

TOWN BOARD REGULAR MEETING
JULY 13, 2016

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 July, 2016.

Present: Daniel M. Engert ----- Supervisor
Randall J. Wayner ----- Councilman
Gary R. Alt ----- Councilman
Robin R. Jansen ----- Councilwoman
Jeffrey M. Dewart ----- Councilman
Tracy L. Carmer----- Town Clerk
Michael M. Flint ----- Supt. of Highways
Mindy Austin ----- Confidential Asst. to the Supervisor
Michael J. Norris----- Attorney

Absent: Melvin H. Denny ----- Supt of Water/Sewer/Grounds
Brian Sibiga ----- Engineer

Attended by: approximately 30 residents

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

RESOLUTION 106-2016

APPROVAL OF THE MINUTES

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

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

Resolved the minutes of the previous meeting on June 8, 2016 are approved as submitted.

RESOLUTION 107-2016

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

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 the Supervisor's Monthly report be accepted as submitted.

MONTHLY REPORTS RECEIVED AND FILED:

Code Enforcement Officer
Police Report

Supervisor Engert welcomed Clerk Carmer back and stated he is thankful she healed so well and so quickly.

RESOLUTION 108-2016

BARKER FIRE DEPARTMENT CONTRACT

Supervisor Engert stated that the approval of the Barker Fire Department contract was inadvertently excluded from our Reorganizational Meeting agenda.

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 the 2016 Barker Fire Department contract is approved retroactive to January 1, 2016.

RESOLUTION 109-2016

SEWER TELEVISIONING PROJECT

Supervisor Engert stated that the bids came in under budget and the low bid is being endorsed by the Town Attorney, Town Engineer, and Superintendent Denny. Bids received were:

United Survey, Inc.	\$2.94/foot plus \$535.00/hour heavy clean
Sewer Specialty Services Company, Inc	\$1.75/foot plus \$350.00/hour heavy clean
Arold Construction Company, Inc	\$8.00/foot plus \$500.00/hour heavy clean
Kandey Company Inc	\$2.80/foot plus \$250.00/hour heavy clean

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

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

Resolved the bid be awarded to Sewer Specialty Services Company, Inc.

RESOLUTION 110-2016

COMPREHENSIVE PLAN

Supervisor Engert stated that when the Board is in the process of adopting local laws they should keep in mind the Comprehensive Plan and LWRP. Rather than waiting long periods, it would keep the cost low if the Engineer reviews it for implications as the laws are being addressed.

Councilwoman Jansen feels this is a wise approach as things happen so quickly.

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

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

Resolved the Town Planner submit a proposal to review the Comprehensive Plan for implications of recent local law changes.

Attorney Norris will draft a memo to Drew Reilly.

RESOLUTION 111-2016

CONSTABLE CHIEF

Supervisor Engert stated that he has many duties in his role of Supervisor including taking on the responsibility of Police Chief when the department was established. He listed his responsibilities and stated that he has relied on Deputy Supervisor Wayner a lot more than in the past. He said with all that is in front of the Town Board, he needs to prioritize his time and feels that it is in the best interest of the Town to appoint a Chief for oversight of the department. He recommends John Yotter, our most senior officer, who is a decorated retired Detective, and received the distinction of Officer of the Year from Governor Cuomo. Supervisor Engert arrived at a suggested salary by averaging the annual salaries of our Code Enforcement Officer, Dog Control Officer and Senior Citizen Director.

Councilman Wayner said this is a great application of resources and thanked Supervisor Engert for his efforts with the police force.

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

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

Resolved John Yotter is appointed Chief at a salary of \$5,500/year.

RESOLUTION 112-2016

AUDIT OF CLAIMS

On a motion of Councilwoman Jansen, seconded by Councilman Dewart 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. 230 through No. 272	\$ 66,341.40
Highway Fund	No. 79 through No. 92	\$ 76,916.43
Sewer Fund	No. 71 through No. 84	\$ 5,342.42
Water Fund	No. 45 through No. 56	\$ 40,535.72

PRIVILEGE OF THE FLOOR:

Jim Hoffman invited the Board to a viewing of a film called Big Wind, a Canadian documentary being presented by SOS.

Wally Coates spoke as President of the Barker Fire Department. He told about a distress call they answered recently that was far from the road. Miguel (one of our officers) was called in and he offered to block the road. The Fire Department declined his offer, but Miguel stayed on the scene. Wally is glad that he stayed because a woman ran the blockade and bumped a couple of firemen. She was belligerent and was determined to

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keep driving through the scene. Miguel reached in and grabbed her keys to keep her from continuing. Wally thanked the police department and said that Miguel behaved in the utmost manner.

Supervisor Engert stated that the level of activity since 2012 when he started preparing detailed reports is shocking.

Cathi Orr thanked Highway Superintendent for installing a sign by their driveway. Discussion ensued regarding the procedure of the Highway Department to obtain signs.

Marcia Ray feels our liberties and freedoms are being threatened by taking away our local voice. She stated that Article X is unfair, and the sacrifices are unreasonable and unaffordable. She said it is a burden to our small town and wants them to look for a better location.

Taylor Quarles provided an update. He stated that the stipulations process is continuing. He has heard there is confusion regarding the process and said that he is willing to have conversations about it. They are updating the FAQ sheet on their website and would like input if anyone thinks of something they would like to see as part of it. They continue to have office hours 4 days/week but that may get interrupted now and then due to events.

Bev Herriven referred to a comment that was made a couple of months ago that this was a done deal and APEX had everything under control. She thinks APEX was dishonest by telling residents if they don't sign their neighbors down the road will sign.

On a motion of Supervisor Engert, seconded by Councilwoman Jansen, the meeting adjourned at 7:00P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk