

Part Town:	14,189.85
OWD:	85,098.08
Highway:	88,151.04
Refuse:	25,156.38
Fire:	16,574.07
H:	<u>17,991.23</u>
Total:	268,621.87

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

HIGHWAY REPORT: Read and filed

The vacuum truck, which was purchased from Medina 10 years ago, needs repair and the parts are obsolete. The crew was able to repair it for now but will need to be replaced. Superintendent Hurtgam would like to purchase a new truck, which will last for 30 more years. The truck is on NYS OGS contract and needs to be ordered by December 1 when the next price increase for steel is expected. The purchase price is \$380,000.00 and will take one year to deliver.

Surplus Equipment

RESOLUTION 105-2021

MOTION by Councilman Huntington, seconded by Councilman Hill to declare fifteen items as surplus, list attached.

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

Surplus to Auction

RESOLUTION 106-2021

MOTION by Councilman Hill, seconded by Councilman Huntington to authorize the surplus equipment to be sold at auction.

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

Supervisor Annable read a thank you card, received from the Spencer family. The Town of Hartland sent a donation in remembrance of Judy Spencer, killed in the line of action, to Hartland Fire Co. Our thoughts and prayers continue to be with the Spencer family.

WATER REPORT: Read and filed

ASSESSOR / CEO REPORTS: Read and filed

Michael Hartman stated that the equalization rate is still extremely low due to the high prices of home sales, which continues. A first acre prime lot is selling for \$16,000.00 to \$18,000.00, ten acres or more are going for \$50-60,000.00 and farmland is selling for \$4,000.00 an acre.

Code Enforcement office has four cases going to court on November 11, 2021.

PUBLIC PARTICIPATION – AGENDA ITEMS:

OLD BUSINESS:

NEW BUSINESS:

The Town has agreed to purchase property on the corner of Checkered Tavern and Ridge Road. Supervisor Annable stated that we can use rescue funds for this purchase as it will house future water monitoring equipment and possibly a tower.

Purchase of 7531 Ridge Road

RESOLUTION 107-2021

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

WHEREAS the Town Board previously authorized the Town Supervisor to purchase a parcel of land located at 7531 Ridge Road, Town of Hartland (SBL # 68.00-4-2), at a cost not to exceed \$18,000.00, now therefore be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute any and all documents to effectuate the purchase of said parcel at the closing price in the amount of \$17,991.23, plus disbursements, in such form as is satisfactory to the Town Supervisor and the Town Attorney and take whatever other actions may be necessary to give effect to this resolution.

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

TENTATIVE TO PRELIMINARY BUDGET

RESOLUTION 108-2021

MOTION by Councilman Grant, seconded by Councilman Reed that the Tentative Budget for 2022 be adopted as the Preliminary Budget for 2022.

FURTHER MOVED that a Public Hearing on the 2022 Preliminary Budget for the Town of Hartland be held on November 4, 2021 at 5:00 p.m.

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

Unpaid Water to Levy to Tax Bill

RESOLUTION 109-2021

MOTION by Councilman Huntington seconded by Councilman Hill to authorize the amount of \$ 26,943.18 in unpaid water to be levied to the appropriate properties on the tax warrant.

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

Douglas Nichols has sent a donation in honor of William Annable and Cheryl Reed, to be used for the Hartland Town Park. He stated that it was former Supervisor William Annable who had inspired him to become an educator. His cousin, Cheryl Reed had worked many hours in the Snack-Shack over the years and he is honoring her for her dedication.

Donation from Douglas Nichols

RESOLUTION 110-2021

MOTION by Councilman Hill, seconded by Councilman Grant to accept the donation of \$500.00 from Douglas Nichols for the Hartland park.

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

Attorney David Haylett gave a definition of the new regulations and laws concerning the licensing and establishment of retail cannabis dispensaries and establishments. Municipalities can choose to opt in or out to allow for cannabis shops in their jurisdiction. If the Town chooses to opt out of any retail establishments, it must do so by Local Law before December 31, 2021.

Councilman Huntington asked how the sales revenue would be distributed if the Town participated in the law. Councilman Reed asked if the Town opted in and there were no shops or income, would the Town still receive a share from the County?

Attorney Anthony Serianni explained that the share of revenue from the County would be proportionate to the amount collected from each individual municipality that participated. If there were no sales, then that municipality would not receive a share from the County.

The law would provide for the sale and on-site use of cannabis, it does not provide for the production of the product. If the Town decides at a later date to allow for this, then it could opt in at that date. Concerns that this would be a problem for the use of cannabis at the Town Park was addressed and the decision to place more restrictive rules for non-smoking at the whole park would be enforced.

After discussion, it was decided that the Town of Hartland would opt out of the Local Law.

Introduction of Local Law No. 3-2021

LOCAL LAW NO. 3 OF THE YEAR 2021

TOWN OF HARTLAND

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Town of Hartland

Be it enacted by the Town Board of the Town of Hartland as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt the Town of Hartland out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority.

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes towns to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out.

The Town Board of the Town of Hartland, County of Niagara, hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the boundaries of the Town of Hartland.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5 Effective Date.

This law is subject to permissive referendum and shall become effective immediately upon the filing of the law with the Office of the Secretary of State.

Public Hearing for Cannabis Local Law**RESOLUTION 111-2021**

MOTION by Councilman Reed, seconded by Councilman Hill to set the Public Hearing for Local Law #3-2021 for November 11, 2021 at 7:00 PM.

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

Transfers**RESOLUTION 112-2021**

MOTION by Councilman Huntington, seconded by Councilman Hill to approve the following transfers:

TRANSFERS

October 14, 2021

Transfer From:

A,1990.4 Contingent

A.1010.4 Town Board Contractual

A.1410.2 Town Clerk Equipment

A.8810.400 Cemetery Contractual

Transfer To:

AI 220.4 Supervisor Contractual

AI 220.4 Supervisor Contractual

A.1460.4 Records Mgmt. Contractual

A.651 0.400 Veterans Contractual

Amount

3,000.00

500.00

125.00

145.00

SW. 8340.400 Trans Dist. Contractual

SF3410400 Fire Contractual

Resolution

SW,831 0.400 Water Adminis. Contractual 5,000.00

SF.8989.4 Other Community 450.00

To Increase A.7510.400 Historian Contractual by \$8,000 from Unreserved Fund Balance

To increase B.1650.400 2 Way Radio by \$5,000 from Unreserved Fund Balance

To increase DB.5130.100 Machinery person Service by \$20,000 from Unreserved Fund Balance

To increase DB.5132.400 Garage Contractual by \$10,000 from Unreserved Fund Balance

To increase SF9040.8 Workers Comp by \$900 from Unreserved Fund Balance

B.1990.400 Contingent B.1650.400 2 Way Radio 2000.00

B.7140.400 Playgrounds Contractual B7110.400 Parks Contractual 12000.00

B.7110.100 Parks Personal Service B7140.100 Playgrounds Personal Serv 7200.00

B.8020.400 Planning Contractual B8010.4 Zoning Contractual 1000.00

DB5142.400 Snow Contractual DB5110.400 General Repair Contractual 8,000.00
 DB5142.100 Snow Personal Service DB51.5148.100 Services Other Govt 1,000.00
 DB.9040.800 Workers Comp DB.9055.8 Dbl Ins 150.00

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

Resignation of Theresa Bobzien

RESOLUTION 113-2021

MOTION by Councilman Hill, seconded by Councilman Huntington to accept the resignation of Theresa Bobzien from the Recreation Board.

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

Supervisor Annable thanked Theresa Bobzien for her service on the Recreation Board.

PUBLIC PARTICIPATION: None

Adjournment

RESOLUTION 114-2021

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 7:40 p.m.

Respectfully submitted: Cynthia S. Boyler RMC

Town Clerk

Next scheduled regular meeting will be November 11, 2021 at 7:00 p. m.