

**REGULAR BOARD MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT TOWN HALL, 8635 CLINTON STREET, NEW HARTFORD, NY ON
WEDNESDAY, JUNE 8, 2022 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 Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Deputy Town Supervisor Anthony J. Trevisani
Highway Superintendent Richard Sherman
Town Attorney Herbert Cully
Personnel Technician Barbara Schwenzfeier
Town Clerk Cheryl A. Jassak-Huther
Police Chief Michael Inserra
Codes Officer Lary Gell

Absent: Bookkeeper to Supervisor – Deanna Spina

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

I. BOARD MEETING MINUTES

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

(RESOLUTION NO. 136 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the meeting minutes for the May 13, 2022 Town Board Meeting.

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

II. PUBLIC HEARING

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

(RESOLUTION NO. 137 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to open up the Public Hearing to amend the Code of the Town of New Hartford, Chapter 113, entitled "Vehicles and Traffic", Schedule VII, Section 113-41, stop intersections. The addition of one (1) stop sign on Canterbury Road, West, at the intersection of Tanglewood Road.

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

There were no comments made by the residents.

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

(RESOLUTION NO. 138 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to close the Public Hearing to amend the Code of the Town of New Hartford, Chapter 113, entitled "Vehicles and Traffic", Schedule VII, Section 113-41, stop intersections. The addition of one (1) stop sign on Canterbury Road, West, at the intersection of Tanglewood Road.

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

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

(RESOLUTION NO. 139 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve Local Law 4 of 2022 - A Local Law to amend the Code of the Town of New Hartford, Chapter 113, entitled "Vehicles and Traffic", Schedule VII, Section 113-41, stop intersections. The addition of one (1) stop sign on Canterbury Road, West, at the intersection of Tanglewood Road.

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

III. PRESENTATION

- A. Gates Cole Insurance – William T. Cole – presented a packet to the Board – the Town of New Hartford 6/28/2022 – 6/28/2023 – reviewed the insurance for the Town

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

(RESOLUTION NO. 140 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve Gates Cole Insurance policy for the Town of New Hartford (6/28/2022-6/28/2023) for total policy of \$177,468.00.

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

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

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

IV. SUPERVISOR MISCIONE

- A. Leasing the vacant property next to the Town of New Hartford Building for \$1.00 with JUDD DEVELOPMENT GROUP LLC; Town Attorney Herbert Cully – draft lease, in terms of leasing the portion adjacent to the Town Building – looking for a resolution to go forward to finalize the lease, subject to permissive referendum – lease commencing approximately July 2022 – lease allows us to maintain that property – can terminate on 60 days' notice – maintain it and beautify it - \$1.00 a year lease/10 years

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

(RESOLUTION NO. 141 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to have Town Attorney Herbert Cully move forward with the lease for the property next door to the Town of New Hartford for \$1.00.

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

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

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

B. Liquor License for the Phoenician Restaurant – 623 French Road – New Hartford, NY

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

(RESOLUTION NO. 142 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Liquor License for the Phoenician Restaurant – 623 French Roads – New Hartford, NY.

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

C. Intermunicipal Agreement for Ditching 2022

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

(RESOLUTION NO. 143 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Intermunicipal Agreement for Ditching for 2022

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

D. Intermunicipal Agreement for Mowing 2022

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

(RESOLUTION NO. 144 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Intermunicipal Agreement for Mowing for 2022.

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

E. Dan Buttermann – new representative for 122nd District – introduced himself to the Town, spoke about the new District and changes in the Assembly

F. Audit – approval to start our next Audit – price is the same as last year

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

(RESOLUTION NO. 145 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to start the next Audit with the Accounting Firm – Drescher & Malecki LLP.

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

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

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Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

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

G. Contract for the Oversight

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

(RESOLUTION NO. 146 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the contract for the Oversight with Drescher & Malecki LLP.

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

H. Contract for AUD

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

(RESOLUTION NO. 147 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the contract for the AUD to be performed with Drescher & Malecki LLP.

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

I. Contract for General Security for the Ski Chalet Office – Alarm System

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

(RESOLUTION NO. 148 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the contract from General Security for the alarm system for the Ski Chalet Office at Sherrillbrook Park.

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

J. Refund \$75.00 to Speciale Firework Inc.(CNY Seal Coating)

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

(RESOLUTION NO. 149 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to refund Speciale Firework Inc. in the amount of \$75.00.

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

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

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

K. Fireworks

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

(RESOLUTION NO. 150 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve fireworks on 6/25/2022 at the Yahnundasis Golf Club by Speciale Fireworks.

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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 Resolutions were unanimously carried and duly *ADOPTED*.

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

(RESOLUTION NO. 151 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve fireworks on 7/4/2022 at the Yahnundasis Golf Club by American Fireworks Display LLC.

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 Resolutions were unanimously carried and duly *ADOPTED*.

L. Record Destruction

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

(RESOLUTION NO. 152 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to destroy records we don't need to retain (per the Retention and Disposition Schedule for New York Local Government Records LGS-01).

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 Resolutions were unanimously carried and duly *ADOPTED*.

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- L. Food Trucks/Farmers Market - \$25 application fee; 6-month license is \$125.00- and one-year license is \$200.00; if they are at the Farmers Market – they still pay the Town Fee as the Town does the clean-up (labor)

N. Vouchers

- a. Vouchers – Supervisor Miscione – will come back to the vouchers once everyone has a chance to review them
- b. Additional bill for Salt Shed Design

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

(RESOLUTION NO. 153 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the bill for the design for the Salt Shed for \$14,000.00 along with the vouchers.

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

- V. **PRESENTATION** – BW Solar – Product Developer Dan Huntington – discussed a project on Roberts Road – doesn’t have an actual address – vacant land – on border of New Hartford and Paris – agricultural land – farmed for over 80 years; Land Owner – William Linder; Supervisor Miscione – will have the plans on display for people to look at; Town Attorney Herbert Cully – Zoning Board Hearing coming up by another solar company – suggested to follow up with what happens at the meeting; will get a copy of a packet for everyone with all the information; William Linder – land owner – been farming the property for 45 years – owned since 1990 – not the best farm land for crops – that’s why considered for Solar – like to cut back – he approached BW Solar – contract (Lease) should expire max. of 40 years – after that, whoever owns the property, has option to terminate – look at it something that can be taken back, land can be restored – BW Solar have been excellent to work with; Supervisor Miscione – we will hold a Public Hearing when it does come about, residents within 1000 feet will be notified and it will be discussed – Board Members are welcome to come out and look at the field, land; Town Attorney Herbert Cully – can’t go forward with a Solar application unless the Town Board gives them permission, that’s the way our ordinance is written – at this point, BW Solar would have to come back, give a presentation, the Board would have had an opportunity to look at this and then they would make an initial determination to say yes, this may be an appropriate site for solar, if it is, then they go to

the Planning Board, the look into a site plan process – they really can't move forward until the Board says OK

VI. SUPERVISOR MISCIONE

A. 2022 Oneida County Stop DWI Agreement

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

(RESOLUTION NO. 154 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the 2022 Oneida County Stop DWI agreement.

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

B. Oneida County Board of Election Poll Agreement

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

(RESOLUTION NO. 155 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the use of the New Hartford Highway Garage for a poll site for the Oneida County Board of Election early voting in June and Election in November.

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

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

(RESOLUTION NO. 156 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the use of the New Hartford Town Office Building for a poll site for the Oneida County Board of Election early voting in June and Election in November.

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

VII. HIGHWAY SUPERINTENDENT RICHARD SHERMAN

A. Hazard Mitigation Plan

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

(RESOLUTION NO. 157 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the 2022 Hazard Mitigation Plan.

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

- B. Orkin Pest Control – several carpenter bees out front of the Town Office Building – Orkin will come with their chemicals for \$650.00 and use the Town’s lift – one time treatment – 30-day guarantee

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

(RESOLUTION NO. 158 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve Orkin Pest Control for \$650.00 for the bees out front of the Town Building.

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

C. Summer Help

- i. Three (3) for Highway – Seasonal – Laborer - \$15.50 per hour – Michael Garcia (start 6/15/2022), Samuel Williams (start 5/24/2022), Owen Jassak (start 6/15/2022) – applications were approved through Oneida County – until they go back to School – some college, some are high school; added Matthew Miscione (start 6/15/2022)

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

(RESOLUTION NO. 159 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve summer help for the Highway Department.

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

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

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

- ii. Full Time Laborer position open – Nicholas Scarafile – has been working for 14 months – \$11.50 per hour, based on the contract – start 6/13/2022

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

(RESOLUTION NO. 160 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve Full time Laborer, Nicholas Scarfile, permanent, \$11.50 per hour, start date 6/13/2022.

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

- iii. Personnel Technician Barbara Schwenzfeier - Summer Parks Program – Counselors and Splash Pad attendants and three to work as Laborers; Summer Program – Sarah Mineo (Director) and Ethan Kane (Director) - \$17.00 per hour; Joe Molanare, Cara Molanare, Abbey Martin, Caitlin Clarke, Gianna Nole, Shaye Gardinier, Emily Quinn, Cristen Bonville, Gabriella Trevisani, Emma Burke, Colin Ockowski, and two other girls that just submitted an application – all for \$15.00 per hour; they will be at the Rec Center and Park

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

(RESOLUTION NO. 161 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Summer Help for the Summer Program.

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

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

(RESOLUTION NO. 162 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Summer Help for the Summer Program – Laborers – Logan Kraft and Rowan Gall – clean up, \$15.00 per hour, starting 6/15/2022.

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

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

(RESOLUTION NO. 163 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Summer Help for the Summer Program, Laborers – Madison Dropkin at the Splash Pad, \$14.00 per hour, starting 7/5/2022; Justin Doherty will work at the Splash Pad and labor work, \$15.00 per hour, starting 6/15/2022.

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

- VIII. CODES DEPARTMENT – LARY GELL** – 41 Bolton Road – no official response to report; plans were submitted and residents have come in to look at them; Lary sent a letter to Sitrin stating that the Board passed a Resolution that they would not allow this to move forward and have not heard from anyone; Town Attorney Herbert Cully – a building permit was filed with Lary Gell – at that point, we indicated that we didn't feel that they were a permitted use as a result of the resolution that was anonymously passed by the Town Board due to what we feel is a defect in their process as it relates to four bedrooms vs four individuals – Lary sent a letter rejecting the application, there has been no response from them – we also filed a FOIL to get the updated list of similar residents in Oneida County, the list that was provided to us with the application appears outdated, we have not received a response and we are preparing correspondence they are well beyond the time limit to give us that information under the Freedom of Information Law.
- IX. COUCILMAN REYNOLDS** – update on Senior Nutrition Center Survey; Councilman Lenart gave an update – 18 surveys were handed in prior to the Board Meeting – some after – approx. 25 surveys total – four voicemails; will make up a spreadsheet to hand out as discussed – will look at

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the best practices that other Towns are doing – looking for the best outcome we can get based on feedback; will meet again next month to see where we are at; Residents – asked about the surveys – only in the Town Crier and available at the Town – asked if Councilman can go door to door; we have 5,500 seniors and close to 19,000 people so going to door to door is next to impossible; Councilman Reynolds didn't think the surveys were a low number and asked if the surveys can be made available at the Clerk's Office (they have been there for weeks – available to the public); Councilman Lenart – presented the Board with an article from the Observer Dispatch, as far as COVID, cases are up in Oneida County (42%) – we are one of the highest areas as far as COVID; our concern, as the Board, we don't want to do a start stop and start and stop; the Board at this point, is not at the point of opening; Councilman Reynolds – other senior centers, thinks that they are up and running, again that's them, this is us, we don't want anyone sick, there is a time we will address what the levels are and how we are going to approach this

X. COUNCILMAN WOODLAND – 4 Pinecrest Road – we had talked about some code issues – Town Attorney Herbert Cully – still working on it

XI. RESIDENT NADINE CAMPOLA- SHEPARD DRIVE – Nadine lives at 126 Powell Avenue South – complaints about 10 Shepard Avenue – the house is a mess, grass overgrown, garbage is piled in front of the garage – Lary has been on top of it – sent several letters – going to court in front of the judge – activity at night – called police numerous times – previously paid fines – they pay the fines – then the same activities continue – and keep paying fines and activity keeps going on – there are four vehicles on the property, two unregistered, a gentleman sleeps in the car at times on the lawn (all day and night) – if see him call the Police to check the welfare; Town Attorney Herbert Cully - initiate a Nuisance abatement law; Chief Inserra encouraged Nadine to call the police exactly when activity is going on, when see something going on, call right away – all callers can remain anonymous – Chief did generate an email to the cars to increase the presence and visibility to put the neighbors at ease – call us and will send a car every time

XII. SUPERVISOR MISCIONE – Executive Session on a Personnel Matter

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

(RESOLUTION NO. 164 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to enter into Executive Session (7:46pm).

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 Resolutions were unanimously carried and duly *ADOPTED*.

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

(RESOLUTION NO. 165 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to come out of Executive Session (8:16pm).

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 Resolutions were unanimously carried and duly *ADOPTED*.

XIII. TOWN ATTORNEY HERBERT CULLY

A. CNY Independence and 2A Rally – article was in the Town Crier – being held on July 3, 2022 at the Veterans Memorial Park – have serious concerns as we don’t have control over numbers – we just don’t want to go forward and allow an event to occur that could possibly cause issues especially with firearms with what is going on; Chief Inserra – spoke with Cheryl and Barb – we looked up the Town Codes – no firearms of any kind are allowed any Town property – has concerns with parking in case it gets well attended; biggest concern – will there be any counter protesters – recommendation is someone on the Town level reach out the email on the flyer letting them know as a municipality, we have some concerns and we need to sit down meeting with the person to get some answers in regards to this event; Town Attorney Herbert Cully – they are asking to do it on Town property, at the Veterans Memorial and we have control over what occurs there or what doesn’t, we don’t have to give a reason why we don’t want this to occur – this is Town property and the Town Board controls the use of Town property – if the Town Board says we don’t want this occurring on our Town property, we can send them a notification in writing, that the Town Board reviewed that the fact they are intending to hold this rally and they feel that it is inappropriate and they don’t approve the use of Town property for this rally; we have not been contacted about this event – we found out through the Town Crier and a concerned resident – they also have a Facebook page; the ordinance specifies no firearms at the parks; Chief says we need to take action before – Chief will reach out to the contact in the flyer; Councilman Messa – with all that is going on in this world, against it; Town Attorney Herbert Cully – they have to clearly know

they don't have permission to use Town property and would have to follow all necessary protocols to get permission and at this point they do not have it; Chief will keep the Board up to date

- B. Public Assembly Code/Assembly of Large Number of Persons – looking into doing a revision of the application and code – says 1,000 people – have to decrease the number – will look into what other Towns/Ordinances do and get back to the Board

XIV. COUNCILMAN MESSA

- A. Thanks to Town Clerk Cheryl Jassak-Huther and Personnel Technician Barbara Schwenzfeier for getting the flags for the E. L. Clonan American Legion Post 1000– Chadwicks – they really appreciated it
- B. 11 Center Terrace – got a call complimenting Lary on getting the lawn cleaned up – looks so much better
- C. Twyndom Terrace and Roman Road – need easement done – Highway Superintendent Richard Sherman needs one more thing – the survey is done
- D. Board Room – Supervisor Miscione – they want to have a meeting to go over the design of it – will set up a meeting next week

XV. HIGHWAY SUPERINTENDENT RICHARD SHERMAN

- A. Middle Settlement Road construction has begun – Federal Aid Local Project Work Agreement

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

(RESOLUTION NO. 166 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Federal Aid Local Project Work Agreement.

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

- B. Town Garage – proposal has gone up for the wall (\$270,000) – believe we should go out to bid; has photos of the walls – just getting worse

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

(RESOLUTION NO. 167 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to go out to bid for the Town Garage wall to be fixed.

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

XVI. **PERSONNEL TECHNICIAN BARBARA SCHWENZFEIER** – Owen Jassak will be putting up the American Flags at the Veterans Memorial Park on Saturday, June 11, 2022 (3,000 flags).

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Reynolds and seconded Councilman Messa, the meeting was adjourned at 8:33 P.M.

(RESOLUTION NO. 168 OF 2022)

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

Respectfully submitted,

Cheryl Jassak-Huther
Town Clerk
6/10/2022