

TOWN BOARD SPECIAL MEETING
January 5, 2022

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 5th day of January 2022.

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

Absent: Gail Damon ----- Councilwoman
 Brian Sibiga ----- Engineer

Supervisor Dewart called the meeting to order at 6:00PM with the Pledge to the Flag and a prayer for guidance.

The solar law public hearing was left open and will be heard again on January 26, 2022. Attorney Haylett described some changes that were made to the law after the first public hearing and he feels they are significant enough to hold another hearing. The County Planning Board will be reviewing it at their meeting on January 24, 2022.

BATTERY ENERGY STORAGE

The hearing resumed on the proposed Battery Energy Storage Systems local law.

Councilwoman Jansen stated that the committee met for the final time on December 22, 2021. They decided to leave the battery energy storage system tiers as is, but it was recommended to review it again in two years to make sure that the law reflects changes as the technology changes. There is still some confusion if batteries are included in 94(c). She recommends that the board approve the law.

Betty Wolanyk apologized for not being able to attend that final meeting. She thinks that it should specify that battery storage greater than 1mw is not allowed in the Town. She said that it is implied, but is not stated.

RESOLUTION 1-2022

CLOSE THE PUBLIC HEARING ON BATTERY ENERGY STORAGE SYSTEMS

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

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Resolved with all persons having been heard, to close the Public Hearing at 6:04PM.

RESOLUTION 2-2022

APPROVAL OF THE MINUTES

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

Resolved the minutes of the previous meeting on December 8, 2021 are accepted as submitted.

Supervisor's Monthly Report will be presented in February

ANNUAL REPORTS RECEIVED

Barker Fire Department

COMMUNICATIONS

Clerk Carmer advised that we received an email from school announcing a change in location of their board meetings in January, February and March to the Pratt Elementary Cafeteria due to the musical that is scheduled for March.

Clerk Carmer read the annual letter from the Association of Towns announcing the upcoming training and appointment of a delegate and alternate delegate.

RESOLUTION 3-2022

SOLAR ENERGY SYSTEMS LOCAL LAW AMENDED HEARING

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

WHEREAS, the Code of the Town of Somerset contains and specifies the local laws and ordinances of the Town of Somerset; and

WHEREAS, a proposed Local Law entitled "A Local Law Amending Article XXII of Chapter 205 of the Town Code – Solar Energy Systems" has been introduced and a public hearing duly held on December 8, 2021; and

WHEREAS, the Town desires to amend said proposed local law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby call for a public hearing on the proposed local law entitled "A Local Law Amending Article XXII of Chapter

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205 of the Town Code – Solar Energy Systems”, as amended, at the Somerset Town Hall, 8700 Haight Road, Barker, New York 14012 at 6:00p.m. on January 26, 2022; and be it further

RESOLVED, that said local law, as amended, be referred to the Niagara County Planning Board per General Municipal Law Section 239-m and referred to the neighboring municipalities per General Municipal Law Section 239-nn; and be it further

RESOLVED, that said local law, as amended, be incorporated in the coordinated SEQR review process.

RESOLUTION 4-2022

BATTERY ENERGY STORAGE SYSTEMS LEAD AGENCY

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, a Full Environmental Assessment Form having been prepared and filed by the Town of Somerset, relative to the proposed Local Law entitled, “A Local Law Enacting Battery Energy Storage Systems”, and

WHEREAS, coordinated review has taken place, and no other agency has objected to the Town Board assuming lead agency, and the time for such comment or objection has passed,

NOW, THEREFORE, IT IS,

RESOLVED AND DETERMINED, that the Town Board of the Town of Somerset is lead agency pursuant to NYCRR Part 617.

RESOLUTION 5-2022

BATTERY ENERGY STORAGE SYSTEMS SEQRA

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, the Town Board of the Town of Somerset as applicant and lead agency has caused a Full Environmental Assessment Form (EAF), relative to the proposed Local Law entitled, “A Local Law Enacting Battery Energy Storage Systems”, and

WHEREAS, the Town Board of is the lead agency pursuant to NYCRR Part 617, and

WHEREAS, Parts 1, 2 and 3 of the EAF have been thoroughly reviewed by this Board,

NOW, THEREFORE, BE IT:

RESOLVED, that Part 3 of the EAF containing written reasons for a determination of significance be and hereby are adopted as the findings of this Board and that the EAF as a whole together with the reasons set forth justify the determination of significance, and be it further

RESOLVED, that it is determined that the action, the adoption of the local law entitled, “A Local Law Enacting Battery Energy Storage Systems” will not have a significant adverse environmental impact and the Supervisor is directed to complete the certification that the project will result in no significant adverse impacts on the environment and, therefore, an environmental impact statement need not be prepared, and accordingly issuing a negative declaration.

Part III continued

This action involves the adoption of a Local Law as part of the Town Code of the Town of Somerset, Zoning. It regulates the siting of Battery Energy Storage Systems. The reasons for adopting the determination of significance are as follows:

- The Full Environmental Assessment Form – Parts 1 and 2 do not identify any impact which affects the environment. No potentially moderate or large impact on the environment has been identified.
- The proposed action is regulatory in nature. It does not prohibit or discourage or encourage the siting of Battery Energy Storage Systems.
- The law is of Town wide application and does not enable or prevent any specific actions or project.

RESOLUTION 6-2022

BATTERY ENERGY STORAGE SYSTEMS WATERFRONT ASSESSMENT FORM

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, a proposed local law entitled, “A Local Law Enacting Battery Energy Storage Systems” has been introduced; and

WHEREAS, an abstract of said proposed local law is as follows:

The proposed Local Law adds to the Town of Somerset Zoning Code requirements for battery energy storage systems permitted, installed, or modified in the Town of Somerset.

Pursuant to the Local Law, proposed battery energy storage systems shall be tiered based on size and scale, and shall be subject to requirements based on said tier. For larger-scale battery storage systems, applicants shall acquire building and electrical permits, undergo site plan review, and propose a project in compliance with zoning limitations. Proposed battery energy storage systems shall also comply with dimensional and aesthetic requirements based on tier, be insured or guaranteed by the applicant, and provided with a decommissioning plan in the event such systems are abandoned or discontinued.

WHEREAS, the Waterfront Consistency Law is to protect the environment and resources of the LWPR area; and now it is hereby

THE FINDINGS OF THIS BOARD THAT THIS ACTION:

- 1) Fosters a pattern of development in the Town of Somerset that enhances community character, preserves open space, makes efficient use of the infrastructure, makes beneficial use of a waterfront location, and minimizes potential adverse impacts of development;
- 2) Protects existing water-dependent uses in the Town of Somerset and promotes the siting of new water dependent uses in suitable locations;
- 3) Protects existing agricultural lands;
- 4) Promotes the sustainable use of living marine resources in the Town of Somerset;
- 5) Protects and restores ecological resources including significant fish and wildlife habitats, wetlands and rare ecological communities;
- 6) Protects and improves water resources;
- 7) Minimizes loss of life, structures and natural resources from flooding and erosion;
- 8) Protects and improves air quality;
- 9) Promotes appropriate use of energy resources;
- 10) Minimizes environmental degradation from solid waste and hazardous substances and waste;
- 11) Improves public access to the water front and the use of public lands;
- 12) Enhances visual quality and protect outstanding scenic resources; and
- 13) Preserves and protects historic resources; and

NOW THEREFORE BE IT RESOLVED, it is the determination of this Board that these findings of this action are consistent with the LWRP policy standards and conditions of the Town of Somerset; and be it further

RESOLVED, that the Waterfront Assessment Form completed by Supervisor Dewart on behalf of the Town Board is hereby adopted and ratified in all respects by the Town Board.

RESOLUTION 7-2022

BATTERY ENERGY STORAGE SYSTEMS LOCAL LAW #2-2022

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

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ADOPTED by Roll Call Vote:	Supervisor Dewart	Aye
	Councilwoman Jansen	Aye
	Councilman Hotaling	Aye
	Councilman Leuer	Aye

WHEREAS, The Town Board of the Town of Somerset having duly called and held a Public Hearing at Somerset Town Hall, 8700 Haight Road, Barker, New York 14012, on the 8th day of December, 2021 and continued on 5th day of January, 2022 upon the question of the enactment of “A Local Law Enacting Battery Energy Storage Systems”; and

WHEREAS, the proposed local law having been reviewed and recommended for approval by the Niagara County Planning Board.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Somerset that “A Local Law Enacting Battery Energy Storage Systems” is hereby enacted and effective upon its filing with the New York State Department of State.

RESOLUTION 8-2022

LIPPE MATHIAS SERVICES FOR 94-C

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

ADOPTED	Ayes 4	Dewart, Jansen, Hotaling, Leuer
	Nays 0	

WHEREAS, the Town Board of the Town of Somerset considers it to be in the best interest of the Town to retain special counsel with regard to the proposed 94-c Somerset Solar Project proposed by AES Clean Energy Development LLC; and

WHEREAS, contracts for professional services are not subject to the competitive bidding requirements of the Town’s Procurement Policy;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Somerset hereby retains the law firm of Lippes Mathias Wexler Friedman LLP to represent the Town in connection with the 94-c Somerset Solar Project proposed by AES Clean Energy Development LLC; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Somerset hereby authorizes and directs the Supervisor to execute any and all documents in such form as is satisfactory to the Town Supervisor and the Town Attorney, and take whatever other actions may be necessary to give effect to this resolution.

Attorney Haylett explained that there is a conflict of interest for his firm and that he does not have a financial interest in this.

RESOLUTION 9-2022

ASSESSMENT EXEMPTIONS

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, pursuant New York State Governor Kathy Hochul's Executive Order No. 11.1, the Town Board may direct the Town Assessor to grant exemptions pursuant to Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law for the 2022 assessment roll to all property owners who received said exemption on the 2021 assessment roll, without the need for renewal applications and the need to mail renewal applications to such persons;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Somerset hereby directs the Town of Somerset Assessor to grant exemptions pursuant to Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law for the 2022 assessment roll to all property owners who received said exemption on the 2021 assessment roll, without the need for renewal applications and the need to mail renewal applications to such persons.

RESOLUTION 10-2022

SNOW AND ICE CONTRACT

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, under Section 135-a of the Highway Law, the Town Board is empowered to enter into written contracts with the Commissioner of Public Works acting as County Superintendent of Highways for the removal of snow and the sanding and treatment of pavement for ice control purposes, for three (3) years; and

WHEREAS, such contracts have been negotiated by the Town Superintendent of Highways at the actual cost incurred by the Town per mile for removal of snow from County roads, and the control of ice at the actual cost incurred by the Town; therefore, be it, and it hereby is

RESOLVED, that the Town Highway Superintendent of the Town of Somerset be empowered as an agent of the Town Board to enter into the attached Ice Control and Snow Removal Contracts with the Commissioner of Public Works acting as County Superintendent of Highways for a period of three (3) years.

RESOLUTION 11-2022

ANNUAL AUDIT OF DEPARTMENTS

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

WHEREAS, The Audit Committee conducted its annual audit of the Justice Court, the Town Clerk, Tax Collector and Supervisor on Wednesday, December 29, 2021 and

WHEREAS, the criminal and civil dockets of the Town Justice for 2021 having been duly examined with the monthly cash summary being viewed and the fines and fees having been turned over to the proper officials, and

WHEREAS, the records of the Town Clerk for 2021 having been duly examined and turned over to the proper officials, and

WHEREAS, the records of the Tax Collector for 2021 having been duly examined and turned over to the proper officials, and

WHEREAS, the records of the Supervisor for 2021 having been duly examined with all monies disbursed properly,

BE IT RESOLVED that the Somerset Town Board accept and adopt the findings of the Audit Committee for 2021 that the aforementioned departments have properly managed those monies that fall within their purview.

RESOLUTION 12-2022

PREPAY BILLS

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that all bills incurred for January that will become due before our February meeting are authorized to be pre-paid.

RESOLUTION 13-2022

AGREEMENT TO SPEND HIGHWAY FUNDS

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that pursuant to the provisions of Section 284 of the Highway Law, monies levied

and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, \$250,000.00 shall be expended for the general repairs upon 33.42 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

SUPERVISOR'S APPOINTMENTS

Supervisor Dewart made the following appointments:

CONFIDENTIAL ASSISTANT TO THE SUPERVISOR – Melinda Austin

DEPUTY SUPERVISOR – Robin Jansen

HISTORIAN – Peter Devereaux

AUDIT COMMITTEE – Councilwoman Damon, Councilman Hotaling

PLANNING/ZONING ADVISORY COMMITTEE - Councilman Hotaling, Councilman Leuer

WATER/SEWER/REFUSE ADVISORY COMMITTEE – Supervisor Dewart, Councilwoman Jansen, Superintendent Dewart, Clerk Carmer

PARKS/RECREATION ADVISORY COMMITTEE - Supervisor Dewart, Councilman Leuer, Superintendent Dewart, Clerk Carmer

DRAINAGE – Supervisor Dewart, Councilman Hotaling, Superintendent Flint

SENIOR CITIZEN'S ADVISORY COMMITTEE – Councilwoman Damon

PUBLIC SAFETY ADVISORY COMMITTEE – Supervisor Dewart, Councilman Leuer

BUSINESS DEVELOPMENT/TOURISM ADVISORY COMMITTEE – Supervisor Dewart, Councilman Leuer

COMMUNICATION ADVISORY COMMITTEE – Councilwoman Jansen, Councilwoman Damon, Clerk Carmer

REGISTRAR OF VITAL STATISTICS – Clerk Carmer

RESOLUTION 14-2022

ANNUAL APPOINTMENTS

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

ADOPTED: Ayes	4	Dewart, Jansen, Hotaling, Leuer
Nays	0	

REGULAR MEETINGS of the Town Board shall be:

2ND Wednesday of each month at 6:00PM
Somerset Town Hall, 8700 Haight Road.

OFFICIAL DEPOSITORIES for accounts and investments shall be:

Evans Bank, Lockport, NY
M & T Bank, Lockport, NY
Chase Bank, New York, NY

AUTHORIZED SIGNATURES AT BANKS shall be the Supervisor, Deputy Supervisor and Town Clerk.

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OFFICIAL PUBLICATION of the Town of Somerset shall be Lockport Union-Sun & Journal, Lockport, NY

OFFICIAL MILEAGE shall be based on the IRS rate with the rate for 2022 being \$0.585 cents per mile

CREW LEADER for the Water/Sewer/Grounds Department shall be Jesse Green

CREW LEADER for the Highway Department shall be Jeff Reeson

DOG CONTROL OFFICER shall be Mark Remington

DEPUTY DOG CONTROL OFFICER shall be Jesse Green

ZONING BOARD MEMBER Kent Wakefield is appointed for a 5 year term

ZONING BOARD CHAIRMAN shall be Scott Ecker

ZONING BOARD SECRETARY shall be Sandra Lewis

PLANNING BOARD SECRETARY shall be Sandra Lewis

BOARD OF ASSESSMENT REVIEW SECRETARY shall be Sandra Lewis

SENIOR CITIZEN DIRECTOR shall be Sandra Lewis

NUTRITION SITE SERVICES ASSISTANT shall be Sandra Lewis

RESOLUTION 15-2022

PLANNING BOARD CHAIRMAN

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

ADOPTED	Ayes	3	Dewart, Hotaling, Leuer
	Nays	0	
	Abstain	1	Jansen

Resolved that PLANNING BOARD CHAIRMAN shall be Norm Jansen.

RESOLUTION 16-2022

SCHOOLING FOR TOWN OFFICIALS

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

ADOPTED:	Ayes	4	Dewart, Jansen, Hotaling, Leuer
	Nays	0	

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Resolved that schooling for Elected and Appointed Officials, Water Superintendent, Code Enforcement Officers, Assessor and Dog Control Officers when school pertains to respective jobs is duly authorized.

RESOLUTION 17-2022

DELEGATE AND ALTERNATE TO ASSOCIATION OF TOWNS MEETING

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

Resolved that Clerk Carmer be appointed delegate for the Association of Towns meeting, and Jeffrey Dewart be appointed the alternate delegate for the Association of Towns meeting.

RESOLUTION 18-2022

APPROVAL OF HISTORICAL SOCIETY CONTRACT

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

Resolved that the contract with the Town of Somerset Historical Society for \$7,752.00 for 2022 is approved.

RESOLUTION 19-2022

KENNEL CONTRACT

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

Resolved that the contract with Fort Hyde Kennels for \$6,850.00 for 2022 is approved.

RESOLUTION 20-2022

APPROVAL OF SENIOR CITIZENS CONTRACT

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
 Nays 0

Resolved that the contract with the Town of Somerset Senior Citizens for \$6,000.00 for 2022 is approved.

RESOLUTION 21-2022

APPROVAL OF SOMERSET YOUTH BASEBALL CONTRACT

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the contract with Somerset Youth Baseball for \$6,200.00 for 2022 is approved.

RESOLUTION 22-2022

APPROVAL OF AMERICAN LEGION CONTRACT

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

ADOPTED Ayes 3 Dewart, Jansen, Leuer
Nays 0
Abstain 1 Hotaling

Resolved that the contract with the American Legion for \$1,500.00 for 2022 is approved.

RESOLUTION 23-2022

APPROVAL OF HIGHWAY AGREEMENT WITH VILLAGE OF BARKER

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the contract with the Village of Barker for providing use of highway equipment and services for 2022 is approved.

RESOLUTION 24-2022

APPROVAL OF WATER AGREEMENT WITH THE VILLAGE OF BARKER

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the contract with the Village of Barker for providing use of water equipment and services for repair of water lines for 2022 is approved.

RESOLUTION 25-2022

ANNUAL APPOINTMENT OF ATTORNEY

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved the Supervisor is authorized to execute an agreement with Seaman Norris LLP for 2022 pursuant to the parameters set forth in the budget.

RESOLUTION 26-2022

ANNUAL APPOINTMENT OF ENGINEER

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved the Supervisor is authorized to execute an agreement with Wendel for 2022 pursuant to the parameters set forth in the budget.

RESOLUTION 27-2022

ASSESSOR CLERK

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Assessor Clerk shall be Ruth Wendler.

RESOLUTION 28-2022

JUSTICE COURT CLERK

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Justice Court Clerk shall be Janice Rider.

RESOLUTION 29-2022

AUTHORIZE PURCHASE OF STONE, GRAVEL, ETC.

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the Superintendents of Departments are authorized to purchase stone, gravel, asphalt, gasoline, tires, etc., at state and county prices.

RESOLUTION 30-2022

AUTHORIZE PURCHASES UP TO \$3,000.00

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the department heads are authorized to purchase up to \$3,000.00 per item without prior Town Board approval.

RESOLUTION 31-2022

AUTHORIZE TO PRE-PAY ITEMS

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that the Supervisor is authorized to prepay utility bills, contracts and postage.

RESOLUTION 32-2022

APPROVAL OF INVESTMENT POLICY

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that upon review by the Town Board, the investment policy of the Town of Somerset is approved.

RESOLUTION 33-2022

APPROVAL OF PROCUREMENT POLICY

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

ADOPTED Ayes 4 Dewart, Jansen, Hotaling, Leuer
Nays 0

Resolved that upon review by the Town Board, the procurement policy of the Town of Somerset is approved.

RESOLUTION 34-2022

AUDIT OF CLAIMS

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

ADOPTED: Ayes 4 Dewart, Jansen, Hotaling, 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. 1 through No. 9	\$ 4,762.09
Highway Fund	None	
Sewer Fund	No. 1 through No. 6	\$ 2,123.13
Water Fund	No. 1 through No. 6	\$ 57,425.08

PRIVILEGE OF THE FLOOR

Supervisor Dewart provided an update on the Babcock House talks. He said that the plant is proposing a 3 year lease with monetary help for upkeep. He also advised that AES has provided their 60 day notice that they will be filing for their solar project on February 28, 2022.

Betty Wolanyk would like the board to pass a resolution opposing Somerset Solar. She said we should do a survey if we need to. She does not think a solar project would benefit the town.

Joe Moore said that he agrees with Betty. He has mixed feelings on it as he had to deal with the nuisance of construction of the power plant, trains at all hours of the night/morning. He said that the people who live around that plant do not get any more privilege than anyone else. This solar project will be another nuisance and his property value will drop. He stated that the panels have toxins that come off of them and that is putting our community at risk. He feels that the plant is only concerned about money. He is okay with solar panels north of Route 18 because that property is already damaged and there aren't any homes around it. He would like the rest of the land to be leased to farmers. He said that he would rather have high taxes than solar panels.

On a motion of Councilwoman Jansen, seconded by Councilman Hotaling, the meeting adjourned at 6:35P.M. subject to the Call of the Clerk.

Tracy L. Carmer, RMC
Town Clerk