

TOWN BOARD REGULAR MEETING
March 9, 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 9th day of March 2022.

Present: Jeffrey M. Dewart ----- Supervisor
 Robin R. Jansen ----- Deputy Supervisor
 Jon Hotaling ----- Councilman
 Gail Damon ----- Councilwoman
 Fred Leuer ----- Councilman
 Stephanie Stoloski----- Deputy Town Clerk
 Jonathan D. Dewart ----- Supt. of Water/Sewer/Grounds
 Mindy Austin ----- Confidential Asst. to the Supervisor
 David Haylett----- Attorney

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

Present: 13 residents

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

Heather Lewis, GIS Analyst for Wendel, delivered a presentation on the new GIS Software that the town will be utilizing. The public will be able to access information through a link on the Somerset website. Employees will have access to three other apps that pertain to managing their department. The Water/Sewer department will begin entering information this spring as to the location of water lines, hydrants, water valves, etc. This information will be able to be accessed from various platforms. Residents will be able to utilize many tools on the site. There is a user tutorial video on the public page to help in navigating the site. There is also a print feature. All of the data is stored in a cloud hosted by Amazon.

RESOLUTION 46-2022

APPROVAL OF THE MINUTES

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

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

Resolved the minutes of the previous meeting on February 9, 2022 are accepted as submitted.

RESOLUTION 47-2022

APPROVAL OF THE SUPERVISOR'S MONTHLY REPORT

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

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

Resolved the Supervisor's Monthly report for February 2022 is accepted as submitted.

COMMUNICATIONS:

Deputy Clerk Stoloski summarized a letter from Charter Communications regarding upcoming rate changes effective April 1, 2022. Customers will be notified of the changes.

RESOLUTION 48-2022

200 YEAR CELEBRATION

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

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

RESOLVED, the four appointed members of the Core Committee for a 200 year celebration will be Supervisor Jeff Dewart, Town Clerk Tracy Carmer, Councilman Fred Leuer and Resident Amy Dewart.

RESOLUTION 49-2022

EQUITABLE BUSINESS OPPORTUNITIES (EOB) ADMINISTRATOR

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, that the Town of Somerset hereby names Jeffrey Dewart, Town Supervisor, as the Equitable Business Opportunities (EBO) Administrator for the Town of Somerset project PIN 5763.82.

RESOLUTION 50-2022

REFUSE CART PURCHASE

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

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

WHEREAS, the Town of Somerset is in need of additional garbage and recycling totes for Town residents; and

WHEREAS, the Town wishes to minimize expense related to the cost of waste removal for its residents; and

WHEREAS, the Town has identified 96-gallon garbage containers at \$80.00 per unit and 65-gallon recycling carts at \$74.00 per unit from Rehrig Pacific Company through a competitive bidding process satisfying the requirements of New York General Municipal Law Section 103;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to purchase 112 96-gallon garbage containers at a cost not to exceed \$80.00 per unit and 112 65-gallon recycling carts at a cost not to exceed \$74.00 per unit from Rehrig Pacific Company in accordance with the State of Massachusetts bid number BD-15-1045-BWP01-00000001646.

RESOLUTION 51-2022

GENERAL CODE SUPPLEMENTAL PURCHASE

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

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

WHEREAS, the Town of Somerset contracts with General Code for the maintenance and updating of the Town Code and online eCode360; and

WHEREAS, said services provide Town of Somerset residents easy access to Town Ordinances and zoning codes; and

WHEREAS, the Town has received an estimate from General Code to update the Town Code and online eCode 360 for Local Laws 1-2021, 1-2022, 2-2022, and 3-2022 at a cost not to exceed \$4,400.00; and

WHEREAS, the services provided by General Code are professional services and exempt from the requirements of the Town's Procurement Policy.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Somerset hereby authorizes the Town Supervisor and Town Clerk to contract with General Code to update the Town of Somerset Code book and online eCode 360 platform at a cost not to exceed \$4,400.00.

RESOLUTION 52-2022

BARKER LIONS CLUB 75 YEAR CELEBRATION

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

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

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RESOLVED, The Town of Somerset will place an advertisement in the Barker Lions Club 75 year anniversary booklet. The cost is to be \$100.00.

RESOLUTION 53-2022

AUDIT OF CLAIMS

On a motion of Councilwoman Jansen, 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. 70 through No. 107	\$ 54,038.78
Highway Fund	No. 11 through No. 23	\$ 38,948.39
Sewer Fund	No. 20 through No. 29	\$ 2,820.51
Water Fund	No. 19 through No. 25	\$ 2,964.47

Supervisor Dewart gave some updates:

-Final Lease of Babcock House was finalized and is effective 4/01/2022 and it is a three year term.

-Bridge New York will start kickoff meetings to get the bridge on Hartland Road between Lake Road and Lower Lake Road replaced.

-Rails to Trails will start removing railroad track in the next two months. The State and County have committees that will get involved. He estimates that it will be at least a year before anything gets going on this project.

-Data Center has the girders up on the first building with the concrete and electrical piping completed. A tent was put up around the building temporarily due to the harsh weather. Dewart estimates there are approximately one hundred contractors working. There has been some progress on buildings two and three but have been slow due to weather. The ground water piping has been done. The stack was planned to be demolished in April but may have to be delayed. There is a small window to allow this due to Bald Eagles. Jim Hoffman added that the noise level is expected to be the same or less than the power plant generated.

-Somerset police were successful in talking down a man with a gun aimed at Fire Department members during a call. The officer's quick thinking and skills deescalated the situation quickly and no harm was done.

- Covid test at home kits are available at the Town Hall for anyone that needs them.

- Mark Davis is the Attorney assisting Somerset with the 94C process. Supervisor Dewart is hoping to have him at the April Town Board meeting to explain the process.

- Bio digester concept was discussed. The biggest concern seems to be cost and logistics. There are ideas of a main machine or auxiliary machines throughout the community. It was also discussed that manure be purchased from farmers and the Town maintain and process the machines. There are grants that could make this financially possible. More meetings will be held.

PRIVILEGE OF THE FLOOR:

Betty Wolanyk inquired on the current status of Rails to Trails. Supervisor Dewart answered that they have not had any meetings as of lately. She also inquired about the status of AES 94C submission. Supervisor Dewart answered that they have not applied as of yet but he thinks they will submit the application in April 2022.

Jim Hoffman congratulated the Town Board for passing February's resolutions. He feels that the book titled "Unsettled" has been relied on for supporting facts contrary to what we are fed about different weather and climate changes. The book claims that we are still in a normal state. His opinion was the book is a good read.

Jude Hinton was approached a month ago with a good neighbor agreement. She inquired as to if the town looked into their legitimacy. Councilman Leuer replied that they were aware of the project but not the agreement proposals until she brought it to their attention. Supervisor Dewart replied that the Chief of Police contacted them and inquired if they had the correct permits. They did not so he told them to discontinue the solicitations. Hinton said that she was not aware of the Solar Project. Supervisor Dewart replied that there have been many meetings regarding the project including some in the community. He also said that they are expected to file in April 2022. The state will receive the application and determine if the application is complete. There was some talk about the application being approved by default if a one year deadline is not met. The siting board will look at the Town's laws and take that into consideration.

Betty Wolanyk stated that the Bear Ridge project application is not complete. She also stated that the state will assess the property and 16% of the value based on the 575B Law. She also added that she saw on the news that the Biden administration will start cracking down on Bitcoin mining.

On a motion of Councilwoman Jansen, seconded by Councilwoman Damon, the meeting adjourned at 7:04 P.M. subject to the Call of the Clerk.

Stephanie Stoloski
Deputy Town Clerk