

SPECIAL MEETING
OCTOBER 30, 2013

A Special Meeting and Public Hearings of the Town Board of the Town of Somerset, County of Niagara and the State of New York were held at the Town Hall, 8700 Haight Road, Barker, New York on the 30th day of October 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
Morgan Jones Jr. ----- Counsel

Attended by: 10 residents

Notice of said meeting was sent to the Lockport Union-Sun & Journal on October 22, 2013 with same 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.

PUBLIC HEARINGS – 2014 Preliminary Budget Items

Notice of public hearings duly published in the Lockport Union-Sun and Journal on October 19, 2013 with same notice being posted at the Town Hall and on the website on October 18, 2013.

Supervisor Engert called the public hearings to order at 6:03PM.
Clerk Connolly read the notice of said hearings.

Supervisor Engert said the Board has held several meetings to develop the budget and this is the opportunity for the public to be heard.

Dale Howard addressed the Board regarding the following:

1. Last year he asked if the Board was going to have a regeneration plan to replenish the reserves that were used last year.
2. As a taxpayer he thinks we need to fund the vital services first:
 - a. Highway Dept. – funding salt should be a one liner and that is a must pay
 - b. Water/Sewer Dept. – He took a tour of the plant and is concerned that we don't underfund too low because of all the regulatory agencies that oversee it. He said he was interested in the lagoons and all the testing. He said he believes it is proposed to do the testing by contract. He said there is a lot of pride among the workers and they know the plant. He said with a contract there could be a reporting delay and is concerned we are not using a Somerset resident to conduct the testing. He voiced concern if the work force is reduced will we have enough people to meet the OSHA confined space regulations.

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- c. Fire Dept. – He said it is crucial and pay it.
- d. Police Dept. - He said it is time to combine the police department with the village and possibly restructure. He said through agreements he feels it can be done and right now the cost is \$96,000. He said it could enhance the service. He stated he is concerned about the police car being a 2004 and that it could be a sizable expense when it needs to be replaced. He said there is a way to save money by getting with the village.
- e. Assessor - He is concerned that the Assessor is only here on Wednesday and is concerned about the busy months of January, February and March. He said you need to have face to face and he said the elderly would be a concern. He suggested putting an extra assessor or person in place during that time.
- f. Code Enforcement – He said this needs to be funded.
- g. Historian – He said he doesn't understand what he does for \$94.48 per week and wonders what \$1,000 is for under contractual.
- h. Animal Control - He stated he is opposed to the 2/3-1/3 split in the job. He suggested an alternative of a 50% split. He suggested they alternate monthly so they stay fresh in their skills.
- i. Kennels – He said there is an increase in kennel contract and suggested it be bid out as there is a kennel in Barker.
- j. Traffic Control – He said he had no idea what that is. Supervisor Engert said it is painting lines.
- k. He said the budget is a feel good budget as the taxes are going down but it is going into the reserves and he has a problem with that. He said 29% of the budget is using the reserves. He suggested a CPA firm with municipal background be retained to do a budgetary review and forecast the future. He said 78.08% of the Town property is tax exempt and is concerned about that.
- l. He said the PILOT will be gone in 2015 and he does not want to be on a fixed income and get a large property tax increase.
- m. He suggested combining services with the Village and share equipment.

With no other persons desiring to be heard, Supervisor Engert closed the hearings at 6:19PM.

REGULAR MEETING

Supervisor Engert opened the regular meeting at 6:20PM.

RESOLUTION 127-2013

APPROVAL OF THE 2013 SPECIAL DISTRICT TAX ROLL

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 Special District Tax Roll for 2014 is approved as filed with the Town Board and Assessor.

RESOLUTION 128-2013

APPROVAL OF THE 2014 BUDGET

Supervisor Engert offered the following:

1. Supervisor's office works closely with the Comptroller's office and uses a five year planning tool to provide appropriate projections and he has planned out the lose of revenue after 2015. He said in past years the PILOT was 70 – 80% of the revenue projection and we have had to separate ourselves from that revenue source. He said this year it is 11% of the revenue. He said we are supportive of the plant not only for the tax revenue but for the employees and families that are Somerset residents.
2. Reserves- Budgeted amounts have not even come close to what is actually expended from the reserves. He said reserves are essentially taxes that have been collected from the residents. He said the residents are not going to be facing disastrous consequences with using the reserves.
3. Appreciates the comments and concerns. He said he believes the budget is realistic and it is heavily dependent upon an exceptional workforce and department heads.
4. Budget provides some tax relief to the residents.

Councilman Wayner said that we are reducing spending and the departments have done a terrific job providing services and we are asking more of the workers. He said as we move through the year, it will give us a picture to tell us if we need to increase funding. He said if we never try these reductions in an educated measure then we will never know. He said this is a well thought out budget that still has healthy reserves.

Supervisor Engert offered items that the Board has looked at:

1. Purchases have been made in the past and programs have been adjusted so now adjustments have to be made to staffing, with some outsourcing being made. He said the workers are still going to be doing the majority of the work.
2. Assessor's Office – He said 3 – 5% of the total property owners are coming into the Assessor's Office so the office is not staffed on an "at will" basis. He said changes have to be made in the way services are being delivered and they require difficult decisions.

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 2014 Budget is adopted as presented.

RESOLUTION 129-2013

2014 FIRE CONTRACT PUBLIC HEARING

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 a public hearing be held on the 2014 fire contract.

BOARD OF ASSESSMENT REVIEW

Supervisor Engert asked Councilman Wayner and Councilman Dewart to submit names for the vacancies that exist on the Board of Assessment Review for the next meeting.

PRIVILEGE OF THE FLOOR

Norman Jansen asked if it is correct that at one time the town depended on 80% of revenue from the PILOT and if there may not be one after 2015.

Supervisor Engert stated in past experience the PILOT agreement has been discussed every year and at this time there has not been discussion on any PILOT after 2015. He stated the plant is under market pressures along with the EPA (Environmental Protection Agency) placing more rules on coal fired power plants. He stated this year the plant has been offline more than online and at this time it is operating. He stated he is concerned about the future of the plant.

Doug Piskorowski stated that he has been approached by a number of residents to have the town install a display sign such as a marquee out front so they would know when things are going on.

Supervisor Engert said he would consider that.

Dale Howard addressed the Board regarding the following:

1. Asked the Town Board to talk to the Planning Board to look at the requirements for building in the Lakeshore District. He said it is restrictive.
2. He said he read the article in the paper that says our community is hurting and that is what got him to ask questions.

Supervisor Engert said there is uncertainty and appreciates his comments. He stated the Comptroller's Office stated that the average municipality collects 39% of their operating budget in taxes and Somerset's is well below the average at 22%.

Roy Plummer asked if there is any initiative to extend the natural gas line to the east.

Supervisor Engert said the Town has been trying to entice the gas company to expand including having a large farm wishing to have gas. He stated the gas company apparently is not interested. He stated they asked the gas company to conduct a survey of the people along the lake.

Councilman Alt stated the Farm Bureau has passed a resolution that is being sent to the NYS Legislature to ask that gas lines be expanded.

Dale Howard said they sent a survey in and has heard nothing.

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Superintendent Denny said the survey did not go all the way down Lakeview Drive and the percentage of the people responding was low, with the cost to hookup being high. Roy Plummer said they have the privilege to be in the Town of Somerset and would appreciate any activity on it. Supervisor Engert said he will follow up with the gas company.

RESOLUTION 130-2013

EXECUTIVE SESSION

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 Board enter into an executive session to discuss a personnel issue at 6:57PM.

RESOLUTION 131-2013

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 7:19PM.

On a motion of Councilman Alt, seconded by Councilman Dewart, the meeting adjourned at 7:20 P.M. subject to the Call of the Clerk. Carried unanimously.

Rebecca A. Connolly, MMC
Town Clerk