

**REGULAR MEETING OF THE TOWN BOARD OF
THE TOWN OF NEW HARTFORD, NEW YORK, HELD
AT BUTLER MEMORIAL HALL, IN SAID TOWN ON
WEDNESDAY, DECEMBER 20, 2006 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: Director of Senior Services M. Eileen Spellman
Dispatch Supervisor Jeffrey Madden
Highway Superintendent Roger A. Cleveland
Police Chief Raymond Philo
Town Clerk Gail Wolanin Young and Deputy
Clerk I Margaret M. Jones

Thereafter, a quorum was declared present for the transaction of business. It was noted that Councilman Woodland was absent due to illness.

MINUTES APPROVAL

November 15, 2006 and December 6, 2006 Town Board Minutes

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

(RESOLUTION NO. 361 OF 2006)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the *Regular* Town Board meetings held *November 15, 2006* and *December 6, 2006* 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.

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

PUBLIC PRESENTATION

Comptroller

Referring to an article in the Observer Dispatch with regard to the Town's possible sharing of a Comptroller with the Town of Whitestown, Paula Mariano inquired if the Town of New Hartford would be paying their benefits. Supervisor Reed explained that the benefits would be paid by Oneida County and that the Comptroller would be a County Employee working under County Comptroller Joseph Timpano.

Stormwater Management

Ellen Hanna, presently the owner of the Busy Bee Restaurant, discussed the storm water damage that she has sustained at her restaurant, stating that she had paid approximately Ten Thousand Dollars (\$10,000) to make repairs after the first storm and then the second storm came through and ruined what had been repaired. She inquired what the Town might do about this. Supervisor Reed acknowledged walking the area with the Highway Superintendent the night of the storm. Stormwater management is one of the Bond Propositions to be voted on in 2007 so that the Town can make adequate and necessary repairs to the Stormwater system. Highway Superintendent Roger Cleveland stated that the area had to be excavated and new pipe needs to be placed in the area. Supervisor Reed told Ms. Hanna that her area is a critical area that will need to be repaired.

REPORTS OF TOWN OFFICIALS

DIRECTOR OF SENIOR SERVICES:

Budgetary Transfer - New Hartford Adult and Dining Activity Center

Upon recommendation of the Director of Senior Services, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 362 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Bookkeeper to transfer the sum of One Hundred Dollars (\$100.00) in the 2006 Annual Budget as follows:

Increase Account – A6772.41 – Lighting/Ceiling	\$100.00
Increase Account – A2705.1 – Donations (Senior Spirit Group)	100.00

The Resolution was voted upon by roll call as follows:

Councilman Waszkiewicz - Aye

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

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

Retirement – M. Doreen Reynolds

Director of Senior Citizens Spellman invited Town Officials to a retirement celebration for M. Doreen Reynolds, who was retiring as Meal Site Manager, Part-time; the event will be held at the New Hartford Adult & Dining Activity Center commencing at 11:30 A.M. on Friday, December 29, 2006.

Appointment – Meal Site Manager, Part-time

Upon recommendation of the Director of Senior Citizens, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Supervisor Reed:

(RESOLUTION NO. 363 OF 2006)

RESOLVED that the New Hartford Town Board does hereby appoint Linda Christian to the part-time position of Meal Site Manager, effective December 27, 2006 at an hourly wage of Ten Dollars Ninety-Eight Cents (\$10.98), payable bi-weekly.

The Resolution was subject to a vote 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 declared unanimously carried and duly ***ADOPTED***.

ASIDE - PRESENTATION

Observer Dispatch Representative

Supervisor Earle Reed introduced and welcomed Chinki Sinha to the Town Board. Ms. Sinha is the new reporter from the Observer-Dispatch who will be in attendance at the Board Meetings replacing Alyssa Klein.

REPORTS OF TOWN OFFICIALS (CONT'D)

HIGHWAY SUPERINTENDENT:

Budgetary Adjustment

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

(RESOLUTION NO. 364 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Bookkeeper to make the following adjustment to the 2006 Budget regarding the paving expense for the Thomas Acres Development. This adjustment is being made from the Ten Thousand Dollars (\$10,000) retainer previously deposited by the Developer:

- Increase Account No. DB5112.41 - \$8,720.26
- Increase Account No. DB2771.4 - \$8,720.26

BE IT FURTHER RESOLVED that the New Hartford Town Board does hereby authorize and direct the Bookkeeper to release to Joseph Carucci the balance in the amount of One Thousand Two Hundred Seventy-Nine Dollars and Seventy-Four Cents (\$1,279.74) after all of the paving expenses have been paid.

Upon roll call, the Board members voted as follows:

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

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

MATTERS SUBMITTED BY COUNCILMEN

COUNCILMAN WASZKIEWICZ:

Sidewalk Committee

Councilman Waszkiewicz sought Board consensus as far as maintaining sidewalks. Town residents should maintain the sidewalks in front of their residences. He stated that the roads would be maintained first and that the sidewalk maintenance would follow, i.e.

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removal of snow in the winter and that there should be no overtime to maintain the sidewalks noting that there might be some overtime depending upon the situation. Supervisor Reed concurred that the owners would be responsible for that portion of the sidewalk that is by their homes. Councilman Reynolds does not want the homeowner absolved regarding the maintenance of the sidewalks; he suggested that the Board authorize Highway Superintendent Cleveland and Parks and Recreation Director Jeffery to develop a plan or policy regarding maintenance of the sidewalks. The Town might need additional equipment; such as a small tractor to plow sidewalks in winter.

Agenda Items:

- USDA Wildlife – The crow harassment schedule will begin January 16, 2007 in Utica and there is no charge to the Town. At this time, the USDA will keep a mindful eye toward the population resettling. Supposedly, the flock is current over 10,000. USDA will continue with the harassment until the flock is broken and scattered.
- Southern Reservoir - A meeting has been scheduled for January 9, 2007 with the Utica Mayor to discuss various joint effort options. If any one else would like to attend, please contact Councilman Waszkiewicz.
- Stormwater Management - Councilman Waszkiewicz recommends that an Intermunicipal Agreement similar to the Nye Avenue Agreement. Councilman Waszkiewicz will get back to the Board regarding this matter.
- Wireless Internet Committee - A meeting will be held on January 9, 2007 at 5:00 P.M.
- DOT – Judd Road Signage - Councilman Waszkiewicz will forward DOT's response to the Town Board members

Higby Road Water District

Councilman Waszkiewicz reported that the Highway Superintendent and Attorney Green had a meeting at the Mohawk Valley Water Authority regarding different projects and a discussion was held on how the construction of the Higby Road Water project had benefited some water pressure problems that property owners, in his Ward, had been experiencing.

COUNCILMAN PAYNE:

Website

Councilman Payne reported the Dispatch Supervisor Madden would be trying a sample program to block unwanted spams from unknown individuals and companies from being received by the Town's computers. Also, Councilman Payne stated that the e-mail addresses will slowly be transferred to the Town's new website.

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MATTERS SUBMITTED BY TOWN SUPERVISOR

FINANCIAL:

Audit of Vouchers

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

(RESOLUTION NO. 365 OF 2006)

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. 38 Vouchers A1838-A1880	\$ 58,575.81
General Fund Part-Town Abstract No. 25 Vouchers BB328-BB335	\$ 545.59
Higby Road Water District Abstract No. 21 Vouchers F61	\$ 757.50
Highway Fund Part-Town Abstract No. 28 Vouchers DB506-DB527	\$ 31,113.61
Street Lighting Abstract 14 Voucher SL14	\$ 8,466.19
Sewer Fund Abstract No. 29 Voucher SS96-SS97	\$ 307.74
Drainage Capital Abstract No. 14 Vouchers HC76-HC77	\$ <u>60,090.00</u>
TOTAL:	\$159,856.44

Whereupon, the Town Board members voted individually as follows:

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

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

Agreements for Fire Protection Districts No. 1, 2 and 3

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

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(RESOLUTION NO. 366 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby agree to enter into Fire Protection Agreements with the Village of New Hartford and the Village of New Hartford Fire Department for the following areas commencing January 1, 2007 and ending December 31, 2007:

- Fire Districts No. 1 and 2 - \$503,115.80
- Fire District No. 3 - \$ 43,749.20

and be it

FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Supervisor to execute said Fire Protection Agreements.

Upon roll call, the Board members voted as follows:

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

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

Agreement for Fire Protection District No. 4

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

(RESOLUTION NO. 367 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby agree to enter into Fire Protection Agreement with the Willowvale Fire Company, Inc. for Fire Protection District No. 4 in the amount of Two Hundred Eighty-One Thousand Five Hundred Dollars (\$281,500), commencing January 1, 2007 and ending December 31, 2007; and be it

FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Supervisor to execute said Fire Protection Agreement.

Upon roll call, the Board members voted as follows:

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

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

Agreement for Fire Protection District No. 5

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

(RESOLUTION NO. 368 OF 2006)

RESOLVED that the Town Board of the Town of New Hartford does hereby agree to enter into Fire Protection Agreement with the Village of New York Mills and the Village of New York Mills Fire Department for Fire Protection District No. 5 in the amount of One Hundred Ten Thousand Dollars (\$110,000), commencing January 1, 2007 and ending December 31, 2007; and be it

FURTHER RESOLVED that the said Town Board does hereby authorize and direct the Town Supervisor to execute said Fire Protection Agreement.

Upon roll call, the Board members voted as follows:

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

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

Annual Report and Independent Audit

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

(RESOLUTION NO. 369 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize the Town Supervisor to retain an auditing firm to audit the 2006 financial accounts and for

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subsequent preparation of the 2006 Annual Report, that auditing firm being Barone, Howard, Hilton and Powers.

The Resolution was subject to roll call:

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

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

REPORTS OF TOWN OFFICIALS (CONT'D)

POLICE CHIEF:

Inter-municipal Agreement – Town of Kirkland – Animal Control Services

Upon the recommendation of Chief Raymond Philo, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 370 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to execute the 2007 Intermunicipal Agreement between the Town of New Hartford and the Town of Kirkland whereby New Hartford's Animal Control Officer will provide Kirkland with Animal Control Services. The value of said Agreement to the Town of New Hartford for this service is Ten Thousand Nine Hundred Forty-Six Dollars (\$10,946).

Upon roll call, the Board members voted as follows:

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

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

Agreement – Stop DWI Program

Upon recommendation of the Town Police Chief, Councilman Reynolds presented the following Resolution for adoption, seconded by Councilman Waszkiewicz:

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(RESOLUTION NO. 371 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute the **STOP DWI** Contract with the County of Oneida for the period January 1, 2007 – December 31, 2007, in the amount of Forty Thousand Dollars (\$40,000).

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.

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

Appointment – Part-Time Police Officer

Upon the recommendation of the Police Chief, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 372 OF 2006)

WHEREAS, Part-time Police Officer Peter Hawes has resigned as a member of the Police Department, leaving a vacancy in said position;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby appoint Steven P. Snyder, Jr. to fill the vacancy of Part-Time Police Officer, effective January 7, 2007 contingent upon his meeting all requirements of the New York State Civil Service Rules and Regulations; his hourly wage will be commensurate with the current union contract.

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

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

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

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TOWN CLERK:

Upon recommendation of Town Clerk Young, Councilman Waszkiewicz presented the following Resolution for adoption; seconded by Councilman Payne:

(RESOLUTION NO. 373 OF 2006)

RESOLVED that the New Hartford Town Board does hereby authorize and direct Bookkeeper Carol Fairbrother to transfer the total amount of Seven Hundred Forty-Five Dollars Ninety-Eight Cents (\$745.98) in the 2006 Budget, as follows:

- Transfer \$315.98 from A1460.4 to A1460.2 for a table for use by customers and for recording minutes at Board meetings
- Transfer \$430.00 from A1460.4 to A1460.2 to replace an obsolete shredder for which parts are no longer available

The Resolution was subject to roll call:

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

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

ADJOURNMENT

There being no further business to come before the Town Board, upon motion duly made by Councilman Waszkiewicz and seconded by Councilman Payne, the meeting was adjourned at 6:40 P.M.

Respectfully submitted<

Gail Wolanin Young, CMC/RMC
Town Clerk

Margaret M. Jones
Deputy Town Clerk I