

STATE OF NEW YORK
COUNTY OF CORTLAND
TOWN OF HARFORD

April 1, 2024

The Town Board of the Town of Harford met for a regular monthly meeting at the Harford Town Hall on April 1, 2024 at 7:30 pm. Present at the meeting were: Michelle Morse: Town Supervisor: John Burns: Daryl Cross: Karen Snover Clift: George Ingalls: Councilmen, Jennifer Fox; Town Clerk, Scott Stairs: Highway Superintendent; Sandy Price: County Legislator; and other town residents.

The minutes of the March 4, 2024 Regular Meeting were reviewed for information and corrections.

RES #25: BE IT RESOLVED to approve the minutes as read and corrected.

George Ingalls made a motion to adopt Resolution #25. John Burns seconded the motion.

John Burns – Aye
George Ingalls – Aye
Karen Snover Clift - Aye
Daryl Cross – Abstained
Michelle Morse - Aye

Bills listed on General Abstract #4 Highway Abstract #4, and Harford Mills Water District Abstract #4, were read by the Clerk and submitted to the Board for review.

RES #26: BE IT RESOLVED that the bills be approved as submitted and for the Supervisor to make the necessary payments.

George Ingalls made a motion to adopt Resolution #26. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse - Aye

Sandy Price: County Legislator; gave her report, a copy of her report is on file at the Town Clerk's office.

Michelle Morse reported on the following correspondence:

A check from the Town Clerk for \$186.00 for March fees.

A check from the County for \$1,171.32 for Fuel.

Michelle Morse gave the Supervisors monthly report.

Town of Harford Highway Dept. Monthly Report
March 1st, --- March 31st, 2024

Plowed, and sanded

Serviced Grader

Continued Grader overhaul

C.H.I.P.s training

Fight beavers at Purvis, Virgil Creek roads

Shop work on all trucks

RES #27: BE IT RESOLVED that the Board approves the Supervisors monthly report as read.

Daryl Cross made a motion to adopt Resolution #27. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse - Aye

Scott Stairs, Highway Superintendent, gave his report. A copy of his report is on file at the Clerk's office.

Scott and he crew will work on putting the new speed sign up and get started on the pipe replacement on Griggs Gulf Rd.

Visitors Comments:

Gerald Smith spoke with the Board about the Unsafe Structures Law. He asked the following questions

1. Why didn't he know anything about it?
2. Who will decide which building stay and which building go?
3. Who will pay for it? Who will tear them down?

The Board explained that there was a public meeting last month where all of these questions could have been answered.

The Code Enforcement Officer will make all decisions about the buildings, that is his job.

Mr. Smith explained that in his opinion Adam Brown doesn't do a good job. He will not be consistent.

Gerald then asked why the town doesn't fine the people who refuse to follow the codes?

And who sets the fines?

And if Adam is doing such a good job how many citations has he written this month.

Michelle Morse told him that the Board receives a report from Adam every month and then she ended the conversation.

New Business:

There will be a workshop on April 15th at 6:30 pm to discuss how to use the COVID money.

RES #28: BE IT RESOLVED to approve the cemetery mowing bid from Robert Combs, Top to Bottom Lawn Care in the amount of \$6,700.00 for the 2024 mowing season of May 15th-October 15th.

George Ingalls made a motion to adopt Resolution #28. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse – Aye

RES #29: BE IT RESOLVED that the Board approves the “LOCAL LAW RENEWING A MORATORIUM WITHIN THE TOWN OF HARFORD ON THE DEVELOPMENT AND CONSTRUCTION OF WIND ENERGY CONVERSION SYSTEMS AND METEOROLOGICAL TOWERS”

Daryl Cross made a motion to adopt Resolution #29. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse – Aye

**TOWN OF HARFORD, CORTLAND COUNTY, NEW YORK
LOCAL LAW NO. 1 OF THE YEAR 2024**

**A LOCAL LAW RENEWING A TEMPORARY MORATORIUM WITHIN THE TOWN OF
HARFORD ON THE DEVELOPMENT AND CONSTRUCTION OF WIND ENERGY
CONVERSION SYSTEMS AND METEOROLOGICAL TOWERS**

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

Section 1. **TITLE.**

This Local Law shall be known as the “2024 Moratorium on the Development and Construction of Wind Energy Conversion Systems and Meteorological Towers.”

Section 2. **AUTHORITY AND INTENT; FINDINGS; PURPOSE.**

A. Authority and Intent.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Harford under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; and the State Environmental Quality Review Act and its implementing regulations.

This Law is a land use regulation. This Law is intended and is hereby declared to address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive “incidental control” of zoning and land use law that is concerned with the broad area of land use planning and the physical uses of land within the Town.

B. Findings.

The Town Board hereby finds that it is in the interest of public health, safety and welfare to address, in a careful and thorough manner, the activities prohibited by Section 4 of this Local Law. In order to accomplish this, the Town requires an additional, reasonable period of time to further study the potential impacts, effects, and possible controls over such activities and to consider possible amendments to the Town’s laws and comprehensive plan to address the same.

C. Purpose.

The purpose of the Local Law is to enable the Town of Harford to stay the construction, operation, and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and other Town-level land use approvals respecting the activities prohibited by Section 4 of this Local Law, for a reasonable time, so as to allow the Town time to study the potential impacts, effects, and possible controls over such activities and to consider possible amendments and/or additions to the Town’s laws

to address the same. The Town Board finds that a moratorium of six (6) months duration, coupled with an “unnecessary hardship” variance procedure and a provision for the “grandfathering” of legal, pre-existing non-conforming uses, will achieve an appropriate balance of interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Harford; and (ii) the rights of individual property owners.

Section 3. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

Meteorological Tower (MET Tower) --- A tower used solely for the measure of meteorological data such as temperature, wind speed, and wind direction.

Person --- Any individual, public or private corporation for profit or not for profit, association, partnership, limited liability company, limited liability partnership, firm, trust, estate, and any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Planning Board --- The Planning Board of the Town of Harford.

Town --- The Town of Harford, Cortland County, New York.

Town Board --- The Town Board of the Town of Harford.

Wind Energy Activities --- Activities related to the development of energy production via wind power, including but not limited to the siting and construction of MET Towers, WECS, and the siting and construction of all accessory, supporting and related infrastructure including but not limited to transmission lines, substations, battery storage facilities, *etc.*

Wind Energy Conversion System (WECS) --- any mechanism including a Wind Turbine designed for the purpose of converting wind energy into electrical energy and all accessory facilities related thereto.

Wind Energy Support Activities --- Any actions, equipment, fixtures, *etc.*, intended to aid or assist with the development of Wind Energy Activities.

Wind Turbine --- Any tower, pole or other structure, whether attached to a building, guyed, or freestanding, designed to be used for the support of a rotor that consists of blades and hub, as well as a nacelle and generator for producing electricity.

ZBA --- The Zoning Board of Appeals of the Town of Harford.

Section 4. MORATORIUM AND PROHIBITION.

A. From and after the effective date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance (except as contemplated by Section 7 of this Law), building permit, site plan approval, subdivision approval or any other Town-level approval shall be accepted, processed, approved, approved conditionally, or issued for the development, siting, construction, establishment,

use or operation upon any land, body of water, building, or other structure located within the Town any of the following: (i) MET Towers; (ii) WECS; (iii) Wind Energy Activities; (iv) Wind Energy Support Activities. If any application for any type of Town-level permit, variance or approval is submitted to the Town seeking to develop, site, construct, establish, use or operate any of the aforementioned uses or activities prior to the effective date of this Local Law, such application shall be held in abeyance from said effective date until the expiration of this moratorium or the effective date of a duly enacted repeal of this Local Law, whichever occurs earlier.

B. From and after the effective date of this Local Law, no Person shall use, cause, or permit to be used, any land, body of water, building, or other structure located within the Town for any of the following: (i) MET Towers; (ii) WECS; (iii) Wind Energy Activities; (iv) Wind Energy Support Activities.

C. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is six (6) months after said effective date, or (ii) the effective date of a duly enacted repeal of this Local Law.

D. This moratorium and prohibition shall apply to all real property within the Town.

E. Under no circumstances shall the failure of the Town Board, Planning Board, ZBA or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to process, respond to or act upon such application.

Section 5. PENALTIES.

A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.

B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each week's continued violation shall constitute a separate, additional violation.

C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable to a civil penalty of not more than \$2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in an action instituted in the name of the Town of Harford.

D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Harford, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Board may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees.

Section 6. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USES.

Notwithstanding any provision hereof to the contrary, any Wind Energy Activity or Wind Energy Support Activity that is being conducted in the Town as of the effective date of this Local Law and are in all respects being conducted in accordance with all applicable federal, state, county and local laws and regulations and in compliance with all valid permits required to be issued by any federal, state, county and local regulating agencies shall be considered a lawful pre-existing, non-conforming use and shall be allowed to continue, subject, however, to the provisions of this Section.

Any expansion of a lawful pre-existing, nonconforming use shall not be grandfathered under this Section, and instead shall in all respects be prohibited as contemplated by Section 4 hereof. "Grandfathered" and allowed lawful pre-existing, nonconforming uses neither have nor possess any right to expand such non-conforming use, whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

Section 7. HARDSHIP USE VARIANCE.

The Town Board is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of law and of this Local Law) requests for a hardship use variance from application of the provisions of this Local Law by any Person aggrieved hereby.

No such use variance shall be granted without a showing by the applicant that applicable regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate that for each and every permitted use under the zoning regulations for the particular district where the property is located: (i) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence; (ii) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (iii) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and (iv) that the alleged hardship has not been self-created.

In the event a hardship use variance from the provisions of this Local Law is granted to the applicant, the applicant shall be required to comply with all provisions of the Town's then applicable land use laws and other laws and regulations. The Town Board, in the granting of a hardship use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Section 8. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Board of the Town hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 9. SUPERSEDING INTENT AND EFFECT.

It is the specific intent of the Town Board that this Local Law shall supersede any inconsistent provisions of Sections 267, 267-a, 267-b, 274-a, 274-b and 276 of the Town Law of the State of New York, as well as all other inconsistent provisions of local ordinances, local laws, or local resolutions or policies of the Town of Harford, including but not limited to provisions of the aforementioned state and local laws, ordinances, resolutions or policies that require the approval, or affect a default approval of land use applications within certain statutory time periods.

Section 10. GENERAL PROVISIONS.

A. The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.

B. The section and other headings and titles to clauses and phrases in this Local Law are for convenience only, and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

Section 11. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State in accordance with Section 27 of the Municipal Home Rule Law.

TOWN OF HARFORD
RESOLUTION NO. 29-2024
RESOLUTION ADOPTING LOCAL LAW NO. 1-2024

At a regular meeting of the Town Board of the Town of Harford, held on the 1st day April 2024 at Town Hall, 394 State Route 38, Harford, NY 13784, the following resolution was offered by John Burns and seconded by Daryl Cross:

WHEREAS, on February 5, 2024, the Town Board introduced Proposed Local Law No. 1 of the Year 2024 entitled, "A LOCAL LAW RENEWING A MORATORIUM WITHIN THE TOWN OF HARFORD ON THE DEVELOPMENT AND CONSTRUCTION OF WIND ENERGY CONVERSION SYSTEMS AND METEOROLOGICAL TOWERS" and

WHEREAS, the Town Board scheduled a public hearing for March 4, 2024 at 7:00 p.m. for said Proposed Local Law No. 3; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, said public hearing was duly held at Harford Town Hall, 394 State Route 38, Harford, New York on the 4th day of March, 2024 at 7:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, adoption of said Local Law is a Type II action under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, specifically, 6 NYCRR 617.5 (c) (36). Thus, no determination of significance regarding its potential environmental impact is required; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of public health, safety and welfare to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Harford hereby adopts said Proposed Local Law No. 1 of the Year 2024 as Local Law No. 1 of the Year 2024 entitled "A LOCAL LAW RENEWING A MORATORIUM WITHIN THE TOWN OF HARFORD ON THE DEVELOPMENT AND CONSTRUCTION OF WIND ENERGY CONVERSION SYSTEMS AND METEOROLOGICAL TOWERS"; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect immediately.

CERTIFICATION

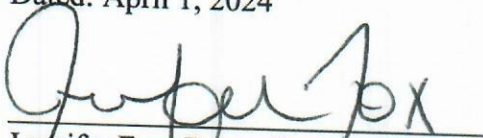
I, Jennifer Fox, do hereby certify that I am the Town Clerk of the Town of Harford and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Harford at a meeting thereof held at the Town Hall on this 1st day of April 2024. Said resolution was adopted by the following roll call vote:

Michelle Morse, Supervisor	voted: Aye
John Burns	voted: Aye
Daryl Cross	voted: Aye
George Ingalls	voted: Aye
Karen Snover Clift	voted: Aye

The resolution was thereupon declared duly adopted by a vote of 5yes / 0no.

Town of Harford Seal

Dated: April 1, 2024


Jennifer Fox, Town Clerk

TOWN OF HARFORD UNSAFE STRUCTURES LAW

The purpose of this law is to promote the public health, safety and general welfare of the residents of the Town of Harford and the conservation of property and property values by requiring the repair or demolition of buildings/structures that, because of their deteriorated, unsafe condition, have become safety and/or health hazards.

RES #30: BE IT RESOLVED that the Board approves the Town of Harford Unsafe Structures Law as written

Daryl Cross made a motion to adopt Resolution #30. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse – Aye

**TOWN OF HARFORD
LOCAL LAW NO. 2 OF THE YEAR 2024**

TOWN OF HARFORD UNSAFE STRUCTURES LAW

BE IT ENACTED by the Town Board of the Town of Harford, as follows:

Section 1. Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the residents of the Town of Harford and the conservation of property and property values by requiring the repair or demolition of buildings/structures that, because of their deteriorated, unsafe condition, have become safety and/or health hazards.

Section 2. Definitions.

As used in this Local Law, the following terms shall have the meanings indicated:

CODE ENFORCEMENT OFFICER — the Code Enforcement Officer of the Town of Harford or such other person appointed by the Town Board to enforce the provisions of this local law.

DANGEROUS OR UNSAFE STRUCTURES — All buildings or structures that have any or all of the following defects shall be deemed dangerous or unsafe buildings:

- A. Those that have improperly distributed loads upon the floors or roofs or in which the same are overloaded or that have insufficient strength to be reasonably safe for the purpose used.
- B. Those that have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, or the general health and welfare of the occupants of the Town.
- C. Those that have become or are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, safety or general welfare of those living therein.
- D. Those having inadequate facilities for egress in case of fire or panic, or those having insufficient stairways, elevators, fire escapes or other appropriate means of egress.
- E. Those that, because of their condition, are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of the Town.

Section 3. Unsafe buildings prohibited; repair, rehabilitation or demolition required.

- A. All buildings or structures qualify as Dangerous or Unsafe Buildings, as defined by section 2 herein, are hereby declared illegal and are prohibited and shall be abated by

repair and rehabilitation or by demolition and removal in accordance with the procedures of this Local Law.

- B. Any building damaged by fire, wind, water or other calamity shall be wholly repaired or removed within six months after the date on which such calamity occurs. Any building so damaged shall be immediately boarded up or sealed off from access by the public unless the damage is confined solely to any chimney, smoke stack, flue, gas vent, smoke pipe or connector, the relevant and applicable provisions of the State Uniform Prevention and Building Code are complied with and such damage is repaired.

Section 4. Inspection and report.

When, in the opinion of the Code Enforcement Officer, any structure located in the Town shall be deemed to be unsafe or dangerous to the public, he shall make a formal inspection thereof and thereafter prepare a written report, which shall be provided to the Town Board for review. The Code Enforcement Officer shall additionally file a copy of said report in his/her office.

Section 5. Service of notice.

- A. When it is determined by the Code Enforcement Officer that a building or structure is dangerous or unsafe to the public, he/she shall promptly serve or cause to be served a notice on the owner or other persons having a vested interest in such property or structure as hereinafter provided. In the event that there are tenants in said structure, said notice shall be served both to the owner and to said tenants.
- B. The aforementioned notice shall be served on the owner of the premises or one of the owner's executors, legal representatives, agents, lessees or other persons having a vested or contingent interest in the same, as shown by the last completed assessment roll of the Town, either personally or by certified mail, return receipt requested. When the notice is served, the Code Enforcement Officer shall additionally cause a copy of such notice to be conspicuously posted on the premises.
- C. The notice referred to in subsection 5.B. above shall contain the following:
- 1) A description of the premises including street address and Tax Map Number.
 - 2) A statement of the particulars in which the building or structure is unsafe or dangerous.
 - 3) An Order of the Code Enforcement Officer requiring the building or structure to be made safe and secure or to be demolished and removed.
 - 4) A statement that the securing or demolition and removal of the building or structure shall commence within 10 days from the date of the service of notice and shall be completed within 30 days thereafter. The Code Enforcement Officer may extend the time of compliance specified in the notice, where there is evidence of intent to comply with the time specified, and conditions exist, that

prevent immediate compliance. In granting any such extension of time, the Code Enforcement Officer may impose such conditions as may be deemed appropriate.

- 5) A statement that, in the event of the neglect or refusal of the person served with notice to comply with the same, a public hearing will be held before the Town Board. The date, time and location of said public hearing shall be clearly stated in the notice.
- 6) A statement that, in the event the Town Board, after the public hearing specified in subsection 5.C.5. hereof, affirms the Code Enforcement Officer's determination that the building or structure in question is unsafe or dangerous to the public, the Town Board may order the building or structure to be repaired and secured or taken down and removed.
- 7) A statement that in the event the building or structure shall be determined by the Town Board to be unsafe or dangerous, the Town may remove such building or structure by whatever means it deems appropriate and may assess all costs and expenses incurred by the Town in connection with the proceeding to remove or secure, including the cost of actually removing said building or structure, against the land on which said buildings or structures are located. That statement shall also provide that the Town may proceed by the appropriate means to ensure compliance with this Local Law through the Supreme Court of the State of New York.

Section 7. Filing of copy of notice.

A copy of the notice referred in section 5 hereof shall be filed with the county clerk of the county within which said building or structure is located, which notice shall be filed by such Clerk in the same manner as a notice of pendency pursuant to article 65 of the Civil Practice Law and Rules and shall have the same effect as a notice of pendency as therein provided, except as otherwise hereinafter provided in this section. A notice so filed shall be effective for a period of one year from the date of filing provided, however, that it may be vacated upon the order of a court of record or upon the consent of the Attorney for the Town. The clerk of the county where such notice is filed shall mark such notice in any record or docket thereof as canceled of record, upon the presentation and filing of such consent or of a certified copy of such order.

Section 8. Emergency measures to vacate.

If the Code Enforcement Officer determines in his inspection of any building or structure that there is actual and immediate danger of failure or collapse so as to endanger life, he/she shall promptly require the buildings or structure, or portion thereof, to be vacated forthwith and not to be reoccupied until the specified repairs are completed, inspected and approved by the Code Enforcement Officer. For this purpose, he/she may enter such building or structure or land on which it stands or adjoining land or structures with such assistance and at such cost as may be necessary. He may also order adjacent structures to be vacated and may protect the public by appropriate barricades or such other means as may be necessary and, for this purpose, may close a private or public right-of-way. The Code Enforcement Officer shall cause to be posted

at such entrance to such building or structure a notice stating: "This building is unsafe and its use or occupancy has been prohibited by the Code Enforcement Officer of the Town of Harford." Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or their agents or other persons to remove such notice without written permission of the Code Enforcement Officer or for any person to enter the building except for the purpose of making the required repairs or demolition thereof.

Section 9. Costs and expenses.

All costs and expenses incurred by the Town in connection with any proceedings or any work done to remove the danger or in connection with the demolition and removal of any such building or structure shall be assessed against the land on which said building or structure is located, and a statement of such expenses shall be presented to the owner of the property, or if the owner cannot be ascertained or located, then such statement shall be posted in a conspicuous place on the premises. Such assessment shall be and constitute a lien upon such land. If the owner shall fail to pay such expenses within 10 days after the statement is presented or posted, a legal action may be brought to collect such assessment or to foreclose such lien. As an alternative to the maintenance of any such action, the Code Enforcement Officer may file a certificate of the actual expenses incurred as aforesaid, together with a statement identifying the property in connection with which the expenses were incurred and the owners thereof, with the Assessor, who shall, in the preparation of the next assessment roll, assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as is provided by law for the collection and enforcement of real property taxes in the Town.

Section 11. Compliance with other regulations.

No provisions of this chapter shall be construed so as to relieve any person from complying with the provisions of the New York State Uniform Fire Prevention and Building Code or any other applicable law, rule or regulation established by New York State or the Town Board; provided, however, that the time limits set forth in this Local Law shall apply if in conflict with the provisions of any other law, rule or regulation.

Section 12. Enforcement.

- A. The Code Enforcement Officer shall enforce the provisions of this Local Law
- B. The Town Board may, by resolution, designate an authorized representative to enforce the provisions of this Local Law in the absence of, or in the event of the inability of the Code Enforcement Officer to so enforce.

Section 13. Separability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any Person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other Persons or circumstances. It is

hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such Person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 14. Effective Date.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

TOWN OF HARFORD
RESOLUTION NO. 30-2024

A RESOLUTION APPROVING LOCAL LAW NO. 2-2024

At a regular meeting of the Town Board of the Town of Harford, held on the 1st day of April 2024 at Town Hall, 394 State Route 38, Harford, NY 13784, the following resolution was offered by George Ingalls and seconded by John Burns:

WHEREAS, on February 5, 2024, the Town Board introduced Proposed Local Law No. 2 of the Year 2024 entitled, "TOWN OF HARFORD UNSAFE STRUCTURES LAW"; and

WHEREAS, notice was given that the Town Board of the Town of Harford scheduled a public hearing for March 4, 2024 at 6:30 p.m. for said Propose Local Law

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town, posted on the Town Clerk's signboard and on the Town's website; and

WHEREAS, said public hearing was duly held on the 4th day of March at 6:30 p.m., at which all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, adoption of said Local Law is a Type II action under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, specifically, 6 NYCRR 617.5 (c) (26). Thus, no determination of significance regarding its potential environmental impact is required; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Harford hereby adopts said proposed Local Law as Local Law No. 2 of the Year 2024 entitled "TOWN OF HARFORD UNSAFE STRUCTURES LAW"; and be it further

RESOLVED that the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution shall take effect immediately.

CERTIFICATION

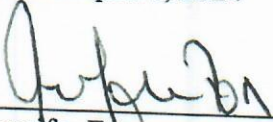
I, Jennifer Fox, do hereby certify that I am the Town Clerk of the Town of Harford and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Harford at a meeting thereof held at the Town Hall on this 1st day of April 2024. Said resolution was adopted by the following roll call vote:

Michelle Morse, Supervisor	voted:	Aye
John Burns	voted:	Aye
Daryl Cross	voted:	Aye
George Ingalls	voted:	Aye
Karen Snover Clift	voted:	Aye

The resolution was thereupon declared duly adopted by a vote of _____.

Town of Harford Seal

Dated: April 1, 2024



Jennifer Fox
Town Clerk of the Town of Harford

RES #31: BE IT RESOLVED to approve the quote from Whitmore Fence in the amount of \$20,785.00 to replace just the posts at the Harford Cemetery. To provide and install 435 ft of Boston Garden post and chain and remove the old fencing.

George Ingalls made a motion to adopt Resolution #31. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse – Aye



Kevin Normile - Budget Fence

605 Conklin Rd Binghamton.

RE: Cemetery posts etc.

Hi Jen,

I have pricing for us just doing the posts for now. We don't usually quote chain so I want to actually visit a box store to make sure we are quoting a decent grade of product. That stuff seems a bit expensive.

If we were just to come up there and pound the posts (up to 42) the cost would be \$4,950.00. Of that \$3,200.00 would be labor and travel etc. the rest materials.

The posts would all be 2" OD Heavy wall black powder coated.

Any questions let me know, I will be in touch about the chain.

1. They would air pound the posts to do disrupt the stones.
2. We can purchase the chain and install it to save \$.

Town of Harford	
Fire Safety Inspector / Code Enforcement	
Date:	Daily Report Feb. 05 - March 3 2024
<u>3/4/2024</u>	Harford Town Board Meeting - Follow up with 185 Route 38 he will be working on cleaning up property.
<u>3/5/2024</u>	Follow up call in regards to stop work at 205 Creamery Rd. Meet with owner of 1185 Daisy Hollow Rd issue bulding permit for renovations to existing manufactured home in accordance with drawing/scope of work from engineer. H24-03
<u>3/6/2024</u>	Follow up with stop work order with owner Creamery Rd.
<u>3/7/2024</u>	Site visit 204 Creamery Rd issue permit H24-04 - Follow up with Landon Fletcher at church on Route 38.
<u>3/12/2024</u>	Site Visit 138 Lacey Spur Rd - Mett with occuapnats about stop work for windows - cant reduce in size need certain egress and lighting/ventilation. Discuss issues with septic system open can not pump onto ground. Contact owner of proeprty and Send pictures and photos to Cortland County Health about septic 138 Lacey Spur Rd.
<u>3/12/2024</u>	Compaplaint related to property line and farm land being created along route 200. Folog up / Research / site visit for complaint on Route 200 about farm land being extended - Reach out to DEC in regards to floodplain proximity, DEC about set backs for manure and pesticide spraying - Pesticide can be sprayed up to property line as long as in accordance with lable and no drift - manure plans to be filed with DEC and are currently spread up to 100' of wells on neighboring properties.
<u>3/14/2024</u>	DEC Floodplain and wetland will be doing follow up visit to area and send out ECO.
<u>3/18/2024</u>	Notice of Violaiton sent to owner 138 Lacey Spur regular, certified and eamil - Return from DSS related to 464 Route 38 complaint unfounded - did disucss zoning only allows 180 days with out a permit time started on first visit of occupancysy. Speak with work at 338 Route 38 planing for deck repair wanted to know code related questions.
<u>3/19/2024</u>	Complete 1203 Report submit to NYS DOS.

3/26/2024	Complaint related to animals and interior conditions at Lot 3. Smoke with Kumar owner of lot confirms he will be meeting with engineer about fixing both lot 3 and lot 4. Site visit to lot 4 and substantially cleaned but still work to be done approx. 6 dumpsters of items taken. - Schedule meeting with Kumar on Tuesday 4/2 - Septic System still open Lacey Spur Site Visit conducted - 383 Route 38 there has been progress truck gone with garbage - no one home to speak with but appears progress.
3/27/2024	Send info to assessors officer report for activity 3/1/23-3/1/24
3/29/2024	Site viist to meet with occupant and DSS worker at Lot 3. No water - 2 cats remain - did allow in house. Occupant advises he is moving out in next few days- advised building will be placarded as unfit for occupancy due to level of filth - Owner of trailer is now reported to be Chrystal MacLean - will follow up with both Kumar and her about code issues and fixing.
4/1/2024	Office report and meet with subject for permit for building expansion Virgil Creek Rd -
	Completed A. Brown 04/01/2024

Adam Brown, Code Enforcement officer, gave his report and a copy is on file at the Town Clerks office.

RES #32: BE IT RESOLVED to adjourn the meeting at 8:45 p.m.

George Ingalls made a motion to adopt Resolution #32. John Burns seconded the motion.

John Burns – Aye

George Ingalls – Aye

Karen Snover Clift - Aye

Daryl Cross – Aye

Michelle Morse - Aye

Respectfully Submitted,
Jennifer Fox, Harford Town Clerk