

JANUARY 5, 2023

The Organizational 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 of the Board present:

Supervisor: W. Ross Annable

Councilman: Joseph Reed
David Hill
Clifford Grant
David Huntington

Hwy /Water Supt: Keith Hurtgam - absent

Assessor/CEO: Michael Hartman - absent

Attorney: David Haylett

Attended by: Sign in sheet attached.

Supervisor Annable called the meeting to order with all present standing for the pledge to the flag.

Supervisor Annable: Before we get into the organizational part of our meeting, Tysheen Roundtree has a presentation for us. This has nothing to do with our solar project. It is a credit that we should be receiving on our electric bills and Mr. Roundtree is spreading awareness for that.

Tysheen Roundtree: The reason I have stopped in today is to let you know that I will be working in the Town of Hartland within the next couple of week and speaking with all the residents. I work under a state program called Community Solar. Every person here that pays a utility bill has a charge on it called an SBC charge. That stands for system benefit charge. All of that money went towards the clean energy fund in New York State. Through our program called Community Solar, you can get the credit back in your utility bill. The issue is a lot of people in the area don't know about the program and aren't receiving the credit. When these solar farms are built, we send out flyers and mailers to people but they either don't respond or toss the mailer in the trash because they don't know what it is. I work for a company called Solar on Earth. I work underneath that state program. It is our job to make sure you receive those solar credits. Those SBC charges

allowed solar companies to use that money toward their clean energy initiatives. Because of that, the state wanted them to give some of that money back to residents in the form of a credit. When the credit shows up on your utility bill, it will be called a transfer credit. For National Grid, right now it is a 10% credit. That credit will be reduced to 5% within the next few weeks because they need to build more solar farms to support the credit. Once more solar farms are built, the credit could rise again. The reason we are coming to the Town of Hartland is we have a survey of all the areas that have a low population of residents that are receiving the credit. The only person working in the town would be me. I was born and raised in Middleport and graduated from Royhart. That is why I wanted to meet with you all today, so as many people can benefit from the program as possible. The number one question I get asked is whether or not it costs you anything to sign up. You actually already paid into the program through the SBC charge. That charge has been on your bill since about 1996-1997. Up until about 2016, that money wasn't used for anything. Now that these solar farms are being built in the area, you can benefit by collecting those credits. Besides that, I want to let everyone know that I am not a third-party supplier or anything like that. Usually what I will do is knock on people's doors and ask them whether or not they are receiving this credit on their utility bill. If they are not receiving the credit I fill out a form with them and it goes over all of the information again. If you aren't already seeing the credit, it will take about 2-3 months for the credit to appear on your bill once you turn in the form. If you have solar panels or solar farms on your property, you will not qualify for the credit. New York State basically says you can have one or the other.

Supervisor Annable: One thing I noticed is that you ask permission to see their credit history. Can they get a ding on their credit?

Tysheen Roundtree: There is a soft credit check. The reason we do that is to check if the applicant has any unpaid utility bills of \$10,000 on their credit report. If they do, they aren't eligible for the program. It is a soft credit check though so there aren't any dings to the credit score.

Supervisor Annable: Tysheen is going to provide us with some information that we can post to our website and to Facebook so that we can let people know that this is a legitimate company, and they aren't trying to sell you anything. They are just trying to verify whether or not you're receiving the credit.

Tysheen Roundtree: Also, I know this area is not very solar farm friendly. I always like to tell people that it doesn't matter whether or not you support solar, they are still going to use your money towards the clean energy initiative. So, at least if you get the credit, you will get some of that money back.

Supervisor Annable: Would it help if we mailed this form out to our residents?

Tysheen Roundtree: You can mail it out to your residents and then they would need to contact me because I am the local representative. You could send it directly to the company, but it would take a lot longer to get an answer back. Residents also need to provide the first and second page of their utility bill along with the form. The only thing we can do with your utility bill is pay them for you and I can assure you that no one from the company is going to do that. After your information is sent in, they will do a welcome call to make sure I did my job correctly and make sure I gave all the information. When you get that call, they will thank you for going solar with Solar on Earth. You aren't actually going solar, you are just applying for the credit., They will refer to it as a Solar on Earth subscription. It isn't really a subscription because you aren't paying for it. You are subscribed to your local solar farm to receive credits from it. That is the whole process. I also plan on applying for a peddler's permit even though I'm not selling anything. I like to have it for my own safety. I know there a lot of shady people going door to door and packages being stolen and I want to be sure I have as much credibility as possible. I also drive a blue and white solar on earth vehicle with an American flag on the hood, so it is very loud in regard to where I'm from and where I work. I also want to sign the municipality up for the credit as well. This program was invented for farms, small commercial units, and residences. I will be in touch and share more information about the program for your website and Facebook page.

Supervisor Annable read and called for authorization of the following:

RESOLUTION 1-2023

REORGANIZE

MOTION by Councilman Reed and seconded by Councilman Grant to approve the following appointments:

- Assessor Michael Hartman
- Bingo Inspector Dennis Bailey

| | |
|--|-----------------|
| Budget Officer | W. Ross Annable |
| Building and Grounds | Keith Hurtgam |
| Provisional Highway Clerk..... | Michelle Wolfe |
| Court Clerk | Trinity Doepp |
| Deputy Hwy Supt | Daniel Class |
| Deputy Supervisor | Joseph Reed |
| Deputy Water Supt | Daniel Class |
| Dog Control Officer | Joel Winters |
| Historian | Norman LaJoie |
| Records Management Officer | Rachel Kushner |
| Registrar Vital Statistics | Rachel Kushner |
| Registrar – Deputy | Judith Slabyk |
| Supervisor’s Confidential Sec’ry | Audrey Annable |
| Town Clerk First Deputy | Judith Slabyk |
| Town Clerk Deputy- Part-time..... | Susan Spicer |
| Water Superintendent | Keith Hurtgam |
| Water Billing Clerk..... | Judith Slabyk |
| CEO/ Zoning | Michael Hartman |

Ayes: 5 Nays: 0.

ADOPTED

The Supervisor read the following salaries:

| | |
|----------------------------------|-------------------|
| Assessor | 56820.00 |
| Bingo Inspector | 40.00/MO |
| Budget Officer | 5795.00 |
| Building & Grounds | 2126.00 |
| Clerk Part Time | 14.20-24.79/HR |
| Councilman | 6729.00 (4) |
| Court Clerk | 23.22/HR |
| Dog Control Officer | 8656.00 |
| Highway Superintendent | 52986.00 |
| Keith Hurtgam | |
| Highway Clerk..... | 22.00/HR |
| Highway Supt. (Deputy) | 3153.00 |
| Historian | 7767.00 |
| Town Justice | 20182.00 (2) |
| Joanne Sullivan | |
| James Minner | |
| Registrar Vital Statistics | 2753.00 |
| Records Management Officer | 871.00 |

| | |
|---|-------------------------|
| Supervisor | 20034.00 |
| W. Ross Annable | |
| Supervisor’s Confidential Sec’ry | 20.22/HR |
| Town Clerk / Tax Collector | 57713.00 |
| Rachel M. Kushner | |
| Town Clerk Deputy | 15-24.79/HR |
| Water Superintendent | 38728.00 |
| Water Supt. (Deputy) | 5317.00 |
| Water Billing Clerk..... | 4941.00 |
| Zoning/Enforcement Officer | 14206.00 |
| <u>Following as per union schedule:</u> | |
| M.E.O. | 26.82–28.82/HR |
| M.E.O. – 2 | 29.90/HR |
| Truck Driver | 27.88/HR |
| Truck Driver – Step 2 | 26.88/HR |
| Auto Mechanic | 26.82–28.82/HR |
| Auto Mechanic – Step 2 | 27.82/HR |
| Laborer | 27.64/HR |
| MEO P/T | 14.20–28.82/HR |
| Auto Mechanic P/T | 14.20–28.82/HR |
| Truck Driver P/T | 14.20–27.88/HR |
| Laborer P/T | 14.20–27.64/HR |
| Chairpersons | 55.00/Meeting |
| Board Members | 50.00/Meeting |
| Sec’ry of boards | 60.00/Meeting |
| Board Assessment/ Review | 125.00 |
| | 150.00 CH |
| Summer Rec. Director | 1600.00 |
| Asst. Director | 1300.00 |
| Leader | 14.20/HR |
| Election Machine Inspector & Custodian. | 10.00 Per machine |
| Equipment Rates | set at State Rates. |
| Mileage | 62.5 cents/mile, as per |
| | State rate. |

Engineer designated by the Town/per Diem basis: Mark Seider
 Andrew Reilley

RESOLUTION 2-2023

MOTION by Councilman Huntington, seconded by Councilman Reed to approve the salaries and rates as read.

Ayes: 5 Nays: 0
ADOPTED

RESOLUTION 3-2023

MOTION by Councilman Reed, seconded by Councilman Hill to contract with Seaman & Norris LLP on a set rate of \$ 25,700.00 per year, set to be paid in monthly installments, and additional rate of \$ 225.00/HR outside of the normal contractual, with \$ 100.00/HR for support staff.

Ayes: 5 Nays: 0 ADOPTED
Attorney designated by the Town:
Seaman & Norris LLP \$ 25,700.00

RESOLUTION 4-2023

MOTION by Councilman Huntington, seconded by Councilman Reed to contract with Underberg and Kessler on a per diem basis for solar issues.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 5-2023

MOTION by Councilman Hill, seconded by Councilman Huntington to approve the following boards and Chairpersons:

Zoning Board of Appeals

(5-year term)

| | | |
|---|-------------------|----------------------|
| Steve MacEvoy..... | 12/31/2023 | Chairman |
| Chad Hurtgam | 12/31/2027 | |
| Clifford Johnston..... | 12/31/2022 | Reappoint 12/31/2027 |
| <i>Vacant</i> | <i>12/31/2021</i> | |
| Cheryl Confer | 12/31/2025 | |
| Jennifer Mason | 12/31/2021 | Secretary |
| Board meets 4 th Monday of month | | |

Planning Board

(5-year term)

| | | |
|-----------------------|------------|------------|
| Robert Harris..... | 12/31/2025 | Chairman - |
| Margaret Darroch..... | 12/31/2023 | |
| Beverley Snell..... | 12/31/2027 | |

Steve Urtel..... 12/31/2027
Robert Spencer 12/31/2024
Jennifer Mason12/31/2026 Secretary
Board meets 3rd Thursday of month.

Board of Ethics

Nathan Harris.....12/31/2024
David Melius..... 12/31/2023
Matthew Costello..... 12/31/2025
Paula Dahlke..... .12/31/2025

Board of Assessment Review

Jennifer Mason 09/30/2025
Darrin O’Shea.....09/30/2024
Timothy Neadow 09/30/2026
Todd Arnold.....09/30/2023
Vacant09/30/2022

RESOLUTION 6-2023

MOTION by Councilman Grant, seconded by Councilman Huntington to approve the following:

Town board meetings second Thursday of month
7:00 p.m.
Official Newspaper Lockport Union Sun & Journal
Bank..... M&T and Bank of Castile

Finance Committee Deputy Supervisor, Joseph Reed
Two alternating Councilman – David Huntington & Joseph
Reed

Hours of the Town Clerk’s Office are Monday to Friday, from 8:30 AM until 4:00 PM.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 7-2023

MOTION by Councilman Hill, seconded by Councilman Reed to appoint David Haylett and Anthony Serianni as Town Prosecutor.

Ayes: 5 Nays: 0
ADOPTED

RESOLUTION 8-2023

MOTION by Councilman Hill, seconded by Councilman Grant authorizing schooling for Elected and Appointed Officials, Water Superintendent, Code Enforcement Officer, Assessor and Dog Control Officers when school pertains to respective jobs.

Ayes: 5 Nays: 0
ADOPTED

RESOLUTION 9-2023

MOTION by Councilman Reed, seconded by Councilman Grant to appoint the following to the Hartland Recreation Committee.

Mike Adinolfi
Diana Bork
Cheryl Chunco
Barry Webber
Susie Spicer
Audrey Annable
Board meets first Monday of March-November

Ayes: 5 Nays: 0
ADOPTED

RESOLUTION 10-2023

MOTION by Councilman Huntington, seconded by Councilman Grant to appoint the following to the Highway Department.

Truck Driver

Scott Arnold
Chauncey McKee

MEO

Derek Wagner

Daniel Sutch

MEO - 2

Daniel Class

Michael Hill - PT

Mechanic

Paul Hessel – PT

Colby Shephard – FT

Laborer

Andy Hill - PT

RESOLUTION 11-2023

OFFICIAL UNDERTAKING

MOTION by Councilman Reed, seconded by Councilman Huntington to accept the document entitled “ Town of Hartland Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance and further resolved the said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 12-2023

INVESTMENT POLICY

MOTION by Councilman Huntington, seconded by Councilman Grant to adopt the established Investment Policy dated 05/94 for the year 2023. All accounts are in interest bearing checking accounts or money market accounts.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 13-2023

MOTION by Councilman Huntington, seconded by Councilman Grant to authorize the Highway Superintendent to assist in a demolition at the request of the Fire Chief.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 14-2023

MOTION by Councilman Huntington, seconded by Councilman Hill to authorize the prepayment of utility bill, contracts and postage.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 15-2023

CONTRACTS

MOTION by Councilman Reed, seconded by Councilman Hill authorizing Supervisor to sign contracts Niagara County Community Action Program and Johnson Creek Senior Citizens.

Ayes: 4 Nays: 0 Abstention: 1 (Councilman Grant)

ADOPTED

RESOLUTION 16-2023

AUDIT TOWN BOOKS

Supervisor Ross Annable reported that all town books were audited at 5:30 p.m. this evening and found to be acceptable.

MOTION by Councilman Huntington, seconded by Councilman Hill to adopt the following resolution:

RESOLVED that the criminal and civil dockets of the Town Justice for 2022 having been duly examined with the monthly cash summary being viewed and the fines and fees have been turned over to the proper officials; that the 2022 records of the Code Enforcement Officer, the Town Clerk, the Tax Collector and the Supervisor have also been duly examined with all monies distributed properly and turned over to the proper officials.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 17-2023

MOTION by Councilman Reed, seconded by Councilman Grant to authorize Department Heads to apply for grants of assistance as able.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 18-2023

MOTION by Councilman Reed, seconded by Councilman Huntington to authorize Judith Slabyk to make banking transfers as needed.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 19-2023

MOTION by Councilman Hill, seconded by Councilman Grant to adopt the following agreement:

Pursuant to the provisions of Section 284 of Highway Law, we agree that the monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

The sum of \$585,000.00, as provided for by the budget, may be expended for general repairs upon 55.07 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

Ayes: 5 Nays: 0 ADOPTED

Returned Check Fee

RESOLUTION 20-2023

MOTION by Councilman Reed, seconded by Councilman Hill to set the fee for a returned check at \$20.00.

Ayes: 5 Nays: 0 ADOPTED

The Supervisor read the following roster of appointments for the Hartland Volunteer Fire Company, 2023:

| | |
|----------------------------|------------------|
| Fire Chief: | Bryan Ames |
| 1 st Assistant: | Joe Mahar |
| 2 nd Assistant: | James Roessler |
| 3 rd Assistant: | Nick Daningburg |
| President: | Carleen Baughman |
| Vice President: | Paul Baughman |
| Secretary: | Rusty Ames |
| Treasurer: | Zach Ames |

RESOLUTION 21-2023

MOTION by Councilman Huntington, seconded by Councilman Hill to accept the bid from Orleans Ford for 2023 Ford F150 4x4 Supercrew.

Ayes: 5 Nays: 0 ADOPTED

RESOLUTION 22-2023

MOTION by Councilman Huntington, seconded by Councilman Grant that since there is no further business to come before the board, the meeting be adjourned at 7:33 p.m.

Ayes: 5 Nays: 0
CARRIED

The next meeting date was set for Thursday, January 12, 2023 at 7:00 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Rachel M. Kushner". The signature is written in a cursive, flowing style.

Rachel M. Kushner
Town Clerk