

TOWN BOARD REGULAR MEETING
February 8, 2023

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 8th day of February 2023.

Present: Jeffrey M. Dewart----- Supervisor
 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
 Michael M. Flint ----- Supt. of Highways
 David Haylett----- Attorney

Absent: Robin R. Jansen ----- Councilwoman
 Brian Sibiga ----- Engineer

Audience: 4 residents

Supervisor Dewart called the meeting to order at 6:00PM with the Pledge to the Flag and a prayer for guidance. He wished the Town of Somerset a happy birthday as it is 200 years old today!

RESOLUTION 31-2023

APPROVAL OF THE MINUTES

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

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

Resolved the minutes of the previous meeting on January 4, 2023 are accepted as submitted.

RESOLUTION 32-2023

APPROVAL OF SUPERVISOR'S REPORT

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

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

Resolved the Supervisor's Report for January 2023 is accepted as submitted.

MONTHLY REPORTS RECEIVED

Police

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ANNUAL REPORTS RECEIVED

Barker Fire Department
Somerset Youth Baseball

COMMUNICATIONS

Clerk Carmer announced that we received a letter from AES Clean Energy for their 60-Day Notice of Intent to file an application for the proposed solar project.

Clerk Carmer said that the Town received the Special Needs Decal for the program that the police department is implementing, and she passed one around for everyone to see.

RESOLUTION 33-2023

SOLAR ON EARTH

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

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

Resolved, the Town of Somerset does not wish to engage with Solar on Earth at this time.

RESOLUTION 34-2023

COLLECTIVE BARGAINING AGREEMENT

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

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

RESOLVED, that the Town Board of the Town of Somerset hereby approves the agreement with International Brotherhood of Teamsters Local #264 for the term of January 1, 2023 to December 31, 2026 as set forth in the tentative agreement between the Town of Somerset and International Brotherhood of Teamsters Local #264 dated January 10, 2023; and be it further

RESOLVED, that the Town Board of the Town of Somerset hereby authorizes the Town Supervisor to execute the new collective bargaining agreement with the International Brotherhood of Teamsters Local #264.

RESOLUTION 35-2023

NIAGARA COUNTY HAZARD MITIGATION PLAN

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

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

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WHEREAS, the Town of Somerset, with the assistance from Niagara County Department of Emergency Services, has gathered information and prepared the 2022 Niagara County Hazard Mitigation Plan; and

WHEREAS, the 2022 Niagara County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Somerset is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Somerset has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Somerset Town Board that the Town of Somerset, NY adopts the 2022 Niagara County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

RESOLUTION 36-2023

COMPUTER UPGRADE

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

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

WHEREAS, the Town desires to upgrade its computer server that serves the employees at 8700 Haight Road, Barker, New York and install a sonic wall at said location; and

WHEREAS, J.B. Computer Services has significant experience with the Town's custom computer systems and Town vendors due to their prior work in the Town; and

WHEREAS, J.B. Computer Services has submitted a proposal dated January 31, 2023 to upgrade the Town server and install a sonic wall for a total price of \$4,397.98; and

WHEREAS, the services to be provided by J.B. Computer Services is a professional service and therefore an additional price quote is not required under the Town of Somerset Procurement Policy;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor and Town Clerk are hereby authorized to contract with J.B. Computer Services to upgrade the Town server and install a sonic wall for a price not to exceed \$4,397.98 per the quote dated January 31, 2023.

RESOLUTION 37-2023

WASTEWATER TREATMENT PLANT HEATERS

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

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

WHEREAS, the Town of Somerset Water/Sewer/Grounds Department desires to replace two radiant heaters in the Town of Somerset Wastewater Treatment Plant Garage located at 8500 Lower Lake Road, Barker; and

WHEREAS, the estimated purchase price of the replacement cost, including labor and materials is greater than \$10,000.00 but less than \$35,000.00; and

WHEREAS, the Superintendent of the Water/Sewer/Grounds Department received two written quotes to replace the two radiant heaters at the wastewater treatment plant garage; and

WHEREAS, the lowest written quote received was in the amount of \$11,562.00 submitted by Drum Oil and Propane; now therefore be it

RESOLVED, that the Town of Somerset Superintendent of Water/Sewer/grounds is hereby authorized to contract with Drum Oil and Propane for the replacement of two radiant heaters at the Town of Somerset Wastewater Treatment Garage as provided for in the written quote from Drum Oil and Propane in the amount of \$11,562.00.

RESOLUTION 38-2023

VEHICLE LIFT PURCHASE

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

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

WHEREAS, the Town of Somerset Water/Sewer/Grounds Department desires to purchase a Challenger CL12 12,000 pound vehicle lift for use at the Town Water Department at 8500 Lower Lake Road, Barker, New York; and

WHEREAS, the estimated purchase price of the purchase is greater than \$5,000.00 but less than \$20,000.00; and

WHEREAS, the Superintendent of the Water/Sewer/Grounds Department received three written quotes for said vehicle lift; and

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WHEREAS, the lowest written quote received was in the amount of \$11,120.00 submitted by NAPA Medina; now therefore be it

RESOLVED, that the Town of Somerset Superintendent of Water/Sewer/Grounds and Town Supervisor are hereby authorized to contract with NAPA Medina for the purchase of a Challenger CL12, 12,000 pound vehicle lift for use at the Town of Somerset Wastewater Department as provided for in the written quote dated January 26, 2023 from NAPA Medina in the amount of \$11,120.00.

RESOLUTION 39-2023

HAY MOWING BID

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

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

WHEREAS, the Town of Somerset solicited bids for the leasing of fifteen (15) acres of land south and east of the Somerset Barker Sewer Plant located at 8500 Lower Lake Road, Barker for hay mowing and removal; and

WHEREAS, the Town received the following bids:

Charles Pisarski
8438 Townline Road
Gasport, NY 14067
\$555.00 per year

James H. Johnson
1091 Quaker Road
Barker, NY 14012
\$1,515.00 per year

NOW, THEREFORE, BE IT RESOLVED, that the bid for mowing and removal of hay on fifteen (15) acres south and east of the Somerset Barker Sewer Plant located at 8500 Lower Lake Road, Barker, for four (4) years is awarded to James H. Johnson for \$1,515.00 per year as specified in the lease; and be it further

RESOLVED, that the Town Supervisor is authorized to execute any and all documents with James H. Johnson pursuant to the lease terms and require that all necessary insurance documents are filed with the Town.

RESOLUTION 40-2023

BARKER FIRE DEPARTMENT NEW MEMBERS

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

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

Resolved to accept the applications for Trent Kenny and Chloe Lee for members of the Barker Fire Department.

Supervisor Dewart advised that Wendel will be revising and resubmitting our Redi-Grant to drop one lagoon.

RESOLUTION 41-2023

APPOINTMENTS

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

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

PLANNING BOARD MEMBER shall be Robert Wendler
BOARD OF ASSESSMENT REVIEW MEMBER shall be Lou Mead
ASSISTANT DOG CONTROL OFFICER shall be Krista Atwater

Supervisor Dewart discussed the 60 Day Notice of Intent to File and said that they did submit another map (hand drawn) showing a portion by the Babcock House Museum being removed to allow for continued parking at the museum.

Supervisor Dewart gave a brief review of the Bicentennial Committee's plans for the celebration in July.

RESOLUTION 42-2023

AUDIT OF CLAIMS

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

ADOPTED: Ayes 4 Dewart, 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. 13 through No. 83	\$ 442,310.45
Highway Fund	No. 8 through No. 21	\$ 68,242.08
Sewer Fund	No. 3 through No. 35	\$ 21,724.81
Water Fund	No. 1 through No. 18	\$ 79,647.88

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PRIVILEGE OF THE FLOOR

Betty Wolanyk said that she received the 60 Day Letter of Intent to File, and she would like to see the updated map.

Jim Hoffman said that the Town should be putting their best foot forward for the Bicentennial and he would like to see some properties tidied up beforehand. In particular, Mayer Brothers and an auto repair on Lake Road near Hartland Road. Jim suggested that our Code Enforcement put an article in the newsletter discussing junk yards and property maintenance.

Regarding the solar project, he wants to see everything placed on the north side of Route 18. He wants the Town to hold out for our ordinances to be followed. He stated that as of the beginning of the year, the solar panels at school have not been connected to the grid yet (the issue is with National Grid). He also advised that Barker Central School and Ridge Road Express are receiving a grant for 12 electric school buses, which means that there will be 12 charging stations. Can the local grid handle it?

Attorney Haylett stated that the APEX project has lingering leases that are being released.

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

Tracy L. Carmer, RMC
Town Clerk