

TOWN BOARD REGULAR MEETING
February 10, 2021

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 10th day of February 2021 via Zoom.

Present: Robin R. Jansen ----- Councilwoman
Jon Hotaling ----- Councilman
Gail Damon ----- Councilwoman
Fred Leuer ----- Councilman
Tracy L. Carmer----- Town Clerk
Jonathan D. Dewart ----- Supt of Water/Sewer/Grounds
Mindy Austin ----- Confidential Asst. to the Supervisor
David Haylett----- Attorney
Anthony Serianni ----- Attorney

Present via Zoom:
Jeffrey M. Dewart----- Supervisor
3 residents

Absent: Michael M. Flint ----- Supt. of Highways
Brian Sibiga ----- Engineer

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

RESOLUTION 27-2021

APPROVAL OF THE MINUTES

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

Resolved the minutes of the previous meeting on January 6, 2021 are accepted as submitted.

RESOLUTION 28-2021

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

On a motion of Councilman Leuer, seconded by Councilman Hotaling, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

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

ANNUAL REPORTS RECEIVED

Somerset Youth Baseball
Barker Senior Citizens

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Annual Reports received cont'd.
Somerset Historical Society
Fort Hyde Kennels

COMMUNICATIONS

Clerk Carmer advised that with the change in garbage/recycling pickup from Tuesdays to Fridays, the procedure for missed garbage has changed. Residents whose collection was missed shall call Modern Disposal directly at 716-754-8226.

Clerk Carmer also discussed the Niagara County Sheriff's Yellow Dot program.

RESOLUTION 29-2021

APPROVAL OF FORT HYDE KENNELS CONTRACT

On a motion of Councilman Hotaling, seconded by Councilman Leuer, the following resolution was

ADOPTED Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

Resolved that the contract with Fort Hyde Kennels is approved as per the budget.

RESOLUTION 30-2021

MORATORIUM ON SOLAR

On a motion of Councilwoman Damon, seconded by Councilman Hotaling, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

WHEREAS, a Local Law "Establishing a Moratorium on Solar Energy System Installations within the Town for a Period of Six Months" has been introduced; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Somerset Town Board does hereby call for a Public Hearing to be held on the introduced Local Law "Establishing a Moratorium on Solar Energy System Installations within the Town for a Period of Six Months" at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 on March 10, 2021 at 6:00 p.m.

RESOLUTION 31-2021

TRAIL NETWORK MEMORANDUM OF UNDERSTANDING

On a motion of Councilman Leuer, seconded by Councilwoman Damon, the following resolution was

ADOPTED Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

WHEREAS, the Town of Lewiston, Village of Lewiston, Village of Youngstown, Town of Porter, Village of Wilson, Town of Wilson, Town of Newfane, Village of Barker, Town of Somerset, Town of Lockport, and City of Lockport are contemplating participating in a working group identified as the Northern Niagara Regional Trail Network Collaborative to create a network of local multi-use trails, and

WHEREAS, the Town of Somerset wishes to enter into a Memorandum of Understanding to enter into said Collaborative, now therefore, be it,

RESOLVED, that Town Supervisor Jeff Dewart is hereby authorized to execute a Memorandum of Understanding with the member municipalities of the Northern Niagara Regional Trail Network Collaborative.

Attorney Haylett clarified that this is not a funding commitment and it would need board approval in the future if there are any funding requests.

RESOLUTION 32-2021

FLOOD DAMAGE LOCAL LAW AMENDMENT

On a motion of Councilman Hotaling, seconded by Councilwoman Damon, the following resolution was

ADOPTED Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

WHEREAS, a Local Law “Amending Chapter 104 of the Town Code – Flood Damage Prevention” has been introduced; and

NOW, THEREFORE, BE IT,

RESOLVED, that the Town of Somerset Town Board does hereby call for a Public Hearing to be held on the introduced Local Law “Amending Chapter 104 of the Town Code – Flood Damage Prevention” at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 on March 10, 2021 at 6:00 p.m.

Deputy Supervisor Jansen stated that this is a requirement of FEMA and NYSDEC to periodically update our local law.

Attorney Haylett advised that our last update was in 2010. After our hearing it will be submitted to FEMA.

RESOLUTION 33-2021

DEPUTY DOG CONTROL OFFICER

On a motion of Councilman Hotaling, seconded by Councilman Leuer, the following resolution was

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ADOPTED Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

Deputy Dog Control Officer shall be Jesse Green.

RESOLUTION 34-2021

AUDIT OF CLAIMS

On a motion of Councilwoman Damon, seconded by Councilman Leuer, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
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. 20 through No. 68	\$ 343,904.07
Highway Fund	No. 8 through No. 18	\$ 41,580.66
Sewer Fund	No. 6 through No. 18	\$ 5,387.48
Water Fund	No. 4 through No. 13	\$ 14,002.37

Councilman Hotaling gave accolades to the Water Department employees for working non-stop in the freezing weather an entire day to get a water leak fixed.

RESOLUTION 35-2021

EXECUTIVE SESSION

On a motion of Councilman Hotaling, seconded by Councilman Leuer, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

Resolved to enter into executive session at 6:13P.M. to discuss a proposed acquisition, sale or lease of real property located at 7725 Lake Road.

RESOLUTION 36-2021

EXIT EXECUTIVE SESSION

On a motion of Councilwoman Damon, seconded by Councilman Hotaling, the following resolution was

ADOPTED: Ayes 5 Dewart, Jansen, Hotaling, Damon, Leuer
Nays 0

Resolved to exit executive session at 6:35P.M.

On a motion of Councilman Hotaling, seconded by Councilman Leuer, the meeting adjourned at 6:36P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk