

**TOWN BOARD MEETING
TOWN OF NEW HARTFORD, NEW YORK
HELD AT TOWN HALL, 8635 CLINTON STREET, NEW HARTFORD, NY
ON WEDNESDAY, SEPTEMBER 2, 2026 at 6:00 P.M.**

Supervisor Messa called the meeting to order at 6:00 P.M. Prior to commencing business, Supervisor Messa extended condolences on behalf of the Town Board to the family of Coach Bob Jones in recognition of his contributions to the community and youth athletics. The Supervisor then led those in attendance in the Pledge of Allegiance.

The roll was taken with the following Town Officials and Department Heads present:

TOWN BOARD MEMBERS PRESENT:

Councilman Vincent Pristera
Councilman John Latini
Councilman David M. Reynolds
Deputy Supervisor/Councilman David Tehan
Supervisor James Messa

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Personnel Director/Finance, Christina Lacy
Police Chief, Ronald Fontaine
Highway Superintendent, Richard Sherman
Town Attorney, Herb Cully
Town Clerk, Michele Moran
Deputy Town Clerk, Susan Keller
Library Director, Anne DuRoss

Members of the Media:

Alexis Manore, Rome Daily Sentinel

A quorum was declared present for the transaction of business.

PUBLIC COMMENT

Larry Bull, Ross Court - representing the Ross Court Homeowners Association, addressed the Board regarding winter maintenance of Ross Court and concerns that snowplowing services may be affected by ongoing issues involving a resident and Highway Department personnel. Mr. Bull requested that the Town continue providing snow removal services on the Town-owned road.

Highway Superintendent Sherman explained that prior to the Town's acceptance of Ross Court, discussions were held regarding roadway improvements intended to facilitate snow removal operations, including modifications to the cul-de-sac and the creation of a snow storage area. Superintendent Sherman stated that these improvements were not completed and continue to present operational challenges. He also noted concerns regarding repeated complaints and interactions involving a resident and Highway Department staff.

The Board discussed the circumstances surrounding the road dedication, noting that the current Board had been advised that the roadway met Town specifications at the time it was accepted by the Town. Supervisor Messa stated that the Town has a responsibility to maintain Ross Court and that efforts should be made to resolve the outstanding issues prior to the upcoming winter season.

Town Attorney Cully and Board members discussed meeting with the Developer and affected parties to address the uncompleted improvements. Attorney Cully offered to participate in discussions, and volunteered to contact developer Larry Adler in an effort to reach a resolution and secure completion of the improvements needed to support winter maintenance operations. The Board also discussed appropriate measures to address any interference with Town employees performing roadway maintenance. No formal action was taken.

Cindy Sigbieny, Chapman Road addressed the Board regarding paving, boulevard damage from winter sidewalk maintenance, speeding concerns on Chapman Road, and commercial development activity in the Town. Chief Fontaine agreed to conduct additional speed enforcement details and Supervisor Messa agreed to continue discussions with Oneida County regarding traffic safety concerns.

Jean and Ken Driscoll, Oneida Street, Chadwicks addressed the Board regarding agricultural truck traffic on Oneida Street, noise, odors, and road impacts. The Board discussed possible traffic-routing alternatives and agreed to review available options. Ms. Driscoll also raised concerns regarding speeding near Kay Circle and drainage issues near her property. The Highway Department agreed to review the drainage concerns.

PUBLIC HEARING

Local Law Introductory "E" of 2026

Sitrin Health Care Center Zoning Amendment

Councilman Latini made a motion to open the Public Hearing on Local Law Introductory "E" of 2026. The motion was seconded by Councilman Reynolds.

RESOLUTION NO. 289 OF 2026

OPEN PUBLIC HEARING

RESOLVED, that the Town Board does hereby open the Public Hearing on Local Law Introductory "E" of 2026, a Local Law to amend the Town Zoning Map and change certain properties owned by the Charles T. Sitrin Health Care Center and its affiliates from Mixed Use (MU) to Planned Development Mixed Use (PDDMU).

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Attorney Cully reviewed the proposed zoning amendment. No members of the public wished to speak.

Councilman Latini moved to close the Public Hearing, seconded by Councilman Reynolds.

RESOLUTION NO. 290 OF 2026

CLOSE PUBLIC HEARING

RESOLVED, that the Public Hearing on Local Law Introductory "E" of 2026 be closed.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Councilman Latini moved and Councilman Pristera seconded adoption of Local Law Introductory "E" of 2026.

RESOLUTION NO. 291 OF 2026

LOCAL LAW 6 of 2026 - SITRIN ZONING AMENDMENT

RESOLVED, that the Town Board does hereby adopt Local Law 6 of 2026, amending the zoning designation of properties owned by the Charles T. Sitrin Health Care Center and its affiliates from MU to PDDMU.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

APPROVAL OF MINUTES

Councilman Tehan introduced the following Resolution for adoption; seconded by Councilman Latini:

RESOLUTION NO. 292 OF 2026

APPROVAL OF AUGUST 5, 2026 MINUTES

RESOLVED, that the New Hartford Town Board does hereby accept and approve the minutes of the August 5, 2026 Town Board Meeting and waive their reading.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Councilman Reynolds introduced the following Resolution for adoption; seconded by Councilman Latini:

RESOLUTION NO. 293 OF 2026

APPROVAL OF AUGUST 13, 2026 EMERGENCY MEETING MINUTES

RESOLVED, that the New Hartford Town Board does hereby accept and approve the minutes of the August 13, 2026 Emergency Meeting and waive their reading.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 294 OF 2026

APPROVAL OF VOUCHERS

RESOLVED, that the Town Board does hereby approve the Abstract of Vouchers presented for payment and authorizes the Supervisor to issue payment thereof.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE (Abstain on Arrow Bank), Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE.

The Resolution was carried and adopted.

RESOLUTION NO. 295 OF 2026

BONADIO ENGAGEMENT AGREEMENT - 2027

RESOLVED, that the New Hartford Town Board does approve the 2027 Engagement Agreement with Bonadio and authorizes Supervisor Messa to execute all documents necessary thereto.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

PERSONNEL/CODES

RESOLUTION NO. 296 OF 2026

REAFFIRMATION OF APPOINTMENT – MICHAEL MULLIGAN

RESOLVED, that the New Hartford Town Board does reaffirm the appointment of Michael Mulligan as Full-Time Codes Department Head effective September 7, 2026, at an annual salary of \$74,000, without benefits.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 297 OF 2026

APPOINTMENT – TOM DAVIS

RESOLVED, that the New Hartford Town Board does appoint Tom Davis as a part-time Codes Officer Trainee at \$30.00 per hour, effective immediately, subject to completion of all requirements.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 298 OF 2026

BUDGET TRANSFER – PARKS

Transfer of \$19,953.58 from A72300-40 Parks Swim Program to A71100-40 Parks Contractual.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 299 OF 2026

BUDGET TRANSFER – HIGHWAY MACHINERY REPAIR

Transfer of \$20,000 from Highway Unrestricted Fund Balance DB91200-00 to DB51300-400 Highway Machinery Repairs.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 300 OF 2026

BUDGET TRANSFER – ANIMAL SHELTER

Transfer of \$10,113.13 from A15501-0 Animal Shelter Revenue Account to A35100-41 Animal Shelter expenditure account.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

TOWN CLERK

Town Clerk Moran presented the monthly report and advised the Board that total receipts collected during August 2026 were \$37,524.78, with required portions remitted to New York State and the balance distributed to the appropriate Town accounts.

Town Clerk Moran presented a FOIL appeal submitted by David Griffith for consideration by the Board.

Chief Fontaine advised the Board that subsequent to the FOIL request, Mr. Griffith filed a complaint with the New York State Attorney General's Office of Special Investigations. Chief Fontaine stated that, pursuant to departmental policy, the complaint triggered a Professional Standards investigation and that an active investigation is now pending.

Chief Fontaine advised that records associated with the matter should not be released while the investigation remains open and recommended that the appeal be denied at this time. He further noted that the request could be revisited upon completion of the investigation. Following discussion, the Board concurred that the existence of a pending Professional Standards investigation provided a basis for denying the appeal at this time, with the understanding that the matter could be reconsidered once the investigation has concluded.

RESOLUTION NO. 301 OF 2026

FOIL APPEAL – DAVID GRIFFITH

Based upon the active Professional Standards Investigation discussed by Chief Fontaine:

RESOLVED, that the Town Board does hereby deny the FOIL Appeal submitted by David Griffith at this time.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Town Clerk Moran also reported that the Town had processed 111 FOIL requests through August 2026, with approximately ten requests currently pending. She advised that five of the pending requests had been submitted by a single requester and that one request alone has generated more than 500 potentially responsive records requiring review prior to disclosure.

Ms. Moran discussed the increasing volume and complexity of FOIL requests received by the Town and expressed concern regarding the need for independent legal review of certain requests. She noted that, following the Town Attorney's recusal from several complex FOIL matters involving a former Town official and concerns previously raised regarding potential litigation, she believed it would be prudent for the Town to retain independent counsel to provide objective legal guidance. Ms. Moran emphasized that her concern was not related to delaying or withholding records, but rather ensuring that records are reviewed and released in compliance with applicable law, while protecting attorney-client privileged information, records subject to exemption, and other sensitive information.

Ms. Moran further advised that she had consulted with an attorney experienced in municipal law and complex FOIL matters and provided the Board with information regarding the attorney's qualifications and proposed hourly rate. She requested that the Board consider retaining qualified outside counsel to assist with review of complex FOIL requests and related legal issues. The Board discussed the request and acknowledged both the substantial volume of FOIL requests being processed and the Clerk's concerns regarding legal review. Board members expressed interest in obtaining additional information regarding the scope of services, anticipated costs, and potential engagement terms before making a determination. Discussion also included the Town's obligation to respond to FOIL requests in a timely manner while ensuring compliance with legal requirements and protecting the Town's interests. No formal action was taken. The matter was left open for further review pending additional information regarding the proposed engagement and related costs.

POLICE

Chief Fontaine requested authorization to appoint two additional part-time Animal Shelter Assistants to improve scheduling flexibility and coverage. He advised that both candidates possess veterinary-related experience and would serve on an as-needed basis.

RESOLUTION NO. 302 OF 2026 APPOINTMENT OF KATIE COSENTINO

RESOLVED, that the New Hartford Town Board appoint Katie Cosentino as a Part-Time Animal Shelter Assistant at \$20.00 per hour.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

RESOLUTION NO. 303 OF 2026 APPOINTMENT OF KAITLYN RUSSELLO

RESOLVED, that the New Hartford Town Board appoint Kaitlyn Russello as a Part-Time Animal Shelter Assistant at \$20.00 per hour pending Civil Service approval.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Chief Fontaine reported that he had accepted the resignation of Officer Amir Knighton, who is leaving the Department in good standing to return to a law enforcement agency closer to his family in Niagara County. Chief Fontaine described Officer Knighton as a dedicated officer who consistently performed his duties at a high level and stated that his departure would be a loss to the Department. The Chief noted that Officer Knighton's decision was based upon family considerations and wished him success in his future endeavors.

**RESOLUTION NO. 304 OF 2026
ACCEPTANCE OF RESIGNATION – OFFICER AMIR KNIGHTON**

RESOLVED, that the New Hartford Town Board accepts the resignation of Police Officer Amir Knighton.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

**RESOLUTION NO. 305 OF 2026
APPOINTMENT OF OFFICER MICHAEL GERHARDT**

RESOLVED, that the New Hartford Town Board appoint Michael Gerhardt as a Full-Time Police Officer subject to Civil Service approval and completion of Police Academy, with compensation and benefits pursuant to the PBA Agreement.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Paranormal Circus – Permit Process

Chief Fontaine provided comments regarding the recent Paranormal Circus event, noting that while the event itself appeared professionally operated, the Town had limited time to review and prepare for the event. The Chief recommended reviewing the Town's permitting process and mass gathering requirements to allow additional advance planning and coordination for future large-scale events.

Town Hall Flooring Project

Chief Fontaine provided an update on the proposed flooring replacement project at Town Hall. He reported that multiple estimates had been obtained and explained that the project was being evaluated as both a facility improvement and a safety measure due to uneven flooring and potential trip hazards.

Donovan Park and Sherrillbrook Park Security Concerns

Chief Fontaine discussed recent complaints involving vandalism, graffiti, after-hours activity, and other concerns at Town parks. He outlined potential measures to improve safety and security, including increased enforcement, enhanced signage, additional cameras, lighting improvements, gates, and public outreach. The Chief also discussed efforts to improve communication regarding the reporting of incidents so that police can respond in a timely manner.

Animal Welfare Complaint

Chief Fontaine reported that a complaint concerning possible animal neglect on Osborne Road had been investigated. No evidence of animal cruelty was found, and corrective measures relating to the care of the animal were discussed with the owner. The matter was considered resolved at this time.

LIBRARY

Library Director Anne DuRoss reported on the successful Ice Cream Social, upcoming roof and carpet projects, continuation of programming with the New Hartford School District, conclusion of the Summer Reading Program, and library circulation statistics.

MATTERS SUBMITTED BY COUNCILMAN TEHAN

Fire inspection revenue for August totaled \$10,233.28 with 26 inspections completed.

Deputy Supervisor Tehan advised the Board that an application had been received from Mitsuba Restaurant, located on Ellinwood Drive, requesting a 30-Day Advance Notice Waiver in connection with a modification to its New York State Liquor Authority license. The request relates to the addition of outdoor patio/deck space for the service of beer, wine, liquor, and cider. It was noted that the Board had previously reviewed and approved a related application for the establishment earlier in the year.

RESOLUTION NO. 306 OF 2026

MITSUBA RESTAURANT – 30 DAY ADVANCE NOTICE WAIVER

RESOLVED, that the New Hartford Town Board does approve the request for a 30-Day Advance Notice Waiver associated with modifications to the Mitsuba Restaurant liquor license permitting service on the outdoor patio/deck area.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera – AYE. The Resolution was carried and adopted.

EXECUTIVE SESSION

Councilman Latini introduced the following Resolution for adoption and Councilman Pristera seconded:

RESOLUTION NO. 307 OF 2026

OPEN EXECUTIVE SESSION

RESOLVED, that the New Hartford Town Board does hereby enter Executive Session at approximately 8:32 P.M. to discuss personnel matters and a personnel-related investigation.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted.

Councilman Latini introduced the following Resolution for adoption and seconded by Councilman Pristera:

RESOLUTION NO. 308 OF 2026
CLOSE EXECUTIVE SESSION

RESOLVED, that the New Hartford Town Board does hereby come out of Executive Session at approximately 8:54 P.M.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Resolution was carried and adopted. No action was taken during Executive Session.

ADJOURNMENT

A motion was made to adjourn the meeting by Councilman Latini and seconded by Councilman Reynolds.

Upon Roll Call: Supervisor Messa - AYE, Councilman Tehan - AYE, Councilman Reynolds - AYE, Councilman Latini - AYE, Councilman Pristera - AYE. The Motion carried.

The meeting adjourned at approximately 8:55 P.M.

Next Meeting: September 23, 2026

Respectfully submitted,

A handwritten signature in black ink that reads "Michele Moran". The signature is written in a cursive, flowing style.

Michele Moran
Town Clerk
9/28/26