

**SPECIAL MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT TOWN HALL, 8635 CLINTON STREET, NEW HARTFORD, NY ON
TUESDAY, AUGUST 24, 2021 @ 4:00 P.M.**

Town Supervisor Miscione called the meeting to order at 4:00 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 Richard M. Lenart
Councilman David M. Reynolds
Councilman Woodland
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Deputy Town Supervisor Anthony J. Trevisani
Assistant Director of Personnel Barbara Schwenzfeier
Town Attorney Herbert Cully
Highway Superintendent Richard Sherman
Highway Chris Moran
Police Chief Michael Inserra
Finance Lisa Smigle

ABSENT Town Clerk Cheryl Jassak-Huther

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

I. Discussion on Bids for Middle Settlement Road Mudd Creek Project

Jason (Engineer) – recommendation – two low bidders depending on alternates the Town wants to proceed with – first bids to high – going with alternate bid – saves cost – the base winner of that bid would be W.M.J. Keller and Sons if only option Town selected; second alternate from hauling material offsite if chose that then Marcy Excavating would be low bidder as discussed per last meeting – up to Town how to award; Town Attorney Herbert Cully – understanding that can go ahead, not commit on alternate, decide later if wanted alternate two?; Greg – if you want alternate two at a later date, then not choosing lowest bidder – difference is very minor, everything should be reviewed with engineer in detail and attorney – we were not at the bid opening – contract has 60 days to award

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Lenart:

(RESOLUTION NO. 307 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to rescind the bid award made on 8/18/2021 for the Mud Creek project.

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

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

The Resolution was unanimously carried and duly *ADOPTED*.

Discussion – Engineers suggested going forward they would like to attend the bid opening, open them, monitor process, make sure bid documents are complete and review them - there has been nothing wrong with the way this bid process has gone so far - available to attend Board Meetings to explain to the Board, results and answer questions.;

Supervisor Miscione – All bidding goes through the Clerk’s Office, Board not involved in the process, state level doesn’t want that – have the engineers set up a meeting with Town Clerk Cheryl Jassak-Huther because everything goes through the Clerk’s Office;

Engineers – team effort with the Clerk with the engineers, the Clerk coordinates a lot of it and we can help take a lot of the stress off. Process – receive the bids by a certain time, open bids, read publicly one by one, thumb through quickly, check to make sure everything there, tell them the numbers, all subject to final review at a later date, scan for attorney, engineers review and give recommendation.

II. Utica Zoological Society Raffle Consent

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

(RESOLUTION NO. 308 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve the raffle consent form for the Utica Zoological Society.

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

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

The Resolution was unanimously carried and duly *ADOPTED*.

**II. MATTER SUBMITTED BY ASSISTANT DIRECTOR OF PERSONNEL
BARBARA SCHWENZFEIER**

- 1. Summer Program Refund – Water Safari trip cancelled due to bad weather

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Lenart:

(RESOLUTION NO. 309 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to refund the parents for the Water Safari tickets (Summer Program Trip), due to bad weather.

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

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

The Resolution was unanimously carried and duly *ADOPTED*.

Discussion – Councilman Messa – asked if formal documentation of injuries; Assistant Director of Personnel Barbara Schwenzfeier – counselors are advised to go to the two directors – directors notify the parents and fill out an incident report

III. MATTERS SUBMITTED TOWN SUPERVISOR

- 1. Gates Cole – have Town Clerk Cheryl Jassak-Huther contact Gates Cole for surety bond for National Grid for the LED lighting.

IV. MATTERS SUBMITTED TOWN ATTORNEY

- 1. Discussion from the last meeting with Town Clerk Cheryl Jassak-Huther, extremely concerned – the gentleman did return to the Clerk’s Office the day after the Board Meeting – Jade Giglio was alone in the office. He was following up on his FOIL (has a right to do). He stayed out in the front foyer. Jade was slightly upset – told her key thing is to call over to the police side and ask them to send an office over – she said she was all alone – I said you are in a secure part, excuse yourself, say need to use the phone a second or answer the phone and go call – talked to the Chief, asked to have police officer come over that will calm situation down – raised voice slightly to her – just wanted to call to your attention – Chief is going to try and ensure that if they call, get someone over right away
 - a) Councilman Reynolds – was also going to bring it up – at last meeting and not sure the proper airing it should have – met with Cheryl the next day to kick around some ideas – we’ve done the study; the Police Dept.

did a comprehensive study and some of the recommendations were instituted. Others have not been instituted yet. You hate to say bullet proof glass but shatter proof/bullet proof glass – its not a secure area (Clerk's Office) is someone wants to do harm. This is not the first time (issues at Butler Hall too) -terrible to have to live like this but that's the reality. If we're going to bond for things we should bond for the implementation of that total package – which includes things like securing doors, securing locks, improving the flow of traffic – everyone comes through the front door. One thing (Cheryl and I) talking about is moving the two doors – now you come in front door, leave the Clerk's area and come in and talk privately about a birth or death certificate, you come through two double doors. Once you do that, you have access to the other entire half of the building. If we (if feasible) move two double doors 4/5 feet past the conference area – keeping that area somewhat isolated. The point is we need to do this before we have a problem. The other point – not to be Rick's job – if need to hire a contractor to come in and look at the proposal and come up with a cost – lets do it and get it done. It is crazy we have to do this but we have to do this.

- b) Employee awareness – no more propping doors open – can't compromise. Chief agrees – Highway Superintendent Richard Sherman mentioned the moisture in the building, keeping doors propped and is working on it
- c) Supervisor Miscione – added – putting a person up front, part-time police – like the County has a Sheriff – Clerk's Office had another person upset and yelling at the girls today. If have an officer up there, its secure – they can address the issues instead of the employees having to. When you see an officer – its more secure, shows authority, shows professionalism and they can handle the situation, can make an arrest if have to. When get people in for birth and death certificates, marriage licenses – it's been getting heated in the Clerk's Office and has been and getting worse – a police officer makes sense.
- d) Chief talked with Town Attorney and a uniform presence makes sense
- e) Assistant Director of Personnel Barbara Schwenzfeier – you talked about checking ID's but you don't know someone's history; Councilman Reynolds – that's right; Assistant Director of Personnel Barbara Schwenzfeier – if you tell that one man, we will assist you out there but sees next person being brought back into the room, that could set him off. Just because his name is John Smith, you don't know if good or bad guy
- f) Town Attorney Herbert Cully – asked if Court Attendants are police officer; Chief Michael Inserra – not law enforcement but they look at them as having authority, do a good job on Tuesdays and Thursdays 12 – 3/3:30 – really Monday, Wednesday and Friday – all for security; Councilman Reynolds – if security steps away then the person waits in the lobby until can be escorted back – how feasible is to do this right away?
- g) Supervisor Miscione – we have to hire a certified officer, trained on a weapon, pay a few extra dollars to have a person in the building – its professional, represents our Town, building and people, our residents
- h) Councilman Reynolds – have another meeting with Chief again to go over the security proposal that was drawn up and see how to proceed;

Chief Michael Inserra – meet with Town Clerk Cheryl Jassak-Huther, Councilman Reynolds and Highway Superintendent Richard Sherman to review it and come up with hours its busy and when concerning; Supervisor Miscione – get two part-time police officer.

- i) Councilman Reynolds – if you come in the front door and you want to talk to the Codes Officer – the person should not be allowed to walk through to find out they not there; Assistant Director of Personnel Barbara Schwenzfeier – we don’t do that – the girls call down to verify if employee is there – the employee is to go up front and get the person; Councilman Reynolds – asked who makes the calls – should not be the Clerk’s Office job – when an employee leaves the building they check out and its on the Board; Assistant Director of Personnel Barbara Schwenzfeier – The Town Clerk’s Office has discussed that – if someone there to see someone, we come down to get them – also have a phone in the hall for that person to call the employee directly, not the Clerk’s; Councilman Reynolds – That’s not the Clerk’s Office job in my opinion. Can we work on those things?; Supervisor Miscione – get a police officer to monitor everything, need someone to be the go to person for security, we can also move the doors too; Councilman Reynolds – at the last meeting, this did not get the airing it should have, we have to do something; Supervisor Miscione – private office is key – get going on it; Assistant Director of Personnel Barbara Schwenzfeier – will also send out an email to all employees about security/shutting doors; Councilman Messa – if we’re going to have voting here, everyone goes through the main doors; Councilman Reynolds – same as the Senior Center people
- j) Town Attorney Herbert Cully – pass a resolution supplementing the prior adoption of the security policy to state that all employees are to ensure that all doors are sufficiently closed – will also generate an email to be sent out

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

(RESOLUTION NO. 310 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to supplement the prior adoption of the security policy to state that all employees are to ensure that all doors are sufficiently closed.

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

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

The Resolution was unanimously carried and duly *ADOPTED*.

V. MATTERS SUBMITTED TOWN SUPERVISOR

1. Financial Information – budget year for 2021 (Supervisor Miscione handed out a spreadsheet) – shows current bonding, current banning, current leases, current payments will be for 2022; and it was reviewed with the Board; explained - difference between 2021 and 2022 – total banning and bonding payments that would be in the budget for 2022 would be a negative \$2,356.00, showing the additional \$1,991,000 in banning if we did do it, would not affect tax increase, would still have negative impact for total payments due
2. Councilman Lenart not for signage for bonding – not supporting it if in BAN (Street signs), work on flooding/stormwater; Supervisor Miscione – people are commenting on how nice they look – Highway Superintendent Richard Sherman tremendous amount of support with signage; Councilman Messa – take out signage and down to \$1,716,122.00 and ok with it
3. Chris Moran – most major projects are in the works – stormwater – it takes time – certainly trying to slow the water down in area; Engineers said the same; doing all we can do to stop the flooding, can't plan the weather; Highway Superintendent Richard Sherman – people see us taking care of the flooding, we are working in it.; Supervisor Miscione – flooding is horrible and feel bad – we have been helping everyone – done a lot of work – bought equipment to do these projects; also community programs like snowshoes, x-country skiing, pickleball, etc. – do best we can do – make sure community good with all aspects – public safety, garbage, trash pickup – community wants to see. People in the community comment about the street signage, the park, the rec center, street lights – people do request signage – shows beautification, infrastructure, safety – children at play signs, etc.

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Woodland:

DISCUSSION – Councilman Reynolds – how much money already spent on street signs?; Highway Superintendent Richard Sherman – approximately \$19,000 (have and ordered); Councilman Reynolds – think current signage, for emergency services, clearly is very important, etc.; Supervisor Miscione – cost of business everyday to have nice street signs, of quality – a lot are bent, falling off, rusted, etc. – if we don't spend it, we put it back; Highway Superintendent Richard Sherman- signage in the developments are getting done and residents are coming out and saying thank you because they like them

(RESOLUTION NO. 311 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve BAN monies for \$1,716,122.00

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

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

THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

Items to Ban (2021) – when BAN monies received

Item	Price
Oneida Street Bridge	\$300,000.00 Matching with County \$600,000.00
James Bray – Emergency Road Work	\$86,000.00
2021 John Deer 650 Dozer	\$67,914.00
2021 Excavator	\$109,208.00
Foxcroft (Woodberry) Detention Pond	\$40,000.00
Oneida St./Elm St. Downtown Infrastructure Project	\$500,000.00 Matching with County \$1,000,000
Loader	\$123,000.00
Stormwater Project Mudd Creek	\$490,000.00 Matching with County \$1,000,000

**VI. MATTER SUBMITTED BY ASSISTANT DIRECTOR OF PERSONNEL
BARBARA SCHWENZFEIER – M & T Lock Box**

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Messa:

(RESOLUTION NO. 312 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to close the M & T Lock Box (used for taxes).

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

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

The Resolution was unanimously carried and duly *ADOPTED*.

ADJOURNMENT:

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and second by Councilman Lenart, the meeting was adjourned at 6:10 p.m.

(RESOLUTION NO. 313 OF 2021)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the approval to adjourn

Upon roll call, the Board members voted as follows:

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

The Resolution was declared unanimously carried and duly *ADOPTED*

Respectfully submitted,

Cheryl A. Jassak-Huther
Town Clerk