

JUNE 10, 2021

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: David Haylett, Anthony Serianni

Highway Superintendent: Keith Hurtgam

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

Renewal of the cable television franchise agreement by and between the Town of Hartland and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc.

Date/Time/Place: June 10, 2021, at 7:00 pm at the Town Hall, 8942 Ridge Rd., Gasport NY

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

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

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

Supervisor Annable opened the hearing to comments.

With no one wishing to comment, public hearing was closed at 7:02 pm

Minutes

RESOLUTION 81-2021

Councilman Grant expressed gratitude for the work that Norm Lajoie and Audrey Jones on the Hometown Hero project. On behalf of the Veterans and the Town board, he thanked them for honoring our hometown heroes.

Councilman Grant also recognized and thanked Greg Soemann for organizing a crew and donating his time to hang the banners along Ridge Road.

OLD BUSINESS:

Mike Weber has requested the location for the mural project. It had been discussed to place it on the west end of the Highway building, but after review, the park will be considered.

NEW BUSINESS:

The Public Hearing on Local Law #2-2021, Declaring Excessive Lighting a Nuisance in the Town of Hartland, had been left open for further discussion. There were several items to be considered and amended. The measurement of lighting was increased to a reasonable range. The person who would be in violation would be determined by the Code Enforcement Officer and the case would be referred to the Court. The measurement would be considered by the casting of light across the property lines to not cause problems with the neighbors or traffic. Shielding of the lighting and requirements for the shielding was a possible solution, however, the parties could not agree. This precipitated the need to adopt a Local Law that clearly guides the position and conditions for outdoor lighting. This will prevent problems in the future. A penalty for the violation was discussed.

ADOPTION of Local Law #2-2021 entitled

A Local Law Declaring Excessive Lighting a Nuisance in the Town of Hartland

MOTION by Councilman Huntington, seconded by Councilman Grant to adopt the following Local Law:

WHEREAS, a Local Law has been introduced before the Town Board entitled “ A Local Law Declaring Excessive Lighting a Nuisance in the Town of Hartland”, and

WHEREAS a public hearing regarding the proposed Local Law was held on April 8, 2021, and

WHEREAS, said Local Law is classified as an Unlisted action under State Environmental Quality Review regulations, and

WHEREAS the Town Board finds that having a Local Law regulating excessive light uses is beneficial to the health, safety, and welfare of the residents of the Town, and

WHEREAS the Town Board finds that said Local Law will not have any significant adverse environmental impacts due to its intent to reduce excessive lighting within the Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares said Unlisted action requires no further action under the State Environmental Quality Review Act, and be it further

RESOLVED, that the Town Board hereby approves said Local Law entitled “ A Local Law Declaring Excessive Lighting a Nuisance in the Town of Hartland.”

A roll call of votes will be recorded.

Annable: aye

Reed: aye

Grant: aye

Huntington: aye

Hill: aye

ADOPTED

The Local Law will become effective immediately upon filing with the Secretary of State.

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

Charter Franchise Agreement

RESOLUTION 83-2021

MOTION by Councilman Reed, seconded by Councilman Hill to adopt the following Renewal Agreement with Spectrum Northeast, LLC:

WHEREAS, an application has been made to the Town Board by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc., for approval of an agreement to renew the cable television franchise for an additional fifteen (15) years, and

WHEREAS the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, and

WHEREAS, Charter Communications has substantially complied with the material terms and conditions of its existing franchise and with applicable law, and

WHEREAS, the quality of the Charter Communications service, including signal quality, response to customer complaints and billing practices has been in light of community needs,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby renews the cable television franchise in the Town of Hartland for fifteen (15) years commencing on the date of approval by the Public Service Commission, and be it further

RESOLVED, that Supervisor W. Ross Annable be and hereby is authorized and directed to sign and execute the agreement accomplishing said renewal.

Annable: aye

Reed: aye

Grant: aye

Huntington: aye

Hill: aye

CARRIED

Vortex/ Sole Source Supplier

RESOLUTION 84-2021

MOTION by Councilman Huntington, seconded by Councilman Reed to approve Vortex as the Sole Supplier, in terms of standardization for components for the splash pad:

WHEREAS the Town of Hartland owns and operates a splash pad located at the Hartland Town Park; and

WHEREAS the Town declares from time to time to add additional components to the Town splash pad and it is necessary that the additional components be of the same kind and manufacturer to allow the Town's splash to be fully integrated and functional; and

WHEREAS, the Town has determined that Vortex's equipment will best integrate with the Town's existing splash pad; and

WHEREAS, Denzak Recreational Design and Supply, Inc. has provided the Town a quote for the purchase of 1 Tube N1 in the amount of \$4,008.00,

NOW THEREFORE BE IT RESOLVED, that for reasons of efficiency and economy and pursuant to the authority confirmed by General Municipal Law Section 103 (5), it is determined by this Town Board that there is a need for standardization in the purchase of equipment for the town splash pad, and that such equipment be Vortex products, and

BE IT FURTHER RESOLVED that this Standardization Resolution to Vortex products shall stay in effect for future purchases.

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

Executive Session

RESOLUTION 85-2021

MOTION by Councilman Hill, seconded by Councilman Huntington to enter Executive Session for discussion with Counsel for proposed property acquisition, at 7:40 pm.

RESOLUTION 86-2021

MOTION by Councilman Reed, seconded by Councilman Grant to close Executive Session and enter back into Regular meeting at 7:45 pm.

Purchase of Property

RESOLUTION 87-2021

MOTION by Councilman Huntington, seconded by Councilman Hill to enter contract to purchase property at the corner of Checkered Tavern and Ridge Road, northeast side, for a price to not exceed \$20,000.00.

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

PUBLIC PARTICIPATION:

Darryl Lindahl, Quaker Road thanked the Town Board for listening and checking into the lighting situation with his neighbor. The situation has improved, and the new lighting nuisance law will be a benefit throughout the entire Town.

ADJOURNMENT:

MOTION by Councilman Hill, seconded by Councilman Huntington that since there is no further business to come before the board, the meeting be adjourned at 7:50 pm.

Respectfully submitted:

Cynthia S. Boyler RMC

Town Clerk

Next scheduled regular meeting will be July 8, 2021, at 7:00 p. m.