

**SPECIAL 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, SEPTEMBER 25, 2024, 2024 at 6:00 P.M.**

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

**TOWN BOARD MEMBERS PRESENT:**

Councilman 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

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

**I. MATTERS SUBMITTED BY TOWN SUPERVISOR**  
**a. CAPITAL PROJECTS**

<u>HIGHWAY DEPARTMENT</u>			
<u>DESCRIPTION</u>			<u>REQUEST FOR BAN</u>
Over the Rail Mower New Holland			\$201,478.13
Snow Blower New Skid Steer 48"			\$6,975.00
2025 Mack Chasis Brush Truck			\$143,172.00
Bucket Truck			\$156,420.00
Paving Roads			\$2,000,000.00
New Traffic Lights-Kellogg Road			\$400,000.00
New Traffic Lights-Higby Road			\$400,000.00
Storm Water Project - First Ward			\$750,000.00
Downtown Chadwicks Infrastructure			\$500,000.00

<b><u>PARKS &amp; REC. GENERAL</u></b> <b><u>WHOLETOWN</u></b>			
Park Playground & Pickleball			\$625,000.00
<b><u>POLICE</u></b>			
Police Equipment			\$850,000.00
<b>TOTAL</b>			<b>\$6,033,045.13</b>

**II. MATTERS SUBMITTED BY TOWN ATTORNEY HERBERT CULLY**

- a. Local Law 6 of 2024** – no public hearing was set at the last Board Meeting, it was only discussed

**Town of New Hartford, NY**  
**Local Law Introductory 6 of 2024**

**§ 1. Title:**

This Local Law shall be known as the “Local Law amending the Number of Members of the Zoning Board of Appeals as established in New Hartford Town Code Chapter 118-126.”

**§ 2. Purpose:**

The Town Board finds that it is in the best interest of the Town to appoint alternate members of the Zoning Board of Appeals due to difficulties in empaneling a full Board for meetings.

**§ 3. Legislative Authority:**

This chapter is enacted pursuant to §10, of the Municipal Home Rule Law of the State of New York.

**§4. Abolishment:**

The Town Board does hereby amend the New Hartford Town Code Chapter 118-126 to add the following language;

The Town Board shall have the authority to designate two (2) alternate embers for said Board to be called upon to attend meetings as may be requested by the Chairperson of said Board. Members and Alternate Members of the Zoning Board of Appeals shall be paid their attendance fee prorata based upon meetings actually attended, Members and Alternate Members may be terminated by the Town Board in the instance they miss two (2) meetings in any year absent good cause within the sole discretion of the Town Board.

**§5. Effective Date:**

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

- b. **Local Law 7 of 2024** – no public hearing was set at the last Board Meeting, it was only discussed

## **Town of New Hartford, NY Local Law Introductory 7 of 2024**

**§ 1.        Title:**

This Local Law shall be known as the “Local Law amending the Number of Members of the Planning Board as established in New Hartford Town Code Chapter 23-4(B).”

**§ 2.        Purpose:**

The Town Board finds that it is in the best interest of the Town to appoint alternate members of the Planning Board due to difficulties in empaneling a full Board for meetings.

**§ 3.        Legislative Authority:**

This chapter is enacted pursuant to §10, of the Municipal Home Rule Law of the State of New York.

**§4.        Abolishment:**

The Town Board does hereby amend the New Hartford Town Code Chapter 23-4(B) to add the following language;

The Town Board shall have the authority to designate two (2) alternate members for said Board to be called upon to attend meetings as may be requested by the Chairperson of said Board. Members and Alternate Members of the Planning Board shall be paid their attendance fee prorata based upon meetings actually attended, Members and Alternate Members may be terminated by the Town Board in the instance they miss two (2) meetings in any year absent good cause within the sole discretion of the Town Board.

**§5.        Effective Date:**

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

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

### **(RESOLUTION NO. 326 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to move forward to schedule a Public Hearing for Local Law 6 of 2024 and Local Law 7 of 2024 on Thursday, November 7, 2024.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye

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

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

- c. **Health Care for the Town Supervisor** – October 18, 2023 the Board passed a resolution allowing the Town Supervisor to have a single plan Health Care with no continuance from year to year, has to be reinstate from year to year

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

**(RESOLUTION NO. 327 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Town Supervisor Miscione to continue for the year 2025, a single plan health care.

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

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

**III. MATTERS SUBMITTED BY TOWN SUPERVISOR**

- a. **CNY Concrete Mitigation Fees/ Seneca Turnpike/Commercial Drive Corridor Development Cost Schedule (Fees in Lieu of Mitigation)** – total \$4,145.00; in the future to look over and increase the fees

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

**(RESOLUTION NO. 328 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve for Town Supervisor Miscione to authorize and issue a permit to CNY Concrete (1,200 square foot addition, totaling \$4,145.00 – mitigation fees).

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. BOND**

<b><u>HIGHWAY DEPARTMENT</u></b>			
<b><u>DESCRIPTION</u></b>			<b><u>REQUEST FOR BAN</u></b>
Over the Rail Mower New Holland			\$201,478.13
Snow Blower New Skid Steer 48"			\$6,975.00
2025 Mack Chasis Brush Truck			\$143,172.00
Bucket Truck			\$156,420.00
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Storm Water Project - First Ward			\$750,000.00
Downtown Chadwicks Infrastructure			\$500,000.00
<b><u>PARKS &amp; REC. GENERAL</u></b> <b><u>WHOLETOWN</u></b>			
Park Playground & Pickleball			\$625,000.00
<b><u>POLICE</u></b>			
Police Equipment			\$850,000.00
<b>TOTAL</b>			<b>\$6,033,045.13</b>

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

**(RESOLUTION NO. 329 OF 2024)**

RESOLVED, that the New Hartford Town Board does hereby approve to go out to BOND for \$6,033,045.13 for the projects listed subject to a permissive referendum.

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***.

Discussion: the Board asked for clearer documents, more detailed lists of accounts with numbers, etc., itemized BONDS list that shows everything including the years left on the Bonds, itemized bond excel spreadsheet the Supervisor has with the journal entries supporting it within the next week.

**IV. MATTERS SUBMITTED BY COUNCILMEN**

**a. COUNCILMAN MESSA**

1. Department Head for the Codes Department – any updates, for Civil Service – Supervisor Miscione asked Barb to follow up on it; Supervisor Miscione said the Codes Department is very busy, gets a lot of calls asking for letters for their properties (small stuff, ex. Shed permits) – asked the Board if would mind if Supervisor Miscione could sign off on the smaller permits because Lary has a lot of time he will be taking off coming up and permits needs to be closed out; behind on permits; Town Attorney Herbert Cully – asking to authorize the Town Supervisor, in the absence of the Codes Enforcement Officer to execute permits; Councilman Reynolds asked about George Farley (is part-time) – would like to wait – looking to add a Supervisor in the Department – Lary and George pick up the pass a little bit; Supervisor Miscione will now forward calls to the Councilmen for the Districts he receives the calls from; Councilman Tehan – get the Codes Department Supervisor job description nailed down quick; Councilman Messa – agree, we need to move forward with the Codes Supervisor position – position will be very vital and very helpful – need to streamline things

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Reynolds and seconded Councilman Messa, the meeting was adjourned at 10:03 P.M.

**(RESOLUTION NO. 330 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***.

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Respectfully submitted,

Cheryl Jassak-Huther

Town Clerk

10/2/2024