

**SPECIAL TOWN 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
FRIDAY, NOVEMBER 1, 2024 at 4:00 P.M.**

Town Supervisor Miscione called the meeting to order at 4:00 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 John Latini
Councilman David Tehan
Councilman James J. Messa
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS PRESENT:

Town Clerk, Cheryl A. Jassak-Huther
Highway Superintendent Richard Sherman
Deputy Town Supervisor, Anthony J. Trevisani
Police Chief, Ronald Fontaine
Town Attorney, Herbert Cully

ABESENT: Councilman David M. Reynolds

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

I. ADDRESS SIGN – Incident in the Town

QUOTED FROM THE ROME SENTINEL

NEW HARTFORD — The town of New Hartford is looking into amending its town code to make it easier to address signs that create a nuisance.

The town board met for a special meeting on Friday, Nov. 1, to discuss an ongoing issue within the town about nuisance signs that have been placed in the town, the implications of allowing such signs, and what can be done about them.

This issue began in October, when signs mounted on trucks were placed on land bordering a house on Sylvan Way, displaying a vulgar message and targeting a town official.

Police Chief Ronald Fontaine said there is an ongoing investigation into some of the conduct that took place on Sylvan Way. He said that the police department, along with the town offices, have been receiving calls from other residents of Sylvan Way who were disturbed by the signs.

Earlier this week, the owner brought the sign that targeted the town official down to the parking lot of the town municipal building at 8635 Clinton St. It has since been removed.

“It looked terrible. It was terrible to have it here, especially during the voting, with members of the public coming here to use the facility. I voted here myself the other night,” Fontaine said. “I think if we don’t get

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ahead of this and get some sort of law in effect to properly deal with these situations, it could continue or anyone could come and put any sign up. It's this sign right now, and next time it's a different sign for a different reason or attacking a different person."

Fontaine said that allowing this could open the floodgates for other people to place signs in the town's parking lot, like to advertise a business.

Town Attorney Herb Cully said that there have been two code violations regarding the signs over at Sylvan Way, as the town ordinance prohibits signs on trailers, and it prohibits signs of that size and material. A permit is also required.

Miscione said he spoke with the individual who placed the signs. He said that the individual was also loudly playing music.

"I told him, 'Listen, the other neighbors that are there, it's not their fight. It's like being in a war and innocent people get killed. It has nothing to do with the other people, and they're the ones getting inconvenienced,'" Miscione said.

"There's gotta be a way that we can control things in neighborhoods where everyone is being affected," he added.

Cully said these issues have been ongoing since August. He said that under the current ordinance, the town sends out a notice of violation, giving a deadline for the violation to be corrected and a fine.

Cully said the individual who placed the sign was willing to pay the fine and keep the sign up. He said in a situation where the sign is on public property, the town's police powers give it the right to take action. The councilors agreed that an individual should still have due process and receive the notice of violation, but if they do not remove the sign, the fines should increase and the town should be permitted to take action and remove the nuisance sign.

Cully said he can draft a local law with these provisions. The language of the law would have to specify that it is regarding signs that are meant to harass and have no legitimate purpose, he said.

"This is about people who are antagonizing the area," Miscione said. "That's all they're doing, there's no value to it."

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Latini and seconded Councilman Messa, the meeting was adjourned at 4:25 P.M.

(RESOLUTION NO. 375 OF 2024)

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

Councilman Messa - Aye

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Councilman Latini	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Messa:

(RESOLUTION NO. 376 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to open up public session.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Tehan:

(RESOLUTION NO. 377 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Daniel Aitken to the Parks Department from the Highway Department (Laborer), transfer, \$20/HOUR, Full-time, effective November 4, 2024, no benefits.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

The following Resolution was then introduced for adoption by Councilman Latini and duly seconded by Councilman Tehan:

(RESOLUTION NO. 378 OF 2024)

RESOLVED, that the New Hartford Town Board does hereby approve to appoint Tyler Moran to the Parks Department from the Highway Department (Laborer), transfer, Rec Center, \$20/HOUR, Full-time, effective November 4, 2024, no benefits.

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilman Latini and seconded Councilman Tehan, the meeting was adjourned at 4:27 P.M.

(RESOLUTION NO. 379 OF 2024)

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

Councilman Messa	-	Aye
Councilman Latini	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Tehan	-	Aye
Supervisor Miscione	-	Aye

Resolutions PASSED with four (4) affirmative votes and duly ***ADOPTED***.

Respectfully submitted,

Cheryl Jassak-Huther
Town Clerk
11/2/2024