

REGULAR MEETING  
APRIL 9, 2014

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 9<sup>th</sup> day of April 2014.

Present: Daniel M. Engert ----- Supervisor  
Randall J. Wayner ----- Councilman  
Gary R. Alt ----- Councilman  
Robin R. Jansen ----- Councilman  
Jeffrey M. Dewart ----- Councilman  
Tracy L. Carmer ----- Clerk  
Michael M. Flint ----- Highway Superintendent  
Melvin H. Denny ----- Supt of Water/Sewer/Grounds  
Mindy Austin ----- Confidential Asst. to the Supervisor  
Michael J. Norris ----- Counsel

Attended by: 36 residents and BCS students

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

**PROCLAMATION FOR BCS Winter Sports Champions**

Supervisor Engert read a proclamation honoring the Barker Varsity Swimming team and the coaches on a winning 2013-2014 season. At the Niagara Orleans League meet, the girls posted 13 Personal Best Times, and the boys earned 10 Personal Best Times. The boy's team was honored with the Niagara Orleans League Sportsmanship Award. He also recognized Tim Flint, John Stansbury, Casey Webb and Collin Webb for claiming the 200 Free Relay league championship honors, and the Section VI Class C school championship.

A second proclamation was read by Supervisor Engert honoring the Barker Varsity Wrestling team. He recognized Brent Bachman for winning first place at the Niagara Orleans League All League championship in his weight division.

Supervisor Engert then read a third proclamation honoring the Barker Varsity Boys' Basketball team. They finished with a record of 18 wins and 0 losses, making this the only perfect season in Barker Boys' Basketball history and giving them the Niagara Orleans League Championship for the first time in 35 years. Jake Haight finished his high school career as the all-time leading scorer in school history with 1,338 points. He led the league in scoring and steals, and was 2<sup>nd</sup> in rebounds. Jake was named to the 4<sup>th</sup> Team All WNY honors, All BCANY Section VI Small Schools and 1<sup>st</sup> Team All-League for Niagara Orleans League. Mitchell Luckman led the entire Section VI in assists, and the Niagara Orleans League in free throw percentages and was 4<sup>th</sup> in Niagara Orleans League scoring. He was selected to the 1<sup>st</sup> Team Niagara Orleans All-League. Bryce Moeller led the league and Section VI in blocked shots, and was named to the 2<sup>nd</sup> Team Niagara Orleans All-League. Christopher Sweeney finished 2<sup>nd</sup> in 3 point scoring for the Niagara Orleans League, and was selected to the 2<sup>nd</sup> Team

Niagara Orleans All-League. Hayden Gooding was named Honorable Mention for the Niagara Orleans All-League. Remaining members of this record-setting team include Tristan Payne, Tanner Gregoire, Tyler Dent, Sean Benoit, Thomas Callaghan, Jarrod Worthington and Joshua Mead.

Supervisor Engert further honored these teams by proclaiming April 9, 2014 as the 2014 Barker Central School Varsity Championship Day in the Town of Somerset.

RESOLUTION 59-2014

**APPROVAL OF THE MINUTES**

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

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

Resolved the minutes of the March meetings are approved.

RESOLUTION 60-2014

**APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman Jansen, seconded by Councilman Wayner, 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  
Dog Control Officer  
Police Report

ANNUAL REPORTS RECEIVED AND FILED:

Justice Court  
Somerset Little League

COMMUNICATIONS:

Clerk Carmer stated a quarterly report was received from CWM Chemical Services regarding minor modifications to facility permits. These modifications are administrative in nature to fix clerical errors. She stated that a letter was also received from Time Warner confirming their merger with Comcast and that it should be completed by the end of 2014.

Supervisor Engert read a card that was received from Joyce Dewart and family thanking the town for flowers that were sent for the passing of Jack Dewart.

**VETERANS OUTREACH PROGRAM**

Clerk Carmer announced that the Town of Somerset is holding it's second veterans outreach program that will enable veterans the ability to have a private meeting with

TOWN BOARD MEETING  
APRIL 9, 2014 PAGE 3

someone from the Veterans Agency to make sure they are receiving all of the benefits that they are entitled to. She stated that this is scheduled for September 23, 2014, and appointments are required and can be made by calling the Town Clerk's office. A notice was placed in the newsletter and on the website.

STATUS REPORT

Highway Superintendent Mike Flint submitted a report that he prepared to show how much money has been spent to-date on expenses for the Highway Department.

CODE UPDATE

Clerk Carmer announced the administrative review is complete. The next step is to review the final draft. Councilman Wayner stated that we had some subtle changes and answered all of their questions.

HAZARD MITIGATION PLAN UPDATE

Supervisor Engert stated that the survey is on the web and our constituents can go online and complete it. This is part of the county's hazard mitigation plan and will allow us to be part of future funding.

BOARD OF ETHICS

Supervisor Engert stated that due to the death of Jack Dewart, there is a vacancy on the Board of Ethics and he asked the board to consider a replacement who they think would be a good fit for the ethics board. Supervisor Engert would like the members to submit names next month.

APEX CLEAN ENERGY

Supervisor Engert stated that he will be meeting with APEX next week. He anticipates that it will be to discuss requirements for applying for a Met Tower. There is no determination whether there is going to be a project yet.

RESOLUTION 61-2014

**AUDIT OF CLAIMS**

On a motion of Councilman Jansen, seconded by Councilman Wayner, 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. 104 through No. 142	\$ 31,309.76
Highway Fund	No. 26 through No. 36	\$ 23,098.65
Sewer Fund	No. 24 through No. 41	\$ 5,355.28
Water Fund	No. 26 through No. 31	\$ 30,150.86

**PRIVILEGE OF THE FLOOR**

Dale Howard asked if we can put an article in the newsletter about people being courteous with their pets and cleaning up after them? Many dogs are using the parks for a bathroom and the owners are not cleaning it up. There is a container in the park and the residents in the area are providing the bags for them.

Supervisor Engert will include it in his article for the next newsletter.

James Ferington asked if the board has had a chance to meet with the Planning Board regarding changing the zoning laws along the lakeshore.

Supervisor Engert advised that it has been assigned to the Planning Board and they will be taking it up at their next meeting on May 1. The Town Attorney has been tasked with having a proposed local law for the Planning Board's consideration at their meeting. The meeting is open to the public and all are invited to attend.

RESOLUTION 62-2014

**EXECUTIVE SESSION**

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

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

Resolved the Board enter into an executive session to discuss a personnel matter and a contract at 6:55PM.

RESOLUTION 63-2014

**RETURN TO REGULAR SESSION**

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

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

Resolved the Board return to regular session at 7:55PM.

On a motion of Councilman Dewart, seconded by Councilman Jansen, the meeting adjourned at 7:56 P.M. subject to the Call of the Clerk. Carried unanimously.

---

Tracy L. Carmer, RMC  
Town Clerk