

**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 5, 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  
Asst. Director of Personnel Barbara Schwenzfeier

ABSENT: Deputy Town Supervisor Anthony J. Trevisani  
Highway Superintendent Richard Sherman

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

**I. PUBLIC COMMENTS**

- A. John Demore; Town Attorney Herbert Cully – as everyone is aware there was a proposal that came to the Town Board regarding a Solar Farm to be located on Rt. 12 and Brimfield Street – Mr. Demore is an adjacent property owner; John Demore – not against the project at all – just don't want to look at it out the front of my own – want to work with the Town – wants to be kept in the loop, attend all the meetings about it; Town Attorney Herbert Cully – the matter is now in front of the Planning Board – site plan review process – one of the things our ordinance requires is that they consider the landscaping and the affects that it could have on neighboring properties and the values of neighboring properties – your comments would be very valuable in terms of input relating to that

**II. REPORTS OF TOWN DEPARTMENTS**

A. **TOWN CLERK**

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

**(RESOLUTION NO. 249 OF 2022)**

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**RESOLVED**, that the New Hartford Town Board does hereby approve the September 7, 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**.

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

**(RESOLUTION NO. 250 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the September 21, 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**.

**III. PRESENTATIONS**

- A. Anne DuRoss/Jay Winn – New Hartford Public Library – spoke about the updates at the library and the library budget and asking for a \$25,000 increase in their budget for 2023
- B. Patty Cerio – OHM BOCES – requesting consideration to use Town Hall as an emergency evacuation site for BOCES students in the event of a major incident as part of their overall emergency/safety plan – approx. 600 students and 250 employees – Town Attorney Herbert Cully will review the other schools Memorandum of Understanding that Whitesboro and Clinton have and ways that New Hartford can or cannot help; Town Board is open to helping, just need to review the plans, proposal, etc.

**IV. REPORTS OF TOWN DEPARTMENTS**

**A. ASST. DIRECTOR OF PERSONNEL BARBARA SCHWENZFEIER**

- i. Appoint Marlene Edwards to Deputy Town Clerk I, effective 11/7/2022, full-time, benefits, \$18.25/hour to start

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

**(RESOLUTION NO. 251 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to appoint Marlene Edwards to Deputy Town Clerk I, effective 11/7/2022, full- time, benefits, \$18.25/hour to start.

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. DEANNA SPINA – BOOKKEEPER TO SUPERVISOR**  
i. **VOUCHERS**

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

**(RESOLUTION NO. 252 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. CHIEF RONALD FONTAINE**  
i. State and Funding Overtime Agreement (SLOT) – Federal funds reimbursement for specific Police personnel costs

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

**(RESOLUTION NO. 253 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the State and Funding Overtime Agreement (SLOT).

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. Sangertown Mall Holiday Coverage – 144 hours – don’t feel can cover all but can cover some extra hours – mall will fully reimburse

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

**(RESOLUTION NO. 254 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the extra Sangertown Mall Holiday Coverage with 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**.

**V. TOWN SUPERVISOR MISCIONE**

- A. Sangertown (2023) is donating towards Stormwater – up to \$100,000 reimbursement

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

**(RESOLUTION NO. 255 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to except the reimbursement from Sangertown Mall (up to \$100,000) for Stormwater.

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**

- i. Straight Brine – use sell it for \$.18 cents – need to raise the cost of it due to the cost of fuel, salt and expense to \$.21 to break even

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

**(RESOLUTION NO. 256 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to raise the cost of straight brine to \$.21 cents.

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. Brine with 5% MAG – old price was \$.24 cents, raising it to \$.33 cents to break even

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

**(RESOLUTION NO. 257 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to raise the cost of brine with 5% MAG to \$.33 cents.

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. 2022 – 2024 Snow and Ice Agreement with Oneida County

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

**(RESOLUTION NO. 258 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the 2022 – 2024 Snow and Ice Agreement with Oneida County.

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. Codes Department – Town Code – use to be Town Engineer appointed by the Town; residential not commercial – if wanted a pool, etc.; Like to have a Town Code that states – we will have someone represent us as a Town Engineer with a fee associated with it – do a Local Law – have residents come and give their input; Town Attorney Herbert Cully will review, revise Local Law and draft something and review it at the next Board Meeting and if it is acceptable will schedule a Public Hearing

**VI. TOWN ATTORNEY HERBERT CULLY**

- A. Intermunicipal Agreement with the City of Utica – relating to a detention pond off Stonebridge Road – hasn't been maintained – City of Utica wants to go forward to get easements to allow the Town of New Hartford access to clean out the retention pond – looking for resolution to authorize Supervisor Miscione to execute the agreement.

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

**(RESOLUTION NO. 259 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve for Supervisor Miscione execute the Intermunicipal Agreement with the City of Utica.

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. MATTERS SUBMITTED BY COUNCILMEN**

**A. COUNCILMAN REYNOLDS**

- i. Appraisal of Glen Street Property – motion we advertise for the sale of property

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

**(RESOLUTION NO. 260 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to advertise the sale of the property on Glen Street.

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. SUPERVISOR MISCIONE**

**A. 2023 Tentative Annual Budget**

- i. Under 2% tax cap; % increase was due to purchase of new plow truck back in June; Fuel costs have gone drastically high; kept library the same, many projects the same; upgraded our lighting in Town – throughout the year will look at the

lighting district; 3% increase in wages; increase in IT costs; health care; police hired two new officers for more safety patrols; Fire district Fund Balance – District 1 & 2 up 2%, NYM requested 4% but kept at 2%; sewer costs increase due to fuel and new sewer truck purchased; Councilman Lenart - asked the question to Supervisor Miscione if the 3% raises for other than non-union were across the board for everyone or if it was the total raises for the group as a whole & Supervisor Miscione stated it was across the board for everyone

**IX. REPORTS OF TOWN DEPARTMENTS**

- A. **JUDGE VIRKLER** – to speak about the 2023 budget - handed out material to the Town Board – what he submitted for the budget vs what is in the budget; spoke about increases in the judges salaries and the head clerks salary; spoke about the Court business (busy)
- B. **ASST. DIRECTOR OF PERSONNEL BARBARA SCHWENZFEIER**
  - i. Michael Fiorentino - \$17/hour, seasonal, effective immediately – Sherrill Brook Park – ski chalet; Michael Taurisano - \$15/hour, seasonal, effective immediately – work at the Rec Center

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

**(RESOLUTION NO. 261 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to Michael Taurisano, \$15/hour, seasonal, effective immediately, Rec Center.

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. 262 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to Michael Fiorentino, \$17/hour, seasonal, effective immediately, Sherrill Brook Park.

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*.

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Messa and seconded Councilman Lenart, the meeting was adjourned at 7:23 P.M.

**(RESOLUTION NO. 263 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  
10/8/2022