

**BOARD MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT TOWN HALL, 8635 CLINTON STREET, NEW HARTFORD, NY ON
WEDNESDAY, APRIL 17, 2024 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 John Latini
Councilman David M. Reynolds
Councilman David Tehan
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Deputy Town Supervisor, Anthony J. Trevisani
Town Attorney, Herbert Cully
Town Clerk, Cheryl A. Jassak-Huther
Highway Superintendent, Richard Sherman

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

Supervisor Miscione asked for a Moment of Silence for Onondaga Sheriff Lt. Michael Hoosock and Syracuse Police Officer Michael Jensen who recently died in the line of duty on 4/14/2024. We at the Town of New Hartford send our condolences to the departments and their families.

I. BOARD MEETING MINUTES

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

(RESOLUTION NO. 140 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the Town Board Meeting Minutes from the March 6, 2024 meeting.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

II. PUBIC HEARINGS

- a. **AR Building Company** – Austin Goodwin – represented AR Building was present, asking for the Town of New Hartford to declare themselves as Lead Agency; Town

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Attorney Herbert Cully asked if the entrances were changed to one and Mr. Goodwin responded that there were still two entrances.

The following Resolution was then introduced for adoption by Councilman Messa and duly seconded by Councilman Latini:

(RESOLUTION NO. 141 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to open the Public Hearing for the AR Building Project Discussion (asking for Lead Agency).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

Heather Mowat – Planning Board Chairperson – met with engineer John Dunkle, was under the understanding that there was only going to be one entrance on MiddleSettlement Road, DOT and/or County, more so the County, was looking for the entrance to be on the other side, asked Mr. Goodwin if was aware of that; **Mr. Goodwin** responded that Dory Shaw gave them the letter, Mr. Goodwin said that letter was a comment from the County with a multitude of other comments that were relativity boiler plate comments - their main concern was that they want to see that the entrances have proper site distance and adequate space between them and any adjacent driveways, they will respond back to the County’s letter with what they want to see; they had a request that the connect be up to Woods Park Drive, however there is private land between the property Mr. Goodwin talking about and that road is not a direct connection to a public right away and do not have access to that land, can very well ask, but it is now Lowes, highly unlikely they will respond; the two entrances would be for fire truck access in case of accidents and would be further discussion in Planning Board Development Review, tonight simply asking for the Town of New Hartford declare themselves as Lead Agency; Town Attorney Herbert Cully spoke – thinks it should be tabled until receive additional information as it relates to the requirement to two or one driveway, thinks it would be premature to go forward with it based on the current plan and later find out its going to be one driveway and may result results in additional concerns and comments – until see final plans. Only person that saw the letter from County was Dory not the Planning Board or the Town Board; Councilman Reynolds – was concerned about parking; handicap apartments/parking, pushing snow; Town Attorney Herbert Cully asked the Board to table it was 30 days, reschedule/continue public hearing at the May 8, 2024 Town Board Meeting; in the meantime, the Town Board/Attorney would like to see a response to the County’s letter

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Messa:

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(RESOLUTION NO. 142 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to adjourn the Public Hearing for AR Building Company and table it until the May 7, 2024 Town Board Meeting.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

- b. **LOCAL LAW 1** – create Chapter 94A of the Code of the Town of New Hartford to be entitled “Registration of Foreclosure of Mortgages and Vacant Properties”

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

(RESOLUTION NO. 143 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to open the Public Hearing Local Law 1 of 2024.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

This Local Law would create a registry for foreclosed properties and require mortgages to register properties upon which they are foreclosing and to pay a fee and cause regular inspections and maintenance of said properties as set forth in said Local Law which is available to view at the Town Clerk’s Office or on the Town of New Hartford webpage.

The following Resolution was then introduced for adoption by Councilman Messa and duly seconded by Councilman Latini:

(RESOLUTION NO. 144 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to close the Public Hearing Local Law 1 of 2024.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

The following Resolution was then introduced for adoption by Councilman Tehan and duly seconded by Councilman Messa:

(RESOLUTION NO. 145 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to pass Local Law 1 of 2024.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

III. PUBLIC COMMENTS

- a. **James Davall and David Taylor** – from the Ride for Missing Children, discuss a sign dedication in Memory of Dick Jordan, Woods Highway near PAR technology, Dick was one of the founders of the Ride for Missing Children, Woods Highway was part of the training ride, Dick was always there and make sure all the riders would get back safely to PAR

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

(RESOLUTION NO. 146 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for a sign to be dedicated in Memory of Dick Jordan. Location to be discussed with the Highway Superintendent, Town Supervisor and the Ride for Missing Children committee as well as Mr., Jordan's family.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye

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Supervisor Miscione - Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

IV. REPORTS OF TOWN DEPARTMENTS

a. TOWN CLERK

1. Association of Town Membership Fee

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

(RESOLUTION NO. 147 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Donna Owen's Association of Towns Annual Membership fee of \$85.00.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

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

(RESOLUTION NO. 148 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Theresa Messa's Association of Towns Annual Membership fee of \$85.00.

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

Councilman Messa	-	Abstain
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

2. RAFFLE CONSENT

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

(RESOLUTION NO. 149 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Mohawk Valley Health Systems to sell and/or raffle drawing in the Town of New Hartford.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

3. HARDSHIP REQUEST FOR RAFFLE

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

(RESOLUTION NO. 150 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve/grant the UFCW District Union Local 1 Charity Golf Classic hardship to conduct their drawing on Monday, July 29, 2024 at the Yahnundasis at 8639 Seneca Turnpike.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

b. PERSONNEL

1. Prior Employment Removals

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

(RESOLUTION NO. 151 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to pass a resolution (the County stated the Town just needed to pass a resolution to remove an employee from the Towns list, resolution stating “The Town Board of the Town of New Hartford acknowledges the separation of employment for the following employees” and it can be as referenced in the list provided.

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

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Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

2. ACH PAYMENTS

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Messa:

(RESOLUTION NO. 152 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Trust and Agency Account (ending in 4694) for NYS Deferred Compensation Plan via ACH.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

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

(RESOLUTION NO. 153 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Colonial Life Insurance – Trust and Agency Account (ending in 4694) via ACH.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

c. POLICE DEPARTMENT – CHIEF FONTAINE

1. Tow Rotation – suggested tow rotation by alphabetical order – after further discussion, will discuss at a later meeting; Chief and Councilman Messa will meet with Gary Edwards.
2. Express and Support our police officers here at the Town of New Hartford, the recent passing of the police officers affected so many – our Board has been a great support to our department

V. MATTERS SUBMITTED BY COUNCILMEN

a. Councilman Reynolds

1. Fire Inspection Report for March 2024 – Nine (9) completed, total amount collected \$3,052.00; YTD total – 25 completed, total collected to date \$5,399.75
2. Entering data is still being brought in the Clerk’s Office via paper; not sit on the desks
3. I-pads – Mike and Steve just started using them; we have a backlog that we need to have entered into the I-pads
4. New stop signs look great – some of them, the paint is coming off the back – Rick is aware of them, bad batch and new ones being sent

b. Councilman Messa

1. **Roman and Hughes – Stormwater Project Update** – started at the bottom of Roman and Oxford, cleaning ditches, cutting part of road to put a new ditch in, and then will start with ponds; timeline – a week or so
2. **Mallory Road and Oneida Street** – Stormwater Project Update – met today with John Dunkle, Highway Superintendent and the two owners, walked to property and got two locations that will hold a lot of water; Sessions Road property will give a section for a 3rd detention pond
3. **Hand Place -Roberts Clean Out** – working on it

VI. REPORTS OF TOWN DEPARTMENTS

a. PERSONNEL

1. SEASONAL SALARARIES

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

(RESOLUTION NO. 154 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the Laborers for the Parks Department at \$17.80/per hour, seasonal, no benefits (up to 11 kids).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye

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Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

The following Resolution was then introduced for adoption by Councilman Messa and duly seconded by Councilman Latini:

(RESOLUTION NO. 155 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the Counselors for the Summer Program at \$17.80/per hour (3 attendants).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

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

(RESOLUTION NO. 156 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the Splash Pad workers for the Summer Program at \$18.00/per hour.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

2. PARKS DEPARTMENT EMPLOYEES

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

(RESOLUTION NO. 157 OF 2024)

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RESOLVED, that the New Hartford Town Board does hereby approve Anthony Messa, after time, his rate goes up to \$18.90/hour, per Union Contract, full-time

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

Councilman Messa	-	Abstain
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

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

(RESOLUTION NO. 158 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Michael Fiorentino, after time, his rate goes up to \$18.90/hour, per Union Contract, part-time.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

VII. MATTERS SUBMITTED BY COUNCILMEN

a. Councilman Latini

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

(RESOLUTION NO. 159 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Dominic Timpano to the Zoning Board Position, effective June 9, 2024 until June 9, 2029.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Abstain
Supervisor Miscione	-	Aye

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The Resolutions were carried 4-1 and duly *ADOPTED*.

Councilman Tehan – Abstained for the reason that he feels the procedure was not followed that was set at prior meeting.

- b. **SOLICITATION** – It was verified that anyone going door to door must have an application/permit from the Town Clerk’s Office called a Peddlers Permit. There is a fee and if they do not fill out the application and we receive complaints and Chief addresses the issue (Local Law in the books).

VIII. MATTERS SUBMITTED BY TOWN SUPERVISOR

- a. **Town and County Taxes for 2024** – all wrapped up for the year, collected over \$17 million – everything closed out perfectly
- b. **General Security Commercial Service Agreement**

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

(RESOLUTION NO. 160 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the General Security Commercial Service Agreement (4 Mills Street - \$521.40).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

- c. **General Security Commercial Service Agreement**

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Messa:

(RESOLUTION NO. 161 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the General Security Commercial Service Agreement (4191 State Rt. 12 - \$450.12).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye

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Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

d. General Security Commercial Service Agreement

The following Resolution was then introduced for adoption by Councilman Messa and duly seconded by Councilman Tehan:

(RESOLUTION NO. 162 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the General Security Commercial Service Agreement (9400 Elm Street - \$217.80).

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

e. NYS Dept. of Transportation – Use and Occupancy #21928, former railroad corridor from New Hartford Street to and along Westerly Boundary of Oneida East Residency

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

(RESOLUTION NO. 163 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the new permit for temporary use of state property – Town of New Hartford – Rayhill Trail, permit #21928.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

f. TRAVLERS INSURANCE

1. Recreational Activities

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

(RESOLUTION NO. 164 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the Recreational Activities application from Travelers Insurance.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

2. Law Enforcement Activities

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

(RESOLUTION NO. 165 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve Supervisor Miscione to sign the Law Enforcement Supplemental application from Travelers Insurance.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED** (pending review from Chief Fontaine).

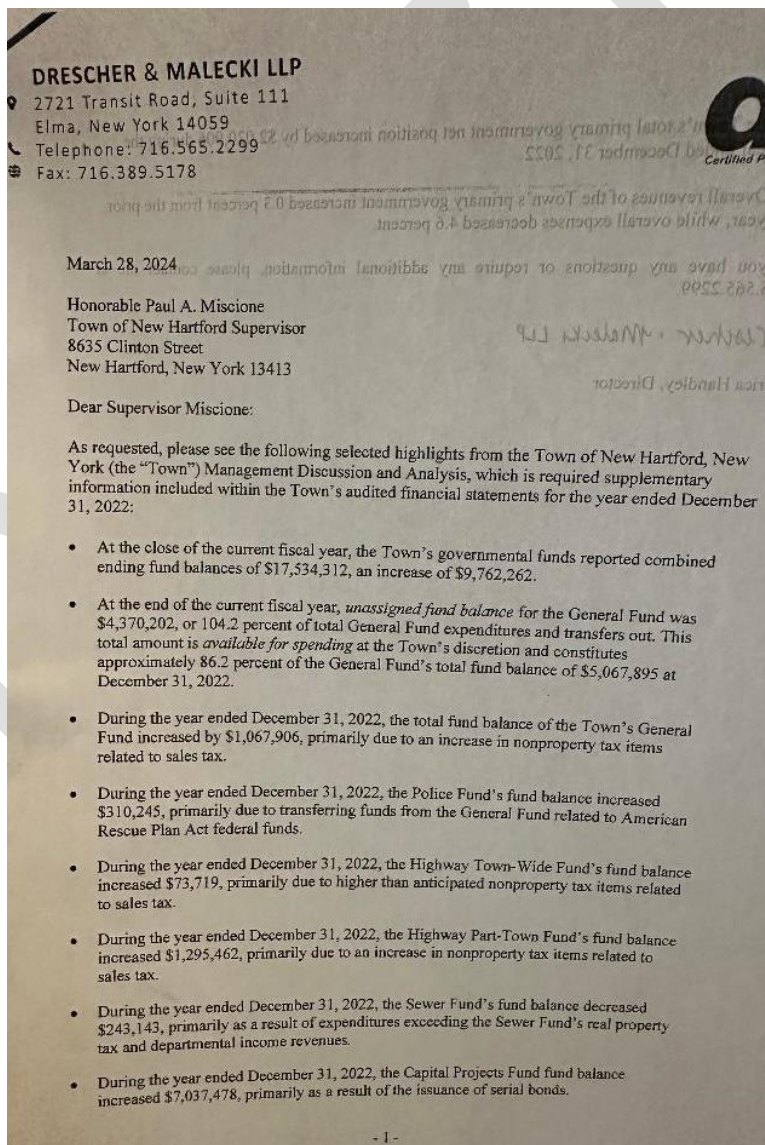
3. Final Completion of bank account reconfiguration – the Town of New Hartford is moving accounts all over to Adirondack Bank
4. The Town is in good overall position after the 2022 Audit

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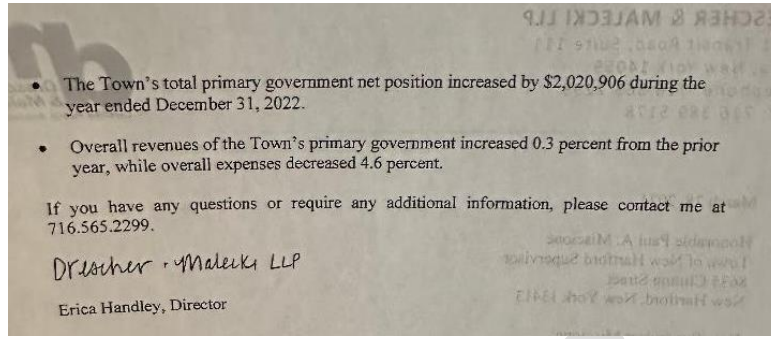
5. Internal Accounting issues that were noted in the 2022 audit – new plans in 2024 with new ways to do things and Town Supervisor has already met with Deena to start this process.
6. 1st and 4th Ward Stormwater Projects for 2024 – spoke with a few people about grants – Kirkland Solar Project – spoke with developer of project – if there is a possibility they can do a stormwater project in that district; Kirkland has an upcoming Board Meeting that Supervisor Miscione will be attending on Monday; Supervisor Miscione asked Heather Mowat and Councilman Tehan to meet with owner Jim Brock; hire John Dunkle to review – have asked but have not received anything (data); ask Jim Brock to pay for John Dunkel’s fees (and he did mention that he would)
7. Drescher and Malecki LLP Audit Report



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1. **Councilman Tehan** stated there were five (5) material weaknesses cited in the audit; reviewed them and Supervisor Miscione – been in there for three (3) administrations – spoke back in 2020 – look into a firm that does it – will look over everything and give comprehensive plan for a cost of approx. \$50,000/\$60,000; not justifiable to spend the money but if the Board would like to go in this direction, then will have to spend the money for the study but no one on the Board agreed to it; the auditors will come (they are out of Buffalo) but there is a cost for them to come to the Town Board Meeting. **Councilman Reynolds** - bring auditors in and everyone can ask questions – if everyone (the Board Members sign the letter) signs the letter, they will come, Supervisor needs approval – a motion was not passed for them to come and be paid; **Supervisor Miscione** – have a 3rd party come in (real municipal accounting firm), reports directly to the Board, there is no one at the Town full-time to watch them daily – have them come in quarterly, bi-monthly, that the Town is on the right track, numbers all come together (journal entries, trial balances), not someone that Supervisor Miscione has to oversee and manage – asked Councilman Tehan if could help find a Firm; **Councilman Reynolds** – asked Supervisor Miscione if will contact the auditors to come in, he responded yes, once a resolution is passed to pay them to come (it's a nine (9) page letter – asked Town Attorney Herbert Cully to review it first – will discuss on May 8th
2. **Councilman Tehan** – Resolution 210 of 2023 – hire a Comptroller; saw a challenge in one person; resolution is outstanding, better to maintain activity and proper oversight – will bring up at the next meeting

IX. MATTERS SUBMITTED BY TOWN ATTORNEY HERBERT CULLY

- a. **Red Flag** – thanked Chief
- b. **17 Barlow Mow Run – Purchase 100 x 100 (Lot 49)** – resident would like to purchase, Town owns the land, Town Highway Superintendent will take a look at it before going further; Councilman Messa – spoke and said if we grant this then others will also come forward

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- c. **Matthew Schafer Appeal (FOIL 3/18/2024)** – requested camera footage from officer Breliniski, Sgt. Emerson and Officer Galjasevic – 7:35pm – 8:05pm on 11/22/2023 and Fanco gas station corner of Tibbits and Kellogg Road – Chief Fontaine spoke and Mr. Schafer was just driving by, not involved in the incident, letter was sent to Mr. Schafer as to the reason of the denial; **APPEAL DENIED**

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

(RESOLUTION NO. 166 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to sustain the denial given by Chief Fontain on Mr. Schafers Appeal.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly **ADOPTED**.

- d. At the Zoning Board of Appeals meeting, they had a request for an interpretation of our Code as it relates to Battery Energy Storage Facilities; Mr. Adler was proposing to allow a facility next to the National Grid Power Station in the Business Park – they did not get a favorable determination, there was an inquiry whether or not the Town Board would go forward and enact a Battery Energy Storage Law in the Town; provided a draft of one last year; asked the Board and will not move forward at this time – have a 3rd party look at the plan; wait for the State to give the Town a final version from NYSERDA

X. MATTERS SUBMITTED BY TOWN SUPERVISOR

a. VOUCHERS

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RECORD OF CLAIMS #1

24-00191-24-00192	
A	
B	
BP	\$87,032.00
DB	
SF	
SL	
SS	
TA	
HMA	
HTA	
TOTAL	\$87,032.00

RECORD OF CLAIMS #2

24-00205-24-00207	
A	\$263.52
B	
BP	\$141.08
DB	
F	
SL	
SF	
SS	
TA	
HMA	
HTA	
TOTAL	\$404.60

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RECORD OF CLAIMS #3

24-00319-24-00325

A	\$17,510.75
B	
BP	
DB	
SL	\$622.76
SS	\$2,078.70
TA	
X-HMA	
X-HTA	
TOTAL	\$20,212.21

RECORD OF CLAIMS #4

24-00329-24-00339

A	\$8,573.88
B	\$996.90
BP	\$5,556.95
DA	
DB	\$35,228.39
SF	
SL	
SS	\$2,226.82
TA	\$7,232.94
HMA	
HTA	
TOTAL	\$59,815.88

RECORD OF CLAIMS #5

24-00344-24-00347, 24-00356-24-00362

A	\$15,479.61
B	\$4,024.36
BP	-\$490.67
DA	
DB	\$255.39
SF	\$1,426,202.91
SS	\$7.35
TA	\$2,122.44
HMA	\$173.99
HTA	
TOTAL	\$1,447,775.38

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RECORD OF CLAIMS #6

24-00369-24-00386

A	\$32,055.24
B	\$4,508.36
BP	\$72,928.41
DA	
DB	\$72.06
SF	
SL	\$559.16
SS	\$722.23
TA	\$16,205.25
HMA	
HTA	
TOTAL	\$127,050.71

RECORD OF CLAIMS #7

24-00387-24-00389

A	
B	\$51,207.11
BP	
DB	\$4,501.20
SF	\$139,538.81
SL	
SS	\$105,101.04
TA	
HMA	
HTA	
TOTAL	\$300,348.16

GRAND TOTAL \$2,458,303.58

RECORD OF CLAIMS #8

23-02324, 24-00390-24-00410

A	\$30,693.37
B	\$12.30
BP	\$75,696.87
DB	\$38,075.21
SF	
SL	\$3,840.18
SS	\$3,919.30
TA	\$18,225.36
HMA	
HTA	
TOTAL	\$170,462.59

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RECORD OF CLAIMS #9	
R2301519, R2400204-R2400357	
A	
B	
BP	
DB	
SF	
SL	
SS	
TA	
HMA	
HTA	
TOTAL	\$255,402.15
GRAND TOTAL	\$2,468,503.68

Discussion – Councilman Reynolds – Northland Bill – Fax machine in the Senior Center, Donovan Community Center, and Long-Distance Charge in Sign Shop – no longer in use – Barb will call Northland and look into this and Supervisor Miscione asked for a quote from Northland to revamp the system.

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

(RESOLUTION NO. 167 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to sustain the denial given by Chief Fontain on Mr. Schafers Appeal.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Abstain
Supervisor Miscione	-	Aye

The Resolutions were carried 4 to 1 and duly **ADOPTED**.

Councilman Messa abstained to the Cathedral Corporation one ONLY.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Latini and seconded Councilman Messa, the meeting was adjourned at 9:38 P.M.

(RESOLUTION NO. 168 OF 2024)

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

Respectfully submitted,

Cheryl Jassak-Huther

Town Clerk

4/24/2024

DRAFT