

NOVEMBER 10, 2016

The regular meeting of the Town of Hartland, County of Niagara, State of New York, was held on the above date at the Town Hall, 8942 Ridge Road, Gasport convening at 7:30 p.m.

Members present:

Supervisor: W. Ross Annable

Councilman: F. David Snyder

Daniel Hill

Joseph Reed

Clifford Grant

Attorney: Michael Norris

Highway Sup't.: absent

Administrative Asst.: Janet Slack

Assessor/ CEO: Michael Hartman

Attended by: Sign in sheet attached

Supervisor Annable called the meeting to order with all present standing for the pledge to the flag.

PUBLIC HEARING

Preliminary Budget for the Town of Hartland for fiscal year beginning January 1, 2017

Date/Time/Place: November 10, 2016 - 7:30 p.m. – Town Hall

Notice of said hearing was duly published in the Lockport Union Sun & Journal.

Hearing # 1 – 2017 Budget

Hearing was called to order by Supervisor Annable.

Town Clerk, Cynthia Boyler noted the annexed notice of the hearing on the adoption of the Preliminary Budget.

Pursuant to Section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified:

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SUPERVISOR:	\$ 17361.00
TOWN CLERK:	\$ 45345.00
COUNCILMAN: (4@)	\$ 5831.00
SUPERINTENDENT OF HIGHWAYS:	\$ 45917.00
JUSTICE:	\$ 34976.00

With no one desiring to be heard, Supervisor Annable closed the hearing at 7:32 p.m.

Hearing # 2 – Amounts to be raised by taxation

Hearing was called to order by Supervisor Annable at 7:33 p.m. on the amounts to be raised by taxes and Fire Districts as follows:

Hartland Water District	\$ 407,120.00
Hartland Fire Protection	\$ 226,356.00
Hartland Refuse	\$ 270,738.00

With no one desiring to be heard, Supervisor Annable closed the hearing at 7:35 p.m.

The following amounts were listed for the fire protection contracts:

Hartland Volunteer Fire Co., Inc.	\$ 128,830.00
Gasport Fire District # 1	\$ 30,044.00
Middleport Volunteer Fire Company No. 1	\$ 41,988.00
Miller Hose Company, Inc.	\$ 10,009.00
Wrights Corners Fire Co., Inc.	\$ 3385.00

Each fire protection contract shall run from January 1, 2017 through December 31, 2017 and shall thereafter be automatically renewed on a yearly basis until December 31, 2017 unless terminated according to the provision of Section 184 of the Town Law.

Amounts of \$750.00 will be paid to the Towns of Hartland, Middleport and Royalton for the payment of physicals for the firemen.

Supervisor Annable closed the public hearings at 7:40 and opened the Regular meeting.

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Minutes

RESOLUTION 106-2016

MOTION by Councilman Snyder, seconded by Councilman Reed to adopt the minutes of the October 13, 2016 meeting as presented.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Abstract of Bills

RESOLUTION 107-2016

MOTION by Councilman Grant, seconded by Councilman Snyder resolved that the following bills, as prepared by the Clerk and having been reviewed by the Town Board, be authorized for payment in the following amounts:

Voucher #'s	2016000804 - 201600874
General:	48714.70
Part Town:	4156.27
OWD:	47238.90
Highway:	58350.70
Refuse:	18955.24

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

ASSESSOR / CEO REPORTS:

Assessor Hartman stated that dollar amounts of sales have leveled out and are now back to comparison to assessed amounts. Approximately half of the exemptions have already been received.

CEO

Building is still slow with no new houses. We are now on the International Codes and the new codes are effective as of the first of October. The trailer on 104 has been removed. Hartman responded to a call from the Niagara County Health Department and SPCA to condemn a house on Drum Road. The water department connected a meter to the home, which had been serviced by a home well, to give water to the animals until they could be given away. The family will be allowed to come in on weekends to retrieve personal items and then the home will be

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demolished. It was discussed that the owner cannot afford the cost of demolition, so at this point the future of the structure is in question.

Councilman Snyder asked about the Burger house on Carmen Road, which was also in safety violation. Councilman Grant expressed his concern for the ambulance workers who were not sure of the safety of firemen and rescue workers should there be a call there. The concern of a workers compensation claim if someone gets hurt. This also is an ongoing investigation.

HIGHWAY REPORT: Read and filed

Admin. Janet Slack reported for Superintendent Hurtgam, since he was ill. All roadsides have been mowed, several trees have been removed that were in danger of falling into the right of way. Trucks have been rust proofed and are ready for winter weather. The crew has been delivering the new garbage carts. We have assisted the Village of Barker with hauling blacktop.

WATER REPORT: Read and filed

All irrigation meters have been collected, except for Trippensee's Farm. A total of the consumption for irrigation is attached.

Request to award the bid to Valley Fab & Equipment, Inc. for One New and Unused Dump Body and Plow Equipment as the sole bidder. The bid amount of \$ 129,392.25 included Option 2 of a one-way plow with 62 inch discharge height and Option 3 of a dump body including an in – post air high lift tailgate.

Award of bid for One New and Unused Dump Body and Plow Equipment to Valley Fab

RESOLUTION 108-2016

MOTION by Councilman Reed, seconded by Councilman Hill to award bid to Valley Fab & Equipment, Inc. in the amount of \$129,392.25, includes Options 2 & 3.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Request to award fuel bid to Drum Oil, with all alternatives .05% below State bid contract.

Fuel Bid to Drum Oil

RESOLUTION 109-2016

MOTION by Councilman Snyder, seconded by Councilman Hill to award the fuel bid to Drum Oil.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

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Contract will commence January 1, 2017 and terminate on December 31, 2017, provided that said contract shall automatically renew from year to year for an additional 4 year period, unless either party gives notice upon 30 days not to renew.

Councilman Grant thanked the Highway crew for the excellent job mowing the roadsides.

Councilman Snyder commended the Highway Department and thanked them for the pleasure of working with them for the last 29 years. Snyder was especially appreciative for the work done on the roadsides, cleaning of the ditches, which is so important for drainage and helps with the farmlands.

PUBLIC PARTICIPATION: None

OLD BUSINESS: None

NEW BUSINESS:

The Real Property Tax Cap Report has been submitted and filed with New York State.

Adoption of Preliminary Budget to the Final Budget

RESOLUTION 110-2016

MOTION Councilman Snyder, seconded by Councilman Reed to adopt the 2017 Preliminary Budget as the Final Budget as presented.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Said Budget is on file with the Town Clerk of the Town of Hartland where any interested person may inspect it during normal business hours. Full text of budget is attached.

Town Clerk Boyler introduced Linda Ark as the newly hired part time Deputy Clerk. Clerk Boyler requested of the Board to set Mrs. Ark's rate of pay at \$ 17.00 per hour.

Rate of pay for Part time Deputy Clerk

RESOLUTION 111-2016

MOTION by Councilman Hill, seconded by Councilman Reed to approve the hourly rate of \$ 17.00 per hour for Part Time Deputy Clerk, Linda Ark.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Supervisor Annable introduced a resolution from the Association of Towns in support of the constitutional rights of home rule in the siting of wind and solar energy facilities.

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NYS AOT – Home Rule for Wind and Solar Facilities

RESOLUTION 112-2016

MOTION by Councilman Reed, seconded by Councilman Grant to support the following Resolution:

Whereas, the New York State Constitution grants towns broad home rule powers to adopt local laws with respect to (1) their “property, affairs and government” and (2) other powers granted in statute whether related to their property, affairs and government or not, and

Whereas, Home Rule establishes a local government’s authority as the source for local zoning and planning power and gives municipalities great flexibility in dealing with local regulation of land use, keeping these decisions as close to the citizens who live there as possible; and

Whereas, the New York State Legislature enacted amendments to Article 10 of the Public Service Law to establish procedures for certifying major electric generating facilities to include renewable energy sources such as wind and solar; and

Whereas, industrial wind and solar power developers now seek certification from the New York State Board on Electric Generation Siting and Environment and not local governments, to erect industrial turbines and expansive solar installations over many thousands of acres in towns across the state; and

Whereas, wind and solar projects are now being proposed in record numbers across the state and numerous towns are now faced with complex regulations, enormous and expensive tasks in order to protect the health, safety and general welfare of their citizens; and

Whereas, prior to Article 10, local governments successfully developed, implemented and administered local wind and solar energy siting laws and policies with input and guidance of local taxpayers, residents, business, agricultural representatives, environmentalists, energy generators, planners and lawyers;

NOW THEREFORE BE IT RESOLVED, that the Town of Hartland calls for the Association of Towns to aggressively support the constitutional rights of a local government, which is closest to the citizens of that region, to decide how land will be used within its jurisdiction; and

BE IT FURTHER RESOLVED, that the Town of Hartland calls for the Association of Towns to actively seek amendments to Article 10 to afford local governments and communities with 1) more meaningful participation in the siting of industrial wind and solar energy facilities and 2) the associated funding to do so in order to protect the health, safety and general welfare of the citizens.

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MOTION by Councilman Reed, seconded by Councilman Grant to support Constitutional Home Rule in the Siting of Wind and Solar Energy Facilities.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Clerk Boyler was directed to forward a certified copy of said Resolution to Supervisor Engert, Town of Somerset to present at the NYS AOT annual meeting in February.

Supervisor Annable introduced “Shop Local” resolution spearheaded by the Niagara County Economic Development, encouraging residents to shop local, within Niagara County. Councilman Snyder was in support to have residents stay within their own County and purchase from our many resources and small businesses.

Shop Niagara 2016

RESOLUTION 113-2016

MOTION by Councilman Grant, seconded by Councilman Snyder to support the Shop Niagara initiative.

SHOP NIAGARA 2016

Whereas, the **Town of Hartland** would like every resident of Niagara County to understand the positive impact they can have on lowering property taxes by purchasing goods and services within Niagara County.

Whereas, the **Town of Hartland** receives nearly 30% of its operating income from sales tax revenue sharing with Niagara County. A percentage of every purchase made anywhere within Niagara County is shared back to the local Towns, Cities and Villages to operate your government.

Whereas, the **Town of Hartland** residents have told us that they want to keep property taxes low, improve the quality of life, grow our business community and shopping choices.

Whereas, the **Town of Hartland** understands that by giving our residents this information the residents have it within their power to improve their quality of life, lower taxes and support local business. Every time you make a purchase you have a choice. Purchases made outside of Niagara County improve the lives of others and lowers their tax bills. Purchasing goods and services within Niagara County improves your life.

Therefore be it resolved that the **Town of Hartland** does hereby support the “Shop Niagara” initiative to ask our residents to purchase as many goods and services within the confines of

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Niagara County as possible. When you make a purchase, choose the option that helps your community and lowers your taxes. Shop Niagara!

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Clerk Boyler was directed to forward a certified copy of said Resolution to Marc Smith, Coordinator of Economic Development to provide to the Niagara County Supervisor's Association.

Supervisor Annable asked for a moment in memory of Albert Belliveau, who recently passed away. Al was a longtime member of the Board of Assessment Review for Hartland.

Supervisor Annable took a moment to recognize and thank all Veteran's for their service, in observance of Veteran's day, November 11.

Adjournment

RESOLUTION 114-2016

MOTION by Councilman Reed, seconded by Councilman Snyder that since there is no further business to come before the board, the meeting be adjourned at 8:00 p. m.

Ayes: Annable, Snyder, Reed, Hill, Grant Nays: 0 CARRIED

Respectfully submitted:

Cynthia S. Boyler

Town Clerk

Next scheduled regular meeting will be December 8, 2016 at 7:30 p. m.