

TOWN OF NORTH HARMONY
TOWN BOARD
Monday, November 13, 2023, 7:00 PM

- **PUBLIC HEARING 6:30 PM – LL #3 OF 2023 – LOCAL LAW ESTABLISHING PERMITS AND REGULATIONS FOR EXCAVATION AND CONSTRUCTION IN THE TOWN RIGHT – OF – WAY.**

- **PLEDGE**

- **MINUTES: 10/10/2023; 10/13/2023 (Budget Work Session); 10/26/2023 (Public Hearing/Budget Work Session)**

- **ANNOUNCEMENTS:**

1. ASHVILLE AUXILIARY CRAFT SHOW – Saturday, 11/18/2023, 10AM-3PM @ the A
2. FALL PLANNING & ZONING TRAINING – Wednesday, 11/15/2023 (Jamestown) or Thursday, 11/16/2023 (Salamanca) 4-8:30 PM.
3. FREE RABIES IMMUNIZATION CLINIC - Saturday, 11/18/2023 10 AM -12 PM at 240 Harrison St. Jamestown, NY 14701

- **PUBLIC COMMENT:**

The Town of North Harmony welcomes public comment by all. We ask that they be brief (3 minutes or less) as a courtesy to the business nature of the meeting and others time constraints. If you wish to have an interactive conversation with the board regarding a specific matter or concern, it would be greatly appreciated if you request to be placed on the agenda and provide an outline of the matter you wish to discuss at least one week prior to the meeting. You may do this by contacting the Supervisor or the Town Clerk at (716)789-3445. Thank you for your Courtesy!

- **RESOLUTIONS:**

4. RESOLUTION # 154 OF 2023 – ADOPT THE 2024 TOWN BUDGET
5. RESOLUTION # 155 OF 2023 – ADOPT LL # 3 OF 2023 – LOCAL LAW ESTABLISHING PERMITS AND REGULATIONS FOR EXCAVATION AND CONSTRUCTION IN THE TOWN RIGHT-OF-WAY
6. RESOLUTION #156 OF 2023 – ADOPT LL # 4 OF 2023 – LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND PROCUREMENT.
7. RESOLUTION #157 OF 2023 - RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO COVER THE BALL CREEK STABILIZATION PROJECT
8. RESOLUTION # 157 OF 2023 - RESOLUTION TO RENEW A 30-DAY CD FOR \$300,000.00 AT A 4.75% INTEREST RATE
 - MATURES 11/13/2023
 - OCTOBER REVENUE EARNED \$1,271.99
 - POSSIBLE 90-DAY EXTENSION

- **CORRESPONDENCE:**

The following correspondence has been received by the Town of North Harmony and is available for review at the offices:

9. ASSESSOR – SEPTEMBER PROPERTY TRANSFERS: A/V \$414,200.00 S/P: \$1,279,000.00 (+\$864,800.00)
10. CHARTER/SPECTRUM – on or around November 27, 2023, Spectrum Northeast, LLC (“Spectrum”), will launch carriage of Lifetime Movie Network (LMN) in standard definition, channel 31, 52, 56, 61-69 or 71 and high definition, channel 630 on SPP Select on the channel lineup serving your community.
11. LL # 2 OF 2023 – FILED WITH STATE ON 10/25/2023.

- **OLD BUSINESS**

12. MAPLE GROVE CEMETERY – MOVEMENT OF REMAINS APPROVED

- **NEW BUSINESS:**

13. LOCAL LAW ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW.

14. BAN PAYMENT –

BOCES ROAD PUSH \$21,210.66 – Interest rate 6.5% Maturity @ 11/17/2023

Principal: \$20,210.66

Total Principal Payment: \$11,686.30

Interest Payment: 6.5% \$ 1,313.70

TOTAL BALANCE TO BE PAID BY TONH (\$13,000.00)

BAN RENEWABLE: 11/16/2024 \$ 8,524.36

15. HIGHWAY M.E.O. REX JOHNSON - \$1/HR RAISE EFFECTIVE 11/22/2023 (\$20/HR; \$30/HR OT).

16. HIGHWAY M.E.O. JOHN MEYR - \$1/HR RAISE EFFECTIVE 11/1/2023 (\$23/HR; \$34.50/HR OT).

17. BALL CREEK STABILIZATION WQIP ALLIANCE INVOICE – APPROVED AND PAID.

- **ALL OTHER BUSINESS AS NECESSARY**

- **REPORTS:**

Pierre Chagnon – Legislator	GF Vouchers
Howard Peacock – Justice	HWY Vouchers
Benny Karlson – HWY Sup’t.	
Brad Lawson – Zoning CEO	
Anne Golley – Assessor	
DCO – John Stow	
Stephanie Gibbs – Dep. Town Clerk	
Robert Yates - Supervisor	

- **EXECUTIVE SESSION**

- **ADJOURNMENT**

RESOLUTION #154 of 2023
RESOLUTION ADOPT THE 2024 TOWN OF NORTH HARMONY BUDGET

TOWN OF NORTH HARMONY

A regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on November 13, 2023, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

Resolution by: _____

Seconded by: _____

WHEREAS, the Preliminary Town of North Harmony Budget for the Year 2024 has been duly prepared by the Supervisor and Town Board and a duly publicized public hearing was held on the 9th day of November 2023 at 6:00 p.m.; and

WHEREAS, at which time all persons desiring to be heard were heard; now therefore be it

RESOLVED, that, pursuant to Section 109 of the Town Law of the State of New York, the Town Board of the Town of North Harmony hereby

ADOPTS THE PRELIMINARY BUDGET, as amended, altered, and revised, as the Budget for the Town of North Harmony for the Year of 2024.

VOTES:

AYES: _____

NAYS: _____

**RESOLUTION #155 OF 2023
RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2023**

TOWN OF NORTH HARMONY

A regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on November 13, 2023, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

The following Resolution was offered by _____ and seconded by _____

RESOLUTION #155 OF 2023; RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2023

WHEREAS, proposed Local Law No. 3 of 2023 of the Town of North Harmony entitled "A Local Law Establishing Permits and Regulations For Excavation and Construction in the Town Right-Of-Way" which proposed Local Law in its final form was presented to the Town Board at the meeting held on October 10, 2023, and a copy thereof was kept with the Town Clerk and copies were provided to each member of the Town Board, at least ten (10) days, exclusive of Sundays, prior to its final passage; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on November 13, 2023, before this Town Board, pursuant to public notice published in The Post Journal, and posted on the Town of North Harmony's website, according to law, at which time all interested persons were heard; and

WHEREAS, the Town Board of the Town of North Harmony, New York, is of the opinion that adoption of said proposed Local Law No. 3 of 2023 is in the best interests of the Town of North Harmony, New York,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of North Harmony, New York that said proposed Local Law No. 3 of 2023, be and the same hereby adopted, and such Local Law shall be entered in the minutes of the North Harmony Town Board; and

BE IT FURTHER RESOLVED, that certified copies of said Local Law No. 3 of 2023 in its final form be filed with the New York State Secretary of State in accordance with Law; and

BE IT FURTHER RESOLVED, that this Local Law in its final form shall become effective as provided by law upon its filing in the Office of the Secretary of State.

VOTES:

AYES: _____

NAYS: _____

ABSTAIN: _____

**RESOLUTION #156 OF 2023
RESOLUTION ADOPTING LOCAL LAW NO. 4 OF 2023**

TOWN OF NORTH HARMONY

A regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on November 13, 2023, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

The following Resolution was offered by _____ and seconded by _____

RESOLUTION #156 OF 2023; RESOLUTION ADOPTING LOCAL LAW NO. 4 OF 2023

WHEREAS, proposed Local Law No. 4 of 2023 of the Town of North Harmony entitled "A Local Law Authorizing Best Value Competitive Bidding and Procurement" which proposed Local Law in its final form was presented to the Town Board at the meeting held on October 10, 2023, and a copy thereof was kept with the Town Clerk and copies were provided to each member of the Town Board, at least ten (10) days, exclusive of Sundays, prior to its final passage; and

WHEREAS, a public hearing on the advisability of enacting said proposed Local Law was held on October 26, 2023, before this Town Board, pursuant to public notice published in The Post Journal, and posted on the Town of North Harmony's website, according to law, at which time all interested persons were heard; and

WHEREAS, the Town Board of the Town of North Harmony, New York, is of the opinion that adoption of said proposed Local Law No. 4 of 2023 is in the best interests of the Town of North Harmony, New York,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of North Harmony, New York that said proposed Local Law No. 4 of 2023, be and the same hereby adopted, and such Local Law shall be entered in the minutes of the North Harmony Town Board; and

BE IT FURTHER RESOLVED, that certified copies of said Local Law No. 4 of 2023 in its final form be filed with the New York State Secretary of State in accordance with Law; and

BE IT FURTHER RESOLVED, that this Local Law in its final form shall become effective as provided by law upon its filing in the Office of the Secretary of State.

VOTES:

AYES: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION #157 OF 2023
RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO COVER THE BALL CREEK
STABILIZATION PROJECT

TOWN OF NORTH HARMONY

A regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on November 13, 2023, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

The following Resolution was offered by _____ and seconded by _____

RESOLUTION #157 OF 2023; RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO COVER THE BALL CREEK STABILIZATION PROJECT

WHEREAS, on _____ the Town of North Harmony Board passed a resolution to apply for a New York State Grant for the Ball Creek Stabilization Project Grant # _____ ; and

WHEREAS, on _____ the Town of North Harmony was awarded \$ _____ for the Ball Creek Stabilization Project Grant # _____ ; and

WHEREAS, the Town of North Harmony has received Invoice # _____ in the amount of \$ _____ for work performed by _____ on the Ball Creek Stabilization Project; and

WHEREAS, the Town of North Harmony has yet to receive the Grant # _____ Funds from New York State for the Ball Creek Stabilization Project; and

WHEREAS, the Town of North Harmony has additional funds available to cover the invoice until the grant money is received;

NOW, THEREFORE, BE IT RESOLVED, to transfer \$123,400.00 from H-8740.4 _____ Account to Capital Funds Account H-3910 to pay _____ for Invoice # _____ in the amount of \$123,400.00 in relation to the Ball Creek Stabilization Project; and

BE IT FURTHER RESOLVED, that upon receipt of the New York State Grant # _____ Funds in the amount of \$ _____ will be deposited in the _____ Account _____ as reimbursement.

BE IT FURTHER RESOLVED, that the Town of North Harmony's Bookkeeper is authorized and directed to make the transfers and deposits and pay the invoice.

VOTES:

AYES: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION 158 of 2023

RESOLUTION TO RENEW A 30-DAY CD FOR \$300,000.00 AT A 4.75% INTEREST RATE

A regular meeting of the Town Board of North Harmony was convened in the public session of the Town Building, 5350 Stow Road, Ashville, New York on November 13, 2023, at 7:00 o'clock P.M. local time. The meeting was called to order by Supervisor Robert Yates and upon roll being called, the following were:

PRESENT:

ABSENT:

Resolution by:

Seconded by:

WHEREAS, the Town of North Harmony has a Collateral Agreement and an Investment Policy with M&T Bank for a 30-day Certificate of Deposit with a 4.75% interest rate for \$300,000.00.

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of North Harmony will renew a \$300,000.00 30-day Certificate of Deposit (CD) at a 4.75% interest rate with M&T bank.

VOTES:

AYES:

NAYS: