

REGULAR MEETING
NOVEMBER 4, 2015

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 4th day of November 2015.

Present: Daniel M. Engert ----- Supervisor
Gary R. Alt ----- Councilman
Jeffrey M. Dewart ----- Councilman
Robin R. Jansen ----- Councilwoman
Mindy Austin ----- Confidential Asst. to the Supervisor
Michael M. Flint ----- Supt. of Highways
Brian D. Seaman ----- Counsel
Randy Roeseler----- Engineer
Shelly Arnold ----- Deputy Clerk

Absent: Randall J. Wayner ----- Councilman
Tracy L. Carmer ----- Clerk
Melvin H. Denny ----- Supt. of Water/Sewer/Grounds

Attended by: numerous residents

Supervisor Engert called the meeting to order at 6:30PM with the Pledge to the Flag and a prayer for guidance. He introduced Shelly Arnold as the clerk for tonight's meeting as Clerk Carmer was traveling to see her son graduate from Basic Training.

PUBLIC HEARING – PRELIMINARY 2016 BUDGET AND FIRE PROTECTION CONTRACT

Notice of said hearing was sent to the Lockport Union-Sun & Journal on October 24, 2015 with same notice being posted on October 21, 2015 at the Town Hall and on the website.

Supervisor Engert opened the hearing at 6:32PM.

Deputy Clerk Arnold read the notice of public hearing.

Robert Wendler spoke on behalf of Wally Coates and thanked the board for the increase in their budget line.

Supervisor Engert stated that a couple of changes were made after the preliminary budget was presented.

Highway Superintendent Flint advised that his portion of the budget is being reduced by not replacing a truck that he originally put in the budget for \$66,500.

Councilman Alt asked how many hours are on the payload and Superintendent Flint said he isn't sure, but could check. Councilman Alt asked if we should think about replacing it in

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next year's budget. Supervisor Engert mentioned that we will look at getting estimates in advance of next year's budget discussions.

Supervisor Engert stated that we partnered with the Academy of Finance and had two interns over the summer. We put \$500 in the youth line for a scholarship for Jacob Allen since he worked without being paid.

Supervisor Engert summarized the following budget items:

- 1.75% Cost of Living wage increase for employees, excluding the Supervisor and Town Board
- No cuts in services
- Tax rate held flat
- Reserves are down to 27% in the General Fund
- Total reserves is 55% of total appropriations, a healthy level
- Estimated an increase in sales tax revenue
- Highway Improvements budget line is for expanding Quaker Road from the Village of Barker to the Village park at the end of Quaker Road. Legislator Syracuse was able to put in his budget funds to add a 4' shoulder from Lake Road to the lake. Our share is \$70,000 for the section of Lower Lake Road to the lake. We are going to apply for greenway funds to offset this.
- In the B fund we are getting funds built up for legal counsel and engineering fees that will be needed for opposing the wind turbine project. The Town has to expend the money and apply for a refund through the intervenor funding.
- New in the budget is a line item for revenue from Games of Chance to record revenue that we receive from the County for a share of casino money.
- Appropriations down 3%
- Fire Protection District increased for an equipment purchase and additional expenses being incurred by the Fire Department
- Refuse decreased by \$100

Jim Ferington asked if we are expanding Quaker Road for people to walk to the park, what will be done about security at the park?

Supervisor Engert advised that the increase in traffic won't require additional police services as most of it would be day time traffic, but we will keep an eye on it.

With all persons being heard, Supervisor Engert closed the hearing at 6:55PM.

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Supervisor Engert opened the regular meeting at 6:56PM.

RESOLUTION 116-2015

APPROVAL OF THE MINUTES

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

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

Resolved the minutes of the previous meeting are approved.

RESOLUTION 117-2015

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

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

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

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

MONTHLY REPORTS RECEIVED AND FILED:

Code Enforcement Officer
Dog Control Officer
Police Report

QUARTERLY WATER/SEWER REPORT RECEIVED AND FILED

COMMUNICATIONS

Supervisor Engert read a letter from Assemblywoman Corwin clarifying her stance on the Apex wind turbine project. In a recent Lighthouse Wind News email, it was implied that she took a supportive position of the Lighthouse Wind project. She advised that this is not accurate. She meets with people on both sides of the issue and remains of the opinion that most decisions should be made at the local level and she has drafted legislation that would amend Article X to give significant control back to the local representatives.

Deputy Clerk Arnold read a communication from Time Warner Cable advising what channel agreements will be expiring soon. They also advised that around November 30th they will be making technical changes that may disrupt your ability to view certain channels. If this occurs, you will need to go into your settings menu and perform a new channel scan.

RESOLUTION 118-2015

2016 BUDGET ADOPTION

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

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

Resolved the 2016 budget is adopted as presented.

RESOLUTION 119-2015

2016 FIRE PROTECTION CONTRACTION ADOPTION

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

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

Resolved the 2016 Fire Protection Contract is approved.

Supervisor Engert asked to keep Councilman Wayner and his family in our thoughts and prayers as his father-in-law passed away today.

Councilwoman Jansen asked to have Superintendent Denny check the timing on the outdoor lights.

RESOLUTION 120-2015

AUDIT OF CLAIMS

Councilman Dewart has not reviewed the bills yet, so he will abstain from the vote.

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

ADOPTED Ayes 3 Engert, Alt, Jansen
Nays 0
Abstain 1 Dewart

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

General Fund	No. 384 through No. 406	\$ 12,846.72
Highway Fund	No. 136 through No. 143	\$ 6,845.79
Sewer Fund	No. 117 through No. 131	\$ 4,625.15
Water Fund	No. 103 through No. 109	\$ 6,044.19

PRIVILEGE OF THE FLOOR

Pam Atwater congratulated the election winners and noted that 93% of the votes were cast for the Supervisor candidates who are opposed to the wind turbine project.

Jim Hoffman congratulated the election winners and said that the Yates candidates are strong and this is a great opportunity to team up with their board. He is disappointed that Assemblywoman Corwin and Senator Ortt did not have representation at the rally at the lighthouse.

Cathi Orr also congratulated the election winners and thought Mr. Vacco was a delight.

Dale Howard congratulated the election winners and said we should move full speed in opposing wind turbines. He asked if we need a parallel committee to address what happens if we do get windmills? Do we need a schedule of permits? Lots of little costs so it should be determined who pays for it.

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Supervisor Engert stated that we already have a windmill committee that will make recommendations to the Town Board regarding permits, fees, etc. The meeting schedule is posted and community members are welcome to attend. The committee will have recommendations to the Town Board at the end of 2015 or the beginning of 2016. Most of Dale's ideas have been discussed and are being addressed.

Cathi Orr stated that all of Dale's concerns happened in Orangeville. Her house moved about 1' off the foundation.

Robert Wendler thanked the Town Board again now that the budget has passed.

RESOLUTION 121-2015

EXECUTIVE SESSION

Supervisor Engert stated that the Board needs to enter into Executive Session regarding the Lighthouse Wind Project so he is excusing Councilman Alt.

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

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

Resolved to enter into Executive Session to discuss the Lighthouse Wind Project at 7:17PM.

RESOLUTION 122-2015

RETURN TO REGULAR SESSION

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

ADOPTED Ayes 3 Engert, Jansen, Dewart
Nays 0

Resolved to return to Regular Session at 7:18PM.

On a motion of Councilman Dewart, seconded by Councilwoman Jansen, the meeting adjourned at 7:19PM subject to the Call of the Clerk. Carried unanimously.

Shelly M. Arnold
Deputy Clerk