

TOWN BOARD REGULAR MEETING
DECEMBER 13, 2017

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 December 2017.

Present: Daniel M. Engert ----- Supervisor
Jeffrey M. Dewart ----- Councilman
Robin R. Jansen ----- Councilwoman
Tracy L. Carmer ----- Town Clerk
Melvin H. Denny ----- Supt of Water/Sewer/Grounds
Michael M. Flint ----- Supt. of Highways
David Haylett ----- Attorney
Brian Sibiga ----- Engineer

Absent: Mindy Austin ----- Confidential Asst. to the Supervisor

Attended by: approximately 25 residents

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

Supervisor Engert stated that approximately three months ago Gail Damon and a few others made prayer shawls for the Somerset police and Niagara County sheriffs. They have made more shawls and presented them to Mike Fillicetti (Undersheriff for Niagara County). Mike expressed his appreciation.

RESOLUTION 112-2017

APPROVAL OF THE MINUTES

On a motion of Councilwoman Jansen, seconded by Councilwoman Bronson, the following resolution was

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved the minutes of November 8, 2017 be accepted as submitted.

MONTHLY REPORTS RECEIVED AND FILED:

Police Report
Code Enforcement Report
Dog Control

RESOLUTION 113-2017

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

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

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ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

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

COMMUNICATIONS

Supervisor Engert stated that Senator Ortt reminded him of a block grant that is available for public repairs due to the flooding. We were fortunate and did not have any damage to our roads, culverts, sewer system, etc. so we will not be applying for the funding.

RESOLUTION 114-2017

TOWN OF AMHERST 200TH ANNIVERSARY

Supervisor Engert recognized the Town of Amherst's 200th Anniversary.

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

WHEREAS the Town of Amherst, New York celebrates its bicentennial in the year of 2018 and it is fitting to recognize the Town of Amherst on the occasion of this special milestone and to applaud its distinguished history, and

WHEREAS the Town of Amherst was officially created on April 10, 1819 from part of the Town of Buffalo later known as the City of Buffalo has a total area of 53.28 miles is the largest town in Erie County, New York and includes the Village of Williamsville, as well as the hamlets of Eggertsville, Getzville, Snyder, Swormville and East Amherst, and

WHEREAS in the 19th century Amherst was a prosperous farming community with 7 grist mills, several saw mills, a tannery and boot and shoe factory, and 2 forages with commercial activities centered in Williamsville, and

WHEREAS the town grew from being primarily a farming community to an urban community in the 20th century with the creation of new subdivisions, the building of the University of Buffalo campus in Amherst and a location of the Millard Filmore Suburban Hospital within the town, and

WHEREAS the town today is comprised of 125,000 residents and provides many facilities and attractions including a 4 rink recreational facility that attracts national and international ice tournaments, a state of the art senior center, 3 libraries and a state park, and

WHEREAS the Town of Amherst will probably mark its 200th anniversary with a series of celebrations throughout its bicentennial year beginning on January 1, 2018 with a birthday party and continuing with a gigantic parade, historic walking tours, slogan contest, interclub service club luncheon, and gala bicentennial ball, and

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WHEREAS in recognition of the Town of Amherst's rich history and enduring contributions, it is indeed an honor to pay tribute to this town upon the occasion of its bicentennial,

NOW THEREFORE BE IT RESOLVED that congratulations are sent to the Town of Amherst on their bicentennial and the town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion, and

BE IT FURTHER RESOLVED that a copy of this resolution suitably engrossed to be transmitted to the Town of Amherst Bicentennial Commission.

Clerk Carmer stated that she received notice from Spectrum of price increases and customers will be notified in the next few days. She also read a copy of a resolution submitted by the City of Lockport authorizing the city to donate a used police car to the Town of Somerset for parts.

RESOLUTION 115-2017

WEBSITE MAINTENANCE UPGRADE

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
 Nays 0

WHEREAS the town currently contracts with Virtual Town Hall Holdings LLC to provide primary website services to the town and

WHEREAS the Town Board recognizes the importance of maintaining an efficient and informative website for the benefit of town residents,

NOW THEREFORE BE IT RESOLVED this governing body determines it is in the public interest of the Town of Somerset and authorizes the Supervisor to enter into an agreement with Virtual Town Hall Holdings LLC to redesign the look and navigation of the town website, and

BE IT FURTHER RESOLVED said agreement shall be in accordance with the terms listed in exhibit A of the services contract addendum between the town and Virtual Town Hall Holdings LLC.

Councilwoman Jansen asked if there was a timeline for this to be complete.
Clerk Carmer said she believes it is August 1, 2018.

WEST SOMERSET CEMETERY

Supervisor Engert stated that Superintendent Denny was efficient in putting in the driveway.

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Superintendent Denny said they dug about 4' – 5' feet and filled it in with concrete and stone that they obtained from the county while the county was working on widening Quaker Road.

Supervisor Engert said the ground is beautiful. He stated that section of the cemetery is now open for plots to be purchased. The regulations for all cemeteries will be revised to address some possible conflicts with state law. The rates will be reviewed also. Supervisor Engert said that all rates in the town will be reviewed.

Councilwoman Jansen asked how many additional plots this created.

Superintendent Denny said 1,080.

A map has been created and turned over to Wendel.

BROADBAND UPDATE

Supervisor Engert stated that he and Senator Ortt signed Non-disclosure Agreements so he cannot say much. He stated that part of the agreement for Charter to take over Time Warner was that they had to make a plan and file it to expand broadband throughout the state. He was able to say that all of Somerset is on the schedule for the final year (2020). However, the plan is constantly evaluated and can change so he suggests you review the schedule quarterly. Enter your address on the website <http://www.bldlkup.com> and it will show when your address is schedule for the build out.

RESOLUTION 116-2017

BUDGET AMENDMENTS

On a motion of Councilwoman Jansen, seconded by Councilwoman Bronson, the following resolution was

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved as provided in section 107 and section 115 of the New York State Town Law, that the Supervisor of the Town of Somerset is hereby authorized to expend from the unexpended balance or surplus revenues such sums as may be necessary to cover amounts by which the actual expenses were incurred in 2017 in any amount exceeding the amount budgeted.

RESOLUTION 117-2017

PREPAY INVOICES

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved that all bills incurred for 2017 are authorized to be pre-paid.

RESOLUTION 118-2017

ENCUMBRANCES

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

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ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved the funds for invoices of goods not received for in 2017 are hereby encumbered.

RESOLUTION 119-2017

2018 SALARIES

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved that the 2018 salaries are approved as the itemized 2018 salary schedule attached and posted on the Town website.

RESOLUTION 120-2017

YEAR-END AUDIT

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved that the Audit Committee, consisting of Councilwoman Jansen and Councilman Dewart, are authorized and directed to perform the year-end audits of the Town Clerk, Code Enforcement Officer, Supervisor, Justice and Tax Collector on December 18, 2017 at 10:00AM.

RESOLUTION 121-2017

DRUM ROLLER

Supervisor Engert stated that we cannot piggyback with the Town of Independence as we originally planned so we have to go out to bid. We will encumber the funds to award the bid in January.

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

WHEREAS, the Town Highway Department desires to purchase a dual drum roller; and

WHEREAS, the estimated purchase price exceeds the monetary threshold in General Municipal Law Section 103 and requires public bidding.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Somerset hereby authorizes the Town Highway Superintendent to solicit bids for the purchase of a dual drum roller; and be it further

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RESOLVED, that the bids shall be due by Wednesday, January 3rd, 2018 at 4:00 p.m. in the Town of Somerset Clerk's office located at 8700 Haight Road, Barker, New York.

RESOLUTION 122-2017

HIGHWAY UTILITY TRAILER

Supervisor Engert stated that we received three quotes for a used utility trailer.

Niagara Frontier Equipment Sales \$4,750

Niagara Frontier Equipment Sales \$3,750

George and Swede Sales & Services \$3,500

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
 Nays 0

WHEREAS the Town desires to purchase a utility trailer for the Highway Department; and

WHEREAS the Town has obtained two price listings from separate vendors for the purchase of a utility trailer; and

WHEREAS the lowest price listing obtained was a used 2016 Hefty Utility Trailer with 7' x 15' wood deck with rub rail/fenders/and 5' loading ramps in the amount of \$3,500.00 from George and Swede Sales & Services, Inc.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Somerset hereby authorizes the Town Highway Superintendent to purchase the used 2016 Hefty Utility Trailer at a cost not to exceed \$3,500.00 from George and Swede Sales & Services, Inc.

RESOLVED that the Supervisor and Town Highway Superintendent are authorized to execute any and all documents in such form as is satisfactory to the Town Supervisor and the Town Attorney, and take whatever other actions may be necessary to give effect to this resolution.

RESOLUTION 123-2017

POWER RAKE

Superintendent Denny said that a power rake takes the top layer of dirt and removes all of the stones. Superintendent Flint said that after the winter season they use it to remove the junk out of people's yards that the plows put into them. They found a used rake on Craig's List. James River Equipment has one for \$5,800, and PPP Equipment has one for \$5,000. The rake on Criag's List is in better condition for \$4,000 and is located in Springville.

On a motion of Councilwoman Bronson, seconded by Councilman Hotaling, the following resolution was

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
 Nays 0

WHEREAS the Town desires to purchase a Harley Power Rake T8 model for dual use in the Highway and Water/Sewer department, and

WHEREAS the Town has obtained three price listings from separate vendors for the purchase of said Harley Power Rake T8 model, and

WHEREAS the lowest price listing obtained was a used Harley rake T8 model on Buffalo Craig's List located in Springville New York for \$4,000, now therefore

BE IT RESOLVED that the Town Board of the Town of Somerset hereby authorizes the Town Highway Superintendent and Town Water Superintendent to purchase the used Harley Power Rake T8 model at a cost not to exceed \$4,000 from seller in Springville New York listing 6351953637 on Buffalo Craig's List, and

RESOLVED that the Supervisor, Town Highway Superintendent and Town Water Superintendent are authorized to execute any and all documents in such form as is satisfactory to the Town Supervisor and the Town Attorney and take whatever other actions may be necessary to give effect to this resolution.

RESOLUTION 124-2017

WATER RATES

Supervisor Engert stated that Niagara County is raising the water rates 15 cents per thousand gallons and this is their first increase in twelve years. We will need to add the cost to the Town of Somerset's rates as well. He said that even after we increase our rate we are still the lowest in the county.

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

ADOPTED: Ayes	5	Engert, Jansen, Dewart, Bronson, Hotaling
Nays	0	

WHEREAS, pursuant to Town Code Section 195-17, the Town Board may establish water rental rates,

NOW, THEREFORE, BE IT RESOLVED, the water rates for water sales in and by the Town of Somerset and its Districts are hereby established as per the attached water rate schedule as amended, effective January 1, 2018.

RESOLUTION 125-2017

SEWER BALL CHECK VALVE

Superintendent Denny obtained the following quotes for 4" ball check valves:

Lock City Supply Inc.	\$3,305.00
Xylem	\$3,888.00
Core & Main	\$3,484.74

This was budgeted for in this year's budget.

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

ADOPTED: Ayes	5	Engert, Jansen, Dewart, Bronson, Hotaling
Nays	0	

WHEREAS, the Town of Somerset Water Department desires to purchase 4" ball check valves for the East Avenue, Haight Road, and West Somerset Road Pump Stations; and

WHEREAS, the estimated purchase price of the 4" Ball Check Valves was greater than \$3,000.00 but less than \$5,000.00; and

WHEREAS, the Superintendent of the Water/Sewer/Grounds Department received three (3) written quotes for the purchase of 4" ball check valves; and

WHEREAS, the lowest quote received was in the amount of \$3,305.00 submitted by Lock City Supply Inc.; now therefore be it

RESOLVED, that the Town of Somerset Superintendent of Water/Sewer/grounds is hereby authorized to purchase 4" ball check valves as provided for in the quote from Lock City Supply Inc. and said expenditure shall be taken from the 2017 budget.

RESOLUTION 126-2017

PLANNING BOARD RE-APPOINTMENT

On a motion of Councilman Hotaling, seconded by Councilwoman Bronson, the following resolution was

ADOPTED by roll call vote	Supervisor Engert	Aye
	Councilwoman Jansen	Abstain
	Councilman Dewart	Aye
	Councilwoman Bronson	Aye
	Councilman Hotaling	Aye

Resolved Norman Jansen is appointed to the Planning Board with a term expiring 12/31/2024.

RESOLUTION 127-2017

PETTY CASH FUND INCREASE

Supervisor Engert stated the Clerk has asked for an increase in petty cash and he supports her. Due to not having a local bank and being readily able to get change it has become difficult for the Clerk to make change for large bills that are coming in from the public.

On a motion of Councilwoman Bronson, seconded by Councilman Hotaling, the following resolution was

ADOPTED: Ayes	5	Engert, Jansen, Dewart, Bronson, Hotaling
Nays	0	

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WHEREAS, the Town Clerk is currently authorized to maintain \$200.00 in a petty cash fund for transactions in her office; and

WHEREAS, the Town Clerk frequently is unable to create change for customers paying bills at the Town Clerk's Office; now therefore be it

RESOLVED, that the Town Clerk is authorized to maintain up to \$300.00 in a petty cash fund in the Office of the Town Clerk.

Councilwoman Jansen noted that a lot of ATM's today are only distributing \$50 bills instead of \$20's so she thinks this is totally appropriate.

RESOLUTION 128-2017

NIACAP

Supervisor Engert stated that NIACAP distributes funds to assist low income residents in Somerset and all of the money from our contract and more gets returned to the Town of Somerset.

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

ADOPTED: Ayes	5	Engert, Jansen, Dewart, Bronson, Hotaling
Nays	0	

RESOLVED, that the Supervisor is authorized to enter into an agreement with the Niagara Community Action Program (NIACAP) for 2018, for the budgeted amount of \$2,500.00.

RESOLUTION 129-2017

PROPOSED CHANGES TO LOCAL LAW ZONING

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

ADOPTED: Ayes	5	Engert, Jansen, Dewart, Bronson, Hotaling
Nays	0	

WHEREAS the code of the Town of Somerset contains and specifies the local law and ordinances of the Town of Somerset, and

WHEREAS a proposed local law entitled "A Local Law amending the zoning regulations applicable to all zones and the regulations applicable to Industrial Districts and Planned Unit Development Districts" has been introduced, and

WHEREAS a proposed local law entitled "A Local Law amending the supplemental zoning regulations related to Commercial/industrial wind energy conversion systems" has been introduced, and

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WHEREAS a proposed local law entitled "A Local Law amending the Supplemental Regulations of the Somerset Zoning Code to add regulations applicable to tall structures" has been introduced, and

WHEREAS the Town would like to start the process of considering the three proposed local laws related to zoning revisions and in accordance with article 8 State Environmental Quality Review Act (SEQRA) of the environmental conservation law the Somerset Town Board would like to establish itself as SEQRA Lead Agency, and

WHEREAS the Town would like to refer these proposed code revisions to the Niagara County Planning Board in accordance with General Municipal Law §239-m and to the neighboring municipalities under General Municipal Law §239-nn, now therefore be it

RESOLVED that the Somerset Town Board authorizes the completion of a coordinated SEQRA process, and be it further

RESOLVED that the Somerset Town Board authorizes the completion of the General Municipal Law §239-m referral to the Niagara County Planning Board and General Municipal Law §239-nn referral to the neighboring municipalities, and be it further

RESOLVED that the Somerset Town Board does hereby call for a public hearing to be held on the proposed local law entitled "A Local Law amending the regulations applicable to all zones, and the regulations applicable to Industrial Districts and Planned Unit Development Districts" at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 at 6:30PM on January 10, 2018, and be it further

RESOLVED that the Somerset Town Board does hereby call for a public hearing to be held on the proposed local law entitled "A Local Law amending the supplemental zoning regulations related to Commercial/industrial wind energy conversion systems" at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 at 6:30PM on January 10, 2018, and be it further

RESOLVED that the Somerset Town Board does hereby call for a public hearing to be held on the proposed local law entitled "A Local Law amending the Supplemental Regulations of the Somerset Zoning Code to add regulations applicable to tall structures" at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 at 6:30PM on January 10, 2018.

Supervisor Engert stated that there were a couple developments this year that the Board felt was applicable, one of the being a sound study in Vermont. They feel it is important to recognize the significant work that went into the study. Clayton adopted a tall structures ordinance which the Town feels is important to layer on top of the wind energy law. They also feel it is applicable to define where appropriate zoning for wind energy conversion systems. There will be a ban on any wind energy development in any area other than industrial.

RESOLUTION 130-2017

AUDIT OF CLAIMS

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
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. 451 through No. 495	\$ 80,181.99
Highway Fund	No. 136 through No. 152	\$ 19,963.21
Sewer Fund	No. 123 through No. 140	\$ 36,393.54
Water Fund	No. 102 through No. 109	\$ 1,292.34

PRIVILEGE OF THE FLOOR:

Pam Atwater said our newsletter is full of good information and also that she knows first-hand that our highway department does clean up after themselves and she appreciates it. She provided a copy of an article created by the American Bird Conservancy with the top 10 myths about wind energy and birds. She reviewed a few of the myths including:

- They are green with little or no environmental impact
- We shouldn't be concerned about wind energy because it does not take the same toll as feral cats, pesticides, and other impacts
- Wind industry is mitigating for bird and bat deaths
- They can build wind turbines around the Great Lakes with little or no impact on birds and wildlife

She said that she attended our Planning Board meeting where it was discussed that APEX was out of compliance. She said since they cannot reach the goals of their Met tower permits, she is not confident of what they will do with 600+' turbines.

Steve Royce visited Arkwright where a wind farm is being constructed and there is a lot of dirt, dust, and traffic delays. He estimated that 1,300 cubic yards of concrete are needed for each wind turbine base. That equates to 9,100 concrete trucks to build 70 wind turbines. He stated that with this amount of concrete, temporary batch plants are needed but he could not find it. He added that batch plants create a lot of dust pollution through the nature of the batching process. He presented a photo board with pictures that he took in Arkwright. Supervisor Engert asked if the concrete estimates vary?

Steve said that he may be off by a factor of two, but certainly not by a factor of ten. 9,000 trucks may be 5,000 trucks.

Jim Hoffman congratulated Steve Royce for his work. He said that Dan Fitzgerald from APEX told him that we will not like them during construction. He said it seems the dialogue has switched from environmental impacts on our community to financial. He provided an

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article created by SOS regarding the impact of industrial wind turbines on property values on various towns. He said that APEX talks about the financial impact but they never show pictures with wind turbines in them.

Betty Wolanyk stated that Fort Drum conducted a joint Land Use Study. She went through the entire study and created a summary of it. She said that it is a significant concern to leaders at Fort Drum and the information on the concerns could be transferred to the Niagara Falls Air Base. Some concerns are low level flights, radar, BRAC perceptions, future missions and PILOT disparity. She said they also spent time discussing the Article 10 process and the loss of local control. She stated that we have been hearing that this project will be an economic and population boon so she looked at Wyoming County since APEX uses them as an example. She said Wyoming County has a total of 269 wind turbines. Each year since they began operating, Attica Central School has lost 54 students per year. The first year with the PILOT there was a tax decrease and then there were 5 consecutive years of tax increases, with no increase or decrease for the last 3 years. Citing declining enrollment and to keep their budget low they eliminated 37 positions, closed one school building, and did not replace 14 retirements.

Cathi Orr wants to commend the amendments to our code. She stated that as a first person observer she can say the construction is horrible, there is a lot of dust, and when she is trying to sleep there is a lot of the beeping noises from trucks backing up. She said you cannot hide from the noise. One of her friends was hunting in the woods and said it sounded like a train was going by.

Heidi Dergel stated that she works in the nuclear field and she pays attention to energy. She thinks it is extremely important that the board is considering the amendment. She lived in Germany where there are almost 9,000 wind turbines. The turbines built from 2008 – 2011 were moderate size and were valuable to Germany and public opinion was very good. Since installing industrial turbines, public opinion has dropped. She thinks that limits are one of the most important things we can set: noise, height, proximity, etc. She feels we need industry in this area and feels there are sizes that are amazing and beautiful. She asked if there is any way to get APEX to install something different? Does it need to be these monstrosities? What about the Tax Revenue? She said if not wind, then what?

Ann Smith said she went to Arkwright and saw the devastation to the land and their project is half the size of the one proposed for Somerset/Yates. She said the area is very remote. Trees are gone, the roads are covered with mud, there are at least 100 trucks in a staging area. She stopped to look at the trucks and the majority were from all over the country, not many from New York. She said she would hate to see this area go through what she saw.

RESOLUTION 131-2017

EXECUTIVE SESSION

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

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ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved to enter into executive to discuss stipulation matters with our attorney at 7:50PM.

RESOLUTION 132-2017

EXIT EXECUTIVE SESSION

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

ADOPTED: Ayes 5 Engert, Jansen, Dewart, Bronson, Hotaling
Nays 0

Resolved to exit executive session at 8:43PM.

On a motion of Councilman Dewart, seconded by Councilwoman Jansen, the meeting adjourned at 8:45P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk

TOWN OF SOMERSET

Water Rate Schedule

Service Classification No. 1

(Rates for water used by owners of property within the District and paying taxes therein, or not paying taxes but making annual payments in lieu of taxes, and their tenants.)

For Water Use:

1. Quarterly (Domestic and small consumers)

Minimum Charge – 1 st	8,000 gallons/quarter = \$15.80/quarter
Next	12,000 gallons/quarter = \$1.60/1,000 gallons
Next	80,000 gallons/quarter = \$1.50/1,000 gallons
All over	100,000 gallons/quarter = \$1.40/1,000 gallons
2. Monthly (Industrial and large consumers)

Minimum Charge – 1 st	3,000 gallons/quarter = \$6.07/month
Next	4,000 gallons/quarter = \$1.60/1,000 gallons
Next	33,000 gallons/quarter = \$1.50/1,000 gallons
All over	40,000 gallons/quarter = \$1.40/1,000 gallons
3. Churches \$1.60/1,000 gallons billed quarterly. No minimum charge.

Penalty: 10% of total bill for non-payment after thirty (30) days.

Service Classification No. 2

(Rates for water used by owners of property within the District but not subject to the payment of taxes and not making annual payments in lieu of taxes, and their tenants; and y consumers outside the District, or by consumers qualifying as temporary services.)

For Water Use:

1. Quarterly (Domestic and small consumers – including Yates residents who live on Countyline Road from Townline Road north to (but not including) 1917, and north of Roosevelt Highway (Lake Road).)

Minimum Charge – 1 st	8,000 gallons/quarter = \$30.20/quarter
Next	12,000 gallons/quarter = \$3.40/1,000 gallons
Next	80,000 gallons/quarter = \$2.65/1,000 gallons
All over	100,000 gallons/quarter = \$2.15/1,000 gallons
2. Monthly (Industrial and large consumers)

Minimum Charge – 1 st	3,000 gallons/month = \$11.58/month
Next	4,000 gallons/month = \$3.40/1,000 gallons
Next	33,000 gallons/month = \$2.65/1,000 gallons
All over	40,000 gallons/month = \$2.15/1,000 gallons
3. Churches \$3.00/1,000 gallons billed quarterly. No minimum charge.

4. Yates (Countyline Road from 1917 north to Roosevelt Highway (Lake Road); Roosevelt Highway from Countyline Road east to 10565; Millers Road from Countyline Road east to 10228; All of Payne Avenue)
 - a. Residential customers are billed according to a rate schedule established by the Town of Yates and they make their payments directly to the Town of Yates.
 - b. Somerset bills the Town of Yates by voucher on a quarterly basis according to the following schedule:
 - i. Customers using 4,000 gallons or less: \$12.82/customer
 - ii. Customers using over 4,000 gallons: \$3.20/1,000 gallons
 - iii. Churches: \$3.15/1,000 gallons
 - iv. Water samples per Niagara County charge
(usually 3 samples/quarter)
 - v. Final readings based on usage
 - vi. Meter repairs current cost of replacement

Penalty: 10% of total bill for non-payment after thirty (30) days.

Service Classification No. 3

(Rates for water used by trailer parks or campsites serviced through a master meter, and where at least one permanent structure exists.)

For Water Use through Master Meter:

Quarterly:

Minimum Charge – 1 st	8,000 gallons/quarter = \$15.80/quarter
Next	12,000 gallons/quarter = \$1.60/1,000 gallons
Next	80,000 gallons/quarter = \$1.50/1,000 gallons
All over	100,000 gallons/quarter = \$1.40/1,000 gallons

Penalty: 10% of total bill for non-payment after thirty (30) days.

Hydrant Use:

Agricultural Use

(Water used for purposes of spraying, irrigation and uses related to the growing only of commodities for human and animal consumption.)

Minimum Charge: \$50.00/year
\$1.35/1,000 gallons (irrigation use) billed monthly
\$1.95/1,000 gallons (agricultural)
Meter Charge as per fee schedule

Penalty: 10% of total bill for non-payment after thirty (30) days.

Residential Use

(Water used by residents from the hydrant for pool fills, etc.) Only ¾" meter

Minimum Charge: \$50.00/year
\$1.95/1,000 gallons billed upon project completion
Meter Charge as per fee schedule

Penalty: 10% of total bill for non-payment after thirty (30) days.

Commercial Use

(Water used for other than agricultural.)

Minimum Charge: \$50.00/year
\$1.95/1,000 gallons billed annually or upon project completion
Meter Charge as per fee schedule

Penalty: 10% of total bill for non-payment after thirty (30) days.

Installation of Service

Service Connections (Permanent)

Rates:

Service Classification No. 1:

Three quarter inch (3/4") Tap - \$465.00 per service (including meter)
One inch (1") Tap - \$601.00 per service (including meter)
Larger than one inch (1"), up to two inches (2"), Tap – Materials cost plus \$200.00.
Larger than two inch (2") Tap – All labor, materials and installation costs plus engineering fees and inspector fees.
Pit meters (up to 1") are an additional \$30.00 per meter
Pit meters over 1" need to be located in a building (or hot box) at the user's expense

Service Classification No. 2:

Three quarter inch (3/4") Tap - \$665.00 per service (including meter)
One inch (1") Tap - \$801.00 per service (including meter)
Larger than one inch (1"), up to two inches (2"), Tap – Materials cost plus \$400.00.
Larger than two inch (2") Tap – All labor, materials and installation costs plus engineering fees and inspector fees.
Pit meters (up to 1") are an additional \$30.00 per meter
Pit meters over 1" need to be located in a building (or hot box) at the user's expense

Fees

Meters:

Hydrant meters three quarter inch (3/4") - \$35.00
Hydrant meters one inch (1") - \$40.00
Hydrant meters over one inch (1") - \$66.00

Meter Repairs:

Damage meters due to freezing, hot water, or other causes, will be replaced and charged back to the property owner at the current cost of replacement (quote will be obtained from our current meter supplier.)

Final billing and backflow preventer inspection:

The first inspection is free. A charge of \$50.00 will be charged to the homeowner if a second inspection is necessary.

Reinstate water billing:

If a homeowner will not be using water for more than one year and wishes to be removed from the billing system, they will incur a fee of \$65.00 when being placed back into the billing system.

Charges appearing on tax bill:

Somerset Water 2	WD381	.15/1,000	(Direct Benefit)
Somerset Water 2a	WD382	.03/1,000	(Indirect Benefit)
Som Water District	WD385	.11/1,000	(Church)

Any unpaid user charges for Town of Somerset as of October 1st each year shall be levied against the property owner's next current Town tax bill.