

**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
DECEMBER 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:

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

ABSENT: Asst. Director of Personnel Barbara Schwenzfeier

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

I. PUBLIC HEARING

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

(RESOLUTION NO. 317 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to open up the Public Hearing for Local Law 6.

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**.

A. PRESENTATION

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- i. David Aiken (Pyramid Management Group) and Luke Condon (Sangertown Mall) – prepared a presentation to the Board as it relates to adding residential to the current location and secure the zoning text amendment to allow residential to take place – become mixed use – shop, dine, play, stay, live and work

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

(RESOLUTION NO. 318 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to close the Public Hearing for Local Law 6 (8:07PM).

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. Town Attorney Herbert Cully – Close SEQR – we sent out notices to all interested agencies – we received responses with no negative comments – previously submitted a Part 2 of the Environmental Assessment Form – need motion to close SEQR based upon the Part 2 with a negative declaration

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

(RESOLUTION NO. 319 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to close the SEQR and adopt the Environmental Assessment Form.

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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Councilman Reynolds – think is an important step, and it is only a first step – motion to move the zone change; Town Attorney Herbert Cully – to pass Local Law 6 and amend the zoning ordinance as stated in the text for Sangertown

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

(RESOLUTION NO. 320 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to pass Local Law 6 and amend the zoning ordinance as stated in the text for Sangertown.

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

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

The Resolution was voted 2 to 3 and **DENIED**.

II. MEETING MINUTES – NOVEMBER 16, 2022

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

(RESOLUTION NO. 321 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Board Meeting minutes – November 16, 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. PRESENTATION

- A. Emily Mitchell – AR Building Company – Jason – 4641 Middle Settlement Road – need for housing – 8.16 acres – Proposed Residential Development District (Currently Zone C1) – Units 120 (60 2 bedroom units and 60 1 bedroom units), 12, 3-story buildings;

Density – 14.7 Units/Acre; Parking – 180 spaces, 1.5 spaces/Unit; AR Building’s apartments buildings are defined by their high quality, durable materials and their focus on tenant amenities such as natural light, large porches, spacious interiors, elevated buildings, individuals laundries and walk in closets; Town Attorney Herbert Cully – The Board will review and address at the next Board meeting

IV. MATTERS SUBMITTED BY TOWN SUPERVISOR MISCIONE

- A. **Budget Transfer** – Deanna Spina – ACO – part time Account A3510.11 to the ACO Contractual Account A3510.40 for \$2,700.00 to purchase the ACO replacement computer as it is broken

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

(RESOLUTION NO. 322 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the budget transfer of \$2,700.00 from A3510.11 to A3510.40 for a replacement computer.

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. DWI Crackdown Contracts

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

(RESOLUTION NO. 323 OF 2022)

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

C. SSO/SRO Contracts

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

(RESOLUTION NO. 324 OF 2022)

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

D. Police Car Graphics/RE: configure

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

(RESOLUTION NO. 325 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Police Car Graphics/RE: configure.

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*.

Chief Ronald Fontaine – in an effort to be more visible, working with Valley Signs

E. Policy Updates for 2023

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

(RESOLUTION NO. 326 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Police Department Policy Updates 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**.

F. Steven Swan 2023 Animal Control Contract Municipal Agreement

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

(RESOLUTION NO. 327 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the Steven Swan 2023 Animal Control Contract Municipal 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. REPORTS OF TOWN DEPARTMENTS

A. Highway Superintendent Richard Sherman

- i. Road Specs – talked to the Engineer John Dunkel - changing specs to 16” NYSDOT approved type 4 gravel, 3” binder course and 1 ½ top course and will last longer

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

(RESOLUTION NO. 328 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to accept the new road specs.

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. Hiring Process

- i. David Jones – transfer from Oneida County – start date 11/21/2022 at \$14.70/hour as Laborer; OPP trained, CDL; Sunday after Thanksgiving - \$18.50 per hour, MEO rate, budgeted item (Seasonal rate)

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

(RESOLUTION NO. 329 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve David Jones, Laborer, \$14.70 per hour, start date 11/21/2022.

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**.

VI. MATTERS SUBMITTED BY COUNCILMEN

- A. **Councilman Messa** – Appointment – Police Commission Advisory Board – one candidate interested – appoint Vincent Nesci – effective January 1, 2023 – 5-year term

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

(RESOLUTION NO. 330 OF 2022)

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RESOLVED, that the New Hartford Town Board does hereby approve Vincent Nesci to the Police Commission Advisory Board effective January 1, 2023 – December 31, 2027 (5-year term).

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 TOWN SUPERVISOR

A. 2023 Animal Control Contract Municipal Agreement

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

(RESOLUTION NO. 331 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve the 2023 Animal Control Contract Municipal 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**.

- B. **Solar Law** – there is no fee associated with it; supposed to be constructed like the PDD overlay (\$5,000 fee to apply); Not in our Local Law but it is in our paperwork; need to amend the Local Law and schedule a Public Hearing – January 4, 2023

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

(RESOLUTION NO. 332 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to schedule a Public Hearing for January 4, 2023 – Local Law 6 – Solar.

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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*.

VIII. MATTERS SUBMITTED BY COUNCILMEN

A. COUNCILMAN MESSA

- i. Zoning Board – John Montrose has resigned effective immediately (December 6, 2022) after a service of twenty (20) years; dedicated a lot of time; did a great a job and will be missed.

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

(RESOLUTION NO. 333 OF 2022)

RESOLVED, that the New Hartford Town Board does hereby approve to accept the resignation of John Montrose from the Zoning Board effective December 6, 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*.

ii. Paychex Flex

1. Supervisor Miscione – only thing we can do is go with another company at this point, don't know how will get it up and running unless they come in and get it up and running; user friendly; or get Rep in here to see what is really going on; never had an issue before with Paychex; asked Cheryl to call Paychex to see if can get Rep in for a meeting to discuss
2. Councilman Messa suggested other companies for payroll; knows Barb was working on it; knows Barb has been working on it

- B. COUNCILMAN WOODLAND** – CCNY Tech wanted to come in and do a presentation and asked if interested; Supervisor Miscione – spoke to Scott about a month ago and asked to contact Cheryl to be put on the agenda

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IX. SUPERVISOR MISCIONE

- A. FUEL – need to set up meeting to do transfers to pay the bills; \$100,000; and to get us through the end of the year; Special Meeting December 9, 2022 at Noon

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 8:54 P.M.

(RESOLUTION NO. 334 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

12/10/2022