

REORGANIZATIONAL MEETING  
JANUARY 5, 2010

The Reorganizational Meeting of the Town Board of the Town of Somerset, County of Niagara and the State of New York was held at the Town Hall, 8700 Haight Road, Barker, New York on the 5<sup>th</sup> day of January 2010.

Present:	Richard J. Meyers -----	Supervisor
	Randall J. Wayner -----	Councilman
	Daniel M. Engert -----	Councilman
	Gary R. Alt -----	Councilman
	Robin R. Jansen -----	Councilman
	Rebecca A. Connolly --	Clerk
	Melvin H. Denny -----	Supt of Water/Sewer/Grounds

Attended by: Approximately 8 residents and 1 student from Barker Central School

Supervisor Meyers called the meeting to order at 7:30PM with the Pledge to the Flag.

**INSTALLATION OF OFFICIALS**

Clerk Connolly swore Supervisor Richard J. Meyers, Councilman Gary R. Alt and Councilman Robin R. Jansen into office..

RESOLUTION 1-2010

**SUPERVISOR'S APPOINTMENTS**

On a motion of Councilman Wayner, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved the following Supervisor's Appointments are approved:

DEPUTY SUPERVISOR – Daniel Engert

CONFIDENTIAL SECRETARY – Melinda Austin

HISTORIAN - Lorraine Wayner

COMMITTEE APPOINTMENTS:

WATER/SEWER – Supervisor Meyers & Councilman Engert

PARKS & RECREATION – Councilman Engert, Councilman Jansen & Supt. Denny

ZONING & PLANNING – Supervisor Meyers & Councilman Wayner

DRAINAGE – Councilman Alt, Councilman Wayner & Supt. Bigelow

REFUSE – Councilman Alt, Councilman Wayner & Clerk Connolly

TOURISM – Supervisor Meyers & Councilman Jansen

SENIOR CITIZENS – Supervisor Meyers and Councilman Engert

AUDIT – Councilman Wayner & Councilman Engert

SOMERSET GOVERNMENT EFFICIENCY COMMITTEE –

Councilman Wayner, Councilman Engert, & Councilman Alt

ECONOMIC DEVELOPMENT –

Supervisor Meyers, Councilman Jansen & David Demaris

RESOLUTION 2-2010

**APPOINTMENTS**

On a motion of Councilman Engert, seconded by Councilman Jansen the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the following appointments are approved:

The REGULAR MEETING of the Town Board shall be held on the 2<sup>nd</sup> Tuesday of each month at 7:00PM at the Somerset Town Hall, 8700 Haight Road, Barker, New York.

The OFFICIAL DEPOSITORIES for funds (all accounts) shall be:

HSBC Bank USA, 8683 Main Street, Barker, NY

M & T Bank, Lockport, NY

Bank of Akron, Akron, NY

For Investments:

Chase Bank, New York, NY

AUTHORIZED SIGNATURES AT BANKS are Supervisor, Meyers, Deputy Supervisor Engert and Town Clerk Rebecca Connolly

OFFICIAL PUBLICATION shall be Lockport Union-Sun & Journal, Lockport, NY

OFFICIAL MILEAGE shall be based on the federal rate which has been established at \$.50 per mile for 2010

LEGAL REPRESENTATION shall be Chelus, Herdzik, Speyer & Monte, P.C. as per agreement

FOREMAN for Water/Sewer/Grounds shall be Douglas Lewis

REGISTRAR OF VITAL STATISTICS shall be Rebecca A. Connolly with term expiring 12/31/ 2013

DEPUTY REGISTRAR OF VITAL STATISTICS shall be Bethany J. Ingham with term expiring 12/31/ 2013

MARRIAGE OFFICER shall be Rebecca A. Connolly

DOG CONTROL OFFICER shall be Mark Remington

DEPUTY DOG CONTROL OFFICER shall be Nancy Pestinger (compensation of hourly rate plus mileage when requested by DCO to assist)

NUTRITION SITE SERVICE ASSISTANT shall be Christine Monnin

SENIOR COMMUNITY SERVICE AIDE shall be Gladys Dibble

PLANNING BOARD MEMBERS shall be Norman Jansen for a seven year term with term expiring 12/ 31/ 2017 and Krista Snell for a two year term with term expiring 12/ 31/ 2012

ZONING BOARD OF APPEALS MEMBER shall be Scott Ecker for a five year term expiring 12/31/2014

ZONING BOARD OF APPEALS ALTERNATE shall be Kent Wakefield for a one year term expiring 12/31/2010

PLANNING/ZONING BOARD SECRETARY shall be Rebecca Connolly

SENIOR CITIZEN DIRECTOR shall be JoAnn Greenwald

TOWN CLERK Connolly announced that Bethany Ingham and Tracy Carmer have been appointed Deputy Clerks and TAX COLLECTOR Ruth Wendler appointed Rebecca Connolly as Deputy Tax Collector.

**PLANNING BOARD ALTERNATE**

Supervisor Meyers announced that applications will be accepted for the Planning Board Alternate vacancy, with an ad to be placed in the newspaper.

RESOLUTION 3-2010

**APPROVAL OF SCHOOLING**

On a motion of Councilman Wayner, seconded by Councilman Engert, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that schooling for Elected and Appointed Officials, Water Superintendent, Code Enforcement Officer, Assessor and Dog Control Officers when school pertains to respective jobs is duly authorized.

RESOLUTION 4-2010

**APPROVAL OF HISTORICAL SOCIETY CONTRACT**

On a motion of Councilman Engert, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the contract with the Town of Somerset Historical Society for \$8,000.00 for 2010 is approved.

RESOLUTION 5-2010

**APPROVAL OF LIBRARY CONTRACT**

On a motion of Councilman Engert, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the contract with the Barker Free Library for \$17,000.00 for 2010 is approved.

RESOLUTION 6-2010

**APPROVAL OF SENIOR CITIZENS AGREEMENT**

On a motion of Councilman Alt, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the agreement with the Barker Senior Citizens for \$7,500.00 for 2010 is approved.

RESOLUTION 7-2010

**APPROVAL OF SOMERSET YOUTH BASEBALL AGREEMENT**

On a motion of Councilman Engert, seconded by Councilman Wayner, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the agreement with the Somerset Youth Baseball League for \$6,500.00 for 2010 is approved.

RESOLUTION 8-2010

**APPROVAL OF AMERICAN LEGION AGREEMENT**

On a motion of Councilman Wayner, seconded by Councilman Engert, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the agreement with the American Legion Herbert W. Carr Post #425 for providing veterans service for 2010 for \$ 1,300.00 is approved.

RESOLUTION 9-2010

**APPROVAL OF HIGHWAY AGREEMENT WITH VILLAGE OF BARKER**

On a motion of Councilman Engert, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the contract with the Village of Barker for providing use of highway equipment and services for 2010 is approved.

RESOLUTION 10-2010

**APPROVAL OF WATER/SEWER AGREEMENT WITH VILLAGE OF BARKER**

On a motion of Councilman Engert, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the contract with the Village of Barker for providing use of equipment and services for repair of water lines is approved.

RESOLUTION 11-2010

**APPROVAL OF AGREEMENT WITH NIACAP**

On a motion of Councilman Jansen, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved the agreement with the Niagara Community Action Program (NIACAP) for \$2,000 for 2010 is approved.

RESOLUTION 12-2010

**AUTHORIZE PURCHASE OF STONE, GRAVEL, ETC.**

On a motion of Councilman Wayner, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Wayner  
Nays 0

Resolved that the Superintendents of Departments are authorized to purchase stone, gravel, asphalt, gasoline, tires, etc., at state and county prices.

RESOLUTION 13-2010

**AUTHORIZE PURCHASES UP TO \$1,000.00**

On a motion of Councilman Engert, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the department heads are authorized to purchase up to \$1000.00 per item without prior Town Board approval.

RESOLUTION 14-2010

**AUTHORIZE TO PRE-PAY ITEMS**

On a motion of Councilman Jansen, seconded by Councilman Alt, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that the Supervisor is authorized to prepay utility bills, contracts and postage.

RESOLUTION 15-2010

**DESIGNATION OF HIGHWAY FUNDS**

On a motion of Councilman Wayner, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that pursuant to the provisions of Section 284 of the Highway Law, monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, \$455, 378.00 shall be expended for the general repairs upon 33.42 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

RESOLUTION 16-2010

**APPROVAL OF INVESTMENT POLICY**

On a motion of Councilman Engert, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that upon review by the Town Board, the investment policy of the Town of Somerset is approved.

RESOLUTION 17-2010

**APPROVAL OF PROCUREMENT POLICY**

On a motion of Councilman Engert, seconded by Councilman Wayner, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved that upon review by the Town Board, the procurement policy of the Town of Somerset is approved.

**PUBLIC COMMENT**

James Hoffman addressed the Board regarding the inability of being able to obtain any information regarding the proposed PILOT that the Niagara County Industrial Development Agency is holding a public hearing for on January 11, 2010. He stated he has been told by Robert Freeman, Executive Director of the Committee on Open Government, that the information should be available.

Supervisor Meyers stated that the language of the stipulation agreement has not been finalized and until that time, the PILOT language cannot be finalized as that language needs to be included. He stated that it should be done shortly and as soon as he has the proposed PILOT, he will get a copy to him.

Discussion ensued as to the procedure being followed; the stipulation agreement; the progress made to date; and the affected taxing jurisdictions driving the process.

RESOLUTION 18-2010

**EXECUTIVE SESSION**

On a motion of Councilman Alt, seconded by Councilman Engert, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved the Town Board enter into Executive Session at 7:58PM to discuss the qualifications of the sole assessor applicants and the proposed PILOT litigation with AES.

RESOLUTION 19-2010

**RECONVENE REGULAR SESSION**

On a motion of Councilman Alt, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved the Town Board reconvene the regular session at 9:54PM.

RESOLUTION 20-2010

**APPOINTMENT OF SOLE ASSESSOR**

On a motion of Councilman Alt, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 3 Meyers, Alt, Jansen  
Nays 2 Wayner, Engert

Resolved that Robert Glidden shall be appointed Sole Assessor.

RESOLUTION 21-2010

**SOLE ASSESSOR SALARY**

On a motion of Councilman Alt, seconded by Supervisor Meyers, the following resolution was

DEFEATED Ayes 2 Meyers, Alt  
Nays 3 Wayner, Engert, Jansen

Resolve the salary for Sole Assessor is set at \$18,000.00 per year with \$6,000.00 per year for the Assistant.

On a motion of Councilman Wayner, seconded by Councilman Jansen, the following resolution was

ADOPTED Ayes 5 Meyers, Wayner, Engert, Alt, Jansen  
Nays 0

Resolved the salary of Sole Assessor is set at \$13,530.00 per year with \$6,000.00 per year for the Assistant.

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On a motion of Councilman Wayner, seconded by Councilman Engert, the meeting adjourned at 9:58 PM subject to the Call of the Clerk. Carried unanimously.

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Rebecca A. Connolly, MMC  
Town Clerk