

**SPECIAL MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD IN BUTLER MEMORIAL HALL IN SAID
TOWN ON FRIDAY, SEPTEMBER 21, 2007
AT 12:05 P.M.**

Supervisor Reed called the meeting to order at 12:05 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 Robert A. Payne III
Councilman David M. Reynolds
Supervisor Earle C. Reed

ABSENT: Councilman John C. Waszkiewicz III
Councilman Richard B. Woodland, Jr.

OTHER TOWN OFFICIALS: Assessor Paul E. Smith
Town Clerk Gail Wolanin Young

Thereafter, a quorum was declared present for the transaction of business. Due to out-of-town business with his company, Councilman Waszkiewicz was unable to attend this meeting; Councilman Woodland was also absent due to his full-time employment.

REPORTS OF TOWN OFFICIALS

TOWN CLERK:

NYS Liquor Authority – Waiver

The Town Clerk has received a request from Thomas Benjamin, Comptroller for the Yahnundasis Golf Club, for a waiver of the thirty (30) day period for applying to the State Liquor Authority for renewal of that establishment's liquor license. Councilman Payne then offered the following Resolution for adoption and Councilman Reynolds duly seconded same:

(RESOLUTION NO. 215 OF 2007)

WHEREAS, the Yahnundasis Golf Club recently out-sourced the management of their banquet facility and, during this process, the re-application requirement for their liquor license through the State Liquor Authority had been overlooked in August 2007; and

WHEREAS, State Liquor Authority law requires 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;

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby waive the thirty (30) day timeframe, having been notified on September 20, 2007 that the Yahnundasis Golf Club was re-applying for their liquor license.

The Resolution was voted upon by roll call as follows:

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

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

FREEDOM OF INFORMATION APPEALS BOARD (TOWN BOARD)

FOIL Appeal – 2007 Tentative and 2007 Final Assessment Rolls

Attorney Green had reviewed two (2) Appeals from Cathy and James Lawrence with regard to:

- 2007 Tentative Assessment Roll
- 2007 Final Assessment Roll used to produce the 2007 School Tax bills

The first appeal had been received July 2, 2007 and considered by the Town Board at its regular meeting held July 11, 2007; as a result, the Town Board adopted a Resolution “... that Assessor Paul Smith is hereby authorized and directed to release the requested information [a copy of the RPS Assessment database system] to Mr. Lawrence, said information to be used in a manner as approved previously by the Town Board.” As of September 7, 2007, however, the Lawrence’s said they had not received the 2007 Tentative Assessment data from the Assessor, which had been initially requested May 2, 2007.

The second appeal had been received September 7, 2007 since the Lawrence’s claimed that the CD received from the Assessor in August 2007 did not contain the information requested in their July 20, 2007 FOIL, specifically, a copy of the “...RPS Assessment database system.....as of 7/1/07, or, in other words, the 2007 Final Roll...used to determine the 2007 school tax bill”.

Option 1:

In response to Assessor Smith’s phone call, Kristina Nunez of the Office of Real Property Services (ORPS) reviewed the CD produced with her assistance on August 2 and August

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3, 2007. Today, Ms. Nunez produced another CD that he believes contains up-to-date information as of August 2, 2007 (the 2007 Final Roll). Ms. Nunez said assessment information for the period 2003 through 2008 would be on the CD, which also reflects redacted sensitive data. The tentative roll itself was not run because the final roll information superseded it. The Lawrence's could obtain this CD from the Town Clerk.

Option 2:

Attorney Green had contacted the Oneida County Finance Department that produces the hard copy of the Tentative and Final Assessment Rolls for towns and paid Fifty Dollars (\$50) for that office to download the 2007 Final roll onto a CD that could be given to the Lawrence's.

Cathy Lawrence stated that the CD she'd received August 7, 2007 did not include the raw database of the 2007 Final Roll, as she'd requested. Ms. Lawrence decided to obtain the CD produced today by Ms. Nunez of ORPS and if she encountered a problem with the CD, Ms. Lawrence would contact Ms. Nunez. Further, if there were discrepancies in information, Ms. Lawrence reserved the right to obtain from the Town Clerk the two (2) CD's produced by the Oneida County Finance Department.

Action

The following Resolution was introduced for adoption by Councilman Payne and duly seconded by Councilman Reynolds:

(RESOLUTION NO. 216 OF 2007)

RESOLVED that the New Hartford Town Board does hereby grant the Lawrence's' September 7, 2007 Freedom of Information Appeal for a CD of the 2007 Final Assessment Roll used to produce the 2007-08 School tax bills, with redacted sensitive information. It is understood that Cathy Lawrence has chosen Option 1, the CD produced by the Office of Real Property Services on September 21, 2007, but that in the event discrepancies are identified on the ORPS CD, Ms. Lawrence will proceed with Option 2, i.e., obtaining the two (2) CDs produced by the Oneida County Finance Department on September 20, 2007, said CDs containing exactly what appears on the hard copy of the 2007 Tentative Assessment Roll and 2007 Final Assessment Roll. Problems with any of the CDs should be handled directly by the agencies that produced same at the Town's request.

Upon roll call, the Board members voted as follows:

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

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Councilman Payne	-	Aye
Supervisor Reed	-	Aye.

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

Edmund Wiatr Jr. agreed with the Town Board that sensitive information on the CD should not be released.

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting adjourned at 12:25 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk