

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL IN SAID TOWN  
ON WEDNESDAY, MAY 27, 2009 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 PRESENT:**

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 PRESENT:**

Codes Enforcement Officer Joseph Booth  
Director of Senior Services M. Eileen Spellman  
Highway Superintendent Richard C. Sherman  
Parks and Recreation Director Michael W. Jeffery  
Planner Kurt L. Schwenzfeier  
Police Chief Raymond Philo  
Town Clerk Gail Wolanin Young and Deputy  
Clerk Melody K. Fancett

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

**MINUTES**

**May 6, 2009 Town Board Meeting**

Action was deferred until the June 2009 meeting.

**PUBLIC PRESENTATIONS (PUBLIC COMMENTS)**

**Abandoned Cemetery(ies)**

Councilman Payne gave a brief review of being apprised of a number of “abandoned” cemeteries in the town, including the Town’s subsequent assessment of the cemeteries, the total number of these sites, the role of the Town, and so forth. After reading an article on these cemeteries in the Observer Dispatch, Wayne Murphy, who has been a Life Scout with Troop 4, expressed his interest in volunteering to perform some restorative work in the Lasher cemetery. Wayne made a presentation summarizing on-site inspections he made with Town Officials, photographs he’d taken and included in a scrapbook, and then determining what needed repairs. Wayne then presented forms for the Town to execute, that they’ve read the conditions contained therein and agree to sign off on his plans to make the Lasher Cemetery a service project. In response to Councilwoman Krupa’s

question, Wayne stated his intent to replace two (2) sections of fence around the cemetery where two (2) trees had fallen, obtaining a Civil War plaque from an American Legion for the Civil War hero buried in the plot, and either restoring several broken tombstones by splinting the stones upward with wood or replacing them. Highway Superintendent Sherman will make the Highway Department available as a resource for Wayne to remove debris through the backyards of adjacent property owners, as the Lasher Cemetery is landlocked. Robert Dicker, who initially notified the Town Board of the cemetery's condition earlier in the year, commended Wayne for stepping forward to perform this community service project. Mr. Dicker had been contacted by a Chadwicks funeral director who apprised him there are funds at the state level to replace the tombstones. Mr. Dicker will continue his contact with Wayne throughout the project.

After receiving approval and the signed documents from the Town Board, Wayne will submit his proposed project for approval by the Scout Committee for his Troop and then present it to the scout office where the Eagle Scout Committee must approve the project; then Wayne can begin work. Thereafter, Councilman Payne offered the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 99 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby approve and consent to the proposal submitted by Eagle Scout Wayne Murphy to perform restorative work in the Lasher Cemetery located behind residences on the westerly side of Oneida Street, Chadwicks, near the Oxford Road intersection and that Wayne Murphy be afforded in-house resources from the New Hartford Historical Society and from the Town Highway Department, if necessary, to remove debris from the civil-war era cemetery.

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

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

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

**Stormwater Issues**

*Christopher Circle* - Scott Kelly reported a continued water problem apparently due to a partially crushed culvert pipe that inhibits water runoff thereby creating "...a lake of water" within the street. This ponding occurs even during lighter rainstorms. Mr. Kelly believed trees, etc. may have crushed the 6' to 8' culvert that had been installed by the developer many years ago between two (2) lots and suggested perhaps a larger culvert should be installed. Two of Mr. Kelly's neighbors are willing to sign easements allowing the Town access through their

properties to resolve the stormwater problem. The Town Attorney would need to prepare any necessary easements; Highway Superintendent Sherman stated this matter will be discussed at the next Stormwater Management (Advisory) Improvement Committee meeting that is expected to be held within a couple weeks.

*Oneida Street* – Douglas and Kristen Long reported stormwater problems two (2) years ago and are still experiencing these problems. Although they have met with the Highway Superintendent and Joanne Faulkner of the Oneida County Soil and Water Agency, gave some ideas and met with the Stormwater Management (Advisory) Improvement Committee, in early April 2009 the Committee raised the question of who would be paying for these stormwater improvements estimated at \$10,000... the property owner or the Town? He's had no response. Mr. Long's neighbor is willing to give permission to access his property to correct the Long's situation. Mrs. Long says water is in their cellar. The Town Board and the Highway Superintendent believe the Stormwater Committee must make a recommendation to the Town Board, including whether to fund the project through stormwater bonding. The Committee will be meeting in a couple weeks.

#### **2008 Annual Financial Report – Fund Balance of Town General Fund**

Councilwoman Krupa stated that due to recent coverage by the Observer Dispatch with regard to the fund balance of the Town's General Fund, the Town Board has asked John Howard, CPA, to give an oversight of what the Annual Financial Report means.

John Howard stated that the Town has an audit performed annually and he explained his role as auditing firm with respect to the Town and what comes of their procedures. The CPA firm work comes in at the end of the fiscal year, which is December 31. He said the auditing firm comes in after the fact. They take a close look at the accounts and make adjustments where necessary, including a report or chart for use by bonding sources, etc. as well as the Town. He commented, "What you've been reading about lately of 2008 final results have not been audited yet", stating that his firm has done a preliminary report and filed that report with Albany in April 2009; now we're ready for a full audit. Reports are submitted to the Town Board and Supervisor and come up with ideas and perhaps criticism to discuss with Town Officials.

How general fund works – Mr. Howard explained that Town accounting records are broken into funds (general fund whole town, general fund part town, highway fund whole town, highway fund part town, sewer, street lighting, fire protection, etc.) and to understand, you can't look just at one fund. You have to look at all funds together and the auditing firm's review will combine all funds. To dissect one fund isn't enough. General fund only encompasses certain things – not highway – no capital projects – no sewer, no water, -- basically administration including public safety (police).

An unidentified person inquired if the Four Dollar (\$4) per gallon of gasoline, a reduction in sales tax revenue, the downturn in economy in 2008, etc. would have affected the 2008 budget. Mr. Howard acknowledged the high gasoline prices would have affected all

municipalities; sales tax you have no control...from a revenue standpipe, you can control your tax roll. Revenue of the Town is flat lined.

Robert Dicker questioned the recent newspaper article and how the Observer Dispatch obtained the figures; Mr. Howard responded they have access to financial annual reports filed with the state and which are available under the Freedom of Information Law (FOIL). Mr. Howard commented - they missed the mark with figures.

**Fiscal Appointment**

Councilwoman Krupa noted that, moving along the same lines with this [fund balance matter]...sooner rather than later, the Town Board would like to hire someone on a full time basis to carry the Town through this time of financial stress. Many resumes had been submitted and John Howard of Barone and Howard, CPAs was consulted and his recommendations were received for this position; another CPA firm was also consulted for their recommendation. Councilwoman Krupa announced that Heather Mowat, a CPA with municipal experience, had been selected to fill this position and stated that everyone on the Board had met at various times and interviewed Ms. Mowat, who has worked for the Town in the past. Thereafter, Councilwoman Krupa introduced the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 100 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Heather Mowat as an “at will” employee to oversee the Town’s finances effective May 27, 2009 through December 31, 2009, with the following stipulations:

- A 35-hour work week
  - No overtime pay shall be authorized for any hours in excess of 35 hours per week
- Hourly rate of \$36.00, payable bi-weekly
- Contingent upon receiving the correct title for this position from the Oneida County Personnel Department and all applicable paperwork related thereto
- Contingent upon a letter of engagement.

The Supervisor polled the Board members who voted as follows:

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

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

**Fiscal – Non-essential spending**

Councilwoman Krupa then introduced the following Resolution, which was duly seconded by Councilman Payne:

**(RESOLUTION NO. 101 OF 2009)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby direct a temporary suspension of non-essential spending by all Departments until such time that Heather Mowat evaluates the Town's current financial status and until this Resolution is repealed by the Town Board.

A roll call vote was duly held as follows:

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

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

REPORTS OF TOWN OFFICIALS

**Town Police Chief:**

**Speed Limit Study Request – Valley View Road**

Upon recommendation of Police Chief Philo, the following Resolution was introduced for adoption by Councilwoman Krupa and duly seconded by Councilman Payne:

**(RESOLUTION NO. 102 OF 2009)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby request the New York State Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to conduct a traffic study on Valley View Road to review the 45 mile per hour speed zone on the west end of Valley View Road, a County road, with the goal of providing consistency in speed zones along this County road; Valley View Road is a busy linear roadway from New Hartford into East Utica that has seen considerable residential development along lateral roadways in the past twenty (20) years.

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

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

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

Parks and Recreation Director:

**Appointments – Seasonal Parks & Recreation Employees**

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

**(RESOLUTION NO. 103 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby appoint the following individuals to the various seasonal Parks Department positions and wages set opposite their several names, commencing on the dates specified below; all wages to be paid bi-weekly:

*Playgrounds – A7140.11*

*Start Date: June 29, 2009*

<b>Name</b>	<b>Position</b>	<b>Rate of Pay</b>
*Michael Jankiewicz	Director	\$11.50/hour
*Brittany Harrington	Recreation Attendant I	\$ 7.50/hour
*Byron Saggese	Recreation Attendant I	\$ 7.50/hour
*Meredith Doyle	Recreation Attendant I	\$ 7.50/hour
*Matthew Romanow	Recreation Attendant I	\$ 7.50/hour
*Robert Van de Wal	Recreation Attendant I	\$ 7.50/hour

\*Replacements as a result of declination of employment by prior appointees.

*Swim - A7230.1*

*Start Date: June 29, 2009*

<b>Name</b>	<b>Position</b>	<b>Rate of Pay</b>
Jessica Snyder	Evening Lifeguard	\$ 8.65/hour
Bryan Phipps	Substitute Evening Lifeguard	\$ 8.65/hour
Mackenzie Weber	Substitute Evening Lifeguard	\$ 8.65/hour.

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

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

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

Highway Superintendent:

**Street Light – Higby Road-Mohawk Street-Sitrin Lane Intersection**

Residents have contacted Highway Superintendent Sherman with regard to the possibility of a streetlight at the Higby-Mohawk-Sitrin Lane intersection, which is very dark at nighttime. Since Higby Road is a County road, Highway Superintendent Sherman had consulted with Dennis Davis of the Oneida County Department of Public Works. Further, there are no existing streetlight districts that include the area in question. If a light were to be installed, the cost associated therewith would either have to be charged to a newly created light district or charged to the General Town street light district. National Grid has quoted approximately \$150 for the annual fixture charge/electric charge for a 150-watt High-Pressure Sodium light [subject to change due to economy] and \$120 for the pole and guide wire, a one-time set-up charge.

In response to Councilman Payne’s question, Planner Schwenzfeier responded that an LED light would be a little more expensive than a high-pressure sodium lamp but would last longer. Councilman Payne suggested the Town consider this option. Because LEDs are not available through National Grid according to the Planner, the LEDs would have to be obtained from another source. The Town Board asked that this matter be followed up.

**Agreement – Road Pavement Marking**

Highway Superintendent Sherman reported that the Town Attorney had several questions about the pavement marking agreement with Oneida County and Attorney Green was satisfied with the answers provided. Thereafter, upon recommendation of the Highway Superintendent, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Payne:

**(RESOLUTION NO. 104 2009)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to execute the 2009 Pavement Marking Agreement between the Town of New Hartford and the Oneida County Department of Public Works wherein said County will provide road striping for twenty-seven (27) roads within the Town, the latter of whom shall be responsible for the cost of materials.

Upon roll call, the Board members voted as follows:

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

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

**Estimate - Sauquoit Creek Clean up**

New York Mills Mayor Robert Maciol is looking for joint services with the Town of New Hartford and the Sauquoit Creek Basin Inter-municipal Commission for the clean-

up phase of Mud Creek. Professional Engineer Alan Swierczek's bill is \$10,000 and Mayor Maciol is asking that it be split between New York Mills, the Town and the Commission. The Town Board will hold the matter in abeyance until the Board knows where they stand financially.

**Contract - Oxford Road Area Drainage Improvement**

Highway Superintendent Sherman has been in contact with contractor Fred Burrows, successful bidder, on a weekly basis and reported that the contractor has experienced some delays with the concrete manufacturer. Shumaker Engineering must approve the concrete and then Burrows Excavating can commence work; it will probably be another couple weeks before approval is granted and then 4-6 week order time for the concrete.

Planner:

**Agreement/Contract – System Development Group**

Planner Schwenzfeier recommended approval of the annual site license software plan that serves various departments in the Sanger Public Works Garage; the current contract expired December 31, 2008 and the renewal is \$5200. He recommended that the Board adopt a Resolution to continue the contract contingent upon the review and approval of the Town Attorney. Councilwoman Krupa recommended no action be taken at this time and tabled the matter.

**Pre-Development Agreement & Memorandum of Understanding – (Special Metal's ESR Pump House)**

Upon recommendation of Planner Schwenzfeier, Councilwoman Krupa introduced the following Resolution for adoption and Councilman Reynolds seconded same:

**(RESOLUTION NO. 105 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute a Pre-Development Agreement and a Memorandum of Understanding between the Town of New Hartford and Special Metals, 4317 Middlesettlement Road, New Hartford, New York, wherein said Special Metals shall construct an 864 square foot building addition to their ESR Pump House, said addition to be located at the northwest corner of the existing Pump House, Tax Map No. 328.000-2-25, with no fees in lieu of mitigation being offered and with no retainer being required for this improvement within the Seneca Turnpike-Commercial Drive Generic Environmental Impact Study boundary area.

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

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



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

Town Clerk:

**Board of Assessment Review – Temporary Vacancy**

In behalf of Board of Assessment Review Chairman Duane Farr, the Town Clerk apprised the Board of a temporary medical leave of absence of a BAR member. and Chairman Farr's recommendation that Auxiliary BAR member Matthew Bohn be appointed as a regular BAR member during the interim. Councilman Payne then offered the following Resolution for adoption; seconded by Councilwoman Krupa:

**(RESOLUTION NO. 106 OF 2009)**

**WHEREAS**, Board of Assessment Review Member Edward F. Goggin is on a temporary medical leave of absence; and

**WHEREAS**, it is essential to have a full Board of Assessment Review to deliberate on assessment grievances filed in 2009; and

**WHEREAS**, Matthew Bohn III, who had in prior years served as a member and Chairman of the Board of Assessment Review, was recently appointed as an Auxiliary Member of the Board of Assessment Review;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Matthew Bohn III to serve as a regular member of the Board of Assessment Review to fill the temporary vacancy created by Mr. Goggin's medical leave; said appointment is effective immediately and shall entitle Mr. Bohn to vote on grievance matters.

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

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

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

Codes Enforcement

**Property Maintenance – 2 Waterford Lane**

Upon recommendation of Codes Enforcement Officer Joseph Booth, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Payne:

**(RESOLUTION NO. 107 OF 2009)**

**WHEREAS**, the Town of New Hartford had adopted on September 24, 1994 a Local Law regulating property maintenance and which Law prohibits the accumulation of brush, grass, rubbish or weeds on any real property in said Town (Code, Chapter 94); and

**WHEREAS**, the Town Codes Enforcement Officer has received complaints about high grass and weeds upon premises located at 2 Waterford Lane (Tax Map Parcel No. 330.012-8-50) in the Town of New Hartford, New York owned by Micheal VanFossen whose last known address is 2 Waterford Lane, P. O. Utica, New York 13501; and

**WHEREAS**, the property appears to be abandoned, and the Codes Enforcement Officer had communicated with said owners via certified mail;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the Codes Enforcement Officer, through the Parks and Recreation Department, to proceed with mowing the lawn and clearing the property of high weeds and grass at 2 Waterford lane, with any costs incurred by the Town in connection with said proceedings to be assessed against the land on which said public nuisance exists; specifically, the Town Board does hereby authorize and direct Oneida County to levy such charges on the 2010 Town and County tax bill.

Upon roll call, the Board members voted as follows:

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

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

**Appointment – Seasonal Clerical Employee**

Action on the request of the Codes Enforcement Officer to hire a seasonal Clerk to cover vacation time and assist Secretary Dolores Shaw during the Summer of 2009 was held in abeyance until the June 2009 Town Board meeting.

**Zoning Law – Non-Conforming Lot Issues**

Councilman Reynolds inquired what action might have been taken with regard to Beverly Roberts' concerns about non-conforming lots (NOTE: Refer to May 6, 2009 Town Board minutes.) Codes Officer Booth said he is in favor of amending the Town's Zoning Law and that the Town Attorney is reviewing the matter.

**MATTERS SUBMITTED BY COUNCILMEN**

**Councilman Woodland:**

**Annexation (Proposed) – Cherrywood Mobile Home Community**

Upon Councilman Woodland’s inquiry, the Town Clerk explained that – providing all required documents have been filed with the Town – the Town Attorney would need to prepare the legal notice of a joint public hearing (Kirkland and New Hartford) to be published in the Town’s official newspaper and that the respective Town Boards would need to agree on a date, time and place for the joint public hearing. It appears the hearing might be scheduled for late June/early July 2009.

**Councilman Payne:**

**Higby Road Water District Review Board**

Councilman Payne inquired about the status of the Higby Road Water District Review Board. Town Clerk Young replied that in April 2009 she had asked the Observer Dispatch to print an article that the Town was seeking applicants for three (3) positions on this Board, whose primary duty would be to convene each year from March 1<sup>st</sup> to April 1<sup>st</sup> to hear grievances, answer questions and make sure the debt service roll is properly maintained for billing purposes. The article had been published in late April 2009, with a noted application deadline of May 13, 2009. To date, no applications have been received. The Town Board requested that the Town Clerk arrange a second publication in the Observer Dispatch and to also post this on the Town’s Website.

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

**New Business:**

**Change date of June 2009 Town Board Meeting**

Upon request of the Town Supervisor who has a meeting conflict, Councilwoman Krupa introduced the following Resolution for adoption, seconded by Councilman Reynolds:

**(RESOLUTION NO. 108 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby re-schedule the June 10, 2009 Town Board meeting to be held on Tuesday, June 9, 2009 at 6:00 P.M. in Butler Memorial Hall, New Hartford, New York.

A roll call vote ensued:

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

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

Financial:

**Audit of Vouchers**

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

**(RESOLUTION NO. 109 OF 2009)**

**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, which had been duly audited by the Town Board:

General Fund Whole-Town Abstract #25		
Vouchers AA812-AA820	-	\$ 1,547.86
General Fund Whole-Town Abstract #26		
Vouchers AA821-AA824	-	\$ 2,528.48
General Fund Whole-Town Abstract #27		
Vouchers AA825-AA829; AA913	-	\$ 70.00
General Fund Whole-Town Abstract #28		
Vouchers AA830-AA897; AA915	-	\$43,697.90
General Fund Whole-Town Abstract #28A(Police)		
Vouchers AA898-AA912	-	\$75,380.91
General Fund Whole-Town Abstract #29		
Vouchers AA917-AA918		\$ 98.90
General Fund Whole-Town Abstract #29A(Police)		
Voucher AA919		\$ 299.70
General Fund Part-Town Abstract #15		
Voucher BB85	-	\$ 120.00
General Fund Part-Town Abstract #16		
Vouchers BB86-BB95	-	\$ 1,456.33
Highway Fund Part-Town Abstract #12		
Vouchers DB374-DB405	-	\$ 34,238.64
GEIS Study Capital Project Abstract #1		
Voucher HX1	-	\$ 8,372.00
Sewer Fund Abstract #14		
Vouchers SS35-SS37	-	\$ 1,901.62
Street Light Abstract #6		
Voucher SL6	-	\$ 7,256.54
Stormwater Drainage Capital Project Abstract #7		
VouchersHU13-HU16	-	\$ <u>35,767.00</u>
	<b>TOTAL</b>	<b>\$212,735.88</b>

Upon roll call, the Board members voted as follows:

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**.

**EXECUTIVE SESSION**

Upon request of the Highway Superintendent, Councilman Payne introduced the following Resolution for adoption and Councilman Reynolds seconded same:

**(RESOLUTION NO. 110 OF 2009)**

**RESOLVED** that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the employment history of a particular employee.

A roll call vote ensued:

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**. All persons present, including the news media, were then excused from the meeting at 7:18 P.M. The Town Clerk was asked to remain in the event the Town Board wanted to take action after the Executive Session. The Highway Superintendent also remained for the Executive Session.

**END OF EXECUTIVE SESSION**

Councilwoman Krupa then offered the following Resolution for adoption and Councilman Woodland seconded same:

**(RESOLUTION NO. 111 OF 2009)**

**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:

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*; the Executive Session ended at 7:35 P.M. The regular portion of the Town Board meeting was immediately reconvened.

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and duly seconded by Councilman Payne, the meeting adjourned at 7:36 P.M.

**Respectfully submitted,**

**Gail Wolanin Young, Town Clerk**