

REGULAR MEETING
JULY 12, 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 12th day of July 2023.

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

Absent: Brian Sibiga ----- Engineer

Audience: 6 Residents, Jesse Green – incoming Water/Sewer/Grounds Superintendent, and John Riggi, Councilmember from the Town of Yates

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

RESOLUTION 69-2023

APPROVAL OF THE MINUTES

On a motion of Councilman Leuer, 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 June 14, 2023 are accepted as submitted.

RESOLUTION 70-2023

APPROVAL OF SUPERVISOR'S REPORT

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 Supervisor's Report for June 2023 is accepted as submitted.

MONTHLY REPORTS RECEIVED

Supervisor's Monthly Report

Police

Code Enforcement

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COMMUNICATIONS: Charter Communications notified us of a couple of new channels, and a price increase. Also, we received a link to sign up to volunteer for the MS Bike Ride.

BIODIGESTER UPDATE:

Councilman Riggi stated that we (Town of Yates and Town of Somerset) did a rough feasibility study to determine how many heads of cattle and how much manure each farmer has. There are 2 consultants working with us and original estimates showed that it would be profitable. It became evident that we needed more information, such as where gas lines are, where 3-phase is, etc. We want to make sure that this will benefit everyone.

Bi-products from this are methane, a liquid, and a gray flake. The Town of Yates moved forward with a detailed feasibility study. We expect to have answers in September or October. Discussion ensued regarding this being the final study, grant writing, a consultant agreement with Phil Lusk of Martin Construction.

RESOLUTION 71-2023

BIODIGESTER

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

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

RESOLVED, that the Supervisor is authorized to execute an intermunicipal agreement between the Town of Somerset and Town of Yates regarding a detailed feasibility study by Phil Lusk for the construction of a biodigester in the Town; and be it further

RESOLVED, that said intermunicipal agreement shall make the Town of Somerset 50% responsible and the Town of Yates 50% responsible for the total cost of the study, not to exceed \$7,500.00 total cost.

RESOLUTION 72-2023

SRO AGREEMENT

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

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

WHEREAS, the Barker Central School District desires to enter into an agreement with the Town of Somerset, whereby the Town will provide the School District with one full-time School Resource Officer, and

WHEREAS, the Town will be reimbursed for the total cost of the school resource officer by the School District in the amount of \$44,550.00 in accordance with the terms of the contract; and

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WHEREAS, the term of the agreement shall commence on the date of execution of the contract and continue to June 30, 2024;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Somerset that the Town Supervisor is hereby authorized to enter into an Agreement with the Barker Central School District, after review and approval by the Town Attorney, whereby the Town will provide the School District with one full-time school resource officer for the 2023-2024 school year, the cost of which to be reimbursed by the School District in the amount of \$44,550.00 in accordance with the terms of the contract.

RESOLUTION 73-2023

LABORER APPOINTMENT

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

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

RESOLVED, Levi Atwater is appointed to the position of Laborer for the Water/Sewer/Grounds department effective August 14, 2023.

SUPERVISOR UPDATES:

Superintendent Flint and Clerk Carmer worked with Supervisor Dewart to prepare an application for reimbursement of costs related to the winter storm. We expect to receive \$20,000 - \$30,000 from FEMA.

RESOLUTION 74-2023

AUDIT OF CLAIMS

On a motion of Councilwoman Jansen, seconded by Councilwoman Damon, 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. 213 through No. 254	\$	39,692.52
Highway Fund	No. 65 through No. 73	\$	53,276.71
Sewer Fund	No. 92 through No. 108	\$	7,411.40
Water Fund	No. 64 through No. 75	\$	87,609.76

PLAQUE PRESENTATION: Supervisor Dewart presented a plaque to Water/Sewer/Grounds Superintendent upon his retirement after 38 years of service. Superintendent Dewart said that it has been a pleasure to work for the Town.

PRIVILEGE OF THE FLOOR

JIM HOFFMAN reviewed all seven volumes of the Somerset Solar package. Jim said that here is a lot of information, but not indexed well so you have to go through a lot of it to find what you are looking for.

Jim stated that our Comprehensive Plan is to preserve the rural character of the Town. Jim wants the Town to take the position that all development should take place north of Route 18. Jim also wants the landfill used. Some points that Jim found in the application:

- the project will not follow our setbacks
- the view from the Babcock House will be severely impacted
- reflections occur from any smooth, flat surface, whether or not they have reflective coatings

In addition, Jim asked why did we sign an NDA? What benefit is there to have the information if we cannot do anything with it?

BETTY WOLANYK stated that non-glare coatings deteriorate and release PFA's into the environment. There is concern of well contamination. Betty asked where we are with the noise from Mariner Data.

Supervisor Dewart said that the 2nd building has been running for a month, they put some type of diffuser up to knock the noise down, and they are having a 2nd study done.

Betty stated that now that the windows are open, the noise can be heard all night long.

Councilman Hotaling said that State Law says that anything over 90 decibels is bad. So if anyone gets a reading of 90, they can go to the State.

Betty has served on panels that evaluated grant applications as an employee of the USDA, and offered to assist with reviewing the Biodigester grant application.

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

Tracy L. Carmer, RMC
Town Clerk