

## **OCTOBER 11, 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     absent
Attorney:	Brian Seaman
Highway Sup't.:	Keith Hurtgam
Assessor/ CEO:	Michael Hartman
Admin Asst.:	Janet Slack     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 89-2018**

**MOTION** by Councilman Grant, seconded by Councilman Huntington to adopt the minutes of the September 13, 2018 regular meeting as presented.

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

### Abstract of Bills

### **RESOLUTION 90-2018**

**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:

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Voucher #'s	201800792 – 201800876-1
General:	38,920.13
Part Town:	3,079.79
OWD:	91,208.89
Highway:	77,657.93
Refuse:	18,688.83
H:	2,000.00
TOTAL	231,555.57

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

**ASSESSOR / CEO REPORTS:**                      Read and filed

Assessor Hartman reported that New York State has new mandated laws for all municipal assessment units, concerning all exemptions. The new mandates require an audit of every assessor within the next 2 years. The Supervisor will be notified when the audit will be taken. All exemption databases will eventually be on the cloud. New requirements are in effect for the STAR program, which will be phased out for new homeowners. Existing STAR exemptions remain with the current homeowner until sold or departed. Working on the unpaid water levies.

**CEO**    Read and filed

Building permits have started to slow down for the season.

**HIGHWAY REPORT:**                                      Read and filed

The Town Board took a tour of the Highway/Water for the annual equipment inventory, at 5PM before the meeting. Superintendent Hurtgam noted that the salt shed will need to be replaced in the next 2 years. Roadside mowing is almost complete in preparation for the colder weather. The lights have been shut off at the park. Worked on changing out culvert pipes and repairing road shoulders. Plow trucks are being inspected and readied for the snow season.

**WATER REPORT:**    Read and filed

Read water meters in September, this is the first billing with the new program. Repaired several hydrants as well as removed several hydrant meters that were no longer needed by farmers.

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**PUBLIC PARTICIPATION:**

William Benke and Mary Anne Grudzinski from Our Farm came before the board to discuss the violations concerning their property. Mr. Benke explained that the problem seems to be the lighted signage that they are using to announce the Fall festival. They have used the same temporary sign for the last few years and have not had any problems. They understand that their permit does not allow for a lighted sign, so it has been removed. The original sign had been in place for 7 to 8 years and that has been moved to comply with State and Town regulations. So now what needs to be done?

Supervisor Annable explained that the original sign, although was 50' from the center of the road, needs to be elevated. It does interfere with the neighbor's vision while pulling out of their driveways.

Ms. Grudzinski stated that the State came out and notified them that the sign needed to be moved, but that it should be done as soon as possible, not immediately. The Billy's Beef had been busy with their summer schedule and the festival was approaching. They ordered the lighted sign, which they had done for several years, and moved it to the furthest side of the fence. The sign has now been removed because of the notice of violation.

CEO Hartman explained that the original permit specified one unlit wooden sign; if Our Farm wanted a lighted sign then they would need to apply through the Planning Board.

Mr. Benke inquired as to whether all the businesses that used a lighted sign had applied for a permit?

Attorney Brian Seaman stated that all signs need to be in compliance with the code.

Mr. Benke explained that he does not want any problems; he is trying to comply with codes and just wants to make a living on his property. He stated that the issues now being addressed are the result of neighbor disagreements. Harvey Harding used to own his property and was in mutual agreements over land use with the Nichols family. Mr. Benke now wants to use all of his property for his personal use and has insurance and disclaimers for all of the activities that are associated with the farm. He also stated that the new fence will help with visibility and noise. He has made sure that there is adequate parking, along with parking attendants, as well as plenty of handicapped accessible areas.

Ms. Grudzinski stated that they have applied for a variance to construct an 8 foot fence, which would give more privacy for them and their neighbors.

Supervisor Annable said that the property line is now defined to all parties so there should not be an issue. Annable suggested elevating the wooden sign so that the visibility is good.

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Mr. Benke stated that the events at Our Farm have donated large amounts of money to charity, mainly the cancer society and has been helping residents for over 7 years.

Supervisor Annable will tour the property with CEO Michael Hartman.

Mr. Benke thanked the Town Board for their time.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

New York State has required that all employers adopt a Sexual Harassment Policy by October 2018. Required training should be completed by all employees by the end of 2019.

The Town of Hartland is committed to maintaining a workplace free from sexual harassment. The Town of Hartland has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. The new policy is one component to a discrimination-free environment.

**Sexual Harassment Policy**

**RESOLUTION 91-2018**

**MOTION** by Councilman Reed, seconded by Councilman Huntington to adopt the new Sexual Harassment Policy, to override the current policy.

Ayes: Annable, Reed, Grant, Huntington    Nays: 0    **ADOPTED**

The new policy will be distributed to all employees and training will be scheduled, as per requirements.

James Haight has been a valued member of the Planning Board for 33 years. Tonight we accept with gratitude his resignation and we thank him for his dedicated service to the Town of Hartland.

**Resignation of James Haight**

**RESOLUTION 92-2018**

**MOTION** by Councilman Huntington, seconded by Councilman Grant to accept the resignation of James Haight from the Planning Board.

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

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Examination of the 2019 Budget found one correction in the refuse count, increasing the count by one parcel.

The 2019 Tentative budget was presented at a special meeting on October 4, 2018, in accordance with Town Law. The Board has studied the figures and is now to be presented as the Preliminary Budget.

**Tentative to Preliminary Budget**

**RESOLUTION 93-2018**

**MOTION** by Supervisor Annable, seconded by Councilman Reed that the Tentative Budget for 2019 be adopted as the Preliminary Budget for 2019.

**FURTHER MOVED** that a Public Hearing on the 2019 Preliminary Budget for the Town of Hartland be held on November 8, 2018 at 7:00 p.m.

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

**Adjournment**

**RESOLUTION 94—2018**

**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 7:45 p. m.

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

Respectfully submitted:

Cynthia S. Boyler, RMC

Town Clerk

Next scheduled regular meeting will be November 8, 2018 at 7:00 p. m.