

TOWN BOARD REGULAR MEETING
SEPTEMBER 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 September 2017.

Present: Daniel M. Engert ----- Supervisor
Gary R. Alt ----- Councilman
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

Absent: Mindy Austin ----- Confidential Asst. to the Supervisor
Brian Sibiga ----- Engineer

Attended by: 16 residents

Supervisor Engert called the meeting to order at 6:33PM with the Pledge to the Flag

RESOLUTION 83-2017

APPROVAL OF THE MINUTES

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 minutes of August 9, 2017 be accepted as submitted.

MONTHLY REPORTS RECEIVED AND FILED:

Code Enforcement Officer
Dog Control
Police Report

RESOLUTION 84-2017

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

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 Supervisor's Monthly report be accepted as submitted.

RESOLUTION 85-2017

NYSDOT SHARED SERVICES

The following resolution is the result of us needing to bore under a state road.

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

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

RESOLVED, that the Supervisor is authorized to enter into a shared services agreement with the New York State Department of Transportation to share materials, services, and equipment for the maintenance of State and Town roads and highways; and be it further

RESOLVED, the Town shall provide services, materials, and equipment at a cost/value equal to that received from the NYS Department of Transportation and the agreement shall not exceed a term of four years.

RESOLUTION 86-2017

AUDIT OF CLAIMS

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

ADOPTED: Ayes 4 Engert, 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. 329 through No. 370	\$ 32,701.60
Highway Fund	No. 102 through No. 115	\$ 251,569.15
Sewer Fund	No. 89 through No. 97	\$ 3,108.86
Water Fund	No. 70 through No. 80	\$ 2,055.14

PRIVILEGE OF THE FLOOR:

Agnes LaPort thanked the Board for their continued efforts opposing the wind project. She had a conversation with a resident from Sheldon who told her that it took them 5 years to sell their home and they took a loss of \$50,000 after the wind turbines came to Sheldon.

Herb Linderman inquired about the grants for lakeshore residents.

Supervisor Engert advised that the Town is not updated as this is a State and Federal issue. The data that we collected has been turned over to the State and the shoreline assessment is done.

Dick Hellert attended a United Shoreline meeting where Tony McKenna spoke and said Tony is very knowledgeable on the subject of the IJC and shoreline erosion. He would like us to promote having Tony be on the panel. Chris Collins is attempting to get him on the commission.

Supervisor Engert said that he can submit a letter of endorsement on behalf of the Town.

Jim Hoffman thanked the board for their fight against APEX Clean Energy and said it has been almost 4 years. He advised that Nordex has a wind turbine tip height of 782” and said that is 1-1/2 football fields wide. He said that APEX has stated they will use the biggest available and he is wondering how they will get it into town. He discussed an article in the newspaper that says these will not tax our infrastructure, but he questions what will happen to our roads, bridges, poles, etc. Also, APEX says that only ½ acre will be disturbed (per turbine) and Jim says that is misleading. He stated that when Dan Fitzgerald from APEX discussed a lease with him, Dan told him that we will not be happy with them during construction.

Marcia Ray asked if the board will let Chris Collins know about the turbines. Supervisor Engert stated that he does every time. Marcia expressed condolences for Jim Ward’s family. Supervisor Engert said that he will send something on behalf of the Town.

Dick Ray reminded everyone that the Town Historical Society is having their annual farm festival on Sunday and it has been almost 50 years in operation. Marcia Ray asked if the Supervisor has any information on the Society’s lease being extended. Supervisor Engert said that is under consideration.

Cathi Orr said she gets a warm feeling attending our meetings and is grateful the board cares about our citizens.

Agnes LaPort said the woman she spoke of earlier who had a hard time selling her home, told her the new owners put the house up for sale less than one year later. She said she saw Spectrum outside measuring things so she spoke to him and learned that Spectrum lost all of the information so they are re-measuring everything. Krista Atwater said that it has been installed on her road, but it is available to everyone except her because of how the lines meet.

RESOLUTION 87-2017
EXECUTIVE SESSION

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 execution session at 6:55PM to discuss a personnel matter with our attorney.

RESOLUTION 88-2017

RETURN FROM EXECUTIVE SESSION

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

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

Resolved to exit executive session at 7:11PM.

On a motion of Councilman Alt, seconded by Councilwoman Jansen, the meeting adjourned at 7:12P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk