

**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 21, 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:

Town Clerk Cheryl A. Jassak-Huther
Highway Superintendent Richard Sherman
Town Attorney Herbert Cully
Bookkeeper to Supervisor Deanna Spina

ABSENT: Asst. Director of Personnel Barbara Schwenzfeier
Deputy Town Supervisor Anthony J. Trevisani

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

I. PRESENTATIONS/COMMENTS

- A. Guest – David Atkins and Luke Condon – Sangertown Mall/Residential Property Development – Zoning Text Amendment – objective is to have SEQR, referral to the Planning Board and 239 M referral commenced – refer the proposal to the County Planning Department; Town Attorney Herbert Cully - motion to go forward with the Local Law relating to the amendment to our Zoning Ordinance for the Sangertown parcel

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

(RESOLUTION NO. 228 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the motion to go forward with the Local Law relating to the amendment to our Zoning Ordinance for the Sangertown parcel.

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

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

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Councilman Woodland - Aye
Supervisor Miscione - Aye

The Resolution was voted 4 to 1 and duly **ADOPTED**.

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

(RESOLUTION NO. 229 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the motion to declare lead agency and refer the matter to the Planning Board for recommendation on the Zone change.

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

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

The Resolution was voted 4 to 1 and duly **ADOPTED**.

- B. Ellen Hanna – Busy Bee – Oneida Street – Stormwater Damage (showed a presentation on the TV) – will send to Supervisor Miscione; Supervisor Miscione – spoke with Highway Superintendent Richard Sherman in depth about the situation, as well as Councilman Messa – one of the major things we have issues with are easements – if we can get the easements and then use the program that Highway Superintendent Richard Sherman uses where the creeks are with stacking blocks (concrete blocks) with rebar in them – that is what we are looking to do. If (Ellen) knows the neighbors and can help us get those easements (Ellen Hanna will help get the easements) – will also look to the County to give us some help (with grant money) – Supervisor Miscione, Councilman Messa and Highway Superintendent Richard Sherman will work closely on this to get it done – there are two key components: money from the County (concrete blocks and work is big money) and the easements (Butternut all the way to the end of Oneida Street to go in and do work).

II. SUPERVISOR MISCIONE

- A. Adirondack Bank Agreement for Taxes (2023) – no changes from last year

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

(RESOLUTION NO. 230 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the agreement with Adirondack Bank for the 2023 Town and County 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 Resolutions were unanimously carried and duly **ADOPTED**.

B. Budget Transfers

- i. Buildings and Grounds A16200-40 – subtract \$21,280.14; A11200 Sales Tax General Whole Town – subtract \$21,280.14; add DB11200 Sales Tax to Highway Part Town \$21,280.14 and then add DB5110.405(Fuel Account) \$21,280.14

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

(RESOLUTION NO. 231 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfers: Buildings and Grounds A16200-40 – subtract \$21,280.14; A11200 Sales Tax General Whole Town – subtract \$21,280.14; add DB11200 Sales Tax to Highway Part Town \$21,280.14 and then add DB5110.405(Fuel Account) \$21,280.14.

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. Input Error – 16200-40 subtract \$17,071.74 and add back to the bond account HTA 1620-2 \$17,071.74

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

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(RESOLUTION NO. 232 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfers: 16200-40 subtract \$17,071.74 and add back to the bond account HTA 1620-2 \$17,071.74.

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. HTA16200-20 – need to replace \$43,610.00 in that account, took out from A1620.4 (\$21,280.14), HTA 8540-21 (\$13,978.16), AND HTA 8540-22 (\$8,351.70) – will pay fuel costs up to date

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

(RESOLUTION NO. 233 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfers: HTA16200-20 – need to replace \$43,610.00 in that account, took out from A1620.4 (\$21,280.14), HTA 8540-21 (\$13,978.16), AND HTA 8540-22 (\$8,351.70) – will pay fuel costs up to date.

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. Debt Service account – add \$264,577.66 – comprised of: HTA 1940.2 (\$250,000), HMA 5130.201 (\$7,001.00), HMA 5130.207 (\$7,416.76) and HTA 5110.20 (\$159.90) – will be put into debt service account to pay down bonding for 2023

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

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(RESOLUTION NO. 234 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfers: Debt Service account – add \$264,577.66 – comprised of: HTA 1940.2 (\$250,000), HMA 5130.201 (\$7,001.00), HMA 5130.207 (\$7,416.76) and HTA 5110.20 (\$159.90) – will be put into debt service account to pay down bounding for 2023

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. Central Communications – A16500-40 add \$22,206.43, subtract from Capital Project IT HMA1680.200 (\$22,206.43)

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

(RESOLUTION NO. 235 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfer: Central Communications – A16500-40 add \$22,206.43, subtract from Capital Project IT HMA1680.200 (\$22,206.43)

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**.

- vi. Replaced the heating unit – had a different account at the time that we used – HMA5130.203 subtract \$20,000 – that was for the BOND that we did back in 2021 for the new unit – add it to HTA1620.2 Building Renovations (\$20,000)

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

(RESOLUTION NO. 236 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfer: HMA5130.203 (subtract \$20,000) and add to HTA1620.2 Building Renovations (\$20,000).

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. Loader - \$36,767.00 left in the bonding for the loaders – move the \$36,767.00 to debt services account to pay down the first loader that we purchased with the BOND

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

(RESOLUTION NO. 237 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfer: \$36,767.00 from the bonding for the loaders to debt services account to pay down the lease for the loader.

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. Accounting
 - 1. Audit – accounting oversight – switching it back – A1315.10 subtract \$7,400.00 – add \$7,400 to A13200.40

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

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(RESOLUTION NO. 238 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the transfer: subtract \$7,400.00 from A1315.10 and add \$7,400.00 to A13200.40.

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**.

- ix. Northland Communications – Phone System Upgrade – looking into recording conversations – quality control (calls are handled properly), accountability, call/numbers logged – currently spending \$3,000/month for services – can get a better system at a lower price – Supervisor Miscione will contact Northland Communications and look into the price
- x. Codes Software – asked Lary for update – Lary is still working with it, Dory has been very busy and hasn't been able to get to it, George has started the training, Lary has been using it – putting permits it, letters, etc., the Clerk's Office will also utilize it; Supervisor Miscione – we paid for it – will call for an extension; Lary is hoping to have everyone comfortable using it by January 1st.
- xi. Vouchers

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

(RESOLUTION NO. 239 OF 2022)

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

- xii. Mitigation fees for the new Enterprise Rent-A-Car site – total of \$38,982.16 – they sent back a letter looking for credits – don’t see where justifiable; Town Attorney Herbert Cully will look into it and don’t appear justified.

III. REPORTS OF TOWN DEPARTMENTS

A. CHIEF RONALD FONTAINE

- i. Appoint Judith Butler to an open/vacant crossing guard position, effective 9/21/2022, part-time, \$11.66/hour

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

(RESOLUTION NO. 240 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Judith Butler to crossing guard, effective 9/21/2022, part time, \$11.66/hour.

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. Salt Shed Bid – got a grant for up to \$400,000.00 from NYDEC Program (Rick read a letter from grant writer); Highway Department will do a lot of in-kind services (flooring, electrical, etc.) Bids from: Hughes Construction - \$543,695.00; Priori Construction - \$479,438.00; Park Lane Construction - \$440,000.00

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

(RESOLUTION NO. 241 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to award the Salt Shed Bid to Park Lane Construction.

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

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

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

- ii. Salt – had \$40,000.00 left in the budget and used it for salt – link up with Oneida County to put a **BID** in to get it cheaper for next year
- iii. Chloride – brine is made by salt and water (32 degrees and 24 degrees) – went up in price – next meeting has to come up in price for other Towns, etc. – meet with the Board to put prices in place

IV. MATTERS SUBMITTED BY COUNCILMEN

A. COUNCILMAN MESSA

- i. 3535 Bleachery Place appraisal; Town Attorney Herbert Cully – deem property no use to the Town – Rick had demolition cost for the property – open it up for bids – publish something; land valued assessed at \$9,300.00 which equates to a full value of \$14,762.00 (for the land); demolition costs were \$8,443.20; minimum bid; reserve \$10,000

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

(RESOLUTION NO. 242 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to deem 3535 Bleachery Place (Chadwicks) no use to the Town of New Hartford.

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:

(RESOLUTION NO. 243 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve to put 3535 Bleachery Place (Chadwicks) up for auction with a reserve set price of \$10,000.00 to the highest bidder as is/whereas.

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 LENART** - met with Kelly for the Parkway Center in Utica – so far approximately 30 new members in addition to the 178 members that are already there – New Hartford residents taking advantage of the services are 210 people coming from the furthest end of Chadwicks and also from Cherrywood.; everything seems to be working well on their end – no issues; Supervisor Miscione – the kitchen supplies went to the parks and rec – the other stuff that is in there – donate it? (asked Town Attorney Herbert Cully); Town Attorney Herbert Cully – don't believe can donate it, that is the issue of gifting that is prohibited – Herb will check into it – if not will put in for surplus and put online for auction. Will look into it for the next meeting. All the equipment we purchased will stay with Parks and Rec because it's the same General Whole Town expense.

V. **REPORTS OF TOWN DEPARTMENTS**

A. **HIGHWAY SUPERINTENDENT RICHARD SHERMAN**

- i. Rec Center Roof – leaks – water pouring in at the new front door – temperature gets down to 20 degrees and freezing – emergency/priority to get this fixed – safety issue – spoke to three roofing companies – Zangerelli Construction looked at it – will take one to two weeks to get materials, looking at doing half where it is leaking – new metal, new installation; spoke to Pedulla roofing; also spoke to company that did the Town Hall building; will have estimate of cost to fix the problem (leak)

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

(RESOLUTION NO. 244 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to declare an emergency for the Rec Center Roof to be fixed.

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

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

The Resolutions were unanimously carried and duly *ADOPTED*.

VI. SUPERVISOR MISCIONE

A. Rec Center Help

- i. Erin Gillespie - Zamboni driver and cleaner - \$18.00/hour – 30-34 hours a week – no benefits – part-time

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

(RESOLUTION NO. 245 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to hire Erin Gillespie, \$18.00/hour, part-time, no benefits, Rec Center help (Zamboni driver and cleaner).

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. Jackson Pearce – \$16.00/hour, 25-30 hours a week, seasonal worker until 10/31, help maintain grass and weeds at Sherrill Brook Park, Chadwicks, Rec Center and Veterans Memorial Park

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

(RESOLUTION NO. 246 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to hire Jackson Pearce, \$16.00/hour, part-time, no benefits, seasonal worker.

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

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

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

- iii. Haoran Chen - \$18.00/hour, 30-34 hours a week, potential full time – responsible for garbage and bathrooms in all the parks plus the Rayhill Trail. Also maintaining the Veterans Memorial Park – November to March he will help with snow removal and cover two-night shifts at the rink

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

(RESOLUTION NO. 247 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to hire Haoran Chen, \$18.00/hour, part-time, no benefits, seasonal worker.

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. REPORTS OF TOWN DEPARTMENTS

- A. Lary Gell – Codes – NYSERTA – Solar Battery Backup – looking for a Local Law to cover the battery backup – will email the packet to the Board members to start reviewing it

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Lenart and seconded Councilman Woodland, the meeting was adjourned at 7:21 P.M.

(RESOLUTION NO. 248 OF 2022)

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

Councilman Messa	-	Aye
Councilman Lenart	-	Aye

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

The Resolutions were unanimously carried and duly *ADOPTED*.

Respectfully submitted,

Cheryl Jassak-Huther

Town Clerk

9/23/2022