

**REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK
HELD AT 8635 CLINTON STREET, NEW HARTFORD, NY ON
SEPTEMBER 9, 2020, 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.

All present were social distanced, asked to wear masks and had temperatures checked upon arrival and had to sign in. Masks were available in the Town

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Deputy Supervisor Anthony J. Trevisani
Bookkeeper Lisa Smigle
Highway/Sewer Superintendent Richard C. Sherman
Police Chief Michael S. Inserra
Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young
Deputy Clerk I Melody K. Fancett
Highway Foreman Chris Moran
Director of Personnel Barbara Schwenzfeier

Thereafter, the Supervisor declared a quorum present for the transaction of business.

PUBLIC PRESENTATIONS:

SESSIONS ROAD DEVELOPMENT – RESIDENT CONCERNS:

Supervisor Miscione explained The Town has not received an application to date for any projects or development on Sessions Road. He explained that the buyers would have to do a PDD Overlay due to the current zoning of the property.

Supervisor Miscione explained that with a PDD Overlay the process is first the applicant has to come to the Town Board, and then a Public Hearing would be held where residents would be notified. Then they would have to go through the Planning Board, and then back to the Town Board which at that time it would be voted on.

Supervisor Miscione further explained that the Town Board just had a PDD Overlay come before the Board and it was rejected as no one was in favor of a multi-family development in New Hartford at this time.

He then opened the floor to the residents who had questions and/or concerns for the Town Board: Several unidentified residents came forth with the following questions, concerns and comments.

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How long of a time span are the residents looking at before they have any information?
What is the Zoning on this property and is it zoned for a multi-family residence?
Flooding concerns for long-time Sessions Road & Oneida Street residents.
Tax concerns on any property built. How will this property affect existing taxes for residents?
Who will be funding this project? Are any Government Agencies?
Will these units be rentals or privately owned (rentals or condos)?
Conditions of existing Oneida Street rentals (garbage & junk).
When will the stormwater mitigation plan be available?
How will the land be disturbed and where will the water go?
Safety issues and the integrity of the neighborhood concerns.
A resident held up a sign "NO ZONE CHANGE".
Does Mr. Calli understand the risks on a "no zone change" once land is purchased?
Residents questioned why the return can't be on a single-family home opposed to a multi-unit.

How will the residents be informed once a Public Hearing is scheduled? (Attorney Cully replied that the notice will be published in the newspaper and on the Town web-site along with a mailing to residents 500 feet within the project).

What are the requirements of a zoning variance? (Town Attorney replied that this is not a variance as a variance is special treatment under the Zoning ordinance based on a hardship. He explained what this applicant would be applying for would be a zone amendment which is a text amendment to allow them to proceed as a Planned Development Overlay District. He then explained that per the Town Code they would come to the Town Board with their ideas of a multi-family dwelling or units and they would provide some unique features such as walking trails, recreational facilities, and income levels of housing. The Town Board will review the application to be sure all requirements and criteria is met. If the Town Board felt this was a good application then the Town Board would have to accept the application, and then refer the application to the Planning Board for a preliminary site plan review where they would look at the roads, traffic, stormwater, and all the environmental issues. Once the Planning Board was happy they then would make a recommendation to the Town Board (either approving or denying the application). The applicant would then come back to the Town Board and at the point a Public Hearing would be scheduled where the residents would be able to comment and then the Town Board would vote to (approve or deny the application). If the application was approved at this point then the applicant has to go back to the Planning Board for a final site plan approval where everything is finalized.) Town Attorney Cully also stated it is hard to discuss something when they don't know what there discussing but the process is on-line on the E-Code 360 for the public's review which explains the PDD Overlay and the criteria the Town Board would follow.

Who would be responsible for the mitigation of the flooding issues that already exist? (Town Attorney Cully explained that the Town has an Engineer, John Dunkel at the cost of the Developer and he will do a detailed review. He explained that the Engineer for the project will explain to the Town the effects of the stormwater and how they propose to handle it. The Town then hires its own Engineers again being paid for by the developers and who will review the entire process and give recommendations and stormwater issues are probably the biggest issue.).

What happens when the zoning gets changed under certain pretenses and then the plan gets changed to low-income subsidized housing? (Supervisor Miscione explained that with a PPD Overlay, whatever is set in that a criterion has to stay with the project and all changes have to be approved by the Town Board.)

Could this development be allowed to fill in the brook on the property if they so desire? Does the Town or the State of New York have restrictions or is it up to the owners to do as they please? (Supervisor

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Miscione & Town Attorney Cully explained that this question is determined by DEC, the Army Core of Engineers and the Town Engineers but the Town has no set regulations. They explained that the Sauquoit Creek is protected by regulations and usually a brook or stream can't be touched but it depends on the classification of the brook or stream. The classification will be decided by the Town Engineers.) Mr. Robert Calli replied his engineers already informed him this brook can't be touched as it's part of the Sauquoit Creek and the Towns stormwater management system in the Town.

Mr. Robert Calli the Executive Director Municipal Housing of the City of Utica came forth and explained his ideas and intentions on purchasing the property in the next 30 (thirty) days and it will not be contingent upon any zone change approvals. He explained this project will be funded through the City of Utica Municipal Housing Authority and no government monies used for subsidies will be used for the building. He explained that the design will be done in collaboration with the residents and with the Town. He respects opinions but this is not a forever lot and it will be developed. As of right now, he's only dealing with ideas and nothing is set in stone with this property. He would love to meet with the area residents and go over ideas. He encouraged feedback and said he will listen to the existing residents and the Town. He said this is not intended to be subsidized housing. They are in the process of talks with engineers and developers. The residents will be informed as they will be open and transparent with the entire process. He did attend a Planning Board meeting last week and he's happy to address any and all concerned residents. They will also be sensitive to the property and the brook on the property the contours on this property and the views.

Mr. Robert Calli, Executive Director of Municipal Housing of the City of Utica explained their mission by saying they serve the poor, disabled, the elderly and people in need. He told the residents they will need supplemental income sources for this project however, they will be respectful. They built an on campus housing at Utica College and asked the residents to drive down and take a look at it. They maintain their units. And gave an overview of past projects.

Councilman Mess asked to be included in any meetings or plans to better apprise the concerned residents. Town Attorney Cully told the residents he knows this is a beautiful piece of land but the Town can't prevent anyone who wants to put up 20 houses there as the property permits that. He said one thing the Board had done is they hold the developers accountable to handle not only the on-site stormwater but the off-site stormwater and they are trying for a 20% reduction of stormwater. The developer is held accountable through a bond for 5 years so if what they propose fails they are out the money.

Town Supervisor Miscione told the residents he can be contacted anytime on his cell phone and same with Councilman Messa. They are both happy to speak with residents and keep them apprised on any issues. Supervisor Miscione and Councilman Messa will stay in touch on this project.

Councilman Messa thanked the residents for the valuable input along with Mr. Robert Calli for his ideas. He understands residents are passionate about their properties, homes and investments. He asked the residents to keep an open mind and see his thoughts and developments as they are not looking for postage size units everywhere as he himself likes the green space. He appreciates everyone for coming out and he looks forward to seeing where this may go.

PRESENTATION ENDED 6:45 P.M.

IT MANAGED SERVICES - M.A. POLCE REPRESENTATIVES: Quote – Exhibit "A"

Nick Polce – Solutions Architect, Networking & Security

Kelly Palinski – Sr. Account Manager:

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Mr. Polce & Mrs. Palinski presented the Town Board with an IT Proposal packet and quotes for the 2021 Managed IT yearly agreement and gave a presentation to the Town Board.

M.A. Polce presentation: Mr. Polce & Mrs. Palinski introduced themselves and gave the Town Board a background on themselves and an overview of the company which is a 24/7 x 365 days job because a lot of stuff happens behind the scenes that the customer is unaware of. He provided the Board with some references.

Mr. Polce explained the structure of the company and their functions. He explained the information security which is very important to his company and said there was a 168% increase in government network breaches in 2019 and 23,400 incidents were reported and the average incident costs around \$8.19 million dollars.

Mr. Polce presented the Town Board with a working history overview from 2010 to current. M.A. Polce averaged 37 tickets for the Town of New Hartford per month which a lot of tickets are generated by the companies monitoring solutions which monitors the Town of New Hartford 24/7 x 365 days. Mr. Polce told the Board they got 10 years from their initial investment with M.A. Polce as they did a whole refresh which normally only lasts 5 years with most companies. Some restructuring was done in 2019 for the Town of New Hartford.

Mrs. Palinski wanted to clear the air with the Town Board on past issues the Town has had with the company. She stated that M.A. Polce was actually not invited to the August meeting. She said the budget documents were sent to Director of Personnel Barbara Schwenzfeier for the 2020-2021 calendar year and said she has not heard.

Mr. Polce stated they thrive on communication, but it has to be a two way street. He spoke on the move and some costs that were misquoted at a prior Town Board Meeting. He said M.A. Polce has eaten hours with the Town along with some other issues with the company. He said consulting is no cost to the Town. He mentioned issues with the laptops. He spoke on charges that are out of scope. He said this year overages were mostly from the Courts and totaled \$270.00 and M.A. Polce was never part of the court system. He said his company calls the Towns licensing systems tech support to clear up our issues. He asked the Town Board about a prior statement that was made about them promising things in their managed services Agreement that they did not deliver and asked for feedback as he said they always want to deliver.

Supervisor Miscione stated that back when the change happened and when we moved there was a lot of miss-communication. He told Mr. Polce the Town works well with him but it's very different when he's not there. He spoke on the things in the Board Room that were talked about and never done, video conferencing, speakers, T.V. wiring and two years later things are still not done, the wireless access points were done over two months ago by the Highway DPW guys and no one has shown up to finish. He feels the tech line is not understanding all the things the Town is set up for and they always have to refer back to the agreement which takes time. The supervisor was told by the owner this company was an all in "chicken soup" company. Supervisor Miscione commented on the over charges that Mr. Polce spoke on and said the just gave Mr. Polce 7 laptops at \$275.00 per laptop along with an additional \$350.00 to install BAS on each laptop. He feels the Town is paying for tech fees to vendors along with M.A. Polce.

Mrs. Palinski stated M.A. Polce does not support vendor software and said the \$350.00 for BAS was BAS's charge to put that software on the laptops.

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There was further discussion and it led into the SYSCO which the Board wanted set up and M.A. Polce said it was already in another location of the building. Supervisor Miscione said pricing was supposed to be received to hook up to the machine in the back. He said it's hard to always do the follow up and once they give them direction in what they want that M.A. Polce will run with it to make it happen. He is looking for an easier process on getting things done. He said he spoke to Mr. Polce on the monitors in the front of the building, the monies have been there and he understands things get forgotten about.

Supervisor Miscione told M.A. Polce that he's working for the residents and his budget so he's always trying to cut costs or get the best possible cost for the Town to offset rising costs of other things and he's always looking for the best price. The Town spent almost \$100 grand on the big system last year for hardware upgrades.

Mrs. Palinski replied that it was a lot of money but not that much and a lot of things did not get completed because there was a lot things with the servers the project manager from Polce was trying to get closed and after he informed Supervisor Miscione of the costs through e-mail he was told the Town did not have any more money for these upgrades. She continued to say that in August 2019 she sent another budget document to Supervisor Miscione to get those items into the budget and she does not feel he ever turned it into the Town Board.

Supervisor Miscione replied that what happened was when the Town upgraded they went from regular servers to virtual and M.A. Polce said it was the best way for the Town to go with new technology and so the Town paid for that system to be set up but then there was a glitch due to BAS and that was after the fact so then M.A. Polce came back to the Town with an additional quote of \$12,000 to do something else software wise to get the server where it needed to be to conform to the BAS things. He continued to say he sets budgets ahead of time and for that year the Town bonded for that money so after he received that quote which was a onetime ticket price he was not expecting any glitches and an additional \$12,000 fee. He told Mrs. Palinski to come to a Town budget meeting because the Board fights over \$5,000.00 for major stuff the Town needs for the residents. He explained that \$17,000.00 in our Town is a 1% tax increase and that's huge and if the Board goes over 2% his residents loose their tax cap money that they receive every year. He told M.A. Polce he gets they deal with a lot of big cities with big bank accounts and big budgets. He continued to explain that it makes it hard on him to make those decisions and get things done because if he goes to the Town Board and say they need to bond for \$96,000 next year for IT upgrades and the Town Board is in agreement and he said he can't have the face to come back to the board three months later and say oh yeah, by the way there was a glitch and now we need to come up with another \$12,000.00.

Mrs. Palinski interrupted Supervisor Miscione and said in 2019 he never presented the M.A. Polce budget to the Town Board.

Supervisor Miscione replied that there was no way that document could make it to the Board because last year the Budget was already at a 1.5% tax increase without the M.A. Polce budget. He explained that he initially puts a budget together and then he presents it to the Town Board and he will never present a budget that is over the 2% tax increase. He wanted the IT monies to be in the bond because it cost the Town a little every year over a long period of time, not all at once.

Mrs. Palinski told Supervisor Miscione that at the last Board meeting the Board was told that M. A. Polce never recommended upgrading the BAS system, the end of life access wireless points, and the switches. She continued to say Supervisor Miscione was given a budget document for the 2020 budget in August of 2019 which included those three projects.

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Mr. Polce stated a service every customer has with M.A. Polce is they lay out a road map, they lay out budget cycles, and they lay out renewal expectations.

Councilman Messa thanked both Mr. Polce & Mrs. Palinski for the presentation and for coming in. He said from the sounds of things there is a breakdown in communication between the Town and M.A. Polce. He asked what the Town owns and what their investments were, he questioned what does the Town need and don't need. He asked Mr. Polce to touch on the safety and security with switching over to g-mail with all the cyber hacks and everything going on and he asked what other municipalities are using g-mail at this time? He also asked if the Town went through M.A. Polce to purchase all the lap tops and asked if the Town should have gone through M. A. Polce to purchase them.

Mr. Polce replied that at a bare minimum they can source hardware but they definitely wants to be involved in the presale process to be sure what the Town is getting will work. He told the Town Board that the machines purchased did not have network interface on them or a physical plug so then what happened was the Town ran all the cables but the AP's they were putting in had an end of life in 2018, he did say they may work but they consider it as mission critical. He said if those laptops cannot connect to wireless then it's an issue for M.A. Polce as well as the Town. Mr. Polce continued to say that when the cables were ran they proposed to buy new AP's and avoid going through another migration and that they would have worked around the Town's budget constraints.

Mr. Polce continued to explain their recommendations to the Town and said everything is laid out in the 2021 budget proposal as far as what they feel the Town needs for headwear, core switches (which is the Towns infrastructure and why there so expensive). He explained to the Board that when M.A. Polce puts together a budget for a customer it's exactly what it is. A budget. If the Town comes back with minimum funds then they can do what they have to make things fit. He said they are very flexible with whatever the customer wants to do but said it all falls back on the communication.

Supervisor Miscione replied to Mr. Polce in regards to the purchase of the laptops and them not having a network card in them and said he was putting them through a FEMA grant due to COVID so workers can work from home and the employees do not have network at their homes they just need wireless. They were for the purpose of being able to be used where ever the employee is at any location and on job sites. They will not take the place of anyone's desktop.

Deputy Clerk I told the Town Board that they are still not set up in the Town Clerk's Office for wireless at this time and we do not have any wireless capability.

Mr. Polce explained about the access points by saying a few years ago the New Hartford Police Department said they needed a cheap, inexpensive solution to spin up wireless so people can get on their mobile phones without chewing up data. The business need did not dictate that they had a reliable connection and no one cared if it went down. Mr. Polce said if that's what the Town wants then they can scale down to that price but they know what the Town is trying to accomplish. He said they have a go to solution and when they go to a customer they know what works in the industry and if the requirements change then they can scale things back to meet price tags. He said when they come in with a design that they know will work and as a company they can stand behind it then that's their go to solution.

Mr. Palinski told the Board that if a customer needs wireless throughout the entire building then it becomes part of the critical infrastructure and without it then the Town will have a lot of unhappy employees so the recommendation made was based off of that.

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Highway Superintendent Sherman told the Town Board that their not here every day like he is and others. He said when he's working on his computer in his office that he has constant problems. He has Bard Shcwenzfeier try to help but when he's here on weekends or at night when it's quiet it's very frustrating when his computer is not working. He told the Town Board if he's here on a Saturday then FEMA paperwork, State Paperwork etc. has to wait until Monday to get a ticket to get his computer working.

Mr. Polce explained that right now the Town has only three authorized points of contact which are Gail Wolanin Young, Barb Schwenzfeier and Paul Miscione and that's not dictated by M.A. Polce. He said he would like to have a funnel for the Town but in certain circumstances anyone can call up 24/7, 365 days a week and the Town can adjust the call procedure at any time so an employee can call at any time.

Highway Superintendent Sherman also said the Police Department had cameras installed on their side which are working fine and the Town had cameras on our side and our cameras work in the IT room but they do not work on his computer in his office. He told Mr. Polce he does not sit in the IT room to do his work. He said when the cameras were installed the vendor pointed their fingers at M. A. Polce and M. A. Polce were pointing their fingers at the vendors but to this day, 18 months later they still do not have a camera system working on that computer. He said a lot of work went into the camera system when the Town was building this place. He feels the cameras are very important these days especially because the Police cameras do not work on our side.

Mr. Polce replied by saying that can get very difficult and where the cameras are installed and communication wise there is no reason the cameras should not work however, all sorts of things come into play. Mr. Polce looked at the ticket for the camera system and saw that his company did install them on two P.C.'s but they had to do a lot of work on the P.C. to get them to work. He said normally his company does not maintain a camera system per the contract. He did say that the Town should have called and said it was an issue with the P.C. which will allow them to start working on it and if it is an issue with the P.C. then it falls under managed services and if it's an issue with the camera system then it's billed at (T & M) time and materials. They definitely do not want to see the Town perform any job functions but the Town needs to be aware of what is billable and what is not. He feels that this is what a lot of the misunderstanding is about. He did say M.A. Polce does a lot of video surveillance and he can get the cameras working on Highway Superintendent Sherman's cameras. He explained some other systems he has installed for other companies and said they can definitely get this working. He said communication and planning are the key factors. He did explain that if M.A. Polce did not install the camera system and it ends up being an issue on the camera side the he told the Town Board it is billable work but they take care of all issues at work with the lap tops and desktops. He did say he will speak to the vendors directly and take the customer right out of the equation to avoid certain issues.

Deputy Clerk Fancett told Mr. Polce part of the problem is certain things were already paid for to be installed, like the cameras and not working properly so how much more is billable over and above what was already charged to the Town.

Mr. Polce said he can't answer that question because he just doesn't know and it could be just a simple fix.

Supervisor Miscione told Mr. Polce that he spoke on the way things are with himself and Barb Schwenzfeier and Gail being the only ones able to call and said that was because the Town got scolded when we first opened the new building because James told the Town they had to pick one or two people because they were just getting to much from the Town. He told Mr. Polce he sounds good now but the problem is after they leave this meeting and other employees start calling then M.A. Polce employees will get upset. He also spoke on the cameras, the monitors outside and a few other things saying dialog is great

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and the Town does need to talk about things but he feels things have been talked about and he does not want to be the Town's IT guy. He feels that they had great dialog but that M.A. Polce does not follow through or there's communication issues saying the Town just spent all this money and then the Town needs to spend more money to get it to work. He explained to Mr. Polce it's frustrating at the customer level because he feels they keep paying more money. He said Northland always takes care of the Town and they even throw free stuff in every now and then and they don't charge us for some things that they should. He did say one issue between Northland & M.A. Polce was a three hour fix and everybody just got together and fixed it and moved on but instead they had to waste time pointing fingers and figuring out whose issue it was. He did tell Mr. Polce those are the things that he and Barb Schwenzfeier do not want to be involved in and they both have enough other things on their plate. He said if he has a customer that stayed with him for ten years and he had to step out of the box and do something a little different or for free to keep everything happy then he would do it. He said the Town is small and he understands that M.A. Polce is a large company with a lot of overhead and a lot of big clients. He also explained that it is also tough for the Town because they don't have a big capital to spend on tons of projects either. He also feels new and cheaper ideas are always welcomed. He agrees with the M.A. Polce's wireless solutions but he also feels it's a lot for just half the building and it could be done cheaper.

Mrs. Palinski replied that instead of telling M.A. Polce the Town could not afford the wireless solutions the Town just brought someone else in to beat down M. A. Polce's solutions and possibly doing it cheaper.

Supervisor Miscione replied he's been beating down solutions and vendors since he's been here because his job is to get the best price for the residents. He said he's a budget guy and he is looking for the best deal at the best solutions. He understands M.A. Polce has a business to protect but he feels they are just on the opposite sides of the fence and he's just looking for the happy medium to advance and go forward and get technology into the building without paying top dollar that the Town can't afford. He did explain that every time the Town saves in one area they will have money to put into another project or improvements for the Town. He said if M.A. Polce can work with the Town and cutback a little to save the Town money then that's what they're looking for. He explained that out of three bids with similar services and all having great references at three different prices the most expensive is hard to justify when the other companies are just as capable to run municipalities. He wants to finish the building to what was said would be done and if issues arise then he wants them solved quickly not through a phone tree and a lot of wasted time. He wants the Board meeting room set up the most inexpensive way so employees don't have to streamline using their personal phones. He wants things a bit more professional and cost effective.

Mr. Polce replied by saying he wants to make sure M.A. Polce is doing their due diligence as well and he wants his company to live up to certain expectations. He will have his engineers keep a close eye on the camera system and he will get that issue resolved for the Town. He continued to say that they need to be made aware of expectations and communication is the key and they can shoot for the Town's goals. He would like to hear issues with other departments to get things solved.

Supervisor Miscione asked Mr. Polce his advice on using g-mail which was a recommendation from the New Hartford School District. Supervisor Miscione feels it's more secure and already had an archive for a flat monthly fee and they have a government contract and it would eliminate the need for some upgrades with equipment.

Mr. Polce said he has several customers with g-mail accounts and he feels they offer some things but not well and gave the example of Spam filter. He did offer some solutions to plug certain gaps to be sure the Town is not flooded with excessive spam. He said he would recommend other solutions for filtering as

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well. He said his company sees it a lot for schools, not for profit organizations but he is unaware of any municipalities that use it. Mrs. Palinski commented that lots of students use it but most of faculty, staff and BOCES use Office 360 or venner exchange and they don't use g-scape for a liability standpoint.

Mr. Polce presented his 2021 budget for the Town only (Police not included): He covered Town Managed Services Covered Devices, what's included, service levels, budget, the Town road map, pricing for 2021 IT managed services and a summary which are all exhibit A of the minutes. Based on a one-year contract of \$2,328.50 monthly recurring.

Councilman Lenart is reviewing the budget proposal from M.A. Polce and questioned how the Town would need an additional \$40,000 for 2021 with everything that's been done and if these upgrades were not done would the Town be compromising the system?

Mr. Polce commented the Town is looking at \$17,000 to \$18,000 for the server migration and another \$3,000 for the wireless upgrade. He said the server 2008 no longer receives security patches for M.A. Polce so they can't fulfill that obligation. He said M.A. Polce is only here to advise the Town and it's not to say the server 2008 can't last, all he can do is advise and the Town has to work within its budget constraints. He said there server will sit there and operate until one day it just dies but the good news is M.A. Polce does have reliable back-ups but it is a considerable amount of work to get everything back and that will result in some down-time. He said the wireless is not a big issue. Mr. Polce said the server 2008 is absolutely the most critical item on his list and it includes migrating to office 365 for the e-mail. The barracuda security is an extra cost but not required and customers that don't have it are frequent callers with issues. Mr. Polce further explained to the Board other equipment the Town has and the \$6,800.00 fee for licensing. He did tell the Town Board as far as the cameras go that M.A. Polce uses a different camera system.

Supervisor Miscione said a \$30,000 hit is something that the Town will need to bond for.

Mrs. Palinski encouraged the Board to read the budget M.A. Polce put together for the Town and she said they can come back next month and discuss anything or answer questions if warranted.

Supervisor Miscione told the Board that when they built the building they had to go out for bid because they had to use prevailing wages and they had to do a full contract so when the Town hired the electrician, he did the wiring for the alarm system and installed the cameras as part of his bid package. They were asked to work with M.A. Polce but they wanted to use their own guys which is why their bid was so low. They had to go through the requirements of the State.

Mr. Polce told the Board that typically what they do for their customers is they will ask whoever the vendor is doing the work to work with M.A. Polce on the design and they work with multiple contractors who win bids.

PRESENTATION ENDED 7:50 P.M.

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ATM: ATTORNEY CONTRACT STATUS:

Town Attorney Cully reported he has not heard anything from the vendor to date.

REFUND ON DECEASED DOG LICNESE FEE:

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Upon request of Sue Brindisi & Paul M. Bawol, the following Resolution was introduced for adoption by Councilman Lenart and duly seconded by Councilman Woodland:

(RESOLUTION NO. 213 OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting Department to refund the sum of \$11.00 to Paul M. Bawol for his dog license No. 301501927 which was paid on May 27, 2020 and his dog "Shadow" died the same day.

A roll call vote was then duly held:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

VACANT HOUSE: 3535 Bleachery Ave., Chadwicks

Councilman Messa & Town Attorney Cully told the Town Board that a lawsuit was commenced against the homeowner and then he passed away. Town Attorney Cully spoke to his daughter who indicated at that time they were not going to pursue an estate and they were not going to pay the taxes. The deceased daughter continued to tell Town Attorney Cully she intended to let the house get turned over to the County for a tax sale. It has been over two years and the taxes have not been paid to date. Town Attorney Cully verified with Oneida County that it is not on the County list this year (2020) to sell but he's expecting it to come up for sale next year.

Town Attorney Cully explained to the Board that by Virtue of Death he can petition Surrogates Court for a public administrator to be appointed and then as administrator of the gentlemen's estate then he would have to make a motion to substitute the executor as the defendant in the action. Then the Town would have to proceed to see if they can get an order for demolition. He told the Board the Town will be looking at thousands of dollars in legal fees plus the demolition cost.

Supervisor Miscione asked Town Attorney Cully if the daughter would be willing to deed the residence over to the Town as they did with residence on Elm Street then they could demolition the house and do an auction or something like that.

Town Attorney Cully will send the daughter a letter to see if she will sign the Deed over to the Town. But the Town will still need to appoint an administrator to convey the property and Attorney Cully is not sure of his debts such as funeral bills and things like that but the Town will have to go through a full estate preceding.

Councilman Mess asked the Board to do something because the home is just sitting there and he feels its looks bad with the area residents, it's filled with Code violations and a safety issue along with squatters. Councilman Messa will also try to call the daughter to see if she is willing to sign the Deed over to the Town.

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2009 GEIS STUDY:

Councilman Messa requested the Town Board re-visit the 2009 FGEIS Study for the Southern portion of the Town that was completed by Mr. Peter J. Smith that was refused to be adopted by the Town Board. Town Attorney Cully told the Town Board that it was a very controversial study and he recalls a lot of residents extremely upset due to the severe limitations on use of their property concerning 5 acres or more. Councilman Messa feels it was just too aggressive at that time but since then with all the storms that now is a good time to re-visit it. Councilman Reynolds thinks this is a good idea and from his memory it defined flood plains which were not perceived well with residents. He also said if this were to be adopted then the Town would have mitigation fees.

AUDIT OF VOUCHERS:

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 214 OF 2020)

RECORD OF CLAIMS #1

#'S 12395 (1335)

A200	\$ 145.50
TOTAL RECORD OF CLAIMS TOTAL #1	\$ 145.50

RECORD OF CLAIMS #2

#'S 3668-3686

A600	\$ 8,745.39
BP600	\$ 216.64
DB600	\$ 25,747.45
SF600	\$ 34,177.06
SL600	\$ 8,300.07
SS600	\$ 2,920.70
TA600	\$ 5,158.11
TOTAL RECORD OF CLAIMS TOTAL #2	\$ 85,265.42

RECORD OF CLAIMS #3

#'S 3882

DB600	\$ 11,250.00
TOTAL RECORD OF CLAIMS TOTAL #3	\$ 11,250.00

RECORD OF CLAIMS #4

#'S 3883-3895

A600	\$ 19,673.57
B600	\$ 42.76
BP600	\$ 9,254.83
DB600	\$ 114.77
SL600	\$ 8,135.79
SS600	\$ 7.55
TA600	\$ 562.50
TOTAL RECORD OF CLAIMS TOTAL #4	\$ 37,791.77

RECORD OF CLAIMS #5

#'S 3668-3686

A600	\$ 3,489.26
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DB600	\$ 3,086.66
TOTAL RECORD OF CLAIMS TOTAL #5	\$ 6,575.92
TOTAL RECOD OF CLAIMS 1-3	\$141,028.61

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of the bills itemized on the following Abstracts, which had been duly audited by the Town Board:

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

REFUND – 3 TRASH TAGS:

Upon request of Jason M. Sageer Jr., the following Resolution was introduced for adoption by Councilman Woodland and duly seconded by Councilman Messa:

(RESOLUTION NO. 215 OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize and direct the Finance/Accounting Department to refund the sum of \$15.00 to Jason M. Sageer Jr. for the purchase on August 4, 2020 of three trash tags No. 1306-1308 as he is a Clinton resident not a New Hartford resident.

A roll call vote was then duly held:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

POLITICAL SIGNS – VALLEY VIEW ROAD

Councilman Lenart told the Town Board he viewed two (2) signs on Valley View Road property and one is 4x4 which is larger than the Town Code permits. He inquired about increasing the size of political signs and only allowing one sign per residential property and he also inquired the number of political signs allowed.

Town Attorney Cully explained to the Town Board that the Town Board had a long discussion regarding political signs years ago and at that time the Town Board thought the Codes Officer Joseph Booth should not be aggressive in enforcement of the ordinance because at that time there was a case in the Village of Herkimer with a lady who was running for Family Court Judge and she had her signs out. The Village of Herkimer had an ordinance very similar to the Town of New Hartford that limited the size of the signs.

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She commenced a lawsuit against the Village of Herkimer in Federal Court alleging that the Village of Herkimer deprived her of her constitutional right of freedom speech because in essence the sign is freedom of speech. She won in Federal Court said she has a right to have the sign on her property advertising her political views towards political candidates and received a monetary settlement. Town Attorney Cully continued to say very soon after that incident the Town of New Hartford was sued by Mr. Neil Pritchard who at that time was running for County Legislator. Former Codes Officer Joseph Booth had taken down two of his political signs. Mr. Pritchard's signs were taken down because they were in the Town right of way which is a violation. Mr. Pritchard sued the Town of New Hartford in Federal Court dismissed his lawsuit and said the Town has a right to remove any signs that are in the Towns right of way. He never got to the freedom of speech issue but those are the legal issues with political signs and restrictions.

Supervisor Miscione had a discussion with Mrs. Eva Brindisi Pearlman and told the Town Board that there are two components to signs. He said one is the Town has to have a team to enforce the ordinance especially with the high volume of calls on this issue and the other issue is two individuals in the same area run for the same office, only one will win and represent the Town of New Hartford so that makes it hard to enforce the ordinance especially because these are people helping to get grants and with other Town issues. Supervisor Miscione thinks regular signs are just removed and stored at the Highway Garage but enforcing political signs has been a nightmare and then once there removed the Town has another issue and he does not want to spend Town money with legal fees on this issue. Supervisor Miscione also told the Board to read through the Town Code Book which is not up to date so when a resident reads it they expect to have certain things (example: Town Planner, Engineer and certain committees) which the Town no longer has which makes the Board look bad. Supervisor Miscione feels overlooking the sign ordinance for political sign is a good idea because he says right now it's just all over the place. He said the Town gets one or two complaints every year and they say the Board is not following the Codes etc.

Councilman Messa feels the political signs go very well in the Town of New Hartford as there put up and taken down at certain times and he pointed out that the Village code is a little different which on commercial properties large signs are allowed. Next year will be a heavy political year in the Town of New Hartford with multiple races and there will be a lot of signs in the area.

Councilman Reynolds told the Town Board that now they have a request for a 4x8 sign and if they adjust the code to accommodate this request then the request will be for a little bigger next time. He said any candidate certainly understands the Town has a code for signs and he feels confident they would comply with it so to him this is not a huge issue.

Supervisor Miscione stated the major issue is the time frame the signs are being put up before an election and residents are complaining they have been up to long. He said in his neighborhood alone, he figures there are at least 20 signs up already and then the Codes Office now has to send out 20 letters then go to 20 different residents homes but yet they can't keep up with building permits, inspections, violations and regular duties. Supervisor Miscione did point out that this is not the candidates with the signs, its residents supporting candidates.

Town Attorney Cully pointed out that the former Codes Officer Joseph Booth use to contact the candidates and say these signs are illegal and are up to soon and he never had an issue as people always complied.

Councilman Messa suggested getting a list of candidates from the Oneida County Board of Elections and sending them the Town of New Hartford Code ordinance on signs before an election starts.

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Town Attorney Cully agrees with regulating the political sign ordinance with sending candidates a very nice letter and the Code ordinance and asking them to please comply if they don't then the Town Board will need to make a decision as to whether they want to go to court but he does not recommend that route.

Town Attorney Cully read the Town of New Hartford Code Ordinance to the Town Board that limits temporary signs to 60 days and shall be removed within 7 days of an event or activity. He then read the different sign sizes allowed in different zoning areas of the Town. The ordinance only says temporary signs not political signs.

CREATION & APPOINTMENT OF SIGN LEASIAN

Upon request of Supervisor Miscione, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Lenart:

(RESOLUTION NO. 216 OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize the creation of a Sign Liaison to assist the Codes Department with the enforcement of the sign ordinance within the Town of New Hartford.

FURTHER RESOLVED that the New Hartford Town Board does hereby authorize the appointment of Richard Sherman as Sign Liaison to serve at the pleasure of the Town Board effective immediately.

A roll call vote was then duly held:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

ABOLISH APR COMMITTEE:

Councilman Lenart wanted to discuss with the Town Board a certain APR Committee that a resident has referenced that is in the Town Code Book. He explained that the APR Committee specifically calls for a Town Engineer and a Town Planner and the Town does not have either one at this time and probably won't have either one for a long time.

Town Attorney Cully said the Town has not used that administrative review panel since 2010, he said most of the applicants now come right in front of the full Board. The gentleman that was the former chairman of the Planning Board was the person who initiated this review panel just to give approval for simple sub-divisions. The decision back in 2010 was they should come before the Town Planning Board and that's what applicants have been doing ever since.

Councilman Reynolds pointed out that the process actually happens it's just with the Planning Board not with a committee and the Planning Board now approves them.

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Town Attorney Cully has to look into the matter and see if the abolishment of this committee has to be done by Local Law because it was adopted by Local Law and a Public Hearing will be needed. Then the Town will have a Code supplement update and additional costs.

Councilman Reynolds understands what the issue is but questioned if it was worth the process and cost.

Town Supervisor Miscione said it may not be but the issue is the Town will always get a letter from a resident that says the Board is not following the law of the land and not following their own Town Code and they're not doing what they're supposed to be doing just because it's in the Code book yet the Town no longer has the capability or staff. He said 99% of the Town won't care but it is that 1% that does. He suggested to the Town Board that maybe the whole Code book needs to be restructured as a whole and change it to what the Town Currently has.

Councilman Reynolds supports doing a complete Code Book review.

Town Attorney Cully said in 2010 (January 27, 2010 Town Board Minutes; Page 20; Section 118-39.3 of Town Code Book; The abolishment of Staff Review Panel) the Town Board passed a resolution abolishing the APR Committee because it was not having any effect and everything was going to the Planning Board. Plus the Board did a Code Book review just four or five years ago by Riverfront Company along with the assistance of a Citizens Review Committee and he said stuff like this should have been removed at that time. Town Attorney Cully did say they had a lot of changes such as the number of districts, etc.

STAFF/BOARD MEETINGS & MINUTES:

Lisa Britt commented on staff meeting and minutes and some discussion ensued when minutes are appropriate (Board Meetings) and when minutes are not necessary (Staff Meetings) along with what Town employees constitutes various meetings.

TOWN CODE BOOK UPDATES:

Supervisor Miscione asked the Town Board to review the Code Book for any additional changes to be discussed at a further Town Board Meeting.

WOOD STOCKAIDE FENCING:

Councilman Lenart has a situation with a resident who installed a wood stock-aide fence on the front & side of the property and it looks atrocious.

Town Attorney Cully mentioned the Codes Office has fence restrictions already in place. He told the Town Board the property owner received a Code violation already and the Town is currently in Court with them over the fence issue to get it removed.

NON-CONFORMING LOTS & ZONING REQUIREMENTS:

Councilman Lenart has a resident who added a very small pitch to his porch roof & the Codes Office shut him down, rightfully so because he's on a non-conforming lot. When the zoning was updated they never grandfathered the existing houses, he mentioned Councilman Messa ran into the same problem and had to go for a variance. He feels the permitting process is for nothing because there denied on the non-conforming issue.

Town Attorney Cully explained to the Town Board that this law is very important and this situation is similar to a past one with Zimpanos. He further explained that what the law says is if you're a non-conforming structure and the owner wishes to expand that non-conforming structure then they need a

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variance. Town Attorney Cully feels this provision is very important because sometimes people try to take advantage of a non-conforming structure. He said the Zoning Board should deny in those cases and help the Town Board remove non-conforming situations. In the minor situations where the Board has a postage stamp lot and the house has been there 40 years and the owner wants a porch or whatever then the Town Zoning Board is great and none of those requests are ever denied. Town Attorney Cully feels the Non-Conforming law should remain in the Code Book. These homes are non-conforming because they were built prior to the Towns Zoning Law.

Councilman Woodland asked what an example of a non-conforming structure would be.

Town Attorney replied the Zumpano case for one. He explained to the Town Board they actually had a non-conforming house, the Board granted a portion to be torn down and left some of it. The Town has had all kinds of issues with them since such as water pouring off of roofs onto neighboring property and it will be an ongoing battle.

Councilman Lenart told the Board the only reason this case is non-conforming is because he does not have enough space between houses which the codes require 15 feet where prior to that it was 8 feet. He did add the resident already put the roof on and the project is complete and he was unaware of the Codes currently in place.

Town Attorney Cully asked if maybe he went to the Zoning Board the fee could be waived or some amendment as the Zoning Board will grant the application.

Councilman Reynolds said he would have gotten approval if he asked before the project was done but he understands not every resident is aware of the Codes already in place.

Town Attorney Cully told the Town Board that chickens are the other big Zoning problem in the Town of New Hartford. He currently has a resident that is coming in for a variance in a residential area that has a chicken as a "Therapy Animal" and another situation with chickens on Lower Woods Road in a residential neighborhood. Town Attorney Cully pointed out that the Board will have some issues in the future.

Supervisor Miscione stated the law that the Town can't make anyone get rid of any animal if it for "therapy".

DECLARATION TO SURPLUS – AUTHORIZATION TO SELL

Upon request of the Chief of Police, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

(RESOLUTION NO. 217 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus from the New Hartford Police Department, a 2013 Ford Taurus, VIN # 1FAHP2M89DG132395 and be it

FURTHER RESOLVED that the aforesaid equipment shall be placed for sale on Auction International and once sold, the Town Clerk's office shall be notified and shall arrange to terminate insurance coverage on said equipment.

The foregoing Resolution was voted upon by roll call as follows:

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Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly *ADOPTED*.

FISHING DOCK REPAIRS:

Councilman Reynolds told the Town Board that Trout's Unlimited has gone in and done repair to the fishing dock and did a great job.

FOXCROFT ROAD NEIGHBORHOOD MEETING:

Councilman Reynolds thanked Supervisor Miscione and Highway Superintendent Sherman and Highway Foreman Chris Moran for attending the neighborhood meeting on Foxcroft Road. He feels the meeting was well attended and the Board got great feedback. He said the project continues to move forward with phase 1 and should be completed by the end of October 2020.

WHITTER ROAD – PAPPER STREET – CEASE & DASSIST ORDER:

Councilman Reynolds told the Town Board that a resident on Whitter Road has place objects on the Towns right of way and he feels the Board has an obligation to inform him these items (basketball hoop etc.) needs to be removed from Town Property as he feels there is a liability issue.

Town Attorney Cully told the Town Board that this issue was looked into several months ago because a gentlemen wanted to purchase land. The property was researched and one of the neighbors provided the Town with a deed that said that property is the Town of New Hartford even though the road was never built. This resident yells at others for parking there and placed a basketball hoop on it.

Town Attorney Cully told the Town Board he could send the resident a letter indicating the removal of the basketball hoop and any other personal items from the road way.

CEASE & DESIST LETTER – WHITTER ROAD RESIDENT

Upon request of the Town Attorney Cully, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Messa:

(RESOLUTION NO. 218 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Attorney Cully to send the resident on Whitter Road an immediate Cease & Desist Letter to remove all personal items from the Town of New Hartford roadway.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

RECREATION CENTER ROOF – WARRANTY

Councilman Lenart asked Town Attorney Cully if he ever followed through with the warranty on the Recreation Center Roof.

Supervisor Miscione said the contractor came out and looked at the recreation center.

Town Attorney Cully replied they sent the contractor a letter and did receive a response but he still needs to review it.

2019 TOWN AUDIT

Councilman Messa asked if the 2019 Town Audit was completed.

Supervisor Miscione replied that due to the COVID Pandemic the accountants could not get to the Town until the end of July 2020 and Finance Director Daniel Dreimiller left the Towns employment and he was the one who completed all the paperwork. He said at this point Barb Schwenzfeier, Lisa Smigle and himself are completing everything.

Supervisor Miscione said everything should be completed within a couple more weeks. He told the Board he called the State and the Town is not in any violation or anything because of the COVID Pandemic. He then spoke on sales tax with the Town Board and the budget process. He said most of his stuff is done he's just waiting on tax rates from the County.

Supervisor Miscione asked each Board member to sit down and go over his spread sheets with him next week for the budget and bond payments. He informed the Town Board that all the Bond payments have been paid for this year.

Supervisor Miscione reviewed his Bond Debt Service for the 2021 Budget Year with the Town Board and presented them all with a spreadsheet to review. (SEE EXHIBIT B).

Supervisor Miscione told the Town Board that the Town is going to prepay the retirement Insurance to get a savings for 2021 which was a recommendation of the accountants.

IT QUOTES: Capraro Technologies Inc. – QUOTE – EXHIBIT “B”

Capraro Technologies Inc., 401 Herkimer Road, Utica, NY 13501 submitted a proposal with a quote of \$1,350.00 per month.

Supervisor Miscione explained to the Town Board some costs and upgrades that Capraro Technologies recommended in the quote along with pricing differences between companies and quotes. He explained to the Board that this company is the City of Utica's IT Company. He asked the Town Board to review all quotes so a decision can be made at the September 23, 2020 Town Board meeting for the 2021 budget and to also include the quote from Bonder Tech.

Councilman Lenart requested Capraro Technologies come in at the September 23, 2020 and do a presentation for the Town Board.

Creation of NYS Police Reform and Re-invention Committee:

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- i. Two (2) law enforcement
- ii. One (1) Town Supervisor
- iii. Residents or people that work in New Hartford
- iv. The LGBTQIA community
- v. Citizens with community disabilities
- vi. Limited English proficiency
- vii. Immigrant community
- viii. Faith community member
- ix. Business leader
- x. Residents who have been incarcerated
- xi. Residents interaction with the police

Supervisor Miscione informed the Town Board that Governor Cuomo has mandated that Police Departments create a Police Reform and Re-invention Committee with the 3 Town Officials & 7 additional committee members that meet the criteria above.

The book with the mandates and criteria is available for review in Supervisor Miscione's office and also available on-line through New York State.

Police Chief Inserra told the Town Board the Police Department is pretty in much in compliance with all the mandates of New York State and this was meant for larger cities. They are trying to appease the State officials as much as possible and this committee and recommendations are subject to New York State Government Funds (State & Federal) that comeback to the municipality.

CREATION OF Police Reform and Re-invention Committee

Upon request of the Town Police Chief, the following Resolution was offered for adoption by Councilman Lenart and duly seconded by Councilman Woodland:

(RESOLUTION NO. 219 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Police Chief to create the Police Reform and Re-invention Committee with 10 members consisting of the Police Chief, Lieutenant and Town Supervisor along with 7 community members effective immediately.

FURTHER RESOLVED that the Town Board appoints its initial members of Police Chief Mike Inserra, Lieutenant Fontaine and Town Supervisor Paul Miscione as members. The Town Board authorizes the advertisement to appoint seven (7) additional members who meets the New York State mandates to prepare the Final Draft of the proposal which is due to the State by April 1, 2021.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

JUSTICE COURT GRANT (JCAP GRANT) 2020-2021:

Upon request of the Judge Virkler, the following Resolution was offered for adoption by Councilman Lenart and duly seconded by Councilman Woodland:

(RESOLUTION NO. 220 OF 2020)

RESOLVED, that the Town Board of the Town of New Hartford, Oneida County, New York, does hereby approve the submission of an application for the 2020-2021 *Justice Court Assistance Program* grant, known as "**JCAP**", in an amount up to the maximum amount of Thirty Thousand Dollars (\$30,000), and does hereby authorize and direct the Town Justice and the Town Supervisor to sign said **JCAP** application.

FURTHER RESOLVED that the Town Board of the Town of New Hartford does hereby accept the quotes submitted by Judge Virkler to apply the Justice Court Grant funds (JCAP) towards as follows items:

Big Apple Music	\$5,937.00 –	
	Sennheiser MEG 14-40 (Gooseneck Cardioid with 3 pin XLR – Microphone	\$995.00
	Sennheiser MAT 133 B (Table Stan for Gooseneck Mic)	\$895.00
	The MAT 133 – Wired Table Stand for Microphones	\$400.00
	Denon Rack-mount Mixer	- No Cost Listed
	QSC GX3 Amplifier	\$350.00
	Ashly IS-2.8P 8x2 Passive Dual-Z Y Column Speaker W/ Flat Mounts	\$1,947.00
	4 Space Equipment Rack To Hold Gear, Locking door.	\$400.00
	Rackmount Power Conditioner/Surge Protector	\$200.00
	Installation, Setup and Programming. Wiring & Mounting Hardware included	\$750.00
Big Apple Music	\$3,750.00	
	Samsung 50' Crystal UHD 4K Smart TV	\$1,200.00
	Samsung 32" LED 720p Smart TV	\$ 250.00
	Mobile Rolling TV Stand Cart for 55" – 80" Screens	\$ 350.00
	Compact Desktop Document Scanner	\$ 700.00
	HDMI Cables & Splitter for Monitors into Camera & Computer	\$250.00
	Includes wiring, mounting brackets for TV at Judges Desk, setup and installation of TVs and Scanner to computer	\$650.00
Big Apple Music	\$3,360.00	
	Auralex 24"x48" Foam Panel	\$1,600.00
	Auralex Corner Bass Traps	\$ 440.00
	Ceiling Square T Diffuser (ceiling tile)	\$ 320.00
	Installation & Mounting of al sound treatment, Includes Mounting Hardware & Glue	\$1,000.00
Indoff Commercial Interiors	\$7,408.91 (with Installation)	
	120" x 42" Conference Table-Boat Shape	\$1,751.42
	Base Edge Detail TBD/Laminate Color	\$ 645.12
	Newton Conference Chairs Mid Back W/ Swivel Base (10) Ten	\$1,882.20
	Installation 18%	\$1,130.17

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye

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Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly ***ADOPTED***.

MULTI-MODAL PROGRAM-STATE AID

Town Attorney Herbert Cully – Rick has a multi-modal program project for the milling and repaving of Mallory Road

WHEREAS, a Project for the Milling & Repaving of Mallory Road.

WHEREAS, the Town Of New Hartford desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the New Hartford Town Board, duly convened does hereby

RESOLVE, that the New Hartford Town Board hereby approves the above-subject project and it is hereby further

RESOLVED, that the New Hartford Town Board hereby authorizes the Supervisor of New Hartford Town to pay in the first instance 100% of the federal and non-federal share of the cost of milling & repaving work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$166,382.44 is hereby appropriated for the purpose to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Supervisor of New Hartford Town shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Superintendent thereof, and it is further

RESOLVED, that the superintendent of the Highway Department of the Town of New Hartford Richard Sherman be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal Program Funding on behalf of the Town of New Hartford with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the Town of New Hartford and the State of New York; and it is further

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Upon request of the Highway Superintendent Richard Sherman, the following Resolution was offered for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

RESOLUTION NO. 221 OF 2020

The foregoing Resolution was voted upon by roll call as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

RESOLUTION APPROVING CONTRACTS WITH NATIONAL GRID

(RESOLUTION NO. 222 OF 2020)

WHEREAS, the Town of New Hartford (Town) has received a proposed "Agreement for Purchase and Sale of Street Lights" and a proposed "License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures," relating to the Town's purchase and operation of street lighting fixtures within the Town from Niagara Mohawk Power Corporation, doing business as National Grid (collectively referred to herein as "the Agreements").

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF NEW HARTFORD, that the Town entering into the Agreements and carrying out the actions contemplated therein constitutes a Type II action for the purposes of the New York State Environmental Quality Review Act (SEQRA). Said action is to acquire ownership of existing street lighting fixtures and then convert said fixtures to new energy saving LED units, which will remain, pursuant to the license agreement, on existing poles that will continue to be owned by National Grid. As such, the action is considered and declared to be a Type II action pursuant to paragraphs (2), (25) and (26) of section 617.5, subsection (c), of the SEQRA regulations, and it is hereby further

RESOLVED, that the Agreements are hereby approved and the Town Supervisor is hereby authorized and directed, on behalf of the Town Board, to execute said Agreements, along with such other documents as may be necessary and/or advisable to carry out the intentions of the Agreements and this resolution.

Upon request of the Town Attorney Herb Cully, the following Resolution was offered for adoption by Councilman Lenart and duly seconded by Councilman Reynolds:

(RESOLUTION NO. 223 OF 2020)

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The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call:

vote was as follows:	Councilman Messa	-	Aye
	Councilman Lenart	-	Aye
	Councilman Reynolds	-	Aye
	Councilman Woodland	-	Aye
	Supervisor Miscione	-	Aye.

The foregoing resolution was thereupon declared duly adopted.

AMENDMENT TO THE TOWN SOLAR LAW:

Town Attorney Cully asked the Town Board if they would like to add the word decommissioning to the Town Solar Law as it was mentioned in a resident comment and should be added as the cost for cell towers could be excessive. Town Attorney told the Town Board they will go to the Town Planning Board and finalize the Law and set the Public Hearing date at the September 23, 2020 Town Board meeting.

EXECUTIVE SESSION

Councilman Reynolds introduced the following Resolution for adoption and Councilman Woodland seconded same:

(RESOLUTION NO. 224 OF 2020)

RESOLVED that the New Hartford Town Board does hereby move to enter into an Executive Session to discuss a specific employee.

A roll call vote ensued:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

Thereafter, the Resolution was declared unanimously carried and duly **ADOPTED**.

All persons present, including the news media and Department Heads, were then excused from the meeting at 9:15 P.M. The Town Attorney and Deputy Supervisor remained for the Executive Session.

END OF EXECUTIVE SESSION

Councilman Messa then offered the following Resolution for adoption and Councilman Reynolds seconded same:

(RESOLUTION NO. 225 OF 2020)

RESOLVED that the New Hartford Town Board does hereby move to end its Executive Session and to reconvene the regular portion of the Town Board meeting.

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The Board members voted upon roll call that resulted as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Supervisor declared the Resolution unanimously carried and duly **ADOPTED**; the Executive Session ended at 9:33 P.M. The regular portion of the Town Board meeting was immediately reconvened and the public re-invited to the Town Board meeting.

FAMILY LEAVE – JAMES CAMPBELL & HIRING 2 ADDITIONAL PARK LABORERS

Upon request of Parks Employee James Campbell, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

(RESOLUTION NO. 226 OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize (5) five weeks of family leave for Parks Laborer James Campbell effective immediately.

FURTHER RESOLVED: The New Hartford Town Board does hereby authorize the advertisement & hiring of two part-time laborers in the Parks Department for a (6) six week term.

A roll call vote was then duly held:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was declared unanimously carried and duly **ADOPTED**.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and seconded by Councilman Messa, the meeting was adjourned at 9:43 P.M.

Respectfully submitted,

Melody K. Fancett
Deputy Clerk I