

August 11, 2022

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 7:00 p.m.

Members present:

- Supervisor: W. Ross Annable
- Councilman: Joseph Reed
- Clifford Grant
- David Huntington - Absent
- David Hill - Absent
- Attorney: David Haylett
- Assessor/ CEO: Michael Hartman – Absent
- Highway Superintendent: Keith Hurtgam - Absent
- 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 #2-2022

A Local Law Concerning Peddling and Soliciting in the Town of Hartland

Date/Time/Place: August 11, 2022 at 7:00 pm at the Town Hall, 8942 Ridge Rd., Gasport NY

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

Notice was read and hearing called to order by Supervisor Ross Annable at 7:00 pm

Said proposed Local Law places limits on those hawking, peddling, and soliciting activities in the Town of Hartland to protect the health, safety, and general welfare of the residents of the Town by establishing regulations and licensing of hawkers, peddlers, and solicitors within the Town.

The complete text of said Law is on file at the Office of the Town Clerk and is available for review by any interested person during business hours.

At such public hearing, all persons interested who wish to be heard, will be heard.

Supervisor Annable asked those in attendance if anyone wished to speak. With no one wishing to be heard, the public hearing was closed at 7:04 PM.

Vote on the Local Law #2-2022 concerning peddling and soliciting in the Town of Hartland has been postponed to September 8, 2022.

Minutes

RESOLUTION 72-2022

MOTION by Councilman Grant, seconded by Councilman Reed to adopt the minutes of the July 14th, 2022 combined meeting and July 14th, 2022 board meeting as presented.

Ayes: Annable, Reed, Grant Nays: 0 CARRIED

HIGHWAY/WATER REPORT: None

ASSESSOR / CEO REPORTS: Read and filed.

Abstract of Bills

RESOLUTION 73-2022

MOTION by Councilman Reed, seconded by Councilman Grant 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	2022000676-2022000769
General:	\$61994.22
Part Town:	\$4675.74
Highway:	\$346071.92
Fire:	\$2250.00
Refuse:	\$25785.54
Water:	\$31960.24
Total:	\$472737.66

Ayes: Annable, Reed, Grant Nays: 0 CARRIED

PUBLIC PARTICIPATION – AGENDA ITEMS: None

OLD BUSINESS: None

NEW BUSINESS:

Transfers

RESOLUTION 74-2022

MOTION by Councilman Grant, seconded by Councilman Reed to authorize budget transfers (see attached).

Ayes: Annable, Reed, Grant Nays: 0 CARRIED

Recognition of Cynthia Boyler

Supervisor Annable asked to take a moment to recognize Cynthia Boyler, our Town Clerk. We want to wish her well in her retirement and show our appreciation for the 21 years that she has worked for the Town. Supervisor Annable states that the Clerk’s position is a very vital and valuable position in the Town and deals with the public on a daily basis. He states that he believes our Clerk’s office has done that over the years and Cindy has been managing that for the last 10, going on 11 years now. We appreciate that service. Supervisor Annable presented Town Clerk Cynthia Boyler with a Certificate of Recognition from the Town to show appreciation for that work she has done.

Attorney David Haylett stated that Cindy always did a good job of making sure he was doing what he needed to do for court with residents and their dog licenses.

Supervisor Annable stated that is the important part about the Clerk’s job - there are a lot of nuts and bolts to it. People don’t realize how much work and effort it takes. He states that we are in good hands with Rachel Kushner taking over Cindy’s position as Town Clerk.

Meeting

Supervisor Annable asked to set a meeting to appoint Rachel Kushner as Town Clerk on September 1, 2022 at 9:00AM. Councilman Reed and Councilman Grant agreed.

Language Clarification

In December of 2010 there was a motion by Councilman Snyder and seconded by Councilman Reed that allows full-time elected officials 60 years of age and older with 20 or more years of service to be reimbursed for medical insurance and Medicare supplemental coverage for the employee, spouse, and/or dependents eligible for coverage not to exceed \$20,000.

Attorney David Haylett suggested that we change the wording of the resolution to include the word “total” in order to clarify the benefit.

RESOLUTION 75-2022

MOTION by Councilman Grant, seconded by Councilman Reed that allows full-time elected officials 60 years of age and older with 20 or more years of total service to be reimbursed for medical insurance and Medicare supplemental coverage for the employee, spouse, and/or dependents eligible for coverage not to exceed \$20,000.

Ayes: Annable, Reed, Grant Nays: 0 CARRIED

PUBLIC PARTICIPATION:

Mrs. Margaret Zaepfel described an appeal that has been filed against state regulations and the Office of Renewable Energy Siting that Somerset has recently joined. She urges the Town Board of the Town of Hartland to consider joining this appeal due to the overreach of New York State. She stated that we need to protect our home rule. Also, Mrs. Zaepfel asked if Attorney George VanNest had a chance to review the solar law that was presented by the Zoning Board. She stated that we need to get the law in place sooner than later to regulate battery energy storage and smaller non-94C projects in the future. She states that she believes we should have a law in place before we try to negotiate with EDF so the Town has something to fall back on. Mrs. Zapefel also shared that she and the Planning and Zoning Boards would like to be involved in the process and at the table during negotiations with EDF.

Supervisor Annable stated that we, as the Town, want to control as much as possible but that we need to be agreement with EDF and be sure we include everything in our negotiations and laws. He stated that he plans to attend a Planning Board meeting to look at some of the issues that may be brought up in negotiations and get the process started.

Mrs. Zaepfel again urges the Town Board to be sure there is at least one member from the Planning and Zoning boards present during the negotiations. She states that they know the local zoning codes and how they may affect some residents in different ways than others because of how the project is going to be laid out.

Supervisor Annable mentioned that New York State has already decided what the setbacks would be for the solar project, and they are not willing to change them. He states that if we are too strict, 94C will override all of the local laws and we need to try to negotiate with EDF to get around what the state has as regulations before the permitting process.

Mrs. Zaepfel states that we should look at the site maps and try to move the project to places that are not near homes to reduce impact to residents.

Mr. Steve Urtel asked whether or not the process will slow down if ORES is taken down in court.

Supervisor Annable stated that this is a multi-year project. He says that if EDF submits their application next year, it takes another year to have it approved because the state is pushing most applications back as incomplete. After that, it would take probably another year or two for construction to take place. The lawsuit could have an impact in that time frame but there is no way to say for sure.

Mr. David Snyder stated that we have had one of the hottest summers this year and we should not have to wonder if there will be enough power to run air conditioners in the future. He states that if we want more growth in New York, we need to allow solar to come in. He states neighbors should not have a right to tell others what they are allowed to do within their property. He states that we have seen a decline in population since the last census and that will raise taxes in the long run. Mr. Snyder stated that he hopes he sees solar go through.

Adjournment

RESOLUTION 76-2022

MOTION by Councilman Reed, seconded by Councilman Grant that since there is no further business to come before the board, the meeting be adjourned at 7:30p.m.

Ayes: Annable, Reed, Grant Nays: 0 CARRIED

Respectfully submitted:



Rachel M Kushner
Deputy Town Clerk

Next scheduled regular meeting will be August 11, 2022 at 7:00 p. m.