

**REGULAR TOWN 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, OCTOBER 16, 2024, 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 John Latini
Councilman David M. Reynolds
Councilman David Tehan
Councilman James J. Messa
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS PRESENT:

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

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

I. BOARD MEETING MINUTES

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

(RESOLUTION NO. 343 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the September 25, 2024 Town Board Meeting Minutes.

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 Reynolds and duly seconded by Councilman Latini:

(RESOLUTION NO. 344 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the October 2, 2024 Town Board Meeting Minutes.

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***.

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

(RESOLUTION NO. 345 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the October 2, 2024 Town Board Meeting Minutes.

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

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

Resolutions PASSED with three affirmative votes and duly ***ADOPTED***.

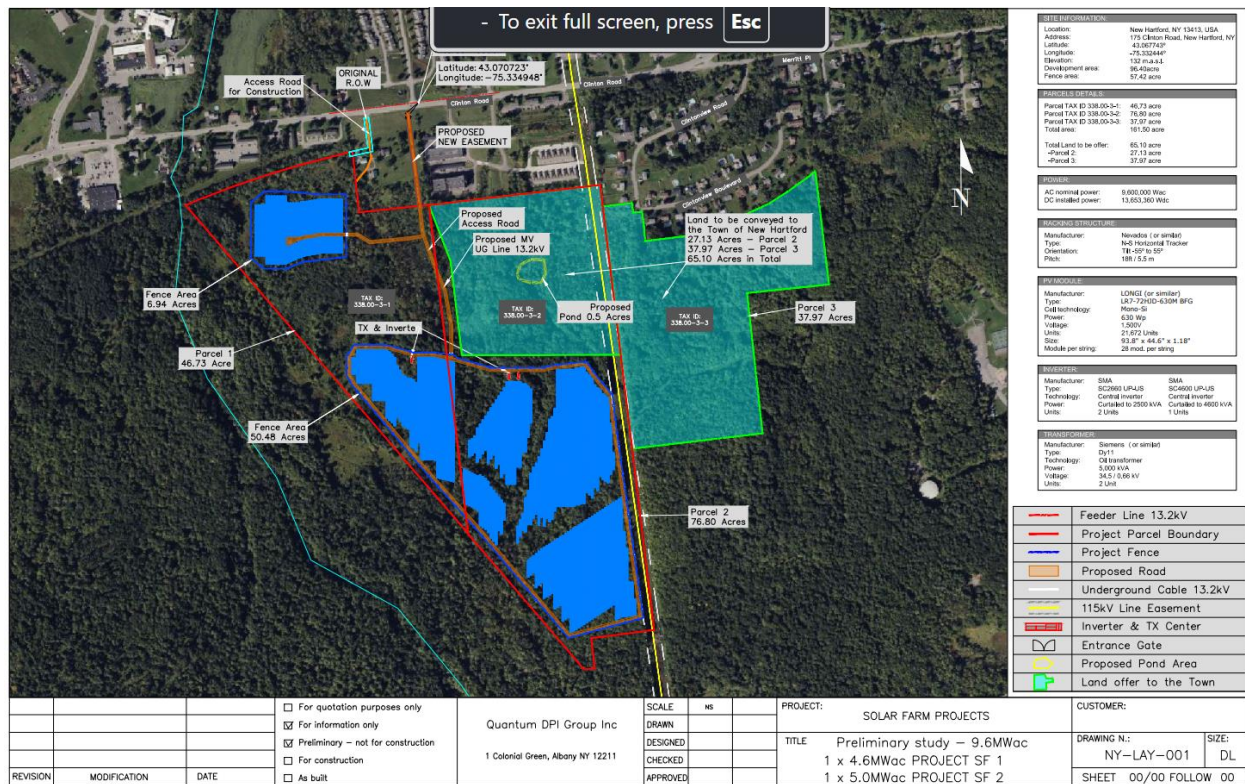
II. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE

- a. **Solar Farm Project – SherrillBrook Park** – extend trail system – Town Board requested more information – informational session – Supervisor Miscione will set up

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

(RESOLUTION NO. 346 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to refer this project (Quantum Group) to the Planning Board (informational session prior to the Planning Board Meeting/Public Hearing-to the Town Board/Residents) to compile the data to come back to the Town Board for final approval.

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

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

Resolutions PASSED with three affirmative votes and duly **ADOPTED**.

III. PUBIC COMMENTS

a. **Anne DuRoss – New Hartford Public Library** – updated the Town Board on the services and what the Town of New Hartford’s support has allowed the Library to do from the 2023 Annual Report:

- The library circulated 100,006 physical materials, the second most out of the 43 libraries in the Mid-York Library System; The library hosted 409 programs for people of all ages and provided

meeting space for over 600 meetings of community organizations. It circulated 22,224 e-resources and increased its circulation by almost 10% from 2022; The library has secured grants to update its lighting and technology in its community rooms, install electric vehicle chargers, launch a kids' gardening program, purchase outdoor recreational equipment, and to update all of its patron and staff computers; the library does far more than provide books: it serves the community, builds partnerships and removes barriers. It serves as a community center, hosting meetings, workshops and events. It works with the New Hartford Central School District, Connected Community Schools, the Q Center, Literacy CNY, and more; The library removes educational, technological, economic and health barriers by providing free Wi-Fi and computers, study space and educational materials, teaching digital literacy skills, giving access to mental health resources, hosting wellness workshops, and much more.

- b. **Richard Tomaino and Anothony Mitchell** – Fire Inspections - business owners/building owners – voiced concern over the new Laws for the fire inspection fees; the Town Board/Town Attorney will look into the new fees and address the concerns; Councilman Messa – we need to do better into conveying Public Hearings so businesses/owners are more informed of upcoming meetings.

IV. **REPORTS OF TOWN DEPARTMENTS**

a. **Police Department – Chief Ronald Fontaine**

1. **NYS Governors Traffic Safety Grant**

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

(RESOLUTION NO. 347 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the New York State Governors Traffic Safety Grant.

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. **NYS Traffic Safety Study** – speed, traffic situations on Valley View Road – did a study of a targeted area – 2019-2023 – crashes occurred on Tuesday and Wednesday from 6am – 9am – animal action (car/deer) – Police will dedicate enforcement there; can't really reduce the speed
- 3. **Police Communications** – Law Enforcement Coalition, members of the 911 Center – portable radios coming along/replacements
- 4. **MDT Fleet update completed**
- 5. **Mr. Matthew Schafer – FOIL Appeal from 09/28/2024 Email**

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

(RESOLUTION NO. 348 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to support Chief Ronald Fontaine decision of the 2nd denial of a FOIL request originally dated 9/20/2024 from Mr. Matthew Schafer.

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. Highway Superintendent Richard Sherman

1. **Records Building** – animals living in there, full of mold, records still in there – call Association of Towns to see what can do with the OLD records and not readable, unretrievable; MOLD test to be done; Chief will work on the raccoon with Animal Control; Supervisor Miscione will set up a meeting with Judy for animals.

V. MATTERS SUBMITTED BY COUNCILMAN

- a. **Councilman Reynolds** – Town Clerk's Office has retrieved \$7,241.78 for 20 fire inspections dating October 1 – 16th; inspections are now back in the Codes Department
- b. **Councilman Messa – Codes Supervisor Position** – posting about position with County – college degree; Supervisor Miscione wants it to be someone with education in the TRADE, not just college degree, been in the building profession and experience, state in the job description, 3-5 years supervisor experience to run a department; salary \$85,000; general supervision to the Town Board; Barb said the County has had no comment on the changes; Councilman Tehan – not only supervises but also performs (working supervisor); not to hire – to create the position with the County

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

(RESOLUTION NO. 349 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to create the position of Codes Supervisor with Oneida County for the Town of New Hartford conditioned on changes to the job specifications related to the 3-5 years supervisory experience and working supervisor requirement..

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***.

- c. **Councilman Tehan** – Bonadio new Engagement Letter; still requesting documents; new fees (new estimate); entries still need to be made
- d. **Councilman Latini** – spoke about vouchers/bills that need to be paid (they were approved at the last meeting (3 three votes) but no resolution was passed); had to schedule a special meeting to approve/resolution for the vouchers; Supervisor Miscione – we take services from people and they have to be paid – we look at the bills and refuse to pay them – embarrassment to the Town when someone doesn't feel it's right to pay the bills (normal bills that Departments Heads submit and approve as well as the Town Supervisor) – need to pay when the Board Meeting happens; Councilmen have asked for them in the past – they have been provided prior to the meetings for approval; need to update the language for the Records of Claim form with proper wording; Councilman Tehan – would like to recommend language; Supervisor Miscione – you are reviewing the bills, that the Department Heads approved, that was approved in the Supervisors Report, that the bills are approved to make payment (not as an auditor) – that the voucher is legitimate in every way – if you vote against paying the bills it shows bad perception, that there are issues or something that is not right; Councilman Tehan – review expenses as they pertain to daily expenses; Councilman Messa – department heads put in vouchers, if there are no funds I in the account, they will get kicked out – Supervisor Miscione – Correct, they can't go any further (only thing that is not in there are Capital Bonds – kept track by the Town Supervisor).

VI. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE

a. Zamboni Agreement

This Lease Agreement ("Agreement") is made and entered into on October 1, 2024, by and between **Town of New Hartford** ("Lessor") and **Mastrovito Hyundai** ("Lessee").

1. Lease of Zamboni advertising: **Town of New Hartford** agrees to lease Zamboni area space (the "Equipment") to **Mastrovito Hyundai** for a term of five (5) years, beginning on October 1, 2024 and ending on December 31, 2029.
2. Payment: **Mastrovito Hyundai** agrees to pay the **Town of New Hartford** \$5,000 annually for the duration of this Agreement, payable in advance on the first day of each lease year.
3. Artwork and Installation: **Mastrovito Hyundai** is responsible for all costs related to the design, production, and installation of artwork on the Equipment, including all materials required.
4. Maintenance and Use: **Mastrovito Hyundai** shall maintain artwork in good condition and use it only for its intended purpose.
5. Termination: This Agreement may be terminated by either party upon 90 days written notice if either party fails to comply with the terms herein.
6. Governing Law: This Agreement shall be governed by the laws of the State of New York

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

Town of New Hartford (Lessor)

Signature

Mastrovito Hyundai (Lessee)

Signature

Date: _____

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

(RESOLUTION NO. 350 OF 2024)

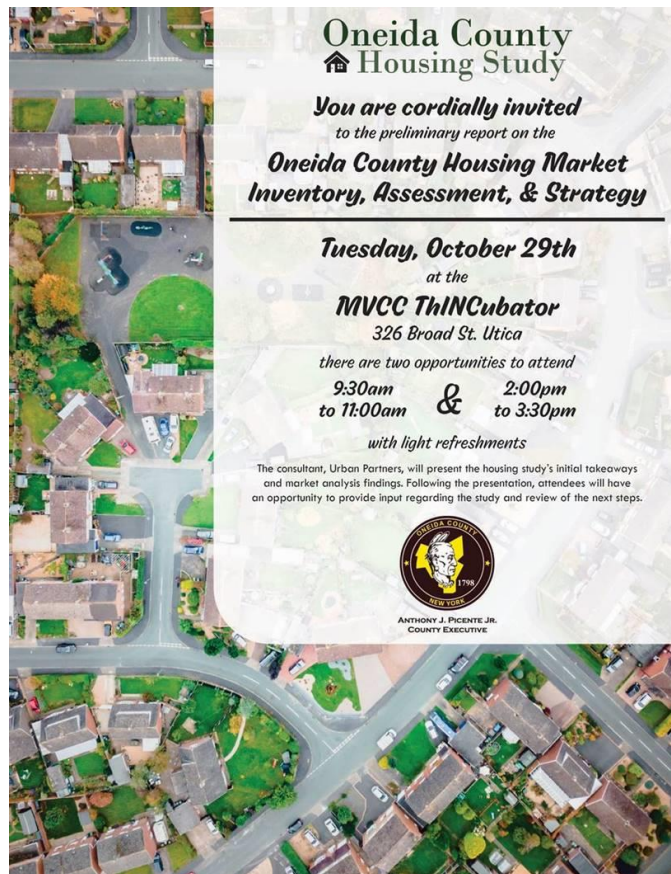
RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Zamboni Agreement with Mastrovito Hyundai (Frank Mastrovito).

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. Oneida County Housing Market Inventory, Assessment and Strategy Class



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

(RESOLUTION NO. 351 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Darlene Abbatecola to attend the Oneida County Housing Market Inventory, Assessment and Strategy Class at MVCC.

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 Messa and duly seconded by Councilman Latini:

(RESOLUTION NO. 352 OF 2024)

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RESOLVED, that the New Hartford Town Board does hereby approve for Teresa Webb to attend the Oneida County Housing Market Inventory, Assessment and Strategy Class at MVCC.

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 TOWN ATTORNEY HERBERT CULLY

a. Fogel and Brown Attorney Letter

FOGEL & BROWN, P.C. ATTORNEYS AND COUNSELORS AT LAW

WWW.FOGELBROWN.COM Michael A. Fogel, Esq. 120 Madison Street, Suite 1620 Syracuse, New York 13202 mfogel@fogelbrown.com Tel: 315-399-4343 October 15, 2024 Supervisor Paul A. Miscione Town of New Hartford Town Board 8635 Clinton Street New Hartford, New York 13413 RE: Solar Liberty Energy Systems, Inc. 9444 Roberts Road, Saquoit, New York Special Use Permit Application Dear Supervisor Miscione and Town Board Members This office represents Solar Liberty Energy Systems, Inc. ("Solar Liberty"). On or about May 17, 2024, Solar Liberty submitted a complete special use permit application, including a \$5,000 check for the application fee, for a solar array to be installed at 9444 Roberts Road, Saquoit, New York (the "SUP Application"). The proposed solar array meets the definition of a "ground-mounted, freestanding energy system" which is a permissible use in the Residential Agricultural Zoning District by Special Use Permit issued by the Town Planning Board. See Zoning Law, Schedule A, Table of Uses, Chapter 118 Attachment 3:3; Zoning Law § 118-74(D)(2). The SUP Application was accepted by the Town and the \$5,000 check was cashed by the Town on May 24, 2024. At the Town Board meeting held on June 5, 2024, Mr. William Appenheimer from Solar Liberty gave a presentation on the SUP Application. At that time, the Town Board stated it would table the SUP Application before deciding whether to refer the application to the Planning Board. Over the next several months, Mr. Appenheimer requested an update on the SUP Application's referral to the Planning Board with no substantive response. Finally, Town Councilor James Messa, by email dated September 9, 2024, stated that the Town Board was not interested in moving the SUP Application forward. There was no explanation or rationale provided by Town Councilor Messa for the refusal to process the SUP Application. The Town Board's refusal to refer the SUP Application to the Planning Board is contrary to the Zoning Law. Our position is that the Zoning Law requires the SUP Application to be referred to the Planning Board for review and consideration. Solar Liberty can address any concerns or issues regarding the SUP Application at that time. The Town Board cannot simply decide that it will not allow the SUP Application to proceed and refuse to refer the application to the Planning Board. This is not only contrary to the Zoning Law but threatens Solar Liberty's investment in the project which to-date exceeds \$300,000. As such, we request that the Town Board, at its next meeting on October 16, 2024, refer the SUP Application to the Planning Board for further action. Thank you for your attention to this matter and

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we look forward to further discussions regarding the SUP Application. Very truly yours, FOGEL & BROWN, P.C. By: Michael A. Fogel, Esq. cc: Solar Liberty Energy Systems, Inc.

Town Attorney Herbert Cully – Town Board did follow the proper procedure; Town Herbert Cully will do a response letter to him

VIII. EXECUTIVE SESSION – Personnel Matter – Highway Department

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

(RESOLUTION NO. 353 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to enter into Executive Session (8:15pm).

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 Reynolds and duly seconded by Councilman Tehan:

(RESOLUTION NO. 354 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to come out of Executive Session (8:44pm).

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***.

VIV. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE

- a. Fire Inspection** – Brando Chiropractic – Double paid their fire inspection; reimburse \$300.000

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

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(RESOLUTION NO. 355 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for the Town of New Hartford to reimburse Brando Chiropractic for \$300.00 for double paying for a fire inspection (through the Town's account).

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. **2025 Tentative Budget** – was handed out at the October 2, 2024 to the Town Board by the Town Clerk for review; Town Supervisor – staying under the 2% tax cap with the following changes made:

2025 Budget Highlights

The Town Supervisor presented the 2025 budget staying under the 2% tax cap with the following changes made:

- 1 No raises for elected officials
- 2 All Non-Union employees 3% across the board
- 3 Splash Pad repair \$27,000 (GWT A7230.40)
- 4 Hired New Police Officer – added to the budget (PT Police BP3120.100)
- 5 Increase in Police overtime \$22,352 (PT Police BP3120.110)
- 6 Library increase by \$15,000 (GWT A7410.40)
- 7 New Highway truck lease \$34,515.60 (HwyPT Debt Service)
- 8 All fire departments got a 3% increase per last year's contract price (Fire Dist SF3410.41-45)
- 9 Bookkeeper position decrease \$40,040 (GWT A1315.14)
- 10 Increased accounting oversight by \$30,000 (GWT A1315.10)
- 11 Increased fire inspectors \$11,000 (added 2 extra Karrat, Trevisani) (GPT B8010.15)
- 12 Last year for ARPA \$ for PD \$465,000 (PT Police BP27706)
- 13 Last year for OCIDA \$50k grant (PT Police BP30895)
- 14 Liability Increased \$41,799 (GWT A1910.40)
- 15 Pension benefits increase averaged 18%
- 16 Health Insurance increase averaged 15%

Discussion: reduce expense opportunities going into 2025

- Summary sheet –assessed values were identical to 2024 budget; Supervisor Miscione – they are given to us by the County; whatever is given from the County are entered in
- Account Clerk – specific to the Bookkeeper – account for Audits; Supervisor Miscione – added so that the budget stays at the 2% cap – changed numbers around to stay under the 2% CAP; never officially approved a bookkeeper still secretary (civil service title) budget under the direction of the Town Supervisor; Bonadio - \$30,000 in the budget (Accounting oversight); only \$14,000 left from 2023 for bookkeeper position; salary for bookkeeper no longer in budget for 2024; Bonadio not needed for the entire year – if we can get the recons done consistently then we can get it done but should account for a full year of Bonadio (charging us \$4,750 a month); can't hire another bookkeeper its not in the budget Councilman Tehan – who will do the recons (secretary); still need Bonadio to do oversite or a CPA (\$2,500/month); we have a lot of backlog to catch up on
- GASB 75 – previous years – now at zero (pay early)
- Contractual Town we are over
- Library Audit – never charged an expense – the Town pays the expense (contracted price, can't change it)
- Assessors Clerk-Part Time - \$4,500 - asked to keep it in case need – Darlene asked to keep it in budget – might need someone – open position
- Contractual under Personnel – for Paychecks – should have been higher for 2023
- Buildings/Personal Services – Edgar (went from cleaner to a carpenter); school pays percentage of it
- Utilities and Heat – looks great (33% is reimbursed by the School District)
- Central Printing \$40,000 – for the quarterly newsletter, tax bills, Planning Board meeting notices, etc.
- Self-Insurance \$10,000 (special items) – no expense for two years – contingency account
- Judgements and Claims – don't want to change, never know what could happen
- Contractual for Control Animals – when open up own Humane Society will have own revenue to offset that; Chief – ACO Contractual because of Steven Swans increased fees
- Rec Center equipment – spent less than \$5,000 for the past two years – never know if a unit goes, have the money there; Supervisor Miscione when started had a Parks Director making \$100,000 a year, and said would put money back into the parks, if take it out will contradicts having no parks director

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- Looking at the trends to save money where we can; together we can move the numbers, tax increase can be flat, trends say not spending the money; Supervisor Miscione – money goes back into the Fund Balance
- Supervisor Miscione – money is there for things that happen so we don't get hit if something does happen; so, we don't have to borrow for it
- Councilman Tehan – if we haven't spent on a certain item, we can save/cut/taper back; Supervisor Miscione – don't agree – if taper back, take away, it never gets put back in and then there are issues in the future; Councilman Tehan – I agree with being conservative, we have a history of not spending the money, you can make an informed decision, I don't make these numbers up; Councilman Messa – the point is forecast and project – whether its forwards/backwards/trend; Councilman Tehan – big ticket items in the budget – for example: police – personnel services – payroll – budgeting \$2.6 million – roughly \$375,000 increase for 2024, we spent \$1.5 million year to date in 2024, spent less than \$2 million in 2023- we are up \$600,000 – doubt will incur in the next three (3) months from \$1.5 million actual expense in Sept. to \$2.27million by year end; Chief responded he will be close to zero by year end on salary – contract year (5%)
- Accounts - Actuals in 2023 and actuals year to date are pretty spot on
- Councilman Latini – asked Chief if plans to put on more police officers this year; Chief Fontaine – 2025 – asked to out on an additional two to the one already in the budget; needs three more people
- Councilman Messa – Codes Supervisor is not in our budget \$85,000/year salary, police officers – there has to be cuts – budget not approved as is tonight; if there is movement now that will help fund the police officers and other areas – if we make the adjustments here, we can't move forward
- Councilman Tehan – how can we justify two years of no expense and still putting a whopper of expense, where you don't see a number, there has been no expense, where you see a budget, it is a question – do we need to budget in that account or move it somewhere else?
- Supervisor Miscione – there is more to this budget – there is the long term look on it – you are looking at just today, not looking at next year or the following years after that – you come into this budget and cut some stuff and move some funding around with a zero percent tax increase – next year for the police department arbor funds fall off (\$465,000) – the following year you have more expenses and more raises – if you don't make an equal amount of adjustments every year going forward right to year ten you will have a spike at the end because your cuts now are going to cause issues later; at the end of the day things go up, nothing goes down; 2% cap not a big increase this year (and projected over the years) – money goes back to the General Whole Town Fund Balance – Police Fund different – putting one officer in budget is affordable over time – doing three right up front is not affordable over time – it is going to get caught at the end of the day for the

record – been running it this way for 10 years and been working – and we stay under the cap and cut as many expenses as can in the budget year to year (for the record); Approved to do the bonding that is not in the budget that was taken into account using the 2025 budget - Bonding will be paid without having a tax increase – word to everyone as a Board that we would not get into that situation

- Supervisor Miscione – if going to change major stuff in the budget, major things will change in the future - that is for the record – major things will change in the future for this Town – end of the day, only have so much money, if don't raise taxes, but raise salaries, cars, gas, salt – it will hit you at some point; Councilman Tehan – not looking to slash, looking for a balance; Supervisor Miscione – the monies that are in there get offset at the end of the year, in the funds that they are in – they go to Fund Balance and the following year, if you look in revenues, that is why we have such large fund balance numbers, those are the monies we saved the year before or we did not spend, so it goes into the fund balance to offset; Councilman Tehan – so that is the tax increase that contributes to that; Supervisor Miscione – the tax increase contributes from the increase pension costs, increase wages, increase fuel costs, increase repair costs (those are what goes to the tax increase) because when things go up, taxes go up – the only way we offset all that is, that we build, because we get building permits, increase in assessments and we also make money from the property taxes itself – that is the only other source of revenue that this Town has – if you are not building, you are raising taxes, you have to have a happy medium – we have made it work, under the tax cap, people get their check and we still maintain our services – next year will come and the library will get another increase, etc.; lets make the next 10 years look good and the only way to do that is consistently raise taxes at a very small level, over time for inflation costs – its across the board – if you put money in a bank account and didn't make any interest on it, your \$50,000 you put in there isn't worth \$50,000 in 15 years – same as the budget
- Councilman Tehan – can't predict the future but we have historical to look back on; Supervisor Miscione – again, that money is money that is being used for daily expenses for the year and also being used towards fund balance the following years- if you don't have that money to offset in fund balance the following year, you are going to be over the 2% cap and I guarantee that and I want to see that in the minutes because that is my guarantee on which you are saying.
- Councilman Tehan – if we have a balance in the budget and don't use it – you're saying it goes into Fund Balance?; Supervisor Miscione – yes and used the following year; Councilman Tehan – how does it go in because it is not a revenue, it's an expense, ; Supervisor Miscione – it is a revenue that offset the expenses; Councilman Tehan – if an expense piece is in the budget

and we don't use it, and haven't used it every year, that doesn't increase our fund balance every year; Supervisor Miscione – yes it does because the money at the end of the year will go to fund balance that was left in General Whole Town; Councilman Tehan – looking at the expense side – historically haven't spent it, do we need to have it earmarked for next year; Supervisor Miscione – if take it out of expenses, the revenue is going to go down anyway, taxes will go down, so if taxes go down and then next year we will have to raise the taxes even more to offset; Councilman Tehan – my opinion, and believe the States opinion, we have an obligation to balance the budget in a way that if we are not going to spend then we shouldn't be raising taxes whether it is below the 2%; Supervisor Miscione – you are saying you can zero tax increase but give wages increase? – everyone has a one year look, you are not looking at year two and three – that is the scary part – I don't want to come up with a 12% tax increase next year; Councilman Tehan – you have the revenue side coming in; Supervisor Miscione – this is my budget, this is what I came out with, if the Board wants to change it, change it, but this is my budget for 2025; Councilman Tehan – it is the Town's budget; Supervisor Miscione – I take ownership; Town Attorney Herbert Cully – he has an obligation as the Town Supervisor to prepare and present the budget, the Councilmen, by Resolution, can vote to make changes on the budget, then the tentative budget becomes the preliminary budget subject to a public hearing and then it becomes the final budget after the public hearing. Supervisor Miscione has presented his tentative budget, it is up to the Board if want to make a motion amend various provisions, majority vote of the Board members is sufficient to make those modifications

- Councilman Latini – The Town with the assets and everything are worth \$137 million, we have \$17 in debt, so that is 13% so obviously Supervisor Miscione has moved the Town in the right direction all the years he has been in office. If we look at things lately, there is not a lot of building coming in to our Town. We have lost future buildings, the mall is empty. Our building permits are down.
- Councilman Reynolds – as Town Attorney just laid out the scenario, we are in the process of the Board laying out the budget, so let's move on
- Councilman Messa – Town Attorney also stated if want to make a motion to adjust an item, then that is what we do – we need officers, we need a Codes Supervisor, and we don't have enough – if Councilman Tehan has numbers there that are substantial that can account for all this, we are going to have to do something, if we don't do it, we can't approve this as is. We need to get the numbers where they need to be, account for those positions
- Councilman Tehan – take this approach – determine how much money looking for and then pick and choose where we can find the money, cut to the chase
 - o Department Head for Codes (not in the budget) - \$85,000

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- Highway Superintendent Richard Sherman – how about put some money back into the budget that was taken by the expense of Bonadio and hurt the Highway budget – less repair money for trucks, less salt when asked for more money for repairs – Oct. 16th and already out of repair money; Councilman Tehan – your piece of the budget was probably the most conservative and that's a good thing, very much on par with your actual expenses; Rick did not agree – out of repair money already (Oct. 16, 2024); Councilman Tehan – and you are blaming Bonadio; Highway Superintendent Richard Sherman – I am, for \$60,000 a year; Councilman Tehan – the recons haven't been done for three years, reconcile checkbook
- Councilman Tehan - Bonadio expense thing light on/Accounting oversight – needs to get done; Supervisor Miscione – have \$50,000 from one proposal and \$65,000 from other proposal (from Bonadio) – need \$75,000 to pay Bonadio
- Increase Library to \$415,000 (Increase of \$60,000+)
- Salaries: Senior Justice there was a slight increase and decrease in the Town Justice – sitting it – there is a difference – no raise for elected officials; they are no different, it's on the sheet, go back to 2024 salaries
- Councilman Reynolds - Real Property Tax Aide – everyone got 3%, this looks like it was not 3%; Supervisor Miscione – should have been 3%; Councilman Reynolds questioned it; Barb (Personnel) – it was 3%, but last year's budget was incorrect, last year's budget was not correct based on the 3% that went across the board, it was higher; Supervisor Miscione – Barb and I calculate differently, I calculate on the total number that is in the budget, Barb calculates on the hourly rate – that was the discrepancy – the 3% now is correct; Darelene Abbatecola spoke – asked since not going to have the part-timer Peggy Jones back as the part-time clerk, can I take \$1,000 from that budget and give to Teresa Webb with the 3% increase; Supervisor Miscione – no problem with that (increase Teresa Webb \$1,000 and leaves part-time position at \$3,500) – Darelene Abbatecola - \$45,972 because of the mistake in the budget last year; Supervisor Miscione – adding \$2,000 to Teresa Webb, reduce part-time to \$2,500
- Councilman Tehan - Fire Inspector - \$30,000 – make sure have enough for the three individuals; Supervisor Miscione – we don't – if the revenue goes up the salaries go up – covered
- Councilman Tehan – Zoning Officer Salary was increased at 2.4% instead of the 3% across the Board; another mix up from last year's budget; need to fix so that it is 3% for everyone; Councilman Reynolds – need to be consistent – 3% across the board
- Chief – other two police officers need \$135,000 estimated salary for the two additional
- Town Attorney Herbert Cully – to do those changes need to come up with \$355,000

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- Courts – 5% was put in for the Court girls, reduce to 3%
- Now need to fund \$352,000 to make the changes
- Supervisor Miscione – Highway Department – two things in there that if we are going to take out of other stuff, make sure he has the right numbers so can replenish, will be short \$55,000 if take from other areas in budget
- Councilman Tehan – BONDS – the numbers in the budget don't match the BOND schedule given, want to make sure allocated enough expense; Supervisor Miscione – don't match because haven't taken into consideration the leases; Councilman Tehan – 2025 schedule DB column – should see \$626,496 for principle; Supervisor Miscione – correct but need to subtract leasing out of it
- Highway – short on brine – negative \$4,500; Salt is under by about \$100,000 – Highway Superintendent Richard Sherman – short on repairs – costs have gone up – give back \$35,000 – salt add back \$2,000 – not enough need to put at \$215,000 (adding \$17,000)
- Short now \$408, 500.00
- Councilman Tehan – Interest – adding \$6 million to the pot, interest rates are going down – saw opportunity to increase the interest line item for additional revenue that will make up some of the \$408,500, we are going to take BAN and not spend it all in one day; Supervisor Miscione – we also have the BAN payments for next year – asked what are we not going to spend; Councilman Tehan – based on historical - \$9 million BOND in 2022 and still sitting on over \$2 million we haven't spent; Supervisor Miscione – the bucket trucks we haven't spent yet so \$2 million is gone, paving, stormwater projects need to get done; Supervisor Miscione – BAN January 31st;
- Councilman Messa – not going to get everything done tonight – everyone look over the items, get back to Supervisor Miscione and will have to set another meeting before the Preliminary Budget is passed and Public Hearing set up

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

(RESOLUTION NO. 356 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for the Town of New Hartford to hold a special Town Board Meeting on Wednesday, October 23, 2024 at 6:00pm to continue discussing the 2025 Tentative Budget.

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

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

c. VOUCHERS

RECORD OF CLAIMS #1	
24-01615-24-01626	
A	\$12,035.38
B	
BP	\$1,667.01
DB	
F	
SF	
SL	\$1,381.43
SS	
TA	\$17,381.97
HEP	
HMA	
HTA	
TOTAL	\$32,465.79

RECORD OF CLAIMS #2	
24-01643-24-01650	
A	\$3,742.84
B	\$49.95
BP	\$109.99
DB	\$1,082.47
F	
SF	
SL	
SS	
TA	
HEP	
HMA	
HTA	\$2,992.39
TOTAL	\$4,985.25

RECORD OF CLAIMS #3	
24-01473, 24-01474, 24-01652-24-01717	
A	\$20,895.50
B	\$144.87
BP	\$29,730.92
DB	\$37,011.00
F	
SF	
SL	
SS	\$2,387.14
TA	
HEP	
HMA	\$1,632.78
HTA	\$7,128.60
TOTAL	\$91,802.21

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

(RESOLUTION NO. 357 OF 2024)

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RESOLVED, that the New Hartford Town Board does hereby approve to pay the vouchers for October 16, 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***.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Messa and seconded Councilman Latini, the meeting was adjourned at 10:56 P.M.

(RESOLUTION NO. 358 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***.

Respectfully submitted,

Cheryl Jassak-Huther
Town Clerk
10/18/2024

UPDATED 10/20/2024