

**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
SEPTEMBER 7, 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
Town Clerk Cheryl A. Jassak-Huther
Highway Superintendent Richard Sherman
Town Attorney Herbert Cully
Asst. Director of Personnel Barbara Schwenzfeier

ABSENT: Bookkeeper to Supervisor Deanna Spina

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

I. PRESENTATIONS/COMMENTS

- A. Guest – David Atkins and Luke Condon – Sangertown Square
- i. Town Attorney Herbert Cully – request that the Board proceed with a Zone Text Amendment which would allow the creation of a zone for a closed shopping center and residential overlay – would hold a public hearing for the residents to voice their opinions – then come back to the Board for a final vote; David Atkins (from Pyramid Management Group) handed out material to the Board with examples of units - advancement for entertainment, dining, etc. – first step a Zone Text Amendment – Kingston, MA has 282 units – generally the unit count is 150 – 300 – overlay district – Planning Board would look it over, etc. – Town Board has final say (after Public Hearing) – four (4) or less stories – units range from one (1) bedroom to two (2) bedroom, very few, 5% three (3) bedrooms – rental middle to high – shop, dine, play, stay and live (clearly the future of malls) – project in Middletown (close to NYC), 224 unit, was a \$40 million project – enhance the plaza; Town Attorney Herbert Cully asked if anyone would like to make a motion to go forward with the proposed Local Law and notice all interested agencies of our intent to elect lead agency, send it out for SEQR and defer to the Planning Board; Councilmen Messa and Woodland asked to table it to the next meeting to look over the material; Town Attorney Herbert Cully – no motion at this point

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- ii. Karen LaSeala – 4118 Oneida Street - next to O’baby’s – flooding on property – takes in a lot of water – damage to the backyard – asking the Town to address the issue – sent photographs – Councilman Messa has been very attentive to listening
- iii. Ed Thomas – 5 Woodbourne Road
 - 1. Elm Street in Chadwicks – old meat market – roof is caving in, back part of the wall is kicked in – kids all around the building; Lary Gell – unsafe structure – County is selling it at a County tax sale - it is being sold – takes steps to get this process done; Lary Gell – called the County and someone did buy it, takes a few days before they can announce who bought it
 - 2. Willowvale Avenue – windows are falling out, etc.; Councilman Messa – went to a tax sale, someone bought it, put a roof on it and then walked away; Lary Gell – contractors have reached out to Lary but haven’t followed through with all the documentation

II. BOARD MEETING MINUTES

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

(RESOLUTION NO. 211 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Board Meeting minutes from August 10, 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. REPORTS OF TOWN DEPARTMENTS

A. TOWN CLERK

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

(RESOLUTION NO. 212 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to allow the Ziyara Shriners - Festival of Trees, to conduct their raffle in the Town of New Hartford at Sangertown Mall from November 19 – 27, 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 Reynolds introduced the following Resolution for adoption and duly seconded by Councilman Messa:

(RESOLUTION NO. 213 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to hire Deputy Clerk I, Gail Fobes, full time, benefits, effective 8/29/2022, \$18.95 per hour (in budget).

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 Reynolds:

(RESOLUTION NO. 214 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to hire Deputy Clerk II, Nicholas Suits, full time, benefits, effective 9/12/2022, \$18.00 per hour (in budget).

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. HIGHWAY SUPERINTENDENT RICHARD SHERMAN

- i. Applewood Estate Pump Station BID – Two Bids – US MAIL Electric \$600,185.00 and Borderline Excavating \$475,000.00

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

(RESOLUTION NO. 215 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to award the BID for the Applewood Estate Pump Station Improvements to Borderline Excavating for \$475,000.00

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**.

C. CHIEF RONALD FONTAINE

- i. Appoint Jason Livingston to P/T Police Officer in order to work as a New Hartford School SSO. (Jason Recently retired from service as a Rome Fireman and Part Time New Hartford Police Officer, but is required to have a break in service for retirement purposes. Once re appointed as a p/t officer, The school district reimburses associated costs and wages under to SSO agreement/program

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

(RESOLUTION NO. 216 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Jason Livingston to Part-time police officer – New Hartford School SSO.

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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ii. Surplus Ford Fusion (used by Investigators)

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

(RESOLUTION NO. 217 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to surplus the Ford Fusion from the Police 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	-	Aye

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

iii. Accept and insurance for donated vehicle from the Oneida County District Attorney's Office – 2013 Honda Accord (replace the Fusion)

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

(RESOLUTION NO. 218 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to accept and insure the 2013 Honda Accord donated by the Oneida County District Attorney's Office to be used by the New Hartford Police 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	-	Aye

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

iv. Oneida County Stop DWI Contracts

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

(RESOLUTION NO. 219 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Oneida County Stop DWI contracts.

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. MATTERS SUBMITTED BY COUNCILMEN

A. COUNCILMAN REYNOLDS

- i. House on Seneca Turnpike – porch fell off, roof came down; Lary Gell – letter out to the owner
- ii. Met with the Methodist Church – 95 Oxford Road – receptive to us moving Senior Center there, willing to sit down and discuss proposal; realize there is a proposal to go to the City and is an excellent step, great program; should entertain at some point in the Town, review process, most important thing is to get it back in New Hartford and out of the Town Hall Building (doesn't work in this building), met with their Board and receptive to discuss further and we should revisit that at some point

Town Attorney Herbert Cully – there is a proposal to enter into an agreement with Mohawk Valley (50 FORWARD):

WHEREAS the TOWN desires to make available health and wellness, social and recreational services to all senior citizens (individuals 60 years of age and over (who reside in the TOWN, and,

WHEREAS 50 FORWARD operates a facility at 220 Memorial Parkway, Utica, New York which provides such services to senior citizens;

IT IS AGREED AS FOLLOWS:

1. The TOWN will pay \$35 for membership/\$30 for renewal memberships of any senior citizen (individuals 60 years and over) who are residents of the TOWN (proof of residency will be required)
2. 50 FORWARD will allow said residents to enroll in its program at the 50 FORWARD Parkway Center, 220 Memorial Parkway, Utica, NY and provide transportation to and from said Center.

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3. 50 FORWARD will bill the \$35.00/\$30.00 annual/renewal registration fee for each said resident to the TOWN within 30 days of registration.

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

(RESOLUTION NO. 220 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the agreement with Mohawk Valley 50 FORWARD.

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. **COUNCILMAN MESSA** - review and discuss proposal for renovation to Town Board Meeting Room – BONDED for renovations to existing Board Room – handed out a packet to the Board from a contractor

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

(RESOLUTION NO. 221 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to move forward with the proposal for the renovations for the Town Board Room.

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. REPORTS OF TOWN DEPARTMENTS

A. BOOKKEEPER TO SUPERVISOR DEANNA SPINA

- i. Vouchers

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

(RESOLUTION NO. 222 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**.

- B. **ASST. DIRECTOR OF PERSONNEL BARBARA SCHWENZFEIER** - transfer to fix changes to wrong accounts
- i. \$24,343.21 from SS81100.10 to DB51100.10

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

(RESOLUTION NO. 223 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to the transfer \$24,343.21 from SS81100.10 to DB 51100.10.

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. \$4,932.07 from DB51100.10 to DB51110.10

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

(RESOLUTION NO. 224 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to the transfer \$4,932.07 from DB51100.10 to DB51110.10.

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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*.

iii. \$4,612.77 from DB51100.10 to DB51110.10

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

(RESOLUTION NO. 225 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to the transfer \$4,612.77 from DB51100.10 to DB51110.10.

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. BOOKKEEPER TO SUPERVISOR DEANNA SPINA

i. General Whole Town Equipment Transfer

1. A 67720.11 \$4,493.00; A67720.10 \$4,412.00; A16200.40 \$8,000.00; A67720.40 \$4,000.00; A71100.14 \$10,000; A71400.20 \$9,000.00 – transfer to General Whole Town Equipment

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

(RESOLUTION NO. 226 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfer funds to General Whole Town Equipment.

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*.

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 6:41 P.M.

(RESOLUTION NO. 227 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
9/9/2022