

**PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)**  
**December 10, 2014 at 7:00 P.M.**  
**Butler Memorial Hall**

**I. MINUTES**

- A. November 19, 2014

**II. PUBLIC HEARINGS**

- A. Local Law Introductory "F" = Zoning Board membership
  - 1. Action (Adopt – Defer – Reject)
- B. Local Law Introductory "G" = Planning Board membership
  - 1. Action (Adopt – Defer – Reject)

**III. PUBLIC PRESENTATIONS/COMMENTS (Limited to 3 minutes)**

- A. Girl Scouts Bronze Award

**IV. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON**

- A. Town Clerk Committee – Councilman Woodland (Messa)
  - 1. Raffle Consent – Rome Youth Hockey
  - 2. Raffle Consent - Mohawk Valley for St. Jude
  - 3. Completion of probationary appointments – set hourly wage
- B. Senior Citizen Committee – Councilman Reynolds (Messa)
  - 1. Two (2) budget adjustments
- C. Public Works & Sewer Committee – Councilman Messa (Woodland)
  - 1. Highway union contract

**V. MATTERS SUBMITTED BY COUNCILMEN / ATTORNEY**

- A. Councilman Miscione
  - 1. Upgrade 5 file cabinets for Court

**V. MATTERS SUBMITTED BY TOWN SUPERVISOR**

- A. Financial and other routine reports
  - 1. Audit of bills
- B. Miscellaneous communications
- C. Unfinished Business
- D. New Business
  - 1. NEXT TOWN BOARD MEETING ...TO BE SCHEDULED

**Young, Gail**

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**From:** Young, Gail  
**Sent:** Monday, December 01, 2014 12:05 PM  
**To:** Booth, Joe; Cully, Herb; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; 'james.messa@yahoo.com'; Jeffery, Mike; 'M. Eileen Spellman'; Miscione, Paul; New Hartford Supervisor; O'Sullivan, Janice; 'Reynolds, David M.'; 'Richard Woodland Jr. (E-mail)'; Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.  
**Cc:** 'james.messa'  
**Subject:** AGENDA - Dec 10, 2014 Town Board meeting

In order to prepare the agenda for the December 10, 2014 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting.

Please check applicable statements:

\_\_\_\_\_ No matters to be considered

\_\_\_\_\_ Place the following on the Agenda:

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This information must be received in my office no later than 4:00 P.M. on Thursday, December 4, 2014. DEPARTMENT HEADS – PLEASE REMEMBER THE NEW PROCEDURE -- TO DISCUSS YOUR MATTERS WITH YOUR STANDING COMMITTEE MEMBERS, THE CHAIRPERSON OF WHICH MUST SEND ME AN E-MAIL TO ADD YOUR ITEMS TO THE AGENDA.

IN ADDITION, DUE TO CHANGES IN STATUTE THAT BECAME EFFECTIVE FEBRUARY 2, 2012, REQUIRING THE POSTING OF THE AGENDA AND SUPPORTING DOCUMENTS ON THE TOWN'S WEBSITE, IT WILL BE NECESSARY FOR YOU TO FURNISH ME WITH BACKGROUND INFORMATION RELATED TO THE SUBJECT(S) YOU ARE PLACING ON THE AGENDA, INCLUDING BUT NOT LIMITED TO PROPOSED LEGISLATION, COMMUNICATIONS, ETC. IF YOU HAVE ANY QUESTIONS IN THIS REGARD, PLEASE CONTACT ME AT YOUR EARLIEST CONVENIENCE. I MUST ASK FOR YOUR COOPERATION IN SUPPLYING ME WITH THE DOCUMENTS BY THE THURSDAY DATE NOTED ABOVE, AS THIS CAN BE A TIME-CONSUMING TASK AND MUST BE ON THE WEBSITE PRIOR TO THE TOWN BOARD MEETING.

Thank you!

GWY:s

TOWN OF NEW HARTFORD, NY  
LOCAL LAW INTRODUCTORY "F" OF 2014

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF NEW HARTFORD, CHAPTER 118 THEREOF ENTITLED ZONING BY AMENDING ARTICLE XIV: ZONING BOARD OF APPEALS, SECTION 118-126 CREATION; APPOINTMENT; ORGANIZATION, TO REDUCE THE NUMBER OF MEMBERS.

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

**SECTION 1.** ARTICLE XIV, ZONING BOARD OF APPEALS, SECTION 118-126 CREATION; APPOINTMENTS; ORGANIZATION is hereby amended to read as follows:

A Zoning Board of Appeals is hereby created in accordance with Article 16 Section 26 of the Town Law. Said Board shall consist of five members appointed by the Town Board Members and shall be residents of the Town of New Hartford. The members of the current Zoning Board of Appeals shall be reduced to the extent that the two current members with terms first to expire shall be eliminated from said Board. Upon the expiration of the terms of the five remaining Board members, the Town Board shall by resolution, appoint or re-appoint members for a term of five years.

**SECTION 2.** All other provisions of Chapter 118-126 of the Code of the Town of New Hartford are hereby affirmed except to the extent that this Local Law shall modify or amend.

**SECTION 3.** This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

TOWN OF NEW HARTFORD, NY  
LOCAL LAW INTRODUCTORY "G" OF 2014

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF NEW HARTFORD, CHAPTER 23 THEREOF ENTITLED **PLANNING BOARD**, BY AMENDING ARTICLE II: TOWN-WIDE PLANNING BOARD, SECTION 23.4 PURPOSE; MEMBERSHIP; ESTABLISHMENT, SUBSECTION B., TO REDUCE THE NUMBER OF MEMBERS.

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

**SECTION 1.** Chapter 23 ARTICLE II, Section 23-4.B of the Code of the Town of New Hartford, Title, is hereby amended to read as follows:

Section 23-4. Purpose; Membership; Establishment

B. The Town Board of New Hartford does by this Article create a Town-Wide Planning Board for the whole Town with a membership of five members. The membership of the current Planning Board shall be reduced to the extent that the two current members with terms first to expire shall be eliminated from said Board. Upon the expiration of the terms of the five remaining Board members, the Town Board shall, by Resolution, appoint or re-appoint members for a term of five years.

**SECTION 2.** All other provisions of Chapter 23 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 3.** This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

# TOWN OF NEW HARTFORD



PATRICK M. TYKSINSKI  
SUPERVISOR

BUTLER MEMORIAL HALL  
NEW HARTFORD, NY 13413  
Phone: (315) 733-7500, Ext. 2331

## OFFICE OF THE SUPERVISOR EXECUTIVE PROCLAMATION

WHEREAS, Alyssa Alpaugh a member of New Hartford Girl Scout Troop 20087 of NYPEN Pathways is the proud recipient of the Girl Scout Bronze Award, the highest honor a Girl Scout Junior can attain, and

WHEREAS, Alyssa achieved the distinguished Girl Scout Bronze Award along with other members of Troop 20087 in a restoration project of the old butterfly habitat at the Utica Zoo which was previously enclosed to make it a natural open habitat that will attract birds and butterflies, and

WHEREAS, this successful project was funded with monies earned through cookie sales and donations that enabled the girl scouts to buy perennials, topsoil, mulch, decorative items and to stain the fence along the walkway of the habitat, now therefore be it

RESOLVED: that I, Patrick M. Tyksinski, Supervisor of the Town of New Hartford do hereby proclaim, declare and set aside December 10, 2014 as:

### "GIRL SCOUT TROOP 20087 DAY"

throughout the Town of New Hartford, and be it further

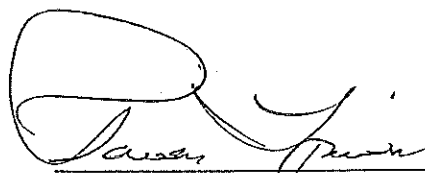
RESOLVED: that on behalf of the New Hartford Town Board and the residents of the Town of New Hartford, we congratulate Alyssa Alpaugh on this great personal achievement.

Mary Mazza  
Katelyn Potosiewicz  
Erin Wandt  
Kaedia Stevens  
Sophia Liu  
Arianna LaBella  
Hanna A. Mahardoff

Emma Strape  
Heather Roberts

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the Town of New Hartford this 10<sup>th</sup> day of December Two Thousand Fourteen.

Gail Wolanin Young  
Gail Wolanin Young, CMC  
Town Clerk

  
Patrick M. Tyksinski  
Town Supervisor

## Young, Gail

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**From:** cgraziano@twcny.rr.com  
**Sent:** Friday, December 05, 2014 9:20 AM  
**To:** Young, Gail  
**Subject:** Re: FW: Emailing: Raffle Consent Form Application.pdf  
**Attachments:** RYHA Raffle Consent Form.pdf

Gail / Melody,

Attached is the Raffle Consent Form for the Rome Youth Hockey Association (RYHA) 50/50 Raffle Event at Sangertown Mall scheduled for Saturday December, 13th. As we discussed on the telephone, we do not anticipate raising more than \$5,000, so we will fall into the Category-3 raffle and will not require a Game of Chance Identification Number.

If you have any additional questions, please let me know.

Thank you for all the help,  
Christopher Graziano  
RYHA Board of Directors  
(315) 533-6697

---- "Young wrote:

>

>

> -----Original Message-----

> From: Young, Gail

> Sent: Tuesday, November 25, 2014 10:37 AM

> To: 'cgraziano@twcny.rr.com'

> Subject: Emailing: Raffle Consent Form Application.pdf

>

> Mr. Graziano:

>

> Per our phone conversation of today, attached is the raffle consent form that must be completed by your organization and the original must be returned to the Town Clerk's Office before December 8, 2014 for Town Board approval.

>

> Thank you

> Melody K. Fancett

> Deputy

>

>

> Your message is ready to be sent with the following file or link attachments:

>

> Raffle Consent Form Application.pdf

>

>

> Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

GC-RCF

NYS RACING & WAGERING BOARD  
1 Broadway Center, Suite 600  
Scheneclady, NY 12305-2553  
Telephone (518) 395-5400 Fax (518) 347-1469  
www.racing.state.ny.us

RAFFLE  
CONSENT FORM



**Instructions:** This form must be completed by each Authorized Organization that intends to sell raffle tickets in a municipality other than the city, town or village in which it is domiciled and in which it is either issued a raffle license or is authorized to conduct raffles pursuant to Article 9-A, General Municipal Law, Section 190-a.\*

I, Christopher A. Graziano, Board of Directors of  
(Print the first name, middle initial and last name of the officer or director) (Title of officer or director: Pastor, Commander, etc.)

Rome Youth Hockey Association (RYHA), GC           -          -          ,  
(Name of authorized organization) (Games Of Chance Identification Number, if required)

located at 500 West Embargo St, Rome, NY 13440,  
(Address of authorized organization)

request permission from the Town of New Hartford,  
(City, Town or Village)

County of Oneida, to sell raffle tickets licensed by the

Town of New Hartford, County of Oneida, within  
(City, Town or Village)

the within the territorial limits of its municipality during the calendar year 2015.

[Signature]  
(Signature of authorized organization's officer or director)

Sworn to me this 5 day of December, 2015  
(Year)

(Notary Public - Commissioner of Deeds)

Approved by: \_\_\_\_\_  
(Name of Municipality)

\_\_\_\_\_  
(Signature and Title of Authorized Officer)

\_\_\_\_\_  
(Date)

\* **Note:** A municipality that has enacted legislation authorizing the conduct of games of chance may consent to permit the sale of raffle tickets within its territorial limits by an authorized organization that is either licensed to conduct raffles or is authorized by Section 190-a of the General Municipal Law to conduct raffles in the municipality in which it is domiciled, only if the authorized organization's municipality is located in the same county as the consenting municipality, or is located in a county that is contiguous to the county in which the consenting municipality is located, pursuant to Article 9-A, General Municipal Law, Section 189, Subdivision 13.



## Young, Gail

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**From:** Young, Gail  
**Sent:** Monday, December 08, 2014 2:27 PM  
**To:** 'jminer327@yahoo.com'  
**Subject:** Emailing: Raffle Consent.Category 3 under \$5,000.pdf  
**Attachments:** Raffle Consent.Category 3 under \$5,000.pdf

Dear Mr. Minor:

Attached is the Raffle Consent Form that must be completed, signed and notarized, and delivered to the Town Clerk's Office by 12 Noon on Wed., December 10, 2014 in order for the Mohawk Valley St. Jude's organization to see raffle tickets this coming weekend. As I mentioned on the phone, your organization - domiciled in Whitesboro - must

- make a self-determination that your organization qualifies as an authorized organization pursuant to Article 9-A of the General Municipal Law (games of chance licensing law)
- conduct its raffle pursuant to all applicable raffle statute and rules
- deposit the raffle proceeds into a bank account maintained by the authorized organization (and not co-mingled with other funds)
- expend the raffle proceeds only for the lawful purposes of the authorized organization pursuant to games of chance rule 4624.21 (lawful expenditures).

Sincerely,

Gail Wolanin Young, Town Clerk

Your message is ready to be sent with the following file or link attachments:

Raffle Consent.Category 3 under \$5,000.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



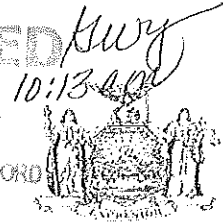
GC-RCF

NYS RACING & WAGERING BOARD  
1 Broadway Center, Suite 600  
Schencelady, NY 12305-2553  
Telephone (518) 395-5400 Fax (518) 347-1469  
www.racing.state.ny.us

RAFFLE  
CONSENT FORM

RECEIVED

DEC 09 2014



TOWN OF NEW HARTFORD  
TOWN CLERK

Instructions: This form must be completed by each Authorized Organization that intends to sell raffle tickets in a municipality other than the city, town or village in which it is domiciled and in which it is either issued a raffle license or is authorized to conduct raffles pursuant to Article 9-A, General Municipal Law, Section 190-a.\*

I, JAMES G MINER, CHAIRMAN of  
(Print the first name, middle initial and last name of the officer or director) (Title of officer or director: Pastor, Commander, etc.)

MOHAWK VANCEY FOR ST. JODES, n/a - Category 3 Raffle under \$5,000  
(Name of authorized organization) GC self-determination -  
(Games Of Chance Identification Number, if required)

located at 14 FIRST ST Whitesboro NY,  
(Address of authorized organization)

request permission from the Town of New Hartford,  
(City, Town or Village)

County of ONEIDA, to sell raffle tickets licensed by the  
Town of New Hartford, County of ONEIDA, within  
(City, Town or Village)

the within the territorial limits of its municipality during the calendar year 2014.  
James A Miner  
(Signature of authorized organization's officer or director)

Sworn to me this 9<sup>th</sup> day of December, 2014  
(Year)

(Notary Public - Commissioner of Deeds) Carol A. Green, Notary Public

CAROL A. GREEN #01GR5035804  
Notary Public, State of New York  
Appointed in Oneida County  
My Commission Expires Nov. 14, 2018

Approved by: \_\_\_\_\_  
(Name of Municipality)

\_\_\_\_\_  
(Signature and Title of Authorized Officer)

\_\_\_\_\_  
(Date)

\* Note: A municipality that has enacted legislation authorizing the conduct of games of chance may consent to permit the sale of raffle tickets within its territorial limits by an authorized organization that is either licensed to conduct raffles or is authorized by Section 190-a of the General Municipal Law to conduct raffles in the municipality in which it is domiciled, only if the authorized organization's municipality is located in the same county as the consenting municipality, or is located in a county that is contiguous to the county in which the consenting municipality is located, pursuant to Article 9-A, General Municipal Law, Section 189, Subdivision 13.



## Young, Gail

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**From:** james.messa <james.messa@yahoo.com>  
**Sent:** Tuesday, December 09, 2014 8:53 AM  
**To:** Young, Gail  
**Subject:** Fwd: RE: Agenda Items - December 10th

Gail please place on the agenda.  
Thank you.

*See attached →*

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "rwrich94@aol" <rwrich94@aol.com>  
**Date:** 12/08/2014 8:11 PM (GMT-05:00)  
**To:** "james.messa" <james.messa@yahoo.com>  
**Subject:** RE: Agenda Items - December 10th

Good with me

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "james.messa" <james.messa@yahoo.com>  
**Date:** 2014/12/08 5:51 PM (GMT-05:00)  
**To:** "Young, Gail" <gyoung@town.new-hartford.ny.us>, "Woodland, Richard" <rwoodland@town.new-hartford.ny.us>, "Richard B. Woodland Jr. (E-mail)" <RWRICH94@aol.com>, James Messa <jmessa@town.new-hartford.ny.us>  
**Subject:** RE: Agenda Items - December 10th

Rich I don't see any issues since it is covered in Gail's budget. Do you see any concerns? If not, I would be inclined to move forward with her recommendations.

Thanks,  
Jim

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "Young, Gail" <gyoung@town.new-hartford.ny.us>  
**Date:** 12/08/2014 12:18 PM (GMT-05:00)  
**To:** "Woodland, Richard" <rwoodland@town.new-hartford.ny.us>, "Richard B. Woodland Jr. (E-mail)" <RWRICH94@aol.com>, "james.messa" <james.messa@yahoo.com>, James Messa <jmessa@town.new-hartford.ny.us>  
**Subject:** Agenda Items - December 10th

| <u>Employee</u>                    | <u>Probationary period completed</u> | <u>Recommended Wage</u>         |
|------------------------------------|--------------------------------------|---------------------------------|
| Shelby Bohling<br>Deputy Registrar | December 1, 2014                     | \$12.29/hour, effective 12/1/14 |
| Rebecca Empey<br>Deputy Clerk II   | December 2, 2014                     | \$11.62/hour, effective 12/2/14 |

## Young, Gail

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**From:** Eileen Spellman  
**Sent:** Tuesday, December 02, 2014 3:23 PM  
**To:** Young, Gail  
**Subject:** RE: AGENDA - Dec 10, 2014 Town Board meeting

*Eileen Spellman*  
*Director of Senior Services*  
*New Hartford Senior Center*  
*Email: [Espellman@town.new-hartford.ny.us](mailto:Espellman@town.new-hartford.ny.us)*  
*Ph: 315-724-8966*

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**From:** Young, Gail [<mailto:gyoung@town.new-hartford.ny.us>]  
**Sent:** Monday, December 01, 2014 12:05 PM  
**To:** Booth, Joe; Cully, Herb; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; [james.messa@yahoo.com](mailto:james.messa@yahoo.com); Jeffery, Mike; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; O'Sullivan, Janice; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.  
**Cc:** james.messa  
**Subject:** AGENDA - Dec 10, 2014 Town Board meeting

In order to prepare the agenda for the December 10, 2014 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting.

Please check applicable statements:

No matters to be considered

Place the following on the Agenda:

Memo to the New Hartford Town Board and Town Clerk

|                          |                 |         |       |
|--------------------------|-----------------|---------|-------|
| <input type="checkbox"/> | Please increase | A6772.4 | \$75. |
| <input type="checkbox"/> | And increase    | A2705.1 | \$75. |

Thank you, Eileen

Spellman

Fidelis sent in check 00218961 to pay for use of table at Health Fair In October.

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This information must be received in my office no later than 4:00 P.M. on Thursday, December 4, 2014. DEPARTMENT HEADS – PLEASE REMEMBER THE NEW PROCEDURE -- TO DISCUSS YOUR MATTERS WITH YOUR STANDING COMMITTEE MEMBERS, THE CHAIRPERSON OF WHICH MUST SEND ME AN E-MAIL TO ADD YOUR ITEMS TO THE AGENDA.

IN ADDITION, DUE TO CHANGES IN STATUTE THAT BECAME EFFECTIVE FEBRUARY 2, 2012, REQUIRING THE POSTING OF THE AGENDA AND SUPPORTING DOCUMENTS ON THE TOWN'S WEBSITE, IT WILL BE NECESSARY FOR YOU TO FURNISH ME WITH BACKGROUND INFORMATION RELATED TO THE SUBJECT(S) YOU ARE PLACING ON THE AGENDA, INCLUDING

Nov. 25, 2014

Memo to the New Hartford Town Board:

This money is to help offset cost of the Thanksgiving Dinner. The AARP class paid for their meals.  
Cost of the Dinner was \$202.50

|  |                            |
|--|----------------------------|
| Dr. Joseph Raj and his wife Monica donated \$80. | Gen. Receipt number 102494 |
| Earle Reed donated \$100.                        | Gen. Receipt number 101824 |
| AARP paid \$29.95                                | Gen. Receipt number 102499 |
| Balance \$6.75 goes to A6772.4                   |                            |

|                         |             |         |
|-------------------------|-------------|---------|
| Please increase A6772.4 | Contractual | \$29.95 |
|-------------------------|-------------|---------|

And

|          |         |          |         |
|----------|---------|----------|---------|
| Increase | A2705.1 | Donation | \$29.95 |
|----------|---------|----------|---------|

PO 94193 Prestige Services Inc.

Thank you,  
Happy Thanksgiving!

Eileen Spellman

**Young, Gail**

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**From:** rwrch94@aol <rwrch94@aol.com>  
**Sent:** Monday, December 08, 2014 8:14 PM  
**To:** Young, Gail  
**Subject:** RE: Agenda Items - December 10th

Gail under highway agenda put on executive session highway contract

Sent from my Verizon Wireless 4G LTE smartphone

**Young, Gail**

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**From:** Miscione, Paul  
**Sent:** Friday, December 05, 2014 9:07 PM  
**To:** Young, Gail  
**Subject:** RE: AGENDA - Dec 10, 2014 Town Board meeting

1. Upgrading 5 file cabinets for Town Court.

Paul Miscione, MBA  
New Hartford Town Council 2nd Ward  
315-868-2996

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**From:** Young, Gail  
**Sent:** Monday, December 01, 2014 12:05 PM  
**To:** Booth, Joe; Cully, Herb; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; [james.messa@yahoo.com](mailto:james.messa@yahoo.com); Jeffery, Mike; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; O'Sullivan, Janice; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.  
**Cc:** james.messa  
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\_\_\_\_\_ No matters to be considered

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