

SPECIAL MEETING
JUNE 26, 2013

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 June 2013.

Present:	Daniel M. Engert -----	Supervisor
	Randall J. Wayner -----	Councilman
	Gary R. Alt -----	Councilman
	Robin R. Jansen -----	Councilman
	Jeffrey M. Dewart -----	Councilman
	Rebecca A. Connolly ----	Clerk
	Kenneth J. Bigelow -----	Supt. of Highways
	Melvin H. Denny -----	Supt of Water/Sewer/Grounds

Attended by: 3 residents

Notice of said meeting was sent to the Lockport Union-Sun & Journal on June 21, 2013 with same notice being posted on the same date at the Town Hall and on the website.

Supervisor Engert called the meeting to order at 6:00PM with the Pledge to the Flag.

RESOLUTION 84-2013

BROADBAND RESEARCH

Supervisor Engert stated that he has been working with Niagara County to increase broadband in Somerset. He stated this is essential for economic growth and access for our residents. He said Time Warner has said they will not expand and he believes the data they have showing the covered area is not accurate.

Legislator David Godfrey provided the Board with information regarding the initiative. He said this is a relationship between Niagara County and Orleans County called NORA (Niagara-Orleans Regional Alliance) with the purpose to put broadband at every single address point. He provided maps that show where the companies' state they have service, but stated these are not a true picture of the actual area that receives the service.

Supervisor Engert stated the maps show that Somerset has 65% coverage and that is not true.

Legislator Godfrey stated they have proven the information that CONNECT NY, an initiative by Governor Cuomo to expand broadband, is wrong. He said they tried to do this initiative at the County level to find out where the coverage is but that got too big. He said they have 3 towns on the west side of Orleans County that are doing the study right now and he is working to get Somerset, Royalton and Hartland to complete a study as this will make up the corridor. He said maps will be produced that will pin point exactly where service is so that a RFP (Request for Proposal) can be submitted to anyone that is interested in the market. He stated data needs to be collected, either by the Town or by hiring a consultant to physically research our area. He said the consultant will drive around, make the map and tell us where the highest priority is for

TOWN BOARD MEETING
JUNE 26, 2013 PAGE 2

economic growth and where there is a higher density of population. He said the information will be taken and put into a RFP. He stated the other option is for the Town to do the study. He stated we will teach the Town how to collect the data. He said the RFP will be negotiated at the NORA level. He said you could utilize franchise funds for the study and the end results could be an increase in franchise funds if more service is provided to the residents.

Supervisor Engert said the data has to be compiled within the next 30 days and suggested that the consultant be hired. He stated the consultant has already done this type of work and feels it would be cumbersome to have one of our workers do it. He said we can use the franchise fee for the study which is an investment for the possibility of extending broadband service to the rest of the Town.

Legislator Godfrey said based on the density of this town the maximum cost would be \$4,800.00 to do both the study and prepare the RFP.

Councilman Wayner stated the advantage of hiring a consultant is he will be able to answer how the data was collected and that will add credibility to the RFP.

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 Supervisor Engert is authorized to secure a contract with B.P. Greene Associates to conduct research and prepare a report relative to the presence of broadband within the Town for a price not to exceed \$4,800.00.

RESOLUTION 85-2013

ASSESSOR CONTRACT

Supervisor Engert stated a resignation has been received from the Assessor Clerk and the Assessor, Anthony Dispenza, has agreed to assume those responsibilities for an additional \$35.00 per week.

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 Supervisor Engert is authorized to execute a contract with Anthony Dispenza to reflect an increase in compensation.

RESOLUTION 86-2013

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT

Supervisor Engert stated the Collective Bargaining Agreement between the Town of Somerset and Teamsters 264: Public Works Unit was ratified by the members unanimously on June 20, 2013. He stated it is an agreement that is good for the employees and the Town.

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

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

Resolved the Collective Bargaining Agreement between the Town of Somerset and the Teamsters 264: Public Works Unit is ratified.

RESOLUTION 87-2013

PROCEDURES FOR IMPLEMENTATION OF COLLECTIVE BARGAINING AGREEMENT

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

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

Resolved Supervisor Engert is authorized and directed to develop the procedures necessary for compliance with the Collective Bargaining Agreement.

RESOLUTION 88-2013

SOMERSET UNION MUSEUM

Supervisor Engert stated he was contacted by Andrew Poss, the Secretary of the Somerset Union Museum, regarding applying for a Rural Area Revitalization Grant that requires a resolution from the municipality in which it resides. He said this grant is for rural communities that have distressed economic conditions.

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

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

WHEREAS, the Town of Somerset is a rural community located in Niagara County; and

WHEREAS, the Town of Somerset fully supports the goals and objectives of the Somerset Union Museum and desires to see the former Somerset Union Methodist Episcopal Church fully restored and maintained as a vital community facility which has been a part of the Town since June of 1878; and

WHEREAS, the Town of Somerset has experienced significant economic hardship over the past several years resulting from significant reductions in tax revenue from the Somerset Operating Facility; and

TOWN BOARD MEETING
JUNE 26, 2013 PAGE 4

WHEREAS, the Town of Somerset believes that the Somerset Union Museum will spur a tourist economy and provide an educational role which will support the Barker Central School District's mission within our community; and

WHEREAS, the Town of Somerset recently completed a revised Comprehensive Plan which in part, recommended expansion of tourism and particularly seeks to capitalize on visitors of the Seaway Trail as well as build upon wine trail synergies in order to enhance the connections between the Golden Hill State Park, the Village of Barker and the Wine and Seaway Trail within the Town.

NOW THEREFORE, the Town Board of the Town of Somerset hereby resolves to fully support in every manner possible an application for the proposed Rural Area Revitalization Project as submitted by the Somerset Union Museum.

PRIVILEGE OF THE FLOOR

Dale Howard thanked the Town Clerk's Office, Mel Denny and Code Enforcement Officer Remington for their assistance while he was moving into his home.

On a motion of Councilman Dewart, seconded by Councilman Jansen, the meeting adjourned at 6:32 P.M. subject to the Call of the Clerk. Carried unanimously.

Rebecca A. Connolly, MMC
Town Clerk