

**SPECIAL MEETING OF THE TOWN BOARD OF THE
TOWN OF NEW HARTFORD, NEW YORK, HELD AT
BUTLER MEMORIAL HALL, NEW HARTFORD, NY,
ON MONDAY, JANUARY 22, 2018, AT 5:00 P.M.**

Town Supervisor Miscione called the meeting to order at 5:00 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 (Arrived at 5:05 PM)
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS PRESENT:

Assessor Darlene Abbatecola (Arrived at 5:28 PM)
Codes Enforcement Officer Joseph A. Booth (Arrived at 5:29 PM)
Deputy Supervisor Anthony J. Trevisani
Director of Finance Daniel T. Dreimiller
Highway Superintendent Richard C. Sherman
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

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

FEMA BUYOUT PROGRAM – Appraisals

Authorize competitive Bid/Requests for Proposal (RFP/s)

Supervisor Miscione stated that one of the four properties approved for demotion under the federal FEMA BUYOUT program has contested the appraisal of their home; namely, 6 Henderson Street. Supervisor Miscione said the Town needs to begin the bid/RFP process for the properties. They must now secure their own appraisal, according to the Town Attorney. Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 32 OF 2018)

RESOLVED, that the New Hartford Town Board does hereby authorize and direct commencement of the Bid/Request for Proposal (RFP) process for the four (4) properties approved for the Federal FEMA BUYOUT Program.

The Supervisor requested a vote upon roll call that resulted as follows:

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

The Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***.

MINUTES

December 13, 2017 Town Board meeting:

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

(RESOLUTION NO. 33 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 December 13, 2017, and does further waive the reading of the same.

Upon roll call, the Board members voted as follows:

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

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

LEASE – NEW HARTFORD ADULT DINING AND ACTIVITY CENTER

After reviewing the current Lease between the Town of New Hartford and the St. John the Evangelist Church for use of one of their buildings for senior citizen activities, negotiations were had with Church representatives and a revised Lease agreement was formulated. The annual lease of about \$37,000 will be reduced to \$24,000 annually, effective in 2018. Thereafter, Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 34 OF 2018)

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RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to execute a Lease agreement between the Town of New Hartford, the “Tenant”, and St. John the Evangelist Church, the “Landlord”, wherein said Town agrees to pay an amount of \$2,000.00 a month for a total yearly amount of \$24,000.00, to said Church, beginning January 1, 2018, and ending December 31, 2018, for the purposes of a Nutrition Site and Senior Programs, and as more fully defined in said Lease agreement

A roll call vote was duly held and resulted as follows:

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

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

PROPOSED PURCHASE AND SALE AGREEMENT

New town hall:

Supervisor Miscione briefed the Town Board on a Letter of Intent, prepared by the Town Attorney, to be sent to the owner of property at 8635 Clinton Street, formerly operated as Gander Mountain, to determine if they would accept the Town’s offer of \$1.8 million for the building and land at the aforesaid address, in an effort to consolidate Town offices in a new town hall. The Letter of Intent is not binding on either party.

[NOTE: Councilman Cittadino joined the meeting at 5:05 P.M.]

The Town Supervisor said this would be an interior build-out. The existing building is 50,000 square feet and has 4.3 acres. Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 35 OF 2018)

RESOLVED that, in order to proceed with preliminary evaluation, the New Hartford Town Board does hereby authorize and direct the Town Supervisor to sign a Letter of Intent between Spirit Realty Capital (SPIRIT) or Affiliated entity, “Seller,” and the Town of New Hartford, “Purchaser,” for the proposed purchase and Sale of real property located at 8635 Clinton Street, New Hartford, NY, formerly known as Gander Mountain; and be it

FURTHER RESOLVED that the Town Supervisor and/or Town Attorney be, and hereby is, authorized to send said Letter of Intent to the aforementioned “Seller.”

A roll call vote was duly held, 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**.

CONTRACT – ALL AMERICAN FITNESS CENTER

Supervisor Miscione briefed the Town Board on proposed changes to the fitness program known as the Senior Wellness Program which has operated for about 22 years at the All American Fitness Center and/or at the New Hartford Adult Dining and Activity Center. Thereafter, Councilman Reynolds offered the following Resolution; seconded by Councilman Messa:

(RESOLUTION NO. 36 OF 2018)

WHEREAS, AAFC. INC., dba The All American Fitness Center, under the direction of Jim LaFountain, does conduct a fitness program known as Senior Wellness Program, such program conducted in the All American Fitness Center and/or at the New Hartford Adult Dining and Activity Center located in the Town of New Hartford; and

WHEREAS, Town of New Hartford is a municipality with authority to contract and enter into contracts for the benefit of its residents and citizens therein, and does enter into this contract with that authority; and

WHEREAS, the Town of New Hartford, on behalf of its elderly residents, is desirous of the continuation of such a program for the benefit of its Senior Citizens, and will fund this program on the terms, conditions and agreements set forth in said contract; and

WHEREAS, the Town of New Hartford, on behalf of its non-union employees, is desirous of a new program that will benefit and allow all of its non-union employees (at no charge) membership of the facilities offered at the All American Fitness Center;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Supervisor to enter into and to

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execute an agreement/contract as set forth hereinabove, and as more fully described in said agreement/contract on file with the Town.

With the addition of the new program for non-union employees, the Supervisor noted that the Town will receive a reduction on its insurance. 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**.

WEBSITE DOMAIN

The Town Supervisor informed the Board that the Town was approved for a “.gov” domain; he paid the fee with his personal credit card and will seek reimbursement from the Town.

FEMA BUYOUT PROGRAM (Continued from earlier in the meeting)

Legal services for closings

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

(RESOLUTION NO. 37 OF 2018)

RESOLVED that Town Attorney Herbert J. Cully will perform the closings for the various FEMA buyouts at the rate of \$750 per property, inclusive of all legal documents; he has disclosed, and the Town Board acknowledges, that he is a law partner in the Calli, Calli and Cully law firm.

The Supervisor polled the Board members who 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**.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

Public Safety and Courts Committee – Councilman Woodland

Appointment – Court Clerk, Part-time

Councilman Woodland introduced the following Resolution for adoption in behalf of Town Justice Copeland; seconded by Councilman Reynolds:

(RESOLUTION NO. 38 OF 2018)

RESOLVED that the New Hartford Town Board does hereby appoint Steve Moran as a Part-time Court Clerk, pending civil service approval by the Oneida County Personnel Department.

A roll call vote was duly held and resulted 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**. [NOTE: The hourly rate of pay and effective date were not given.]

Senior Citizens Committee

Monetary donations – Memoriam of Rye King

Supervisor Miscione talked with Director of Senior Services Eileen Spellman about how to use the donations received in memory of the late Rye King who died in a fire in early December 2017. Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 39 OF 2018)

RESOLVED, that the New Hartford Town Board does hereby authorize the purchase of a plaque in memory of Mrs. King, with the remainder of the monetary donations received to be used for activities/equipment at the New Hartford Adult Dining and Activity Center.

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Since Mrs. King had been a registered nurse, it was suggested that the plaque be placed at St. Elizabeth Hospital where she had been employed. The Board members voted upon 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**.

EXECUTIVE SESSION

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

(RESOLUTION NO. 40 OF 2018)

RESOLVED, that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss the recent State Comptroller's draft report of the Town's audit .

A roll call vote ensued:

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

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 5:14 P.M.

END OF EXECUTIVE SESSION

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

(RESOLUTION NO. 41 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.

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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 5:34 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the meeting.

MATTER SUBMITTED BY TOWN SUPERVISOR

Property Damage – Jedediah Sanger Public Works Garage

The Town Supervisor reported that an accident occurred today, damaging the Jedediah Sanger Public Works Garage. Councilman Reynolds then offered the following Resolution for adoption and Councilman Messa seconded same:

(RESOLUTION NO. 42 OF 2018)

WHEREAS, an accident occurred at the Jedediah Sanger Public Works Garage on Wednesday, January 17, 2018, where a plow truck caused damage to the overhead door masonry, prohibiting the closing/opening of the Garage door; and

WHEREAS, emergency repairs were necessitated due to the harsh winter weather that could cause further damage to the interior of the Garage;

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby declare this situation an “emergency” situation and does further authorize the immediate repairs necessary to further protect the Town’s property.

Upon roll call, the Town Board voted 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**.

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ADJOURNMENT

There being no further business to come before the Board, upon motion of Councilman Woodland and seconded by Councilman Cittadino, the meeting was adjourned at 5:36 P.M.

Respectfully submitted,

Gail Wolanin Young
Town Clerk