

**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, JULY 10, 2024 at 6:00 P.M.**

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

**TOWN BOARD MEMBERS PRESENT:**

Councilman James J. Messa  
Councilman John Latini  
Councilman David M. Reynolds  
Councilman David Tehan  
Supervisor Paul A. Miscione

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

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

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

**I. BOARD MEETING MINUTES**

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

**(RESOLUTION NO. 248 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve the Town Board Meeting Minutes from the June 19, 2024 meeting.

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

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

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

**II. PUBLIC COMMENTS**

- a. **Joan Milewski – Royal Brook Lane – 7 Brew noise** – noise early in the morning (5am) and late at night; Councilman Messa suggested 9am – 9pm for Commercial; Town Attorney Herbert Cully going to look into the site plan approval – Planning Board asks the hours of operation and not supposed to be directed towards the neighbors; Joan -also, the lights if shielded – Supervisor Miscione said in the Planning Board minutes that they will be – Joan, they are not - Town Attorney Herbert Cully requested the meeting minutes to see if in fact in the minutes; Councilman Messa suggested the Local Law for the timeframe for noise (start and end); Joan – we were notified by mail, which we have been

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in the past when anything is going to be built, in the past, in that area, was told by the Town that the letters went out, maybe the wind blew it away, or just put in your mailbox – never received any notices about 7 Brew (Joan house 70ft away); Town Attorney stated we usually mail within 500ft; Joan showed the meeting minutes to the Board; Joan also mentioned the lights shine into her home – also worried about water pushed her way when plow the snow – Supervisor Miscione did call Joan personally to notify her but Joan or some of the other neighbors were never notified; Councilman Messa said the Planning Board sends out the notices within 500ft. – Joan did request a letter for her file and never received it and also asked her neighbors; Supervisor Miscione – to clarify, the owner of the property did call him and he did tell the owner (before it went to the Planning Board) that he wanted to reach out to the residents on Royal Brook Lane (which he did reach out to Joan) and knocked on some doors to personally speak to the residents and left some notes about the project and the owner was willing to do what is needed to be done; Joan – spoke about the oil change station – showed the petition from 2019 – we were never given a chance to speak our opinions; Councilman Latini – has to be posted at the Town Hall, in the Rome Sentinel and letters sent; Again Joan stated, never received a notice but Supervisor Miscione did personally call Joan to inform her; Councilman Messa – legislation for the noise – Town Attorney Herbert Cully it was discussed years ago about the noise, has to have a definitive standard – as a standard for the Planning Board – a resolution could be adopted saying want the Planning Board to address the issues of the noise and lighting and ensure it's all dark sky compliant (which we do) and hours of operation are 9am – 9pm and no exterior broadcasting of music or sound (can be conditions in their approvals); Supervisor Miscione will reach out to the owner for the lights and noise and address it at our next meeting

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

### **(RESOLUTION NO. 249 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Town Attorney Herbert Cully to send a letter to the Planning Board indicating that the Town Board has had complaints, with regards to 7 Brews (lighting and noise) and that the Town Board would like the Planning Board to address the issues, specifically, of the dark sky lighting and noise (exterior broadcasting of music/sound), in connection with the applications the Planning Board reviews.

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**.

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- b. **Dominic Pavia – representing AR Builders** – in regards to the project on Middle Settlement Road;

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

**(RESOLUTION NO. 250 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to move AR Builders forward to the Planning Board to get more information about the project.

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. **Ryan Brady – 39 Imperial Drive** – concerned about the traffic/speeding (has a little child) – asking if can do speed radar/sign/police presence – dark at night (lighting)

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

**(RESOLUTION NO. 251 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to place a SLOW CHILDREN AT PLAY sign on Ryan Brady's property – 39 Imperial Drive (with received permission from Ryan Brady).

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**.

Supervisor Miscione – Lighting – little developments, Town goes out to the neighbors and price it – on taxes it will say Lighting District (two parts - Capital Project and Maintenance Cost – yearly bill), can't put lights up without having a district to it, speak with the neighbors to get lighting put up; also spoke about left turn into Dunkin coming from Oxford, down Kellogg – Highway Superintendent Richard Sherman – County owned road but traffic signal owned by the Town but the computer is old and will not accommodate another left arrow - County is looking to revamp the entire road with new traffic signal

- d. **Kim Hubbard – 34 Royal Brook Lane** – also spoke about the sound from 7 Brew – shakes her house, blue lighting shines into her house; music also from Barnes and Nobles

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that comes directly towards their home and the music is on 24/7 and the lighting shines into her kitchen and living room as well as from the parking lot; Supervisor Miscione – did reach out about the music and did have them change the lighting years ago and in compliance (regular parking lights); Supervisor Miscione will reach out to them

- e. **Damian Castro – Portugal Circus** – Sangertown Square Mall; fee was paid to the Clerk’s Office with permit submitted with supporting documents requested by the Town – set up begins July 16<sup>th</sup> at 8:00am – shows from July 19 – 28<sup>th</sup> – tear down July 28<sup>th</sup> to July 30<sup>th</sup> (one show Monday – Friday 7:30pm - 9:15pm, Saturday 2pm, 5pm, 8pm and Sunday 2pm and 5pm – 1 hour and 45 min. shows); staff will stay on site in RVs; one tent, no rides; Town Supervisor Paul Miscione – asked about security – has asked Damian to rent a security metal detector booth and wand, hire a private security company/staff and will also hire New Hartford Police Department as backup, at the rate that Sangertown Mall pay (Chief Fontaine will work with Damian), no backpacks allowed, purses checked, bags checked, mandatory to have security, especially from 5pm – closing; age will be the same as the mall age limit (accompanied by an adult – under the age of 18, will check IDs; have rented a dumpster and portable toilets; Supervisor Miscione wants everyone to feel safe, wants to see a real safety plan and for the Chief of Police to see it and approve it; advertise via Social Media, inside the mall, radio; Councilman Reynolds said if it is a tent, our Codes Dept. has to pass it as well - Supervisor, Town Board and Town Attorney said the Codes Dept. should look it over (permit and plans) – Town Clerk did bring it to Codes and was told it is the Clerk’s permit and responsibility to take care of;

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

**(RESOLUTION NO. 252 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve the Portugal Circus to go forward with the approval from the Police Chief with the safety plan that Damian Castro will submit to the Police Chief for final approval. Supervisor Miscione says it is mandatory to have metal detectors, purses checked, nap sacks not allow in the tent, and two New Hartford Police Officers on site (paid by the circus, Chief will invoice) and an ambulance service on site. Deadline to submit to Chief is Friday, July 1, 2024. Will meet with Chief; one of the three fire inspectors to do a fire inspection and inspections during the circus and will follow the safety guidelines and if don’t follow fire inspectors or Police Chiefs guidelines, they are able to shut the circus down.

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

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

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

**III. REPORTS OF TOWN DEPARTMENTS**

**a. Town Clerk – Cheryl Jassak-Huther**

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

**(RESOLUTION NO. 253 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve annual membership fee for Town Clerk Cheryl Jassak-Huther beginning July 1, 2024 – June 30, 2025 for \$85.00 for the NYS Town Clerks Association (fee also includes Deputy Donna Owens).

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

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

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

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

**(RESOLUTION NO. 254 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve the 30-day Advanced Notice – On-Premises Beverage License (NYS) for Smokin’ Guns Saloon II.

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**

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

**(RESOLUTION NO. 255 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve the Stormwater Agreement between the Town of New Hartford and New Paris Road Solar 1, LLC, dated June 2024 and authorizes Supervisor Miscione to execute the same.

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

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

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

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

**(RESOLUTION NO. 256 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve the form Decommissioning Bond provided by New Paris Road Solar 1, LLC, in accordance with the conditions of Site Plan and Special Use Permit issued by the Planning Board on November 14, 2022.

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. BOOKKEEPER – DEANNA SPINA – Vouchers**

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

**(RESOLUTION NO. 257 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to pay Oneida Carpet (50%) for \$3,136.48 – carpet for the Town Clerk’s Office to be taken out of Capital Project that we BONDED for.

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. 258 OF 2024)**

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RESOLVED, that the New Hartford Town Board does hereby approve to pay ACE JUNIOR for air conditioning motor and labor in the amount of \$1,700.00 to come out of Buildings and Grounds account.

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

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

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

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

## (RESOLUTION NO. 259 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to pay the vouchers.

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

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

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

RECORD OF CLAIMS #1	
24-00895-24-00907	
A	\$2,493.21
B	
BP	\$3,704.42
DB	\$72.00
SF	
SL	\$1,159.86
SS	
TA	
HMA	
HTA	
TOTAL	\$7,429.49
RECORD OF CLAIMS #2	
24-00913-24-00933	
A	\$13,892.20
B	\$170.47
BP	\$69,930.22
DB	\$31,702.81
F	
SL	
SF	
SS	\$2,894.03
TA	\$17,443.44
HMA	\$5,223.16
HTA	
DB	
TOTAL	\$141,256.33

RECORD OF CLAIMS #3	
24-00934-24-00943	
A	\$19,163.30
B	
BP	\$277.85
DB	
SF	
SL	
SS	\$612.12
TA	
X-HMA	
X-HTA	
TOTAL	\$20,053.27

RECORD OF CLAIMS #4	
24-00979-24-01113	
A	\$27,538.85
B	\$2,348.52
BP	\$51,787.55
DA	
DB	\$75,693.95
SF	\$1,812.00
SL	
SS	\$11,428.03
TA	\$0.00
HMA	\$9,715.15
HTA	\$24,149.07
TOTAL	\$204,473.12
GRAND TOTAL	\$373,212.21

**d. HIGHWAY SUPERINTENDENT RICHARD SHERMAN**

**1. Mud Creek Flood Control Bid**

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

**(RESOLUTION NO. 260 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to go out for BID for the Mud Creek Flood Control at Sangertown Square Mall.

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. Finishing up the fountain at the Veterans Park; working on the Dog Park at Sherrill Brook Park; working on Roman Road detention pond; brush/green waste crew out daily; mowing detention ponds and cul-de-sacs weekly; list of houses that needed mowing are done; Phase 1 of milling is done, on to Phase 2 and paving will start next Monday; sidewalks are done on Merritt Place and Arlington; start work on Oneida Street sidewalks when surveyor is done; painting crosswalks and arrows in front of McDonalds on Oneida Street; trimming trees before paving begins; Councilman Messa added that the Highway Dept. has done a great job as far as cutting driveways, trimming trees, etc., appreciates the workers hard work and really are doing a great job- the roads are going to look great; Highway Superintendent Richard Sherman – also goes a long way with giving the Highway Dept summer help – the kids are really doing a great job and extra jobs, freezes up a lot of the other employees to give the extra

**IV. MATTERS SUBMITTED BY COUNCILMEN**

**a. Councilman Latini** – Rocco Arcuri (Adirondack Bank) – will also be helping with the REC Center

**b. Councilman Reynolds**

1. **Fire Inspection Report** – June 2024 – four inspections submitted to the Clerk's Office for payment (one was for 2023 for \$135.00 and three for a total of \$1,1127.90); will meet with Christine to go over reports – supplied a spreadsheet but doesn't see the correlation with other stuff received and looking to review; Councilman Messa asked if the report shows what each fire inspector has done, money collected (Councilman Reynolds stated that is what



he wants to get at – we need one spreadsheet so that we know who did the inspection, how much was collected, is it still ongoing, is it completed);

2. **Relocate a stop sign** – Chenango Ave. and Old Campion Road – it is on Chenango Ave. and would like to propose to move it to Old Campion Road – Highway Superintendent Richard Sherman stated both roads are County Roads – and will have to get permission from the County; complaints that no one stops at the stop sign; dead end is in the City of Utica; we would have to have a Public Hearing

c. **Councilman Messa**

1. **Roman, Hughes and Twyndom Project updates** – ready to get started
2. **Next steps for Mallory Rd. project** – got the names of the three people and reached out to one and will reach out to the other two, will have all contacted by next meeting
3. **Roberts Creek clean out** – on the list for the Highway Dept.
4. **Solar Liberty** – received email about the project that butts up against Rt. 8 and Roberts Road – concern of visibility and characteristics; Supervisor Miscione – we have a lot of obstacles to make it work, not buried in the woods, always looking at the value – not a community solar project, residences will not benefit from it; Councilman Messa if the Board doesn't feel like it is a good project than don't want to refer to the Planning Board; Supervisor Miscione – will have a conference call with Councilman Messa and Solar Liberty
5. **Gary Edwards 60<sup>th</sup> Anniversary Friday, July 12 at 11am** - at the Edwards Garage on Oneida Street – in attendance will be Councilman Reynolds, Highway Superintendent Richard Sherman and Barb – a proclamation will be presented; PBA will also present a plaque
6. **Audio in the Town Hall** – Supervisor Miscione will get everything up and running for meetings

d. **Councilman Latini**

1. **REC CENTER** – ads on the scoreboard and the rink; Supervisor Miscione – we already advertised to go out to decal the Zamboni – Frank Mastrovito from Mastrovito Hyundai will sponsor the Zamboni; will look for sponsors for the Boards around the rink

e. **Councilman Tehan**

1. **Bonadio Engagement Letter** – the changes were made suggested at the June 19<sup>th</sup> meeting; spoke with a representative; Supervisor Miscione – approved for Bonadio to do our reconciliations and journal entries, both noted in our 2022 audit – asked to take out the Town Clerks supplemental reports because those are done and reconciled by the Town Clerk and given to the Supervisor on a monthly basis and since she has been here the Supervisor has never had it be off by a penny, don't want to duplicate services and never got called out on a audit – asked to take out Supervisors report as the Supervisor is required to do a report up to 60 days of the month prior – also asked Bonadio to take out that they would go back prior years and do finances on prior years which we had

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hired another firm to do for 2023; add – major issues to get everything in the software – every line item in the software – so have updated amount monthly like sales tax, etc., asked them to come in and structure it so everything is inclusive – software training (another fee).

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

**(RESOLUTION NO. 261 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to sign the Bonadio Engagement Letter once they eliminate the Town Clerk from any of the audit materials.

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 Latini:

**(RESOLUTION NO. 262 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the 2023 Financial Audit and engage Drescher and Malecki LLP.

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**.

**V. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE**

**a. Bank Accounts**

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

**(RESOLUTION NO. 263 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Barb Schwenzfeier and Christine Lacy to be added to the Adirondack Bank accounts for the Town (not Town Clerk's accounts), if Deanna Spina is not here – to wire money and transfer money, cannot write checks.

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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***.

**b. MVEDGE**

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

**(RESOLUTION NO. 264 OF 2024)**

Resolution by Town Supervisor Paul Miscione approving and endorsing a Consolidated Funding Application (“CFA”) to the NYS Department of State Office of Planning, Development, & Community Infrastructure Environmental Protection Fund Smart Growth Program Smart Growth Community Planning & Zoning Grant Program to develop an Area Plan to facilitate redevelopment of the former St. Luke’s hospital campus in the Town of New Hartford.

Whereas, Mohawk Valley Economic Development Growth Enterprises Corporation (“MVEDGE”), on behalf of the Town of New Hartford, intends to apply for Area Plan Grant funding for the Preparation and local adoption of a new or updated area plan for part of a town, village, or city that supports smart growth principles; and

Whereas, MVEDGE is an incorporated NYS Not-For-Profit Corporation and, therefore, an eligible applicant on behalf of the municipality; and

Whereas, MVEDGE has committed to providing the 10% minimum required matching funds in the form of cash equity, in-kind services, and other eligible matching funds; and

Whereas, eligible activities may include the preparation of surveys, assessment, maps, charts, studies, and other research-oriented activities, writing illustrating, and producing a Comprehensive Plan or Area Plan, drafting zoning laws, holding and facilitating community forums and public engagement, coordination with other governmental entities, activities required to comply with the State Environmental Quality Review Act (“SEQRA”), project management, committee coordination, and other activities needed to complete a plan that addresses Smart Growth Principles; and

Whereas, the proposed grant funding will advance the next pivotal steps in the revitalization of the former St. Luke’s campus its environs; and

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Whereas, the project team has conducted extensive civic engagement, engineering studies, architectural studies, environmental assessments, and planning activities, and includes a united coalition of residents, stakeholders, Oneida County, Mohawk Valley Health Systems, and MVEDGE; and, now therefore

Resolved, that the Town of New Hartford supports and endorses the Mohawk Valley Economic Development Growth Enterprises Corporation (“MVEDGE”) to submit a Consolidated Funding Application (“CFA”) on behalf of the Town of New Hartford to the NYS Department of State Office of Planning, Development, & Community Infrastructure Environmental Protection Fund Smart Growth Program Smart Growth Community Planning & Zoning Grant Program to develop an Area Plan to facilitate redevelopment of the former St. Luke’s hospital campus in the Town of New Hartford.

Resolved, that this Resolution shall take effect immediately.

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. DRI Grant Program – Downtown Chadwicks**

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

**(RESOLUTION NO. 265 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to go out and apply for the DRI Program Grant for Downtown Chadwicks Project,

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. Troy and Banks, Inc.**

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

**(RESOLUTION NO. 266 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Troy and Banks, Inc. to conduct another Utility/Telecom audit for the Town of New Hartford and Supervisor Miscione to sign the 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**.

- e. Thanked Adirondack Bank for the donation of \$10,000 for the K9 – was deposited into the Police Fund
- f. **Engineering Fees**

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

**(RESOLUTION NO. 267 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to accept \$1,500.00 from Dr. Haraj Lulu for engineering fees (John Dunkle) for his proposed project at 3354 Oneida Street, Chadwicks, NY (former Word of Life Church), art studio.

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. **Liability Coverage** – Insurance Liability Requirements for use of state-owned property use and occupancy permit No: 21928; former railroad corridor from New Hartford Street to and along Westerly Boundary of Oneida East Residency Town of New Hartford, Oneida County (Rayhill Trail)

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

**(RESOLUTION NO. 268 OF 2024)**

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RESOLVED, that the New Hartford Town Board does hereby approve to the Liability Policy through Gates Cole, with DOT, permission for Supervisor Miscione to sign.

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***.

**h. General Security Contract**

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

**(RESOLUTION NO. 269 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the contract for continued coverage for parts and labor in the amount of \$261.36 per month.

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***.

**i. Cyber Security**

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

**(RESOLUTION NO. 270 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the contract Cyber Insurance through Gates Cole Insurance, \$3,900 per year.

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***.

- j. **New York State Power Authority Street Lights** – did a BOND with them; BOND payment due – would like Town Attorney Herbert Cully review before accepting the new price/contract – contract needed for Clerk's Office and Town Attorney to review; Supervisor Miscione gave Town Attorney a copy of the Invoice to review
- k. **Go Net Speed** – Fiber Optic High Speed Internet coming to New Hartford; underground
- l. **Central New York Orienteering** – will meet with group; bike route in the parks; Barb will set up a meeting
- m. **Gold Star Families Monument** (12 Fallen in Oneida County – Iraq and Afghanistan – Jet Black Granite - \$12,640.00 for the Veterans Memorial Park (through 501c3)
- n. **POW/MIA and US Space Force Monuments** – Veterans Committee with meet with Ben from Mohawk Valley Monuments next week
- o. **Future Expansion of Veterans Park** – Councilman Messa addressed that we spoke about adding a 9/11 monument/designated area (Rome, NY has a beautiful Veterans Park); Highway Superintendent Richard Sherman – a globe that turns with all the wars that turns – Veterans Committee will work together
- p. **501c3** – Town Attorney Herbert Cully and Town Clerk working together – a committee with local Veterans has been set
- q. **Dedication Ceremony of Veterans Park** – Sunday, Sept. 29, 2024, 3pm – held on Gold Star Family Day – Owen Jassak flags will also be on display; an official invite will be sent
- r. **Food Trucks** – Supervisor Miscione suggested all Food Trucks go through the Town (permits and payments) and then the Town pays the fee back to the Village; currently the Town has no Food Permits submitted; Farmers Market held at the Rec Center – also part of the Town; \$125 for 6-months - \$200 per year – Police Chief does the background checks – need to review application/change; Town Attorney Herbert Cully will look into the current law and application; Anne DuRoss will have the Chamber contact Town Clerk; have to discuss who enforces the Law; change Town Law; proposed to have application in one location – the Town (Clerk's Office); Councilman Reynolds – the Mayor wants to remain the Village; the police are legal in checking food trucks and able to close them down if we don't have an application; Chief said the most we can do is give them an appearance ticket – have them leave; all food trucks should have a Village and Town permit; Supervisor Miscione – everyone pays that is in the Town – the Chamber is unaware they have to get a Town permit; Town Clerk Cheryl did speak to the Village last year and made them aware they needed a permit from the Town as well; Supervisor Miscione – stay as is, pay for both (Town and Village)
- s. **Town Board Meeting**

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

**(RESOLUTION NO. 271 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to change the November 6, 2024 meeting to November 7, 2024.

TOWN BOARD MEETING

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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***.

**t. EXECUTIVE SESSION** – Police Department/Personnel

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

**(RESOLUTION NO. 272 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to enter into Executive Session (9:43pm).

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. 273 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to come out of Executive Session (10:27pm).

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***.

**u. Police Commission**

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



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**(RESOLUTION NO. 274 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to adopt a Local Law to abolish the New Hartford Police Commission since it was enacted by a Local Law (subject to a Public Hearing).

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***.

**VI. MATTERS SUBMITTED BY TOWN ATTORNEY HERBERT CULLY – 19**

Larchmont Drive – Town Clean up on 7/16/2024 beginning at 8:00am

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Tehan and seconded Councilman Latini, the meeting was adjourned at 10:30 P.M.

**(RESOLUTION NO. 275 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

7/12/2024