

**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, DECEMBER 11, 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 Tehan
Councilman James J. Messa
Councilman David M. Reynolds
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS PRESENT:

Clerk, Shannon Madore
Highway Superintendent Richard Sherman
Deputy Town Supervisor, Anthony J. Trevisani
Police Chief, Ronald Fontaine
Town Attorney, Herbert Cully

ABSENT: Town Clerk, Cheryl A. Jassak-Huther

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

I. MEETING MINUTES

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

(RESOLUTION NO. 415 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the meeting minutes from November 7, 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***.

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

(RESOLUTION NO. 416 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the meeting minutes from November 13, 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***.

II. SPEAKERS

- a. **Sangertown Square** – David Aitken – Pyramid – owner and operator of Sangertown Square, also present is Luke and Matt – (material was printed by the Town Clerk for the Board before the meeting) tonight’s purpose is to introduce the topic of a zone change to permit residential in the C1 district, which is the enclosed center site (material was handed out and also previously handed out to the Board). – David gave a presentation.

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

(RESOLUTION NO. 417 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to move the Sangertown Square project to the Planning Board.

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. 418 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to declare the Town of New Hartford as Lead Agency in conjunction with the Town Planning Board for the Sangertown Square project.

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**.

NOTE: Town Clerk will reach out to Dory and Heather Mowat to schedule a dual meeting.

- b. **Craig Kopper – Clintonview Blvd.** – lives across from Clintonview Apartments – would appreciate if the Board does take this further; has had to contact Codes Department numerous times; can't park cars in his driveway; health issues with tenants with the owner boarding birds inside the walls, woodpeckers pecking on the building; place is deteriorating – siding falling off; asking the owner to fix up; concerned for the tenants; Councilman Tehan said we need to see some improvements; Town Attorney Herbert Cully – for the panel – one persona appointed by the Town Board, one person appointed by the Chief, one person appointed by the Head of the Codes Department (Town Supervisor at this point) – for the Board – should be the Councilman for that Ward, still need to name someone; multiple issues, new issues – possible mold; Lary Gell been talking to the owners representative; brought in a mold expert; still a number of issues and code violations with ample time give, next step nuisance; the panel renders a written decision within five days of the hearing

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

(RESOLUTION NO. 419 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to establish a panel for Clintonview Apartments.

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**.

Discussion: Town Attorney Herbert Cully – go forward with a public nuisance panel hearing.

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

(RESOLUTION NO. 420 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to move forward with the public nuisance panel review.

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**.

- c. **David Schilling – Clintonview Blvd.** – also, a neighbor of Craig; wanted to reiterate the same complaints; we have children and many others in the area; birds and squirrels living in the walls; our children are watching them trap animals that they should not be seeing; my children clean up garbage from the area; property over the last 17 years has not been upkeep; we appreciate your time and effort doing this
- d. **Chris Stever – owner of MotorWorld on Oriskany Blvd. Utica, NY** (Town Attorney Herbert Cully letting everyone know have civil litigation with Mr. Stever – also caution the Board, it is his opportunity to speak to the Board – my understanding is that he has expressed on several occasions with an intent to sue the Board for Constitutional violations, he has the signs with Herb name out front, recommend as it relates to Sylvan Way that we proceed with a nuisance; Chris Stever – came this morning and spoke to the police Chief for about an hour, came here initially (was going to bring an entourage) – so frustrated with this whole situation but you should know this – I uh, had a camper give away, all the campers are gone, um, I am trying to think of how to put this because I got so much to say and I am waiting on Attorney Walber actually, maybe I should wait for him to come but you guys should know I gave all the campers away. Um, let me wait on Mark because we have a certain direction we are going in and from what you just said I balancing out what I want to say to you guys. Um, Mr. Miscione, I really want to speak with you individually because I think we have some serious issues with Herb representing the Town and also private, but speaking with the Chief, I just want to let you guys know the campers are completely gone, ok. We are going in a different direction, definitely going lawsuits for sure but as public safety, the campers are gone. There is some stuff I am going to present tonight but I think I am going to wait for Mr. Walber but you all should know I have tried speaking to you Paul a couple times and you don't respond back and its an issue; **Supervisor Miscione** – just to give you some incite, we spoke the first time and we had a nice conversation and we spoke about the residents that are on Sylvan Way and we spoke about the inconvenience to those residents that have nothing to do with yourself or the doctor (Dr. Wassel) that is on that street. I think you understood and I understood, you said to me, listen the doctor put up an illegal fence that was there and I told you I don't care who it is, how much money someone has and what that are, but I try to obeyed by the law here at the Town and make it so people are not inconvenienced in their neighborhoods, and that is why I got elected. It is not for the fame up here; **Chris Stever** – let me just ask you this, that fence what kind of precedence does it set for the Town Attorney to represent a personal individual to build a fence with no permit; **Supervisor Miscione** – I will answer that but also too, I do want to answer

one thing before that and I have a question for you. So, the only reason, and again, I don't know the doctor, I have never seen him before, except for the phone call I received, but the fence that went up, went up because of stuff that happened because of what you did on the lot and then he put the fence up. So again, two rights don't make a wrong.;

Chris Stever – well you are wrong, the more I hear the more frustrated I am about the whole situation. Mr. Cully, I actually tried to come to your office. We are making some serious leeway with Mark Walber. I have \$9 million invested in that business – I am not going anywhere – I am at \$100 and something thousand for Sylvan Way and legal lawsuits. I am frustrated, I just came back from Florida and I really want to go back home. We are making chest moves and now we have to start playing checkers. – We are on the third chop chop right now. Sylvan Way looks like garbage – I don't want the property on Sylvan Way – I offered your client to give it to him for free – fair thing to do about that is let him get an appraisal; **Councilman Latini** (Councilman for that Ward) – so basically the problem stands as it states – it starts on Oriskany Blvd (Utica); **Chris Stever**- I own a business on Oriskany Blvd. (MotorWorld) – we are trying to expand for the fourth time – coming here tonight with no cameras, no entourage, just be normal, myself – we had a whole plan today but after talking to the Chief I am trying to do things different – the stuff on Sylvan Way, the campers, are completely gone, I announced at 4:30 to come get them for free – they didn't waste any time; **Councilman Latini** – I am getting confused because we are talking about Oriskany Blvd (Utica); **Chris Stever** – so this is what is going on, I own a property on Oriskany Blvd (Utica), and to play chess I bought a property on Sylvan Way(New Hartford) which Dr. Wassel owns property to the left and right of me on Oriskany Blvd. so I bought property next to his house. Why did I do that – to aggravate him because people partying on his property in the back on Oriskany Blvd.; **Councilman Latini** – so what is he doing to your land, he won't sell?;

Chris Stever – he himself is not doing anything, it is who he is renting to – the property on Oriskany Blvd., next door to me, it is who he continues to rents to – the ground is what is worth money, not the buildings – I have been arrested twice – sat in jail for 15 hours total (explained why). I want to buy Dr. Wassel's property on Oriskany Blvd. (Mohawk Valley Partners) – he will not sell it – so I bought property next to his house – eye for an eye; **Councilman Latini** – I understand your problem and I kind of feel for you with what is going on with your business on the Blvd., I own a business as well. So, you are telling me, basically, your problem and your fight is with Dr. Wassel but it's not, our residents and the Town of New Hartford don't have anything do with it, that is what you are saying; **Chris Stever** – you are correct and I understand where you are going it is the same conversation I had with the Chief of Police today, you are right. Before the stabbing at the New Hartford Walmart, we were going to bus up homeless people, it is easy to get them, we actually bought a bus – we were ready to go, we were going to dump them a couple days before Thanksgiving and then right around that time was the stabbing so I backed off. I am an a\$\$ but I am a smart one. Two months or so ago, the judge in Utica ordered him to knock the building down in the back – stuff was blowing in my building; **Town Attorney Herbert Cully** – Chris you may not want to go any further because you understand your charges and anything you say here can be used against you.

I am not your attorney but I recommend.....; **Chris Stever** – I understand where you are going, I appreciate you stopping me – I am confident in that to by the way but as far as what had happened – I will give you the understanding of the police report – he got an excavator and knocked the building over – the problem is tin was popping off – tin was blowing off the building that is still standing – obviously the Utica Fire Marshall wasn't doing his job – asked why the building wasn't removed and was told everyone in Utica has to wait for someone else to do their job – so it's a headache – keep in mind I have \$4 million sitting next to it with a building next to me half falling over – people sleeping there – people outside with Narcan – when you have a business its not a good look; **Town Attorney Herbert Cully** – a sign outside (with my name) in the Town parking lot with lights – not a good look but it's your Constitutional right – Freedom of Speech; **Supervisor Miscione** – just quick, I became Supervisor for one reason, I actually like to help people out, I don't know if you know Mario from CNY Concrete – he was down in Utica, he had a horrible time down there with problems and everyone. He came and went to Seneca Turnpike. He loves his place, he made a beautiful establishment. The only thing I could possibly help you with, with your problem that you have, is if you take your business and put it on Seneca Turnpike and put a beautiful business up there and then I can actually control the Code violations and problems that you have. The issue that we have now is, everything that you have, the Board, this Police Chief, even Herb, no one really has any total control. Again, yes, maybe Herb is a lawyer for his client, but he never had an issue until you came into New Hartford. This was a Utica problem. Again if you came to Seneca Turnpike and called me up and said Paul, you know what, I don't want to invest \$9 million in Utica because I am losing money, come to New Hartford and invest \$9 million on Seneca Turnpike and we will not have those Code issues you have down there and we can actually help you take care of them if you do; **Chris Stever** – I understand Paul and let me respond to that - I can't just take \$9 million and pick it up and pluck it. I could if I wanted to sell it. I actually considered selling my business and buying the Fitness Mill the problem is the taxes there. I understand that, in the Town of New Hartford, the Town is pretty. I had a million-dollar house; **Supervisor Miscione** – I will personally make a call down to the Codes Dept. for you but the stuff that is happening here in New Hartford, is the only thing this Board and these people can even can control or do anything about; **Chris Stever** – Paul, do me a favor, turn to your left and talk to the guy. He has a lot of power; **Councilman Latini** – from what I hear and I don't really know you, it is nice to meet you again, I think you are a very successful business man and personally, being in business myself for 45 years, I don't think you are the type of person that would want, to aggravate and make yourself look in this situation you are in with all these people. We have had phone calls and I understand your problem, and I know you have talked to the Chief, and I think the Chief helped you out but people have been calling and saying things like 'we are going to cancel our family Thanksgiving – they don't know what is going on, they are kind of scared and I understand, you probably don't want that to happen. Revenge doesn't get you anywhere but I don't want you to look bad, you are a business man, a successful business; **Chris Stever** – let me just intervene, I understand what you are saying but I can tell you this, we

are actually benefiting off of this right now. Let me explain why – so I showed you this today, last 30 days, my Facebook page, 2.2 million people logged on to my Facebook or clicked on my Facebook to read my story – my website is up 96% so from what you are saying we are benefitting off of it. How many people live in New Hartford?; **Supervisor Miscione** – 22,000; **Chris Stever** – this is 2.2 million; **Councilman Latini** – does it increase your business?; **Chris Stever** – by 96%; **Councilman Messa** – those are views they may not be actual customers; **Chris Stever** – but it takes people to walk in your store to buy something, right; **Supervisor Miscione** – why don't you bring those 2.2 million people to New Hartford – sales in New Hartford; **Chris Stever** – I hear ya there but anyways, so you may not like what I say and the lady in the front row should agree Free Speech gets you places. So, Mr. Cully you may not like the sign there but I don't like your new client has **Town Attorney Herbert Cully** – you already started on him; **Chris Stever** – but also too, what is the name of the business, Mr. Cully?; **Town Attorney Herbert Cully** – I don't know; **Chris Stever** – I don't know either there is no sign up – the mayor hasn't given occupancy and refuses to do so. Your guy leased the building out when he was told to get an appraisal – I know you can't force him so sell it but certainly after this meeting I am hoping you go back and be like 'listen this guy is not going anywhere' I have no other option, we need to expand. If he built a Starbucks or a McDonald's, a real business there, I would say thank you very much and go back to Florida but right now, a chop chop, with no name, cardboard on the windows, the mayor was there today asking him what he was doing. We are going down the same path for the third time. How do we fix it? I can't just pick my business up and drop it in New Hartford. I'd love to. Thought about it. I am already established. Interesting thing, a text from Mike Scarfile, the person I bought the property from on Sylvan Way. Reason why I bring up his name, I paid \$50,000 for the property. Bought two parcels and that's a deal. The text message I am showing everybody (pass along) – Herb Cully texted message Mike Scarfile or sorry Mike sent me this text message but Herb Cully got a hold of him and the Dr. authorized a \$250,000 offer after I purchased the property with a contract. So this is the kind of guy we are dealing with. I paid \$50,000 for a property he is offering \$250,000 for. I already had a deal. So why not just sell me the property Herb on Oriskany Blvd. and we just come to an agreement right now. This is a text message from Mike Scarfile that came from you, has your name listed, your guy offered \$250,000 for my property on Sylvan Way. The only reason why I bought that property is to mess with him. Clear, open transparency. This is just a moral thing. Can you make any sense to that to me; **Town Attorney Herbert Cully** – I can't respond; **Chris Stever** – I hear you there but this sound retarded right?; **Town Attorney Herbert Cully** – I don't like the use of that word (others in the Board Room responded as well that they didn't like the use of that word), it's very inappropriate, can't use that kind of language; **Chris Stever** – I am getting frustrated; **Supervisor Miscione** – Chris, why don't you call me, after this, and see what we can come up with but like I said, if it is not in New Hartford, it is hard to help. Is Mark still coming?; **Chris Stever** – I texted him....he has a change of thought, we are pursuing something legal at the moment; **Town Attorney Herbert Cully** – we thank you for coming and speaking; **Chris Stever** – thank you. Let me address certain

things to you Paul – I had showed you the survey before, there is a current fence that was built that was taken out. I contacted the Codes guy Lay Gell; **Supervisor Miscione** – you are talking about the fence I had removed; **Chris Stever** – Correct but the posts are still in the ground. 811 Dig Safe wasn't contacted, this is a picture from this morning, 16 of them still in the ground. You had put a post out on your Facebook or the Town's Facebook saying you are up there dealing with a water issue. This post, according to this, is in the drainage easement, your water issue; **Supervisor Miscione** – listen, if you are done up on Sylvan Way with everything that you've done and you have cleaned up the mud, I will make sure the posts are removed just like the fence, how's that? But I don't want you back the next day with more stuff after I do that because then it just makes us all look bad; **Chris Stever** – so moving forward, a permit wasn't granted, so the Town Attorney that represents you, is also the Drs personal attorney and a permit wasn't required. What kind of precedence does that send out to the general public; **Supervisor Miscione** – again, Herb can't control his client just like your attorney can't control you and my attorney can't control me. That has nothing to do....if you are here tonight to have the posts removed, I will get the posts removed as long as we are not going to put mud and stone and grass in the roads, that's it; **Chris Stever** – current fence is still there, this is Town codes I am passing along; **Supervisor Miscione** – his current fence that is still there was put in before my administration by a different Codes person and I will personally look into it. So I don't know all the situation with that fence and what happened. That has nothing to do with Dr. Wassel and what is there. I don't know if the easement was done after the fact or before but we are looking into that. I will definitely personally tell you how that came about but again that was before my administration or before Lary Gell was ever here; **Chris Stever** – how would I know that, any idea how I would know that; **Supervisor Miscione** – I will have that information to you by Friday; **Chris Stever** – this is the letter you put on the Towns Facebook page. You said campers were creating a water issue; **Supervisor Miscione** – I didn't say campers I said because you took a skidster, grated the land without a grating permit, and the mud that was there was running into the stormwater and the road and actually you put a picture up on Facebook; **Chris Stever** – the reason why you have a water issue, is because the grad of the drain is higher than the road - on Wassels property and my property. So, my issue is, you are issuing statements and you are doing things, the statement that you put on Facebook, that the Town equipment was up there for over a week, that was stretched out like an ostrich – blocking out access. You put out a statement that you were going to put a burm there instead you built me a driveway; **Supervisor Miscione** – I didn't build you a driveway, again, I was going to put a burm up there to control the erosion from the ground that was there currently and that was the whole thing. I personally, for three/four weekends in a row, got complaints from residence that are on that street, on my personal time, got complaints. I don't like complaints, I like to resolve issues but still today we are unable to resolve that. That is what we are trying to do, resolve issues. If you have something that you would like resolved I have no problem doing it for you but we also need you to resolve your issues; **Chris Stever** – what issues would you like me to resolve that I have up there currently; **Supervisor Miscione** – just the mud and erosion and

honestly, not putting signs and campers in a residential neighborhood that is not permitted; **Chris Stever** – well the campers are completely gone; **Supervisor Miscione** – and I appreciate that; **Chris Stever** – campers are gone but the mud still there so pick your battle. The last thing I have is what was printed in the Rome Sentinel – I have the original paper here and I will pass along. This is a statement that Mr. Cully gave to this young lady right here that was printed in the Rome Sentinel (she spoke up and said it was in the public meeting, not a closed meeting) and like to share my response that I emailed to her. You all should read this, it is interesting. Mr. Cully, your Town attorney, trying to change local legislation on behalf of his personal client published in a paper and that is my response to that; **Supervisor Miscione** – for the record, that was my idea because again, my residents were being inconvenienced and turning their neighborhood into a slum for no apparent reason, they had no way to control it; **Chris Stever** – so Paul, lets **Supervisor Miscione** - Mr. Cully, at no time, ever asked me to do this. I did this because that was what I was elected to do; **Chris Stever** – well Paul, your name is not in there, Mr. Cully's name is; **Supervisor Miscione** – I don't know whose name is in there, I didn't write the article (Chris Stever – its in front of you) I understand , what I am telling you, it was a public hearing, that I brought together, an emergency meeting, to discuss the issues because I probably had 25 calls the first weekend this started, on the weekend, Saturdays and Sundays from residents that were unhappy. See how residents came today about birds and things next door to them. The same residents that live up there, in their homes, that are professional people, don't want to see the issues that you brought to the Town of New Hartford. Again, not because it is a Town of New Hartford issue, because the Codes department in Utica, you are unsatisfied with, you came here to cause issues. Mr. Cully, I will be honest with you, Mr. Cully is our attorney because he does a great job for the Town but Mr. Cully ran against me when I ran for election. Ok so when I bring something to the Town, it comes from me. It doesn't come from Mr. Cully. He is not trying to help his client, we are trying to get our Town back to where it should be. We don't want this to turn into – remember Covid and you had the cities and the politicians let their cities go to scawler and they had all kinds of problems, theft and robberies and all kinds of issues, we don't want that here. If you had a legitimate Codes issue in the Town of New Hartford, just like I had the fence removed for you, we would take care of it. Now people come and we take care of the issue. I can't help you in Utica. I wish I really could for my own residents sake on Sylvan Way but I can't do it so I am powerless to get anything done for that situation. The only thing I can do again, is help you. I just want you to know this had nothing to do with Mr. Cully. This article had to do with my emergency meeting; **Chris Stever** – if it is a printing issue, you have to understand how I take it and how Mr. Walber took it. He is the one who brought it to my attention; **Supervisor Miscione** – well it's a personal conflict too because Mr. Walber is my friend and I have done work for him before so there is a personal conflict for everybody in this Town. The only thing that is not a personal conflict is we are all trying to live in a peaceful area and get along and that is all we want to do. Again, I want to help people so just like you have a personal conflict or he has a personal conflict that you are claiming, I talk to your attorney every day, I go on the radio, he asks me advice about

construction work. I mean, we all work together and that is what I am trying to do with you. I want to work together to resolve the issue on Sylvan Way and again if that takes me to go down to Utica and ask somebody to help with your situation, I will do that for you but I can't keep putting my residents in harm's way. It is just not right. You just said it, you lived over at the 311 building, Rob Esche owns that. He is a personal friend, say right now if he did something and somebody wanted to picket because of the Aud. Or something like that, do you want to go through that every day when you pay your rent and are a good resident? No, you don't want to and that's all I am asking you. What do we need to do to resolve the issue on Sylvan Way? You can put ten signs out here about me, I don't care. I just want to make sure my residents feel safe in their community and that they are safe and they are happy with where they live. This doesn't bring happiness to them. That's all; **Chris Stever** – let me give you a response Paul – you keep talking about the Town of New Hartford – that's great, I don't want to be in the Town of New Hartford with that nonsense – I lived here. I understand you don't want it in your Town. I would turn to Mr. Cully and tell him I don't want his client to build next to me in the City of Utica. So, what you are telling me I understand and I agree with you, I don't want to be there but if we are in the City of Utica, which we are not, Emile is not coming against me. I am here because I don't want Emile next to me or his tenants that he has. How do I make both of us happy...I will sell Emile Wassel my property on Sylvan Way so whatever Herb Cully is doing, I hope he will relay that information. What is he doing with the property down there, he is renting it to another chop chop for \$900 a month. So how do we come to a common ground Paul? I just told you, I don't want the property up there, it's for sale. I would like to trade with him and do a 1031 exchange. I don't want to be there. I agree with you so what is the problem. The problem is, is unfortunate MR. Cully should report back to Emile and tell him the kid is not going anywhere, maybe it is time we should consider selling. That is what I would ask Herb to do; Supervisor Miscione – and I am sure he will; **Town Attorney Herbert Cully** – thank you for your advice; **Chris Stever** – I hear you but just know this – I have a lot of respect for the Chief, we restored the public safety in a sense, as far as the signs and things like that go, if we can't come to something fairly quickly, I don't know what else to do. As far as moving forward, what do we do. I would hope Mr. Cully that you reach out to Mr. Walber, we end the lawsuits and we can be done with it. I suggest he gets an honest appraisal and I know it's not going to be nothing especially considering whatever he got in the building in the back, we would probably pay more. I'm not looking for a contingency, we don't need loans, we are ready to go. The property on Sylvan Way, I can get appraised if you'd like, obviously you've seen the text message of what he already offered but everything is up for negotiating. After I leave here, I would love to go back to Florida if you guys can come to a deal on this which should have been the first week already. How do I move forward, well I am not just going to go tuck away and forget about it. Fortunately, there will be more signs. He is going to come home to a monster sign on Friday. I am just going to tell you right now. It is 5x60, going right on the property line. He is worried about people crossing the line, it will be right on the property line; **Town Attorney Herbert Cully** – so that you know there is a size

limitation for a sign and there is also a limitation that you can't have mobile signs – I don't want you to answer (Chris Stever – I guess we are back to the lawsuits again) – you can't have mobile signs and limited to the size of the signs – you are not allowed in our Code to use iridescent paint those aren't Constitutional issues those are issues governed by health and safety so you know; **Chris Stever** – so Herb, moving forward; **Town Attorney Herbert Cully** - I don't want to go any further, I am done. Just so you know. You have come to a public hearing and said you are going to violate our Code; **Chris Stever** – I just put a Code in front of you that you violated, permits; **Supervisor Miscione** – the only way we can possibly help you is if you move your business to Seneca Turnpike and we help you, I am serious; **Chris Stever** – you want me to move \$9 million, come on; **Supervisor Miscione** – it might be worth it, you'd have a better location, land and you don't have to deal with all of this; **Chris Stever** – think about what you are saying, Mr. Trevisani – will you move your business to Whitesboro? Honest question. It is not realistic. I am giving you a solution; **Supervisor Miscione** – we can't take care of the issues you have in Utica, that is our problem; **Chris Stever** – yes you can, you can turn to your left and say what is your guy doing; **Supervisor Miscione** – he can't tell someone what to do (Chris – sure he can) so if Herb wasn't his attorney; **Chris Stever** – we would done, lets just say moving forward, I have no other option. I am not going to go away. It is just going to cost me more money in fines and fees and everything else and if he is going this for an investment or tax write off, I guess the question I would ask you Herb is to ask him, is it worth it because to me I am 38, I don't know how old he is but; **Supervisor Miscione** – I have spoke to him on the phone, I think the residents around him care more than he does. I don't think he is ever home so here is the problem, I don't think he cares; **Chris Stever** – according to everyone else his kids are affected; **Councilman Latini** – hey Chris, being a business man, I don't think you want to make all these residents upset; **Chris Stever** – they're not, trust me, they have actually gone by it with me; **Councilman Latini** – nah, I don't think so, I've been getting phone calls; **Chris Stever** – look at my Facebook; **Councilman Latini** – I had about a dozen people calling me saying they were canceling their Thanksgiving reservations with their families because they were upset and they didn't know what was going on. We understand there is a problem with the City of Utica but it really has nothing to do with us, it has to do with the guy who lives in New Hartford. **Chris Stever** – do you have \$9 million invested in your business; **Supervisor Miscione** – but those people have \$9 million invested in their homes and have nothing to do with the fight; **Chris Stever** – but again, I gave Herb a solution. Let's end on a positive note, Mr. Cully, I don't want to talk negatively about you, you are a pretty good person (Herb – your sign doesn't say that). (TOWN BOARD – THANK YOU FOR COMING, WE APPRECIATE IT)

III. REPORTS OF TOWN DEPARTMENTS

a. TOWN CLERK

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

(RESOLUTION NO. 421 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve 30-Day Advance Notice of Liquor License for TokaBocca Bistro LLC.

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. Curbside Pickup for October 2024

Curbside Pickup in October 2024

Ward 1	Load	Ton	Amount	Ward 2	Load	Ton	Amount	Ward 3	Load	Ton	Amount	Ward 4	Load	Ton	Amount
9/30	12	25.58	\$ 1,534.80	10/7	12	28.18	\$ 1,690.80	10/14				10/21	14	27.99	\$ 1,679.40
10/1	13	34.26	\$ 2,055.60	10/8	12	28.24	\$ 1,694.40	10/15	11	26.02	\$ 1,561.20	10/22	19	41.44	\$ 2,486.40
10/2	16	34.75	\$ 2,085.00	10/9	4	7.84	\$ 470.40	10/16	8	16.63	\$ 997.80	10/23	13	21.73	\$ 1,303.80
10/3	13	31.16	\$ 1,869.60												
Total	54	125.75	\$ 7,545.00	Total	28	64.26	\$ 3,855.60	Total	19	42.65	\$ 2,559.00	Total	46	91.16	\$ 5,469.60

Municipal waste :\$60/ton, C&D: \$58/ton

E-Waste Curbside Trash Pickup in October 2024

Ward 1	Ton	Load	Ward 2	Ton	Load	Ward 3	Ton	Load	Ward 4	Ton	Load
9/30	1.30	2	10/7			10/14			10/21		
10/1			10/8	0.72	1	10/15			10/22		
10/2	0.55	1	10/9	0.36	1	10/16	0.94	1	10/23	0.64	1
10/3	0.75	1									
Total	2.60	4	Total	1.08	2	Total	0.94	1	Total	0.64	1

Tires Curbside Trash Pickup October 2024

Ward 1	Load	Ton	Amount	Ward 2	Load	Ton	Amount	Ward 3	Load	Ton	Amount	Ward 4	Load	Ton	Amount
9/30	1	1.03	\$ 195.70	10/7											
10/1	1	1.05	\$ 199.50	10/8	1	0.914	\$ 172.90								
10/2	1	2.57	\$ 488.30												
10/3	1														
Total	2	2.08	\$ 395.20	Total	1	0.91	\$ 172.90	Total	0	0	\$ -	Total	0	0	\$ -

Tire:\$190/ton

Scrap Metal Trash Pickup October 2024 (Revenue)

Ward 1	Load	Ton	Amount	Ward 2	Load	Ton	Amount	Ward 3	Load	Ton	Amount	Ward 4	Load	Ton	Amount
9/30	2	6.7	\$ 698.45	10/7	2	6.28	\$ 616.79	10/14	1	3.24	\$ 318.22	10/21	1	4.14	\$ 517.51
Total	2	6.7	\$ 698.45	Total	2	6.28	\$ 616.79	Total	1	3.24	\$ 318.22	Total	1	4.14	\$ 517.51

Budget	\$ 36,000.00	ton		Amount		ton		Amount
2024 Brochure		pickup	323.82	\$	19,429.20	scrap metal	20.36	\$ 2,150.97
Total	\$ 19,997.30	tires	2.994	\$	568.10			
Balance	\$ 16,002.70	total	326.81	\$	19,997.30			

2. **Upgrade Employee**

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

(RESOLUTION NO. 422 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to upgrade Matthew Brown to heavy equipment operator, effective January 1, 2025, salary \$25.60 per hour per union contract.

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 Tehan:

(RESOLUTION NO. 422 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to upgrade Thomas Farley to heavy equipment operator, effective January 1, 2025, salary \$25.60 per hour per union contract.

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***.

Discussion – Rick – this opens up two MEO positions that we need to advertise; Supervisor Miscione asked where we will be advertising; Barb – Facebook; Supervisor Miscione – will you put it on Oneida County website (Barb said, they don't do it); Rick – Town website and in my article, I put in every month

IV. MATTERS SUBMITTED BY COUNCILMEN

a. COUNCILMAN REYNOLDS

1. **Fire Inspections** – in your packet you have the fire inspection report from the Clerk's Office from January – December 10 (MONEY COLLECTED); reflects (203 inspections) \$72,892.98 collected; also told that there is an update to this – for 2024 \$26,000 left to collect \$4,700 for 2023; Councilman Reynolds – hold up right there, give me that figure again for 2023 (\$4,700 left to collect) – what is your plan to collect them?; Chrstitina – I just rebilled October and November for 2024 and 2023 was rebilled on Nov. 22; Councilman Reynolds –

so it's conceivable that we will end the year with \$80,000+ - so that is money that will fund the position we have talked about, that is a lot of money but more importantly, is the inspections that are now getting done and the follow up on inspections that have found to be deficient so it's a two edge story, it is great we are collecting the money but we are also doing inspections that we were negligent in – now in 2025 we have to stay ahead of this, inspections and money collected – any questions?; Councilman Messa - I know you sent out the notices, can't we follow up with phone calls to expedite this?; Christina, yeah I can; Councilman Messa – I am just saying, I think that it will get the person more directly and again if you have to follow up with the letter of collections after that too but I just think in the interim you can make phone calls, a little more formal. When we hire the Codes Supervisor laying out the plan will help us, project out the inspections per month and collection of the fees.

2. **Jordan Road** – possible subdivision; Town Attorney Herbert Cully – over the last couple years, the Town (Heather and our Codes Officer) – had meetings with a proposed developer who wanted to go forward with a subdivision off of Jordan Road – no application was ever submitted – sometime during the summer the owners of the properties wife submitted an application, she had bought property on Jordan Road in the vicinity of the entrance where the subdivision would be any they came forward asking for a lot line adjustment – move lot 10 -20 feet – we don't normally go through a formal process on the lot line adjustment and they were given permission to do that, they did it and afterwards some of the residents advised us that this was clearly done in connection with a subdivision even though as of todays date no subdivision request has been submitted. Dave has indicated that he would like me to go forward with further investigation and if that subdivision needs to be nullified, to proceed to do so; **Councilman Reynolds** – to push this along, I would like to make a motion to rescind the minor subdivision approval; **Town Attorney Herbert Cully** – no, to proceed with whatever action is necessary to rescind it unless the owner of the property, the other property gives us a written recordable instrument to the fact that he is not subdividing

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

(RESOLUTION NO. 423 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to rescind the lot line adjustment.

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. COUNCILMAN MESSA

1. ZBA/Planning Board Appointments – alternates

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

(RESOLUTION NO. 424 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint John D’Amore as an alternate for the Zoning Board of Appeals.

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 Reynolds:

(RESOLUTION NO. 425 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Michelle Detraglia as an alternate for the Zoning Board of Appeals.

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 Tehan:

(RESOLUTION NO. 426 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Pete Blanchfield as an alternate for the Planning Board.

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

Councilman Messa	-	Aye
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Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Abstain (did not receive resume)

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

Discussion: Supervisor Miscione – never saw any information for Pete Blanchfield; Councilman Messa said received it from Barb; Supervisor Miscione – we also have Joseph Chiffy

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

(RESOLUTION NO. 427 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Joseph Chiffy as an alternate for the Planning Board.

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**.

Discussion: Barb – asked if can get a copy of resume, she didn't receive; Supervisor Miscione – he sent one in for Police Commission too, it is the same one; Barb – I don't have that one

2. **Codes Supervisor Position** – aksed Barb if the position was posted (Barb responded – we did and we have not received anything from it – was in the Rome Sentinel, Facebook, website – Barb will send to PJ Green); Supervisor Miscione – there was actual one person that did reach out for that – he's an engineer at Boulder Consultants, his name is Craig. He has interest but has not sent in a resume yet. He is interested in talking to everyone about the position. Councilmen said have him reach out to anyone of us.
3. **Roman Road/Tyndom Road Project** – thanked the Highway Dept. for all the work they have put into the project. There has been some updates and progress; Highway Superintendent Richard Sherman – they have been working on the pond area now, it will hold water for the winter month and we will be back in there when the weather permits in the Spring to finish; then we will move over to the other side; quite a stone coming out of there going up and coming down, done a great job
4. **Mallory Road** - Supervisor Miscione – actually working on some money for this – good news Mary Pratte and Caroline Reale had me put some paperwork

in for some money for the playgrounds for children with disabilities. So the County was going to give us \$200,000 for that so we can get the full set that we wanted to and I spoke to them on this project in regards to stormwater so I am hoping to see if I can get some additional funds for it and then we can go out, we have to do our bonding for this, maybe at this meeting. Once the money is allocated then we can make some moves.

c. **COUNCILMAN LATINI**

1. Sylvan Way; Supervisor Miscione – now that we have had our discussion and I guess it is not going to end, I think we should put our panel together; Town Attorney Herbert Cully – absolutely, since he is going to put a 60-foot billboard on a residential lot we have strict limitations as to the sign. You can't put a billboard on a residential lot. He has been putting them on trailers as you see out in the Town parking lot, that is illegal as well; Supervisor Miscione and Town Attorney Herbert Cully thanked Chief for all he has been doing.

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

(RESOLUTION NO. 428 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to create a panel and proceed with the panel – Councilman Latini, Supervisor Miscione and Chief Ronald Fontaine

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. **JUDGE POSITION** – start to interview the candidates; Councilman Reynolds - set up 15 minutes a piece; one night and get moving on it; burning days here, we could have done this tonight if we did the interview Monday/Tuesday; Councilman Messa – Barb did you set up the interviews when we did the Chiefs position; Barb – I think we did them a half hour apart before our Board meeting; Councilman Messa – we should have a special Board meeting, go into Executive Session, have a set up time for each one; Councilman Reynolds – should be 15 minutes, we already have their resumes – we are appointing someone on an interim basis and they have to run in the election next November so lets get this moving; Town Attorney Herbet Cully – Judge Virkler sent the email, candidate must have the legal experience; Supervisor Miscione – I was at a Chamber Event and 12 people came over to me and said they sent in their resume for the judge position and a lot of people that were there would be great people for the community but they didn't have the qualifications at the time. How many resumes do we have Barb (Barb responded six (6); Councilman Reynolds – should be eight (8), I show eight

(8); Barb – I have six (6); Supervisor Miscione – so do we have eight (8) or do we have six (6); Barb – I have six (6); Councilman Reynolds – should be eight (8); Councilman Latini – I agree, we have to get this done; Councilman Messa – we can't change, in my opinion, what the requirements should be because that requirement isn't in for them to run in an election, so for us to say they need Legal to run; Town Attorney Herbert Cully – if it is an attorney, they don't have to go to that school which just took place last week, otherwise they are going to have to go to that school and you are going to lose a couple months so the idea was if you picked an attorney it would be a quick process and within a day after they are appointed they are on the bench. There is no class until April; Councilman Reynolds – asked Barb to set up interviews, 15 minutes apart; Supervisor Miscione – why don't we set an emergency Board meeting and set that right after our interviews we can pick someone; Tuesday, December 17, 2024 at 6:00pm (the person can start the next day on the bench if they are an attorney)

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

(RESOLUTION NO. 429 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to have a special meeting on Tuesday, December 17, 2024 to conduct interviews for the Judge position.

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. **COUNCILMAN TEHAN** – asked for an update on the 2023 recons; Supervisor Miscione – spoke with Erika and I think you and Councilman Messa had a meeting with them, they finished first quarter already and we were supposed to have a meeting coming up; we were going to review what she did and then have them finish the last three quarters and would take them about four (4) weeks to do so and then I say 2024 we just keep Bonadio and have them do 2024 so we have one accounting firm doing the whole year if you guys are ok with that; Councilman Tehan – as Paul has mentioned, we did have a discussion with Erika and Matt (Drescher & Malecki), we need to be careful what we are calling it, we are calling it a bank recon, they are doing a non-attest service for the Town. Which means while they are identifying the differences, it is not a true reconciliation that they are able to put their name and reputation behind. The part that they are looking for is a comfort level of Town staff to be able to support reviewing this information and finalizing it as an official reconciliation. Hopefully based on a meeting will come to a head and we will have a determination but from a recon standpoint they are not performing the actual reconciliation in its truest form. We look forward to

whatever outcome they have after that meeting and see where they go from there. For 2025, we need to continue on with our reconciliations which we talked about in our last meeting. I had spoken with the representative from Bonadio as to present us with an engagement letter for 2025. I don't have that yet, I have a follow up hopefully this week; Supervisor Miscione – can we get it done so its approved at the Dec. 17th Board Meeting so on the 1st they actually start so January 31, 2025 we already will have data we can review; Councilman Tehan – will request an engagement letter so Dec. 17th we can make a decision on it

V. MATTERS SUBMITTED BY TOWN SUPERVISOR

a. Library Re-Appointment

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

(RESOLUTION NO. 430 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to re-appoint Carol Ann D'Accurzio, effective January 1, 2025.

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. Storage Tank Liability Insurance Policy

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

(RESOLUTION NO. 431 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Town Supervisor to sign the Storage Tank Liability Insurance Policy.

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. **VOUCHERS** – Councilman Tehan – some accounts in the negative – DB14400409 Mud Creek Sangertown \$43,000 in the negative – Supervisor Miscione – that is the expenses from the engineering firm because we also get money from Sangertown – that is the engineering fees that should be in there and we get reimbursed; Rayhill Memorial Trail Improvement in an A745200, \$2,841– Supervisor Miscione – that is an error, need to check the railroad crossing account and an engineering bill; if that is an engineering bill that will come out of the contractual account and we will get reimbursed and that will be closed out; DB14400405, \$411,000 in the negative (Barb thinks it's another grant) – Washington Mills Athletic Park (Supervisor Miscione – we will get that money back, grant, FEMA); DB51300-400 Machinery Repairs \$8,500 (to get three trucks on the road for plowing, Supervisor Miscione will do the journal entry and taking it out of stone and gravel; A16200-40 Buildings Contractual it is \$15,000 negative – cleaning expenses – at the end of the year will come out of Building and Grounds (Utilities – a journal entry); DB51300-400; Supervisor Miscione – at the end of the year I do journal entries so some of funds may be high and little low but we offset those; A7450200 BOND Rayhill Trail Improvements – Supervisor Miscione – that should be closed out, shouldn't be in the BOND, \$2,841 is engineering for the new FEMA project – needs to be given to Sue and she will document as she goes, we have to make another line item for it and put that number in there so when FEMA comes we want to make sure all the money is in there so FEMA gives us our money back.

RECORD OF CLAIMS #1	
24-01978-24-01983	
A	\$109.01
B	\$300.00
BP	
DB	
F	
SF	
SL	
SS	\$118.42
TA	
HEP	
HMA	
HTA	
TOTAL	\$527.43

RECORD OF CLAIMS #2	
24-01985-24-02000	
A	\$6,911.85
B	\$1,271.77
BP	\$4,384.60
DB	
F	
SF	
SL	
SS	\$345.91
TA	\$412.50
HEP	
HMA	
HTA	
TOTAL	\$13,326.63

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RECORD OF CLAIMS #3	
24-02001-24-02003	
A	\$16,020.33
B	\$3,911.46
BP	\$651.91
DB	\$2,876.30
F	
SF	
SL	
SS	
TA	\$3,629.50
HEP	
HMA	
HTA	
TOTAL	\$27,089.50

RECORD OF CLAIMS #4	
24-02004-24-02008	
A	\$14,429.38
B	
BP	\$2,000.84
DA	
DB	
F	
SF	
SL	
SS	\$489.23
TA	
HEP	
HMA	
HTA	
TOTAL	\$16,919.45

RECORD OF CLAIMS #5	
24-02010-24-02022	
A	\$7,193.30
B	
BP	\$171.00
DA	
DB	\$123.88
F	
SF	
SL	
SS	\$253.22
TA	\$16,822.41
HEP	
HMA	
HTA	
TOTAL	\$24,563.81

RECORD OF CLAIMS #6	
24-02026-24-02043	
A	\$11,511.43
B	\$782.91
BP	\$5,726.26
DA	
DB	\$39,824.54
F	
SF	
SL	\$1,923.28
SS	\$2,090.64
TA	\$24,923.05
HEP	
HMA	\$1,476.09
HTA	\$65.96
TOTAL	\$88,324.16

d. COMMERCIAL DRIVE BOND RELEASE

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

(RESOLUTION NO. 432 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to release the BOND for Commercial Drive Commons (new commercial building office space at 4 Ellinwood Drive, New Hartford, NY).

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. **Request for Town Board to Approve Park Union Contract** – only until the end of next year, for the salaries and we also took out the differential pay that was in there for them working nights at the Rec Center. We also put the raises in there for the workers that are currently there full time; Councilman Tehan – we didn’t get this in the package did we?; Councilmen responded – NO; Supervisor Miscione asked Barb if she sent it out; Barb responded NO; Councilman Tehan – can somebody send it and then do it on the 17th?; Supervisor Miscione – yeah that is fine, there are only four (4) salaries there. I took out night differential and gave the \$2.00 per hour hourly raise to the employees that would have never got raises, to correct an error; Councilman Reynolds – so this is to correct an error, we are not opening the contract again; Supervisor Miscione – but that contract is only good until 2025 and then we renegotiate the next four years. The two people that are there didn’t even have raises in the contract, it was a mistake, typo on their end and the night differential we were going to take out of the last contract which benefits us; Councilman Tehan asked what was changed; Supervisor Miscione – the night differential is out but we are giving them the \$2/per hour raise for the two other people that are in there and the one is \$4/per hour raise which is John Randall because he never got a raise the year before either; Councilman Tehan – I know we touched on this with the budget trying to think back; Councilman Messa - I know we did talk about it at the budget; Councilman Tehan – table it to the 17th and someone can send it to us; Supervisor Miscione asked Barb if she had the numbers so we can correct it before the next meeting – Councilman Reynolds had a copy of the budget to look over; Supervisor Miscione – right now, Anthony Messa would not have gotten any raise at all – it’s a clear error and also to Chen would have had a raise of \$2 which is in there, and John Randall \$4 – don’t see a discrepancy; Councilman Tehan – can’t seem to find it and I’d rather table it to the next meeting. If someone can send it to us and want the rates that are approved in the budget. Look back in the minutes; Supervisor Miscione – we have to do it before January.

f. **ORGANIZATIONAL MEETING**

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

(RESOLUTION NO. 433 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to schedule the 2025 Organizational Meeting for Thursday, January 2, 2025 at 6:00pm.

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***.

- g. **ROLES AND FUNCTIONS OF EVERYONE AT THE TOWN** – current rolls and functions of the Town Supervisor, Town Board, all employees, Dept. Heads (for example: daily jobs duties, time off requests, write ups, purchasing approvals,

suspensions, responsibilities for website activities, posting of job offerings, job recruitment, interviews, Codes) – **Councilman Messa and Supervisor Miscione** have had discussions of having an Organizational Chart and certain people having certain authority to do certain things and I wanted to bring it up because I think its important. I think it's important because we have people that just want to take off time and there is no notification given to myself or the Board and then it causes issues. There is no structure when it comes to that and I don't know how you guys feel about that, if you want to make one person that contact person or does the Board want to review every meeting, review vacation time or review what the roles are of those individuals. I just want to get everyone here their feedback on it because sometimes it causes friction and problems and no one knows who really to go to; **Councilman Reynolds** – if someone in the Highway Dept. needs a day off, there is a procedure, Rick or Chris approves it, vacation, etc. (Rick responded there is a form for his employees to fill out and hand in) If someone in the Town Clerk's Office needs time off, that is the Town Clerk, Police Officer needs time that is the Chief, so it's the Dept. Head reviewing it; Supervisor Miscione – what about the rest of the Town - Codes Dept. with no Dept. Head; **Councilman Reynolds/Tehan** – we just established that its you; **Supervisor Miscione** – In a Corporation it is a set person, one person. If you guys give me the authority to do that is fine as long as that person doesn't say, 'well I didn't get what I wanted from Paul, so I am going to call Mr. Reynolds or Mr. Tehan, Mr. Messa or Mr. Latini; Councilman Reynolds – that is no different than if that didn't get what they wanted asking Rick for – that they go to a Town Board Member; **Supervisor Miscione** – but we would say no, you have to go see Rick; Councilman Reynolds – so if you are the Dept Head in Codes – that is you but you are also held responsible for the record keeping of vacations and time off; **Supervisor Miscione** – that is the easy part, it's just if you don't even know the Codes Officer is off or the Librarian is off or the janitor is off and then you find out later they took off; Councilman Reynolds – who does the janitor report to; **Supervisor Miscione** – I am just making it up, my point is, I am saying is if that is the structure I would like to put for our Organizational Meeting of who reports to who and who gets vacation time approved, who is in charge of write ups; **Councilman Reynolds** – I maybe wrong, but that is already in place, each Dept. Head; **Supervisor Miscione** – if it is, its not enforced that way; **Councilman Messa** – I think the point was when you have an Organizational Chart, you have it posted and its clear, everybody knows and they should know anyways, it lays it out. People don't come and go and then we know the Org. Chart flow down. Then also with that you can do a second tier of rolls and responsibilities so that probably comes with their job descriptions and so forth. For example, Sue's roles are here and Donna is here. Donna is not going to jump over and do Sue's stuff because its Sue's work. We just need to lay out who is doing what. Then this way, people within the office will know who to go to because that is who handles what. Just clarity and it relates to time off and we get the Codes Supervisor it will eliminate Paul from having to do that role. Also we can look at, whether it is the Internet or some type of site that is within the Town, so everybody can see who is off, if time was approved then they can post it and everybody will know that Donna is off this day and that day, so I think that helps within this Town

Office knowing who has what; **Supervisor Miscione** – the biggest thing is we have things going on in the Town that are very important and then someone says ‘oh I am just taking off the next three days’ the problem is, then we have to wait until that person comes back to get the problem solved. Its not like we have 12 people in a department – if you are out its fine. We are not like MetLife with numerous people in a Dept. and even there you have to request your time off months in advance. I think, even if you guys want to do it together, we should have some timeline of advanced notice of a long period of a vacation. I don’t think someone should come in today and say oh I am going to Florida tomorrow. It makes it hard because when we are doing things and we have issues it puts us in a bad spot; **Councilman Reynolds** – the Dept Head needs to make sure there is coverage and set that up; Councilman Messa – say you work on Seniority, say Christmas and someone wants to take that off (Councilman Reynolds – the Dept. Head makes that call); **Supervisor Miscione** – Ricks Dept and Chiefs Dept. are exempt from this conversation in my mind (Councilman Reynolds – the Clerks Office), no I think the Clerks Office is part of this conversation, non-union employees need a central location of time bank that needs to be taken off that we know what we can do, and again, Cheryl is the Dept. Head, she is on top of things, I am not saying that but for the other Depts., the other people that are here, whoever they might be, I think they should it is a requested time off, not just take time when you want and you are not here for almost an whole month; **Councilman Latini** – I agree, should be a timeframe – want a week off, give a month’s notice; **Town Attorney Herbert Cully** asked Barb if that is in the handbook (Barb – they are supposed to request time off from their Dept. Head); **Councilman Tehan** – Regardless of the job, we are setting clear expectations of every individual (Supervisor Miscione – I agree) so if they are not aware or never been told or reminded of employee handbook requirement, this is something again, or otherwise, should be covering with them on an annual basis; **Supervisor Miscione** – even a Dept. Head needs to report to somebody, there needs to be one central person, for people taking time off. So, I guess I am the Dept. Head of the non-union employees that are here (Councilman Messa said no, its Cheryl for Town Clerk’s Office, Codes when we hire the new person (Supervisor Miscione but we don’t have that person now – the Assessor is Darlene, in the interim, whoever is missing, goes to Personnel, goes to Barb – Barb – you know their times and stuff right? **Barb** – sure; In the absence of the Dept Head they can go to Barb; Supervisor Miscione – I think even the Dept Head needs to be held accountable of their time off also; **Councilman Messa** – right now we are only missing one Dept. Head and that is Codes so in the interim they can go to Barb to approve any time off. The Codes Supervisor is going to report to the Board anyway; **Councilman Reynolds** – it’s the Dept. Head, period, and we are going to get one, and right now we have one; **Councilman Tehan** – we just appointed Paul to these panels under the basis that he is the responsible person for Codes, now we are saying he’s not; **Supervisor Miscione** – that is my point, it is the same thing like Bookkeeping, I wasn’t responsible for making anything happen but then I was responsible but then I was; **Councilman Reynolds** - You are the Chief Fiscal Officer; **Supervisor Miscione** – correct, right I am but I am responsible but I am not responsible to make anything happen. You can’t make someone responsible with

no authority to do anything. It is all in or none at all. I don't want responsibility because what happens is everyone just under minds you and then they come running to the next person and that is what happens here if you want the truth. So, if I am responsible for the bookkeeper, if I am responsible for Barb, if I am responsible for Lary, if I am responsible for the Codes officer that is in there now and Dory and all that then I need to be responsible fully. If they come to me and request time off and I say you can take these three but you can't take three days off every week for the next month when we have major issues going on and we need things done and they say 'well I am not going to do it I am just going to tell Dave Reynolds; **Councilman Reynolds** – that is where the Dept. Head is monitoring it and he knows you got four weeks' vacation and he needs to take those four weeks' vacation, and you can...; **Supervisor Miscione** – Dave that is great when we have a Dept. Head but we don't have one right now and the issues are now not later. We have to take care of the problem. I am asking you guys because this has never been something; **Councilman Reynolds** – right now if the individual has the time, he can take it. It leaves a problem, a hole, and we have to get over that and how we are going to get over that is hire a Codes Supervisor to be the Dept. Head. He would then be responsible for time off within the Dept. and making sure the Dept. is covered on a daily basis; **Barb** – so some of the problem is, there is only one person in our departments, we are never going to have coverage; **Councilman Reynolds** – in your department; **Barb** – in my department, finance department, highway secretary – there is only one. We all cover for each other (Councilman Reynolds – exactly, so you have worked it out, wow); **Councilman Tehan** – we have 1.5 people in Codes for example today; **Supervisor Miscione** – well 2.5 we have Dory, she is there full time but if Dory leaves and she just says I am going on vacation next week and she don't tell anyone, we have no secretary who gets 90% of the work done in Codes right now. I am really being honest, she does; **Councilman Tehan** - what I am saying is there is two individuals that are out in the field, full timer and a part timer, in my mind, both are not out at the same time, we have a certain level of coverage; **Councilman Reynolds** – the problem is the part timer has run out of hours, so that is something the Dept. Head has to be monitoring. Let's get through this year, get the Dept Head hired and that is part of that persons responsibility; **Supervisor Miscione** – so right now we will just let it roll; **Councilman Reynolds** – we don't have any choice; **Highway Superintendent Richard Sherman** – so I have 27 employees, when I came here 15 years ago, they would call at 6am, 6:15am, 6:25am and say they are not coming in today, I want a vacation day. I changed that immediately. I came up with a form, you want a vacation day, I want a 24-hour notice. You want PL, 24-hour notice. If you are sick, you are sick. The day after Thanksgiving I make sure we have 10 people or more to cover that Highway Dept. People can have it off but I need a crew there for emergencies and whatever else; Councilman Reynolds – as far as the Union contract the caveat should be, we reserve the right to direct to work for, that is how it is covered – have one employee that takes three weeks in November and we have it covered; **Councilman Reynolds** – perfect, the Dept. Head is calling the shots; **Supervisor Miscione** – how about roles and functions? Like to put something together before the Organizational Meeting so everyone knows what their functions are for Town

employees (Councilman Tehan – are they unclear, do you think?) I think they are for a lot of people (Councilman Tehan – civil service has job description – little leeway in there for other duties as assigned within reason) Right, so duties that are not in civil service we need to see who is going to perform those duties for the Town also. I guess that is what we are looking at for those items; **Councilman Tehan** – I am confused. I am not sure what is driving all of this; **Supervisor Miscione** – it's a new year, you said there are some holes in the Organizational agreement during the year – some things were in there that were different than what people were doing. I think this is one of them. Everybody understands what they have to do and what their roles are. I think it makes it easier for employee morale between employees that are here. I think it makes it easier who they are actually going to come to with issues. Also know who is going to reprimand them when there is an issue. Those are things that need to be clarified because we never had that clarification before; **Councilman Messa** – each position has a job description, right. Donna, you have your job description, Denise has her job description, Shannon and so forth so that we can capture and review and add that to the Org. chart; **Supervisor Miscione** – that's what I want to do. A lot of things are done at the Board. We say we want to do a lot of things at the Board meeting but then we leave the Board Meeting and then there is no one to carry out those tasks because we are all part timers here let's be honest right. Bookkeeper, personnel, Assessors secretary (Town Clerk is set by State Law – tasks) whatever roles people have – what are their roles everyday – are they allowed to post stuff for their departments (I am just making stuff up) my point is we go over so many things here at the meeting and then sometimes we come to the second meeting and then we are like 'yeah we spoke about that' but there is no one to take that and make it happen the next day. See my point. Who is responsible for those tasks that we set here at the meeting when we all go home (we are part time) and I come in the next morning and I am like 'did you guys do.....well who is going to do it'; **Councilman Messa** – say the person is not here and we have a liaison for that particular department, then that person will communicate it to them and then to the Dept. Head; **Supervisor Miscione** – we sit here and say (not blaming anyone) 'did you get this sheet' perfect example, the Union Contract, we did the contract, we were at a meeting, it was on my agenda and then no one called me to say 'hey Paul do you have a copy of the union contract' we get to the meeting and let's table it to the next meeting because there is no one to follow through to get that to you guys and it is no ones responsibility because there was none, we don't have a Union secretary, it didn't go through legal counsel, those are the things I am saying, who responsible to make those things happen; **Councilman Messa** – again, that is where I said the Parks and Rec liaison, if they have something, call and give it to the Town Clerk to put in our packets (Supervisor Miscione – right); **Supervisor Miscione** – or the Town Board says 'you know what, I am looking at the agenda, and I don't see it here, so instead of tabling it, Dave Tehan would go hey Paul it is three days before the meeting that we got the agenda out I see you have a Union contract on there is there anyway you can get that to me.' I just want to eliminate coming to the Board meeting and have to table something because somebody says I don't have the information; **Councilman Tehan** – that is in the current Org. structure; **Supervisor Miscione** – who is

the one that is supposed to generate it?; **Councilman Tehan** – the Clerk. By Saturday, preceding every meeting, anything that requires.....; **Supervisor Miscione** – but if the Clerk don't get it; **Councilman Tehan** – then it doesn't go on the agenda; **Supervisor Miscione** – how can someone be denied an agenda item and not talk about it because it is not getting done; **Councilman Tehan** – it requires a vote outside of ordinary business; **Supervisor Miscione** – it doesn't require a vote to get the paperwork of where it has to go; **Councilman Tehan** – if there is a resolution that you are going to be asking for, the requirement for the Org structure is to have it the Saturday before every meeting; **Supervisor Miscione** – right it was Saturday before on the agenda but who is responsible to get the paperwork to the Board; **Councilman Tehan** – which paperwork (Supervisor – well you guys asked for the contract) everything that the Board should have is supposed to be Saturday before the meeting; **Supervisor Miscione** – what I am saying is, how can the Clerk get it if the Clerk doesn't have the paperwork, how is she going to get it; **Councilman Messa** – it depends who put it on, whoever agenda item it is; **Supervisor Miscione** – well its mine (Councilman Messa – then the Clerk comes to you and says I need to scan this in and send it to the Board); **Supervisor Miscione** – that is my point, we need more Town emails, when you see something on the agenda and you don't have it you have to reach out too and say 'hey Paul, I didn't get that sheet' because when I left, I thought that went out. I didn't hear anything so I can't get it to happen. Like Jim, you call me sometimes and say there is a tree down and I call and get it done but if I don't have any notification from anybody, I sent out four emails this month, important ones and I had no response to any of them. I sent out the one today in regards to the Jordan Road one (Councilman Reynolds – I responded back to you on that one). We sent out the letter that I wrote for Sylvan Way. A little response would be, that is all I am asking, a response to the emails. If you are requesting stuff, I will get it to you but if I don't hear nothing, I can't get it to you. That is all asking; **Councilman Messa** – you put out in your email shorten sales tax so my question is, that was third quarter (Supervisor Miscione – it is 3rd quarter and we are down \$218,000) so historically, is that 3rd quarter always down?; **Supervisor Miscione** – no we are down \$218,000 from last years quarters so last years 3rd quarter we are down \$200,000 from last year and \$200,000 from the following year; **Councilman Messa** – let me rephrase that, is that quarter always less (Supervisor Miscione – we were down \$27,000 in the 2nd quarter) so that 3rd quarter, historically, is always behind (Supervisor Miscione – no, we have never been that low, that was last year); **Supervisor Miscione** – when I send emails, I would just like feedback, feedback is good; **Councilman Messa** – I just want to close it out. So, we should have job descriptions for each one, each position that is non-union that should be reviewed by Dept. Heads and given to the Board, we can look at all that and have for the Org. meeting. If we had it by the 17th we would have it; **Supervisor Miscione** – if you have questions, just shoot me an email. Like at this meeting, at the end of the day, who carries out what responsibility because if you look at the State Org. chart for the Town Supervisor and Town Clerk or whatever it might be, it is completely different than what is happening. So at the end of the meeting we need somebody to say alright, after we actually pass a resolution, we have to say, this person is going to carry it out at the

meeting so we know who is going to carry it out and even during the day when we do things on a daily basis who is going to carry it out so the Board gets the information, that the Clerk gets the information she needs and honestly I don't want the Clerk running around all day saying Hey Paul where is this, where is that....no, if we do it, we need to know who is responsible for that, that is all I am saying; **Councilman Messa** – typically we get the email from the Clerk and she scans in all the documents, I think this one just got away from all of us; **Supervisor Miscione** – again, it is not the Clerk's responsibility to run around and try to find Paul Miscione to get a document from him either. I think whoever does the task in hand has to get the document to Cheryl; **Councilman Tehan** – let me read the last Org. structure – all resolutions, ordinances and local laws other than routine resolutions approving payment of bills, minutes and alike matters, shall be in writing and filed with the Town Clerk and made available to the Board members not later than Saturday prior to the meeting in which they are to be introduced unless this provision be waived as to any such resolution or ordinances or local laws by majority of the Board members present at such meeting. My reading again, I was 5 minutes into this job, we should have everything by Saturday and I think starting off the year, finishing up this year, we were pretty close to that which was terrific and they were alternately slipped to Monday, Tuesday, Wednesday afternoon sometimes with updates to the agenda. The detrimental part there, anyone who has an interest in attending from the public, they have no notice. On us too, we come here we are lost in some cases because we have not seen any information up front; **Councilman Messa** – I will work with Cheryl because I am the liaison and will work out a better timeline so that we have it and then it is given to the Board members on Saturday, no changes to be made. Right, so we get an email on Saturday, that is it; **Councilman Tehan** – we don't want to stop the wheels either, if there is something critical, I think the Board needs to put their heads together and understand that; **Supervisor Miscione** – we just have to go one way or the other, that is my confusion. I can't run the ship if we are going in two different directions; **Councilman Tehan** – Saturday I think is excellent. Most of us work full time and weekends are really our catch up. Agenda items have to be in the Tuesday or Wednesday before so that it can be posted and sent out on Saturday; **Councilman Messa** - and any documents scanned in and sent; **Supervisor Miscione** – and the responsible person to get it to the Town Clerk (Cheryl) – the problem isn't with the Town Clerk getting the stuff to us, the problem is who gets the information to her; Councilman Messa – for example if Rick has a contract for the County, Sue can give it to Cheryl and then Cheryl can scan it and send to the Board and that way it is all in the packet; Highway Superintendent Richard Sherman – some things don't come until the last minute (Councilman Messa – a lot of things come at the last minute) but I understand, just need better communication; **Supervisor Miscione** – a lot of things come up last minute, say something comes up on Tuesday, I don't want to say you know what you have to wait until the next meeting. My biggest concern really wasn't the agenda, my concern was getting the information together, I am really asking the Board more than I am from the Clerk or anyone else, that when you guys need something from me, send me an email before we get in the meeting and then we have to table it. I think WE as a Board, all of us, including me, need to just

get together and go over the stuff so when we get in the meeting, we are not tabling anything, it's not Paul, we don't have the information for the meeting, we are not going over that, I am fine with that but not get here and we are not looking at each other and say lets table it. I want to get it done or not get it done; **Councilman Messa** – we also can't take away for a Board Member to table an item. Historically she scans in everything; **Supervisor Miscione** – she is great with the stuff I am not even saying that. She is crazy about it, she is always saying I got to get this, I get it but I don't want to put it on her. If there is something you guys don't see in there, anything. Next week we have a meeting on the 17th, if I don't see the Bonadio contract I am going to call Dave or send him an email for the information. I worked on the Union contract for the park, I didn't know you guys didn't have it, I would have gotten it out to you. I came here blind because I didn't know it wasn't in there so then we tabled it and again I don't want people to think we are not doing it. I just want all the material to get to you guys because legally in NYS we don't have to have an agenda, we do it as a courtesy but there are no requirements for an agenda. We went through this years ago with someone in the audience – we notify people, an agenda is not a requirement, an agenda is not a requirement (Councilman Tehan – makes us more effective).

VI. MATTERS SUBMITTED BY COUNCILMEN

a. COUNCILMAN LATINI

1. **Plow Trucks** – Highway Superintendent Richard Sherman – snow plow trucks, 2014, 2015, 2016 that were taken off the road – had a vendor come to me and said this Town ordered four trucks a year and half ago – same equipment we use in our Town, when it came time to deliver them to the other Town they said no - called Rick and Rick and Chris went to look at them – if you go to a vendor right now you can't get a truck built until this electric stuff comes out from Gov. and DEC – hurdles between diesel and electric – 150 miles - our plow trucks put on 300 miles or more a night – takes 10 hours to recharge - just looking down the road, it is the money that we really don't have and I understand – two trucks, knocked off \$16,000 on the two, full equip and ready to go, cameras, salt machines, etc., (Pictures shown on the tv's) – all we would have to do is put the Town logo on them; Can't order any vehicles this year; Supervisor Miscione – you have two coming, we bonded for another one and there is still money coming for a truck; Councilman Reynolds – does it have to be electric and if we are able to do this tonight with diesel – if we have to go out and buy electric now, we have to have the charging stations and it's a huge cost you can't do three electric trucks with one charging stations, they need to be in place. If we can take and buy these diesels, I think we are buying ourselves time. This legislation may change drastically when it comes times to buy another truck; Highway Superintendent Richard Sherman – if we get these two new trucks, we will be good for 8-10 years. Need to know by tomorrow – they have other Towns looking to purchase them; Supervisor Miscione – we can borrow from the Sewer fund give them some interest and do it over a 12-

year period and make it affordable – only way we can do it financially at this point

VII. MATTERS SUBMITTED BY THE TOWN SUPERVISOR (while we are waiting)

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

(RESOLUTION NO. 434 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to sign the contract for CareFree Law Service \$263.00 a year for the Town.

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***.

CONTINUATION OF TRUCKS

We have one truck coming. Councilman Tehan – I support it if we can figure out a way to do it. At the end of 2025, we would be \$100,000 in the hole in the sewer fund. Supervisor Miscione – we really need to generate another source of revenue – we have to generate revenue – talked to Chief to reach out to the County, largest commercial district and the County, surrounding Towns, to get the best benefit with sales tax, maybe offset policing costs. We need a little help; Rick – what if did one instead of two; Supervisor Miscione – where are we taking it from, that's all I want to know; Rick – it is a great deal but I understand if we can't, we can't; Supervisor Miscione – just worried about the sales tax – ask guy if can wait another week; Rick – thank you for looking in to it.

VIII. MATTERS SUBMITTED BY TOWN ATTORNEY HERBERT CULLY - Codes

Complaint – John Maio III – Lary testified as a subpoena witness at a trial between a property owner and Preferred Construction – Preferred Construction did not win the trial after that Mr. Maio of Preferred Construction FOILED the Town of all the records of any Codes violations at 109 Jewel Ridge Drive – New Hartford – Mr. Maio does acknowledge that Lary did give him all the FOIL stuff – now he is saying he wants to know what the status of any Codes violations complaints are – when you FOIL, you FOIL documents and we have given him the documents. Suggest – to ask Lary to give the guy a call and let him know if there are any pending or not. He filed a complaint against Lary with the State feeling he did not feel he responded properly and that is in your packet but I suggest Lary just give the guy a call and let him know what is going on.

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 9:56 P.M.

REGULAR TOWN BOARD MEETING

DECEMBER 11, 2024

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(RESOLUTION NO. 435 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

12/17/2024