

REGULAR MEETING
FEBRUARY 12, 2014

A Regular 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 12th day of February 2014.

Present: Daniel M. Engert ----- Supervisor
Randall J. Wayner ----- Councilman
Gary R. Alt ----- Councilman
Robin R. Jansen ----- Councilman
Jeffrey M. Dewart ----- Councilman
Tracy L. Carmer ----- Clerk
Michael M. Flint ----- Supt. of Highways
Melvin H. Denny ----- Supt of Water/Sewer/Grounds
Mindy Austin ----- Confidential Asst. to the Supervisor
Michael J. Norris ----- Counsel

Attended by: 6 residents and 39 BCS students

Supervisor Engert called the meeting to order at 6:00PM with the Pledge to the Flag and a prayer for guidance.

RESOLUTION 37-2014

APPROVAL OF THE MINUTES

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

ADOPTED: Ayes 5 Engert, Wayner, Alt, Jansen, Dewart
Nays 0

Resolved the minutes of the previous meeting are approved.

RESOLUTION 38-2014

APPROVAL OF SUPERVISOR'S MONTHLY REPORT

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

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

Resolved the Supervisor's Monthly report be accepted as submitted.

MONTHLY REPORTS RECEIVED AND FILED:

Police Report

WATER/SEWER QUARTERLY REPORT RECEIVED AND FILED

ANNUAL REPORTS RECEIVED AND FILED:

Senior Citizens

Electronic Recycling

COMMUNICATIONS:

Supervisor Engert discussed communication that was received from Modern Disposal regarding the results of the Town's every other week recycling initiative. In 2012 the Town residents disposed of 90% of their items as trash, and recycled 10%. In 2013 the trash was reduced to 83% and recycling increased to 17%. With participation in the every other week program the town increased recycling output by 84%.

Clerk Carmer stated a letter was received from Douglas K. Lewis announcing his retirement effective January 25, 2014. A communication was also received from Heather Patterson and Rob Mucha requesting permission to hold a fun run and walk on March 2, 2014, on the roads of the town to kick off their week long campaign for the Donate Life Program.

RESOLUTION 39-2014

PURCHASING PLAQUES FOR TOWN RETIREES

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

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

Resolved that Supervisor Engert has permission to promulgate a program to purchase plaques for retirees.

RESOLUTION 40-2014

DONATE LIFE PROGRAM FUN RUN AND WALK

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

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

Resolved permission is granted to the Barker Central School Donate Life Program to use town roads for a fun run on March 2, 2014.

RESOLUTION 41-2014

FIRE PROTECTION DISTRICT HOME RULE REQUEST

Supervisor Engert thanked Senator Maziarz' office for the work they have done to move our bill forward. The bill is introduced in both senate and assembly. Supervisor Engert stated that the town is submitting a request that the bill be adopted and to authorize them through home rule to direct the resolution.

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

ADOPTED By roll call: Engert Aye
Wayner Aye
Alt Aye
Jansen Aye
Dewart Aye

WHEREAS, the Town of Somerset joins with the Village of Barker and the Barker Fire Department, Inc. And supports the Town of Somerset being in legal "control" of the Barker Fire Department, Inc.;

WHEREAS, the Town of Somerset joins with the Village of Barker and the Barker Fire Department, Inc. And supports the expansion of the Somerset Fire Protection District into the Village of Barker;

Now therefore, it is hereby RESOLVED as follows:

RESOLVED: that the Town of Somerset hereby request and support the introduction, passage and enactment of both Senate Bill S 6521 and assembly bill A 8723 and any amendments thereto, and urges our representatives to obtain passage of the bills in their respective houses; and it is further

RESOLVED: that the Clerk of the Town of Somerset is hereby authorized and directed to forward a certified copy of this resolution and a home rule request in the appropriate form to Senator Maziarz and Assemblywoman Corwin and to the Home Rule Counsel for the New York State Senate and Assembly; and it is further

RESOLVED: that the Clerk is hereby authorized and directed to execute such documents and take such further action as is necessary to support and assist in the introduction, enactment and passage of the above mentioned bills.

RESOLUTION 42-2014

ZONING BOARD OF APPEALS CHAIRMAN APPOINTMENT

Supervisor Engert stated that we have a vacancy on the Zoning Board of Appeals due to the retirement of Chairman Linderman and that it is the Town Board's responsibility to appoint the new chairman.

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

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

Resolved that Scott Ecker is the new Chairman of the Zoning Board of Appeals.

ZONING BOARD OF APPEALS VACANCY

Supervisor Engert tabled this until the next meeting to allow for interviews of the candidates to be conducted by Councilman Alt, Councilman Wayner, and Chairman Ecker.

RESOLUTION 43-2014
TOWN HALL DOOR PROJECT

Superintendent Denny stated that bids were received to remove the current locking mechanisms from the doors and replace them with emergency crash bars. Superintendent Denny recommended that we accept the lowest bid as all bids were submitted on the same quality of materials and he will supervise the work.

Suburban Lock & Key	\$7,550.00
Gorenflo's Buffalo Wholesale Lock Col, Inc.	\$7,995.00
Door Specialties, Inc.	\$3,879.00
Niagara Lock & Key Service	Did not bid

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

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

Resolved Superintendent Denny is authorized to enter into a contract with Door Specialties Inc. to upgrade the town hall doors.

RESOLUTION 44-2014
LIGHTING REPLACEMENT PROJECT

Supervisor Engert stated that he was approached to do a program through National Grid to replace the lighting in Town buildings into more energy efficient lighting. The program funds 70% of the cost. Supervisor Engert advised that if the Town pays up front, our share drops from 30% to 15%. He stated that this program is currently in place, but there is no guarantee that the program will continue each year. Supervisor Engert recommends that we move forward with the project while it's still available. Phase 1 replaces the interior lighting, and Phase 2 will be the outdoor lighting. The cost breakdown for Phase 1 is:

Water/Sewer Department cost is \$13,000. National Grid contributes \$8,500 and our cost with upfront payment discount is \$3,744.

Town Hall cost is \$6,000. National Grid contributes \$4,200, and our cost with discount is \$1,500.

Highway Garage cost is \$7,900. National Grid contributes \$5,200, and our cost is \$2,200.

The town has the option of paying the cost in one lump sum, or making monthly payments interest free for 24 months. Supervisor Engert stated that the payback period is less than one year with the savings from the reduced energy.

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

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

Resolved Supervisor Engert is authorized to enter into an agreement for the work to be done on the municipal lighting project.

RESOLUTION 45-2014

AUDIT OF CLAIMS

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

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

Resolved that the bills have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No. 12 through No. 64	\$322,953.07
Highway Fund	No. 1 through No. 11	\$ 72,982.49
Sewer Fund	No. 5 through No. 16	\$ 7,138.65
Water Fund	No. 6 through No. 14	\$ 5,128.25

PRIVILEGE OF THE FLOOR

Dr. James Ferington addressed the board regarding the Zoning Board ruling on his property. He asked if the board has discussed changing the law that prevents landowners from placing accessory buildings on lots that do not have a residence on them.

Supervisor Engert stated that he will put this on the agenda for the next meeting and will have the new Zoning Board members in place by then.

Dale Howard asked the board if there's a cost to the town to go to recycling every week. Supervisor Engert stated there is a cost, but can't recall the cost and if it's even an option. Councilman Wayner will call Modern Disposal and get back to Dale.

Supervisor Engert stated that originally there weren't enough trucks in the fleet to have recycling picked up every week and perhaps that has changed.

Dale Howard stated that when the bins are full, the items get placed in the trash.

Dale Howard praised the Highway Department for the work they have been doing.

Highway Superintendent Flint reported on the highway department. 2,500 tons of salt were ordered, with 1,622 tons used. There is no salt available and all towns are in need. Superintendent Flint stated that he ordered 300 tons of salt from Canada. We are within the limits of our contract so we will not have a penalty.

Diesel fuel used for the month of January was 2,666 gallons. To-date in February is 1,179 gallons.

Superintendent Flint stated that the board will want to start considering eventually upgrading a piece of equipment. Repair bills submitted total \$9,700. Discussion ensued regarding the maintenance of the equipment and the repairs that were made.

Overtime hours reported by Superintendent Flint were 120 hours over the past 6 weeks for 3 men.

Hayden Hathaway notified the board of the potholes on Quaker Road.

TOWN BOARD MEETING
FEBRUARY 12, 2014 PAGE 6

Norm Jansen thanked Highway Superintendent Flint for his assistance getting the road salted and making sure he got out when his semi-truck went off the road.

Dale Howard asked the board to inquire with Senator Maziarz if there is a surplus of federal vehicles and perhaps there are some dump trucks that are being turned over because they are only kept a certain number of years.

Councilman Alt asked the board to reconsider the time of the meeting to go back to 7:00. Supervisor Engert stated he is open to reconsidering it. Councilman Alt stated that with more daylight hours, the earlier meeting time is harder for him. Various meeting times and days were discussed between the board members.

On a motion of Councilman Jansen, seconded by Councilman Dewart, the meeting adjourned at 6:40 P.M. subject to the Call of the Clerk. Carried unanimously.

Tracy L. Carmer, RMC
Town Clerk