

**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  
OCTOBER 19, 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  
Town Attorney Herbert Cully  
Bookkeeper to Supervisor Deanna Spina  
Highway Superintendent Richard Sherman

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

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

**I. PUBLIC PRESENTATIONS**

- A. John Jweid – Pavia Real Estate Services, LLC, Israel and Jim (Developers) – to discuss 3354 Oneida Street – former school and church available for re-development. Excellent opportunity for potential apartment complex – will work with the Town when ready, create a presentation if there is an opportunity to go forward; Town Attorney Herbert Cully – the property is currently zoned C-2, which would allow residential units on the second floor above the first floor, seeing if the Board, informally, has any interest in considering any type of zone amendment cannot spot zone; Supervisor Miscione – received calls from other developers as well interested in Oneida Street – Town is working with the State, County and Local Municipalities to upgrade downtown Chadwicks and call it Historic Chadwicks - \$10 million plus put into that (grants, lighting, small businesses, etc.) – looking to bring Oneida Street back, upgrade, give grants to people on the street to upgrade their homes at no cost to beautify the District, new lighting, bring back the historic buildings there – will be criteria for that – looking for lofts, condos – people dedicated to the street – tables outside with restaurants for people to enjoy – revamp everything there – bring housing market up and make it a destination point – County is going to do an announcement in the next couple of weeks (sign agreement) – at that stage have developers come in and say what they can offer and we can all work together – premature to change zoning at this point – going to take a few months to get all of this together (vision and plan)

**II. SUPERVISOR MISCIONE**

**A. Main Street Program Grant Agreement Between Oneida County and The Town of New Hartford**

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

**(RESOLUTION NO. 264 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the Main Street Program Grant Agreement between Oneida County and 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**.

**B. VOUCHERS**

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

**(RESOLUTION NO. 265 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. Charter Communications – additional check received – franchise fee – total for 2<sup>nd</sup> quarter \$180,365.11 (budgeted \$320,000) – will be over – a positive for franchise fees
- D. Enterprise Rent-A-Car – disputed mitigation fees – spoke to them and they went with original agreement \$38,982.16 – checked received September 30, 2022

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

**(RESOLUTION NO. 266 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the to accept the check for mitigation fee of \$38,982.16 received on 9/30/2022 from Enterprise Rent-A-Car.

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 – follow up – when Enterprise did their presentation – were they going to leave the little house up – if had a demolition permit – Town Attorney Herbert Cully will look into it.

- E. Rec Center Emergency – Pump motor went down – Davis Mechanical Services, Inc. put it in for \$9,500.00 (had no ice) to replace the pump – the temporary one is in until the new one arrives

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

**(RESOLUTION NO. 267 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to replace the 20HP motor and brine pump at the Rec Center – Emergency – Davis Mechanical Service, Inc. for \$9,500.00.

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**.

- F. Pre-Development Agreement for 1705 Burrstone Road, New Hartford – received the 10% down (\$76,000.00)

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

**(RESOLUTION NO. 268 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the Pre-Development Agreement for 1705 Burrstone 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**.

- G. Steep Slope Overlap District – been talking with Lary Gell about it – applies to all areas having slopes in excess of 15%; Town Attorney Herbert Cully – there are maps –will look into it – spoke last meeting about Engineering issues. Drafted a Local Law to amend the definition of Town Engineer in our ordinance: *The person or persons, engineers or consulting engineers designated or selected by the Town Supervisor, Codes Enforcement Officer or the Town Board to assist in the review of any applications, submittals or studies made to the Town of New Hartford for any required permits, reviews or approvals including any inspections required in any portion of the Town Code. The Cost for said engineering services shall be assessed to the applicants based upon the actual hourly charge provided by said engineer. The applicant shall be provided with an estimated cost and required to provide an initial retainer to be drawn against for said review.*; Town Attorney Herbert Cully will go through the map and get back to Supervisor Miscione; Supervisor Miscione – need to detail the Law and make it understandable for the everyday person – attach to permits – notify the applicant up front on the building permit of what needs to be done before they get into a project; Public Hearing – Local Law Introductory #5

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

**(RESOLUTION NO. 269 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to move the Local Law and schedule a Public Hearing for November 16, 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*.

H. Board Meeting Minutes

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

**(RESOLUTION NO. 270 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the October 5, 2022 Town Board Meeting minutes.

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. Part-Time Clerk

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

**(RESOLUTION NO. 271 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve Maureen Moylan, part-time clerk, Town Clerk's Office, \$17.00 per hour, vacant position, requested start date 10/31/22, no benefits.

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. Notre Dame Raffle Consent

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

**(RESOLUTION NO. 272 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the Raffle Consent for Notre Dame to sell raffle tickets in 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**.

**III. MATTERS SUBMITTED BY COUNCILMEN**

- A. **Councilman Reynolds** – Glen Street advertisement (Auction); Town Attorney Herbert Cully – we have a public notice – will place on the Town’s website and Utica Observer Dispatch - auction will take place November 21, 2022 at 6:00 pm. – motion to schedule the auction for the Glen Street and Bleachery Ave. properties and publish the Notice of Sale, auction to occur November 21, 2022 at 6:00 pm

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

**(RESOLUTION NO. 273 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve schedule the auction for the Glen Street and Bleachery Ave. properties and publish the Notice of Sale, auction to occur November 21, 2022 at 6:00pm.

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. LED Street Lighting – throughout the Town – 98% complete on the project

**V. MATTERS SUBMITTED BY COUNCILMEN**

- A. **COUNCILMAN LENART** – Back when the pandemic hit (COVID) – we went to flex hours for all the employees to work from home, now that the pandemic is basically over (even though we have COVID in isolated cases) – it is time to go back to the 8:00am – 4:00pm office hours we had in place prior to the Resolution that was passed; Councilman Messa – do we need to rescind that; Town Attorney Herbert Cully – yes

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

**(RESOLUTION NO. 274 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve restore the work hours as previously established (8:00am – 4:00 pm) for all Non-Union employees.

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**.

Discussion: Councilman Messa – Personnel, Finance - Highway secretary will come back to the Town Hall as well – we deal with internal and external customers as well (our residents) – all non-union employees will work 8:00am – 4:00pm; Supervisor Miscione – vacation time – we need to do something so that everyone knows where everyone is (in or out of the building – whether a board, calendar in outlook) – need one designated person to know where others are in the building (or even out sick); Councilman Reynolds – we need to have a handle on vacation days taken or still pending; Supervisor Miscione – the process is easy but who is going to enforce it – can’t have full time staff and part time supervisor enforcing a full time staff – who is the go to person – Chief is full time and can enforce his staff – who will enforce the Town side of the building – need supervision – need to get a handle on it, things need to get done, there is a lot of work now, got a lot of projects – the Library has a full time director – Town Supervisor has 18 employees with a part time Supervisor – don’t have an additional person; Councilman Messa – at his job – has a supervisor that overlooks the staff; Supervisor Miscione – we need one person that will bring the commands through throughout the day for each department; Councilman Messa – will need more discussion for a strategic plan – in the meantime the hours are 8:00am – 4:00pm, no flex time, staff in the building taking care of the residents and internal work; Supervisor Miscione – if you don’t have someone supervising it fails, we need to work out plan that makes sense – not to put Cheryl on the spot but she is here full-time, every day, maybe she is the person that takes care of that area, someone that they go to – needs to be leadership somewhere – can’t have a part-timer running a full-time staff.; Town Attorney Herbert Cully – will someone be sending a memo out to let everyone know; Supervisor Miscione – 8:00am – 4:00pm will be effective, Monday, October 24, 2022 – Cheryl will send the email to all staff

**VI. SUPERVISOR MISCIONE – 2023 BUDGET**

**A. SUPERVISOR MISCIONE**

- i. Employee raises – had comments for 0% this year due to recession and fuel cost increases and other things that have hurt the economy across the board; some spoke about 1.5%, some spoke about 3%
- ii. Library – people that wanted the Library to go down to \$250,000, some spoke about wanting \$275,000, \$300,000, \$325,000 and \$315,000
- iii. 35% increase for heating in lighting – utilities and lights in the buildings – usually have \$198,000, put in \$200,000 – some councilmen were worried that was not enough and asked about the 240 range
- iv. Fuel costs have sky rocketed – made up for it because of additional sales tax – able to take care of that part – put in an extra \$90,000 for fuel
- v. Band Concerts – people asked for more justification with that – see if that is a program we can spilt with the Village since it is held in the Village
- vi. Courts – judge Virkler looking for an increase in salaries as well as for their secretaries
- vii. Police Department – added two new officers with federal funds, using less part time; everyone was in favor of it across the Board
- viii. Councilmen brought up lack of secretaries – Codes and Supervisor Office – lacking secretaries across the board
- ix. Federal Funds broke up to four separate years – used towards the Police Department
- x. Police – looking to get the K-9 unit for the Police – it was budgeted, benefit to the residents.
- xi. Paving – same as what was in last year – oil and gas has gone up – wasn't able to as many roads as has in past – paving of roads will go down
- xii. Insurance premiums have gone up – upwards of almost \$20,000
- xiii. Conservative with sales tax because of economic down turn
- xiv. Lighting districts updated all the LED lighting across the Town – bought out National Grids poles out so we would not have the cost of the leasing anymore – once the project is done, we will have to do a capital bond which will be cheaper than the old leasing price – have to redistrict as well
- xv. Courts – multiple requests for increases; we have taken over the Village Court system; looking into consolidation with other Courts such as Village of NYM
- xvi. Youth program has gone down
- xvii. Senior Center we have saved a substantial money
- xviii. Taken out everything we possibly could due to the increases in the costs of inflation
- xix. Around 1.3% tax increase over all, staying under the 2% cap – know some Councilmen would like to see 0 but we would have to cut in other areas.

**B. COUNCILMAN LENART** – everyone knows the shape the economy is in and to say 2023 is not going to be challenging.... everyone probably figures there is going to be a recession except for the Democrats.....it is going to be critical going forward, we have to be creative how we spend the dollars.....

**C. SUPERVISOR MISCIONE** – at some point look into consolidating the Courts, police, codes, etc. with the other Villages;

**D. COUCILMAN MESSA** – agree, have a laid out, thought out plan, eventually will happen, how things can work; I was the one that did 0%, I understand our residents, it's

tough – was hoping can get this budget to be zero, give back to our people, will not make people happy, chances are we will be in a recession – this isn't forever – maybe in future years we can have zero – costs are all out of control – I commend Supervisor Miscione for putting the budget together – services for Highway and Police – we need to service our residents when issues – people will not be happy – it is not a permanent thing

- E. **COUCILMAN LENART** – prefer to see 0% for all elected officials, no increase whatsoever (Councilman Messa – agrees) and 1.5% for non-union people, think everyone has to share the pain here (Councilman Reynolds – I agree) – we don't know what 2023 is going to bring and this is a start where we need to do, things may get better towards the end of the year – let's get the tax down as much as we can – can't expect the residents to take on the burden
- F. **SUPERVISOR MISCIONE** – only way we gain revenue is building – if building isn't happening and out sales tax is locked in – everyone thinks we are the biggest producer for sales tax but it gets spread to other Villages, all the other Towns next to us, if we didn't share the sales tax, we kept our sales, we wouldn't have a Town tax – we are not lucky enough to get that – that is the only way we generate money is through and building and development (for example Sangertown project); will come back at the next meeting with new figures for the budget – could potentially be below 1% (\$35,000)
- G. **COUNCILMAN LENART** – can we at least determine the ones we do agree on to cut – 0% for all elected officials and 1.5% for non-union employees; increase heating
- H. **SUPERVISOR MISCIONE** – where we at with Courts - secretaries; Councilman Lenart – 1.5% across the board; Councilman Messa – it is just this year, there are a lot of variables to look at – not going to make people happy and apologize for that – see how the year goes; Supervisor Miscione - Heat \$200,000 – increase to \$220,000; need to save another \$30,000 to go under two tenths of the percent – need to find another \$30,000 to take away from somewhere – if did \$40,000 will be under the one percent; looking at other ways to cut – fire inspector – dropped to \$16,000 from \$31,000 only part-time (that was in tentative budget); Councilman Messa – just think need to give back to the residents; Supervisor Miscione – we are 93% wages in this town – mostly wages, healthcare, pensions, insurance – the services are the same, everything went up – things are going up and we are not getting more – think only way to change, is a 10 year plan to consolidate, we are supporting other town and villages and we are taking the burden for the police, the roads, etc. The neighboring villages are a burden to the tax payers because they are paying for duplicating services and they are not getting any more benefit out of it – only way to get grant money in from the state and county – consolidate – fees we are not getting, etc.; we don't want to hurt police and highway and cut services
- I. **COUNCILMAN MESSA** – library – what were they asking for; Supervisor Miscione – from \$250,000 to \$315,000 (the library wanted \$325,000); then again raises were 0% to 3%, one person said that people that made over a certain amount to put a cap on it because it's a municipality – everybody had a different idea; Councilman Messa – don't want to put any department under restraints just want to make sure the tax payers are taken care of
- J. **COUNCILMAN REYNOLDS** – I don't support cutting the library, it's a service, it's the New Hartford Public Library, I don't support cutting that at all - \$325,000 – I think \$310,000 is a more reasonable figure – it's a quality-of-life issue – it's like the Rec Center, etc. This is a service we provide; Councilman Lenart – I believe the Village should step up as well to help
- K. **SUPERVISOR MISCIONE** – we should all be working together and think that we are getting the short end of the stick all the time, we are going to keep writing checks and at some point..... we have to look down the road.....

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L. **COUNCILMAN LENART** – 0% elected officials, 1.5% non-union, and increase the Nimo; Councilman Messa – maybe can find it somewhere; Supervisor Miscione – don't want to take away services to the residents, Senior Center – we made it better - we have programs at the Park, our building – we saved money – better facilities

M. **SUPERVISOR MISCIONE** – will make the changes and will have it ready

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

**(RESOLUTION NO. 275 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to schedule the 2023 Preliminary Budget Public Hearing for November 2, 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**.

**VII.** **TOWN ATTORNEY HERBERT CULLY** – we have two more red flags – Chief was in Sunday Night and Town Attorney Herbert Cully was in Sunday afternoon – Chief's officers are top notch.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Messa and seconded Councilman Woodland, the meeting was adjourned at 8:32 P.M.

**(RESOLUTION NO. 276 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  
10/22/2022