

REGULAR MEETING
AUGUST 13, 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 13th day of August 2014.

Present: Daniel M. Engert ----- Supervisor
Randall J. Wayner ----- Councilman
Gary R. Alt ----- Councilman
Robin R. Jansen ----- 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

Absent: Jeffrey M. Dewart, Councilman

Attended by: Code Enforcement Officers Remington and Lee, Barker Fire Department Chief Scott Matheis, and 7 residents and students

Supervisor Engert called the meeting to order at 6:30PM with the Pledge to the Flag and a prayer for guidance.

RESOLUTION 94-2014

APPROVAL OF THE MINUTES

On a motion of Councilman Alt, seconded by Councilman Wayner, the following resolution was
ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

Resolved the minutes of the previous meetings are approved as submitted.

RESOLUTION 95-2014

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

On a motion of Councilman Jansen, seconded by Councilman Alt, the following resolution was
ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

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

Councilman Jansen stated that there has been discussion pertaining to Niagara County changing the Sales Tax Distribution. She asked if this will happen in time to prepare our budget correctly.

Supervisor Engert stated that the change would require a unanimous vote by every town in the county so he hopes that won't be an issue.

MONTHLY REPORTS RECEIVED AND FILED:

Code Enforcement Officer
Dog Control Officer

Police Report

QUARTERLY WATER/SEWER REPORTS RECEIVED AND FILED

CODE ENFORCEMENT TRAINING UPDATE

Councilman Wayner announced that Code Enforcement Lee has completed his training. He thanked Superintendent Denny for allowing CEO Lee to borrow a town truck for traveling to training.

COMMUNICATIONS:

Clerk Carmer briefed the board on a communication that was received from the Niagara County Health Department informing the municipality of a rabies bait drop that they are performing. She will post it on the website and in the lobby.

RESOLUTION 95-2014

AUTOMATED FORM SUBMISSION

Supervisor Engert stated that quotes have been received and SeamlessDocs has the best product at the best price and would like to sign a contract with them. The annual cost is \$2,450, with the first year being an additional \$3,500 because it includes integration with our software provider BAS, and Value Payment Systems for payments. This would reduce the chance for errors by eliminating duplicate entry and make the process more efficient. It has a feature where the recipient receives a notification via email that a form has been submitted. The action that is taken can then be tracked.

Councilman Alt asked what budget line this expense is coming from.

Supervisor Engert stated that it could be broken down into the various budgets that will be utilizing the service, based on the number of forms for that department.

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

ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

Resolved the Supervisor is authorized to enter into a contract with SeamlessDocs for \$5,950 for year one to create the electronic form submission capabilities subject to final approval by the Town Attorney.

HEALTHCARE CONSORTIUM UPDATE

Supervisor Engert announced that he is the Chair of the committee, and County Manager Jeff Glatz is the Vice Chair. There are 20 of the 21 towns in Niagara County signed up. Orleans County has shown interest in joining the Consortium, along with Niagara Falls Water District, Niagara Falls Municipal Housing Authority, possibly the Lockport Municipal Housing Authority, and two schools in Niagara County. The deadline to enter into the consortium may be extended to allow the municipalities time to obtain board resolutions.

ENH NEWFANE UPDATE

Supervisor Engert stated that he met with the NYS Department of Health last week and they don't have much of a role because a Certificate of Need was not filed. ENH filed a

decertification plan. Over the next couple weeks the local fire departments will be running drills to determine response times.

RESOLUTION 96-2014

EMPLOYEE HANDBOOK REVISION

Supervisor Engert explained that the Collective Bargaining Agreement offers a buyout for employees who can access healthcare elsewhere and it should be extended to non-bargaining unit employees who are covered by the handbook. He suggested using the same terminology as the union contract.

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

ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

Resolved the Employee Handbook section 806 be updated by adding the following language:

Medical Insurance Buy-Out

Eligibility: A regular full-time employee who is eligible for medical insurance coverage made available through the Town may receive a cash buy-out in lieu of receiving medical insurance and prescription drug benefits. To be eligible for the medical insurance buy-out, the employee must provide documentation of comparable medical insurance coverage in a manner and form to be determined by the Town and sign an appropriate waiver of medical insurance coverage and waiver of liability to the Town. In the event an employee is married to another employee of the Town who is eligible for medical insurance, they must either enroll in two individual plans or one two-person or family plan, as the case may be, and will not be eligible for this buy-out.

Amount of Buy-Out: Each year, an eligible employee will receive an amount equal to the annual premium co-payment for the employee's contribution to the alternate medical insurance plan (excluding dental and vision) multiplied by 1.32 plus one thousand dollars.

For example, if the annual premium co-pay for the alternate plan is \$2800, the amount of the buy-out would be $\$2800 \times 1.32 = \$3696 + \$1000 = \4696 . The buy-out is subject to applicable taxes.

For another example, if there is no annual premium co-pay for the alternate plan, the amount of the buy-out would be $\$0 \times 1.32 = \$0 + \$1000 = \1000 . The buy-out is subject to applicable taxes.

Method of Payment: Payments shall be made bi-annually in two equal installments in July and January, following each six months of waived healthcare coverage.

Reinstatement: Re-entry shall be governed by the rules of the Plan provided for by the Town. Where an employee has opted out of the Town's plan and healthcare from another source becomes unavailable because of the death of a spouse, divorce, layoff, plant closing or other such reason beyond the employee's control, the employee shall be eligible to be reinstated in

the Town's healthcare plan. Written notice must be provided to the Town by the employee within thirty (30) calendar days of the event that qualifies such employee's for re-entry into the plan. Thereafter, re-entry into the Town's plan shall be accomplished as soon as possible.

RESOLUTION 97-2014

SENIOR CITIZEN NUTRITION SITE SERVICES ASSISTANT APPOINTMENT

Supervisor Engert stated that the days the Senior Citizens will be meeting at the fire hall is changing from the first and third Friday of the month due to conflicts with the fire department being able to set up for weekend activities. The days being considered are the second and fourth Wednesday of the month, awaiting approval from the County. The change of days conflicts with the Nutrition Site Services Assistant so she resigned her position. Supervisor Engert is checking into the program to understand why Somerset is the only town that pays the salary of the Nutrition Site Services Assistant and Senior Community Service Aide.

On a motion of Councilman Jansen, seconded by Councilman Alt, the following motion was ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

Resolved Tonya Velia is appointed Nutrition Site Services Assistant, subject to the outcome of Supervisor Engert's conversation with the Director of the Office of the Aging, and Vanessa Harris is appointed Senior Community Service Aide, which is not a county appointment.

RESOLUTION 98-2014

ASSESSOR CHANGE OF HOURS

Supervisor Engert announced that Assessor Anthony Dispenza has accepted a position with the Department of Transportation. The Assessor would like to continue working for the Town of Somerset for fewer hours with a salary decrease of \$4,100. The Assessor would be available for appointments including home appointments.

On a motion of Councilman Alt, seconded by Councilman Wayner, the following motion was ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
Nays 0

Resolved the Assessor's office hours are changing from 8.5 hours per week to 6 hours per week on Tuesday and Thursday evenings from 5:15pm – 8:15pm and appointments as necessary with a salary of \$330 weekly, beginning September 16, 2014.

RESOLUTION 99-2014

AUDIT OF CLAIMS

On a motion of Councilman Jansen, seconded by Councilman Alt, the following resolution was ADOPTED Ayes 4 Engert, Wayner, Alt, Jansen
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. 243 through No. 285	\$ 29,369.82
Highway Fund	No. 68 through No. 87	\$ 121,210.14
Sewer Fund	No. 72 through No. 85	\$ 5,180.32
Water Fund	No. 60 through No. 69	\$ 4,595.14

PRIVILEGE OF FLOOR

Scott Matheis, Barker Fire Department Chief, presented their monthly report and discussed the numerous false alarms at the Fellowship House.

Supervisor Engert stated that he will draft a letter to the Director of the Fellowship House. Chief Matheis announced that Olcott Fire Company is now ALS certified so there's an additional source if needed. He also thanked the Town for their donation and help that was provided for their 100th Year Celebration.

Dale Howard asked if the Town will entertain budgeting cameras for vandalism. He stated that the Assessor has provided phenomenal service and would be a great mentor. Dale suggested that the Town use the savings generated by the Assessor's reduced salary to train another individual for the position if in the future the Assessor leaves.

James Hoffman stated that one of the unregistered vehicles at Somerset Corners is gone and said thank you. He referred to Kenyon's and stated that the weeds are four feet high, the building is not painted and there's a hole in the ceiling. He would like to see the Town address the issues a little more forcefully.

He read an article in the newspaper that the Town of Wilson was able to extend their gas lines and asked if we could find out how they got funding.

Supervisor Engert stated that per the Town of Wilson Supervisor, the article is largely inaccurate. The natural gas provider for the Town of Wilson is National Fuel. As part of a settlement from overcharging customers, National Fuel had to find two communities to institute a PILOT program. This installation occurred through the PILOT program where the customers pay a flat fee. Supervisor Engert stated that he and the Supervisor from the Town of Newfane are writing NYSEG the Public Service Commission asking for the same PILOT program.

On a motion of Councilman Wayner, seconded by Councilman Jansen, the meeting adjourned at 7:30P.M. subject to the Call of the Clerk. Carried unanimously.

Tracy L. Carmer, RMC
Town Clerk