. 2 Voucher HO 2	\$ 69,455.00
Fire Districts Abstract No. 1 Voucher SF1-3	\$ 938,365.00
GEIS/Capital Project No. 1 of 2007 Vouchers HX1-HX2	\$ 44,120.00

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Sewer Abstract No. 8	
Voucher SS21 – SS25	\$ 31,478.88
TOTAL:	\$1,589,176.81

Whereupon, the Town Board members voted individually as follows:

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

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

Acknowledgement of Grants

The Town is thankful to Senator Griffo for the Fifty Thousand Dollar (\$50,000) grant for the Parks Department and also for the Library, which received a Fifty Thousand (\$50,000) Grant.

EXECUTIVE SESSION

Councilman Woodland introduced the following Resolution for adoption and Councilman Reynolds seconded same:

(RESOLUTION NO. 81 OF 2007)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the employment history of two (2) employees.

A roll call vote ensued:

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

This Resolution was declared unanimously carried and duly **ADOPTED**. All persons present, including the news media, were then excused from the meeting at 8:30 P.M. The Town Clerk and Deputy Town Clerk I were asked to stay in the event the Town Board took any action after Executive Session; also remaining was the Highway Superintendent.

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END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 82 OF 2007)

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	-	Absent
Supervisor Reed	-	Aye.

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

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 8:41 PM.

Respectfully submitted,

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

**Margaret M. Jones
Deputy Clerk I**