Hinsdale Town Board
Meeting Minutes

June 8, 2026

I. Call to order:

Supervisor Duchesne called to order the Regular meeting of the Hinsdale Town Board at 7:00pm on June 8, 2026 at the Town Board Room. The Pledge was recited.

II. Roll call:

The following persons were present: Deborah Duchesne – Supervisor- Ronald Brown, Gerald Maerten, Daniel Adams and Joseph Noll- Board members, Ann Carr- Town Clerk, Jeremy Guthrey- Hwy Superintendent, Mark & Shelly Folland, Marilyn Reynolds, James Conrad & Ed Gilmore-residents

III. Approval of minutes from last meeting:

Clerk Carr presented the minutes from the May meeting. The minutes were approved by a **motion** from Councilman Adams. Seconded by Councilman Brown. Ayes All.

IV. Supervisor's Report:

a) The Town will have another meeting to discuss the Jollytown Culvert project on June 18, 2026 at 6:00pm.

b) The Town has been in contact with the Court for restitution of the damage made to the Rec. park due to a truck badly rutting up the grass. The sheriffs dept. has caught the person who did the damage.

c) **Motion** to front -load Hwy. Supt. Guthrie's HRA contribution card due to some unforeseen medical bills made by Councilman Maerten. Seconded by Councilman Brown. Ayes all

V. Motion to approve Resolution # 26 of 2026 to adopt the Town of Hinsdale's FOIL Policy made by Councilman Maerten. Seconded by Councilman Adams. Ayes all and reads as follows:

TOWN OF HINSDALE RESOLUTION NO. 26-2026

A RESOLUTION OF THE TOWN OF HINSDALE ADOPTING THE POLICY PERTAINING TO PUBLIC ACCESS TO RECORDS OF THE TOWN OF HINSDALE "Freedom of information law".

WHEREAS, the New York State Public Officers Law, Article 6 Sections 84 — 90 establishes the Freedom of Information Law, "FOIL"; and

WHEREAS, the Town of Hinsdale Town Clerk/Records Management Officer has prepared a written policy to meet the requirements of the New York State Freedom of Information Law recognizing that the town records belong to the citizens and must be available to provide a process for the interested parties to view or receive copies of town records as required by law; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF HINSDALE, NEW YORK, THAT: In accordance with New York State Public Officers law, Article 6, Sections 84 — 90, the Hinsdale Town Board adopts the Town of Hinsdale F.O.I.L. Policy as written.

of June, 2026.

ADOPTED by a vote of 5 in favor and O against, and o abstaining, this 8th day of June, 2026.

By:

Deborah Duchesne, Town Supervisor

ATTEST: By: Ann L Carr

Ann L. Carr, Town Clerk

APPROVED AS TO FORM: By:

Ann L Carr

Ann L. Carr, Town Clerk

FOIL POLICY TOWN OF HINSDALE
RULES PERTAINING TO PUBLIC ACCESS TO RECORDS OF THE TOWN OF HINSDALE

1. Purpose and scope
2. Designation of records access officer

3. Location
4. Hours for public inspection
5. Requests for public access to records
6. Subject matter list
7. Denial of access to records
8. Fees
9. Severability

1. Purpose and Scope.

(a) The State Legislature finds that a free society is maintained when government is responsive and responsible to the public. The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. The more open a government is with its residents, the greater the understanding and participation of the public in government. All Town records belong to our citizens and it is our duty to care for them properly and make them available. This policy serves as a detailed element of the FOIL Law; see Public Officers Law, Article 6, §84-90 [Freedom of Information Law].

(b) Any New York State or municipal department or government entity performing a governmental or propriety function is subject to the Freedom of Information Law, most commonly referred to as "F.O.I.L." or "FOIL". Each governmental entity is an "agency." The Town Justice Court is outside its coverage but often must disclose records under other provisions of the law. Set forth herein are the procedures to be followed when individuals seek access, pursuant to the Freedom of Information Law, to records in the custody of and maintained by the Town of Hinsdale.

(c) The Town Clerk, as Records Management Officer, shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law. In this regard the term "records" is defined to include any information kept, held, filed, produced or reproduced by, with or for the Town, in any physical form whatsoever.

2. Designation of Records Access Officer.

The Hinsdale Town Clerk is responsible for insuring compliance with FOIL and with the policies and procedures established by the Town of Hinsdale for responding to release of information requests. The Town Clerk is designated as Records Access Officers.

3. Location.

Records shall be available for public inspection and copying at:

Hinsdale Town Hall
Town Clerk's Office
4129 Route 16, PO Box 95
Hinsdale, NY 14743

Unless otherwise specified.

4. Hours for Public Inspection.

Requests for public access to records may be made by appointment with the Town Clerk.

5. Request for Public Access to Records.

(a) A written request shall be required via the Towns standard request form or via email to hinsdaletownclerk2014@gmail.com will be generally used, although it will not be an absolute requirement to use the form when filing a Freedom of Information Law request. All FOIL requests should be directed and/or submitted to the Town Clerk. It shall be the responsibility of the Town Clerk to make the decision as to how each FOIL request should be handled.

(b) An acknowledgment letter will be sent to the requestor within five (5) business days of receipt of a request by the Town Clerk.

(c) A decision and response will be made by the Town Clerk, which shall be reasonable under the circumstances of the request, as to whether the request will be granted, denied or that circumstances prevent disclosure.

(d) The records will be provided on the medium requested by the requestor if the Town can reasonably make such a copy or have such copy made by engaging an outside professional service for a fee determined by the Town Clerk.

(e) If records are maintained on the internet, the requestor shall be informed that the records are accessible via the internet.

(f) The Town Clerk, Deputy or Records Officer may require a person requesting lists of names and addresses to provide a written certification that such person will not use such lists of names and addresses for solicitation or fund-raising purposes and will not sell, give or otherwise make available such lists of names and addresses to any other person for the purpose of allowing that person to use such lists of names and addresses for solicitation or fund-raising purposes.

(g) Once the Town Clerk has obtained the records that have been requested, the requestor will be contacted to either review the records, or pick up the copies of the records. The Town Clerk will inform the requestor of the times and the places the records are available, from whom the records may be obtained, and the fees for the copies of the records requested. While in most cases, the records will be forwarded to the Town Clerk's Office, in some cases, the requestor will be asked to view or pick up the records at the respective department.

(h) The Town Clerk will close the FOIL request once it is satisfied and paid, or it is denied.

(i) A failure to comply with the time limitations described herein may result in the request being deemed denied and subject to appeal.

6. Subject Matter List.

(a) The Town Clerk's Office shall maintain a reasonably detailed current list by subject matter of all records maintained by the Town of Hinsdale, whether or not records are available pursuant to subdivision two of Section eighty-seven of the Public Officers Law.

(b) The NYS LGS-1 Schedule will serve as the Town's subject matter list.

7. Denial of Access to Records and Appeal of Denial.

(a) Denial of access to records shall be from the Town Clerk and shall be in writing stating the reason therefore and advising the requestor of the right to appeal in writing, within thirty (30) days of the denial, to:

Hinsdale Town Supervisor
Hinsdale Town Hall
4129 Route16,
Post Office Box 95
Hinsdale, New York 14743

(b) The time for deciding an appeal by the Hinsdale Town Supervisor shall commence upon receipt of the written appeal that identifies the following:

(1) The date and location of requests for records;
(2) A description, to the extent possible, of the records that were denied; and
(3) The name and return address of the person denied access.

(c) A failure to determine an appeal within ten (10) business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.

(d) The Hinsdale Town Clerk or the Town Supervisor shall inform the appellant and the Committee on Open Government of its determination in writing within ten (10) business days of receipt of an appeal.

(e) The determination shall be transmitted to the Committee on Open Government at the following address:

Committee on Open Government
Department of State
41 State Street, Albany, NY 12231

8. Fees.

(a) There shall be no fee charged for:

(1) Inspection of records
(2) A Reasonable Search for records; or
(3) Any certification pursuant to this part.

(b) Fees for copies may be charged, provided that:

(1) The fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 9 by 14 inches;

(2) The fee for copies of records not covered by paragraph (1) of this subdivision, such as fees for the actual cost of reproducing any other records in varying forms of media such as a computer disk, may also be charged; the cost of reproducing a record may include the hourly salary paid to the lowest paid agency employee able to reproduce the record if at least two hours of agency employee time is needed to prepare a copy of the record requested, the cost of the storage device or media provided to the person making the request and the cost of engaging an outside organization to produce a copy of the record.

(c) The requestor will be instructed to pay the Town Clerk the fees incurred.

(d) In the event the requestor has requested records in which photocopying fees will be in excess of $10.00, the requestor will be required to pay the estimated fees prior to the photocopying of documents. This will ensure that the requestor is serious in the request to receive information and avoid the risk of time being wasted by employees making photocopies of records which are never claimed.

(e) The fee for reproducing an electronic record on computer disk shall not exceed $5.00 for the media.

9. Severability.

If any provision of these rules or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these rules or the application thereof to other persons and circumstances. *June 2026*

VI. Motion to Approve <u>Resolution # 27 of 2026- Town of Hinsdale's Social Media Policy</u> made by Councilman Maerten. Seconded by Councilman Brown. Ayes all. Resolution and policy read as follows:

TOWN OF HINSDALE RESOLUTION NO. 27-2026

A RESOLUTION OF THE TOWN OF HINSDALE ADOPTING THE "TOWN OF HINSDALE SOCIAL MEDIA POLICY".

WHEREAS, the Town of Hinsdale has determined that the use of social media has become an effective and integral means to disseminate information and communications to its citizens and the general public; and

WHEREAS, the Town of Hinsdale Town Clerk has prepared a written policy for establishing social media sites and the management of such approved sites; and

WHERAS, the Hinsdale Town Board authorizes the Town Clerk to act as the administrator of the town's social media sites and to maintain the sites per the guidelines of this policy; and

NOW THEREFORE, BE IT RESOLVED, the Hinsdale Town Board adopts the 'Town of Hinsdale Social Media Policy' as written.

of June, 2026.

ADOPTED by a vote of 5 in favor and O against, and O abstaining, this 8th day of June, 2026.

By:

Deborah Duchesne, Town Supervisor

ATTEST: By: _____

Ann L. Carr, Town Clerk

APPROVED AS TO FORM: By: _____

Ann L. Carr, Town Clerk

Town of Hinsdale Social Media Policy

Purpose

This policy establishes guidelines for the use of social media platforms by the Town of Hinsdale as a means of conveying Town of Hinsdale ("Town") information to its citizens. For purposes of this policy, examples of social media include Facebook, YouTube, and Twitter. These guidelines include, but are not limited to, the Town web site and any social media platforms. The intended purpose for establishing Town of Hinsdale social media sites is to disseminate information from the Town, about the Town, to its citizens and visitors, and as an alternate and additional means of communication during emergency situations. Utilization of Town approved social media sites must adhere to this policy. This policy may be amended at the direction of the Town Board. The Town shall establish an "official" town-wide social media site(s) and the Site Administrator shall be the Town Clerk, who shall oversee and manage social media accounts and overall online presence. The Site Administrator is empowered to authorize town employees as Assistant Site Administrators to assist in creating and moderating all social media content.

General Policy

1. The town of Hinsdale does not allow public commenting on the Town of Hinsdale's Facebook page or other forms of social media.

2. All Town social media sites shall adhere to applicable federal, state, and local laws, regulations and policies.

3. Site Administrator or Assistant Administrator representing the Town government via Town social media site(s) must express themselves using language and content that reflects the highest standards of decorum and in accordance with all Town policies.

4. This Social Media Policy may be revised at any time by the Town board.

VII. Motion at approve Resolution # 28 of 2026 – Allowing Cattaraugus County Soil and Water to be able to enter into a contract for the Jollytown Culvert Project. Made by Councilman Brown. Seconded by Councilman Noll. Ayes all resolution reads as follows:

Town of Hinsdale RESOLUTION NUMBER: 28

DATE: 06/08/2026

BOARD RESOLUTION TITLE: Resolution to accept Cattaraugus County Soil & Water Conservation District's Round 21 Water Quality Improvement Project (WQIP) award; and

WHEREAS, the Town of Hinsdale previously authorized Cattaraugus County Soil & Water Conservation District (CCSWCD) to submit an application for New York State Department of Environmental Conservation's (NYSDEC) Round 21 WQIP Grant Program documented in *Town of Hinsdale Resolution No. 26-2025;* and

WHEREAS, CCSWCD has been awarded up to $805,600 in its "Jollytown Road Brook Trout Connectivity Project" in NYSDEC's R21 WQIP grant via the aquatic connectivity track to replace a compromised culvert acting as an aquatic barrier on Jollytown Road in the Town of Hinsdale, NY; and

WHEREAS, the Town of Hinsdale desires and agrees to fund the project to replace the culvert outlined above within the parameters of CCSWCD's contract and be reimbursed up to 75% of the project's total eligible expenditures; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Hinsdale Board of Directors:

1. authorize Highway Superintendent J. Guthrie and/or Supervisor D. Duchesne, or such person's successor in office, to enter into a contractual agreement with Cattaraugus County Soil & Water Conservation District; and

2. agrees to fund the Town of Hinsdale's portion of the cost of the Project as outlined in the contract; and

3. will provide one (1) certified copy of this Resolution to Cattaraugus County Soil & Water Conservation District for record and dissemination where necessary; and

BE IT FURTHER RESOLVED that this resolution take effect immediately upon adoption.

ADOPTED, by the Town of Hinsdale Board of Directors on June 8, 2026.

APPROVED:

I hereby certify that the forgoing resolution was duly passed and adopted by the Town of Hinsdale Board of Directors at a meeting held on the 8th day of June in the year 2026.

On motion of Councilman Brown and seconded by Councilman Noll, the resolution passes and is hereby ADOPTED.

Signature _____ Title: Hinsdale Town Clerk

Ann Carr

VIII. Motion made to approve Resolution # 29 of 2026 Designating recipient of voluntary animal shelter contributions Pursuant to NYS agriculture and Markets Law 109 made by Councilman Adams. Seconded by Councilman Noll. Ayes all reads as follows:

RESOLUTION #29 of 2026 – June 08, 2026

DESIGNATING RECIPIENT OF VOLUNTARY ANIMAL SHELTER

CONTRIBUTIONS PURSUANT TO NYS AGRICULTURE & MARKETS LAW §109

WHEREAS, New York State Agriculture & Markets Law §109, as amended effective December 2025, requires that municipalities include in dog license applications and renewals an option for voluntary contributions to support an animal shelter; and

WHEREAS, pursuant to such law, voluntary contributions collected in connection with dog licensing are to be provided to the organization under contract with the municipality for animal shelter services; and

WHEREAS, the Town of Hinsdale currently contracts with the Town of Olean to provide such services; and

WHEREAS, the Town Board wishes to acknowledge and implement the requirements of §109 in a manner consistent with applicable law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges that, pursuant to New York State Agriculture & Markets Law §109, all voluntary animal shelter contributions collected in connection with dog licensing shall be for the benefit of the Town of Olean Municipal Shelter as the Town's contracted animal shelter provider; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to update dog license applications, renewal forms, and related materials to include a clearly identified voluntary contribution option in compliance with §109, including language stating that such contributions are voluntary and not part of the license fee, and identifying the Town of Olean Municipal Shelter as the recipient; and

BE IT FURTHER RESOLVED, that the Town Comptroller/Treasurer is authorized and directed to establish a dedicated fund or budget line item for the receipt and accounting of such contributions; and

BE IT FURTHER RESOLVED, that all funds collected pursuant to this program shall be remitted to the Town of Olean Municipal Shelter no less than annually, and may be

remitted on a more frequent basis as determined appropriate by the Town's financial officers; and

BE IT FURTHER RESOLVED, that the appropriate Town officials are authorized to take all actions necessary to implement this resolution, including administrative and system updates

IX. Highway Supt. Report:

a) The Salt Storage Building is in progress. The metal is going up for the roof.

b) The Hwy Dept. has been sweeping and mowing roads.

X. Budget Officer:

a) Budget to actual for May 2026 has been received.

b) The Town Board needs to monitor the Salt Storage Building Expenses and make sure that they are submitted to Catt. Co. Water and Soil timely in order to receive the Grant funding

c) The towns collective Bargaining agreement ends Dec. 31, 2026. Negotiations should begin soon as Tier 6 retirement fees and health insurance for2027 are expected to rise significantly. Budget talks will begin in August.

d) The town need to have another meeting with Water and Soil about the Jollytown Culvert project as there are some unanswered questions.

XI. Town Clerk's Report: Received May 2026

XII. Justice Report: Received Town's share for March 2025 and Fines for April 2026

XIII. Code Enforcement Report: May Received.

XIV. Water Dept. Report: Received May 2026

XV. Assessor: Received May 2026. The Tentative roll was created on May 1, 2026

XVI. Open issues

a) The Town's Noise Law is being revised. An amendment is being created to add the 90-decibel level as a measurable measure.

XVII. New business:

a) Councilman Maerten asked the board to approve a temporary moratorium on BASS- Battery Energy Storage Systems as the Local fire departments are not prepared to handle that type of fire or environmental hazard. **Motion** to approve the moratorium for 365 days from today so that more information would be available made by Councilman Maerten. Seconded by Councilman Noll. Ayes all

XVIII. Public Comment:

a) The resident who asked about no Littering signs was told that Hwy Supt. Guthrie would try to install a few on Pennsylvania rd.

b) The resident that complained in May that the Highway Dept. cut back trees not in the Town's right-a -away asked what the Hwy. Dept. was going to do for restitution. Also could they cut the tree down that was trimmed beyond help and was afraid it could now fall into their home.

c) The residents who inquired about the propane canons were told that the lawyer advised the town to amend the current law. He is currently working on the amendment.

d) A resident of Pennsylvania rd. asked the Hwy Supt. if anything could be done about the dirt that has backed up from the winter by a bridge causing his yard to flood. The Hwy Supt replied that they were in the process of clearing around the bridges.

XIX. Motion to approve the bills of the June Abstract made by Councilman Maerten Seconded by Councilman Brown. Ayes all.

General Fund Claims:	**114 thru 137 -**	**$307,623.11**
Highway Fund Claims:	**81 thru 95 -**	**$ 16,829.41**
Water Fund Claim:	**32 thru 37 -**	**$ 16,228.33**

XX. Adjournment: Motion to adjourn the meeting made by Councilman Noll. Seconded by Councilman Brown. Ayes all.

Supervisor Duchesne adjourned the meeting at 7:55 pm.

Next Meeting June 08, 2026 at 7:00pm

Minutes submitted by: Ann L Carr

Minutes approved by: