



Town of Somerset

Volume 34, Issue 1

Spring 2019

From Your Town Clerk



Dear Residents,

I will start by saying how sorry I am that the Village and Library lost their home. I am working with an elementary teacher on a fundraiser where the students are making bookmarks that I can sell at the Town Hall to benefit the library. When they are ready I will post something on our website. I am sure they will be adorable!

If you have called the Town Hall recently you should have noticed that we have our new phone system. We can now transfer calls directly to the Highway and Water/Sewer Departments so you do not have to hang up and call them. Almost every position also has their own phone number, so if there is someone that you call often, you can call their direct number so you do not have to go through the system every time. Just ask the department head for their number.

As always, please call me with any questions you may have! 716-795-3575 ext. 2 Enjoy your Spring!

Tracy L. Carmer, RMC

2019 Free Rabies Clinics

- Saturday, April 6th 2PM - 4PM Town of Porter Highway Garage
- Saturday, May 18th 9AM - 11:30AM Town of Shelby Highway Building
- Saturday, June 1st 9AM - 11AM Hyde Park, Niagara Falls
- Saturday, July 13th 9AM - 11AM Town of Royalton Highway Garage
- Saturday, August 24th 9AM - 11:30AM Town of Shelby Highway Building
- Saturday, September 14th 2PM - 4PM Town of Lockport Highway Dept.
- Saturday, October 12th 9AM - 11:30AM Orleans County Highway Bldg.
- Saturday, December 7th 2PM - 4PM City of North Tonawanda Public Works Dept.

INSIDE THIS ISSUE

<i>Supervisor News</i>	2
<i>Councilwoman's Corner</i>	3
<i>Community Calendar</i>	3
<i>Legislature Syracuse</i>	5
<i>Highway Department</i>	6
<i>Historian's Corner</i>	6
<i>Water/Sewer Department</i>	7
<i>Senator Ort</i>	8

A Word From Your Supervisor

Daniel Engert 716-795-3575, ext. 3



Greetings friends and neighbors in Somerset!

Let me begin by announcing that the **Annual Tire Drop-off** has been scheduled. Residents are encouraged to drop off tires at the Highway Garage on Haight Road during the week of **April 22-26 anytime between 7:00am-3:00pm and Saturday April 27 from 9:00am-12:00pm**. Most tires, including large agricultural, are acceptable provided they are free from excessive dirt, soil, rocks and are free from but not limited to chemical, industrial or processed waste contamination.

Secondly, I am very excited to report that the town was successful from my application for REDC funding to study the feasibility of developing a recreational park on the site of the Somerset Operating Company power plant. The Study will assess site constraints and opportunities, evaluate potential environmental issues and result in a Master Plan for park development. The project will advance the Town's approved Local Waterfront Revitalization Program goals of creating new public waterfront access and providing recreational opportunities for visitors and residents.



The over 150-acre property, along Lake Road, rests atop the former coal ash pile that underwent full remediation and now rises 200 feet above the surrounding landscape, offering some of the best views in the area. I've toured the site multiple times and on a clear day, you can see the plume from Niagara Falls, over 30 miles to the southwest. When New York State Electric and Gas proposed to build a power plant in Somerset in the late 1970s, it agreed to provide a multiple-use, recreational site for the general public. That agreement has been in place since 1982 and I proposed that the town board should take action now to review and study the concepts and findings in that plan. The town has retained Wendel to provide engineering services and we will complete the initial feasibility study later this year. After completing the study, the town will apply for more grant funding and ideally, move ahead with construction thereafter. We're really excited to be developing a concept for a new park in Somerset! Stay tuned for more information and public involvement plans and opportunities!

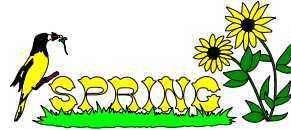
I am also pleased to report that the Town of Somerset and the Barker Central School District (BCSD) have agreed to terms for the provision of a full-time police officer to be present and on duty during all school days throughout the school year. The Town of Somerset Police Department will provide an officer to enhance the safety and security of the students and faculty in the school. The main priority of this initiative is providing a safe atmosphere where students and faculty can concentrate on their pursuit of educational development and excellence. I applaud the Barker Central school district for seriously considering and taking action for the protection of our students. Rural (Somerset/BCSD) communities certainly deserve the same protections and safety services similarly and regularly provided for by urban districts.

Lastly, I am again very disappointed to report that after more than four and a half years of the frustrating Article 10 process, Apex Clean Energy continues to threaten to move forward in its plan to convert our entire Town into a sprawling industrial wind energy factory of massive proportion. Since their invasion of our town, they have "proposed" to file an application numerous times, yet instead they have needlessly divided our community for no apparent reason. Notably, they have not achieved even one single sign-off from any local, state or federal agency regarding their project. However, please be very assured that in the event that Apex actually files an application, the Town will vehemently defend the overwhelming will of our community to reject this project in order to protect the health, safety, welfare and future of our Town.

Finally, with the oncoming warmer weather, please be sure to drive safely throughout the Town and be extra careful for the sake of the many bicyclists, runners, and walkers who will soon be outside enjoying the spring season!

In your service, Daniel M. Engert – Town Supervisor

Councilwoman's Corner



Spring is around the corner. Yes, SPRING. Please take extra care in looking out for motorcycles and bikes, runners and walkers, and children playing near the road and make sure your dogs are properly restrained. Dog bites are painful and frightening for people of all ages but especially children. The Town of Somerset has a leash law and all dogs are to be either leashed or fenced in. The leash law is not only to protect town residents and visitors, but also to help protect your dog from being attacked by wildlife and from being hit by passing cars. Please be considerate of your neighbors and people enjoying the spring outdoors and make sure your dog is leashed. Let's make this spring a safe one.

New York State also requires that all dogs be licensed and up to date on their shots. Please see the Town of Somerset Town Clerk if you have any questions about this requirement.

Look twice, save a life.

Councilwoman Robin Jansen



COMMUNITY CALENDAR

- ◆ Saturday, March 30th 10:00AM - Donate Life Fun Run/Walk - Contact Heather McIntyre at Barker Central School for details
- ◆ Saturday, April 13th 10:00AM - Easter Egg Hunt at the Somerset Town Park, sponsored by the Lighthouse Optimist Club (sign-in at 9:30AM)
- ◆ Wednesday, April 17th 9:30AM- 10:30AM Free Business Workshop at the Town Hall. Call 278-8760 to reserve your space
- ◆ Monday, April 22nd - Friday, April 26th 7AM - 3PM - Annual Tire Drop Off - Town of Somerset Highway Garage
- ◆ Saturday, April 27th 9AM - 12PM - Annual Tire Drop Off - Town of Somerset Highway Garage
- ◆ Sunday, April 28th 1:00PM - 4:00PM - Spring Raffle and Spaghetti Dinner - Barker Fire Hall
- ◆ Saturday, May 4th 10AM - 1PM I Love My Park Day at Golden Hill State Park
- ◆ Sunday, May 5th 12PM - 2PM - Chicken Barbecue - Somerset Conservation Club
- ◆ Sunday, May 5th 2PM - Basket Raffle (following the Chicken BBQ) - Somerset Conservation Club
- ◆ Monday, May 20th 7PM - Somerset Historical Society - John Montague will be speaking on steamboats at the Somerset Town Hall
- ◆ Saturday, May 25th 12:00PM - 5:00PM - Rummage Sale at the Lighthouse Christian Camp
- ◆ Monday, May 27th 10AM - Memorial Day Ceremony - Town of Somerset Park in front of the tank

THE EGG HUNT IS ON!

All kids from toddlers through Age 12 in the Barker School District are invited!

Rain, shine or snow; wear your boots!!

We're hiding 1500 eggs!



Saturday, April 13th

Sign-in at 9:30 a.m. Hunt begins at 10 a.m.
Somerset Town Park, 8700 Haight Road in Barker

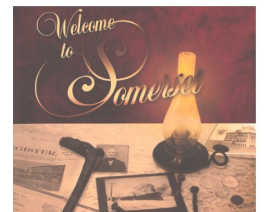
The Barker Fire Dept. will bring a Fire Truck and the Easter Bunny will be there for photo ops.

5 age categories:
4 and under; 5 & 6; 7 & 8; 9 & 10; 11 & 12

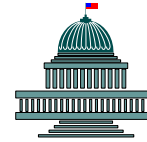
**Brought to you by the
Barker Lighthouse Optimist Club**

*****We are looking for businesses & individuals to sponsor one of 15 prize baskets for \$20! We'll display your name on the winning basket. Call Julie at 795-9262 by 4/1 to help.**

A few years ago our former Historian, Lorraine Wayner, prepared a book on the history of Somerset. If you have not seen it, the book is a must have for anyone who is interested in our town. Not only did she do a great job capturing Somerset's history, but the book is loaded with pertinent photographs. Stop by the Town Hall to purchase one today. The cost is \$10 and the books make great gifts.



UPDATE FROM LEGISLATOR JOHN SYRACUSE



A number of people have asked me to explain New York State's newly enacted Women's Reproductive Health Act. First, I urge anyone to look up the new law at <https://www.nysenate.gov/legislation/bills/2019/s240>

As I read through the law, naturally I sought commentary from other sources as it relates to law's implications. I found an author from the Archdiocese of New York--Ed Mechmann--who seemed to write most clearly and succinctly on this topic. His research correlates to the others I reviewed. I was able to discern and codify six points that should make a super-majority of people question the trajectory our culture is heading.

1) This law does not support the life of the baby and does not take into account there are actually 2 patients here--the mother AND the child. One needs to look no further than line 10 of the law which reads "Abortion is one of the safest medical procedures performed in the United States..." I don't know how that can be when the goal of an abortion is to terminate a life. It certainly is not safe for the baby.

2) Reading further in section 2599-aa, policy and purpose, item 3 reads "The state shall not discriminate against, deny, or interfere with the exercise of the rights set forth in this section in the regulation or provision of benefits, facilities, services or information..." This will essentially allow the state the authority to deny healthcare licenses to individuals or institutions who, by their faith or conscience, do not want to perform abortions.

3) Moving on to section 2599-bb Abortion 1 states "A healthcare practitioner licensed, certified or authorized under title 8 of the education law..." What this says is non-doctors will be able to perform abortions. As we read further in this section "...the abortion is necessary to protect the patient's life or health." By adding the word "health", this really means for any reason whatsoever. The Supreme Court ruling in *Doe vs. Bolton*, a companion to *Roe vs. Wade*, puts no limit on the definition of health. In addition, I will leave you with a quote from a former abortion doctor who taught for 9 years at Albany Medical Center, Albany, New York. Dr. Anthony Levatino stated in an interview with Live Action founder Lila Rose "You never need late-term abortion to save a woman's life. If necessary, you accomplish the delivery."

4) So if the preceding 3 points were not enough to have you question the law, let's look at what happens when an abortion fails to kill the baby. With this newly adopted law, we see that section 4164 of the Public Health Law is repealed. This law gave full civil rights and protection to a child "born accidentally" in a post 20-week abortion; required abortions to be performed in a hospital and, in addition, required that a second doctor be available to provide care for the newly born baby. By repealing this part of the Public Health Law, the baby will receive no care and will be left to die. Sadly, the abortion doctor's patient is the mother, NOT the baby. Just think about that for a moment. Of particular note is that over a 10-year period from 2001-2010, the Centers for Disease Control (CDC) records reflect this happened 362 times. We know because the diagnosis codes used by the doctors for reimbursement tell us so.

5) Certain sections of penal law have been repealed; specifically Sections 125.40, 125.45, 125.50, 125.55 and 125.60. Therefore, all the criminal statutes that would penalize illegal abortions are gone. Examples of illegal abortions are the so-called "back-alley abortionist", or what we have just seen recently in New York--the 104th Precinct in Ridgewood, NY. The New York Post reported that 48-year-old Anthony Hobsen killed his pregnant girlfriend. The baby was killed, too. Hobsen was originally charged with "murder, tampering with physical evidence, ABORTION, and criminal possession of a weapon." The New York Post tells us via the 104th Precinct spokesperson that the abortion charge was later dropped because the penal code "was repealed by the Legislature and this is the law as it exists today." The Post goes on to read this woman "and her unborn child were murdered on February 3, less than two weeks after the law went into effect."

6) What we saw immediately after the passage of this law was utterly appalling and downright disgusting. Governor Cuomo ordered the buildings lit pink in celebration. Standing ovations by the NYS Senate and Assembly leaders were televised all over the land. That alone should make most, if not all of us, feel uneasy.

As a father and husband of 3 daughters I recognize that is about as close as I can come to understanding what it may feel like to a woman who is weighing her options as to whether or not to continue her pregnancy. It may be the most difficult decision in her life. However, if you are in a desperate situation, help is out there for you. You are not alone. People can help you through this. You have something very special within you. For Psalm 139:13-14 of the Old Testament reads, "For you (God) formed my inward parts; you knitted me together in my mother's womb. I praise you, for I am fearfully and wonderfully made." If you have had an abortion and struggle with your decision, understand that hope is not lost. For the apostle Paul wrote in 2 Corinthians 3-4 of the New Testament, "Blessed be God and the Father of our Lord Jesus Christ, the Father of mercies and God of all comfort, who comforts us in all our afflictions, so we may be able to comfort those who are in any affliction, with the comfort with which we ourselves are comforted by God." If are unsure of this, or doubt these words, you can contact me confidentially. I will direct you to special people who can help you through this.

Continued on page 9

**HISTORIAN'S CORNER**

By: Pete Devereaux 716-795-3575, ext. 7

THE BARKER DEPOT

The Barker Depot was built in 1876 and saw many fires on Main St. The first major fire was on July 9th 1895 when fire destroyed all the businesses on the north side of Main St. and badly scorched two homes.

The next big fire was on Feb. 25th 1950, and again many businesses were damaged including a restaurant, insurance office, dry good store and the red and white grocery store.

On April 3rd 1970 a fire did extensive damage to a building housing three apartments and a grocery store. The building is still there and is still an apartment house. The last people to run a grocery store at that location were Dan and Sally Baker.

The next big fire was on Nov. 4th 1980 when the Southland Frozen Foods warehouse caught fire and was completely destroyed. The warehouse was at the east end of Main St. and East Ave. intersection

On Oct 8th 1984 the former McAdam Foundry was destroyed by fire. The 70 by 200 ft. building was vacant at the time of the fire.

On Jan. 20th 2019 fire completely destroyed The Barker Depot which housed The Barker Village offices and The Barker Free Library.

Though the Village offices and the Library will most certainly be rebuilt, The Barker Depot is now lost and gone forever. What a sad day for the residents of The Village of Barker and the Town of Somerset to lose such a piece of our local history.

Peter J. Devereaux, Town of Somerset and Village of Barker Historian

From the Highway Department

Mike Flint, Superintendent 716-795-3866



At the time of this writing Spring has officially arrived.

As we know, it seems like it has been a really long winter. Plowing started on November 16 and is continuing into late March, or so it seems. The winter weather has been really tough on the roads. To those people that live on or travel Coleman Road every day, as soon as we can and the blacktop plant opens for the season, we will be filling and patching the cross culverts that were installed this past summer. Thank you for your patience with this matter and sorry for the rough ride.

Also, our annual tire drop off will be held at the highway garage from April 22 - 27th. Details are in this newsletter.

Best Regards - your Highway Department

Water/Sewer Department News

Jon Dewart, Water/Sewer/Grounds Superintendent
716-795-9919



Backflow Preventers – Double Check Valve Backflow Preventers are **required** on all new homes, and homes that are being sold. If you have any questions, please call the Water Department.

Before you dig – Remember to call 811 before you do any digging. It is the law that you must call at least **2 full business days in advance** so that the underground utilities have a chance to mark out their lines.

Town Employee Identification – If anyone comes to your door saying he is from our department and needs access to your house regarding your water or sewer, he will be driving a marked Town of Somerset truck and will have Town Employee Identification. If this is not the case, do not let them in and call this department immediately at 716-795-9919.

Electronic Recycling – As a reminder Electronic Recycling is ongoing and takes place at the Sewer Plant, at the corner of Quaker Road and Lower Lake Road, on garbage days from 7am-3pm. Batteries and televisions with broken or dismantled glass will not be accepted. Thank you.

Cemeteries – With the spring weather around the corner, a reminder of cemetery rules: Beginning May 15th, There may be one crock, vase of flowers, shepherd's hook, or wreath per grave. These should be placed immediately next to the headstone. These items shall be removed by November 1st of each year. Wreaths may be placed on the graves after November 1st and shall be removed by April 1st. Eternal Flames may be left year round. Two Eternal Flames are allowed and must be located immediately next to each side of the headstone. A new fee schedule went into effect on April 1, 2018.

Park Pavilions – Also with the spring weather near if you would like to use the pavilions in the Somerset Park this season, please make a reservation by calling the Town Hall at 716-795-3575 extension 2 for the Town Clerk's office.

Annual Water Quality Report – You may review the AWQR on the Town's website upon its completion. Go to www.somersetny.org to view it and you may view it in person at the Wastewater Treatment Plant, the Town Clerk's office at the Town Hall, or at the Barker Public Library (once they have their temporary location ready.)

Sewer Inspections – The Sewer Department will be conducting inspections throughout the sewer system for illegal connections within households. We will be looking for items such as sump pumps, downspouts, and etc. connected to the sewer. These connections must be removed.

Annual Tire Drop Off will take place the week of **April 22-26 from 7:00am-3:00pm and Saturday April 27 from 9:00am-12:00pm**. The drop off location remains the Highway Garage.



BARKER FIRE DEPT.

Chief Jeff Dewart



Our Annual Spring Raffle will be held on Sunday, April 28, 2019 from 1pm - 4pm. See any member for tickets or you can pick them up at the Town Hall.

Be sure to change the batteries in your smoke detectors!



IF AMAZON IS FAIR GAME, WHAT ABOUT HOLLYWOOD BILLIONAIRES?

A column from Senator Rob Ortt (R,C,I,Ref-North Tonawanda)

Recently, the Dolby Theatre in beautiful, sunny, and open-minded Los Angeles played host to the 2019 Oscars, where Hollywood's most talented actors and glamorous people gathered to celebrate this year's best pictures. Last weekend's Oscars came at an interesting time – a time when New York is a crossroads. The recent events surrounding Amazon has led to a revisiting of the principle of taxpayer-funded corporate welfare. New York State's Film Tax Credit, championed by the governor and downstate representatives, should not escape scrutiny by elected officials, the public, and the media.

Along with Congresswoman Alexandria Ocasio-Cortez and other elected officials, Senate Democrats recently opposed and killed a deal that projected to create a \$24 billion profit and 25,000 jobs for the state of New York. Instead of settling down in Long Island City, Amazon will now look elsewhere to create its next technological hub. Democrats pointed to labor, transparency, and local development concerns in their opposition. But once public outcry implicated them in forcing tens of billions in tax revenue and tens of thousands of jobs out of the state, Democrats coalesced around another argument: they opposed the subsidies Amazon would receive in exchange for their business.

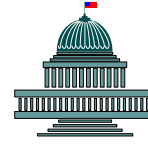
First, they ignore reality and the environment they created. The only reason Amazon was willing to come to New York was because of the subsidies it would receive to overcome New York's sky-high taxes and crippling regulations (that's a lengthy debate worthy of its own column). And thanks to New York Democrats, New York has solidified its position and reputation as one of the worst places to do business in the country.

But to the Democrats who squarely own this boondoggle, I offer this: perhaps some good can come from this. The Amazon dust has settled and Senate Democrats are on the record opposing giveaways to corporations. Unfortunately, New York State is responsible for one of the largest film tax credits in the country. Our state, and its taxpayers, handed out over \$1.2 billion to Hollywood producers and filmmakers over the last four years. What started as a modest \$25 million per year credit back in 2004 has now grown nearly 17 times its original size, doling out nearly half a billion in taxpayer funds annually.

There is no better time to revisit our state's practice of handing out taxpayer dollars to studios that produce films in our state. While Senate Democrats will face a stiff fight against Gov. Cuomo and his film industry backers, I would be happy to provide some much need backup on what should not be a partisan issue. Together, we can stop asking middle-class, hard-working New Yorkers to enrich NBC Studios or executives like Harvey Weinstein.

Amazon opponents often argued that Amazon would locate in New York regardless of the incentives (an argument they clearly lost when the company announced it would not locate here). However, this actual argument can be applied to the tax credit and film industry. There are shows that filmed in New York before the tax credit and will likely always film in New York (think *Saturday Night Live* or *the Tonight Show with Jimmy Fallon*). These shows and their studios have collected tens of millions from New York taxpayers.

If Democrats were outraged with Amazon and willing to jeopardize a \$24 billion dollar profit and 25,000 jobs, taking on Hollywood seems like a no-brainer for New York's Democrats. I just hope that Hollywood's unabashed progressivism and donations to Democrat candidates doesn't cloud the Dems judgment or sense of moral outrage. That would be a performance worthy of an Oscar.



UPDATE FROM LEGISLATOR JOHN SYRACUSE

cont'd from page 5

One last item on this topic. I sponsored resolution IL-11-19 in front of the Niagara County Legislature during our 2/19/19 meeting. I, along with my co-sponsor Chairman Keith McNall, called for the repeal of the Reproductive Health Care Act. I was pleased that it passed our legislature unanimously--Republican and Democrats fully supported our action. I do not know how persuasive it can be to Governor Cuomo, Senate Leader Andrea Stewart-Cousins-D, and Assembly Leader Crystal People-Stokes-D. Based on the size and scope of their celebration of the law's passage, it appears unlikely. It will take an act of God. So let us begin our prayers.

HIGHWAY UPDATE

Our County highway road crews will be starting work on Carmen Road in the coming weeks. Work will begin at Lake Road and be moving south. Crews will be replacing cross culverts and correcting any related road side ditch issues. Our goal is to complete all pipe replacements on Carmen Road from Lake road to Rt104 this season. Sections of Carmen Road will be closed during working hours for the duration of this project when necessary. Work hours are from 7am to 3:30pm Monday - Friday. Milling and paving will follow the completion of pipe work once we move past the bridge just south of Townline Road. The start location of this project keeps us moving away from fresh pavement as we will be hauling a lot of material in and out during this project.

Highway crews will be working on several road projects this season simultaneously. West Somerset Road is one of the these projects. We are planning to start at Hess Road and will be moving around throughout the entire project. This will be a multi phase project that includes several concrete box culverts, multiple cross culvert pipes, and other various rehab work.

Please be patient with our crews. Your awareness of our crews and their work activities helps keep them SAFE.



BARKER PUBLIC LIBRARY NEWS



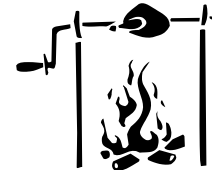
We have a location!! 8673 Church St Barker. There is a book return outside of the building for your returns. I want to say a huge THANK YOU to EEL for taking our returns when we really needed the help!! The phone has been moved over to this new location. The number is the same 716-795-3344. Leave a message and we will get back to you ASAP. I will keep you updated with a possible opening soon!!! Just one more thing- I appreciate everyone wanting to help with the donated books but things are getting out of hand. So if you wouldn't mind spreading this message around, We Are NOT Taking Any Used Books!!!! We have very limited space in the new building, 708 sq feet to be exact. So thank you for all the offers, but I'm sorry to have to say NO!

SOMERSET CONSERVATION CLUB

R. Jody Styres, President

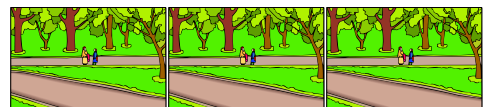
Hello from the Conservation Club. Spring has Sprung! That means warmer weather and our Annual Spring Chicken BBQ. It will be held on Sunday, May 5, 2019 from Noon until 2PM. The cost is \$10 per dinner, dine in or take-out. Also, we will have a \$5 raffle which will have the following prizes drawn at the conclusion of the BBQ:

- BBQ Grill
- Flat Screen TV
- Kohl's \$100 gift card



Anyone wishing to join the club can talk with any club member, or contact the Membership Secretary, Richard Heschke (716) 795-3042. Enjoy the Spring weather.

I LOVE MY PARK DAY will take place on Saturday, May 4, 2019 from 10AM - 1PM at Golden Hill State Park. Join us for a day of volunteering at your favorite park. We plan to install a new Butterfly Garden, pick up trash along the lake shore, paint a pavilion at the boat launch....and the little helpers will paint new bird houses to hand in the park to help attract wildlife. More details available at ptny.org or by calling the park at (716) 795-3885. See you then!



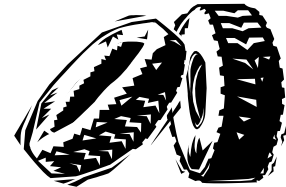
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Phone: 716-795-3575
Fax: 716-795-9041
Website: www.somersetny.org

The Town of Somerset's **2019 Tire Drop Off** will take place Monday, April 22nd - Friday, April 26th from 7AM - 3PM, and Saturday, April 27th from 9AM - Noon.



Open burning is prohibited in New York, with several exceptions:

- Campfires less than 3 feet in height and 4 feet in length, width or diameter are allowed.
- Small cooking fires are allowed.
- Fires cannot be left unattended and must be fully extinguished.
- Only charcoal or clean, untreated or unpainted wood can be burned.
- Ceremonial or celebratory bonfires are allowed.

In towns with a total population less than 20,000, you may burn tree limbs with attached leaves. The limbs must be less than 6 inches in diameter and 8 feet in length (also referred to as brush).

However, this is not allowed from March 16 through May 14 due to the increased risk of wildfires.