

**JOINT TOWN BOARD/PLANNING 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
THURSDAY, JANUARY 23, 2025 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
Highway Superintendent, Richard Sherman
Highway Foreman, Chris Moran
Assistant Director of Personnel, Barbara Schwenzfeier
Codes Officer – George Farley

Absent: Police Chief, Ronald Fontaine

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

PLEASE SEE ATTACHED PLANNING BOARD – Dolores Shaw, Secretary Minutes from meeting

I. PUBLIC HEARING

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

(RESOLUTION NO. 31 OF 2025)

RESOLVED, that the New Hartford Town Board does hereby approve to open up the Public Hearing at 6:19pm.

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***.

DISCUSSIONS

- See attached notes from Dory Shaw – residents spoke

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

(RESOLUTION NO. 32 OF 2025)

RESOLVED, that the New Hartford Town Board does hereby approve to close the Public Hearing at 6:39pm.

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. NEGATIVE DECLARATION UNDER SEQR

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

(RESOLUTION NO. 33 OF 2025)

RESOLVED, that the New Hartford Town Board does hereby approve to approve to allow the zone change to go forward – Negative Declaration under SEQR.

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

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

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

III. LOCAL LAW 1 of 2025

LOCAL LAW 1 OF 2025

TOWN OF NEW HARTFORD, NY

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A Local Law to amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, Section 118-16(P) adding “Enclosed Shopping Center and Residential Overlay District” to allow residential uses and provide area and bulk requirements within the C-1 Zoning District at enclosed shopping centers and amending zoning map accordingly with respect to property located at New York State Commercial Drive (NYS Route 5A) and Seneca Turnpike (NYS Route 5), also known as Tax Map Nos. 328.008-1-12.1; 328.008-1-12.3; 328.008-1-18; 328.012-1-2.2; 328.012-1-2.3; and 328.012-1-2.4 or portions thereof, as more fully set forth as Exhibit A to Local Law 1 of 2025.

By Order of the Town Board of the Town of New Hartford, New York.

This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State.

RESOLUTION

WHEREAS the TOWN BOARD of the TOWN OF NEW HARTFORD is considering rezoning Tax Map Parcel 328.008-1-12.1, 328.008-1-12.3, 328.008-1-18, 328.012-1-2.2, 328.012-1-2.3, 328.012-1-2.4 from General Commercial (C1) to a new district §118-16(p) ENCLOSED SHOPPING CENTER and RESIDENTIAL OVERLAY DISTRICT.

WHEREAS the Town Board did declare itself as lead agency pursuant to SEQRA and refer the application to its Planning Board for recommendation and,

WHEREAS the Planning Board did prepare its written report for January 23, 2025 with finding and its recommendation for adoption, which was submitted to the Town Board, and

WHEREAS the Town Board did duly notice and is in receipt of the responses from the interested agencies or the time to respond has elapsed, and

WHEREAS the Town Board and Planning Board noticed and conducted their Public Hearing on the 23rd day of January 2025, and listened to the comments presented therein, and given full consideration to all comments, it is

RESOLVED Zone Changed

RESOLVED that the Town Board does hereby and herewith declare a negative declaration, pursuant to SEQRA, and it is further

RESOLVED that the Town Board does hereby and herewith amend the Town Code to create §118-16(P) Enclosed Shopping Center and Residential Overlay District and does APPROVE Local Law 1 of 2025.

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

(RESOLUTION NO. 34 OF 2025)

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RESOLVED, that the New Hartford Town Board does hereby approve to approve Local Law 1 of 2025.

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

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

Resolutions PASSED with four (4) affirmative votes and duly **ADOPTED**.

**IV. MATTERS SUBMITTED BY TOWN SUPERVISOR/HIGHWAY
SUPERINTENDENT RICHARD SHERMAN**

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

(RESOLUTION NO. 35 OF 2025)

RESOLVED, that the New Hartford Town Board does hereby approve to hire John Starolo, Motor Equipment Operator for the Highway Department, \$22/Hr. Full-Time, Permanent, effective 2/10/2025.

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**.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Latini and seconded Councilman Tehan, the meeting was adjourned at 6:48pm.

(RESOLUTION NO. 36 OF 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**.

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Respectfully submitted,

Cheryl Jassak-Huther

Town Clerk

2/1/2025