

REGULAR MEETING  
FEBRUARY 14, 2012

The 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 14<sup>th</sup> day of February 2012.

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
	Mindy Austin -----	Confidential Asst. to the Supervisor
	Randy D. Roeseler -----	Engineer
	Morgan Jones Jr. -----	Counsel

Attended by: Randy Hildebrant, Code Enforcement Officer, Robert Glidden, Assessor and 9 residents

Supervisor Engert called the meeting to order at 7:00PM with the Pledge to the Flag and a prayer for guidance.

RESOLUTION 40-2012

**APPROVAL OF THE MINUTES**

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 the minutes of the previous meetings of January and February 8th are approved.

**INSURANCE PRESENTATION**

Ronald Miller, Vice President from the Evans Agency, gave an overview of the insurance coverage that they provide for the Town of Somerset and how they obtain premiums from different insurance carriers.

RESOLUTION 41-2012

**APPROVAL OF SUPERVISOR'S MONTHLY REPORT**

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

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

Resolved the Supervisor's Monthly report be accepted as submitted.

RESOLUTION 42-2012

**CODE ENFORCEMENT OFFICER'S REPORT**

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

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

Resolved the Code Enforcement Officer's report is accepted as submitted.

MONTHLY REPORTS RECEIVED AND FILED:

Dog Control Officer  
Assessor  
Attorney

ANNUAL REPORTS RECEIVED AND FILED:

Barker Senior Citizens  
Somerset Youth Baseball  
Kennel  
Barker Free Library

COMMUNICATIONS:

**TOWN OF HARTLAND BICENTENNIAL CELEBRATION**

Clerk Connolly read a letter from the Town of Hartland requesting the Town participate in the celebration on July 28<sup>th</sup>, 2012.

**LAKE ONTARIO WATER LEVEL REGULATION PLANS**

Clerk Connolly read a communication that was sent by Supervisor Engert requesting the International Joint Commission delay any public meetings on any proposal to modify Lake Ontario water level regulation plans until such time that the majority of affected parties will be able to attend.

Supervisor Engert stated the hearing has been postponed for March and Senator George Maziarz will be facilitating a meeting at the Town Hall on February 16<sup>th</sup> with Supervisors from Niagara and Orleans Counties along affected areas of Lake Ontario.

**BARKER CHEMICAL REMEDIATION**

Supervisor Engert announced that a \$25,000 grant has been received from National Grid to fund a Phase II Environmental Site Assessment Review of the 10-acre parcel. He said the property has been off the tax rolls for years and would like to be able to market the property once it has been declared clear of contamination. He said if contamination is found, this study will put the property in a more favorable light for additional grant funding.

RESOLUTION 43-2012

**COMPREHENSIVE PLAN UPDATE**

Supervisor Engert stated the Comprehensive Plan is being updated to include verbiage that is consistent with regional plans and asked the Board to consider a proposal from Wendel to conduct Phase 1 work.

Councilman Wayner asked how many phases are anticipated.

Randy Roeseler stated they anticipate two phases with some parallel work on the zoning code. He said the plan needs to be brought up to date for economic development initiative and the need of the community drives the economic funding.

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 enter into the agreement with Wendel to conduct Phase 1 work on the Comprehensive Plan for \$26,000.00.

RESOLUTION 44-2012

**MOWER PURCHASE**

Superintendent Denny provided the Board with a procurement for the purchase of a diesel mower with the trade of a used John Deere X485 with 54" deck as follows:

<u>Name and Address of Vendor</u>	<u>Price</u>
Creekside 6989 S. Transit Road, Lockport, NY 14094	\$10,500.00 and \$11,275.00
Middleport Tractor 86 Telegraph Rd., Middleport, NY 14105	\$9,278.42
Niagara Implement Inc. 2337 Lockport-Olcott Rd., Newfane, NY 14108	\$9,900.00 and \$8,500.00
Z&M Ag and Turf 7615 Lewiston Road, Oakfield, NY 14125	\$4,100.00 and \$4,800.00

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 Superintendent Denny is authorized to purchase a John Deere Series X740 Diesel Tractor with deck from Z&M Ag and Turf, 7615 Lewiston Road, Oakfield, NY 14125 for \$8,800.00 less trade John Deere X485 for a total price of \$4,800.00 as presented.

RESOLUTION 45-2012

**PURCHASE OF PICKUP TRUCK**

Superintendent Denny provided the Board with 2 quotes for a new 2012 Pickup Truck on state contract showing the Ford \$174.19 less than a Chevrolet, however, the Chevy warranty is 5 yr/100,000 miles versus Ford warranty of 5 yr./60,000 miles.

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

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

Resolved Superintendent Denny is authorized to purchase a 2012 Chevrolet pickup truck on NYS Contract 21910-PF/PC65026 Item 91B as presented for \$24,964.31 including a better warranty.

RESOLUTION 46-2012

**REPLACEMENT WINDOWS FOR TOWN HALL**

Superintendent Denny provided the Board with a procurement to replace two windows for the Supervisor's office as follows:

<u>Name and Address of Vendor</u>	<u>Price</u>
American Glass and Mirror Co., Inc. 2055 Military Rd., Niagara Falls, NY 14304	\$ 2,688.00
Roberts Roofing 6279 Ridge Rd., Lockport, NY 14094	\$ 2,280.00
S. W. Brown 5739 Oatka Rd., Warsaw, NY 14569	\$ 2,505.00
Twin City Glass Corp. 856 Wurtlizer Dr., North Tonawanda, NY 14120	\$ 4,200.00

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

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

Resolved Superintendent Denny is authorized to purchase replacement windows from Roberts Roofing, 6279 Ridge Rd., Lockport, NY 14094 for \$ 2,280.00 as presented.

RESOLUTION 47-2012

**BUDGET AMENDMENT**

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

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

Resolved the budget amendment is approved.

DR		CR	
A1220.4	\$ 158.94	A1220.2	\$ 158.94
B3120.4	\$ 6,700.00	B3120.2	\$ 6,700.00

RESOLUTION 48-2012

**AUDIT OF CLAIMS**

On a motion of Councilman Wayner, seconded by Councilman Dewart, 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. 28 through No. 93	\$ 443,452.96
Highway Fund	No. 5 through No. 18	\$ 29,767.50
Sewer Fund	No. 6 through No. 17	\$ 10,125.05
Water Fund	No. 8 through No. 21	\$ 6,921.35

**PRIVILEGE OF THE FLOOR**

Norm Jansen thanked the Board for the confidence they have in the Planning Board regarding the Comprehensive Plan. He also thanked Superintendent Bigelow for the good job.

**LOWER LAKE ROAD BRIDGE**

Superintendent Bigelow stated the final payment has been received for the Lower Lake Bridge.

**FLOAT FOR TOWN OF HARTLAND**

Supervisor Engert asked Councilman Dewart to head up a float committee for the Town of Hartland Bicentennial celebration and asked Mindy Austin to draft a letter to the Historical Society and the Art Department at school requesting their assistance.

**EXECUTIVE SESSION**

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 the Board enter into an Executive Session to discuss a particular person at 8:10PM.

**RETURN TO REGULAR SESSION**

On a motion of Councilman Dewart, 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 8:25PM.

On a motion of Councilman Alt, seconded by Councilman Dewart, the meeting adjourned at 8:26 PM subject to the Call of the Clerk. Carried unanimously.

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Rebecca A. Connolly, MMC  
Town Clerk