

AUGUST 9, 2018

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

David Hill

Attorney: Brian Seaman

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 73-2018

MOTION by Councilman Huntington, seconded by Councilman Grant to adopt the minutes of the July 12, 2018 regular meeting as presented.

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

Abstract of Bills

RESOLUTION 74-2018

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	201800605 - 201700693
General:	22,104.02
Part Town:	4,535.67
OWD:	13,200.13

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Highway: 355,589.91
Refuse: 23,475.06
Total: 418,904.79

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

ASSESSOR / CEO REPORTS: Read and filed

CEO Read and filed

HIGHWAY REPORT: Read and filed

It was reported that the final paperwork for the grant on the recycle carts is completed and the Town should be receiving \$36,200.00 towards the cost.

WATER REPORT: Read and filed

PUBLIC PARTICIPATION:

Will Simons, 9728 Ridge Road, approached the Board with his concerns about the propane cannons that are being used for pest control at the Huntington Farm on Ridge Road. Acknowledging the community is agricultural; however, the constant firing of the cannons to ward off birds from the crops has caused the neighbors considerable discomfort. The cannons fire every 30 seconds from 8:00 AM until 8:30 PM. They are in use from the middle of June until October. Mr. Simons has tried to talk to Mr. Huntington, but they do not want to change their practice. Mr. Simons says that the noise is so irritating that even his grandchildren do not visit.

Supervisor Annable has met with other neighbors on this situation and then spoke with Cornell Co-operative. The Town does not have any authority as this falls under the State farm laws. Since the area is an agricultural farming community and this is a legal practice for farmers there is no legal recourse for the Town to take.

Simons asked what constitutes a farm. Other farmers are not using this type of pest control.

Attorney Seaman explained that Ag & Markets sets conditions that constitute a farm. Seaman will do some research into what could be done to help with this problem.

Simons is concerned with full disclosure statements in the event that he would try to sell his home. This will make it harder to sell his property and will decrease the property value.

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Everett Gogolack asked if the Town could pass a law that would mandate the acreage needed for a farm.

Annable explained that the backyard garden does not constitute a farm; we could put stipulations for farm animals and acreage, but not laws to govern farm operations. The Town cannot surpass farm law.

Simons explained that it is not right that a farmer can disrupt the peace in the neighborhood with no regard for the residents, especially those who have small children.

Linda Laskey asked what could be done if there were a petition signed by the community. Doesn't the Town have a noise violation law or are farmers exempt from those laws?

Supervisor Annable stated that the Board has looked over all the laws and that farm law rules over municipal law, in every case, there is nothing to mitigate.

Attorney Seaman and Supervisor Annable will continue to investigate the situation and get back to Mr. Simons.

OLD BUSINESS:

None

NEW BUSINESS:

Attorney Seaman presented the SEQR reports for the construction of the new court building.

SEQR – Part 2

RESOLUTION 75-2018

MOTION by Councilman Huntington, seconded by Councilman Hill to authorize the Supervisor to complete Part 2 of the Short Environmental Assessment Form, with 11 enumerated categories. Based on the supporting documentation, the proposed action will not result in any significant adverse environmental impacts.

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

Edwin and Joan McKee and Janice Nichols have handed in their resignations from the Recreation Board. Each have served several years on the commission and have been a valuable asset to the program.

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Resignations

RESOLUTION 76-2018

MOTION by Councilman Reed, seconded by Councilman Grant to accept the resignations of Edwin McKee, Joan McKee and Janice Nichols from the Recreation Commission, effective December 31, 2018.

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

Supervisor Annable received the annual report from the Herbert W. Carr #425 Legion Post, who place flags and markers on the Veteran's graves each year. In 2018 they decorated 917 graves in the Town cemeteries. The Town of Hartland provides funds through a budget line; \$1,400.00 will be given to help with the cost.

Supervisor Annable recognized William Laskey for his many years of service to the Town of Hartland. William retired in June after 30+ years as custodian. Sadly, shortly after retirement, Bill passed away. Linda Laskey, Bill's wife, accepted the resolution in his honor. A gathering of close friends and family joined Linda as Bill was remembered.

RECOGNITION OF WILLIAM (BILL) LASKEY

In Recognition and Remembrance of

William (Bill) Laskey

for his many dedicated years of service to the Town of Hartland.

Bill was an honest and hardworking individual who
always greeted everyone with a kind word and a smile.

He will be fondly remembered as a loyal member
of our Town of Hartland family.

Adjournment

RESOLUTION 77-2018

MOTION by Councilman Hill, seconded by Councilman Grant that since there is no further business to come before the board, the meeting be adjourned at 7:25 p. m.

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

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Respectfully submitted:

Cynthia S. Boyler, RMC

Town Clerk

Next scheduled regular meeting will be September 13, 2018 at 7:00 p. m.