

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT 8635 CLINTON STREET, NEW HARTFORD, NY ON  
WEDNESDAY, SEPTEMBER 04, 2019, 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 Richard M. Lenart  
Councilman David M. Reynolds  
Councilman Richard B. Woodland, Jr.  
Supervisor Paul A. Miscione

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

Deputy Supervisor Anthony Trevisani  
Assessor Darlene Abbatecola  
Codes Enforcement Officer Lawrence "Lary" Gell  
Director of Finance Daniel Dreimiller  
Highway/Sewer Superintendent Richard C. Sherman  
Highway Foreman Christopher Moran  
Human Resource Department Barbara Schwenzfeier  
Police Lieutenant Ronald Fontaine  
Town Attorney Herbert J. Cully  
Town Clerk Gail Wolanin Young  
Deputy Town Clerk II Allison Adams

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

**January 16, 2019 Town Board meeting**

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

**(RESOLUTION NO. 275 OF 2019)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held January 16, 2019 and does further waive the reading of same.

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye

Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

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

**March 20, 2019 Town Board meeting**

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

**(RESOLUTION NO. 276 OF 2019)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held March 20, 2019 and does further waive the reading of same.

The Resolution was voted upon by roll call as follows:

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

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

**May 08, 2019 Town Board meeting**

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

**(RESOLUTION NO. 277 OF 2019)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held May 8, 2019 and does further waive the reading of same.

The Resolution was voted upon by roll call as follows:

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

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

*Presentations and Comments:*

Marathon Engineering and Conifer Realty: Mr. Handelman from Conifer Realty appeared before the Town Board along with Mr. Matthew Tommelson from Marathon Engineering concerning their proposed development on Woods Highway. Conifer Realty is seeking a referral to the Planning Board for a zoning overlay in the northern portion of their property. Their total parcel is 48.5 acres and the overlay would cover approximately 27 acres. Also, in their plans are leaving 75% of the property as designated “green space”; aligning the access driveway with Arianna Lane; and having a low environmental and traffic impact. Councilman Messa questioned about the proposed pond on site, and its use in stormwater management; which was answered that the statistics for Stormwater were not completed at this time.

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

**(RESOLUTION NO. 278 OF 2019)**

**WHEREAS**, Marathon Engineering on behalf of their client, Conifer Realty LLC, has submitted an application for an RPDD (Residential Planned Development District) Overlay in the area of Woods Highway; and

**WHEREAS**, the Town Board has discussed said application and believes the project has merit;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board, in accordance with the Town’s Zoning Law, Chapter 118-40 Approval Process, does hereby refer to the Town Planning Board for their review and recommendation the application of Conifer Realty LLC, for a RPDD Overlay for their proposed development on Woods Highway. The application will be considered complete once the Town receives the \$5,000 fee associated with this project.

(Mr. Handelman of Conifer Realty then gave a check of \$5,000.00 to the Town Clerk Gail Wolanin Young for Processing.)

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	ABSTAINED, due to property

owned that abuts to the proposed developmental land.

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

*[NOTE: Conifer Realty also appeared before the Town Board at the July 17, 2019 meeting.]*

Robert Kessler, 25-27 Glendale Ave – Mr. Kessler approached the Town Board with the possibility of dedicating land to the Town of New Hartford to connect Glendale Ave to the Philip A. Rayhill Memorial Recreational Trail. Highway Superintendent Richard Sherman stated that the Town would have to look into obtaining grant money to pave the proposed connecting trail, as well as any possible stormwater and/or drainage problems. Attorney Herb Cully will be reviewing the subdivision maps as well.

Lucielle Matt, 3 Hubbardton Road- Mrs. Matt thanked the Town Board for the information that was provided to her in her most recent FOIL request. She then questioned the Town Board on the proposed detention pond that is being considered in the area of Foxcroft Road. Mrs. Matt requested clarification on whether it was going to be a detention pond or a retention pond, to which the Town Supervisor stated at this time the engineers had not finalized that information and that they would be deciding the type of pond that would be the most beneficial to the area. Mrs. Matt shared information that she had gathered on the internet regarding retention and detention ponds; she is most concerned that there will be lowered property values, an increase in “breeding ground” for insects, and un-aesthetically pleasing views. Mrs. Matt requests that the Town Board consider the residents when making the final plans on placement, “...consider putting it as further back so that it is not as...I would say “detrimental”.’

Cici Goodell – 14 Hughes Lane – Has been dealing with water runoff from Lloyds Lane since the building of the new houses on Lloyds Lane the problems have been getting worse. Councilman Messa personally believes that there needs to be a pond of some sort to help control the water. Ms. Goodell is concerned because the water is up to her foundation and she has drainage measures in place already. Supervisor Miscione decided that he, along with Highway Superintendent Sherman and Councilman Messa would go look at the property to see if anything could be done.

Carol Youngren, 33 Christopher Circle – Mrs. Youngren once again came before the Town Board to see what is being done regarding the ditches on Higby Road. Highway Superintendent Sherman stated that he would be in contact with Oneida County and hopefully the County would allow the Town of New Hartford to dig out the ditches along Higby Road.

Allison Adams, 9486 Chapman Road – Mrs. Adams requested the opportunity to dedicate a POW/MIA flag, stand and base to the Town of New Hartford to be displayed permanently in the New Hartford Town Hall, at a ceremony to be held on September 20, 2019, National POW/MIA Recognition Day. Mrs. Adams explained that her great-uncle, Waterville native Sgt. Leslie J. Jones who passed away in 1951 is still listed as a Prisoner of War in North Korea.

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

**(RESOLUTION NO. 279 OF 2019)**

**RESOLVED**, that the Town Board of the Town of New Hartford accepts the dedication of a POW/ MIA flag, base and stand in the memory of POW Sgt. Leslie J. Jones, at a ceremony scheduled for September 20, 2019 in recognition of Prisoner of War/Missing in Action Remembrance Day.

The Resolution was voted upon by roll call as follows:

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

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

**National Grid Temporary Electrical Service Connection Agreement**

Town Supervisor Miscione updated the Town Board on the status of the Recreation Center projects. There was corrosion on the electrical breaker which needed replacing and would hold up the project. Supervisor Miscione was able to replace the disconnect/ reconnect, saving the Town money. Therefore, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Lenart:

**(RESOLUTION NO. 280 OF 2019)**

**RESOLVED**, that the Town Board of the Town of New Hartford does hereby authorize the Town Supervisor to enter into and execute a contract with National Grid for a Temporary Electrical Service Connection at the Recreation Center.

The Town Board then voted upon roll call:

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

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

**Training**

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

**(RESOLUTION NO. 281 OF 2019)**

**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 the following Zoning Board of Appeals and Planning Board members to attend the Municipal Planning Board & Zoning Board of Appeals Continuing Education Program on October 2, 2019, sponsored by the Town of Schuyler, with the \$20.00 Registration fee for each attendee to be borne by said Town as budgeted:

- Heather Mowat
- G. Brymer Humphreys
- Elisabetta DeGironimo
- William Morris
- Randy Bogar
- Karen Stanislaus
- Byron Elias
- Frederick Kiehm
- Taras Tesak
- John Montrose
- Lenora Murad

The Town Board then voted upon roll call:

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

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

**2019 Budget Adjustments**

On behalf of Director of Finance Daniel Dreimiller, Supervisor Miscione submitted the following budget adjustments for approval. Councilman Woodland moved the adoption of the following Resolution; seconded by Councilman Lenart:

**(RESOLUTION NO. 282 OF 2019)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting department to make the following 2019 Budget adjustments:

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GENERAL WHOLETOWN

<b>Expense</b>	<b>Current Budget Amount</b>	<b>Proposed Budget Amount</b>	<b>Increase (Decrease)</b>	<b>Explanation</b>
<b>Account Description</b>				
Buildings & Grounds Contractual A1620.40	\$87,174	\$97,674	\$10,500	To cover various unbudgeted costs to Account.
Swim- Personal Services A7230.10	\$5,500	\$0	(\$5,500)	To cover various unbudgeted costs to Account.
Swim- Contractual A7230.40	\$5,000	\$0	(\$5,000)	To cover various unbudgeted costs to Account.
<b>Total Expense Adjustment</b>			<b>\$0</b>	

Revenue

**Total Revenue Adjustment**      **\$0**

The Town Board then voted upon roll call:

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

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

Councilman Lenart moved the adoption of the following Resolution; seconded by Councilman Woodland:

**(RESOLUTION NO. 283 OF 2019)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting department to make the following 2019 Budget adjustments:

GENERAL WHOLETOWN

<b>Expense</b>	<b>Current Budget Amount</b>	<b>Proposed Budget Amount</b>	<b>Increase (Decrease)</b>	<b>Explanation</b>
<b>Account Description</b>				
Contractual- Library Audit A1320.40	\$0	\$3,060	\$3,060	To cover various unbudgeted costs to Account.
Library – Contractual A7410.40	\$2000,000	\$296,940	(\$3,060)	To cover various unbudgeted costs to

Account.

Total Expense Adjustment	\$0
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**Revenue**

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Total Revenue Adjustment	\$0
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The Town Board then voted upon roll call:

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

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

**Approval of replacement Sally Port doors for Police Department**

Chief of Police Michael Inserra received the following quotes to replace the sally port doors for the Police Department, which were not replaced while the building was under construction:

- Putrelo Building Enterprises - 5,530.00
- J. M Door - \$5,600.00

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

**(RESOLUTION NO. 284 OF 2019)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low quote submitted by Putrelo Building Enterprises for replacement of the glass sally port doors on the Police Department for ones that are more secure at a total cost of \$5,530.00. The Town Board does also hereby authorize the Chief of Police to execute any required agreement/contract including letter of intent related thereto.

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

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

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



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

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

**(RESOLUTION NO. 285 OF 2019)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus a 2018 Ford Electric Car VIN #1FADP3R45JL225962 and be it

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

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

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

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

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

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

**(RESOLUTION NO. 286 OF 2019)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby declare as surplus a 2001 Chevrolet Silverado Pickup Truck, VIN #1GCEC14W81Z256787 and be it

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

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

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

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

**Bid Results – Concord Boulevard Sewer Pump Station**

Councilman Woodland then offered the following Resolution for adoption; seconded by Councilman Lenart:

**(RESOLUTION NO. 287 OF 2019)**

**RESOLVED**, that the New Hartford Town Board does hereby accept the low bid submitted by HR Bebee Construction, 6153 Trenton Road, Utica NY 13502, on September 3, 2019 for the Concord Boulevard Sewer Pump station renovation with a total sum of \$146,530.00. The Town Board does also hereby authorize the Town Supervisor to execute any required agreement/contract including letter of intent related thereto.

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

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

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

**Sewer, Water & Stormwater Easement Agreement – Pearce Property**

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

**(RESOLUTION NO. 288 OF 2019)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Supervisor to enter into and execute a Sewer, Water and Stormwater Easement Agreement with the Pearce Family Land Trust (Tax Map Number 339.000-1-29) to allow the Town of New Hartford access onto their land for stormwater purposes.

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

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

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

**Appointment – Court Attendant**

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

**(RESOLUTION NO. 289 OF 2019)**

**RESOLVED**, that the New Hartford Town Board does hereby appoint Nicholas Spina as a Part – Time Court Attendant in the New Hartford Town Court at the hourly rate of Thirty-Four Dollars and One Cent (\$34.01), payable bi-weekly, said appointments to commence September 09, 2019.

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

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

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

**Mitigation Fees – 2 Ellinwood Drive Stair/ Exit**

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

**(RESOLUTION NO. 290 OF 2019)**

**BE IT RESOLVED**, that the Town Board of the Town of New Hartford hereby approves the calculated Mitigation Fees (FILM) for the addition of an enclosed back stairway at 2 Ellinwood Drive:

Highway – Commercial	= \$126.00
Residential	= \$0
Per Peak Hr Trip	= \$149.00
Land Use	
Impervious Area	= \$126
Domestic Water	
	= \$0
Sanitary Sewer	
	= \$0
Stormwater and Wetland Management	
Commercial	= \$590.40

	Residential	= \$0
	Other/ Impervious Area	= \$136.80
Police	Per Sq Ft Bldg.	= \$3.60

TOTAL : \$1,131.80

The Resolution was voted upon by roll call as follows:

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

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

**Reject Bids – Town Hall Roof Replacement**

Upon recommendation of the Town Attorney, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Lenart:

**(RESOLUTION NO. 291 OF 2019)**

**RESOLVED**, that the Town Board of the Town of New Hartford does hereby reject any and all bids received for the replacement of the Town Office Buildings roof, due to no prior Town Board authorization.

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

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

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

**Authorization to Bid – Town Hall Roof Replacement**

Upon recommendation of the Town Supervisor, Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Lenart:

**(RESOLUTION NO. 292 OF 2019)**

**RESOLVED**, the Town Board does hereby authorize the bidding process to obtain quotes for a replacement roof at the Town Office Building, 8635 Clinton Street, New Hartford at the earliest possible date.

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

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

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

**Approval of Insurance Limits – Tokio Marine**

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

**(RESOLUTION NO. 293 OF 2019)**

**RESOLVED**, the Town Board does hereby approve the final Insurance Limits for the Town Office Building at 8635 Clinton Street, New Hartford as follows:

- Building limit – \$17,680,000.00
- Contents limit - \$832,000.00

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

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

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

**Continuing Parks Improvements**

Supervisor Miscione discussed with the Town Board the finished upgrades to the Town Parks; finished pavilions, concession stand for football. The Supervisor questioned the Board on their interest on rebuilding the gazebo and bridge that are currently in Sherillbrook Park that are deteriorated and unsafe. Supervisor Miscione also brought up adding features to the Recreation Center, either an outdoor skating rink, or the possibility of receiving a grant for outdoor fitness equipment, or if the Board would like there is room to do both options.

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**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and seconded by Councilman Messa, the meeting was adjourned at 7:26 P.M.

Respectfully submitted,

*Gail Wolanin Young*  
Town Clerk

By:

*Allison Stedman Adams*  
Deputy Town Clerk II