

FEBRUARY 09, 2017

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:	Joseph Reed
	Daniel Hill absent
	Clifford Grant
	David Huntington
Attorney:	Brian Seaman
Highway Sup't.:	Keith Hurtgam
Assessor/ CEO:	absent
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 36-2017

MOTION by Councilman Grant, seconded by Councilman Huntington to adopt the minutes of the January 12, 2017 meeting as presented.

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

Minutes

RESOLUTION 37-2017

MOTION by Councilman Grant, seconded by Councilman Reed to adopt the minutes of the February 6, 2017 Work Session as presented.

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

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Abstract of Bills

RESOLUTION 38-2017

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	201700048 - 201700128
General:	21,673.17
Part Town:	1,447.06
OWD:	3,848.29
Highway:	45,352.20
Refuse:	17,870.44
Fire:	216,506.00

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

ASSESSOR / CEO REPORTS: None

CEO None

HIGHWAY REPORT: Read and filed

Night shift has started with a rotating schedule. Winter services as needed.

Presented yearly trade and purchase options at the February 6th Work Session. Superintendent Hurtgam recapped all proposals and requested permission to purchase the following equipment and stated that all purchases would be off State Bid.

2016 CAT 930M Wheel Loader

RESOLUTION 39-2017

MOTION by Councilman Huntington, seconded by Councilman Reed to declare as surplus the 2016 CAT 930M Wheel Loader and offer as a trade in

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

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2017 CAT 930M

RESOLUTION 40-2017

MOTION by Councilman Grant, seconded by Councilman Huntington to authorize Superintendent Hurtgam to purchase a 2017 CAT 930M Wheel Loader off the NJPA contract, for a final cost of \$12,131.00.

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

2016 CAT 938M Wheel Loader

RESOLUTION 41-2017

MOTION by Councilman Reed, seconded by Councilman Huntington to declare as surplus the 2016 CAT 938M Wheel Loader and to offer as a trade in.

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

2017 CAT 938M Wheel Loader

RESOLUTION 42-2017

MOTION by Councilman Reed, seconded by Councilman Grant to authorize Superintendent Hurtgam to purchase a 2017 CAT 938M Wheel Loader off the NJPA contract for a final cost of \$ 15,999.00.

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

2016 Ford F-150XLT

RESOLUTION 43-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to declare the 2016 Ford F-150XLT as surplus and sell at auction for guarantee minimum of \$ 32,500.00 from Teitsworth.

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

2017 Ford F-150 XLT

RESOLUTION 44-2017

MOTION by Councilman Huntington, seconded by Councilman Reed to authorize Superintendent Hurtgam to purchase one 2017 Ford F-150 XLT, from Van Bortel Ford, off State Bid #22898 Mini Bid # 17010147 for \$34,153.70.

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

2016 Bobcat T650 T4

RESOLUTION 45-2017

MOTION by Councilman Huntington, seconded by Councilman Reed to declare the 2016 Bobcat T650 T4 as surplus and to sell at auction for guarantee minimum of \$50,500.00 from Teitsworth.

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

2017 Bobcat T770 T4

RESOLUTION 46-2017

MOTION by Councilman Reed, seconded by Councilman Grant to authorize Superintendent Hurtgam to purchase one 2017 Bobcat T770 T4, from Bobcat of Buffalo off NYS Contract # PC67141, Award PGB # 22792, for \$ 62,139.00.

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

2016 Bobcat E55

RESOLUTION 47-2017

MOTION by Councilman Huntington, seconded by Councilman Reed to declare one 2016 Bobcat E 55 as surplus and to use as trade in at Bobcat of Buffalo.

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

2017 Bobcat E55 T4

RESOLUTION 48-2017

MOTION by Councilman Grant, seconded by Councilman Reed to authorize Superintendent Hurtgam to purchase one 2017 Bobcat E55 T4, from Bobcat of Buffalo off NYS Contract # PC67141, Award # 22792 for a net cost of \$6,000.00, (depending on hour meter).

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

As per discussion at the February 6, 2017 Work Session, Superintendent Hurtgam asked for authorization to proceed with obtaining quotes or bids for a materials package to build a 108'x60'x16' Shed, to be constructed on the lot located at 3542 Wruck Road.

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Storage Shed

RESOLUTION 49-2017

MOTION by Councilman Huntington, seconded by Councilman Reed to authorize Superintendent Hurtgam to go to bid for one material package for a 108'x60'x16' shed, to be constructed at 3542 Wruck Road.

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

WATER REPORT:

Read and filed

Water Superintendent Hurtgam has met recently with representatives for the Census meters, who have informed him that the current RA alternating batteries for the census meters will soon be obsolete. None of the reading equipment that we currently have will work with a new battery system. The equipment that we do have in the trucks will last for approximately 20 years. We could buy enough batteries to last the life to the current reading system; however, we will need to be looking for a new compliant system for the future. We will need to run both systems together until we completely switch over. Hurtgam will set up presentations from other companies and invited councilmen to attend.

PUBLIC PARTICIPATION:

Joel Winters, Dog Control Officer, approached the Board with concerns for the Town Park. Winters expressed 2 different issues in which he would like to find a solution. He has noticed that there have been several residents using the nature trail to walk their dogs and they have let the dogs run loose through the trail. He also had been called to an incident recently where a large unleashed dog had attacked a smaller leashed dog. DCO would like to have signage which prohibits unleashed dogs in the park and trails. He would also like for those signs to state the rules and regulations of the park, in general. Possible 24 hour surveillance cameras might be a hindrance to future problems.

Superintendent Hurtgam stated that there were signs posted, however, they were in need of repair and had been taken down. There was also one posted by the Snack-Shack but it was destroyed by vandals. Hurtgam suggested putting up signage by the entrance to the trail as well as along the guard rails. Hurtgam will have the signs made and installed.

Joel Winters also thanked the Board members and the Highway for all the help with work at the Hartland Cemetery, where Winters is caretaker.

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OLD BUSINESS:

Attorney Brian Seaman brought everyone up to date on the status of the Solar and Wind Turbine Local Laws. Zoning laws require having a SEQR from different agencies and then a waiting period of 30 days for them to respond. The following agencies have given their responses as follows:

New York State Department of Transportation concurs with the Town of Hartland as the lead agency. NYSDOT had no specific concerns; however, if future projects propose work within the State Highway Right-of-Way, including driveways, then a NYSDOT work permit would be required.

New York State Department of Environmental Conservation concurs with the Town of Hartland as the lead agency. NYSDEC has reviewed the noncommercial wind energy conversion systems and conclude that the agency does not have any specific comments concerning the local law. If any future projects concern impacts to natural resources, regulated freshwater wetlands, floodways and floodplains or protected streams, water bodies or agricultural land, then they request to be informed.

New York State Department of Agriculture and Markets sent a lengthy response concerning Noncommercial Wind Energy Conversion Systems. The purpose of NYS Ag and Markets is to insure that agricultural lands be preserved and improved for the production of food and other agricultural products. Agriculture and Markets Law §305-a states that local governments are prohibited from enacting and administering laws that would unreasonably restrict farm operations located within an agricultural district unless it can be shown that the public health or safety is threatened. Agricultural properties should qualify for several exceptions to the requirements of the local law. The Department would like to meet with the Town to address these concerns.

The Niagara County Planning Board has reviewed the proposals and recommends approval.

Attorney Seaman has recommended a wait period of 30 days to adopt the Local Laws, however the Town of Hartland will be declared as lead agency.

Local Law # 1-2017

RESOLUTION 50-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to declare the Town of Hartland as lead agency for Local Law # 1-2017, entitled “Solar Energy Systems”

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

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Local Law # 2-2017

RESOLUTION 51-2017

MOTION by Councilman Reed, seconded by Councilman Grant to declare the Town of Hartland as lead agency for Local Law #2-2017, entitled “Noncommercial Wind Energy Conversion Systems”

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

Local Law # 3-2017

RESOLUTION 52-2017

MOTION by Councilman Grant, seconded by Councilman Reed to declare the Town of Hartland as lead agency for Local Law #3-2017, entitled “Commercial / Industrial Wind Energy Conversion Systems”

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

NEW BUSINESS:

The Hartland Fire Company has submitted the 2017 schedule of events to be approved.

2017 Hartland Volunteer Fire Co. events

RESOLUTION 53-2017

MOTION by Councilman Grant, seconded by Councilman Reed to approve the 2017 schedule of events for the Hartland Volunteer Fire Co. as presented.

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

Board of Assessment Review member, Susan Grant has submitted her letter of resignation, effective immediately upon filing with the Town Clerk. Mrs. Grant’s term would have expired October 1, 2018.

Resignation of Susan Grant

RESOLUTION 54-2017

MOTION by Councilman Reed, seconded by Councilman Huntington to accept the resignation of Susan Grant from the Board of Assessment Review.

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

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Supervisor Annable asked everyone to keep Councilman Danny Hill in their prayers as he has had some health concerns.

Adjournment

RESOLUTION 55-2017

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 8:20 p. m.

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

Respectfully submitted:

Cynthia S. Boyler, RMC

Town Clerk

Next scheduled regular meeting will be March 9, 2017 at 7:30 p. m.