

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK, HELD
AT THE KELLOGG ROAD COMMUNITY CENTER
BUILDING ON TUESDAY, MAY 13, 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: Councilman Robert A. Payne III
Councilwoman Christine G. Krupa
Councilman David M. Reynolds
Councilman Richard B Woodland, Jr.
Supervisor Earle C. Reed

OTHER TOWN OFFICIALS: Codes Enforcement Officer Joseph A. Booth
Highway Superintendent Roger A. Cleveland
Parks and Recreation Director Michael W. Jeffery
Police Chief Raymond L. Philo
Supervising Public Safety Communicator Jeffrey P. Madden
Town Clerk Gail Wolanin Young and Deputy Clerk I Melody K. Fancett

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

MINUTES APPROVAL

April 23, 2008 Town Board Meeting

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

(RESOLUTION NO . 121 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 **April 23, 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	-	Aye
Supervisor Reed	-	Aye.

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

PRESENTATIONS

NYS Department of Transportation – Route 8N Ramp Project (PIN 2804.81)

Charles W. Walz IV, P.E., from the NYS Department of Transportation (DOT) summarized the rehabilitation work that would commence in March 2009 on the retaining wall adjacent to the NYS Route 8N Ramp, off Genesee Street in the Village of New Hartford. The crib wall, built in 1967, is deteriorating and in need of repair. The restoration shall also include drainage improvements and repair of the sagging slope, which will be tied into the existing concrete wall and swaled northward. Washed out road shoulders on NYS Route 8 will also be restored. DOT will maintain traffic on the northbound ramp, moving vehicles to one side. Mr. Walz left public comment sheets in the event residents wished to submit any concerns.

Proposed Stop Signs – K-Mart Plaza

No one from Pavia Real Estate appeared in the matter; although the Police Chief was aware of an interest for stop signs in the privately owned K-Mart Plaza, there was no Board action to be taken at this time without a formal request from Pavia Real Estate.

REPORTS OF TOWN OFFICIALS

CODES ENFORCEMENT OFFICER:

Local Law Introductory “C” of 2008 – Amend Town Code, Chapter 118 (Zoning)

Codes Officer Booth reported that the Planning Board had recommended approval of the proposed legislation to update the Town’s Zoning Law relating to signs, with the following amendments:

Chapter 118 Zoning; Section 118-54

- Section C1: add the word, foam
- Section C6: change 6” to 8”
- Section C11: change language to read a minimum of 5’ from the front property line measured from the leading edge of the sign
- Section D1: under brightness, change 5000 nits to 6500 nits
- Section F7: add – Signs posted in the right-of-way shall be removed, without prior notice, by the Codes Department, the Police Department or the Highway Department. Signs removed from the public right-of-way shall be retained by the Codes Officer for no more than ten (10) business days and disposed of thereafter.

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Further, the Planning Board also requests the Town Board to ask the Zoning Law Advisory Committee to re-examine Section C2 pertaining to temporary signage and make subsequent recommendations.

Thereafter, Councilman Woodland offered the following legislation for the Town Board's consideration at a future Public Hearing; co-sponsored by Councilwoman Krupa:

**Town of New Hartford, New York
Local Law Introductory "C" of 2008**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF NEW HARTFORD, CHAPTER 118 THEREOF ENTITLED ZONING, BY AMENDING/ADDING NEW DEFINITIONS ON SIGNS TO SECTION 118-6 AND BY REPLACING THE EXISTING SECTION 118-54 (SIGNS) WITH NEW LANGUAGE.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

SECTION 1. Chapter 118 of the Code of the Town of New Hartford, Section 118-6 is hereby amended as follows:

Section 118-6. Definitions

REPLACE the existing definition of Sign with the following:

Sign — Any device of any medium affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to an object, product, place of activity, person, institution, organization or business, but not including any flag, badge or insignia of any government or government agency, school or religious group or of any civic, charitable, religious, patriotic, fraternal or similar organization, nor any official traffic device. Each display surface shall be considered to be a sign.

ADD the following new definitions:

Changeable copy sign - a sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

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Changeable copy sign, electronic - a sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

Electronic graphic display sign - a sign or portion thereof that displays electronic, static images, static graphics, static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Video display sign - a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION 2. Chapter 118 of the Code of the Town of New Hartford, Section 118-54 is hereby replaced in its entirety with the following text:

Section 118-54 Signs.

A. Intent. It is the intent of the Town of New Hartford that signs contribute to the aesthetic character of the town and do not adversely affect such character.

B. Sign Measurement. The area of a sign enclosed in frames or cabinets is determined by measuring the outer dimensions of the frame or cabinet surrounding the sign face.

(1) Sign area does not include foundations or supports.

(2) For signs constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all the pieces.

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C. General Regulations. A permit is required from the Zoning Enforcement Officer, except for those signs listed in § 118-54F. The following regulations shall apply to all signs, except as listed in § 118-54F.

- (1) Signs shall be constructed of wood, plastic, metal, glass, foam or stone.
- (2) No sign shall contain flashing, intermittent, rotating or moving lights nor consist of pennants, banners, ribbons or streamers; however, temporary advertising devices including but not limited to inflatables, banners, ribbons, or streamers may be employed on an occasional or temporary basis, not more than three times per year, for periods of up to two weeks, to call attention to special business or related events. Only one such device shall be allowed per business.
- (3) Mobile or portable signs or attracting devices are prohibited.
- (4) No building-mounted sign shall be erected or maintained which extends above the highest roof line or parapet of any building or structure nor shall any building mounted sign be permitted in any Residential, Agricultural, or PDMH zone, except that one building mounted sign shall be permitted in Agricultural zones on working farms only and not exceed 40 square feet in size.
- (5) No building mounted sign shall exceed 1 square foot for every 1 lineal foot of building fronting on a public street or private parking area and in no case, exceed 40 square feet in a RB3, RB4, PO, P, PHB, PDP, PDI, or PDREC zone or 80 square feet in an RB1, RB2, M, I, PDMU zone. Not more than one exterior sign shall be permitted for each business on each wall facing a street or parking area and in no case shall more than two, in total, building mounted signs be allowed per business.
- (6) Signs on buildings shall be placed flat against the exterior wall and shall not project more than eight inches from the wall to which they are fixed. No sign shall project beyond the top or side of the wall to which it is fixed. In any district, no sign shall be placed to extend over a sidewalk where it may cause danger to a pedestrian or interfere with circulation or in such a position that will cause danger to traffic on a street by obscuring the view.
- (7) Freestanding signs shall not exceed 8 feet in height in any Residential, Agricultural, or PDMH zone, except that working farms may not exceed 15 feet. In any RB3, RB4, PO, P, PHB, PDP, PDI, or PDREC zone the height shall not exceed 15 feet; 25 feet in height in any RB1, RB2, M, I, or PDMU zone. All signs are measured from the average level of ground within a 20 foot radius

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immediately beneath the sign to the highest point of the sign or the supporting structure thereof.

(8) No Freestanding sign shall be erected having a sign area on one side that exceeds: 2 square feet in any Residential, Agricultural, or PDMH zone, except that working farms be allowed 32 square feet in an Agricultural zone, 32 square feet in any RB3, RB4, PO, P, PHB, PDP, PDI, or PDREC zone, and 64 square feet in any RB1, RB2, M, I, or PDMU zone. No sign shall have more than two sides.

(9) Not more than one freestanding sign shall be permitted per site except for directional signs that do not exceed four square feet in sign area and which are limited to such texts as "entrance," "exit," "no parking," etc. For the purposes of this provision, a single business or activity shall include all businesses or activities subordinate to or integrated with that business or activity located on the same premises as that business or activity.

(10) If freestanding signs are used to identify two or more uses in a single structure or per site, the total square footage of a freestanding sign, only, shall be allowed to be doubled per side, except in Residential, Agricultural, or PDMH zones. See 118-B8 for single side limitations.

(11) Freestanding signs shall be placed at a minimum of 5 feet from the front property line measured from the leading edge of the sign and in accordance with all other setback restrictions of the principal use, but in no case obstruct the vision of motorists entering and leaving the premises and shall otherwise not interfere with pedestrian traffic nor interfere with the use and enjoyment of the adjoining property(s).

(12) No sign shall have a source of illumination directed toward a public street or adjacent property.

(13) No sign, other than an official traffic sign or public notice approved by the Town Clerk, shall be erected within the right-of-way line of any public street.

(14) No billboard or sign advertising functions, uses, products or services not pertaining to the premises on which it is located shall be permitted.

(15) Signs allowed to deteriorate or signs that represent a use no longer in existence for a period of 3 months or longer shall be removed.

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D. Signs requiring a Special Use Permit. Video displays, electronic graphic display signs, changeable copy signs, electronic and changeable copy signs shall be permitted by Special Use Permit in an RB1 zone only.

In addition to the regulations of 118-A, 118-B, and 118-C, the Planning Board of the Town of New Hartford shall review each application on an individual basis and shall be subject to their discretion in accordance with Article VI Special Use Permits and the following regulations:

- (1) Brightness. The sign must not exceed a maximum illumination of 6500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness;
- (2) Dimmer control. Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
- (3) Audio or pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic graphic display sign.
- (4) Images or messages shall be static in nature not streaming or scrolling.
- (5) No image or message may be displayed for less than 3 seconds.
- (6) No image or message shall change without a 3 second pause between images or messages.
- (7) The face or display of the sign shall be placed perpendicular to a public right of way.
- (8) Signs of this nature shall not be permitted as wall mounted signs or on buildings in general.

E. Amortization of existing signs. Signs not in compliance with this chapter must be brought into compliance within 10 years of the date of enactment of this chapter.

F. Signs not requiring a permit. The following signs shall not require a permit:

- (1) Signs advertising the sale or rental of the premises upon which the sign is located, which shall be limited to one per realtor.

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(2) Signs denoting the architect, lending institution, engineer or contractor where construction, repair or renovation is in progress, which shall be limited to one sign per property.

(3) Professional and trade name plates and home business signs. Such signs may be illuminated by external light only and shall be limited to one per person or business.

(4) Signs which mark property boundaries; give directions for roads or trails; prohibit trespassing, hunting, fishing or off-road vehicles; or warn of hazards.

(5) Signs up to two square feet in size, giving the name of the residents of a dwelling or its address. Such signs may be illuminated by external light and shall be limited to one per dwelling.

(6) Temporary signs, including but not limited to inflatables, banners or pennants, relating to garage, lawn or other individual, nonrecurring sales, for the sale of produce grown or harvested by the property owner where the subject sign is located or for a church bazaar, political campaign, fund drive, parade, fair, firemen's field day or other event or undertaking conducted by a political, civic, religious, charitable or educational organization. Such temporary signs are limited to 32 square feet in size when placed on any property used for commercial purposes and 6 square feet in size when placed on any property used for residential purposes. Additionally, these signs can be displayed for no more than two months and shall be removed within seven days after the termination of the activity being advertised.

(7) No sign, other than an official traffic sign or public notice approved by the Town Clerk, shall be erected within the right-of-way line of any public street. Signs posted in the right of way shall be removed, without prior notice, by the Codes Department, Highway Department, or Police Department. Signs removed from the public right of way shall be retained for no more than ten business days and disposed of thereafter.

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.

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Local Law Introductory “C” of 2008 – Public Hearing Scheduled

Councilman Woodland offered the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO. 122 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on **Wednesday, May 28, 2008 at 6:00 P.M.**, or as soon thereafter as reached in the regular course of business, in the **Kellogg Road Community Center Building**, New Hartford to consider **Local Law Introductory “C” of 2008** which, if adopted, would amend the Town Code, Chapter 118 thereof entitled **ZONING** by amending/adding new definitions on signs to Section 118-6 and by replacing the existing Section 118-54 (Signs) with regulations including, but not limited to, wall, building, free-standing, and changeable (graphic / video) signs, measurement methods, setback from property lines and prohibition of signs in the public rights-of-way;

and be it

FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Notice of Public Hearing in The Observer Dispatch.

A roll call vote ensued:

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

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

HIGHWAY SUPERINTENDENT:

Stormwater Management (Advisory) Improvement Committee

Highway Superintendent Cleveland reported on the May 2, 2008 meeting of the Stormwater Advisory Committee:

- Recommended *terms* for various positions, to be approved by Town Board
- Tilden Ave stormwater update – Adverse possession is being investigated by the Town Attorney

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- *Southern reservoir* – continue to explore options for use of reservoir; City of Utica is concerned with the condition of outfall piping that extends under much of East Utica. Further discussion on that matter.
- *Woodberry-Beechwood Road area* – Kurt Nichols of Shumaker Engineering continues to fine-tune various aspects. Mr. Nichols answered all questions the Committee had and he was asked to continue with the project and look at analyzing the impact of various upland land uses.

Membership and Terms of Office – Stormwater Advisory Committee

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

(RESOLUTION NO. 123 OF 2008)

WHEREAS, the New Hartford Town Board established the Stormwater Management (Advisory) Improvement Committee on May 9, 2007 to consist of two (2) at-large members, one (1) representative from the Public Works and Sewer Advisory Committee, the Planning Board Chairman or his/her designee, the Town Planner, and the Senior Engineering Technician, and that the Town Attorney will serve as an Ad Hoc member on an “as-needed” basis for consultation; and

WHEREAS, four (4) Town residents have expressed an interest in serving on said Advisory Committee as an at-large member;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby amend its original Resolution No. 89, adopted May 9, 2007, to provide that the Advisory Committee shall consist of four (4) at-large members, with the remaining membership to remain unchanged and whose terms shall initially be as follows:

At-Large Members

- | | | |
|-------------|---|---------|
| Position 1. | - | 2 years |
| Position 2. | - | 2 years |
| Position 3. | - | 3 years |
| Position 4. | - | 3 years |

Public Works and Sewer Advisory Committee representative

- | | | |
|-------------|---|--------|
| Position 5. | - | 1 year |
|-------------|---|--------|

After the initial member terms expire, all re-appointments shall be for like-duration terms, with the exception of Town staff that shall serve on a yearly basis; and be it

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FURTHER RESOLVED that the Town Board does hereby confirm the appointments to said Advisory Committee as follows:

At-Large Members

Position 1. – Douglas Peterson	May 9, 2007 to May 8, 2009
Position 2. – Frank Montecalvo	May 9, 2007 to May 8, 2009
Position 3. – Elizabeth DeGironimo	May 9, 2007 to May 8, 2010
Position 4. – Edward DeSanctis	May 9, 2007 to May 8, 2010

Public Works and Sewer Advisory Committee representative

Position 5. – Kenneth Lowell	May 9, 2007 to May 8, 2008
1-year re-appointment	May 9, 2008 to May 8, 2009.

Whereupon, the Town Board voted upon roll call:

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

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

- *Oxford-Tibbitts-Kellogg Road Project* – Town has negotiated with property owner and the two (2) lots proposed for detention basins. Stormwater Advisory Committee recommended moving forward with purchase of land at total price of Ninety-seven Thousand Dollars (\$97,000).

Land Acquisition – Stormwater Improvements (Oxford-Tibbitts-Kellogg Road)

Councilman Payne offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 124 OF 2008)

RESOLVED that, upon the recommendation of the Stormwater Management (Advisory) Improvement Committee, the Town Board of the Town of New Hartford does hereby authorize and direct Attorney for the Town, Gerald R. Green, to prepare the necessary documents for the Town's acquisition of two (2) parcels in the Jubilee Estates Subdivision, identified as Tax Map No. 339.000-4-12 and Tax Map No. 339.000-4-13, for a total cost of Ninety-seven Thousand Five Hundred Dollars (\$97,500) to mitigate stormwater run-off in the Oxford-Tibbitts-Kellogg Road area.

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

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

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

Change Order - Final Design Contract: Stormwater Improvements (Oxford-Kellogg-Tibbitts- Road)

A detailed topographic survey is required to complete final design of stormwater improvements for the Oxford-Kellogg-Tibbitts Road project. Preliminary and final design work to-date have been based on existing topography developed by others and is not of sufficient detail to complete the design. Upon recommendation of the Highway Superintendent, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 125 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to Execute Change Order No. 1 on the Final Design Contract between Shumaker Engineering and the Town of New Hartford for stormwater improvements in the area of Oxford-Tibbitts-Kellogg Road, said Change Order being for survey work at a not-to-exceed cost of Fifty-four Hundred Dollars (\$5400), bringing the total project cost to Twenty-six Thousand Nine Hundred Dollars (\$26,900), which shall be paid from the stormwater bond proceeds.

A roll call vote ensued:

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

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

Transportation Improvements

Highway Superintendent Cleveland stated that a year or so ago, the Town had authorized a transportation study by Clark Patterson for the area of Woods Highway,

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Middlesettlement Road (County highway) and NYS Route 840 (formerly known as the Judd Road Extension). One recommendation was to continue expanding the transportation network in that area and one area of expansion was to connect Middlesettlement Road (County Road) with Woods Highway. To further this initiative, ***Roefaro, Dickinson & Donato, Real Estate Appraisers*** had been contacted with regard to an appraisal for an approximately two (2) acre parcel between Lowe's and the road network in the New Hartford Business Park. Thereafter, Councilman Woodland introduced the following Resolution for adoption and Councilman Payne seconded same:

(RESOLUTION NO. 126 OF 2008)

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 with ***Roefaro, Dickinson & Donato, Real Estate Appraisers***, who shall perform land evaluation for Tax Map Parcel No. 316-000-2-41.1 for possible land acquisition between Lowe's and the New Hartford Business Park, at a cost of Three Hundred Dollars (\$300).

The Town Board members were polled and voted as follows:

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

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

Mallard Brook Lane - adjoining lands

With regard to the Town's acquisition of a strip of land (15 to 20 feet wide) between Mallard Brook Lane and properties on the south side, proposed to be granted to the Town in the 1990's but never consummated, the property owner is still willing to deed the land to the Town but is unable to locate the Abstract of Title; because the land is being offered free to the Town, it was recommended that the Town pay for a stub Abstract. Councilman Payne introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO. 127 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the expenditure of Four Hundred Dollars (\$400) to obtain an Abstract of Title for the Village East parent parcel, south of Mallard Brook Lane, from which the Town of New Hartford will be acquiring a smaller parcel.

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The Highway Superintendent stated that the Town's acquisition of this narrow strip of land would place the Town in total control of the land in regards to considering any further road connection from future development to the south. The Resolution was then voted upon by roll call:

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

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

New Hartford Business Park – Authorization to Bid

The Town Board members were provided a map showing the breakdown of the construction/reconstruction contracts for Woods Highway, Wood extension into the Business Park and the connector road to the Hartford Insurance Company site. Highway Superintendent Cleveland requested permission, with the approval of Attorney Green, to begin the competitive bid process for two (2) construction contracts and to secure technical services for the section of Woods Highway the Town is to design and all construction inspection work the Town will be responsible for on Woods and the connector road into the Park. Thereafter, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 128 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize commencement of the competitive bid process, with the Town Attorney's approval, for the following New Hartford Business Park-related projects:

- Construction Contract No. 1
 - NYS Route 5/Woods Highway intersection
- Construction Contract No. 3
 - Woods Highway, from National Grid to touchdown point with NYS Department of Transportation design off NYS Route 840 and from the Woods Highway extension, eastbound to the end of the New Hartford Business Park property by Hartford Insurance.

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

Councilwoman Krupa	-	Aye
Councilman Woodland	-	Aye

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

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

New Hartford Business Park – Authorization to Contract

Upon presentation of the Highway Superintendent, the following Resolution was introduced for adoption by Councilman Reynolds and seconded by Councilman Payne:

(RESOLUTION NO. 129 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor, with the approval of the Town Attorney, to enter into and to execute an Agreement between the Town of New Hartford and Shumaker Engineering for the Design for the length of Woods Highway, between the north end of Construction Contract No. 1 and the south end of Construction Contract No. 3, and for construction inspection of the above and Contract No. 3.

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

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

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

Kellogg Road Community Center – Authorization to Contract

The Highway Superintendent extended congratulations to Buildings and Grounds employee Michael Coonradt for the general scrubbing, clean up, bathroom improvements and other improvements to the Kellogg Road Community Center building.

With regard to roof replacement for this building, three (3) quotes were received:

- \$ 9,980 – Continental Roofing Contractors
- \$10,475 – Jewett Bros. Home Improvement
- \$18,700 – Cobblestone Construction.

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

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(RESOLUTION NO. 130 OF 2008)

RESOLVED that the New Hartford Town Board does hereby accept the low quotation of \$9,980 for placement of the Kellogg Road Community Center roof, submitted by Continental Roofing, and does further authorize, with approval of the Town Attorney, that the Town Supervisor enter into and execute a contract for removal of the existing roof and installation of a new roof at the price quoted.

Upon roll call, the Board voted as follows:

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

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

Vehicle and Traffic – Session Road

Upon explanation of the Highway Superintendent who had conferred with the Police Chief on this matter, Councilman Payne introduced the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO. 131 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Highway Department to erect two (2) “Children At Play” sign(s) on Sessions Road in an appropriate location between Oneida Street and Mohawk Street, and that the Board does further establish a ten-year sunset clause for this sign(s).

The Supervisor polled the Town Board, which voted as follows:

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

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

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Vehicle and Traffic – Laurelwood Road

With regard to a request for a “Blind Driveway” sign on Laurelwood Road, the Highway Superintendent and Police Chief had discussed the matter and will make a second on-site inspection.

PARKS AND RECREATION DIRECTOR:

Appointments – Seasonal Summer Employees

Due to the overwhelming registration for the summer playground programs, the Parks and Recreation Director looked much stronger at college-age applications; basically he has recommended hiring college students and graduating high school seniors to handle the program and children. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 132 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 on the dates specified and ending August 15, 2008, except as otherwise stated; all wages to be paid bi-weekly:

Playgrounds – A7140.11, effective *June 30, 2008, or July 3, 2008

Summer Theater – A7145.1, effective June 30, 2008

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
*Kimberly Casey	Substitute Director	\$11.18
Kaitlyn Jo Hudson	Recreation Attendant II	\$ 7.98
Katelynn Duffy	Recreation Attendant II	\$ 7.98
Joseph Desens	Recreation Attendant II	\$ 7.98
Amanda Keida	Recreation Attendant II	\$ 7.98
*Kristi Denison	Director	\$11.18
*Theresa Corleto	Director	\$11.18
Marc Montesano	Recreation Attendant II	\$ 7.98
Bianca Falange	Recreation Attendant II	\$ 7.98
Michael Matt	Recreation Attendant II	\$ 7.98
Anjali Patel	Recreation Attendant II	\$ 7.98
Mikaela Butler	Recreation Attendant II	\$ 7.98
*Catherine Cozza	Director	\$11.18
*Matt Watkajtys	Assistant Director	\$ 8.70
Jordan Groah	Recreation Attendant II	\$ 7.98
Patrick Calli	Recreation Attendant II	\$ 7.98
Brianna Pristera	Recreation Attendant II	\$ 7.98

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NAME	POSITION	HOURLY RATE
Sarah Gigliotti	Recreation Attendant II	\$ 7.98
*Michelle Guca	Director	\$11.18
Marc Pitarresi	Recreation Attendant II	\$ 7.98
Sarah Heil	Recreation Attendant II	\$ 7.98
Amanda Horth	Recreation Attendant II	\$ 7.98
Dan Seif	Recreation Attendant II	\$ 7.98
Katrina Marshall	Recreation Attendant II	\$ 7.98
*Elizabeth Perra	Director	\$11.18
Megan Alsheimer	Recreation Attendant I	\$ 7.36
Shannon Briggs	Recreation Attendant I	\$ 7.36
Timothy Reed	Recreation Attendant I	\$ 7.36
David Hamlin	Recreation Attendant I	\$ 7.36
Teresa Farrell	Recreation Attendant I	\$ 7.36
Allison Hurd	Recreation Attendant I	\$ 7.36
Kelly Jones	Recreation Attendant I	\$ 7.36
Barbara Kivela	Head Bus Driver	\$12.74
Linda Mundrick	Bus Driver	\$12.02
Robin Wheatley	Bus Driver	\$12.02
*Tim Madden	Girls Basketball Instructor	\$14.00
*Alex Prue	Boys Basketball Instructor	\$14.00
*Harold Kaffka	Adult Pick-up Basketball Director	\$14.10
*George Kazanjian	St. John's Basketball Director	\$17.00
Jesse Orton	Summer Theater Director	\$17.00
Sara Zizzi	Summer Theater Assistant Director	\$ 9.00

Swim Program – A7230.1, effective June 26, 2008

NAME	POSITION	HOURLY RATE
Diane Muller	Pool Director	\$11.90
Diane Muller	Evening Director	\$ 8.46
Anna Wanner	Assistant Supervisor	\$10.55
Kathryn Karl	Assistant Supervisor	\$10.55
Paul Manfredo	Certified Water Safety Instructor	\$ 9.85
Sean Dakus	Certified Water Safety Instructor	\$ 9.85
Erica Masi	Certified Water Safety Instructor	\$ 9.85
Ashley Mundrick	Water Safety Instructor	\$ 8.95
Lindsay Mundrick	Water Safety Instructor	\$ 8.95
Lauren Graniero	Day Lifeguard	\$ 8.40
Lauren Graniero	Sub/Water Safety Instructor	\$ 8.70
Dominick Masi	Evening Lifeguard	\$ 8.15
Scott Wanner	Day Lifeguard	\$ 8.40
Scott Wanner	Sub/Water Safety Instructor	\$ 8.70

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NAME	POSITION	HOURLY RATE
Andrew Crumrine	Evening Lifeguard	\$ 8.40
Jonathan Graniero	Evening Lifeguard	\$ 8.40
Thomas Rice	Evening Lifeguard	\$ 8.40
Marco Gerace	Evening Lifeguard	\$ 8.40
Shelby Dakus	Evening Lifeguard	\$ 8.40
Rusty Rockwell	Sub/Evening Lifeguard	\$ 8.40
Sara Dreimiller	Evening Lifeguard	\$ 8.40
Craig Sherman	Boys Locker Attendant	\$ 2.80
Marissa Mundrick	Sub/Evening Lifeguard	\$ 8.40
Elaine Hage	Water Aerobics Instructor	\$36.50
Maurine Farruggia	Water Aerobics Instructor	\$36.50

Parks – A7110.14, effective June 30, 2008 and ending September 30, 2008

NAME	POSITION	HOURLY RATE
Sean Dakus (May 19-July 4, 2008)	Park Laborer I	\$ 8.00
Michael Matt (May 19-July 4, 2008)	Park Laborer I	\$ 8.00
Andrew Roemer	Park Laborer I	\$ 8.00
Michael Kelly	Park Laborer I	\$ 8.00
Nicholas Hanretty	Park Laborer I	\$ 8.00.

Whereupon, the Town Board voted upon roll call:

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

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

Temporary Wage Increase – Michael Natale

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

(RESOLUTION NO. 133 OF 2008)

WHEREAS, Parks and Recreation employee Brian Jenny has been out of work on worker’s compensation for more than thirty (30) days; and

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WHEREAS, the Parks and Recreation union contract provides that, when an employee has been out of work for thirty (30) days, or more, and that employee's work responsibilities are placed upon another employee, the employee accepting the additional duties shall be paid a stipend of One Dollar and Twenty-five Cents (\$1.25) per hour in addition to his/her regular hourly wage;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby authorize and direct that Recreation Maintenance Worker Michael Natale be paid a stipend of One Dollar and Twenty-five Cents (\$1.25) per hour for performing Working Foreman duties, in addition to his regular hourly wage as Recreation Maintenance Worker, retroactive to March 21, 2008 and until such time that Mr. Natale ceases to perform such Working Foreman duties.

The Town Supervisor polled the Board members who voted as follows:

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

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

Special Events – Parks and Recreation Facilities

- To date, 820 individuals have registered for use of playgrounds, etc.
- May 16, 2008 Ride For Missing Children ending at the Recreation Center
- May 17, 2008 NYS Pet Expo at the Recreation Center
- May 26, 2008 Parade commencing at 5:30 P.M. at the Veterans' Memorial on NYS Route 12
- June 11, 2008 memorial ceremony at the Washington Mills Athletic Park commencing at 11:00 A.M. to honor the late Councilman John C. Waszkiewicz
- Donovan Memorial Park splash pad has been completed and will be open this summer

POLICE CHIEF:

Workplace Safety – Violence (Employee Photo Identification)

At the request of the Town Supervisor and in conjunction with the Town Personnel Office, the Town Police Department performed a CPTED (Crime Prevention Through Environmental Design) evaluation of the various offices located in the Sanger Public Works Garage for workplace safety; the results should prove helpful in further securing the Sanger building and creating a safer working environment. One suggestion was that

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employees wear photo identification cards as part of overall security protocol, especially for employees working out in the public and who don't wear a uniform; further recommendations along these lines will be forthcoming from the Police Department. In order to comply with statutory workplace violence legislation, a violence prevention program should be included in the Employee Handbook in the near future.

SUPERVISING PUBLIC SAFETY TELECOMMUNICATOR:

Agreements – Emergency Dispatch Services

Upon presentation by Jeffrey Madden, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilwoman Krupa:

(RESOLUTION NO. 134 OF 2008)

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 Agreements between the Town and three (3) villages wherein the Town Emergency Dispatch Center will provide emergency dispatch services during calendar year 2008, for the amounts specified in said Agreements for:

- Village of New York Mills
- Village of Whitesboro
- Village of Yorkville.

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

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

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

MATTERS SUBMITTED BY TOWN ATTORNEY

Georgius Family Trust Tax Certiorari

Councilman Woodland introduced the following Resolution that was seconded by Councilwoman Krupa:

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(RESOLUTION NO. 135 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Attorney to prepare the requisite Order and Stipulation with regard to the David Georgius Family Trust Tax Certiorari, on unimproved lands identified as Fairview Avenue Tax Map Parcels No. 328.019-2-22; No. 328.019-2-23; No. 328.019-2-24; No. 328.019-2-26; Harding Avenue Tax Map Parcels No. 328.019-2-27; No. 328.019-2-28; No. 328.019-2-29; Wilson Place Tax Map Parcels No. 328.019-2-53; No. 328.019-2-54; No. 328.019-2-55; No. 328.019-2-58; and Rosedale Court Tax Map Parcel No. 328-019-2-88.

The Supervisor polled the Board members who voted as follows:

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

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

Giotto Tax Certiorari

The following Resolution was introduced by Councilman Woodland and seconded by Councilman Reynolds:

(RESOLUTION NO. 136 OF 2008)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of Ninety-six Dollars and Fifty Cents (\$96.50) for the Town's Ten Percent (10%) share of the costs in this matter, Tax Map Parcel No. 340.000-4-12.6; New Hartford Central School has already remitted its Ninety Percent (90%) share to Attorney Kirhstein, in the sum of Eight Hundred Sixty-eight Dollars and Fifty Cents (\$868.50).

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

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

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

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MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of bills

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

(RESOLUTION NO. 137 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. 13	
Vouchers AA669-AA679	\$ 21,402.07
General Fund Whole-Town Abstract No. 14A(POLICE)	
Voucher AA680	\$ 66.85
General Fund Whole-Town Abstract No. 14	
Vouchers AA681-AA686	\$ 33,334.64
General Fund Whole-Town Abstract No. 15A(POLICE)	
Vouchers AA687-AA693	\$ 37,617.24
General Fund Whole-Town Abstract No. 15	
Vouchers AA694-AA773; AA787-AA792	\$ 99,611.01
General Fund Whole-Town Abstract No. 16A(POLICE)	
Vouchers AA774-AA786	\$ 1,866.30
General Fund Part-Town Abstract No. 14	
Vouchers BB79-BB80	\$ 1,249.92
General Fund Part-Town Abstract No. 15	
Voucher BB81	\$ 3,726.70
General Fund Part-Town Abstract No. 16	
Vouchers BB82-BB91	\$ 2,268.48
Highway Fund Part-Town Abstract No. 12	
Vouchers DB197-DB199	\$ 26,131.01
Highway Fund Part-Town Abstract No. 13	
Vouchers DB200-DB221	\$ 36,492.89
Sewer Fund Abstract No. 12	
Vouchers SS48-SS51	\$ 2,634.57
Sewer Fund Abstract No. 13	
Voucher SS52	\$ 794.21
Street Light Fund Abstract No. 6	
Voucher SL6	\$ 7,826.02

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Parks Equipment/Capital Improvement Abstract No. 1 Voucher H91	\$ 16,820.00
Stormwater Capital Fund Abstract No. 3 Vouchers HU3-HU4	\$ <u>7,645.00</u>
	TOTAL: \$299,486.91

Whereupon, the Town Board members voted individually as follows:

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

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

NEW BUSINESS:

Proclamation – Emergency Medical Service Week

Councilman Reynolds offered the following Resolution for adoption; seconded by Councilwoman Krupa:

(RESOLUTION NO. 138 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to issue a Executive Proclamation with regard to career and volunteer members of emergency medical service teams including, but not limited to physicians, nurses, emergency medical technicians, advanced first aid and ambulance attendants, first responders, firefighters, educators and administrators, and declaring that the week of May 18 through May 24, 2008 be declared as **Emergency Medical Services Week** throughout the Town of New Hartford.

A vote upon roll call was duly held and resulted as follows:

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

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

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Proclamation – National Law Enforcement Week

Councilman Reynolds then introduced the following Resolution; seconded by Councilwoman Krupa:

(RESOLUTION NO. 139 OF 2008)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to issue a Executive Proclamation with regard to law enforcement officers who are entrusted with the responsibility of maintaining law and order and protecting the lives and property of Americans and to the officers of the New Hartford Police Department for their faithful and loyal devotion in protecting the Town of New Hartford, and declaring that the week of May 19 through May 23, 2008 be declared as ***National Law Enforcement Week*** throughout the Town of New Hartford.

The Supervisor polled the Town Board members who voted as follows:

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

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

Dedication of NYS Route 840 – Officer Joseph D. Corr Memorial Highway

The New York State Department of Transportation will conduct a ceremony on Thursday, May 15, 2008 at 10:00 A.M., dedicating NYS Route 840 as the ***Officer Joseph D. Corr Memorial Highway***.

Energy Committee

Councilman Payne reported that the Village and Town of New Hartford are investigating new technologies and ways to improve the operation of buildings, vehicles, and contracts, in an attempt for the governments to become more green and lower costs to the taxpayers. [Ex: LED street lighting could decrease costs by Fifty Percent (50%)]. Councilmen Payne and Reynolds and Town Planner Schwenzfeier are on the joint Village-Town Committee.

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ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilman Reynolds, seconded by Councilman Payne, the meeting was adjourned at 7:00 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk