

Town of Harmony
Date: December 14, 2022
Time: 7:30 pm
Place: Town Building
1001 Blockville - Watts Flats Rd
Ashville, NY 14710

Members Present:	John Brown	Supervisor
	Brian Manwaring	Highway Superintendent
	Pete Radka	Councilman
	David Hinderer	Councilman
	Tim Covey	Councilman
	Shelly Johnson	Town Clerk

Absent: Jeff Jordan councilman
Visitors: David Wilfong and Teresa Ecker

The Regular meeting of the Town of Harmony was opened at 7:30 pm at the above time and place by Supervisor Brown.

Public Comment

Teresa Ecker from the Blockville Cemetery spoke to the board concerning burials. The person that use to dig the graves and take care of the mowing has retired. She asked the board for recommendations. Several names where discussed. Supervisor Brown will contact Ms. Ecker with some names and phone numbers next week.

Approval of minutes

Resolution 21 -22

- On a motion by Councilman Covey and seconded by Councilman Radka the minutes from the November 9, 2022 meeting be approved. All Aye. So, moved

CEO's Report:

- 2 permits issued. One fire inspection done at Dollar General. Several violations need addressed.
- 304 Panama Bear Lake Rd property is still in process for a court date.

ZBA Board Update:

- No meeting this month. Secretary Amy Ecker stated they did not have anything on their agenda. Supervisor Brown will contact Attorney Robinson and confirm that all current zoning changes have been completed.

Animal Control Officers Report:

- No issues to report

Court Report

- No court was held on November 28 due to illness.
- 2 cases were closed in November.
- There is a full docket for December.

Assessor's Report

- Ms. Darts reported that they are starting to receive the exemption renewals that were sent out in October.
- October deeds were updated before the tax files had to be sent to the County.
- Mr. Wilfong was very helpful in updating the closed permits so that the assessment office can get them on the tax roll.

Highway Superintendents Report:

- Superintendent Manwaring reported that Braden Cook has been hired full time in the highway department.
- Superintendent Manwaring asked that the employee handbook be updated. Councilman Hinderer will look for the file and forward it to the Town Clerk for updating.
- The emergency plan has been located and also need updating. Superintendent Manwaring also asked if there were copies of the Village and Panama School plans. At this time we do not have copies of either.
- The loader will be getting its 500 hour service. This is costly but necessary.
- The cold storage roof is leaking. Supervisor Manwaring is getting estimates for repair.
- We maybe able to take delivery of the new truck in April 2023

Town Clerk Report:

- Financial report of the town was given.
- Transfer station stickers sales are strong.

Supervisor's Report:

- Supervisor Brown presented a veteran flag idea for the Town of Harmony. The home town hero banners would be available for purchase by a resident who wishes to honor a veteran in the town. Most of the process is done on line with the uploading of a picture for the banner and information. Individual's would purchase these banners at roughly a cost of \$185. This will be for a two year banner installed by the town for display from Memorial day to Veteran's day. These can be displayed in Panama, Blockville, Niobe or Watts Flats. The board members agreed this is a great idea. Supervisor Brown will start the process to set up ordering.
- Supervisor Brown and Councilman Hinderer attended the public hearing on the court merger with North Harmony.
- Supervisor Brown presented the following resolution

22-22 RESOLUTION ADOPTING JOINT PLAN

WHEREAS, pursuant to section 106-b of the Uniform Justice Court Act, the Towns of Harmony and North Harmony undertook a study relating to the election of a single justice to preside in the town courts of the two participating towns, and

WHEREAS, due notice was published in the official newspaper of the Town of Harmony that the study had been concluded and that a public hearing would be held on November 29, 2022 at 6:00 p.m. at the Town of North Harmony Town Offices located at 5350 Stow Road, Ashville, New York 14710; and

WHEREAS, a public hearing was held by the Town of Harmony on said date and time to consider the study and the proposed Joint Plan of the Towns; and

WHEREAS, the Town of Harmony has determined that it will participate in the Joint Plan providing for the election of a single town justice to preside in the town courts of the two towns as more particularly set forth in the Joint plan:

NOW, THEREFORE BE IT

RESOLVED, that the Town of Harmony hereby adopts the Joint Plan of the Towns of Harmony and North Harmony pursuant to the provisions of subdivision 4 of section 106-b of the Uniform Justice Court Act of the State of New York.

RESOLUTION # 22-22

Councilman Hinderer made the motion, seconded by Councilman Radka that the Town of Harmony Town Board accepts the Resolution adopting the Joint Plan of the Town of Harmony and North Harmony. MOTION CARRIED.

Adopted:

Supervisor Brown – Aye

Councilman Hinderer - Aye

Councilman Radka -Aye

Councilman Jordan – Absent

Councilman Covey – Aye

- Supervisor Brown presented the following Resolution:

23-22 JOINT RESOLUTION OF THE TOWNS OF HARMONY AND NORTH HARMONY

ADOPTED PURSUANT TO SUBDIVISION 5 OF SECTION 106-B OF THE UNIFORM JUSTICE COURT ACT OF THE STATE OF NEW YORK

Pursuant to subdivision 5 of the section 106-b of the Uniform Justice Court Act of the State of New York, be it jointly resolved by the Town Boards of the Towns of Harmony and North Harmony as follows:

1. The number of Town Justices in the Town of Harmony is one, now filled by the Honorable Mark Stow and the number of Town Justices in the Town of North Harmony is one, now filled by the Honorable Howard Peacock. Terms for both Town Justices end in 2023. It is anticipated that if the State Legislature timely enacts this Joint Resolution, the justice positions will be reduced to one justice who will preside over both town courts, and the first general election covering both towns will be held in November 2023, with the single justice elected, whose

four-year term will begin on January 1, 2024. Both Towns will continue to maintain separate finances and case reporting in their courts and shall retain their portion of fines levied as New York State Law Requires. The Towns will enact a shared-facilities agreement establishing the Town of North Harmony Town Court as the physical location from which both courts will operate beginning as soon as the consolidation process is completed and approved. Each Town will be responsible for the annual costs of its court as agreed upon in the Joint Consolidation Plan and as may be amended from time to time.

2. Upon adoption of this Joint Resolution by the Towns of Harmony and North Harmony, this Joint Resolution shall be forwarded to Senator George Borrello and Assemblyman Andy Goodell for introduction to the New York State Legislature and shall constitute a municipal home rule message pursuant to Article Nine of the New York State Constitution and the Municipal Home Rule Law.
3. This Joint Resolution shall not take effect until State legislation enacting this Joint Resolution shall have become law.

RESOLUTION #_23-22_____

Councilman Hinderer made the motion, seconded by Councilman Radka to accept the Joint Resolution of the Towns of Harmony and North Harmony Adopted Pursuant to Subdivision 5 of Section 106-b of the Uniform Justice Court Act of The State of New York. MOTION CARRIED.

Adopted:

Supervisor Brown – Aye
Councilman Hinderer - Aye
Councilman Radka -Aye
Councilman Jordan – Absent
Councilman Covey – Aye

The final step in the process will be New York State’s approval. There will be no public vote for the merger.

Old Business:

- The cheese factory is working on new steam boilers
- Supervisor Brown is still waiting on Southern Tier West to for the \$5000 grant for the energy program.
- Town Clerk Johnson asked the Board to ear mark \$10,000 of ARPA money for new playground equipment. The final estimate was not available yet. On a motion by Councilman Covey and with a second by Councilman Radka \$10,000 shall be ear marked for playground equipment for the Town of Harmony town park. All aye. So moved.

New Business:

- Supervisor Brown reported the town received \$15,000 in mortgage tax this quarter.
- Supervisor Brown presented the following budget transfers for approval
On a motion by Councilman Covey and second by Councilman Hinderer the following transfers are approved as presented.
General Fund Town Wide
\$180 from Contingent account to Personnel Contractual
\$1,000 from Special Items Unallocated insurance to Street Lighting Contractual
\$2,000 from Special Items Unallocated Insurance to Building Contractual
\$1,000 from Employee Benefit State Retirement to Employee Benefits Social Security.
All aye so moved.

On a motion by Councilman Radka and second by Councilman Covey the following budget modification is approved as presented.
Modify 2022 Adopted Budget by increasing Appropriated Fund Balance by \$16,000 and increasing expenditure line Supr. Highway Clerk by \$16,000. All aye. So moved.

Town Clerk presents bills for payment:

On a Motion of Councilman Covey and Seconded by Councilman Hinderer the following resolution was

ADOPTED 4 ayes 0 nays

Resolved that the bills be paid on Abstract #11 in the following amounts

Highway \$9,640.76 Voucher #'s 153--189

General \$5,181.15 Voucher #'s 171-183

With no further business, on a motion by Councilman Radka Seconded by Councilman Hinderer the meeting was adjourned at 8:51 pm. Carried Unanimously.

Respectfully Submitted by:

Shelly Johnson, Town Clerk

Please Note the Next meeting will be January 4, 2023 @ 7:30 pm This will also be our reorganizational meeting for the year.