

## AUGUST 11, 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: Brian Seaman

Deputy Highway Sup't.: Christopher Jenks

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.

Minutes

### **RESOLUTION 81-2016**

**MOTION** by Councilman Reed, seconded by Councilman Hill to adopt the minutes of the July 14, 2016 meeting as presented.

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

### **RESOLUTION 82-2016**

**MOTION** by Councilman Snyder, seconded by Councilman Grant to adopt the minutes of the July 28, 2016 special meeting as presented.

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

August 11, 2016

Abstract of Bills

**RESOLUTION 83-2016**

**MOTION** by Councilman Snyder, seconded by Councilman Reed 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 | 2016000572 - 201600640 |
| General:    | 18895.61               |
| Part Town:  | 4331.67                |
| OWD:        | 15107.83               |
| Highway:    | 50690.40               |
| Refuse:     | 18955.24               |

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

**ASSESSOR / CEO REPORTS:**

Assessor Hartman stated that dollar amounts of sales have been higher than assessments. There are currently 15 to 20 houses for sale now, the market is heavy. Hartman will be doing a revaluation next year and has been updating data that will be needed. He has also been working on the new STAR program.

**CEO**

Building has been slow with no new houses. Councilman Snyder asked about the vacant houses in the Town. Hartman stated that there are 8 vacant homes; however, none of those houses were listed as foreclosures. Hartman has been in contact with the owners of the vacant trailer on Ridge Road. The gas has been disconnected, the wood has been removed from the front of the trailer and the trailer should be moved out by the end of autumn. Lakebreeze Trailer park in Barker will be purchasing the trailer once it has been cleaned.

**HIGHWAY REPORT:**

Read and filed

Deputy Superintendent Jenks reported that the crew has been busy with mowing and chipping as well as helping other Towns with road work. Removed a beaver dam on Johnson Creek Road. Worked on the Park for the recreation program. Finished the landscaping around the Town Hall.

**WATER REPORT:**

Read and filed

August 11, 2016

Read hydrant meters weekly and read all meters in July. Repaired leaks and repaired the lawns that were dug for water repairs.

**PUBLIC PARTICIPATION:**

Mr. Meisener, Ridge Road, asked the board for an update on the trailer property. The owner of the property has moved some of the trash from the trailer and taken it to her property now. CEO Hartman explained that it was wood from a dismantled ramp and that it had been stacked on the adjacent property. Councilman Grant stated that he had seen in another Town where someone had parked a large trailer marked as a scrap metal collection drop. Grant suggested that possibly this could be an option for the Town. Supervisor Annable told Mr. Meisener that he would check out the condition of the property.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Supervisor Annable read a letter from Jim Giegerich, Bradley Road. Mr. Giegerich expressed his appreciation for the exceptional service by the Water Department. There had been a water main leak and the crew not only corrected the problem immediately, but also repaired the area surrounding the repair. It is nice to hear positive feedback on Town staff.

**JUSTICE GRANT**

**RESOLUTION 84-2016**

MOTION by Councilman Snyder, seconded by Councilman Reed authorizing Town of Hartland Justice Court to apply for the NYS Justice Court Assistance Program to assist the town in the operation of the Justice Court.

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

There has been much discussion recently on solar and wind energy systems in Hartland and the neighboring municipalities. It was decided that there should be a Local Law enacted to regulate the zoning of such systems. The Town will impose a Moratorium on Solar Energy and Wind Energy Systems. The moratorium would prohibit the construction during and 6 months following the adoption of such law.

Councilman Reed introduced the Local Law "Imposing a Moratorium on Solar Energy and Wind Energy System."

Be it enacted by the Town Board of the Town of Hartland as follows:

August 11, 2016

#### SECTION 1. PURPOSE AND INTENT

The purpose of this Local Law is to protect the public health, safety and welfare of the residents of the Town of Hartland and to maintain the status quo as to certain solar energy and wind energy uses, as the present zoning regulations in the Town do not adequately address this type of use. The moratorium will stop the processing of applications for and the issuance of any permits, certificates of occupancy and approvals for certain land uses relating to solar energy or wind energy. The moratorium is for a period of six (6) months, allowing the Town Board to analyze and determine potential appropriate revisions and amendments to the Town of Hartland Code.

#### SECTION 2. FINDINGS

The Town of Hartland Town Board does hereby find that without a temporary halt on the processing, permitting, and approvals for certain solar energy systems and wind energy conversion systems there is the potential that such uses could be located in unsuitable areas within the Town and/or on particular lots without adequate dimensional regulations for, such uses would have materially adverse and irreversible impacts on the Town.

The Town Board also finds that it is in need of time to perform the necessary analysis of the potential types of solar energy systems and wind energy conversion systems that could be located in the Town. By maintaining the status quo regarding such uses the Town Board can provide for the planned orderly growth and development of the Town.

#### SECTION 3. MORATORIUM IMPOSED; APPLICABILITY.

For the period commencing on the effective date of this Local Law, and for six 960 months thereafter, there shall be a moratorium on the processing, approval, and/or construction of ground mounted solar energy systems and wind energy conversion systems within the Town of Hartland. This moratorium shall not affect an existing or proposed rooftop-mounted solar energy system that is designed and intended to generate electricity solely for use on said lot.

#### SECTION 4. TERM

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date.

#### SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity or any other part of this Local Law which shall be in effect.

August 11, 2016

This law shall be effective upon filing with the Office of the Secretary of State.

Public Hearing for Local Law #1-2016

**RESOLUTION 85-2016**

**MOTION** by Councilman Reed, seconded by Councilman Snyder to schedule a public hearing on September 8, 2016 for Local Law # 1-2016, entitled “Imposing a Moratorium on Solar Energy and Wind Energy”

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

Adjournment

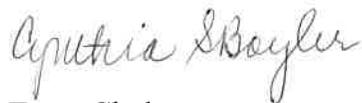
**RESOLUTION 86-2016**

**MOTION** by Councilman Grant, seconded by Councilman Snyder that since there is no further business to come before the board, the meeting be adjourned at 7:50 p. m.

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

Respectfully submitted:

Cynthia S. Boyler



Town Clerk

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