

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD, NY ON  
MONDAY, NOVEMBER 19, 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 David M. Reynolds  
Councilman Philip S. Cittadino  
Councilman Richard B. Woodland, Jr.  
Supervisor Paul A. Miscione

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

Assessor Darlene Abbatecola  
Codes Enforcement Officer Joseph Booth  
Director of Finance Daniel T. Dreimiller  
Highway/Sewer Superintendent Richard C. Sherman  
Human Resource Department Barbara Schwezfeier  
Police Chief Michael S. Inserra  
Town Attorney Herbert J. Cully  
Town Clerk Gail Wolanin Young

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

**MINUTES:**

**September 13, 2018 Town Board meeting**

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

**(RESOLUTION NO. 472 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 Thursday, September 13, 2018 and does further waive the reading of the same.

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**.

Councilman Reynolds wished to acknowledge Mr. Richard Lenart in attendance. Mr. Lenart is the newly elected 2<sup>nd</sup> Ward Councilman effective January 1, 2018.

**Appointments to fill vacancies- Highway Department**

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

**(RESOLUTION NO. 473 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby appoint Jeffrey Kolek as a temporary, full-time employee for the Highway Department, effective Monday, November 19, 2018, at the hourly rate of Eleven Dollars Fifty Cents (\$11.50), payable bi-weekly:

Upon roll call, the Board 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**.

**Appointments to fill vacancies –Codes Department**

Upon recommendation of Codes Enforcement Officer Joe Booth; the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Cittadino:

**(RESOLUTION NO. 474 OF 2018)**

**WHEREAS**, a vacancy exists for a full-time Assistant Codes Enforcement Officer, said position formerly held by Eric Barcomb, who submitted his resignation;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Hartford does hereby appoint A. Lawrence Gell to fill the vacancy of Assistant Codes Enforcement Officer, effective November 27, 2018, at an annual salary of Forty-three Thousand Dollars (\$43,000), payable bi-weekly.

Upon roll call, the Board voted as follows:

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

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

**Fee Schedule**

Codes Enforcement Officer Joe Booth had made a typographical error in the Fee Schedule for solar arrays. The correct amount should be \$.10 cents not \$.010 cents per square feet. He also proposed a raise in the fee's for Commercial Building Renovations to \$.50 cents per square foot. He also recommended that the Flood Development Fee be included in the Fee Schedule; the Flood Development Fee already exists in Chapter 67 of the Town Code he but would like to also have it included in the Fee Schedule for future use and knowledge.

Councilman Reynolds introduced the following legislation for the Town Board's consideration at a future Public Hearing; co- sponsored by Councilman Woodland:

**Town of New Hartford, NY  
Local Law Introductory "K" of 2018**

A Local Law to amend the Code of the Town of New Hartford, Chapter 118 thereof entitled **ZONING**, Section 188-140C Fee Schedule, by adding new fee types and/or by increasing some existing fees.

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

**SECTION 1.** Chapter 188 (Zoning) of the Code of the Town of New Hartford, Section 118-140,C. Fee Schedule (1) and (2) by increasing some existing fees and/or adding new fee types, as follows:

- (a) Residential  
Change fee: Solar \$.10 per square foot of array
- (b) Multifamily  
Change fee: Solar \$.10 per square foot of array
- (c) Commercial

Change fee: Review and/or inspection fee alterations, miscellaneous work \$200 minimum or \$0.50 per square foot of array

Change fee: Solar \$.10 per square foot of array

(2) Miscellaneous  
Flood Development Fee - \$100

**SECTION 2.** All other provisions of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except that this Local Law shall modify or amend.

**SECTION 3.** This Local Law shall take effect immediately upon filing with the Secretary of State.

***Referral of Local Law Introductory “K” of 2018.***

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

**(RESOLUTION NO. 475 OF 2018)**

**BE IT RESOLVED** that the Town Board of the Town of New Hartford declares itself the Lead Agency in the matter of Local Law Introductory “K” and does hereby authorize the referral of said Local Law Introductory “K” to the New Hartford Planning Board and the Oneida County Planning Department for their review in accordance with SEQR, the Town’s zoning law, and General Municipal Law.

Upon roll call, the Board 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**.

**Budget Adjustment**

Upon request of the Director of Finance, Councilman Woodland introduced the following resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 476 OF 2018)**

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**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Accounting Department to make the following 2018 budget adjustment:

- *Decrease* Account SS8110.04 (contractual expense) by \$57,691.00
- *Increase* Account SS8110.02 (Equipment) by \$57,691.00
  - *Purpose:* Purchase of second sewer truck. (Approved April 18,2018 Resolution No. 163 of 2018.)

The Resolution was subject to a vote upon roll call:

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

Whereupon, the Resolution was declared unanimously carried and duly **ADOPTED**

***Speed Limit Study- Snowden Hill Road***

Councilman Messa thanked Chief Michael Inserra for his help conducting a Speed Limit Study on Snowden Hill Road. The current speed limit is 55 mph that decreases to 45 mph. The Town Board has been authorized by DOT to reduce the speed limit to 50 mph. The new speed limit will go into effect as soon as the Highway Superintendent orders and replace the new speed limit signs.

*Councilman Reynolds:*

***Foxcroft Road:***

Councilman Reynolds along with the Town Supervisor met with residents on Foxcroft regarding flooding issues and some possibilities to alleviate the problems.

***New Hartford Public Library- Signage:***

Town Attorney and Police Chief have worked with the Library Board to agree on the verbiage of the proposed sign, “No Trespassing”.

*Councilman Messa:*

***Updates: Various Unsafe Buildings***

Councilman Messa asked Town Attorney Herb Cully to update the Board on the various unsafe buildings within the Town. The Town Attorney stated that all properties are in various stages of communications.

Town Supervisor Miscione

***Barton and Loguidice: FEMA Project***

The Town Supervisor brought to the attention of the Board, that Barton and Loguidice is seeking compensation for work completed before the November 2017 authorization for competitive bidding in which Barton and Loguidice was not awarded the contract. The Town Supervisor remarks that the company had never been inside the homes, taken samples nor provided any specifications. Barton and Loguidice have also not submitted an invoice for these claimed/proposed expenses.

***Grange Hill Road Downstream Closed Drainage Improvement, Contract 2 – Update:***

Barton and Loguidice completed the engineering studies and have found involving the box culverts/ concrete basins being engineered incorrectly. The culvers/ basins had to be redone and rebought, at no additional cost to the Town. Hence the delay in progress. Additionally asbestos has been found within the water main service on Grange Hill Road. Discussion ensued whether it was the Town’s responsibility to bid for the project, or that of the Water Board. The Water Board had already determined they would reimburse the Town for costs accrued during remediation. It was decided by the Town Board that being proactive in this matter was the best decision while working with the Water Authority.

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

**(RESOLUTION NO. 477 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Supervisor to begin the sealed, competitive bid process for remediation of asbestos found in the water main along Grange Hill Road.

A roll call vote ensued:

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

The Resolution was thereupon declared duly **ADOPTED**.

**Emergency repairs for Recreation Center, November 19, 2018:**

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

**(RESOLUTION NO. 478 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby declare an “emergency” that took place at the Recreation Center today (November 19, 2018) where the Center’s brine pump that is the ice chiller/ice maker had broken; immediate replacement was necessary for the preservation of the ice; at the cost of \$460,000, approximately \$40.00 dollars per hour in labor, and \$400.00 dollars in expedited shipping, for a new pump.

The Resolution was subject to roll call:

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

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

**Upgrades for Recreation Center: Power Authority:**

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

**(RESOLUTION NO. 479 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Supervisor to enter into and to execute an agreement with the New York State Power Authority, on the design phase for the upgrades to the Recreation Center’s ice chiller and ice maker.

The Resolution was subject to a vote upon roll call:

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

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

**LED street lights for Town of New Hartford:**

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

**(RESOLUTION NO. 480 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize the Town Supervisor to enter into and to execute an agreement with the New York State Power Authority for the use of LED street lights in the Town.

The Resolution was subject to a vote upon roll call:

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

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

**Agreements - Ice Rental**

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

**(RESOLUTION NO. 481 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute an Ice Rental Agreement for the 2018-2019 Ice Season between the Town of New Hartford and the New Hartford Central School District.

The Resolution was subject to a vote upon roll call:

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

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

**Bids Received for Mulch for Playground- Sherrillbrook**

The Town Supervisor received the following quotes for 100 cubic yards of playground mulch:



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- *Game Time - \$28.75 Cu Yd. = 2,875.00 plus \$60.00 Delivery Fee*
- *Northern Nurseries –\$26.50 per Cu Yd. = \$2,650.00*
- *Garden Factory NY - \$60.00 per Cu Yd. = \$6,000.00*

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

**(RESOLUTION NO. 482 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low quote submitted by Northern Nurseries, Inc. 8633 Brewerton Road, Cicero NY 13039 for 100 cubic yards of playground mulch at a total cost of \$2,650.00.

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**.

**Update: Town Hall – IT Move**

The Town Supervisor discussed the upcoming move and some potential IT related difficulties that could arise from switching IT providers from M. A. Polce to Integrated Strategic Systems. Specifically, the Police Department which has a more complicated and secure system. The Supervisor suggested keeping the Police Department with M. A. Polce for the time being as the Police Department will not be moving to the Town Hall until later in 2019. That would mean the Town Offices would have to purchase their own back up as that is a service currently handled by M. A. Polce. Supervisor Miscione stated that although Integrated Strategic Systems had been awarded the contract in August; no contracts have been signed. The other option is to move all the IT “In house” to save the Town money. The Town would still have to purchase a backup for the Towns’ servers.

**2019 Annual Budget- Affirmation (Resolution No. 467 of 2018)**

Councilman Reynolds introduced the following resolution; seconded by Councilman Woodland:

**(RESOLUTION NO. 483 OF 2018)**

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**RESOLVED** that the New Hartford Town Board does hereby affirm it's adoption of the 2019 Preliminary Budget on November 5, 2018, as the 2019 Annual Budget, contingent upon the New York Mills Police Department being in compliance with State Law; and since the November 5, 2018 Town Board Meeting, said New York Mills Police Department submitted satisfactory evidence of their compliance.

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**.

**Audit of Vouchers**

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

**(RESOLUTION NO. 484 OF 2018)**

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

Street Lighting Abstract #11	
Vouchers SL11	\$ 8,751.35
Capital Projects - Abstract #8	
Vouchers H921	\$ 2,430.40
FEMA-FED- Abstract #17	
Vouchers C138-C140	\$ 2,396.98
FEMA-STATE- Abstract #15	
Vouchers C259-C266	\$ 254,493.54
Gander Mountain- Abstract #5	
Vouchers HV9-HV12	\$ 19,807.33
Highway Fund Part-Town Abstract #23	
Vouchers DB687-DB688	\$ 32,467.26
Highway Fund Part-Town Abstract #24	
Vouchers DB689	\$ 97.34
Highway Fund Part-Town Abstract #25	
Vouchers DB690-DB747	\$ 98,257.40

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General Fund Part-Town Abstract #22 Vouchers BB147-BB148	\$ 5,091.05
General Fund Part-Town Abstract #23 Vouchers BB149-BB153	\$ 1,659.07
General Fund Part-Town Abstract #24 Vouchers BB154-BB165	\$ 10,612.17
General Fund Part-Town Police Abstract #23 Vouchers BP224-BP226	\$ 40,592.90
General Fund Part-Town Police Abstract #24 Vouchers BP227-BP232	\$ 5,868.69
General Fund Part-Town Police Abstract #25 Vouchers BP233-BP261	\$ 53,232.00
Trust & Agency Fund Abstract #40 Vouchers TT188-TT190	\$ 14,511.75
Trust & Agency Fund Abstract #41 Vouchers TT191-TT197	\$ 15,007.50
Trust & Agency Fund Abstract #42 Vouchers TT198-TT200	\$ 11,148.50
Trust & Agency Fund Abstract #43 Vouchers TT201-TT207	\$ 8,914.57
Trust & Agency Fund Abstract #44 Vouchers TT208-TT213	\$ 10,401.31
Trust & Agency Fund Abstract #45 Vouchers TT214-TT216	\$ 12,036.29
General Fund Whole-Town Abstract #24 Vouchers AA1100-AA1107	\$ 37,858.86
General Fund Whole-Town Abstract #25 Vouchers AA1108-AA1116	\$ 8,050.62
General Fund Whole-Town Abstract #26 Vouchers AA1117-AA1255	\$ 168,660.47
Sewer Fund Abstract #23 Vouchers SS70-SS71	\$ 3,926.75
Sewer Fund Abstract #24 Vouchers SS72-SS73	\$ 272.63
Sewer Fund Abstract #25 Vouchers SS74	\$ 57,691.00
Sewer Fund Abstract #26 Vouchers SS75-SS83	<u>\$ 11,957.65</u>
<b>TOTAL:</b>	<b>\$ 896,195.38</b>

Upon roll call, the Board members voted as follows:

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

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

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made of Councilman Reynolds and duly seconded by Councilman Woodland, the meeting was adjourned at 7:35P.M.

Respectfully submitted,  
Office of Town Clerk  
Gail Wolanin Young

Allison Adams  
Deputy Town Clerk II