

DECEMBER 14, 2017

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 7:30 p.m.

Members present:

Supervisor: W. Ross Annable

Councilman: Joseph Reed

Clifford Grant

David Huntington

Attorney: Brian Seaman

Highway Sup't.: Keith Hurtgam

Assessor/ CEO: Michael Hartman

Admin Asst.:

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 131-2017

MOTION by Councilman Grant, seconded by Councilman Huntington to adopt the minutes of the November 9, 2017 regular meeting as presented.

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

Abstract of Bills

RESOLUTION 132-2017

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 201700933- 201701034

General: 28,323.22

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Part Town: 841.90
OWD: 11,920.04
Highway: 76,968.45
Refuse: 18,470.66
Total Expenditures: 136,524.27

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

ASSESSOR / CEO REPORTS: Read and filed

Assessor Hartman reported that 90 % of the reval is done and the exemption renewals will be going out soon. Notice for the paper is ready concerning the reval, expect grievance day to be busy because of the reval.

CEO Read and filed

HIGHWAY REPORT: Read and filed

Superintendent Hurtgam reported that the Highway is now on their winter hours. Plowing has begun with overlapping shifts. The Army gator truck has been fitted with a dump box and is ready for the cemetery use.

1985 Chevy – Surplus

RESOLUTION 133-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to declare the 1985 Chevy as excess surplus.

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

Teitsworth Online auction – 1985 Chevy

RESOLUTION 134-2017

MOTION by Councilman Reed, seconded by Councilman Grant to approve the online bid from Teitsworth Auctions for the 1985 surplus Chevy in the amount of \$2,000.00.

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

Annual letter was sent to Drum Oil & Propane to extend the contract for one year, there are 2 years left to this contract.

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WATER REPORT:

Read and filed

Checking for leaks for entire Town, serviced hydrants and flushed dead end lines. Found a problem with the County meters. Equipment was put under cover in the new pole barn.

PUBLIC PARTICIPATION:

The meeting was attended by 4 P.I.G. students from Barker

OLD BUSINESS:

None

NEW BUSINESS:

Resignation of Linda Ark

RESOLUTION 135-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to approve the resignation of Linda Ark as Deputy Clerk in the Town Clerk's office, effective December 31, 2017.

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

Supervisor Annable stated that the County water rates would be increased by .15 cents, reflecting on that he would like to raise the Town rates by .20 cents per thousand to compensate. The minimum would remain at \$ 16.00 and increase all other tiers by .20 cents. Irrigation would remain the same rate; we pay .90 cents and charge \$1.40. Out of Town customers would raise .20 cents per thousand, with \$50.00 being the minimum charge.

Rate increase for water rates

RESOLUTION 136-2017

MOTION by Councilman Reed, seconded by Councilman Grant to approve the increase in water rates, by .20 cents per thousand.

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

Attorney Seaman reviewed the rate increase and suggested that since the out of town rates are double the in town rates, then the increase should also be doubled and the increase should then be .40 cents per thousand.

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Amendment to the rate increase

RESOLUTION 137-2017

MOTION by Councilman Reed, seconded by Councilman Grant to amend Resolution 136-2017 to reflect the double increase for out of town rates. Increase should be .40 cents per thousand.

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

Spectrum, (Charter Communications), has conducted a study for a build out of addresses to be covered by 2020. A mapping program for individuals to check on the availability to their properties in conjunction to the expansion is ready. There needs to be a Nondisclosure agreement between the Town of Hartland and Charter Communications in order to protect the information of those on the map. The Town may give the website address to individuals who inquire; however, the privacy of all must be protected. The information is not subject to FOIL.

Nondisclosure Agreement

RESOLUTION 138-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to enter into a Nondisclosure Agreement with Charter Communications concerning broadband expansion.

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

Attorney Seaman has provided the legal services concerning the annexation of the property along the Erie Barge Canal. In light of the additional services, a fee schedule has been set up. Attorneys' rate will be set at \$195.00 per hour and additional support will be set at \$90.00. These fees are separate from the contracted monthly allotments of \$ 2000.00.

Attorney Contract

RESOLUTION 139-2017

MOTION by Councilman Grant, seconded by Councilman Reed to approve the Attorney Contract, with the fee schedule of legal services.

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

January 4, 2018, at 7:00 PM, has been set for the annual Organizational Meeting. Clerk Boyler will advertise the date.

The date for the Regular meeting will remain the same, Thursday, January 11, 2018 at 7:30 PM.

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Resident, Mark Weld, has asked the Town to rezone his property from Commercial to Residential. Mr. Weld is in the process of selling his residence, which has also housed his custom pin-stripping business. The intended owners will not be using the property as commercial. In order to rezone the property, a Local Law must be passed to change it.

RESOLUTION 140-2017

Councilman Huntington introduced Local Law # 1-2018 to amend the Town of Hartland Zoning Map.

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

The Zoning Map of the Town of Hartland is amended so that the parcel with Tax Map No. 71.00-1-25.2 is changed from General Business Use District to One – Family Residential Use District.

This law shall be effective upon filing with the Office of the Secretary of State.

Motion seconded by Councilman Grant to approve the introduction of Local Law # 1-2018 to amend the Town of Hartland Zoning map.

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

Public Hearing for Local Law # 1-2018

RESOLUTION 141-2017

MOTION by Councilman Huntington, seconded by Councilman Grant to set the date for the Public Hearing on Local Law # 1-2018, as January 11, 2018.

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

Family Leave Act requires employers to offer family leave benefits to their employees, Municipalities, however are exempt to this requirement. The law states that employees must receive notice. Notice has been given to the Town employees and the Worker's Compensation Board that the Town will not offer these benefits.

Opt out – Family Leave Act

RESOLUTION 142-2017

MOTION by Councilman Reed, seconded by Councilman Grant that

WHEREAS, the Town of Hartland is permitted, but not required, to offer family benefits to its employees, now, therefore, be it

