

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT BUTLER MEMORIAL HALL ON
WEDNESDAY, MARCH 26, 2008 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: Councilwoman Christine G. Krupa
Councilman David M. Reynolds
Councilman Richard B Woodland, Jr.
Supervisor Earle C. Reed

ABSENT: Councilman Robert A. Payne III

OTHER TOWN OFFICIALS: Codes Enforcement Officer Joseph A. Booth
Highway Superintendent Roger A. Cleveland
Police Chief Raymond L. Philo
Town Clerk Gail Wolanin Young and Deputy
Clerk I Melody K. Fancett

Thereafter, a quorum was declared present for the transaction of business. Councilman Payne was absent due to out-of-town business.

PUBLIC HEARING

6:01 P.M. **Proposed Moratorium on issuance of sign permits**

At 6:01 P.M. the Town Supervisor opened the Public Hearing. The Town Clerk had available the Notice of Public Hearing, Affidavit of Posting and Proof of Publication (March 15, 2008 edition of the Observer Dispatch). The purpose of the Hearing is to offer the public an opportunity to speak for, against or comment upon a proposed moratorium on the issuance of permits for specific signs.

Codes Enforcement Officer Joseph Booth then read Resolution No. 66 that had been adopted at the March 12, 2008 Town Board meeting with regard to the placement and size of building-mounted signs and automated, electronic and programmable readerboard signs. Since that Resolution had been drafted, the Codes Office has received quite a few applications for building-mounted signs and has thirty-(30) days in which to approve them. Five (5) applications were received in two (2) weeks' time. Because they aren't controversial and are signs that have fit the Code for years, Codes Officer Booth proposed that pending applications for non-automated signs on buildings shall be granted based on previously established criteria; any sign applications pertinent to the

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moratorium, received from this date forward, will be held until the sign language in the Zoning Law is done.

Upon inquiry of Supervisor Reed as to the duration of the proposed moratorium, Codes Officer Booth responded that he would be looking at no more than sixty (60) to ninety (90) days; otherwise, it would place a burden on businesses.

Kate McGuire, an attorney representing Toys R Us that submitted a building sign application on March 19, 2008, requested confirmation that all pending applications would be approved. The Codes Officer and Town Supervisor had visited the Commercial Drive Toys R Us site and the Codes Officer stated there is nothing out of the ordinary with the Toys R Us sign – actually they're shrinking the sign.

The Codes Officer confirmed that the *Zoning Law Advisory Committee* consists of the following individuals:

- Timothy Tallman - Zoning Board of Appeals' member
- Jerome F. Donovan - Planning Board member
- William Delaney - At-large member
- William Smith - At-large member
- Jack Jones - At-large member

This *Committee* will conduct its first meeting on Wednesday, April 2, 2008 and "...get marching orders to address the [zoning text sign] language". The at-large members were selected from a list of applicants in the Supervisor's Office.

It was Councilman Reynolds's understanding that the Zoning Board of Appeals and the Codes Enforcement Officer are actually wrestling with some issues of signs coming before their Board, that there are several troublesome issues, and this is one of them; Codes Officer Booth responded affirmatively, adding that the Town's [zoning] sign legislation should be consistent with the Town's Comprehensive Plan. Codes Officer Booth hopes to have the zoning text changes done by sixty (60) days. [NOTE: Any Zoning Law text amendments are required to be referred to the Town Planning Board and Oneida County Department of Planning for their review and written recommendation.]

Zoning Board Chairman Randy Bogar acknowledged there have been some issues with signage before the Zoning Board of Appeals and he wants to give proper consideration to the businesses; however, he said don't do it in too quick a situation – haste makes waste.

There being no one further to speak in the matter, the Supervisor declared the Public Hearing closed at 6:13 P.M.

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

(RESOLUTION NO. 76 OF 2008)

RESOLVED that the New Hartford Town Board does hereby accept the recommendation of Codes Enforcement Officer Joseph Booth and does hereby establish a moratorium on the issuance of all new sign permits for building-mounted signs and for automated, electronic, programmable, readerboard signs in any location, excluding any pending applications for non-automated signs on buildings. Said moratorium is effective March 26, 2008 and for a period of sixty (60) days thereafter.

The Town Board voted upon roll call as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

MINUTES APPROVAL

March 12, 2008 Town Board Meeting

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

(RESOLUTION NO. 77 OF 2008)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the **Regular** Town Board meeting held **March 12, 2008** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

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PRESENTATIONS

Upon inquiry of the Town Supervisor, there was no one present to address the Board.

REPORTS OF TOWN OFFICIALS

PARKS AND RECREATION DIRECTOR:

Award of Request for Proposal – Recreation Center Lighting

Parks and Recreation Director Michael Jeffery reported that specifications were sent to four (4) different companies, with only one (1) proposal having been received.

Thereafter, Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 78 OF 2008)

WHEREAS, on March 18, 2008 the Town of New Hartford received one (1) sealed proposal in response to the Request For Proposals advertised for the Recreation Center Lighting Proposal;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby accept the sole proposal submitted by Patricia Electric, Inc., 407 Brown Avenue, Syracuse, New York 13208 and which company would furnish material and labor, complete in accordance with specifications enumerated in this proposal, for the sum of Fifty-four Thousand Six Hundred Fifty Dollars and no Cents (\$54,650.00), and does hereby authorize and direct the Parks and Recreation Director to execute the necessary paperwork.

The work will be completed before Summer 2008. Upon roll call, the Town Board voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

Purchase - Recreation Center Dasher Board Facing Replacement

Upon request of the Parks and Recreation Director, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

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(RESOLUTION NO. 79 OF 2008)

WHEREAS, the Parks and Recreation Director had contacted three (3) companies for price quotes to replace the dasher board facing in the Recreation Center and received the following responses:

- Ice Builders - \$ 16,820.00
- Sport Systems - \$ 18,500.00
- Custom Ice - No response

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct the Parks and Recreation Director to purchase Dasher Board Facing Replacements from Ice Builders at a cost not to exceed Sixteen Thousand Eight Hundred Twenty Dollars and No Cents (\$16,820.00), including all material, delivery and installation.

A roll call vote ensued:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

Appointment – Seasonal Employees

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

(RESOLUTION NO. 80 OF 2008)

RESOLVED that the New Hartford Town Board does hereby appoint the following individuals to the various part-time seasonal positions and for the hourly wages set opposite their several names, for the Parks and Recreation Department, commencing April 7, 2008 and April 19, 2008 and ending October 30, 2008; all wages to be paid bi-weekly:

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NAME	POSITION	RATE OF PAY
Dustin Benton	Park Laborer II/Crew Supervisor	\$ 9.25 per hour
Richard Davies	Park Laborer II/Crew Supervisor	\$ 9.00 per hour
Chris Perra	Park Laborer I	\$ 8.00 per hour
Daniel Hamlin	Park Laborer I	\$ 8.00 per hour
James McCoy	Park Laborer I	\$ 8.00 per hour
Christian Lutz	Park Laborer I	\$ 8.00 per hour
Kevin Hebert	Crew Supervisor/Laborer	\$10.00 per hour
Daniel Dreimiller	Park Laborer I	\$ 8.00 per hour
Robert Ahrendtsen	Crew Supervisor/Laborer	\$10.00 per hour.

Whereupon, the Town Board voted upon roll call:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

The Resolution was then declared unanimously carried and duly adopted.

HIGHWAY SUPERINTENDENT:

Competitive Bid – Release of Bid Security Deposit to Unsuccessful Bidder

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

(RESOLUTION NO. 81 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Clerk to release the Bid Bond submitted as bid security by Don's Ford, Inc. on January 22, 2008 [unsuccessful bidder] with regard to the purchase of one (1) new pick-up truck with trade-in and two (2) sport utility vehicles.

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

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Competitive Bid – Release of Bid Security Deposit to Successful Bidder

Upon recommendation of the Highway Superintendent, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilwoman Krupa:

(RESOLUTION NO. 82 OF 2008)

WHEREAS, Steet-Ponte Ford was the successful bidder on January 22, 2008 for the purchase of one (1) new pick-up truck with trade-in and two (2) sport utility vehicles; and

WHEREAS, the Town of New Hartford has received one (1) 2008 Ford Escape SUV, VIN 1FMCU02Z48KC80465, and it is expected that the second 2008 Ford Escape SUV and the pick-up truck will be delivered to the Town on or about Friday, March 28, 2008;

NOW, THEREFORE, BE IT RESOLVED that, upon the Town Clerk's receipt of written verification from the Highway Superintendent that the two (2) remaining vehicles have been delivered to the Town, the New Hartford Town Board does hereby authorize and direct the Town Bookkeeper to release from the Trust and Agency Account a check made payable to Steet-Ponte Ford in the amount of Two Thousand Three Hundred Ten Dollars and Seventy-five Cents (\$2,310.75), said amount being the bid security submitted with Steet-Ponte Ford's bid..

Upon roll call, the Board members voted as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. The Highway Superintendent noted that a voucher for the balance due Steet-Ponte in the amount of Thirty-one Thousand Fifty-three Dollars and Ninety-eight Cents (\$31,053.98) is included in the abstract of vouchers for action tonight.

Training – Continuing Education

Upon request of the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Reynolds and seconded by Councilwoman Krupa:

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(RESOLUTION NO. 83 OF 2008)

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 Jesse Conhaim, Highway Department MEO, to attend the *New York Truck Safety & Education Conference* on April 9 and April 10, 2008 at the Holiday Inn, Albany, New York, with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

The Supervisor declared the Resolution unanimously carried and ***ADOPTED***.

Inter-municipal Agreement with Village of New York Mills (use of compost site)

The Highway Superintendent is partnering with the Village of New York Mills for the Village's use of the Town's compost site; the Town Attorney will review this document before presentation to the Town Board.

Higby Road Water District Debt Service

The Highway Superintendent had communicated with Jerry Bohling today about the Water District debt service Mr. Bohling discussed at the March 12, 2008 Town Board meeting. Superintendent Cleveland is still researching the matter and is collecting data from the Mohawk Valley Water Authority. He noted that changing one item in how the debt categories are structured affects everyone else's debt service in the Higby Road Water District. Once the necessary data is gathered, the Town Board can review it and take action if they wish. The Town Attorney has contacted Bond Counsel but more specific information is needed if the District debt service structure is to be changed.

Mr. Bohling was present and appreciated that the Town was looking into the matter; he stated that he doesn't use the water, doesn't want the water and doesn't understand why he should have to pay on the debt service.

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TOWN CLERK:

Consolidated Highway Improvement Program (CHIPS)

Today, the Town Clerk received a communication from the City of Utica, which had adopted a resolution on March 19, 2008, urging the New York State Legislature and Governor to reconsider the reduction in funds with regard to **CHIPS**. The City provided a copy of the resolution, asking that the Town Board consider adopting it as well. Highway Superintendent Cleveland will review the matter prior to any Board action.

MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of bills

Councilman Woodland introduced the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 84 OF 2008)

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 AA364-AA372	\$ 2,976.92
General Fund Whole-Town Abstract No. 7A(POLICE)	
Voucher AA373	\$ 505.05
General Fund Whole-Town Abstract No. 8	
Vouchers AA374-AA421; AA430-AA437	
Vouchers AA444-AA452	\$ 85,499.02
General Fund Whole-Town Abstract No. 8A (POLICE)	
Vouchers AA422-AA429; AA438-AA443	\$ 38,518.26
General Fund Whole-Town Abstract No. 9	
Vouchers AA453-AA484; AA494-AA501	\$ 18,337.15
General Fund Whole-Town Abstract No. 9A (POLICE)	
Vouchers AA485-AA493	\$ 2,091.25
General Fund Whole-Town Abstract No. 10A (POLICE)	
Voucher AA502	\$ 877.30
General Fund Part-Town Abstract No. 8	
Voucher BB45	\$ 120.00
General Fund Part-Town Abstract No. 9	
Voucher BB46-BB57	\$ 6,739.03

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General Fund Part-Town Abstract No. 10 Vouchers BB58-BB68	\$ 1,416.01
Highway Fund Part-Town Abstract No. 7 Vouchers DB81-DB109	\$119,531.11
Highway Fund Part-Town Abstract No. 8 Vouchers DB110-DB158	\$ 29,102.40
Highway Fund Part-Town Abstract No. 9 Voucher DB159	\$ 31,053.98
Sewer Fund Abstract No. 7 Vouchers SS18-SS22	\$ 3,421.22
Sewer Fund Abstract No. 8 Vouchers SS23-SS24	\$ 1,881.58
Street Light Fund Abstract No. 4 Voucher SL4	\$ 8,560.92
Fire Districts Abstract No. 1 Vouchers SF1-SF3	\$978,699.00
Drainage Capital Project Abstract No. 3 Voucher HC4	\$ 45.00
	TOTAL: \$1,329,375.20

Whereupon, the Town Board members voted individually as follows:

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

NEW BUSINESS

Town Board Meeting – Date Change

Upon request of the Town Supervisor, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

(RESOLUTION NO. 85 OF 2008)

WHEREAS, the Town Supervisor has an important meeting that conflicts with the first Town Board meeting in May 2008;

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BE IT RESOLVED that the New Hartford Town Board does hereby amend the 2008 Schedule of Town Board meetings so that the first Town Board meeting in May will be held on ***Tuesday, May 13, 2008*** at 6:00 P.M. in the Kellogg Road Community Center Building, instead of Wednesday, May 14, 2008.

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

Councilwoman Krupa	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Payne	-	ABSENT
Supervisor Reed	-	Aye.

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

ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilwoman Krupa, seconded by Councilman Reynolds, the meeting was adjourned at 6:33 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk