

**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  
NOVEMBER 3, 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  
Highway Superintendent Richard Sherman  
Asst. Director of Personnel Barbara Schwenzfeier

ABSENT: Deputy Town Supervisor Anthony J. Trevisani  
Bookkeeper to Supervisor Deanna Spina

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

**I. PUBLIC HEARING**

**A. 2023 Town Budget - Preliminary**

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

**(RESOLUTION NO. 287 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to open up the public hearing for the 2023 Preliminary 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 Reynolds introduced the following Resolution for adoption and duly seconded by Councilman Messa:

**(RESOLUTION NO. 288 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to close the public hearing for the 2023 Preliminary 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**.

**II. SUPERVISOR MISCIONE**

**A. Adoption of 2023 Annual Budget**

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

**(RESOLUTION NO. 289 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to adopt the 2023 Annual 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**.

Discussion – Councilman Messa – asked what the final tax was; Supervisor Miscione – it was .6% overall increase – Supervisor Miscione will update for the final budget and file with the Town Clerk and then Town Clerk will post online

**B. Municipal Shelter Inspection Report** – Town passed everything and we are considered satisfactory and that is the highest can get

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- C. **Liquor License Waiver** – new Aqua Vino in the Orchard - 8555 Clinton Street – approval to sign waiver for 30-day advanced notice to local municipality

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

**(RESOLUTION NO. 290 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve for Supervisor Miscione to sign the 30-day advanced notice to local municipality – Liquor License for Aqua Vino Restaurant at 8555 Clinton 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**.

- D. **Meeting Minutes – October 24, 2022**

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

**(RESOLUTION NO. 291 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the October 24, 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**.

- E. **Parkway Center Agreement** – the agreement was never signed – haven't paid them yet – Kelly from the Parkway Center and Supervisor Miscione signed the agreement today
- F. **Fuel agreement**

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- i. New York Mills Union Free School District in the Town of New Hartford– no changes

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

Discussion: Councilman Lenart – last time the Board met there was a discussion about charging them a little more for paperwork, etc; Supervisor Miscione – will have to put in the agreement before approved – approve with a surcharge for administration (cost of software program, labor costs, etc. – pro-rate)

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

**(RESOLUTION NO. 292 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the New York Mills Union Free School District in the Town of New Hartford 2023 Fuel Agreement - subject to the changes in the agreement (surcharge and labor rates).

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. Village of New Hartford 2023 Fuel Agreement

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

**(RESOLUTION NO. 293 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the Village of New Hartford 2023 Fuel Agreement - subject to the changes in the agreement (surcharge and labor rates).

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

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

iii. Village of New York Mills 2023 Fuel Agreement

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

**(RESOLUTION NO. 294 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the Village of New York Mills 2023 Fuel Agreement - subject to the changes in the agreement (surcharge and labor rates).

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. 2023 Ice Control Agreement

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

**(RESOLUTION NO. 295 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the 2023 Ice Control Agreement.

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. Hoffman Car Wash – Letter of Credit – Highway Superintendent Richard Sherman – wants to go back and talk to them – when they came and got sewer credits it was an estimate – they are using a lot more water than anticipated; Supervisor Miscione – if Hyesun calls the number and lets them know, they will write a check and so they can release the letter

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- vi. Clifford Fuel - \$3,000.00 for engineering fees (John Dunkle) for the project in Washington Mills

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

**(RESOLUTION NO. 296 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve the \$3,000.00 from Clifford Fuel for engineering fees for John Dunkle.

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. PDD Overlay for Sangertown Square – had Planning Board Meeting – need to set Public Hearing – Chapter 118 – favorable at the Planning Board Meeting (5 to 1) – Public Hearing for December 7, 2022 at 6:00pm; Discussion among the Town Board and Town Attorney Herbert Cully

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

**(RESOLUTION NO. 297 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve a Public Hearing for December 7, 2022 at 6:00 PM for Local Law 6 of 2022 to amend the Code of the Town of New Hartford, Chapter 118 thereof entitled ZONING, Section 118-16 (P) adding “Enclosed Shopping Center and Residential Overlay District” and amending zoning map accordingly.

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

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

The Resolutions was carried and duly **ADOPTED** by a vote of 3 to 2.

**III. PUBLIC COMMENTS**

- A. Mike Miles – wanted to express appreciation for everything the Board has done and is doing on the 42 Bolton Road Sitrin home, thank you supporting the residents in that area.

**IV. COUNCILMAN REYNOLDS – Flags for the Veterans**

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

**(RESOLUTION NO. 298 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve that the Town will work with the Daughters of the American Revolution – Flags on the Light poles on Oneida Street as well as other places.

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. EXECUTIVE SESSION**

- A. **Town Attorney Herbert Cully** – an executive session for purposes of discussing a matter relating to a specific employee – ask the Board to invite Chief Ronald Fontaine; also, another matter involving litigation against the Town and Union Contracts for the Town

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

**(RESOLUTION NO. 299 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to enter into Executive Session at 6:27 PM.

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

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

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Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolutions were unanimously carried and duly *ADOPTED*.

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

**(RESOLUTION NO. 300 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to come out of Executive Session at 7:07 PM.

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. TOWN ATTORNEY HERBERT CULLY**

A. Acquire Easement for 27 Glendale Avenue for stormwater purposes

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

**(RESOLUTION NO. 301 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to move forward to acquire an easement for 27 Glendale Avenue for Stormwater purposes.

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. COUNCILMAN MESSA**



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- A. Post vacancy for the police advisory committee position – must live in the 1<sup>st</sup> Ward, to fill vacant position as of 12/31/2022 (5-year term) – submit letter of interest – have it for December 7, 2022 – have everything in by December 6, 2022 – post on Town’s website

**VIII. SUPERVISOR MISCIONE**

- A. Parks Contract – with stipulation that says new hires and chose their salaries at that time

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

**(RESOLUTION NO. 302 OF 2022)**

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

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. ASST. DIRECTOR OF PERSONNEL BARBARA SCHWENZFEIER**

- A. Ice Attendants (Laborers to hire for the Rec Center) – Haylee Hawkins, Mikeal Hawkins, Ana Sifre, Dan Achen, Abbey Achen, Ava Lakeman and Erin Martin - \$14 per hour, part-time, effective immediately until the end of March 2023 – applications approved by Oneida County

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

**(RESOLUTION NO. 303 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to hire Haylee Hawkins, Mikeal Hawkins, Ana Sifre, Dan Achen, Abbey Achen, Ava Lakeman and Erin Martin - \$14 per hour, part-time, effective immediately until the end of March 2023 as Ice attendants at the 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

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The Resolutions were unanimously carried and duly *ADOPTED*.

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

**(RESOLUTION NO. 304 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve Jackson Pierce, \$17.00 per hour, extended him to help cover the Ski Chalet and rentals, part-time, seasonal.

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 Woodland:

**(RESOLUTION NO. 305 OF 2022)**

**RESOLVED**, that the New Hartford Town Board does hereby approve to transfer \$12,056.66 from A70200-11 to A71100-14 – transfer to fix error in account, employee paid out of the wrong account.

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*.

Supervisor Miscione – to explain – we had a part-time employee from the Rec Center, taking it out of the Seasonal Help – crediting back seasonal help, taking it out of the two salaries that are budgeted every year for the Rec Center

- B. Discussion about PayChex Flex System – will sit down and have a meeting with them – Barb had a discussion with the account person – were giving us a 14% discount and have increased it to 35% off due to the problems, approximately \$200 per month – from this

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point forward – looking into get time balance into the system – will verify if the 35% is for the following year; Councilman Messa would still like to look into other systems

**X. HIGHWAY SUPERINTENDENT RICHARD SHERMAN**

- A. Salt Shed – the walls and poles are up, floor is in, coming back next week to rafters up and roof – should be done in two (2) weeks, will hold 4,000 tons of salt

**ADJOURNMENT**

There being no further business to come before the Board, upon motion duly made by Councilman Reynolds and seconded Councilman Woodland, the meeting was adjourned at 7:20 P.M.

**(RESOLUTION NO. 306 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  
11/4/2022