

SPECIAL MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT 8635 CLINTON STREET, ON MONDAY,
JUNE 17, 2019 AT 6:30 P.M.

Town Supervisor Miscione called the special meeting to order at 6:30 P.M. in order to finalize details on the Home Rule legislation for parks alienation inasmuch as the State Legislature would be recessing for the legislature year on Wednesday, June 19, 2019. He then 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
Supervisor Paul A. Miscione

ABSENT:

Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.

OTHER TOWN OFFICIALS PRESENT:

Town Attorney Herbert J. Cully
Town Clerk Gail Wolanin Young

Thereafter, the Supervisor declared a quorum present for the transaction of business.

The Town Attorney briefed the Board members about the Home Rule Law that would allow the Town to alienate certain parklands and to dedicate other lands as parklands. This would include FEMA properties the Town now owns, and a small area of Sherrillbrook Park for a monopole. He then excused himself from the Town Board meeting to attend the Town Zoning Board of Appeals meeting.

Councilman Lenart then introduced the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. 215 OF 2019)

WHEREAS, the Town of New Hartford does not have the authority to alienate parklands nor the authority to dedicate lands as parklands; and

WHEREAS, it is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are that local government does not have the power to enact such legislation by local law;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby support and submit a Home Rule Request to the New York State Assembly for enactment of a special law pursuant to Article IX of the Constitution for the enactment of Assembly Bill (No. 7851-A) entitled "*An act to authorize the Town of New Hartford, in the County of Oneida, to alienate certain parklands and to dedicate other lands as parklands.*".

Upon roll call, the Town Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Woodland	-	ABSENT
Supervisor Miscione	-	Aye.

The Resolution was unanimously carried and duly **ADOPTED**.

Councilman Messa then introduced the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 216 OF 2019)

WHEREAS, the Town of New Hartford does not have the authority to alienate parklands nor the authority to dedicate lands as parklands; and

WHEREAS, it is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are that local government does not have the power to enact such legislation by local law;

NOW, THEREFORE, BE IT RESOLVED that the New Hartford Town Board does hereby support and submit a Home Rule Request to the New York State Senate for enactment of a special law pursuant to Article IX of the Constitution for the enactment of Senate Bill (No.5865-A) entitled "An act to authorize the Town of New Hartford, in the County of Oneida, to alienate certain parklands and to dedicate other lands as parklands."

Upon roll call, the Town Board members voted as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	ABSENT
Councilman Woodland	-	ABSENT
Supervisor Miscione	-	Aye.

The Resolution was 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 by Councilman Lenart, the meeting was adjourned at 6:40 P.M.

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Respectfully submitted,

Gail Wolanin Young, Town Clerk