

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD, NY ON  
WEDNESDAY, APRIL 18, 2018, AT 6:00 P.M.**

Town Supervisor Miscione 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 James J. Messa
- Councilman Philip S. Cittadino
- Councilman David M. Reynolds
- Councilman Richard B. Woodland, Jr.
- Supervisor Paul A. Miscione

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

- Assessor Darlene Abbatecola
- Codes Enforcement Officer Joseph Booth
- Deputy Supervisor Anthony J. Trevisani
- Director of Finance Daniel T. Dreimiller
- Highway/Sewer Superintendent Richard C. Sherman
- Human Resource Dept. Barbara Schwenzfeier
- Police Chief Michael Inserra
- Town Attorney Herbert J. Cully
- Town Clerk Gail Wolanin Young

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

\*\*\*\*\*  
Supervisor Miscione asked for a moment of silence for Police Officer Kevin F. Crossley, Whitesboro Police Department, who died on April 11, 2018 in the line of duty.  
\*\*\*\*\*

MINUTES

**March 21, 2018 Town Board meeting:**

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

**(RESOLUTION NO. 150 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held March 21, 2018 and does further waive the reading of the same.

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Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

PRESENTATIONS/COMMENTS

Jon-Paul Kidwell discussed a 2-year issue with a fence around a retention pond, near his Pleasant Street property, and which fence he claims is on his property instead of the Town's. After discussion with the Town Board and Highway Superintendent several ideas he had to resolve the issue, Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Messa.

**(RESOLUTION NO. 151 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the installation of a chain link fence to replace the dilapidated existing fence around a retention pond at 716 Pleasant Street (Tax Map No. 330.012-8-68), ensuring that said chain link fence will be on Town property and maintained by said Town in the future.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

William Cole of Gates Cole Associates, Inc. gave a presentation on a broker of record for insurance. He stated that the Town's present insurance company branch (Haylor, Freyer & Coon) is moving out of the Utica Business Park to Syracuse, and he would like to be the agent/broker of record for the Town, keeping ".everything the same". Gates Cole would act as agent, taking in Travelers' claims. Councilman Reynolds then moved the adoption of the following Resolution; seconded by Councilman Cittadino:

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**(RESOLUTION NO. 152 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby name Gates Cole Associates, Inc., Code No. 60077, as the Town of New Hartford's exclusive representative, effective April 18, 2018, for the following lines of business, currently in force or submitted by application. This authorization replaces any other authorization that may have been previously completed for any other insurance representative for the stated lines of business:

<u>Policy Number(s)</u>	<u>Effective Date</u>	<u>Effective Date</u>	<u>Line of Business</u>
H-PRH-4D477973-TIL-17	06/30/2017	06/30/2018	OCP
H-630-0D914916-TIL-17	06/30/2017	06/30/2018	Commercial Property & Inland Marine
H-810-0B165701-IND-17	06/30/2017	06/30/2018	Commercial Auto
ZUP-15P31273-17-PB	06/30/2017	06/30/2018	Commercial Umbrella
ZLP-15P31261-17-PB	06/30/2017	06/30/2018	GL/Prof/Law/EPLI/EBL

And be it

**FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to enter into and to sign the Agent/Broker of Record Change.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

Steve Buck of the Hartford Luxury Apartments stated that his company has provided the Town with a \$250,000 Letter of Credit for maintenance ponds on his property (Storm Water Pollution Prevention Plan – SWPPP) and also a deposit of \$62,500 for infrastructure. Mr. Buck requested that he be permitted to exchange the Letter of Credit to a yearly renewable bond. Discussion ensued among Mr. Buck, the Town Attorney and Codes Enforcement Officer, after which the matter was deferred until the May 2, 2018 Town Board meeting.

William Rankin congratulated those officials who had won the November 2017 election, saying “..good fences make good neighbors”. He wished those well and asked that they

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know the importance of every decision they make has consequences. The thoughts and prayers of many are with you; he added, one nation under God.

Ken Driskell thanked the Highway Department crew for the good work performed along a stream adjoining his property.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

Zoning (Codes) and Planning Committee – Councilman Woodland

**Training**

Upon request of the Codes Enforcement Officer, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 153 OF 2018)**

**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 Joseph Booth, Codes Enforcement Officer, to attend the New York State Building Officials (NYSBO) seminar on Friday, April 20, 2018, in Rome, New York, with expenses to be borne by said Town as budgeted.

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Refund for Special Use Permit**

Upon recommendation of the Codes Enforcement Officer, the following Resolution was introduced for adoption by Councilman Woodland; seconded by Councilman Cittadino:

**(RESOLUTION NO. 154 OF 2018)**

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**WHEREAS**, Joshua and Tricia Hills had submitted a Special Use Permit application in March 2018 for a home occupation at their Red Hill Road residence (Tax Map 349.000-4-55); and

**WHEREAS**, it was subsequently determined that the Special Use Permit application for a home occupation at the foresaid property does not require a Public Hearing before the Town Planning Board, and also does not require a Special Use Permit;

**NOW, THEREFORE BE IT RESOLVED**, that the New Hartford Town Board does hereby grant a refund of the Two Hundred Fifty Dollar (\$250.) Special Use Permit fee to Joshua and Tricia Hills.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Refund of Building Permit and associated permits**

Upon recommendation of the Codes Enforcement Officer, the following Resolution was offered for adoption by Councilman Woodland and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 155 OF 2018)**

**WHEREAS**, George Lyga purchased property at 11 Rosedale Court (Tax Map No. 328.019-2-90) with the intention of remodeling and moving into the house; and

**WHEREAS**, after being granted a Building Permit for the remodeling to begin, Mr. Lyga discovered that the house was much worse than originally believed, and he concluded that the house should be torn down and a new one be built;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby grant a refund to George Lyga for the following permits that have not been used:

Building Permit No. 8986-17	-	\$426.00
Certificate of Occupancy No. 2683-17	-	\$ 50.00
Plumbing Permit No. 1564-17	-	\$ 71.00.

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Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Unsafe Building – 4043 Oneida Street**

Codes Enforcement Officer Joseph Booth gave a verbal report on the unsafe conditions at 4043 Oneida Street, New Hartford, NY, (Tax Map No. 339.012-1-3) including photos:

- Detached garage at property has collapsed and the contents and debris represent a danger to public health and safety
  - Open at doorways making it accessible or an object of attraction to minors, vagrants and/or other trespassers
  - Interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base
  - Exclusive of its foundation, it shows 33% or more of damage to or deterioration of the supporting member or members, or 50% of damage to or deterioration of the non-supporting, enclosing or outside walls or covering
  - Has improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used
  - Has been damaged by fire, wind or other causes so as to have become dangerous to life, safety or general health and welfare of the occupants or the people of this Town
  - has inadequate facilities for egress in cases of fire or panic, or has insufficient stairways, elevators, fire escapes or other means of access or egress, again referencing the New York State Uniform Fire Prevention and Building Code as a determinant
  - Has part which have become so detached they may fail and injure members of the public or others' property
  - Is or may become a place of rodent infestation
  - Presents any other danger to the health, safety, morals or general welfare of the public
  - Is unfit for the purposes for which it may be lawfully used.

Thereafter, Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 156 OF 2018)**

**WHEREAS**, the Codes Enforcement Officer of the Town of New Hartford has provided a detailed verbal list and photographs of the existing violations of the Town's Code as it relates to property owned by John and/or Margery Showalter, 4043 Oneida Street, New Hartford, NY 13413, Tax Map No. 339.012-1-3; and

**WHEREAS**, the New Hartford Town Board has reviewed the Codes Enforcement Officer's report and has determined that the existing conditions at the aforesaid property constitute a danger to public health and safety;

**NOW, THEREFORE, BE IT RESOLVED** that, in accordance with the Town of New Hartford Code, Section 52-7, the aforesaid property owner(s) shall be granted thirty (30) days from receipt of this notice to commence demolition and removal of the structure and contents and complete the process within sixty (60) days; and be it

**FURTHER RESOLVED** that the Town Codes Enforcement Officer be, and he hereby is, authorized and directed to forward such notice to the property owners.

A roll call vote ensued:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Unsafe Building – 3623-3635 Irvin Ave**

Codes Enforcement Officer Joseph Booth gave a verbal report on the unsafe conditions at 3623-3635 Irvin Ave, New Hartford, NY, (Tax Map No. 349.008-2-24.3) including photos:

- Referenced manufactured home is uninhabitable and unsafe as a result of the collapse on March 24, 2018; the structure is in violation of the following sections of the Property Maintenance Code of New York:
  - **PM304.1.1 Unsafe conditions.**

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The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
  7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
  8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
- **PM304.4 Structural members.**  
Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.
  - **PM304.18 Building security.**  
Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

Thereafter, Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 157 OF 2018)**

**WHEREAS**, the Codes Enforcement Officer of the Town of New Hartford has provided a detailed verbal list and photographs of the existing violations of the Property Maintenance Code of New York as it relates to property owned by Barry Wardell, and Steve and Dori Pacheco at 3623-3635 Irvin Ave, New Hartford, NY 13413, Tax Map No. 349.008-2-24.3; and

**WHEREAS**, the New Hartford Town Board has reviewed the Codes Enforcement Officer's report and has determined that the existing conditions at the aforesaid property constitute a danger to public health and safety;



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**NOW, THEREFORE, BE IT RESOLVED** that the Town Codes Enforcement Officer be, and he hereby is, authorized and directed to forward such notice to the property owners; and be it

**FURTHER RESOLVED** that, upon receipt of the written notice from the Town Codes Enforcement Officer and in accordance with the Town of New Hartford Code 65-17A, the aforesaid property owners shall be required to fence and secure the area around the home immediately, and the debris must be disposed of properly; and once this requirement is completed, the aforesaid owners can then apply for a Demolition Permit.

A roll call vote ensued:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

Human Resource Committee – Councilman Woodland

**Standard Work Day and reporting Resolution for Elected and Appointed Officials**

Barbara Schwenzfeier of the Human Resource Office reviewed the 3-month Record of Activities (ROA) for various elected and appointed officials after which Councilman Woodland introduced the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 158 OF 2018)**

**BE IT RESOLVED**, that the Town of New Hartford, Location Code 30071, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

(See Attachment “A”)

The Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

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

Public Works and Sewer Committee – Councilman Messa

**Declaration of Surplus Vehicle – Authorization to Sell**

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Messa and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 159 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus one (1) 2009 Ford F250, 4x4 pick-up truck, VIN 1FTNF21549EA47560, with a western V-front plow; and be it

**FURTHER RESOLVED** that the aforesaid vehicle shall be placed for sale through Auctions International and once sold, the Town Clerk’s office shall be notified and shall arrange to terminate insurance coverage on said vehicle.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Declaration of Surplus Equipment – Authorization to Sell**

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Messa and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 160 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus one (1) old transmission /floor jack; and be it

**FURTHER RESOLVED** that the aforesaid equipment shall be placed for sale through Auctions International and once sold, the Town Clerk’s office shall be notified and shall arrange to terminate any insurance coverage on said equipment.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Declaration of Surplus Equipment – Authorization to Sell**

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Messa and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 161 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus steel tracks for an old Skid Steer (that goes on the wheels); and be it

**FURTHER RESOLVED** that the aforesaid equipment shall be placed for sale through Auctions International and once sold, the Town Clerk's office shall be notified and shall arrange to terminate any insurance coverage on said equipment.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Audit of Vouchers**

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

**(RESOLUTION NO. 162 OF 2018)**

**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:

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Street Lighting Abstract #4 Vouchers SL4	\$ 9,128.66
Capital Projects - Abstract #2 Vouchers H94-H95	\$ 221,034.53
Capital Project – Tilden Ave- Abstract #2 Vouchers H34	\$ 3,860.00
Fire District- Abstract #4 Vouchers SF7	\$ 2,720.10
Highway Fund Part-Town Abstract #8 Vouchers DB280-DB282	\$ 30,867.68
Highway Fund Part-Town Abstract #9 Vouchers DB283-DB318	\$ 81,071.83
General Fund Part-Town Abstract #8 Vouchers BB58-BB60	\$ 485.96
General Fund Part-Town Abstract #9 Vouchers BB61-BB70	\$ 9,047.18
General Fund Part-Town Police Abstract #8 Vouchers BP73-BP75	\$ 3,798.61
General Fund Part-Town Police Abstract #9 Vouchers BP76-BP97	\$ 54,837.59
Trust & Agency Fund Abstract #13 Vouchers TT48-TT54	\$ 11,807.32
Trust & Agency Fund Abstract #14 Vouchers TT55-TT56	\$ 4,421.37
Trust & Agency Fund Abstract #15 Vouchers TT57-TT63	\$ 8,854.59
Trust & Agency Fund Abstract #16 Vouchers TT64-TT65	\$ 11,567.85
General Fund Whole-Town Abstract #9 Vouchers AA304-AA320	\$ 24,585.77
General Fund Whole-Town Abstract #10 Vouchers AA321-AA386	\$ 71,244.64
Sewer Fund Abstract #8 Vouchers SS27-SS29	\$ 4,229.10
Sewer Fund Abstract #9 Vouchers SS30-SS31	\$ <u>337.21</u>
<b>TOTAL:</b>	<b>\$ 553,899.99</b>

Upon roll call, the Board members voted as follows:

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Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Authorization – Purchase 2 trucks/Sewer Department**

Upon request of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Messa:

**(RESOLUTION NO. 163 OF 2018)**

**RESOLVED**, that authorization is hereby given to the Town Supervisor to purchase two (2) new trucks for the Sewer Department, one truck on State Contract pricing and the second truck being a “piggy-back” purchase.

Supervisor Miscione stated that the items are budgeted under contractual. Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**RFP Appraisals – Police/Court buildings**

In the event the Town Board wanted to sell the Police Station and adjoining former railroad station, Supervisor Miscione would like to have a commercial appraisal done; therefore, the following Resolution was introduced for adoption by Councilman Woodland; seconded by Councilman Cittadino:

**(RESOLUTION NO. 164 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Supervisor to seek Requests For Proposal (RFP’s) for commercial appraisals of Town-owned property (Tax Map No. 339.015-1-16), where the Police and Court buildings are presently located at 30 -34 Kellogg Road, corner of Tibbitts Road.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Sherrillbrook Park – Reduction in pavilion rental fee**

Upon recommendation of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Messa and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 165 OF 2018)**

**WHEREAS**, the YWCA at St. Stephen’s Church on Oxford Road has requested a discount in the rental fee for a pavilion during the summer months for their youth program; and

**WHEREAS**, the demand for pavilion rental is low on weekdays;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby approve a pavilion rate reduction to the YWCA/St. Stephen’s Church from the present Forty Dollar (\$40) per session to Thirty Dollars (\$30) per session for nine (9) consecutive Tuesdays starting June 26, 2018 through August 21, 2018.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Donovan Memorial Park, Chadwicks - Improvements**

The Town Supervisor reviewed improvements proposed for the Donovan Memorial Park on Elm Street, Chadwicks, to include a reconfiguration of parking spaces, alignment of entrance driveway to the Park with Church Street intersection, volleyball area, horseshoe pit, additional lighting and a barricade around the children’s play area. Work would be

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accomplished by using in-house labor. Monies have already been budgeted and include paving and lighting. The Supervisor has submitted a \$250,000 grant application for improvements. Thereafter, Councilman Messa offered the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 166 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Supervisor to proceed with improvements to the Donovan Memorial Park, said improvements having been discussed at the April 18, 2018 Town Board meeting.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**MATTERS SUBMITTED BY TOWN SUPERVISOR**

- **Floor plans for new Town Hall** – 3<sup>rd</sup> version, reviewed with Police Chief, Codes Enforcement Officer, Highway Superintendent, Town Clerk, Justices and other departments. Confirmed there is 3,000 square feet for records management storage
- **Consolidation of Village/Town Courts finalized** – Supervisor put together cost sheets; will submit for a grant. Town Supervisor and Highway Superintendent to attend a consolidation meeting at MVCC. Also, annual justice court grants could be used to purchase office furniture, etc.
- **Zoning Board of Appeals – 2 vacancies**- - terms of office of Frederick Kiehm and Byron Elias will expire June 9, 2018. Town Supervisor will post on Town’s website.
- **Fixed Assets** – Town Supervisor and Human Resource Office (Barbara Schwenzfeier ) are working on the Town’s fixed assets, updating assessments on Town-owned property.

**FEMA (Federal) – Asbestos monitoring**

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Upon request of the Town Supervisor, the following Resolution was introduced for adoption by Councilman Woodland and seconded by Councilman Cittadino:

**(RESOLUTION NO. 167 OF 2018)**

**RESOLVED**, that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor to seek Requests for Proposal (RFP's) for asbestos monitoring on the four (4) federally-approved properties under the FEMA BUYOUT program.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Pickle Ball Courts – Sherrillbrook Park**

The Town Supervisor had been contacted by a resident who would like pickle ball court(s) in Sherrillbrook Park. The existing (tennis) courts could be repaired and made regulation size for pickle ball. He added this to a grant application and stated he would go out for bid.

**Update Assessments – Town-owned properties**

The Town Supervisor and Assessor worked on updating the assessment on various Town-owned properties; thereafter, Councilman Messa offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 168 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby approve the following Town-owned properties to be re-assessed:

350.017-1-18.1	Elm Street	591-Playground	11.70 acres
349.020-2-4	Kay Circle	311-Res vac land	front feet-90.00; depth-181.07
349.008-2-1.2	3691-3695 Oneida St	592-Athletic fld	7.00 acres
349.220-2-1.1	3691-3695 Oneida St	652-govt bldgs.	1.20 acres
349.000-4-86	3691-3695 Oneida St	963-MUNICPL Park	15.00 acres
340.010-2-9	Jewell Ridge Dr	300-Vacant land	.96 acres
340.010-2-8	Jewell Ridge Dr	320-Rural vacant	.52 acres
340.008-1-16.5	Tilden Ave	311-Res vac land	front ft-156.00;depth-290.00
339.015-1-16	30-34 Kellogg Rd	652-Govt bldgs.	1.84 acres



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339.007-6-70.6	Mallard Brook Ln	311-Res vac land	front ft-60.00;depth-740.14
339.008-3-1	Sherrill Ln	311-Res vac land	11.20 acres
339.008-3-2	Harrogate Rd	330-Vacant comm	1.00 acres
339.007-6-46.2	Sherrill Ln	692-Road/str/hwy	.47 acres
339.001-3-70	Barley Mow Run	330-Vacant comm	20.90 acres
339.001-2-38	Woodberry Rd	311-Res vac land	front ft-30.36depth-150.00
339.001-2-18	Woodstream Ct	311-Res vac land	front ft-30.00;depth-187.26
339.000-4-13	Oxford Rd	311-Res vac land	1.13 acres
339.000-4-12	Oxford Rd	311-Res vac land	1.29 acres
338.000-3-4	4191 NYS Rt 12	682-Rec facility	216.10 acres
330.018-2-1.2	Sylvan Way	314-Rural vac	9.85 acres
330.012-8-69	Waterford Ln	311-Res vac land	front ft-104.00;depth 125.00
329.016-10-2	2 Eastwood Ave	822-Water supply	front ft-50.00;depth-50.00
329.006-3-16.1	Chenango Rd	311-Res vac land	front ft-40.00;depth-340.00
328.020-2-17	rear Eagle Ridge	311-Res vac land	front ft-228.00;depth-300.00'
328.006-3-82	Lexington Blvd	311-Res vac land	1.15 acres
328.000-2-62.5	Off Clinton Rd	330-Vacant comm	13.10 acres
328.000-2-60	Middlesettlement Rd	330-Vacant comm	15.00 acres
328.000-2-28	Limberlost Rd	330-Vacant comm	1.20 acres
317.000-1-15	Burrstone Rd	340-Vacant indus	32.90 acres
317.000-1-13	111 New Hartford St	651-Highway Gar	18.45 acres
316.017-1-43	43 Concord Blvd West	330-Vacant comm	front ft-45.00;depth-117.72
316.000-2-42.8	Middlesettlement Rd	330-Vacant comm	5.40 acres
317.018-1-8	Burrstone Rd	311-Res vac land	2.00 acres

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**PDF Software - Reimbursement**

The Town Supervisor requested to be reimbursed for PDF software that he had personally purchased for the Human Resource department and his secretary, the purpose of which was to convert Microsoft Word documents to PDF. Councilman Woodland offered the following Resolution for adoption seconded by Councilman Cittadino:

**(RESOLUTION NO. 169 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize reimbursement to Supervisor Miscione in the amount of Seventy-five Dollars (\$75) for PDF software he had purchased for use by the Supervisor's and Human Resource offices.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Appointment – Highway Department Administrative Assistant**

The following Resolution was offered for adoption by Councilman Reynolds and seconded by Councilman Messa:

**(RESOLUTION NO. 170 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby appoint Hyesun Lee as Administrative Assistant at the Highway Department retroactive to Friday, April 6, 2018, at the hourly rate of Sixteen Dollars and Thirty-two Cents (\$16,32), payable bi-weekly. From this point forward she will be covered under the Highway Department current Collective Bargaining Agreement and will be considered as an existing employee contributing Ten Percent (10%) this year and Fifteen Percent (%15) thereafter as it relates to health insurance.

With Hyesun being transferred to the Highway Department and the Town Supervisor assuming the Parks Director duties, the work formerly done by the Parks Administrative Assistant is now being handled by the Town Supervisor's secretary, Carol Ryan, without additional remuneration. Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Abolish Parks & Recreation Administrative Assistant**

The Town Supervisor had communicated with Parks Union Field Representative, Don Spost, that the Town would not be filling the vacant Administrative Assistant position for the Parks Department. Thereafter, the following Resolution was offered for adoption by Councilman Messa and seconded by Councilman Reynolds:

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**(RESOLUTION NO. 171 OF 2018)**

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**RESOLVED**, that the New Hartford Town Board does hereby abolish the vacant Administrative Assistant position in the Parks and Recreation Department, retroactive to April 6, 2018.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Authorization to sell surplus scrap metal**

Upon recommendation of the Town Supervisor, the following Resolution was offered for adoption by Councilman Messa and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 172 OF 2018)**

**WHEREAS**, during a clean-up of the Washington Mills Athletic Park, a number of metal poles have been found after clearing dead trees and seeding for a picnic area; and

**WHEREAS**, the Town of New Hartford has no use for these metal poles and does hereby declare said items as surplus, the Town having no use for them;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby declare said items as surplus and does authorize the Town Supervisor to sell the aforementioned metal poles at scrap rate.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**Lease – Cellular Tower-Homeland Towers**

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The Town Attorney acknowledged that VERIZON/Homeland Towers had submitted a Certification for the Town Clerk to sign, stating that no petition had been filed in the Town Clerk's Office on the lease agreement for Sherrillbrook Park.

**Agreement – Oneida County STOP DWI Program**

The Town Attorney and Police Chief having reviewed the STOP DWI Agreements between the Town and Oneida County, the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 173 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute a STOP DWI Agreement between the Town of New Hartford and the County of Oneida for fiscal year 2018.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**EXECUTIVE SESSION**

Councilman Messa introduced the following Resolution for adoption and Councilman Cittadino seconded same:

**(RESOLUTION NO. 174 OF 2018)**

**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:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**. All persons present, including the news media and Department Heads, were then excused from the meeting at 7:38 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

***[NOTE: The Town Attorney provided the following transcription on Thursday, April 19, 2018]***

**END OF EXECUTIVE SESSION**

Councilman Messa then offered the following Resolution for adoption and Councilman Reynolds seconded same:

**(RESOLUTION NO. 175 OF 2018)**

**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:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 7:58 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the meeting.

**Workers' Compensation – 207-C status**

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

**(RESOLUTION NO. 176 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept and approve the application of James Hyatt for 207-C status as provided in the Union Contract.

A roll call vote ensued:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye

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Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Messa and seconded by Councilman Cittadino, the meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk