

TOWN BOARD SPECIAL MEETING
OCTOBER 26, 2016

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 26th day of October, 2016.

Present: Daniel M. Engert ----- Supervisor
Randall J. Wayner ----- Councilman
Gary R. Alt ----- Councilman
Tracy L. Carmer----- Town Clerk
David Haylett----- Attorney
Drew Reilly ----- Engineer

Absent: Robin R. Jansen ----- Councilwoman
Jeffrey M. Dewart ----- Councilman

Attended by: 9 residents

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

COMPREHENSIVE PLAN REVIEW

Supervisor Engert stated that Councilwoman Jansen and Councilman Dewart had other commitments so could not attend the meeting. In tonight's packet the board members have a copy of the Comprehensive Plan from 2012 and a memo submitted by Drew Reilly so they can follow along.

Drew Reilly applauded the Board for doing this. He said it is recommended to look at the Plan every five to ten years, or when major events occur in your community. He said it has been five years and we have had a couple major events in our community including the proposed large scale wind turbine project and proposals for the property west of the power plant. He stated his memo outlines simple changes that can be made to the plan to update and clarify it.

- Introduction section – why are we updating the plan?
- Existing condition section – mostly the same but we have new laws and growth issues to discuss
- Goals and objectives –
 - Where are we now and where were we in the past?
 - Vision as provided by the community – goals aren't changing, but the underlying objectives need clarification. He provided an example of a goal for economic development calling for seven different concepts, saying we should state which areas we are focusing on that the region feels is important. The largest feedback the Town has had lately refers to the wind turbine project so we should address it in this section.Councilman Wayner asked if clarification is needed, then adjustments are needed?

Drew said yes. You need to clarify and address the issues raised by the public as to how they affect the goals and objectives of the Town.

Supervisor Engert stated that we are here because of the impact of the proposed wind turbine project. The information we have learned over the past two years regarding the size and scope of the turbines being considered and the size and scope of the project being considered is completely different than anything the Town was considering when the Plan was drafted back in 2003, 2011 and 2012. He feels we need to narrow the focus to what has changed in the community and that is what changed and what we need to address.

Drew agreed and said there are seven goals in the Town:

- Rural character
 - Achieve a pattern of development that minimizes travel time and adheres to smart growth principles and establishes a high standard of design
 - Meet housing needs by providing variety of houses and improving existing housing
 - Protecting important environment resources from adverse effects
 - Provide high quality community facilities and services at an acceptable cost to the taxpayer
 - Provide for future movement of traffic through the Town in a safe and efficient manner
 - Create a vital and sustainable economy for the Town that provides a strong tax base and jobs for the citizens
- How do you achieve the vision? Make new or amended recommendations.
 - Implementation - how do you accomplish the recommendations? Drew pointed out that if a Town has a Comprehensive Plan, the Town must use it in the decision making of the Town. All decisions made by other agencies (including county and state agencies) have to consider our Plan. He stated there is a NYS Department of State official going around the state teaching about comprehensive plans and telling the communities that they should be addressing wind turbines in their plans and should determine where and how they would like them.
 - Environmental Analysis - is required and it is an accepted practice to put it in the plan.

Drew said that since it has only been a few years since our last update, it should not take him that long to prepare a draft. He hopes to have it for the board meeting on November 9th. He will track the changes so that everyone can see exactly what the proposed changes are.

Supervisor Engert stated that Drew is very knowledgeable about our town as he has been with the Town for 25 years. He was a participant in creating our Comprehensive Plan and he was the facilitator for the wind energy committee when we were drafting the wind turbine

law. He said it is important to note that the comprehensive plan is addressed in Article X in that it has to be considered by the siting board.

Drew showed the board our vision map and discussed the different areas of the map and stated we need to state what we want to accomplish in each area.

Supervisor Engert tasked Drew to draft some language for the Board to consider. The Board will review the sections that Drew has identified in his memo. He would also like them to review the sections that Drew did not address tonight and if they feel there are substantial differences we will have Drew provide language for those too.

Councilman Wayner stated the original plan set a tone for the Town. Since then, the will of the people has been solicited and things have changed so adjustments need to be made. He asked Drew if they will have time to review the draft and submit suggestions. Drew said they can throughout the whole process. This will also go to the County Planning Board and they will provide comments.

Supervisor Engert stated that he will introduce a motion at our next meeting to schedule a public hearing.

Drew reminded everyone that his suggestions are not his own feelings. He has read our minutes, the survey, and re-reviewed the wind committee information to get a feel for what the Town wants.

The deadline to submit the plan to the Niagara County Planning Board for their next meeting is November 11th.

Drew stated to get on the county's agenda he has to submit the draft plan, a completed Environmental Assessment Form, the law we are adopting and the referral form.

Supervisor Engert stated that we should communicate to the planning board that this is not a new plan. He asked if it is a requirement for the County Planning Board to sign off in order to adopt our plan, or do we just have to refer it to them for review.

Attorney Haylett stated that we just refer it for review and they have 30 days to respond.

Drew stated if you submit a complete application, they typically respond at the meeting. He said it is rare if they disagree with the municipality since we are a Home Rule state. They do not have to wait for the Town to hold a public hearing to provide us with comments.

RESOLUTION 140-2016

UTILITY BILLING

Supervisor Engert stated that Clerk Carmer has looked at ways to streamline her job and has spent a lot of time researching a utility billing company that was recommended to her.

TOWN BOARD MEETING
OCTOBER 26, 2016 PAGE 4

He stated when Clerk Carmer became Town Clerk she brought the utility billing with her to consolidate jobs and her position at the water department was not replaced. This program will save her a lot of time and will be more substantive for the residents. It will allow the residents to track their usage and view and/or pay their bill online. He said there is a list of things that are positives, and the cost is less than the current software. If we purchase within seven days we can save 3%. Clerk Carmer stated the company agreed to add six months on to our first year agreement to offset some cost because we recently paid the annual fee for our current software. The cost for the first eighteen months is \$1,360.42 with the 3% discount. Annually the cost will be \$680. Our current software is \$1,215 annually.

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

ADOPTED: Ayes 3 Engert, Wayner, Alt,
 Nays 0

Resolved Clerk Carmer is authorized to pay for the UBMax software now to take advantage of the 3% savings.

On a motion of Councilman Alt, seconded by Councilman Wayner, the meeting adjourned at 7:07P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk