

JANUARY 10, 2019

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

Highway Sup't.: Keith Hurtgam

Assessor/ CEO: absent

Admin Asst.: Janet Slack

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 20-2019

MOTION by Councilman Huntington, seconded by Councilman Reed to adopt the minutes of the December 13, 2018 Regular Meeting as presented.

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

Minutes

RESOLUTION 21-2019

MOTION by Councilman Grant, seconded by Councilman Hill to adopt the minutes of the January 3, 2019 Organizational Meeting as presented.

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

Abstract of Bills**RESOLUTION 22-2019**

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 2018001050- 2018001113

General: 8462.27

Part Town: 4059.09

OWD: 69101.67

Highway: 14040.33

Refuse: 18687.91

Capital Funds: 9910.00

Total Expenditures: 124261.27

Vouchers #'s 2019000001- 2019000035

General: 30871.15

Part Town: 6335.00

OWD: 4004.80

Highway: 53709.12

Refuse: 1583.29

Fire: 1000.00

Total Expenditures: 97503.36

January 11, 2018

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

ASSESSOR / CEO REPORTS: None

CEO None

HIGHWAY REPORT: Read and filed

Superintendent Hurtgam reported that the crew has been salting and plowing as needed. Repairs as needed to roadsides, installation of culverts and installed a new flood light at the salt brine pump house.

The stainless dump body will be delivered on January 22, 2019. Delivery and shipping charges will be added.

Trade of 2017 938 CAT Loader

RESOLUTION 23-2019

MOTION by Councilman Huntington, seconded by Councilman Hill to authorize Superintendent Hurtgam to trade the 2017 938 CAT Loader for 2019 model.

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

The 1973 live bottom trailer needs to be replaced. The 1973 trailer can be sold at auction.

Dump Trailer

RESOLUTION 24-2019

MOTION by Councilman Huntington, seconded by Councilman Hill to authorize Superintendent Hurtgam to go to bid for the purchase of one live bottom trailer.

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

2019 Ford F150 Mini bid

RESOLUTION 25-2019

MOTION by Councilman Hill, seconded by Councilman Huntington to authorize Superintendent Hurtgam to submit an OGS mini bid for the purchase of a 2019 Ford F150, providing there is no more than a \$3500.00 net cost to the Town after the sale of the 2018 model at auction.

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

WATER REPORT

Administrative Assistant Slack gave the water report. The west side of the Town sold more than used and the monthly water loss was down.

PUBLIC PARTICIPATION:

Supervisor Annable greeted 3 Barker PIG students.

OLD BUSINESS:

None

NEW BUSINESS:**Truck Driver – Step 2****RESOLUTION 26-2019**

MOTION by Councilman Huntington, seconded by Councilman Hill to approve Derek Wagner at truck driver, step 2, according to the Union contract.

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

Councilman Joseph Reed introduced Jason Evchich and Ben Frasier from Mason's Mission, Inclusive playground. Mr. Evchich created and designed an inclusive playground for his son with disabilities. The park in Pendleton is the site of the first playground of this type. It creates an area where children with special needs can interact with other children without feeling different or excluded. Mr. Evchich now has 2 children with special needs and is very passionate about providing inclusive opportunities for all children. He founded Mason's Mission, an organization to collect funds, fundraisers, grant donations, etc. to fund the construction of the playgrounds. Mr. Frasier, project manager for CPSI designed the park in Pendleton and is in the process of constructing another one. Mr. Evchich and Mr. Frasier would like to invite the Town of Hartland to consider constructing an inclusive playground in the Hartland Town park.

Supervisor Annable inquired about funding of the project. Mr. Evchich explained that he does fundraising and writes the grants to fund the projects. He had raised all of the funding needed to construct the park in Pendleton. Annable stated that the board will discuss the project and get back to him.

The Association of Towns has submitted the following resolutions to be considered at the next 2019 Annual Business Meeting in February.

Association of Towns Resolutions**RESOLUTION 27-2019**

MOTION by Councilman Huntington, seconded by Councilman Reed to approve the following resolutions submitted by the Association of Towns:

1. **Strengthening State Relations through Mandate Relief and Revenue Sharing**; calls upon the Governor and the Legislature to enact comprehensive mandate relief legislation that provides permanent and full funding of existing and future mandates and that requires all legislation to include thorough local fiscal impact notes regarding the actual expense of implementing said legislation. The Association calls upon the Governor and the Legislature to increase revenue sharing, program funding and technical assistance to localities.

2. Preserve and Strengthen Home Rule; calls upon the Governor and the Legislature to preserve and strengthen home rule and we strongly oppose any state initiative that ultimately weakens or eliminates New York's long-standing tradition of home rule and local government authority.
3. Continue Town-Initiated Intermunicipal and Shared Service Agreements; in keeping with towns' longstanding practice of saving taxpayer money through shared services, the Town calls upon the Governor and State Legislature to encourage and support town-initiated shared services and intermunicipal cooperation without state mandates or restrictions.
4. Requesting State Action to Address Recycling Mandates in a Time of Crisis; requests the Governor and any relevant executive departments to re-evaluate current laws, policies and administrative interpretations in order to relieve the added and growing costs of processing and disposal of recycling materials and requests that New York State modify mandates relating to recycling and provide municipalities with a subsidy to, at a minimum, offset the current losses being incurred by municipalities who properly dispose of recycling materials.
5. Increase Justice Court Funding; requests legislative action to increase statutory fees and JCAP funding to assist local taxpayers in funding justice court operational expenses.
6. State Support for Local Highway Administration; calls upon the Governor and Legislature to increase the base funding for the Consolidated Highway Improvement Program (CHIPS), PAVE-NY and BridgeNY; and calls upon the Governor and Legislature to authorize localities to make local road classifications as recommended by the NYS Local Road Classification Task Force, which promotes efficient use of taxpayer resources, safe travel and farm, forest and open space preservation; the Association of Towns supports amending Highway Law, §271 to authorize towns to increase the amount of taxes they can levy annually without the expense of a referendum to purchase highway equipment.
7. Fund Local Water, Sewer and Stormwater Infrastructure; supports a New York State dedicated funding program to provide a fair and equitable formula to distribute funds annually to municipalities to ensure the integrity and reliance of municipal water, wastewater and stormwater infrastructure.
8. Increase the Number of Department of Environmental Conservation Forest Rangers; supports increasing the number of forest rangers to 175 state-wide, which is deemed critically important to the state protection of the state land, the environment and the people of the State of New York.
9. Oppose State Takeover of Utility Property on Private Rights-of-Way; calls upon the Governor and State Legislature to ensure that the assessment of utility property in private rights-of-way remains under the control of the local municipality where such property is located.

10. Eliminate the “Dark Store Theory” as a Valuation Method to Reduce Real Property Tax Assessments; calls upon the Governor and State Legislature to adopt legislation prohibiting the use of the “Dark Store Theory” as a valuation method in real property assessment.
11. Support Local Occupancy Taxes; calls on members of the New York State Legislature to adopt legislation giving all municipalities the option of imposing a hotel or motel occupancy tax.
12. Sales Tax Distribution; calls upon the Governor and the State Legislature to amend the New York State Tax Law to require county governments governed by separately elected legislators to share sales tax revenue with towns and to negotiate sales tax allocation formulas with towns; that non-negotiated changes to a county tax allocation formula be subject to a permissive referendum.
13. Increase Retired Officers’ and Employees’ Capped Earnings under the Retirement System; calls upon the Governor and the Legislature to amend state law to increase the salary cap placed on retired public employees who continue their public service.
14. Publication of Legal Notices; calls upon the governor and the Legislature to amend the General Construction Law to allow publications having a widespread though unpaid circulation within the town to be considered newspapers and to permit towns and other local governments to place legal notices in these local publications; and the Association of Towns supports legislation allowing optional alternative media for publication of legal notices in order to improve citizen participation in and awareness of town programs and expenses.
15. Restore Real Property tax, State Income Tax and Mortgage Interest Federal Income Tax Deductions; calls upon the New York congressional delegation to fight to preserve and/or restore deductibility of state income tax, real property taxes and interest paid on mortgages.
16. Reform Inequities in the Property Tax Cap Formula; calls for tax cap program reforms, such as exemptions for expenditures that improve public safety, invest in local infrastructure, address emergencies, acquire and develop open space, result from capital improvements mandated by government agencies’ consent orders, and invest in municipal infrastructure to enhance economic capacity and community development; and calls on the state to examine and report on the property tax cap’s impact on local government operations and infrastructure.
17. Resolution Imploring AATV, Adirondack Inter-County, AOT, NYCOM, NYSAC and NYS to Come Together with a Plan to Provide Cell Coverage for all NYS Residents and Visitors; calls upon all local governments and local government associations to stand together, to insist that the time is now to move New York ahead of the nation in terms of this critical technology.
18. Support Funding for Rural Broadband Deployment while Preserving Local Authority; calls upon the Governor , the State Legislature and the Congressional Delegation to continue to

support broadband access and deployment through additional funding, legislative initiatives and programs while preserving local governments' authority over municipal infrastructure, siting decisions, fees and the time it takes to review applications.

19. Authorize an Optional Town Receipts Tax (GRT); calls upon the Governor and the State Legislature to authorize towns, at their discretion, to a collect gross receipts tax.

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

Niagara Post Theater Inc.'s Renovation

RESOLUTION 28-2019

MOTION by Councilman Reed, seconded by Councilman Grant to support and endorse the following Greenway Application:

WHEREAS, Niagara Post Theater Inc. (501c3) is applying to the Niagara River Greenway with a grant application to assist in the renovation of the legacy Military Movie Theater in Fort Niagara State Park into a Performing Arts center through a public/private partnership under the New York State Parks Adaptive-Reuse criteria. This structure is located in the center of the Fort Niagara State Park within the boundaries of the Niagara River Greenway corridor adjacent to the Niagara River Greenway trail system. The emphasis of the project is to offer a venue to support education, entertainment, assembly and interpretive opportunities within the Park and for surrounding communities.

THEREFORE, be it resolved that the Town Board of the Town of Hartland hereby does approve and endorse the Greenway Application for the assistance of the renovation of the legacy Military Post Theater project by Niagara Post Theater Inc. This project exemplifies the vision, principles, goals, focus and intent of the Niagara River Greenway Plan. The effective use of an existing State resource gives rise to economic opportunities for the region and is an excellent use of the funds associated with community well-being and development.

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

Year End Transfers

RESOLUTION 29-2019

MOTION by Councilman Grant, seconded by Councilman Reed to authorize Supervisor Annable to make year-end transfers.

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

Supervisor Annable recognized 3 Gasport Fire Company members for their milestone service to the community. Norm Pearson has 65 years, Kent Silsby has 50 years and Paul O'Neill has 61

years. We honor and thank them for their service. All will be honored at the Gasport Installation dinner on January 26, 2019.

Annable also gave an update to the broadband access. Monies were used to apply to Time Warner, and then New York State withdrew the franchise with Time Warner. Governor Cuomo is now using the monies to contract with HughesNet for different areas of the State. HughesNet will provide wireless at the same rate as Time Warner; however, the speed will be much slower.

RESOLUTION 30-2019

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

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

Respectfully submitted:

Cynthia S. Boyler, RMC

Town Clerk

Next scheduled regular meeting will be February 14, 2019 at 7:00 p. m.