

TOWN BOARD SPECIAL MEETING
NOVEMBER 1, 2017

A Special 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 1st day of November 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
Mindy Austin ----- Confidential Asst. to the Supervisor
David Haylett----- Attorney

Absent: Michael M. Flint ----- Supt. of Highways
Brian Sibiga ----- Engineer

Attended by: 8 residents

Supervisor Engert called the meeting to order at 10:00AM with the Pledge to the Flag and prayer for guidance.

Supervisor Engert announced that Councilman Alt submitted his letter of resignation as he moved out of the district. The meeting had to be held early to accommodate Councilman Dewart's work schedule.

RESOLUTION 95-2017

PUBLIC HEARING

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

ADOPTED: Ayes 3 Engert, Jansen, Dewart
 Nays 0

Resolved to hold a public hearing on the budget on November 8, 2017 at 6:30PM.

RESOLUTION 96-2017

TAX CAP OVERRIDE

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

ADOPTED: Ayes 3 Engert, Jansen, Dewart
 Nays 0

Resolved to hold a public hearing on a proposed local law to override the tax levy limit established in General Municipal Law §3-c on November 8, 2017 at 6:30PM.

RESOLUTION 97-2017

FIRE DISTRICT BUDGET

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

ADOPTED: Ayes 3 Engert, Jansen, Dewart
 Nays 0

Resolved to hold a public hearing on the proposed budget for the Barker Fire Department on November 8, 2017 at 6:30PM.

RESOLUTION 98-2017

COUNCILWOMAN APPOINTMENT

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

ADOPTED: Ayes 3 Engert, Jansen, Dewart
 Nays 0

Resolved Christine Bronson is appointed to fill the remaining term of Gary Alt, through December 31, 2017.

RESOLUTION 99-2017

COUNCILMAN APPOINTMENT

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

ADOPTED: Ayes 3 Engert, Jansen, Dewart
 Nays 0

Resolved Jon Hotaling is appointed to fill the vacancy created by the retirement of Randall Wayner earlier this year, through December 31, 2017.

BUDGET SUMMARY

Supervisor Engert provided the following:

- In 2008 PILOT revenue was \$1.3 million; in 2018 the revenue is \$139,000 which is a reduction of 89%.
- The board has strategically lowered the rate; invested in making the "West parcel" shovel-ready; negotiated cost-sharing; and consolidated departments. There are no more areas to cut without cutting services.
- In 2008 the A Fund had reserves equal to 150% above what was in the budget line. The board used reserves each year to offset the taxes and keep the rate low to create a climate to be favorable to new businesses and homeowners. Now the plant has decided to invest in a solar facility on the west parcel so the board has to re-evaluate its strategy. The reserve is \$500,000, of which the proposed budget will use half and have a tax rate of \$1.68/1,000 which is a 58% increase over the 2012 rate. In comparison to other towns that have a village, our rate is still low. Hartland has a rate of \$2.48, Royalton is above \$3.50 and Wilson is over \$3.00. The comparison is against towns with villages because these towns cannot use sales tax to offset the A fund. The other towns can use it and some of them do not have a Town tax.

- While this is a large increase, the taxpayers have benefited from a very reduced tax rate for the past 5 years.
- Various things come into play: the wind developer has impacted the costs of the town and we are in negotiations for the next PILOT.

The Supervisor talked about the future of the plant being unknown because Gov. Cuomo has stated that coal plants have to repower to natural gas or retire by 12/31/2020. Supervisor Engert reached out to Senator Ortt regarding a mitigation fund that will help offset some of the lost revenue when the plant closes. He asked the Senator to advocate to change the rule so the funds can start flowing into the town and school district. Senator Ortt will hold a senate hearing at some point in 2018 to raise awareness of the impact of the plant on the grid and the economy.

Councilwoman Jansen advised that the board has looked at other options such as shutting down the town hall a couple days per week or doing alternative staffing. She was not interested in pursuing any of that and thinks this budget is the best we could hope for at this point.

Councilman Dewart stated that the department heads have worked hard the past few years to cut costs. Supervisor Engert agreed and said they have been exceptional to work with and have done their best to look for different ways to implement things and he appreciates it.

Supervisor Engert said the tax cap came into place so other alternatives were limited without overriding the cap which would cost the residents the rebate. He said we will continue to fight to not further erode our tax base allowing an industrial wind project to completely transform the town.

RESOLUTION 100-2017

PRELIMINARY BUDGET

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 the preliminary budget is adopted as submitted.

Jon Hotaling announced his resignation from the Town Planning Board effective today.

Councilman Dewart left the meeting at 10:19AM to go to work.

RESOLUTION 101-2017

PLANNING BOARD CHAIRMAN APPOINTMENT

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

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ADOPTED: Ayes 3 Engert, Bronson, Hotaling
 Nays 0
 Abstain 1 Jansen

Resolved Norm Jansen is appointed Chairman of the Town Planning Board.

RESOLUTION 102-2017

NEW YORK STATE DEPT OF TRANSPORTATION UNDERTAKING

Supervisor Engert stated the undertaking is lengthy and he would like to waive reading it. Attorney Haylett and our Town Engineer Brian Sibiga have reviewed the undertaking and support it.

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

ADOPTED: Ayes 4 Engert, Jansen, Bronson, Hotaling
 Nays 0

Resolved the reading of the Undertaking is waived and the Supervisor is authorized to execute the Undertaking for the benefit of The New York State Department of Transportation as submitted.

On a motion of Councilwoman Jansen, seconded by Councilwoman Bronson, the meeting adjourned at 10:23A.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk