

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK, HELD
AT THE WILLOWVALE FIRE CO., INC., 3459 ONEIDA
STREET, CHADWICKS IN SAID TOWN ON
WEDNESDAY, MARCH 14, 2007 AT 6:00 P.M.**

The Town Supervisor called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting:

TOWN BOARD MEMBERS: Councilman Robert A. Payne III
Councilman John C. Waszkiewicz III
Councilman David M. Reynolds
Supervisor Earle C. Reed

ABSENT: Councilman Richard B. Woodland, Jr.

OTHER TOWN OFFICIALS: Highway Superintendent Roger A. Cleveland
Parks & Recreation Director Michael Jeffery
Police Chief Raymond Philo
Planner Kurt Schwenzfeier
Telecommunicator Supervisor Madden (in at 6:30 PM)
Town Clerk Gail Wolanin Young, CMC/RMC and
Deputy Town Clerk I Margaret M. Jones

Thereafter, a quorum was declared present for the transaction of business. Councilman Woodland was absent due to medical reasons.

PUBLICATION PRESENTATION

Bond Presentation

Councilman Payne gave a Power Point presentation on the eight (8) bond issues, which are due to be voted on March 29, 2007. As each proposition was presented and explained, several questions were raised:

- *James Lawrence* asked for clarification regarding the $-.028$ per \$1,000 of Assessed Value beginning in 2008 as stated in Proposition 1
- Regarding Proposition 4 – Storm Water Control, *a resident* asked if there was a list of areas to be improved and *another resident* asked what the length of the bond. The Highway Superintendent stated that work would include the Oxford-Kellogg Road and Woodberry Road areas, the Oneida Street-Elm Street area, Lower Woods Road, Mallory Road, Slaytonbush Lane and Sherman Hills as well as Pleasant Street and Route 12B. The Highway Superintendent has cost estimates for each area. An explanation was given regarding the compliance with

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 2

the Department of Environmental Conservation Phase II Permit, which is mandatory.

- A man in the audience asked if developers could be held liable for additional water runoff or having inadequate storm water facilities. Councilman Reynolds explained the Town is looking at current subdivision regulations regarding this matter.
- A man inquired as to the exact cost of the building in Proposition No. 5. Also, Edmund Wiatr had several suggestions regarding the existing police station and asked the Board had considered any other areas to relocate the police department. Chief Philo explained the Town's search over the past few years for new property, renovation of an already existing building or renovation of the present facility. He further explained how crowded the present building is for both Police and Courts and how difficult it is to offer privacy to anyone and at the same time to offer safety to the general public when interviews with prisoners are taking place or Court is in session.
- James Lawrence stated it doesn't make sense to bond for fifteen (15) years for lighting in the Sanger Public Works Garage and the Recreation Center. He questioned the Board regarding the amount of savings the Town would benefit from this particular Proposition.

After the presentation, the Supervisor declared a recess from 7:15 P.M. to 7:28 P.M.

MINUTES APPROVAL

February 7, 2007 Town Board Minutes

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

(RESOLUTION NO. 38 OF 2007)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the **Regular** Town Board meeting held **February 7, 2007** and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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

REGULAR TOWN BOARD MEETING
March 14, 2007
Page 3

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

REPORTS OF TOWN OFFICIALS

ASSESSOR:

Agreement - Systems Development Group (SDG)

Assessor Smith reported that Attorney Green has the SDG Contract for his review. Application for a \$16,100 grant is being made in order to be able to put all assessment information on line such as mapping, sales and everything for which the Assessor receive requests from taxpayers. Attorney Green will make a report after he has reviewed the Agreement.

HIGHWAY SUPERINTENDENT:

Bid – Multi-purpose Excavator

The Highway Superintendent reported that bids had been received on March 15, 2007 for a used multi-purpose excavator. The Superintendent asked that the Board take no action on this bid until after the Bond issue vote on March 29, 2007.

Retainer Fee – Barrett Paving

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

(RESOLUTION NO. 39 OF 2007)

WHEREAS, at the May 18, 2005 Town Board meeting Supervisor Humphreys was authorized to execute an Agreement between the Town of New Hartford and Barrett Paving Materials, Inc. for the 2005 Bituminous Concrete Paving; and

WHEREAS, at the May 17, 2006 Town Board meeting the New Hartford Town Board authorized the Town Supervisor to execute an extension to the 2005 Bituminous Concrete Paving Contract to include the 2006 calendar year;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does authorize Bookkeeper Carol Fairbrother to release the retainer fee of Fifteen Thousand Two Hundred Seventy-Nine Dollars and Thirty-Three Cents (\$15,279.33), which Barrett Paving Materials, Inc. had paid to the Town of New Hartford.

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz	-	Aye
Councilman Reynolds	-	Aye

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 4

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

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

Stormwater Report

The Highway Superintendent reported that from the extensive melting of snow and the rains of today, most of the facilities peaked but stayed within their banks.

Bond - Consumer Square

Councilman Reynolds inquired how the Town stands with regard to the Consumer Square Bond. The Highway Superintendent reported that he had met with the NYS Department of Transportation (DOT) and is waiting DOT's recommendation as to DOT would like to see happen concerning the internal traffic/traffic signals that affect traffic flow on Commercial Drive (NYS Route 5A). The Town is in no position to return the One Hundred Thousand Dollar (\$100,000) Bond. The impact of what is happening in the parking lot affects Commercial Drive, and DOT recognizes that this is still an issue.

PARKS AND RECREATION DIRECTOR:

Appointments – Seasonal

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

(RESOLUTION NO. 40 OF 2007)

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; all wages to be paid bi-weekly:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>	<u>START DATE</u>
James Miller	Crew Supervisor	\$10.61 per hour	April 2, 2007
Sean Dakus	Park Laborer I	7.85 per hour	April 2, 2007
Dustin Benton	Park Laborer II	8.40 per hour	April 2, 2007
Garrett Tomaino	Park Laborer II	8.40 per hour	April 2, 2007
Brandon Goodman	Park Laborer I	7.85 per hour	May 21, 2007
William Zogby	Park Laborer I	7.85 per hour	May 21, 2007

Whereupon, the Town Board voted upon roll call:

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 5

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

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

Fireworks Display

Upon recommendation of the Parks and Recreation Director, Councilman Waszkiewicz introduced the following Resolution for adoption and Councilman Payne seconded same:

(RESOLUTION NO. 41 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor to enter into an Agreement between the Town of New Hartford and American Fireworks Manufacturing Co., Utica, New York for a Fireworks Display on July 11, 2007 in conjunction with the Friends of the New Hartford Library Ice Cream Social, at a cost not to exceed Four Thousand Dollars (\$4,000).

The Town Board members then voted upon roll call:

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

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

Training

Upon request of Parks and Recreation Director Michael Jeffery, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 42 OF 2007)

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;

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 6

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby grant permission to Parks and Recreation Director Michael Jeffery to attend the New York State Recreation Conference from April 22-25, 2007 in Buffalo, NY, with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

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

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

TOWN PLANNER:

Pre-Development Agreement & Memorandum of Understanding – COR/Lowe’s Center

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

(RESOLUTION NO. 43 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute a Pre-Development Agreement and Memorandum of Understanding between the Town of New Hartford and **COR Middle Settlement Road Company, LLC**, 540 Towne Drive, Fayetteville, New York 13066, wherein said **COR Middle Settlement Road Company, LLC** has offered Fees in Lieu of Mitigation, as per the conditions of said Pre-Development Agreement, totaling Two Hundred Twenty-Two Thousand Two Hundred Thirty-One Dollars and zero Cents (\$222,231.00) as same relates to construction of a **COR/Lowe’s Center** [Town Tax Map No. 316.000-2-41.1; 316.000-2-42] within the Seneca Turnpike-Commercial Drive Generic Environmental Impact Study boundary area.

The Board members voted upon roll call that resulted as follows:

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

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

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 7

Agreement – Engineering Services – COR/Lowe’s Center

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

(RESOLUTION NO. 44 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an **Agreement** for Engineering Services for the **COR/Lowe’s Center**, said Agreement between the Town of New Hartford (party of the first part), **COR Middle Settlement Road Company, LLC** (party of the second part), and **Alan M. Swierczek, P.E.** (party of the third part). The scope of the project shall require Alan Swierczek to provide to the Town engineering services on an “as-needed” basis associated with the construction phase observation of site construction work of a new retail center, as more fully defined in said Agreement. The engineering consultants’ fee shall be paid for by the **COR Middle Settlement Road Company, LLC** (parties of the second part) in the amount of Thirteen Thousand Dollars (\$13,000).

A roll call vote ensued:

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

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

Public Hearing Scheduled – Comprehensive Plan & Final GEIS

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

(RESOLUTION NO. 45 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, **April 11, 2007** at **6:00 P.M.**, or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street in said Town to consider the adoption of the Final Generic Environmental Impact Statement on the Town’s Comprehensive Plan update; and be it

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

REGULAR TOWN BOARD MEETING
March 14, 2007
Page 8

A roll call vote ensued:

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

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

TOWN CLERK:

Training

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

(RESOLUTION NO. 46 OF 2007)

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 interested Town Department Heads and Town Board members to attend the Oneida County Association of Towns Business Dinner on Tuesday, March 20, 2007 in Vernon, New York, with expenses to be borne by said Town as budgeted.

The Board members voted upon roll call that resulted as follows:

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

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

Zone Map Amendment Application – SEOR Review - PH&S Property Management

The Town Planner having reviewed the application submitted by PH & S Property Management for a rezoning, the following Resolution was introduced for adoption by Councilman Waszkiewicz and duly seconded by Councilman Payne:

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 9

(RESOLUTION NO. 47 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare itself as Lead Agency in the matter of the Zone Map Amendment application submitted by PH & S Property Management, Inc., to change the zoning classification of a 100' x 250' parcel located at 180 Clinton Road (NYS Route 12) from Medium Density Residential (MDR) to Planned Development Institutional (PDI) for the purpose of locating the Corporate Office of said applicant; and be it

FURTHER RESOLVED that the Town Board does hereby authorize and direct the Town Clerk to forward copies of said Zone Map Amendment application to all interested and/or involved agencies for SEQR review.

Upon roll call, the Town Board voted as follows:

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

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

Zone Map Amendment Application - 239-Review – PH&S Property Management

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

(RESOLUTION NO. 48 OF 2007)

WHEREAS, PH & S Property Management, Inc. had filed a Zone Map Amendment application with the Town Clerk on January 29, 2007 for a rezoning of a 100' x 250' parcel on the northern side of Clinton Road, namely 180 Clinton Road, (NYS Route 12B), approximately 0.2 miles westerly of Fawncrest Boulevard, for the purpose of locating the Corporate Office of Presbyterian Homes & Services, Inc.: and

WHEREAS, the Town Planner has reviewed said Application and has determined that the Application appears to be accurate and sufficient;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby refer PH & S Property Management's Zone Map Amendment application to the Oneida County Planning Department and to the Town Planning Board

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 10

for their review and written recommendation pursuant to General Municipal Law and the Town's Zoning Law.

Upon roll call, the Town Board voted as follows:

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

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

Schedule Public Hearing - Local Law Introductory "D" of 2006

Whereas the Oneida County Planning Department and the Town Planning Board have submitted their recommendations, Councilman Waszkiewicz offered the following Resolution for adoption, seconded by Councilman Reynolds:

(RESOLUTION NO. 49 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford shall conduct a Public Hearing on Wednesday, **April 11, 2007 at 6:00 P.M.**, or as soon thereafter as reached in the regular course of business, in Butler Memorial Hall, 48 Genesee Street, New Hartford to consider **Local Law Introductory "D" of 2006** which, if adopted, would amend the Code, Chapter 118 thereof entitled **ZONING**, as it pertains to a one hundred foot (100') maximum height limit for all Public Utility(ies) within the following zoning classifications:

- A – Agricultural
- RA-2 – Residential Agricultural
- LDR – Low Density Residential
- MDR – Medium Density Residential
- HDR – High Density Residential
- RB1 – Retail Business
- RB2 – Retail Business 2
- RB 3 – Office Business
- M – Manufacturing
- PO – Professional Office
- PHB – Planned Highway Business
- PDMH – Planned Development Mobile Home
- PDMU – Planned Development Mixed Use

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 11

and be it

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

A roll call vote ensued:

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

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

Training - Community Leadership Conference

In behalf of Planning Board member Rodger Reynolds, the Town Clerk presented the following Resolution which was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 50 OF 2007)

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 Planning Board Member Rodger Reynolds to attend the Community Leadership Conference on Thursday, April 5, 2007 in Cooperstown, NY with expenses to be borne by said Town.

The Resolution was voted upon by roll call as follows:

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

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

MATTERS SUBMITTED BY COUNCILMEN AND TOWN ATTORNEY

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 12

TOWN ATTORNEY:

Kavod Road – Re-Dedication as a Public Highway

After review by the Town Attorney, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 51 OF 2007)

WHEREAS, the following documents are required to be filed with the Town prior to accepting a road as a public highway:

- Certification by Developer’s engineer
- Letter of approval by Highway Superintendent
- Letter of approval by the Town Engineer
- Warranty deed describing each street
- Warranty deed for sewer easement, if applicable
- Warranty deed for stormwater easement, if applicable
- Letter of approval by the Attorney for the Town
- Copies of final approved plans
- Copies of as-built drawings

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford, upon receipt of the aforementioned documents, shall accept and dedicate as a public highway seven hundred fifty (750) linear feet of Kavod Road, as fully described in a Warranty Deed to be filed; and be it

FURTHER RESOLVED that the Town Attorney be, and he hereby is, authorized and directed to record the necessary documents relating to public dedication of the aforesaid highway in the Office of the Oneida County Clerk and subsequently with the Town Clerk.

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

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

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

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 13

Municipal Services Agreement - Preswick Glen

Attorney Green reported that he had spoken with Attorney Dan Vincelette who reported that he and Assessor Smith have concluded their initial review of Preswick Glen’s application for tax exempt status from property taxes and are in the process of compiling additional information and items that are needed. A letter will be forthcoming from the Assessor’s Office when the list is finalized and the list will be made public. Attorney Green will continue to update the Board and the public at each meeting regarding this on-going process.

COUNCILMAN WASZKIEWICZ:

Councilman Waszkiewicz reported that the only action item from the Agenda would be the second item on his list as follows:

Southern Reservoir

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

(RESOLUTION NO. 52 OF 2007)

RESOLVED that the Town Board does recommend that the Town OF New Hartford continue to explore the different list of options for passive recreation regarding the area in which the Southern Reservoir is located. This recommendation does not commit the Town to any final Resolution but, rather, the Town is merely exploring different options.

A roll call vote ensued:

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

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

“Save Our Home” Legislation

Councilman Waszkiewicz distributed a handout with regard to this particular legislation, which caps assessment changes. This legislation is similar to either Florida or Massachusetts Law.

MATTERS SUBMITTED BY TOWN SUPERVISOR

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 14

FINANCIAL:

Chief Financial Officer (CFO)

Town Supervisor Reed had discussed with Whitestown Councilman Brian Brooks the matter of sharing a CFO. There is money available to Towns through the State of New York if and when they consolidate and share a Chief Financial Officer. There will be a meeting on April 19, 2007 with a State or Federal representative regarding the possible funding to help pay the salary for a CFO.

Audit of Vouchers

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

(RESOLUTION NO. 53 OF 2007)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of the bills itemized on the following Abstracts, that have been duly audited by the Town Board:

General Fund Whole-Town Abstract No. 4 Vouchers AA279-AA291	\$ 26,782.26
General Fund Whole-Town Abstract No. 5 Vouchers AA292-AA384; Vouchers AA399-AA416; Vouchers AA447-AA468	\$117,362.47
General Fund Whole-Town Police Abstract No. 5A Vouchers AA417-AA446	\$ 11,095.03
General Fund Whole-Town Abstract No. 6 Vouchers AA385-AA392	\$ 27,659.24
General Fund Part-Town Abstract No. 4 Vouchers BB26-BB28	\$ 1,600.00
General Fund Part-Town Abstract No. 5 Vouchers BB29-BB42; Vouchers BB44-BB48	\$ 2,859.60
Highway Fund Part-Town Abstract No. 3 Vouchers DB62-DB108; Vouchers DB113-DB153	\$139,891.37
Highway Fund Part-Town Abstract No. 4 Vouchers DB109-DB112	\$ 22,769.87
Sewer Fund Abstract No. 4 Vouchers SS13	\$ 2,761.25

REGULAR TOWN BOARD MEETING
March 14, 2007
Page 15

Sewer Fund Abstract No. 5	
Vouchers SS14-SS16	\$ 888.83
Sewer Fund Abstract No. 6	
Voucher SS17-SS19	\$ 1,978.66
Street Lighting Fund Abstract No. 4	
Voucher SL4	\$ 8,621.11
Drainage Capital Abstract No. 2	
Vouchers HC6-HC9	\$ 1,094.73
Higby Road Water Tank Abstract No. 2	
Voucher HF2-HF4	\$ 3,225.00
	TOTAL: \$341,843.16

Whereupon, the Town Board members voted individually as follows:

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

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

Official Depository - First Niagara Bank

Upon request of Bookkeeper Carol Fairbrother, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Waszkiewicz:

(RESOLUTION NO. 54 OF 2007)

RESOLVED, that **First Niagara Commercial Bank, Lockport, New York** is designated an authorized depository of this corporation; and

FURTHER RESOLVED, that all drafts, checks, or other instruments or orders for the payment of money drawn against the account or accounts of this corporation with said depository shall be signed by an three (3) of the following:

Earl C. Reed, Supervisor
David M. Reynolds, Councilman
Carol D. Fairbrother, Bookkeeper

FURTHER RESOLVED, that said depository is authorized to place to the credit of the account, or any of the accounts, of this corporation, funds, drafts, checks or other property by whomever delivered to said depository or agent thereof for deposit to the

REGULAR TOWN BOARD MEETING

March 14, 2007

Page 16

accounts of this corporation, endorsed with the name of this corporation, by rubber stamp, facsimile, mechanical, manual, or other signature (and any such endorsement by whomever affixed shall be the endorsement of this corporation), or otherwise endorsed, or unendorsed, provided that if any such item shall bear, or be accompanied by, directions (by whomever made) for deposit to specific account, then such deposit shall be to the credit of such specific account: and

FURTHER RESOLVED, that said depository is hereby directed to accept, and/or pay and/or apply any draft, check, instrument or order for payment of money, or any proceeds thereof, drawn on such account or accounts when signed as required by these resolutions by manual, rubber stamp, facsimile, or other mechanical signature (by whomever affixed) without limit as to amount, without inquiry, and without regard to the disposition of any such item or any proceeds thereof. Further, said depository shall not be liable in connection therewith notwithstanding that such item may be payable to the order of a person whose signature appears thereon or of any other officer or officers, agent or agents of this corporation, or such items or any proceeds thereof may be used or disposed of for the personal credit or account of any such person or persons, officer or officers, agent or agents with the depository or otherwise.

A roll call vote ensued:

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

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

French Road Intersection with Route 12

At the request of Councilman Waszkiewicz, Police Chief Philo had furnished a report of accidents, which have occurred at this particular intersection from February 3, 2005 to February 5, 2007, totaling twenty-nine (29) accidents during the past two (2) years. Councilman Waszkiewicz would like a letter sent to the Department of Transportation regarding this particular intersection requesting that a traffic study be conducted. It was also suggested that a study be completed on Route 12B and Route 5 at the Yahnundasis Country Club. Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Reynolds:

REGULAR TOWN BOARD MEETING
March 14, 2007
Page 17

(RESOLUTION NO. 55 OF 2007)

RESOLVED that the New Hartford Town Board does hereby authorize and direct Town Clerk Gail Wolanin Young to request that the New York State Department of Transportation conduct a traffic study at the French Road intersection with NYS Route 12 in the area of Home Depot and the intersection of NYS Route 12B and Route 5 in the area of the Yahnundasis Country Club and to submit the statistical information with regard to accidents at the aforesaid intersections.

Whereupon, the Town Board members voted individually as follows:

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

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**. The Town Clerk asked to be furnished with the report of accident statistics to be submitted with the Town's request; Chief Philo will supply the list.

Note of Appreciation

Supervisor Reed thanked the Willowvale Fire Company for allowing use of their facility for tonight's Town Board meeting in an effort to reach out to Town residents.

ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilman Waszkiewicz, seconded by Councilman Payne, the meeting was adjourned at 7:56 P.M.

Respectfully Submitted,

Gail Wolanin Young, CMC/RMC
Town Clerk

Margaret M. Jones
Deputy Clerk I