

TOWN OF NORTH HARMONY
TOWN BOARD MEETING AGENDA
MONDAY, MAY 13, 2024, 7:00 PM

- **6:15 TOWN BUILDING PARKING LOT SEALING AND RE-STRIPING BID OPENING & CONCRETE PAVILION AT STOW FERRY.**
- **6:30 PM PUBLIC HEARING: ENACTING A TEMPORARY MORATORIUM ON COMMERCIAL SOLAR AND BATTERY ENERGY STORAGE SYSTEMS IN THE TOWN OF NORTH HARMONY.**
- **MINUTES: 4/8/2024**
- **ANNOUNCEMENTS:**

MEMORIAL DAY SERVICE: SUNDAY, 5/26/2024 @ 1PM AT THE TOWN OF NORTH HARMONY VETERANS PARK

ASSESSMENT GRIEVANCE DAY: WEDNESDAY, MAY 29, 2024

29TH ANNUAL LOCAL GOVERNMENT CONFERENCE THURSDAY, 6/6/2024 FROM 7:30 AM – 4:00 PM – REGISTER BY 6/1.

- **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!

ROE WOODARD – MARKER BUOYS NORTH SIDE OF FERRY/SPEED LIMIT

GARY CARD – FOOD CART

- **RESOLUTIONS**

RESOLUTION #16 OF 2024 – RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2024

RESOLUTION #17 OF 2024 – RESOLUTION CONTRACT CONCRETE FOR PAVILION AT STOW FERRY.

RESOLUTION #18 OF 2024 – RESOLUTION CONTRACT FOR TOWN BUILDING PARKING LOT SEALING AND RESTRIPIING.

RESOLUTION #19 OF 2024 – RESOLUTION CONTRACT CODIFICATION SERVICES WITH GENERAL CODE.

RESOLUTION #20 OF 2024 - RESOLUTION AUTHORIZING THE PURCHASE OF A 2017 WESTERN STAR DUMP TRUCK [VIN5KKDAXCY8HPJE7902]

RESOLUTION #21 OF 2024 - AMEND HIGHWAY BUDGET TO INCLUDE CHIPS FUNDS

RESOLUTION #22 OF 2024 – TOWN OF NORTH HARMONY CREDIT CARD ACCEPTANCE POLICY

- **CORRESPONDENCE:**

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

ASSESSOR –FEBRUARY PROPERTY TRANSFERS: A/V: \$0 S/P: \$0 (+\$0)

CHARTER/SPECTRUM

On or around May 20, 2024, Spectrum Northeast, LLC (“Spectrum”), will launch UPTv on channel 124 in high definition (165 and 817 in Plattsburgh) on SPP Select.

On or around May 15, 2024, Spectrum Northeast, LLC (“Spectrum”), will launch Univision on channels 16, 26, 36, 38., 42, 60, 61, 62, 65, 66 or 70 in standard definition and channel 801 in high definition (237 and 877 in Plattsburgh) on SPP Select on the channel lineup serving your community.

NOTICE OF COMPLETION OF TENTATIVE ASSESSMENT ROLL – AVAILABLE IN TOWN CLERK’S OFFICE FOR REVIEW.

FINAL PAYMENT ON THE WARRANT TO THE COUNTY - \$1,784,454.57

- **OLD BUSINESS**

CLAYTON EMICK – MOTION TO ACCEPT RESIGNATION FROM THE BOARD OF ASSESSMENT REVIEW BOARD AND REAPPOINT TO THE ASSESSMENT REVIEW BOARD EFFECTIVE IMMEDIATELY THROUGH 6/1/2024.

HELEN EMICK – MOTION TO ACCEPT RESIGNATION FROM THE ZONING BOARD OF APPEALS BOARD.

JIM LEVESQUE – MOTION TO ACCEPT RESIGNATION FROM THE ZONING BOARD OF APPEALS BOARD.

PROCUREMENT POLICY

- **NEW BUSINESS:**

DICK SENA - Water Quality Monitoring Stations (sheds) along the creek.

ADJUSTMENT TO FORM 284

HIGHWAY M.E.O. STEPHEN PIHL - \$1/HR RAISE EFFECTIVE 6/7/2024 (\$24/HR; \$36/HR OT

- **ALL OTHER BUSINESS AS NECESSARY**

- **REPORTS:**

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

**RESOLUTION #16 OF 2024
RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2024**

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 May 13, 2024, 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 #16 OF 2024; RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2024

WHEREAS, proposed Local Law No. 2 of 2024 of the Town of North Harmony entitled "A Local Law Enacting a Temporary Moratorium on Commercial Solar and Battery Energy Storage Systems in the Town of North Harmony, County of Chautauqua and State of New York" which proposed Local Law in its final form was presented to the Town Board at the meeting held on April 8, 2024, 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 May 13, 2024, 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. 2 of 2024 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. 2 of 2024, 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. 2 of 2024 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 NO. 17 OF 2024
RESOLUTION CONTRACT CONCRETE FOR PAVILION AT STOW FERRY

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 May 13, 2024, 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 17 OF 2024; CONTRACT CONCRETE FOR PAVILION AT STOW FERRY

WHEREAS, The Town of North Harmony has the need to have the concrete repaired at the pavilion at Stow Ferry;

WHEREAS, the Town of North Harmony received _____ (____) quotes:

_____	\$ _____
_____	\$ _____
_____	\$ _____

Which have been attached hereto and made part hereof;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of North Harmony authorizes the Supervisor to sign a contract with _____ for concrete at the pavilion at Stow Ferry; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by the Town Board of the Town of North Harmony.

VOTES:

AYES: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION 18 OF 2024
RESOLUTION CONTRACT PARKING LOT SEALING AND RE-STRIPING

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 May 13, 2024, 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 18 OF 2024; CONTRACT PARKING LOT SEALING AND RE-STRIPING

WHEREAS, The Town of North Harmony has the need to have the parking lot sealed and re-striped at the Town Building located at 5350 Stow Road, Ashville, New York;

WHEREAS, the Town of North Harmony received _____ (____) bids:

_____	\$ _____
_____	\$ _____
_____	\$ _____

Which have been attached hereto and made part hereof;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of North Harmony authorizes the Supervisor to sign a contract with _____ for the parking lot sealing and re-striping at the Town Building located at 5350 Stow Road, Ashville, New York; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by the Town Board of the Town of North Harmony.

VOTES:

AYES: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION 19 OF 2024
RESOLUTION CONTRACT CODIFICATION SERVICES WITH GENERAL CODE

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 May 13, 2024, 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 19 OF 2024; CONTRACT CODIFICATION SERVICES WITH
GENERAL CODE**

WHEREAS, The Town of North Harmony has the need to have its zoning laws updated, indexed, and publicly available online;

WHEREAS, the Town of North Harmony received a proposal from General Code in the amount of :

Codification Project Price: \$15,995.00

Implement Gender-Neutral Language in Code: \$405.00

Ongoing Services-Annual Maintenance: \$1,195.00

Which have been attached hereto and made part hereof;

WHEREAS, It is the Town of North Harmony's understanding that there are no other codifiers that provide equivalent codification to municipalities;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of North Harmony authorizes the Supervisor to sign a contract with General Code for codification services; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by the Town Board of the Town of North Harmony.

VOTES:

AYES:_____

NAYS:_____

ABSTAIN:_____

RESOLUTION #20 of 2024

RESOLUTION AUTHORIZING THE PURCHASE OF A 2017 WESTERN STAR DUMP TRUCK [VIN5KKDAXCY8HPJE7902]

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 May 13, 2024, 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:

RESOLUTION # 20 of 2024 AUTHORIZING THE PURCHASE OF A 2017 WESTERN STAR DUMP TRUCK [VIN5KKDAXCY8HPJE7902]

WHEREAS, the Town of North Harmony Highway Department is in need of a truck.

WHEREAS, the Town of North Harmony issued an Invitation for Bids for a 2017 or Newer 4700 SB Snowplow Dump Truck on Thursday, April 11, 2024, and received sealed bid by 12:00 noon on Monday, April 22, 2024; and

WHEREAS, the lowest responsive and responsible bid was submitted by Fleet Maintenance Inc. for a 2017 Western Star Dump Truck [VIN 5KKDAXCY8HPJE7902] at \$130,000.00 and met all required specifications and submitted all required documentation.

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the purchase of a 2017 Western Star Dump truck [VIN 5KKDAXCY8HPJE7902] in the amount of One Hundred Thirty Thousand dollars (\$130,000.00) to be paid from the 2024 Budget and shall be paid as specified:

From: A99019 \$130,000.00 (\$100,000.00 from capitol reserve A870)

To: H5031 - \$130,000 (Purchase will be made from account DA5130.2)

VOTES:

AYES:

NAYS:

ABSTAIN:

RESOLUTION 21 of 2024

RESOLUTION TO AMEND HIGHWAY BUDGET TO INCLUDE CHIPS FUNDS

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 May 13, 2024, 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 received notification by letter dated _____ that DOT CHIPS funding is for \$ _____, and

WHEREAS, the Town of North Harmony had budgeted \$ _____, and

WHEREAS, Schedule 284 Agreement for the Expenditure of Highway Monies was completed on the budgeted \$ _____, and

NOW THEREFORE BE RESOLVED, that the budgeted DOT CHIPS \$ _____ be increased to \$ _____ to reflect the May ___, 2024, notification, and

FURTHER RESOLVED, that the Schedule 284 Agreement for the Expenditure of Highway Monies be adjusted to reflect the DOT CHIPS funding of \$ _____, and

FURTHER RESOLVED, that \$ _____ will be transferred from General Fund Unassigned Fund Balance to Highway Chips Fund Revenue- DA3501/Expenditure – DA5112.2

VOTES:

AYES: _____

NAYS: _____

RESOLUTION 22 OF 2024

TOWN OF NORTH HARMONY CREDIT CARD ACCEPTANCE POLICY

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 May 13, 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 State Comptroller's Office states in General Municipal Law §5 and §5-b that this responsibility of the Town Clerk needs to be stated in a resolution to accept such payments for a specific purpose (i.e. real property taxes, clerk fees and code officer fees), and

WHEREAS the Town of North Harmony Town Clerk has requested such a Resolution of Authorization from the Town of North Harmony Town Board, and

NOW, THEREFORE, BE IT RESOLVED, that the Town of North Harmony Town Board authorizes the Town of North Harmony Town Clerk/Tax Collector to accept credit card payments as part of the local tax collection system and town clerk system, which payments would include a Consumer Convenience Fee, and

BE IT FURTHER RESOLVED that the Town Clerk/Tax Collector be authorized to enter into a contract with Elavon through Community Bank for the Town Clerk/Tax Collector to handle credit card transactions on behalf of the Town of North Harmony and that a 3% convenience fee will be charged to the consumer.

VOTES:

AYES:

NAYS: