

Town of Harmony
Date: April 4, 2018
Time: 7:00 pm Public Hearing

Place: Town Building
1001 Blockville - Watts Flats Rd
Ashville, NY 14710

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| Members Present: | John Brown | Supervisor |
| | Peter Radka | Councilman |
| | David Hinderer | Councilman |
| | Jeff Jordan | Councilman |
| | Shelly Johnson | Town Clerk |

Absent: Cheryl Wares Councilman, Tim Card Highway Superintendent
Visitors: Mr. Sicherman representative for IDA, Mr. Hook

The Public Hearing #1 was opened by Supervisor Brown at 7:00 pm
The public hearing for the proposed Development Block Grant (CDBG) application to the New York State Office of Community Renewal (the OCR) for funding to support the continuation and expansion of the operations of Castelli America, LLC Blockville, NY.

Mr. Sicherman explained what would happen with the applied for grant money from the state for Castelli America. Money is very tightly controlled and not issued unless work is done. The Town will have to report to the state so that Castelli can get their money.

Mr. Hook – Will the Town be liable for debt incurred?

Mr. Sicherman – no. The Town is the 1st step in the process.

Mr. Hook- they haven't paid their debts yet. Why are you giving them more money?

No further comments.

Public Hearing closed by Supervisor Brown at 7:15 pm

Public Hearing #2 was opened by Supervisor Brown at 7:16 pm
Proposed Development Block Grant (CDBG) application to the New York State Office of Community Renewal (the OCR) for funding to support the continuation and expansion of the operations of Castelli America, LLC Blockville, NY.

Supervisor Brown read the new Law. See attached. No public comment.

**TOWN OF HARMONY
LOCAL LAW #1 OF THE YEAR 2018**

A Local Law Eliminating the Town of Harmony Planning Board:

BE IT ENACTED BY THE BOARD OF THE TOWN OF HARMONY AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT

It has become increasingly difficult to find qualified town residents willing to serve on the Town of Harmony Planning Board. The Town of Harmony Zoning Board of Appeals can readily perform all of the functions formerly performed by the Town of Harmony Planning Board.

SECTION 2. ARTICLE X -- MUNICIPAL PLANNING BOARD SECTION 1001

The section entitled Creation is amended as follows:

Delete Article X Section 1001 Creation.

SECTION 3.

Replace Planning Board with Zoning Board Of Appeals whenever it appears in the Town Of Harmony Zoning Law.

SECTION 4.

Article X is amended as follows:

Delete the first sentence of Section 1002 which states "the Planning Board shall have the following duties with respect to the Zoning Law."

Add to Section 1002 Duties: Special Use Permit and Recommendations the following: The Zoning Board of Appeals shall have the following duties with respect to the Zoning Law:

SECTION 5. Table of Contents is amended as follows:

Delete Article X Municipal Planning Board.

Add Article X Planning Functions of the Zoning Board of Appeals.

SECTION 6. SEVERABILITY

If any provision of this law shall be held for any reason to be invalid, such determination shall not invalidate any other provision hereof.

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State of New York.

Public Hearing closed at 7:30 pm

Deputy Supervisor Brown opened the regular meeting of the Town of Harmony at 7:30 pm at the above time and place.

Approval of minutes

Resolution 7 -18

On a motion by Councilman Jordan, seconded by Councilman Radka the following resolution was

ADOPTED 4 ayes Radka, Brown, Jordan, Hinderer
0 nays

Resolved that the minutes of March 18 , 2018 be approved.

CEO's Report:

- No report

Planning Board Update:

- No report

Animal Control Officers Report:

- No Report

Court Report

- No Report

Highway Superintendents Report:

- Spring Cleanup will be May 18-19th
- Bleachers for the Town Park are in and assembled
Concrete pads may need to be poured. Mr. Hook offered his assistance for the concrete work. Supervisor Brown will relay the message.

Town Clerk Report:

- Financial report of the Town Clerk's office was given
- A thank you letter from the Harmony Senior Citizens was given to the Board.

Supervisor's Report:

Following is a listing of my activities, concerns and topics to review and consideration.

1. On March 21st we received approval of our Bleacher application from the Chautauqua County Community Foundation. We received our \$2,000.00 check from the Foundation on March 28th. Since we had approval, I ordered the bleachers on March 22nd and we are to receive the bleachers tomorrow.

Thank you to everyone, with a special thanks to Tim and Shelly for bringing up this need for consideration. This may be a small item, but to me, it illustrates what we can accomplish for our Town by communicating ideas for improvement within

our board and our community. Please do not hesitate to voice any concerns that you have!!

2. The New York State "SAM" grant progress was updated on March 29th by my DASNY contact, this statement is from her email to me. - "This is now being reviewed by our Counsel's Office. Once they complete their review we will be sending it to the State for final approval."

I still forecast that our application will be approved by the state by the end of June. We will continue to work on the bidding documents on the hope of bidding the foundation and building plans early July. Pete, Tim, and Dave will be working with me on these.

3. Finalizing combining the planning and zoning boards will take place on April 4th and then I will work on filling positions, any suggestions are welcome. Shelly has received documentation from Neil Robinson for us to vote on changing town law.
4. I'm working with Southern Tier West and Chautauqua County right now to get some large Zoning maps for our new board, Melanie and Shelly. These are to be digitized for GIS mapping for us which is necessary to give us more accuracy for determining zoning lines. No digitization has been completed since our zoning was put in place.
5. Finalizing the Castelli Cheese grant with the Chautauqua County IDA will also take place during the April 4th town meeting. I have been working with the IDA's consultant over the last few weeks and had to sign some documents last Friday to keep the process going.
6. I attended a Town Supervisors and Mayors meeting last week where County Executive Borrello was the speaker. It was refreshing to hear that one of Executive Borrello's priorities is to have our County IDA communicate more, and to be more accountable to local municipalities.

Supervisor Brown also continues to work with Melanie and the County on the GIS mapping for our zoning.

New Business:

- Mr. Sicherman – Funds for the Castelli grant are Federal Funds through the state economic development. The money could awarded in May if approved. The funds work like a deferred load.
Castelli is currently well over budget and their foreign interest (which owns 75%) is ready to shut the project down. Castelli assumed 5 million in debt for the Empire Cheese co. This grant money will help them maintain employees and buy equipment.
Supervisor Brown – How much can the Town regulate the money?
Sicherman – Money will be in a separate bank account. Castelli must make draw down requests. Things such as payroll will be converted to a dollar amount and

sent to the state for reimbursement.

The Town of Harmony is ultimately responsible. We are liable if they misuse the funds. However, if the UK foreign investor shuts them down the Town is not liable.

On a motion by Councilman Radka and seconded by Councilman Hinderer the following resolution is adopted.

RESOLUTION NO. 8-18

WHEREAS, Castelli America, LLC (hereinafter the "Company") plans to expand operations at its manufacturing facility located at 5151 Fairbanks Road, Ashville, New York 14710 (the "Project"); and

WHEREAS, the Project will have an estimated capital cost of \$1,410,000 to fund new machinery and equipment, employee training, and working capital; and

WHEREAS, the Company has requested that the Town of Harmony apply for Community Development Block Grant funding from the New York State Office of Community Renewal (the "OCR") to finance a portion of the employee training and working capital costs of the Project; and

WHEREAS, the Chautauqua Region Economic Development Corporation (the "CREDC") is assisting in the facilitation of the Project and has requested that the Town provide the OCR funding to the CREDC as a grant for the purpose of making a grant or deferred loan to the Company, and

WHEREAS, the Project will create an estimated 15 new permanent full-time employment positions and retain 53 full-time employment positions; and

WHEREAS, the Town has held a public hearing on April 4, 2018 to obtain citizens' comments regarding the Project and the CDBG program as administered by the OCR;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Harmony hereby authorizes the Supervisor to submit a grant application to the OCR on behalf of the Town in the approximate amount of \$516,000 to support the Project; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute a grant agreement between the Town and the OCR, a grant agreement between the Town and the CREDC, and all related documents associated with the OCR grant, all such documents to be subject to review and approval by the Town Attorney; and

BE IT FURTHER RESOLVED, the Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Councilman Radka – aye
Councilman Jordan – aye
Councilman Hinderer – aye
Supervisor Brown – aye

- Section 3 participation plan was presented and signed by Supervisor Brown.
- SEQR for Local law 1 of 2018 signed by Supervisor Brown

Old Business:

- SAM grant update. DASNY has application. From DASNY it goes to the State for final approval. \$150,000
- Bleacher Grant was received and deposited. Bleachers are in and assembled just awaiting final installation.

Town Clerk presents bills for payment:

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

ADOPTED 4 ayes
Councilman Radka – aye
Councilman Jordan – aye
Councilman Hinderer – aye
Supervisor Brown – aye
0 nays

Resolved that the bill be paid on Abstract #4 in the following amounts

| | |
|----------------------|-------------------|
| General \$ 27,727.47 | Voucher #'s 43-56 |
| Highway \$6,914.54 | Voucher #'s 44-52 |

With no further business, on a motion by Councilman Jordan, seconded by Councilman Radka the meeting was adjourned at 8:14 pm. Carried Unanimously.

Respectfully Submitted by:

Shelly Johnson, Town Clerk

Please Note: The next meeting will be held on June 13, 2018 @ 7:30 PM.