

**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 17, 2024 at 6:00 P.M.**

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman 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. EXECUTIVE SESSION – JUDGE APPOINTMENT

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

(RESOLUTION NO. 436 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to enter into Executive Session (6:01pm)

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

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

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

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

(RESOLUTION NO. 437 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to come out of Executive Session (8:27pm).

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**.

II. MATTERS SUBMITTED BY COUCILMEN

a. COUNCILMAN TEHAN

1. **BONADIO LETTERS** – Supervisor Miscione to sign for the following services:

- Bonadio will prepare and complete bank reconciliations for all the Town's bank accounts for the period of January 2024 through June 2024

- Bonadio will prepare adjusting journal entries that are necessary as a result of our bank bank reconciliations activities to Town staff for input into the Edmunds software.

It is stated in the letter: "We estimate that our fees for the services outlined above will be \$2,750 for each month completed. For the period of January 2024 through June 2024. If significant time is necessary, we will discuss with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation."

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

(RESOLUTION NO. 438 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Bonadio engagement letter which will cover the reconciliation for January 2024 through June 2024, journal entries.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	Aye
Councilman Tehan	-	Aye
Supervisor Miscione	-	Abstain (does business with them)

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

Supervisor Miscione: on the second Bonadio Engagement Letter - questioned the monthly rate of \$4,750 a month – asked Councilman Tehan to speak to Bonadio about the monthly fee – rate is very high when

we have someone in house taking care of certain things in the office. Councilman Tehan will speak to Bonadio (2nd Engagement letter not signed)

III. MATTERS SUBMITTED BY TOWN SUPERVISOR

- a. VOUCHERS** – December 11, 2024; they were on the agenda for 12/11 and had discussion about them but never did a roll call to approve.

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

(RESOLUTION NO. 439 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve the vouchers for December 11, 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**.

- b. PARKS CONTRACT** – will go into Executive Session
c. EXCESS EMPLOYERS LIABILITY – went up \$193; cost now \$1,788 (also was on the December 11, 2024 agenda)

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

(RESOLUTION NO. 440 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Excess Liability Agreement, cost of \$1,788.

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**.

Councilman Tehan – had multiple email exchange on the process/procedure for agenda – ‘did we not quite follow it in this case’ – was everything on the list initially; Item in question is not an issue it’s the procedure (Town Clerk did have it on the December 11th agenda and it was not brought up so she added it to Dec. 17th agenda as it was not signed or brought up from the previous agenda, as well as the Vouchers); Councilman Messa – reiterate from the last meeting – Clerk’s off will request items for Tuesday and then

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the Board will respond with proper material by Friday and then it will be posted and ready to go by Saturday – what I am hearing is a lot of things are coming in after the fact and everything has to be updated, its kind of crazy. Trying to limit that. This meeting is more unique as we didn't have the timeframe; Supervisor Miscione – the responsibility doing certain things; Councilman Tehan – where did the Excess Liability come from, it wasn't on the initial agenda (again, the Town Clerk gave the material to the Board on Dec. 11th, this particular item was overlooked and therefore put on the Dec. 17th agenda after reviewing the tape of Dec. 11th); Councilman Reynolds – there will always be items that come up that are not on the agenda; Councilman Messa – Councilman Tehan brought up that it is not posted on Saturday, we are getting them Monday or Tuesday – be consistent in what we stated in our procedures – we have it stated SATURDAY (before the meeting) – Supervisor Miscione – question again, the responsibility, who is going to get it on the agenda and hand it in, that is the question – last meeting, complete transparency, we told the residents that we had a Parks Contract that wasn't emailed out, you guys didn't see it, which I totally understood, at that point we said we were going to go ahead and put stuff on the agenda, Barb then emailed out the Parks Contract to everyone, we said in that meeting we were going to talk about it at the Dec. 17th meeting – so whose responsibility was it to put in on the agenda; Councilman Messa (and I don't want to speak for anyone) I think what happened was, look at the email exchanges that went on, and I don't know where it got lost in translation, but it was stated Parks and Bonadio to be added to the agenda and we were going to email Judges. Then the Clerk put those as the only items (Councilman Tehan – I agree. I didn't know if there was an offline discussion);

IV. MATTERS SUBMITTED BY COUNCILMEN

a. COUNCILMAN MESSA

1. Judge Appointment – would like to appoint Bridget Talarico

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

(RESOLUTION NO. 441 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby appoint Bridget Talarico as New Hartford Town Judge.

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

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

Resolutions was NOT PASSED: vote was 2 to 3

COUNCILMAN TEHAN – if we don't do it tonight, get the State in here and we are done; make a motion have the State of New York assign a Justice as an interim solution until the next election; Town Attorney Herbert Cully – so you are going to 10/11 months – someone that they bring in here that is not from here; Councilman Tehan – yes, whatever it takes; Supervisor Miscione – how does that work Herb; Town Attorney Herbert Cully – I can't even imagine, you are gong to get some judge, from some Court, someplace else who is going to come in here and handle our cases; Supervisor Miscione – before I make a decision, asked Herb to give a background; Town Attorney Herbert Cully – the problem is they are going to pick a judge from some Court in the State and they are going to assign him/her to your Court, dealing with New Hartford citizens and you have no control over who you get. I appear in a lot of justice courts

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and some of the municipal justices are not the nicest people to appear in front of. Especially when they don't live in New Hartford and not familiar with New Hartford people, may have predetermined attitudes about New Hartford people. I just think you are better off with someone from New Hartford; Councilman Messa – but the judges take an oath but also by doing that it doesn't tip the scales for any of these candidates either when it comes to election time – they get a full, fair shot and the people decide who their next Justices is; Town Attorney Herbert Cully – I don't disagree with that at all Jim, I think that is a very valid statement. My concern is you are going to have our citizens appearing on traffic tickets and whatever from some judge that nobody knows where they have some predetermined attitudes and be very difficult to deal with or may get someone who is great; Councilman Reynolds – we just did some interviews with some very capable candidates and made some judgements on those candidates and I think we are ready to make a decision and I am not in favor of bringing in a visiting judge (Councilman Latini – I agree). I don't think it is fair; Supervisor Miscione – I don't have a problem with the State I do have a problem when we can't pick them from New Hartford. I also felt strong that the Police Chief be from New Hartford, the Police Chief be from New Hartford. I also believe a Codes Officer that should be from New Hartford – I believe everyone here that makes decisions for New Hartford should live in New Hartford but my question is, with the State can you pick a person (Herb – No, they assign someone) – that is my only fear not to sound negative – feel strong the person be from New Hartford; Councilman Tehan – I don't see the downside of getting an experienced judge in here; Supervisor Miscione – again, I am for the State; Councilman Messa – Paul, you have state your are for the State; Supervisor Miscione - I am for the State but I am for picking from the State; Councilman Messa – it is you can't have your cake and eat it to; Supervisor Miscione – ok then I am going to say No Jim; Councilman Messa – thank you; Supervisor Miscione – you are welcome

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

(RESOLUTION NO. 442 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby motion to have the State of New York assign a Justice as an interim solution until the next election.

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

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

Resolutions was NOT PASSED: vote was 2 to 3

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

(RESOLUTION NO. 443 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby motion to appoint David Longeretta as Town Of New Hartford Town Judge.

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

Councilman Messa	-	Nay
Councilman Latini	-	Aye

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

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

V. MATTERS SUBMITTED BY COUCILMEN

- a. COUNCILMAN TEHAN** – had a call today about fire inspection fees – the individual was very passionate and opinionated about the cost increase – we have talked about it, evaluating it based on the level of income – bringing it the attention of the Board - \$300 per year is a big jump from the prior – will speak with the individual – probably not the last one to hear about it; Supervisor Miscione – been 6-months, we set our budget it on it, have heard from two or three people. Equal with electrical inspections in the Town (compared to \$280) down the road if we get so many people can’t afford it, we can look into it

VI. MATTERS SUBMITTED BY TOWN SUPERVISOR

a. PARKS CONTRACT

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

(RESOLUTION NO. 444 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to enter into Executive Session (9:04pm)

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

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

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

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

(RESOLUTION NO. 445 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to come out of Executive Session (9:16pm).

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***.

Discussion: Supervisor Miscione – going to bring Chen up from \$22.00 to \$22.80 an hour, bring Anthony Messa up from \$18.90 to \$22.00 an hour and going to bring John Randal up, giving him a \$4/hour raise

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

(RESOLUTION NO. 446 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to for the following raises: Chen up from \$22.00 to \$22.80 an hour, bring Anthony Messa up from \$18.90 to \$22.00 an hour and going to bring John Randal up, giving him a \$4/hour raise until December 31, 2025.

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

Councilman Messa	-	Abstain (from Anthony Messa)
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 Tehan and seconded Councilman Messa, the meeting was adjourned at 9.19 P.M.

(RESOLUTION NO. 447 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
12/19/2024