

**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  
JULY 13, 2022 at 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 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  
Asst. Director of Personnel Barbara Schwenzfeier  
Town Clerk Cheryl A. Jassak-Huther  
Bookkeeper to Supervisor Deanna Spina

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

**I. EXECUTIVE SESSION**

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

**(RESOLUTION NO. 174 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to enter into Executive Session at 4:05 P.M. in regards to a personnel matter.

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

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**(RESOLUTION NO. 175 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to come out of Executive Session at 6:57 P.M.

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*.

**REGULAR TOWN BOARD MEETING STARTED AT 6:58 P.M.**

**II. BOARD MEETING MINUTES**

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

**(RESOLUTION NO. 176 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the meeting minutes for the June 8, 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*.

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

**(RESOLUTION NO. 177 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the meeting minutes for the July 7, 2022 Town Board Meeting.

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

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

The Resolutions were unanimously carried and duly *ADOPTED*.

**III. PRESENTATIONS/COMMENTS**

- A. Kathleen Scatko – asked about update on Bolton Road; Town Attorney Herbert Cully – Councilman Reynolds has contacted Herb – been following up on it – have received no additional information from Sitrin as to what or when they intend to do anything – have been given some information a few weeks back that some people have been working there – Councilman Reynolds, Town Attorney Herbert Cully and Codes Officer have been up there several times and we see no activity whatsoever; Kathleen Scatko – there has been quite a bit of activity – about a month there were about 8 or 10 pickup trucks there – Eric from Sitrin came over to talk to Mr. Scatko and said they were bidding for the work; Town Attorney Herbert Cully – at this point they don’t have a building permit to go forward, if they try to go forward, they are violating our Town code and we would bring an action to stop them; Councilman Reynolds – for Codes, to date they have asked for no permits; Lary Gell – they applied for one and we denied it; Councilman Reynolds – electrical and plumbing requires a permit (Lary - correct) – part of this housing requirement would entail a sprinkler system (Lary – correct) – that being the case, they would have to have a permit (Lary – correct) – at this point we are not issuing permits?; Town Attorney Herbert Cully – we denied the other permit that they applied for, they have not contested that and they have four months to do so; Kathleen Scatko – Janice (a neighbor) just had roof done and her contractor actually has the bid for Sitrin, he is just waiting for them to take down the chimney; Town Attorney Herbert Cully put a call into Sitrin’s attorney and has not received a call back – not sure what their plan is; Kathleen Scatko – has anyone followed up on the saturation; Town Attorney Herbert Cully – all we have is the list that they provided, still no response to our FOIL – they should have provided an updated list and that is another issue we are going to raise.
  
- B. David Maier – 1. Engineer Report – Stormwater Ward 1 and 2 – can’t find the report on the Town’s Website; 2. Erosion on Mallory Road – would like to see Palmer Creek on the drawing board as a Stormwater project – there is a lot of damage, erosion – water is coming through so quickly under the culvert; June 12<sup>th</sup> storm brought a lot of rain; needs retention pond
  
- C. Lisa Sowich – 116 Sedgewick Pk. – New Hartford – sinkhole – half circle off Valley View Road – been calling since March about a sinkhole that developed in the middle of the road – in June they put white lines around the sinkhole and sewer – very dangerous, getting deeper and deeper – road in desperate need of paving (showed pictures to

Councilman Messa and Councilman Lenart); Highway Superintendent Richard Sherman – on the list to get done

- D. Frank Cerminaro – 9541 Champman Road – New Hartford – between his house and neighbor above there is an empty lot that the neighbor bought – he put a fence all the way around – many years ago, talked with Joe Booth – asked neighbor to cut the grass – Joe Booth came up and told him to cut it and he refused to cut it – defied the order and said it wasn't his proper – measured the property and it is his property; Lary Gell did the same thing; Town Attorney Herbert Cully – was taken to court, judge fined him; Mr. Cerminaro – he has tried to use poison to kill the grass, last year killed a 3<sup>rd</sup> of Mr. Cerminaro yard because it rained and washed all the poison down – had DEC over house and (acting Chief Kowalski even stopped over and spoke to the neighbor) – 10 inches or more supposed to cut the property; neighbor has been fined numerous times; Town Attorney Herbert Cully – if we have to send someone out to cut it, if it is over 10 inches then we assess it on their taxes; Lary Gell – if he mows it, the violation is clear – if he didn't mow it, we can send the Town crew in and charge him \$250.00 plus mowing and put it on his taxes, but he mows it each time but it cost the Town the time and the money to send the letters to him – we tried last year to go through a nuisance – he was brought in front of the judge, it is the same violation; Town Attorney Herbert Cully – bring the nuisance based on numerous Codes violations; Lary will do a nuisance violation and copy Mr. Cerminaro; Town Attorney Herbert Cully – we are going to ask the judge for authority, once it hits 10 inches, we are cutting it and not taking him back to court and we are putting the \$250.00 on his taxes plus the mowing
- E. Mike McKenna – 44 Hoffman Road – Thanked everyone for keeping up on the Bolton Road – Sitrin project. The neighbors very much appreciate it.
- F. Mike Miles – 51 Root Street – Thanked the Board for supporting the neighbors on the Bolton Road project.
- G. Mary Lou Coughlin – 27 Bohling Road – Senior Surveys – sent emails to the Town Board; asked for a report on the surveys; Councilman Lenart – finding the same ideas over and over (open, paid staff, meals) – purpose of the survey was to see if they had other ideas or activities seen or done and not seeing that -; Mary Lou Coughlin asked to be on a committee – asked why the Center can't be opened now – two paid staff, etc. until detailed survey is put together and then do whatever with the Center; Supervisor Miscione – that is stuff to be discussed with the committee

#### **IV. REPORTS OF TOWN DEPARTMENTS**

##### **A. TOWN CLERK**

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

**(RESOLUTION NO. 178 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the appointment of Donna Owens as the Deputy Registrar, \$19.00 per hour, effective July 17, 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**.

**B. BOOKKEEPER TO SUPERVISOR DEANNA SPINA**

i. Vouchers

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

**(RESOLUTION NO. 179 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to pay 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**.

**C. HIGHWAY SUPERINTENDENT RICHARD SHERMAN**

i. Curbside Garbage Pickup

**TRASH – Total \$22,227.60**

WARD	TONS	AMOUNT
1	142.91	\$8,567.38
2	86.68	\$5,194.22
3	51.62	\$3,097.20
4	89.48	\$5,368.80

**E-WASTE CURBSUDE TRASH PICKUP JUNE 2022**

WARD	TONS
1	2.58
2	3.06
3	0.73
4	1.07

**TIRES CURBSIDE TRASH PICKUP JUNE 2022 – TOTAL \$2,401.60**

WARD	TONS	AMOUNT
1	7.23	\$1,373.70
2	2.54	\$482.60
3	0.74	\$140.60
4	2.13	\$404.70

Budget was \$32,000.00 -after everything was paid, including the brochure (mailing) – the total cost was \$24,629.20 leaving \$4,068.18 still left in the Budget; like to ask the Board – instead of picking up the trash in June – move it to September/October in 2023; Councilman Messa – would like to look at what we are picking up and reevaluate (tires as a start)

- V. **SUPERVISOR MISCIONE** – Board Room renovation – they will come up with a plan and want to have a meeting – set up a meeting with Asst. Director of Personnel Barbara Schwenzfeier, Councilman Messa and Supervisor Miscione for next week

VI. **MATTERS SUBMITTED BY COUNCILMEN**

A. **COUNCILMAN MESSA**

- i. Easement for Twyndom Terrace and Roman Road; Town Attorney Herbert Cully – has the map and finishing them
- ii. Solar Farm project on Oxford Road; Town Attorney Herbert Cully – have not come up with a figure yet – working with John Dunkle – looking at what other municipalities are doing

B. **COUNCILMAN REYNOLDS**

- i. Bolton Road project (Sitrin) – nobody is opposed to the Sitrin Homes developments and the homes they provide for – it’s the fact that it’s a business – the chimney is the only penetration in the roof – which would indicate where the furnace goes – that changes the plumbing, electrical, etc.
- ii. Compliment Owen Jassak – the 3,000 American flags placed at the Veterans Memorial Park for Flag Day – honoring and remembering our Veterans – very impressive and a lot of work went into that – want to acknowledge that and congratulate Owen on his continuous work – he has been doing this for 10 years (since he was 4) – very nice job

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**VII. MATTERS SUBMITTED BY TOWN ATTORNEY**

- A. Motion for Special meeting on July 18, 2022 at 5pm. – purpose of filling the position of Chief of Police

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

**(RESOLUTION NO. 180 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve a special meeting for appointment of Chief of Police on Monday, July 18, 2022 at 5:00 P.M.

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**.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Lenart and seconded Councilman Messa, the meeting was adjourned at 7:37 P.M.

**(RESOLUTION NO. 181 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

7/15/2022