

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK,  
HELD AT BUTLER MEMORIAL HALL ON  
FRIDAY, OCTOBER 5, 2018**

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  
Supervisor Paul A. Miscione

**ABSENT:**

Councilman Richard B. Woodland, Jr.

**OTHER TOWN OFFICIALS PRESENT:**

Assessor Darlene Abbatecola  
Deputy Town Supervisor Anthony Trevisani  
Highway Superintendent Richard Sherman  
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.

**REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE**

Town Clerk Committee – Councilman Messa

**Tentative Budget for Year 2019**

In accordance with statute, Town Clerk Gail Wolanin Young presented the 2019 Tentative Budget to the Town Board members, after which Supervisor Miscione distributed a list highlighting the budget increases/cuts.

Zoning (Codes) and Planning Committee

**Refund on Subdivision Application**

Upon request of Kristine and Frank Giotto, the following Resolution was introduced for adoption by Councilman Cittadino and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 401 OF 2018)**

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**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting Department to refund the sum of \$150 to Kristine and Frank Giotto for Subdivision application #2018-3, dated June 4, 2018, relating to Tax Map No. 340.000-4-11.1.

The applicants are pursuing a 2-lot Subdivision application instead of the 3-lot Subdivision Application, after having discussed their plans with the Codes Enforcement Office and Town Assessor. A roll call vote was then duly held:

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

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

**Unsafe Building – 27 Benton Circle**

The Town Attorney acknowledged that the Town Clerk's Office had received a petition on October 1, 2018, from the neighbors of Donna Spriggs, whose home at 27 Benton Circle was substantially destroyed by a fire in late June 2018. The petitioners claim the site emits a terrible odor, is an eyesore in their neighborhood, has been deemed unsafe by the Codes Enforcement Officer, and there has been no answer as to when the building will be demolished.

Town Attorney Cully noted that Ms. Spriggs appeared at an Unsafe Hearing before the Town Board in August 2018; and at that time the Town Board was aware of an imminent tax foreclosure sale of the subject property by the County of Oneida and that the property might be lost through that sale. The Town was also made aware that steps had been taken to secure funds from the homeowner's insurance policy to demolish and remove the debris from the property, so the Town deferred. We were made aware that after receiving the policy proceeds that nothing has been done on the property other than paying the back taxes which evidence was delivered to the Town Clerk's Office. But nothing has been done with the unsafe structure. He was asked to place this matter on tonight's Agenda for an Order from the Town Board to proceed with demolition and for Ms. Spriggs to appear before the Board to provide an update before the Board proceeds with an Order to demolish.

Ms. Spriggs stated that her attorney, David Goldbas, will be out of his office until Tuesday and is intending to write a letter about things he felt were missing in the demolition proposals. She stated that it took 2 ½ months to receive the insurance proceeds. Although the property is not fenced, all openings have been secured.

After further discussion, Councilman Messa moved the following Resolution, seconded by Councilman Reynolds:

**(RESOLUTION NO. 402 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town to move forward with the removal of the unsafe structure at 27 Benton Circle and does further authorize the Town Attorney to go forth with the necessary paperwork to serve the requisite legal documents upon the owner, Donna Spriggs.

The Town Board voted as follows:

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

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

**Comprehensive Plan Update – Climate Start Goals**

In light of the Town being named a Climate Smart Community (CSC), the Town Attorney discussed the proposed update of the Town’s Comprehensive Plan to incorporate climate smart goals with emphasis on promoting flood prevention strategies, recycling, decreasing energy, etc.; however, the Town’s Code and Comprehensive need to be updated and should be every five (5) years. Thereafter, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Messa:

**(RESOLUTION NO. 403 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby wish to go forward with updating the Town’s 2014 Comprehensive Plan to include climate smart goals, the text of which has already been prepared and the Town Board will review for possible future action.

The Town Board voted as follows:

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

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

**Agreement – Snow & Ice Control, Years 2018 - 2020**

Upon motion of Councilman Messa and seconded by Councilman Cittadino, the following Resolution was offered for adoption:

**(RESOLUTION NO. 404 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize and direct the Town Supervisor and the Highway Superintendent to enter into and to execute the Oneida County Snow & Ice Control Agreement and Exhibits for the 2018-2019 and 2019-2020 Snow Seasons.

The Board voted upon roll call, as follows:

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

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

Assessor Committee

**Board of Assessment Review vacancy**

Councilman Messa introduced the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 405 OF 2018)**

**WHEREAS**, a vacancy exists on the Board of Assessment Review (BAR) due to the term expiration of James Varieur; and

**WHEREAS**, Mr. Varieur has expressed a desire to be re-appointed to the Board of Assessment Review; and

**WHEREAS**, the vacancy had been posted publicly with no applications having been submitted for consideration;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby re-appoint James Varieur as a Member of the New Hartford Board of Assessment Review for a five-year term effective October 1, 2018 and ending September 30, 2023

The foregoing Resolution was voted upon by roll all:

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

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

Public Safety and Courts Committee

**Police Department Retirement/Promotions**

Councilman Messa introduced the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 406 OF 2018)**

**WHEREAS**, Lieutenant Timothy J. O’Neil will retire from the New Hartford Police Department on October 15, 2018, thereby creating a vacancy in this position;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Ronald Fontaine to fill the vacancy of Lieutenant created by Timothy O’Neil’s retirement, said appointment being effective October 15, 2018, at an annual salary of \$94,341.90, and in accordance with the PBA Contract.

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

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

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

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

**(RESOLUTION NO. 407 OF 2018)**

**WHEREAS**, Ronald Fontaine has been promoted to Lieutenant, thereby creating a vacancy of Sergeant effective October 15, 2018;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Thomas Hulser to fill the vacancy of Sergeant created by Ronald Fontaine's appointment; said appointment being effective October 15, 2018, at an annual salary of \$81,515.15, and in accordance with the PBA Contract.

A roll call vote was held and resulted as follows:

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

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

Upon motion of Councilman Messa and seconded by Councilman Reynolds, the following resolution was presented for action:

**(RESOLUTION NO. 408 OF 2018)**

**WHEREAS**, Thomas Hulser was appointed to fill the vacancy of Sergeant on October 15, 2018, thereby creating a vacancy in the position of Police Officer;

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby appoint Eric Cappelli, a transfer from the Oneida County Sheriff's Department, to fill the vacancy of Police Officer, effective October 15, 2018, at an annual salary of \$54,263.33, and in accordance with the PBA Contract.

The Board then voted as follows:

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

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

MATTERS SUBMITTED BY COUNCILMEN

Councilman Reynolds

*Sewers - taxes*

Complimented Assessor, Real Property Service Tax Aide, Highway/sewer Superintendent, for their hard work locating properties not being charged for sewers; have been going parcel by parcel and the work is 30 to 40% complete. He also thanked Cathy Lawrence for her research and assistance.

*FEMA – Headwall*

FEMA attorneys have all the paperwork and are reviewing same with regard to moving the headwall.

*Recreation Center – Emergency situation*

Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Messa:

**(RESOLUTION NO. 409 OF 2018)**

**WHEREAS**, the Recreation Center compressor broke down resulting in lost refrigerant, a temporary increase of 30 degrees in the ice, and an estimated cost of \$4,500 to replace the refrigerant using the same type that was lost; and

**WHEREAS**, Recreation Center Manager John Cunningham performed research and found a more modern refrigerant that cost \$1,400;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby declare the purchase of the more modern refrigerant as an emergency situation because the ice was melting and the Recreation Center would have lost everything.

Upon roll call, the Board voted as follows:

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

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

**Retention pond Foxcroft Road area**

To Councilman Reynolds' inquiry, Town Attorney Cully said he had talked to Mr. Pierce at least three (3) times and he's said he would get back to me but I'm getting nowhere. Councilman Reynolds asked that the Town Attorney send a letter to Mr. Pierce with copies to the Town Board and/or Town Supervisor.

**MATTER(S) SUBMITTED BY TOWN ATTORNEY**

**Mallard Brook Lane**

The Zoecklers own land on Mallard Brook Lane and have approached the Town about the possible purchase of a small piece of land near their property. The Town Attorney explained that when Mallard Brook Lane was approved the Town Planning Board made the developer give a piece of land to the Town of New Hartford in the event someone wanted to connect Mallard Brook Lane to Oxford Towne in the future. Apparently, the Zoecklers received permission from the Town to place their driveway across Town-owned land. There's a small triangular piece of land that was created and the Zoecklers would like to purchase this land from the Town because their driveway goes across this land. After some discussion, Councilman Reynolds offered the following Resolution for adoption seconded by Councilman Messa:

**(RESOLUTION NO. 410 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Attorney to go forward with the sale of a small strip of land in front of the Zoeckler's residence, including obtaining an appraisal of the subject property, all of which will be subject to the Zoecklers paying all associated legal fees and permissive referendum if the Town Board actually approves it.

Highway/Sewer Superintendent Sherman expressed concern that this action might prevent the Town from accessing a sewer line in that area; it was suggested that an easement could be written into the deed. A roll call vote ensued:

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

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

**MATTERS SUBMITTED BY TOWN SUPERVISOR**



**Recreation Center LED lighting**

The Town Supervisor explained the proposed upgrade of lighting for the Recreation Center, with \$10,000 out of the 2018 budget and \$20,000 out of the 2019 budget. Instead of retro fits, the equipment will be new equipment with a ten (10) year warranty and installed by in-house Parks Department labor. He had obtained a quote from Home Depot.

**National Grid Incentive – Recreation Center LED**

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

**(RESOLUTION NO. 411 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the National Grid Incentive of \$11,596 for the Recreation Center LED lighting project.

The Town Board members voted as follows:

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

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

**Supervisor's secretary – extended hours**

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

**(RESOLUTION NO. 412 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby allow the Town Supervisor's secretary to also work part-time on weekends at the Recreation Center, to collect money, at the same rate of pay at which she was appointed in 2018, with no benefits.

Upon roll call, the Board voted as follows:

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

Councilman Woodland - ABSENT  
Supervisor Miscione - Aye.

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

**Plumbing Bids – New Town offices**

Upon request of the Town Supervisor, Councilman Cittadino moved the adoption of the following Resolution, seconded by Councilman Reynolds:

**(RESOLUTION NO. 413 OF 2018)**

**WHEREAS**, Supervisor Miscione re-negotiated the plumbing/ sprinkler system bid for the new Town offices, originally submitted at \$430,000 by H.J. Brandeles Corp.; and

**WHEREAS**, \$30,000 was reduced in the H.J. Brandeles bid relating to sprinkler, plumbing, bathroom fixtures, and the provision/use of “green-certified” materials;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby accept and approve the new bid amount of \$400,000 for the Plumbing/Sprinkler portion of the new Town office project.

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

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

**HVAC Bids– New Town Offices**

Upon further request of the Town Supervisor, Councilman Reynolds moved the adoption of the following Resolution, seconded by Councilman Cittadino:

**(RESOLUTION NO. 414 OF 2018)**

**WHEREAS**, Supervisor Miscione re-negotiated the HVAC bid for the new Town offices, originally submitted at \$232,000 by Schmalz Mechanical.; and

**WHEREAS**, \$11,700 was reduced in the Schmalz Mechanical bid by deleting wire mesh screens, duck and capping, and changing the fuser type; no change in the system itself.

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**NOW, THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby accept and approve the new low bid amount of \$220,300 for the HVAC portion of the new Town office project for minor changes that were not necessary.

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

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

**General Construction (new Town offices)**

On Thursday, October 4, 2018 bids were received for the General Construction of the new Town offices:

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Amount</u>
• M J Dakota, Inc.	\$1,693,000	\$ 41,000
• Bellows Construction	\$1,664,000	\$ 51,000
• Murnane Building Con.	\$1,694,000	\$ 44,000
• Upstate Companies	\$1,747,000	\$ 43,000
• Putrelo Building Ent.	\$1,588,000	\$ 48,000
• Richard E. Alexander Co.	\$1,593,240	\$ 40,500
• J. Priore Construction	\$1,668,000	\$ 41,500.

Upon motion of Councilman Reynolds and seconded by Councilman Messa, the following Resolution was introduced for adoption:

**(RESOLUTION NO. 415 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby approve and accept the low bid in the amount of \$1,588,000 submitted by Putrelo Building Ent. for General Construction of the new Town Hall.

The Board then voted upon roll call, resulting as follows:

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

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

**Electrical Bids – (new Town offices)**

The following bids were received Thursday, October 4, 2018, for electrical work to be conducted at the new Town offices:

<u>Contractor</u>	<u>Base Bid</u>	<u>Deduct Amount</u>
• Upstate Companies	\$972,000	\$32,500
• Oneida Electrical	\$765,778	\$17,800
• Knapp Electric	\$688,500	\$12,500
• Huen Electric	\$833,000	\$21,000

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

**(RESOLUTION NO. 416 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby approve and accept the low bid in the amount of \$765,778 submitted by Oneida Electrical for electrical work at the new Town hall.

A roll call vote ensued:

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

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

**Grant – Electric vehicle re-charging stations**

Upon request of the Town Supervisor, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 417 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby accept the NYS Department of Environmental Conservation Grant in the amount of \$128,000 for “zero emission infrastructure”, related to recharging systems for electric vehicles.

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

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

**Appointment – Records Management Officer (RMO)**

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

**(RESOLUTION NO. 418 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby designate Town Clerk Gail Wolanin Young as Records Management Officer (RMO), re-affirming such action done in the early 1990's.

The Board was polled:

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

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

**Grant – Electronic records management**

Upon request of the Town Supervisor, the following Resolution was presented for approval; introduced by Councilman Messa and seconded by Councilman Reynolds:

**(RESOLUTION NO. 419 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby grant permission to the Town Supervisor to apply for an electronic records management grant, with the understanding that the Town Clerk, who is the Records Management Officer, would not be required to provide staffing or personal services, that a third party could be hired to achieve the goals.

The Supervisor requested a roll call vote:

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

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

**Sale of landlocked parcel #317.018-1-16: McCraith**

The Town has received an offer for the purchase of about fifteen (15) landlocked acres that the Highway Superintendent has confirmed is of no use to the Town, although years ago it had been considered for park use. However, the property has not been appraised and the tax map number must be confirmed. Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 420 OF 2018)**

**RESOLVED** that the Town Attorney move forward on selling the landlocked parcel and arrange to have an appraisal of the acreage to be sold; further, that the tax map number be confirmed.

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

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

**Broker of record**

The following Resolution was introduced by Councilman Reynolds and seconded by Councilman Messa:

**(RESOLUTION NO. 421 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby appoint AmWINS Brokerage of New York, and Gates-Cole Associates, Inc., as the Town of New Hartford Broker of Record for ACE American Insurance Company, Policy #G24840529.

A roll call vote was held as follows:

Councilman Messa	-	Aye
Councilman Cittadino	-	Aye

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

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

**JCAP Grant**

Councilman Reynolds moved the adoption of the following resolution; seconded by Councilman Messa:

**(RESOLUTION NO. 422 OF 2018)**

**WHEREAS**, the State of New York has made certain grants available to local Town Courts; and

**WHEREAS**, the New Hartford Town Court is interested in making application for such grants;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby approve and authorize the New Hartford Town Court to make application for a JCAP (Justice Court Assistance Program) Grant for 2018/2019, in an amount up to Thirty Thousand Dollars (\$30,000).

The Resolution was voted upon by roll call as follows:

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

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

**Part-time Recreation Center employees**

Upon recommendation of John Cunningham, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 423 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby appoint the following individuals as Ice Attendants at the Recreation Center, to commence work on October 6, 2018, and at the hourly wage set opposite their several names, payable bi-weekly:

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Rosemarie Burynski	-	\$9.25 hour
Shaye Gardinier	-	\$9.50 hour
Marie Winn	-	\$9.25 hour
Owen Cleveland	-	\$9.00 hour
Tess Evans	-	\$9.00 hour
Abigail Martin	-	\$9.00 hour
Madison Atkinson	-	\$9.00 hour.

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

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

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

**FEMA bids received Friday, October 5, 2018; action**

Asbestos Remediation Bids

3506 Oneida Street, Chadwicks:

Two Brothers Contracting, Inc.	\$13,200
Sullivan Contracting, Inc.	\$11,000
Abscope Environmental, Inc.	\$11,700
Aktor Corporation	\$15,500

Councilman Messa moved the adoption of the following Resolution; seconded by Councilman Reynolds:

**(RESOLUTION NO. 424 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low bid submitted by Sullivan Contracting, Inc. in the amount of \$11,000 for the FEMA BUY-BACK Program asbestos remediation project at 3506 Oneida Street, Chadwicks, and does hereby authorize and direct the Town Supervisor to issue a Letter of Intent to Award in the amount of \$11,000.

The Board was polled and resulted as follows:

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

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

3520 Oneida Street, Chadwicks:

Two Brothers Contracting	\$25,000
Sullivan Contracting, Inc.	\$19,000
Abscope Environmental Inc.	\$27,900
Midlantic Environmental	\$24,000
Aktor Corporation	\$43,500

Thereafter, Councilman Messa moved the adoption of the following Resolution;  
Councilman Reynolds seconded the Resolution:

**(RESOLUTION NO. 425 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low bid submitted by Sullivan Contracting, Inc. in the amount of \$19,000 for the FEMA BUY-BACK Program asbestos remediation project at 3520 Oneida Street, Chadwicks, and does hereby authorize and direct the Town Supervisor to issue a Letter of Intent to Award in the amount of \$19,000.

The Board was polled and resulted as follows:

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

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

3534 – 3536 Oneida Street, New Hartford:

Two Brothers Contracting, Inc.	\$ 48,000
Sullivan Contracting, Inc.	\$ 42,000
Abscope Environmental, Inc.	\$ 47,800
Aktor Corporation	\$113,700

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Councilman Messa then moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 426 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low bid submitted by Sullivan Contracting, Inc. in the amount of \$42,000 for the FEMA BUY-BACK Program asbestos remediation project at 3534 - 3536 Oneida Street, Chadwicks, and does hereby authorize and direct the Town Supervisor to issue a Letter of Intent to Award in the amount of \$42,000.

The Board was polled and resulted as follows:

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

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

[NOTE: the Town Supervisor stated that remediation on all three (3) houses would commence on October 11, 2018 and be completely demolished by November 10, 1028. He also noted that Bronze Contracting had submitted bids; however, they failed to comply with the bid requirements and therefore were not considered.]

**Emergency Repairs – Highway/Sewer Department**

Upon request of the Highway/Sewer Superintendent, Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 427 OF 2018)**

**WHEREAS**, a sewer pump station lost power and shut down, thereby creating a health hazard for Town residents and the general public along Seneca Turnpike; and

**WHEREAS**, an emergency was eminent and corrective action was paramount;

**NOW. THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby declare the aforementioned situation an emergency and does herewith authorize the requisite repairs in the amount of \$5,475, Purchase Order #104985.

A roll call vote ensued:

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

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

Upon further request of the Highway/Sewer Superintendent, Councilman Reynolds moved the following Resolution; seconded by Councilman Messa

**(RESOLUTION NO. 428 OF 2018)**

**WHEREAS**, a second pump station lost power and shut down, thereby creating a health hazard for Town residents and the general public along Seneca Turnpike; and

**WHEREAS**, an emergency was eminent and corrective action was paramount;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hartford Town Board does hereby declare the aforementioned situation an emergency and does herewith authorize the requisite repairs through Oneida County, the cost of which is not yet known.

A roll call vote ensued:

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

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

**Pickleball Court fence – Parks Grant**

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

**(RESOLUTION NO. 429 OF 2018)**

**WHEREAS**, the Town Supervisor has received the following quotes for fencing to be installed around the pickleball court in Sherrillbrook Park; and

- Weather Tite Fencing \$22,238

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- Atlas \$22,420
- Brady Fence \$23,242

**NOW, THEREFORE, BE IT RESOLVED** that the New Hartford Town Board does hereby accept the low quotation of \$22,238 from Weather Tite Fencing for fencing to be installed in Sherrillbrook Park under a Grant from the State.

The Supervisor polled the Board members who voted as follows:

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

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

**Competitive Bids – Security Release**

Upon request of the Town Clerk, Councilman Messa moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 430 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Clerk to release the Five Percent (5%) Bid Security submitted by all bidders for work related to the **FEMA BUY-BACK** projects.

The Supervisor polled the Board members who voted as follows:

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

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

Upon further request of the Town Clerk, Councilman Reynolds moved the adoption of the following Resolution; seconded by Councilman Cittadino:

**(RESOLUTION NO. 431 OF 2018)**

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**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Clerk to release the Five Percent (5%) Bid Security submitted by all bidders for work related to the Bids for the **new Town Hall**.

The Supervisor polled the Board members who voted as follows:

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

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

Councilman Messa then moved the following Resolution for adoption; seconded by Councilman Cittadino:

**(RESOLUTION NO. 432 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Clerk to release the Five Percent (5%) Bid Security submitted by all bidders for the advertised project, "Repair work, equipment & operator rental & carpenter."

The Supervisor polled the Board members who voted as follows:

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

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

**Public Hearing Scheduled – 2019 Preliminary Budget**

Councilman Reynolds moved the following Resolution for adoption; Councilman Cittadino seconded same:

**(RESOLUTION NO. 433 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford will conduct Public Hearings to commence at 6:00 P.M., or as soon thereafter as reached in the regular course

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of business, on Wednesday, October 24, 2018, in Butler Memorial Hall, 48 Genesee Street in said Town, to consider the following matters:

- the adoption of the 2019 Preliminary Budget as the 2019 Annual Budget; and
- the establishment of the ad valorem charges for the fiscal year beginning January 1, 2019 for the following special districts/improvement areas

Water Fund

Fire Protection Districts No. 1 through No. 5,

Inclusive

Various Street Lighting Districts; and be it

**FURTHER RESOLVED**, that the said Town Board does hereby authorize and direct the Town Clerk to publish the legal requisite Notices of Public Hearing in The Observer Dispatch; and, in accordance with Town Law, Section 106.(4) [Preparation filing and review of tentative and preliminary budgets], sub-paragraph 4, the Town Board does hereby direct the Town Clerk to make twenty-five (25) copies of the 2019 Preliminary Budget for public distribution and to post said document on the Town's website.

The Resolution was then voted upon as follows:

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

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

**Reschedule Town Board meetings**

Councilman Messa moved the adoption of the following Resolution; seconded by Councilman Reynolds:

**(RESOLUTION NO. 434 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby reschedule the first Town Board meeting in November 2018. The meeting originally set for Wednesday, November

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7, 2018, is hereby cancelled and the Town Board hereby designates Monday, November 5, 2018, in its place.

A roll call vote followed:

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

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

**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion duly made and seconded, the meeting was adjourned at 7:11 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk