

OFFICE OF THE SUPERVISOR

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Town of Somers

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

RICK MORRISSEY
SUPERVISOR



**SOMERS TOWN BOARD
REGULAR MEETING
THURSDAY, APRIL 14, 2016 6:30PM**

www.somersny.com

6:30pm Executive Session & 7:00pm Regular Meeting

6:30pm – Executive Session – Personnel

7:00pm – Regular Meeting

I. PLEDGE OF ALLEGIANCE:

II. ROLL CALL:

III. PUBLIC HEARINGS: 1. Residency Requirement for Part Time Police Officers.

PUBLIC COMMENT

Please limit your comments to no more than 3 minutes.

IV. APPROVAL OF MINUTES: January 7, 2016 Organizational Meeting; January 11, 2016 Public Hearing re: Draft Comprehensive Plan Update 2015; January 14, 2016 Regular Meeting; February 4, 2016 Work Session; February 11, 2016 Public Hearing re: Draft Comprehensive Plan Update 2015; February 11, 2016 Regular Meeting; March 3, 2016 Work Session, March 10, 2016 Regular Meeting and April 7, 2016 Work Session/Special Meeting.

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- V. **DEPARTMENT REPORTS:** The Town Clerk announces receipt of the following monthly reports: Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks & Recreation, Planning & Engineering, Tax Receiver, Director of Finance and Department Heads
- VI. **BUSINESS OF THE BOARD:**
- A. **PARKS & RECREATION:**
- B. **TOWN BOARD:**
1. Authorize purchase of Muncicity Software Program (SCA) to be used by Building, Planning, Engineering and Assessor in the amount of \$9,700.00 per memo from Efrem Citarella, Building Inspector dated April 8, 2016.
 2. Discussion of renewal of annual contract for Syrette Dym, Town Planner, beginning May 10, 2016 through May 10, 2017.
- C. **FINANCIAL:** - No additional business.
- D. **HIGHWAY:** - No additional business.
- E. **PERSONNEL:**
1. **Current Vacancies:**
Somers Energy Environment Committee
Affordable Housing Board (3 – unexpired 2 year terms) ending 7/11/2017
Parks & Recreation – (2 – 3 year terms) ending 3/9/2019
 2. **Upcoming Vacancies:**
 3. Terminate the probationary status of Mr. Charles Dammeyer, Maintenance Mechanic effective December 31, 2015 and hire Mr. Dammeyer as permanent Maintenance Mechanic effective January 1, 2016 at an annual salary of \$48,051.00.

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F. PLANNING & ENGINEERING: -

1. For review and comment – The Crossroads at Baldwin Place Site Plan.

G. POLICE: - No additional business.

H. CONSENSUS AGENDA:

1. National Organ Donor Day – Northern Westchester Hospital Competition– Thursday, October 6, 2016.
2. Combine July Work Session & Regular Meeting to July 14, 2016 and Combine August Work Session & Regular Meeting to August 4, 2016.
3. Accept low bids for 2016 Highway Materials for the category of 16A and 16B catch Basins per March 28, 2016 memo from Tom Chiaverini, Superintendent of Highways.
4. Authorize resolution to NYS DOT recommending a traffic study at the intersection of Route 100 & Route 35 and a request to reduce the speed limit on Route 100 from the Town House to Plum Brook Road from 55mph to 35mph.
5. Acknowledge resignation of Mr. Joseph Mirra, Road Maintainer from the Somers Highway Department effective March 25, 2016.
6. Rescind March 10, 2016 resolution acknowledging the resignation of Mr. Gary Friedman from the Parks and Recreation Board and acknowledge request to “not seek reappointment” to the Parks and Recreation Board with much appreciation for his years of service to the Town of Somers.
7. Authorize the following per March 28, 2016 memo from Steven Ralston, Superintendent of Parks and Recreation:
 - a. Accept with gratitude \$2,400 donation from the Somers Women’s Club to be used for scholarships for Day Camp participants.
 - b. Permission to go to bid for Summer Camps Trip Transportation.
8. Acknowledge April 27, 2016 as International Noise Awareness Day.
9. Announce Annual Roadside Litter Clean up – April 3rd – April 30, 2016.

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10. Authorize the Supervisor to execute the following:
 - a. Agreement with Garden State Fireworks in the amount of \$10,000.
 - b. Annual IT Consultant Agreement with RDM Computer Consultants.
 - c. Somers Water Quality Improvement Program Proposal by Woodard and Curran in the amount of \$8,000.00
 - d. Professional Engineering Services Proposal, Route 6 Water Main Connection.
 - e. Professional Engineering Services Proposal, Hidden Meadows Construction Phase.
 - f. Change of Use Application Form for the Van Tassell House Nutrition Program.
 - g. Application for Purchase Advantage Card for Acme Stores for the Nutrition Department.

11. Authorize release of the following driveway bonds, per March 14 & 15 memos from Tom Chiaverini, Superintendent of Highways:
 - a. \$ 140.00 JVD Industries, for 28 Equestrian Park Drive – 27.20-1-12
 - b. \$ 500.00 Cambareri, 9 Jean Way – 17.12-2-24
 - c. \$1,000.00 C&C Land Co, 19 Lounsbury Dr.

12. Authorize purchase of 14 passenger van with one wheelchair at a cost of \$55,554 from Shepard Bros. Inc. and authorize Supervisor to execute Purchase Order.

13. Authorize budget modifications per April 1, 2016 memo from Supervisor Rick Morrissey

14. Accept Erosion Control Bond for Tree Preservation and Stormwater Management and Erosion and Sediment Control Permit in the amount of \$500.00 from Ram Star Realty – 39 Moseman Avenue 36.08-1-74.

15. Request to purchase Town Owned Property – 11 Geranium Drive 5.15.3.44 by Mr. John Curry, refer to Parks, Engineering, Highway and Open Space Committee for review and comment.

16. Request to purchase Town Owned Property – “Bud Court” by Rena Riccardi, refer to Parks, Engineering, Highway and Open Space Committee for review and comment.

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17. Accept Erosion Control Bond in the amount of \$300.00 from Robert Roy Crook III, 4 Sun Hill Road, Katonah – 47.12-1-18
18. Authorize placement of 5kw Solar System at the Somers Library.

2016 CALENDAR

April 7, 2016	7:00pm	Town Board Work Session
April 14, 2016	7:00pm	Town Board Regular Meeting
May 5, 2016	7:00pm	Town Board Work Session
May 12, 2016	7:00pm	Town Board Regular Meeting
June 2, 2016	7:00pm	Town Board Work Session
June 9, 2016	7:00pm	Town Board Regular Meeting

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on April 14, 2016 at 7:00 p.m. at the Town House, 335 Route 202, Somers, New York on a Local Law to amend Chapter 46 entitled Police Department to add Article II. entitled Residency Requirements to the Code of the Town of Somers.

All persons having an interest in the proposed local law are invited to attend the public hearing and will be afforded an opportunity to be heard. A copy of the proposed local law will be available and may be examined in the Office of the Town Clerk during regular business hours.

By Order of the Town Board
of the Town of Somers

Patricia Kalba
Town Clerk

Dated: March 31, 2016

TOWN OF SOMERS

Local Law _____ For the Year 2016

A Local Law to amend Chapter 46 of the Code of the Town of Somers entitled Police Department.

Be It Enacted by the Town Board of the Town of Somers as follows:

1. Article II is hereby added to Chapter 46 to read as follows:

Article II. Residency Requirements.

Section 46-5. Purpose. It is the purpose of this article to modify the requirements of the Laws of New York (1936), Chapter 104 entitled "An Act Providing for the Establishment, Organization and Operation of Police Departments in the Towns of Westchester County," Section 18 entitled Part-Time Patrolmen which provides in part that such part-time patrolmen at the time of appointment must reside within the boundaries of the Town of Somers.

Section 46-6. Legislative Authority. This Local Law is enacted pursuant to the provisions of Section 10 of the Municipal Home Rule Law.

Section 46-7. Title. The title of this article is "A Local Law to Modify Residence Requirements for Part-Time Patrolmen in the Town of Somers."

Section 46-8. Restrictions for Part-Time Patrolmen. In the Town of Somers, Westchester County, part-time patrolmen at the time of appointment need not be residents of the Town of Somers.

2. Effective Date: This Local Law shall take effect immediately upon filing of same with the Secretary of State of the State of New York.

JANUARY 7, 2016 – ORGANIZATIONAL MEETING

Minutes of an organizational meeting of the Town Board of the Town of Somers held on Thursday evening January 7, 2016 at 7:00 PM at the Town House 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk and Geraldine Gilmore, Deputy Town Clerk.

PUBLIC COMMENT:

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, public comment session was declared closed.

The first section of the agenda was a series of items under Procedures. The Supervisor said with regard to Schedule of Audit Claims there were a couple of items that were being added to the pre-payment list and that the CHIPS Reimbursement was not included on the agenda needed to be added.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board Regular Monthly meetings are to be held at the Town House, Somers, on the second Thursday of each month at 7:00 PM or earlier if a motion for executive session is anticipated with monthly work session meeting to be held on the first Thursday of each month at 7:00 PM or earlier if a motion for executive session is anticipated at the Town House. When necessary a third meeting will be held on the third Thursday of each month with the location specified in the notice of the meeting. Special meetings and all other work sessions will be held at the Town House, unless another location is specified in the notice of meeting or resolution calling such special meeting, and further that notice of all meetings and work sessions are given to the Town Board, Town Clerk and media by the Supervisor.

RESOLVED, that the Town Board does hereby adopt the following Town Board Meeting Format for 2016:

1. Pledge of Allegiance.
2. Roll Call.
3. Public Comment.
4. Approval of Minutes.
5. Reports from Department Heads/Town Clerk.
6. Business of the Board – with Parks and Recreation first, then Town Board, and then an alphabetical listing by department and/or topic including communications and resolutions.
7. Other business (including informational items and Board Comments).
8. Adjournment.

RESOLVED, that all claims are to be audited by the Town Board at its regular meeting each month; all claims are to be filed with the Town Clerk no later than the Monday before the Town Board Work Session or earlier if directed by the Supervisor. Claims for the following may be paid in advance of audit with appropriate certification and listed on a subsequent Abstract of Audited Vouchers:

Fuel Oil, Gas, Propane and Diesel Fuel

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Electricity
Mail costs
Telephone service, including cellular telephones
Health, Dental, Life and Vision Insurance
Payment for leased vehicles
Internet Services
Workers Compensation Insurance
Post Offices
NYS Pension Installment
Parks and Recreation Day Camp Trips
Medicare Part B Reimbursement for Retirees
CHIPS Reimbursement

Department Head or employee submitting claim must assign the proper appropriation code and certify as to correctness of the voucher and that sufficient money exists in the appropriation code. All claims must have the proper supporting documentation, i.e. an original invoice. Only when it can be demonstrated that an original invoice is not available will an e-mail or fax copy be accepted.

RESOLVED, that items for regular monthly agendas shall be received in the Supervisor's Office no later than 12 noon of the Thursday in the week preceding the Town Board work session meeting. The agendas shall be posted on the Community Bulletin Board in the Town House and on the Web Site the Friday before a meeting with copies available to the public and the Town Clerk. No item shall be added to the agenda during the meeting without a majority of Town Board member's approval.

RESOLVED, that vacancies on the various boards and advisory committees shall be announced at least two (2) months, if possible, prior to the meeting that action is to be taken. In addition, they will be posted on the Website.

RESOLVED, that the Town Board does hereby designate The Somers Record, to be the official Town newspaper for the year 2016 with others to be used whenever so designated by the Supervisor.

The next section on the agenda was a series of items under Financial. The Supervisor said with regard to the Investment Policy he wanted to point out that the Auditors said that the Town was doing a good job. He also pointed out that the Internal Revenue Service reduced the 2016 Standard Mileage Rates.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby designate the following depositories for Town of Somers funds for the year 2016:

JP MORGAN CHASE
Debt Service Fund
General Fund - 2
Joint Bail Account*
Tax Receiver's Account
Town Justice*
Town Justice*
Trust & Agency
Amawalk-Heights Water District
Amawalk-Shenorock Water District
Capital Funds
Highway Fund
Parks & Recreation Revolving Fund
Payroll Account
Recreation (Builders Fees)
Somers Sewer District No. 1
Town Clerk*

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BANK OF AMERICA
General Fund

RESOLVED, that the Town Board does hereby authorize Rick Morrissey, Supervisor, as the signer on the above accounts and the Deputy Supervisor as alternate signer, with the exception of the asterisk (*) accounts; they are signed by the appropriate department heads only.

RESOLVED, that the Supervisor be and hereby is authorized to negotiate and call for bids on Certificates of Deposit (CD) and to automatically renew at the best available interest rate, subject to acceptable Municipal or Federal Bonds securing such monies, and further that a reporting of CD ('s) be presented by the Supervisor to the Town Board at the regular Town Board meeting each month.

RESOLVED, that the Town Board does hereby authorize the Supervisor to deposit monies of the General Fund, Highway Fund and all other Funds in JP Morgan Chase and Bank of America as deemed appropriate.

RESOLVED, that the Town Board does hereby name O'Connor, Davies, LLP 500 Mamaroneck Ave., Suite 301, Harrison, NY 10528 as Town Auditors for the year 2016.

RESOLVED, that the Town Board does hereby authorize reimbursement for Town Officers and employees at \$.54 per mile as set by the Internal Revenue Service for use of their own automobiles when on official town business. The standard mileage rate is intended to cover all costs of operating a personal vehicle while conducting town business. Such costs include: gasoline, oil, maintenance, repairs, insurance and vehicle registration fees. Also, authorize reimbursement for Town Officers and employees necessary telephone calls made in connection with Town business upon submission of properly executed vouchers.

RESOLVED, that the Procurement Policy and Procedures for the purchase of goods or services as set in the Town Board resolution of January 2, 1992 and as amended on August 11, 2005, February 9, 2006, October 12, 2006 and February 11, 2010 have been reviewed. That resolution states that each prospective purchase shall be evaluated to determine the applicability of General Municipal Law Section 103. It also provides guidelines to aid in the required evaluation. As a result of this review, it has been determined that the existing Procurement Policy and Procedures should continue to be utilized for all purchasing activities by the Town.

RESOLVED, that the Town Board does hereby authorize the review of Investment Policy to comply with the primary objective listed:

- a. To conform with all applicable federal, state and other legal requirement (legal);
- b. To adequately safeguard principal (safety);
- c. To provide sufficient liquidity to meet all operating requirements (liquidity);
- and
- d. To obtain a reasonable rate of return (yield).

INVESTMENT POLICY FOR THE TOWN OF SOMERS
SOMERS, NEW YORK

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

JANUARY 7, 2016 – ORGANIZATIONAL MEETING

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Somers to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

To ensure a competitive rate of return, the Supervisor will seek quoted interest rates from at least three banks before placing the Town's funds with the highest bidder, and will also report if a bank passes on a quote.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Somers to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Town of Somers for all moneys collected by any officer or employee of the government to transfer those funds to the Supervisor within two days of or for deposit, or within the time period specified in law, whichever is shorter, with the exception of the Town Clerk's funds as specified by law.

The Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

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The banks and trust companies are authorized for the deposit of monies up to the maximum amounts of \$45,000,000.00.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Somers, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value” as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

2. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a designated bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Somers or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Town of Somers authorizes the Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

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- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Somers;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML Section 109-b;
Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Somers within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Somers within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Somers shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Somers. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Somers by the bank or trust company. Any obligation

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held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

XIV. AUDIT

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Town of Somers, the independent auditors shall audit the investments of the Town for compliance with the provisions of this investment policy.

APPENDIX A SCHEDULE OF ELIGIBLE SECURITIES

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligations that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

RESOLVED, that the Town Board does hereby authorize review policy for Capitalization of Property, Plant & Equipment formerly Fixed Asset Policy to comply with GASB 34 and other State and Federal Laws.

PURPOSE:

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To establish capitalization thresholds for the Town's property, plant and equipment which are required for accounting and reporting purposes by the Governmental Accounting Standards Board Statement No. 34 (GASB 34)

CAPITALIZATION THRESHOLDS:

Accountability

Property, plant and equipment with an expected useful life of one year or more (benefiting or providing services in future periods), subject to the Cost threshold of \$1,000 or more, will be inventoried and recorded in the asset management system.

Capitalization

Capital assets are major assets that benefit more than a single fiscal year and subject to the cost threshold of \$5,000 or more. These assets will be inventoried and recorded in the financial records.

RESOLVED, that all purchases made by Departments, where practical and cost effective, be made under New York State and Westchester County and Putnam County Contracts if possible and according to the established procurement policy of the Town Board.

RESOLVED, that the Town Board does hereby establish the following Police Reimbursement Rates for the year 2016:

The Reimbursement Rate is set at 150% of the hourly rate in effect at the time of service, with a three (3) hour minimum.

The Holiday Reimbursement Rate is set at 150% of the hourly rate in effect at time of service, with a three (3) hour minimum.

RESOLVED, that the Town Board does hereby adopt the following reimbursement rates for engineering reviews and inspections, SEQR reviews and secretarial services related to SEQR for 2016:

Supervisor	\$ 92.54
Supervisor's Secretary	86.25
Town Clerk	93.67
Deputy Town Clerk	45.54
Director of Finance	104.86
Senior Account Clerk Part time	43.07
Senior Account Clerk	52.76
Principal Engineering Technician	109.62
Engineer Senior Office Assistant	81.45
Planner	100.64
Planning Secretary Part Time	71.31
Building Inspector	110.70
Assistant Building Inspector	100.43
Building/Zoning/IACT	48.49

RESOLVED, that the Town Board does hereby authorize the Water District Superintendent to request proposals for equipment rental rates from local contractors and upon receipt of the proposed rental rates adopt the highest rate as the maximum hourly rental rate and, further, that the Water Superintendent use the contractor with the lowest rate whenever possible, for equipment hired and personnel used for Water District improvements, repair and maintenance operations in the year 2016.

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The Supervisor said the next was a series of items with regard to Highway.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways where practical and cost effective to purchase items under New York State and Westchester County and Putnam County Contracts if possible and according to the established Procurement Policy of the Town Board.

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways to request proposals for equipment rental rates from local contractors and upon receipt of the proposed rental rates adopt the highest rate as the maximum hourly rental rate and further that the Superintendent of Highways use the contractor with the lowest rate whenever possible, for equipment hired and personnel used for highway improvements, repair and maintenance operations and the removal of snow and ice during the year 2016.

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways to expend monies for the purchase of equipment, tools and implements (other than bid items) and hourly equipment rental, up to the value of \$10,000.00 without prior approval of the Town Board.

RESOLVED, that the Town Board does hereby approve and execute Agreement for the expenditure of Highway monies for the year 2016.

RESOLVED, that the Town Board does hereby set the following rates of pay for Highway Employees for the year 2016 as recommended by the Highway Superintendent:

Heavy Motor Equipment Operator	\$20.61 to \$33.86 per hour
Motor Equipment Operator	\$18.50 to \$32.78 per hour
Motor Equipment Operator/Welder	\$18.75 to \$30.63 per hour
Road Maintenance Foreman	\$23.00 to \$36.28 per hour
Road Maintainer	\$16.00 to \$24.18 per hour
Skilled Road Maintainer	\$18.75 to \$26.07 per hour
Seasonal Employees	\$ 9.00 to \$30.00 per hour
Sr. Auto Mechanic	\$25.90 to \$34.66 per hour
Auto Mechanic Helper	\$18.74 to \$26.07 per hour

RESOLVED, that the Superintendent of Highways announced the appointment of Louis N. Noto, Jr. as Deputy Superintendent of Highways at an annual salary of \$77,011.00 to serve at the pleasure of the Superintendent of Highways pursuant to Section 32 of Town Law for a term ending December 31, 2016.

RESOLVED, that the Superintendent of Highways announced the appointment of Catherine A. DiSisto as Secretary to the Superintendent of Highways at an annual salary of \$39,339.00 to serve at the pleasure of the Superintendent pursuant to Section 32 of the Town Law for a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby award the bids for 2016 Materials for the Highway Department per January 2, 2016 memo from Thomas E. Chiaverini, Superintendent of Highways.

The next section was with regard to Appointments. The Supervisor thanked all of the individuals that were being appointed that evening for all of their hard work and service to the Town of Somers. Councilman Garrity asked when the Association of Towns Meeting was held. Councilman Clinchy stated that the dates were always during the Presidents Day Holiday. He said that there was a great amount of information at the meeting and he enjoy his time at those meetings.

JANUARY 7, 2016 – ORGANIZATIONAL MEETING

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Clerk does hereby announce the appointment of Geraldine Gilmore as Deputy Town Clerk at an annual salary of \$45,000.00 to serve at the pleasure of the Town Clerk for a term January 1, 2016 to December 31, 2016.

RESOLVED, that the Town Board does hereby approve the annual salary of Patricia Kalba, Election Liaison at \$2,500.00 and Geraldine Gilmore, Election Liaison at \$500.00 per annum for a term January 15, 2016 to January 14, 2017.

RESOLVED, that the Town Board does hereby appoint Patricia Kalba Registrar of Vital Statistics for the term January 1, 2016 to December 31, 2016, to be compensated as revenues occur.

RESOLVED, that the Registrar of Vital Statistics does hereby announce the appointment of Geraldine Gilmore as Deputy Registrar of Vital Statistics for the term January 1, 2016 to December 31, 2016 to serve without compensation in the absence of the Registrar.

RESOLVED, that the Supervisor announces the designation of Thomas A. Garrity, Jr. as Deputy Supervisor to serve at the pleasure of the Supervisor to a term ending December 31, 2016.

RESOLVED, that Tax Receiver Joan Ribaldo does hereby announce the appointment of Michele A. McKearney as Deputy Tax Receiver at an annual salary of \$36,482.00 to serve at the pleasure of the Tax Receiver to a term January 1, 2016 to December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Barry Singer as Chairman of the Affordable Housing Board to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint John Alfonzetti as Chairman of the Architectural Review Board at an annual salary of \$1,200.00 to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Michael Barnhart as Chairman of the Open Space Committee to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint James V. Papa as Chairman of the Parks and Recreation Board at an annual salary of \$1,200.00 to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint R. John Currie as Chairman of the Planning Board at an annual salary of \$2,500.00 to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Victor Cannistra as Chairman of the Somers Zoning Board of Appeals at an annual salary of \$1,500.00 to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Alexander J. Vigliotti as Deputy Chief to the Bureau of Fire Prevention to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Robert R. Russell, III as Deputy Chief to the Bureau of Fire Prevention to a term ending December 31, 2016.

RESOLVED, that the Town Board does hereby reappoint Michael Blum as Chairman of the Somers Energy Environment Committee to serve at the pleasure of the Board to a term ending December 31, 2016.

JANUARY 7, 2016 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby reappoint Kathleen G. Cucchiarella to the Substance Abuse Council/Partners in Prevention as Chair to a term ending December 31, 2016.

RESOLVED, that the Supervisor announced the reappointment of Doris Jane Smith as Town Historian at an annual salary of \$2,611.00 to a term ending December 31, 2016.

RESOLVED, that the Supervisor announced the reappointment of Barbara J. Sherry as Confidential Secretary to the Supervisor at an annual salary of \$64,741.00 to a term ending December 31, 2016.

RESOLVED, that pursuant to Section 29, Sub. 10A of Town Law, the Supervisor is hereby directed to submit to the Town Clerk, within 90 days after the close of the fiscal year, a copy of the report to the State Comptroller, required by Section 30 of General Municipal Law, and the Town Clerk shall cause notice of the report to be published within ten days after receipt thereof in the official newspaper.

RESOLVED, that the Town Board does hereby authorize attendance by Town Officials and employees at the annual meeting of the Association of Towns of the State of New York on February 14, 2016 – February 17, 2016, and to be reimbursed for any necessary and customary expenses in the usual manner, except for overnight stay in New York City.

The next item on the agenda was a series of items under Appointments and Contracts. Councilman Clinchy asked to be added as an additional School Liaison on the Town Board Liaison List.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby accept the "Consulting Services Proposal from Frederick P. Clark Associates as outlined in proposal from David H. Stolman, AICP, PP dated December 31, 2015 and authorize the Supervisor to execute same for the calendar year 2016.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute proposal from Roland A. Baroni, Esq. of Stephens, Baroni, Reilly & Lewis, LLP as Town Attorney for the Town of Somers per letter dated January 1, 2016 for the calendar year 2016.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a proposal from Ernest R. Stolzer, Esq., Bond, Schoeneck & King, PLLC, dated November 3, 2015 as special labor counsel to the Town for the calendar year 2016.

RESOLVED, that the Town Board does hereby accept the proposal for engineering support for 2016 from Woodard & Curran per letter dated December 8, 2015 and authorizes the Supervisor to execute same.

RESOLVED, that the Supervisor announced the Town Board Liaisons as follows:

Building Department and Zoning Board of Appeals	Councilman Garrity & Councilman Faulkner
Budget, Audit, Finance, Taxes and Assessment	Supervisor Morrissey & Councilman Ciriaco
Highway	Councilman Garrity
Library	Councilman Clinchy & Councilman Garrity
Intergovernmental Affairs	Councilman Faulkner

JANUARY 7, 2016 – ORGANIZATIONAL MEETING

Planning and Engineering	Supervisor Morrissey
Police and Fire	Councilman Cirieco & Councilman Faulkner
Parks and Recreation	Councilman Garrity & Councilman Clinchy
Energy and Environment	Councilman Clinchy
Water and Sewers	Councilman Cirieco
Emergency Preparedness	Councilman Cirieco
Landmarks and Historic Preservation	Supervisor Morrissey
Court Administration	Councilman Clinchy
Open Space Committee	Councilman Faulkner
Risk Management	R.Spadaccia, C. Hanley & Councilman Garrity
School Liaison	Councilman Cirieco & Councilman Clinchy
Somers Litter Task Force	Supervisor Morrissey & Councilman Clinchy
Substance Abuse Council/Partners in Prevention	Councilman Cirieco

RESOLVED, that the Town Board does hereby appoint Barbara Lloyd as Service Officer for the Town of Somers for the term January 1, 2016 to December 31, 2016 to serve without compensation.

The Supervisor said that the next section was with regard to Salaries and Standard Work Day.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner it was unanimously,

RESOLVED, that the Town Board does hereby adopt resolution setting salaries and longevity payments (where applicable) of Town Officials & Employees for the year commencing January 1, 2016.

RESOLVED, that the Town Board does hereby acknowledge the change in regulation which defines the process of reporting work activities for elected and appointed officials.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, the meeting was adjourned at 7:30 PM.

Town Clerk

JANUARY 11, 2016 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening January 14, 2016 at 7:11 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to the Draft Comprehensive Plan Update 2015. He said that this was the second public hearing the Town was having with regard to the update of the Comprehensive Plan.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Somers Record on December 31, 2015 and posted on the Town Clerk's bulletin board the same day.

The Supervisor declared the hearing open and asked for comments from the public.

The Supervisor asked Ms. Syrette Dym, Director of Planning to give an introduction to the Board and the residents. Ms. Dym said that as the Supervisor pointed out this was the second public hearing; the first was held on December 10th and closed with a ten (10) day comment period. She said that the Town did receive a series of comments at both the public hearing and in writing. She continued that all of the comments were taken into consideration and for the most part incorporated into the revised amended Comprehensive Plan that was dated January 5, 2016 and she pointed out where copies were available. Ms. Dym said that the Environment Assessment Forms (EAF) Parts 1, 2 and 3 were available as well for this public hearing. She pointed out who and what entities made comments as well as pointed out two points that they knew were going to be amended before the document was finalized, she read a portion to the Board.

Ms. Dym said that she wanted to identify the process going forward after this public hearing. She recommended that the public hearing be left open to the Board's next regular meeting and at that time the Board should close the hearing without an additional comment period. She continued that at the Board February 4th work session she was requesting they review of all the EAF documents to determine the potential impacts the adoption of the Comprehensive Plan may have on the Town. She said that after that review the Board would be in a position to issue SEQRA finding at their February 11th meeting.

The Supervisor asked Ms. Dym if it was anticipated that at the close of the public hearing on February 11th they would be in a position to adopt the Comprehensive Plan Update. Ms. Dym stated that was correct, should the Board close the public hearing that evening and find that there were no significant impacts as a result of adoption of the plan. The Supervisor thanked Ms. Dym for all of her work with regard to the document.

Ms. Maureen Devine, Susan Drive, read a prepared statement, which she submitted to the Town Clerk with regard to five (5) additional points that needed to be addressed. She said that she did not envy the Town Board's position; planning for the future of a Town was a burden. She wished them the best of luck with the process.

JANUARY 11, 2016 – PUBLIC HEARING

Mr. Michael Aquilino, Revere Court, said that he was concerned with the possibility of the future extension of Voris Drive to Route 100. He said that they understood that nothing was in place at that time and asked that the Board communicate with the residents of Somers Chase if that ever came before them. He said that the residents of that area would be greatly affected.

Ms. Sandra Maguire, Raemont Road, pointed out a reference with regard to West Somers Park needed to be changed in the draft document, due to a typographical error.

Councilman Garrity thanked everyone for their comments and input in this process.

The Supervisor said that he agreed with Councilman Garrity and things worked at their best when residents of the Town had a dialog and input in what the Board was doing. He thanked everyone for their time.

There being no one to be heard on motion of Supervisor Morrissey, seconded by Councilman Clinchy, the public hearing was adjourned at 7:30 PM to the Town Board regular meeting, February 11, 2016.

Town Clerk

DRAFT

JANUARY 14, 2016 – REGULAR MEETING

Minutes of a regular meeting of the Town Board, Town of Somers held on Thursday evening January 14, 2016 at 6:30 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Thomas A. Garrity, Jr.
 Councilman Anthony J. Cirieco
 Councilman William G. Faulkner

ABSENT: Councilman Richard G. Clinchy

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to personnel and contracts.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, the meeting was adjourned to an executive session at 6:30 PM to discuss personnel and contracts, to return that evening.

7:10 PM – meeting reconvened

Councilman Clinchy present at 7:10 PM.

The Supervisor said that it was in order for the Board to open a public hearing with regard to the Draft Comprehensive Plan Update 2015.

7:11 PM – hearing opened

7:30 PM – meeting reconvened

PUBLIC COMMENT:

Ms. Diane Mazzatta, Raemont Road, asked if the Board had any information with regard to the Bus Vandalism. She also asked if the Town was actively involved in the investigation and if the Board was getting updated regularly. The Supervisor said that the incident was a shock to everyone. He said that the New York State Police was the lead investigating Agency and questions were referred to them and this was an active investigation.

There being no one else to be heard on motion of Supervisor Morrissey, seconded by Councilman Clinchy, public comment session was declared closed.

Approval of
the minutes

The first item on the agenda was the approval of the minutes.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby approve the minutes of the October 1, 2015 Work Session; the October 8, 2015 Public Hearing regarding the Conservation Easement of the Angle fly Preserve; the October 8, 2015 Public Hearing regarding a proposed Stop Signs on the southeast corners of Eastern Way and Buena Way; the October 8, 2015 Regular Meeting; the November 5, 2015 Work Session; the November 12, 2015 Public Hearing regarding the proposed 2016 Water Rate Charges for the Amawalk Shenorock Water District, Windsor Farms Water District and the Amawalk Heights Water District; the November 12, 2015 Public Hearing regarding the proposed

JANUARY 14, 2016 – REGULAR MEETING

Local Law to amend Section 170-70L entitled Accessory Apartments; the November 12, 2015 Regular Meeting; the December 3, 2015 Public Hearing regarding the 2016 Budget; the December 3, 2015 Special Meeting/Work Session; the December 10, 2015 Public Hearing regarding a Minor Text Amendment to MFR-BP District; the December 10, 2015 Public Hearing regarding a propose Amendment to the Town of Somers Zoning Map; the December 10, 2015 Public Hearing regarding the Draft Comprehensive Plan Update 2015; the December 10, 2015 Regular Meeting and the December 22, 2015 Special Meeting.

Monthly reports

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Parks and Recreation, Tax Receiver, Planning and Engineering, Zoning, Plumbing, Bureau of Fire Prevention and Director of Finance.

Consent Judgment for the matter of United States Postal Service

The Supervisor said that the next item on the agenda was to authorize the Town Attorney to execute a Consent Judgment for the matter of United States Postal Service vs. Town of Somers, Index # 56810/11 et al. Councilman Ciriaco asked if the Post Office owned the property. The Town Attorney explained that they did not own the property although in most of the Postal Service leases they are responsible to pay the taxes on the property and they had the right to grieve the taxes.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the Town Attorney to execute a Consent Judgment in the matter of United States Postal Service vs. the Town of Somers – Index #56810/11 et al.

Homeland Towers

The next item was a discussion with regard to a proposal from Homeland Towers for a wireless facility. Mr. Vincent Xavier, Homeland Towers, introduced himself and pointed out the locations of their other cell towers within the Town. He explained that his proposal was seeking a location that would address a gap in service in the Town. He said that they identified Reis Park as the best location to address this issue and he wanted to know if this was something that the Town would be interested in pursuing. The Town Attorney stated that a cell tower was not able to be placed on dedicated recreation land and the law was very clear about that. Discussion ensued with regard to other locations where Mr. Xavier may be able to place a cell tower within the Town.

Execute the MOU & ESA with Sustainable Westchester, Inc.

The Supervisor said that the next item on the agenda was with regard to authorizing the Supervisor to execute the Memorandum of Understanding (MOU) with Sustainable Westchester, Inc. and the Electric Service Agreement (ESA), subject to the further review and comment by the Town Attorney. He asked the Town Attorney to give the Board an update. The Town Attorney explained that the latest document the Board had was received that day. He said that there were no changes to the MOU although there were several made to the ESA that he had not had an opportunity to review before the meeting. He said that the ESA was a work in progress and that was why they were asking the Board to authorize the execution subject to further legal review.

Mr. Michael Gordon, Sustainable Westchester, said that the way the collective Town Attorneys worked on this process was amazing and it was great to see them all working together. He said that just to get a document of this size and with the number of Towns to a unanimous agreement was a remarkable achievement. Councilman Clinchy asked Mr. Gordon to explain why it was important that the Town Board adopt the Resolution that evening. Mr. Gordon explained that they were going out to bid next week and with that package the contract had to be finalized. Discussion ensued with regard to the rate change, what the MOA was going to accomplish and how the billing would work.

Ms. Devine said that the Town had offers over the years to leave NYSEG and they had never considered changing. She said that the Town Board was involving the Town in this

JANUARY 14, 2016 – REGULAR MEETING

and asked if they were all going to be involved in the change. They said that they were going to make the change in their own homes.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Community Choice Aggregation Memorandum of Understanding (MOU) with Sustainable Westchester, Inc. and;

FURTHER BE IT RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Electric Service Agreement (ESA) in due course, subject to further review and comment by the Town Attorney.

Roof Repair at
the Van
Tassell House

The Supervisor said that they needed to add the authorization to execute the contract for the roof repair at the Van Tassell House. He explained that they had they received a memo from the Building Inspector requesting that they Board take this action. The Town Attorney pointed out that it should be contingent on the specifications that called for a Performance Bond and a Labor and Material Bond.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby approve the Request for Proposal (RFP) from L. Mark Construction, Inc., the only contractor that submitted a proposal, to replace the flat roof on the Recreation Center in Van Tassell Park in the amount of \$34,995.00, contingent on the submission of a Labor and Material Bond and a Performance Bond, per memo dated January 14, 2016 from Efraim Citarella, Building Inspector.

Purchase of
Asphalt
Recycler &
Hot Box

The Supervisor said that the Board needed to add was with regard to the purchase of an Asphalt Recycler and a Hot Box. He explained that the Town had an existing Inter-Municipal Agreement (IMA) with Putnam County for shared equipment and services. He continued that the Superintendent of Highways identified the equipment that would generate blacktop to fill potholes without cold patch. The Supervisor said that this purchase was with the understanding that they would be developing IMAs with neighboring municipalities. He said that the purchase cost was also reimbursable by the CHIPS Fund.

Thereupon motion of Supervisor Morrissey, seconded Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the purchase of one (1) new Asphalt Recycler from Trius, Inc., 458 Johnson Avenue, P.O. Box 158, Bohemia, New York 11716-0158, to be piggyback off the Village of Scarsdale Bid Contract, VM#1193 in the amount of \$79,879.00 to be reimburse by CHIPS, per memo dated January 14, 2016 from Thomas E. Chiaverini, Superintendent of Highways.

RESOLVED, that the Town Board does hereby authorize the purchase of one (1) new Falcon 4 Ton – Asphalt Hot Box on Dump Trailer from McGrath Municipal Equipment, P.O. Box 422, Springfield, New Jersey 07081 to be purchased off the New York State Bid Contract #PC66699 in the amount of \$31,700.00 to be reimburse by CHIPS, per memo dated January 14, 2016 from Thomas E. Chiaverini, Superintendent of Highways.

Annual
attendance
bonuses for
Highway
Employees

The next item on the agenda was with regard to annual attendance bonuses for Highway Employees.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

JANUARY 14, 2016 – REGULAR MEETING

RESOLVED, that the Town Board does hereby authorize the Attendance Bonus, per Collective Bargaining Agreement (CBA) with the Teamsters and memo dated January 4, 2016 from Thomas E. Chiaverini, Superintendent of Highways as follows:

Arnold Guyot	\$200.00
Edward Gall	\$600.00

PERSONNEL:

Current Vacancies:

Somers Energy Environmental Committee
Affordable Housing Board (3 – unexpired 2 year terms ending July 11, 2017)
Planning Board (1 – 7 year term ending December 31, 2022)
Zoning Board of Appeals (1 – unexpired term ending December 31, 2020)

Upcoming Vacancies:

Parks and Recreation Board (2 – 3 year terms ending March 9, 2019)

Reappoint U.
Santaroni to
the ZBA

The Supervisor said that it was in order for the Board to reappoint Mr. Umberto Santaroni to the Zoning Board of Appeals.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby reappoint Umberto Santaroni to the Zoning Board of Appeals to a five (5) year term ending December 31, 2020.

Reappoint F.
DeLucia to the
Planning
Board

The Supervisor said that it was in order for the Board to reappoint Ms. Fedora DeLucia to the Planning Board. Ms. Devine said that she was pleased to see the reappointment of Ms. DeLucia, she has always been dedicated to the Town of Somers.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby reappoint Fedora DeLucia to the Planning Board to a seven (7) year term ending December 31, 2022.

Resignation of
B. Brandt,
Assessment
Tax-Aide

The Supervisor said that it was in order to acknowledge the resignation of Ms. Barbara Brandt, Assessment Tax-Aide and authorize the Supervisor to canvass the Westchester County Civil Service List for an Assessment Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge the resignation of Barbara Brandt Assessment – Tax Aide, effective January 15, 2016 and;

FURTHER BE IT RESOLVED, that the Town Board does hereby authorize the Supervisor to canvass the Westchester County Civil Service List for an Assessment Clerk with a salary range of \$41,010.00 to \$43,813.00, Grade 4 Step 1 – 3 of the CSEA Agreement, per memo dated January 11, 2016 from Barbara J. Sherry, Secretary to the Supervisor.

JANUARY 14, 2016 – REGULAR MEETING

Promotion of
P. Westhoff
Road
Maintenance
Foreman

The Supervisor said that it was in order for the Board to acknowledge the promotion of Mr. Paul Westhoff from Motor Equipment Operator to Road Maintenance Foreman for the Highway Department.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge the promotion of Paul Westhoff from Motor Equipment Operator to Road Maintenance Foreman at an hourly rate of \$36.2768, effective January 4, 2016, per memo dated January 6, 2016 from Thomas E. Chiaverini, Superintendent of Highways.

Consensus
Agenda

The Supervisor said the next item was the Consensus Agenda.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

Fee Schedule for the
2016 Programs and
Service for Parks and
Recreation

1. RESOLVED, that the Town Board does hereby authorize the Fee Schedule for the 2016 Programs and Service for Parks and Recreation, per memo dated December 15, 2015 from Steven Ralston, Superintendent of Parks and Recreation.

Execute the North
East Special
Recreation, Inc.,
Interagency
Agreement

2. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the North East Special Recreation, Inc., Interagency Agreement for the January 1, 2016 – December 31, 2016 Program Year, per memo dated December 15, 2015 from Steven Ralston, Superintendent of Parks and Recreation.

Hire D. Coffey, Full
Time Road
Maintainer

3. RESOLVED, that the Town Board does hereby announce the hiring of Dennis Coffey, Full Time Road Maintainer, effective January 4, 2016 at an annual salary of \$50,304.00, which the employee will receive 90% for the first six (6) months at an hourly rate of \$24.1847, then after 26 weeks 95%, upon completion of one year of service the employee shall receive the full salary rate of pay, per memo dated December 30, 2015 from Thomas E. Chiaverini, Superintendent of Highways.

Retirement of Police
Office Robert J.
Matuszewski

4. RESOLVED, that the Town Board does hereby acknowledge the retirement of Police Office Robert J. Matuszewski, effective December 12, 2015, per letter dated December 11, 2015 from Robert J. Matuszewski.

Purchase a Timber
Ranger 3XE
Handheld Data
Collector

5. RESOLVED, that the Town Board does hereby authorize the purchase of a Timber Ranger 3XE Handheld Data Collector with all necessary hardware, software and 3 years of support at a price not to exceed \$13,075.00, to be divided equitable amongst each of the Water Districts and Sewer District #1, per memo dated December 14, 2015 from Adam Smith, Superintendent of Water & Sewer.

Eagle Scout Project
to renovate the
existing Display
Sign at the Somers
State Police
Barracks

6. RESOLVED, that the Town Board does hereby authorize the approval of an Eagle Scout Project to renovate the existing Display Sign at the Somers State Police Barracks, located on Route 100 by Boy Scout William Walsh, per memo dated December 10, 2015 from Kathy Cucchiaella, Chairman of the Somers Abuse Council/Partners in Prevention.

Survey
Authorization with
Spectra Energy
Partners for four (4)
Town Owned
Parcels for the
Access Northeast
Project

7. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a Survey Authorization with Spectra Energy Partners for four (4) Town Owned Parcels for the Access Northeast Project, which permits Algonquin Gas Transmission, LLC, to enter Town Property for the purposes of making a civil, cultural resource and environmental survey.

JANUARY 14, 2016 – REGULAR MEETING

Statutory
Installment Bond
for the purchase of
Town Equipment

8. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a Statutory Installment Bond for the purchase of Town Equipment in the amount of \$365,000.00, per memo dated January 12, 2016 from Robert Kehoe, Director of Finance.

Refund Surety Bond
(Performance Bond)

9. RESOLVED, that the Town Board does hereby authorize the return of a Surety Bond (Performance Bond) for Somers Realty Planned Hamlet Phase 2, Soil Export of Clayton Boulevard, in the amount of \$73,590.00 to Somers Realty Corp., 15 Charles Street, Apt. 12 G, New York, New York 10014, per memo dated December 30, 2015 from Steven Woelfle, Principal Engineering Technician.

The Supervisor said that he was going to be reminding the residents monthly about having their septic systems pumped out. He explained that 5 years ago a Local Law was passed that all who had septic systems were required to have them pump out every 5 years. He said that May 2016 is the fifth year and all systems were required to be serviced. The Supervisor said that this was something that will be enforced.

The Supervisor said he wanted to announce that Saint Luke's Food Pantry was opened on Fridays for 2:00 PM to 6:00 PM to serve the community. He said that food donations could be brought to the church and left in the donation box.

The Supervisor said that Somers Education Foundation Black Jack Ball was going to be held at Villa Barone Hilltop Manor on Saturday, January 23rd from 7:00 PM to 12:00 AM. Councilman Faulkner pointed out that they would be honoring Mr. Robert Antonucci, member of the Somers Lions and dedicated volunteer; Ms. Teresa Lombardi, volunteer; and Mr. Paul Saia, Somers Teacher and State Championship Soccer Coach.

The Supervisor said that the Somers Lions Club Gala, celebrating 50 years of Service to the Community will be held on Friday, May 6th at Villa Barone Hilltop Manor.

Claims for the payment of all Town Bills in the amount of \$451,410.94 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, the meeting was adjourned at 8:30 PM.

Town Clerk

FEBRUARY 4, 2014 – WORK SESSION

Minutes of a work session of the Town Board of the Town of Somers held on Thursday evening February 4, 2016 at 7:00 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Richard G. Clinchy
 Councilman Thomas A. Garrity, Jr.
 Councilman Anthony J. Cirieco
 Councilman William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

This being a work session the following actions were taken:

The Supervisor said that it was in order for the Board to adopt a Resolution approving the Statutory Installment Bond for the purchase of Town Equipment and Vehicles.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$365,000 BONDS OF THE TOWN OF SOMERS, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS ITEMS OF EQUIPMENT AND VEHICLES, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital items; NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Somers, Westchester County, New York, as follows:

Section 1. The following are hereby authorized in and for the Town of Somers, Westchester County, New York:

- a) The purchase of equipment for the Police Department, including incidental expenses, at a maximum estimated cost of \$5,000, being a specific object or purpose having a period of probable usefulness of 5 years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law; and
- b) The purchase of a turf seeder, including incidental expenses, at a maximum estimated cost of \$10,500, being a specific object or purpose having a period of probable usefulness of 5 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law; and
- c) The purchase of a handicap accessible van, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$53,500, being a specific object or purpose having a period of probable

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usefulness of 5 years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law; and

- d) The purchase of a utility vehicle for the Police Department, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$35,500, being a specific object or purpose having a period of probable usefulness of 5 years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law; and
- e) The purchase of a utility vehicle for the Building Department, including incidental equipment and expenses in connection therewith, pursuant to Section 109-b(2)(g) of the General Municipal Law, at a maximum estimated cost of \$15,000, being a specific object or purpose having a period of probable usefulness of 5 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law; and
- f) The purchase of a pick-up truck for the Police Department, including incidental equipment and expenses in connection therewith, pursuant to Section 109-b(2)(g) of the General Municipal Law, at a maximum estimated cost of \$19,000, being a specific object or purpose having a period of probable usefulness of 3 years, pursuant to subdivision 77 (1st) of paragraph a of Section 11.00 of the Local Finance Law; and
- g) The purchase of equipment for maintenance purposes for the Highway Department, each item of which costs \$30,000 or over, including incidental equipment and incidental expenses, at an aggregate maximum estimated cost of \$215,000, being a class of objects or purposes having a period of probable usefulness of 15 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law and with a maximum maturity hereby limited to 5 years; and
- h) The purchase of plow/sander equipment for the Highway Department, including incidental equipment and incidental expenses, at a maximum estimated cost of \$11,500, being a specific object or purpose having a period of probable usefulness of 5 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

It is hereby further determined that the maximum maturity of the serial bonds herein authorized shall not exceed 5 years, except as to the pick-up truck described in Section 1f hereof as to which the maximum maturity shall not exceed 3 years.

Section 2. It is hereby determined that the plan for the financing of the aforesaid aggregate maximum estimated cost of the aforesaid objects or purposes is by the issuance of \$365,000 serial bonds of the Town hereby authorized to be issued therefor, allocated in accordance with the maximum estimated cost of each as set forth in Section 1 hereof.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said Town of Somers, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Somers, Westchester County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Supervisor shall deem best for the interests of said Town; provided, however, that in the exercise of these delegated powers, said Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Rick Morrissey	VOTING	AYE
Councilman Richard G. Clinchy	VOTING	AYE
Councilman Thomas A. Garrity, Jr.	VOTING	AYE
Councilman Anthony J. Cirieco	VOTING	AYE

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Councilman William G. Faulkner

VOTING

AYE

The resolution was thereupon declared duly adopted.

The Supervisor said that it was in order for the Board to rescind the January 7, 2016 Resolution awarding the 2016 Materials for the Highway Department and authorizing go out for re-bid of the 2016 Materials, due to a publishing error.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby rescind the Resolution awarding the bids for 2016 Materials for the Highway Department adopted at the Organizational Meeting, January 7, 2016, and

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize Thomas E. Chiaverini, Superintendent of Highways to go out for re-bid of the 2016 Materials for the Highway Department per memo dated February 3, 2016.

This being a work session no further actions were taken.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, the meeting was adjourned at 10:10 PM.

Town Clerk

DRAFT

FEBRUARY 11, 2016 -- PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening February 11, 2016 at 7:10 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Cirieco
	Councilman	William G. Faulkner

ABSENT:

Also present was Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor explained that this was a continuation of a public hearing with regard to the Draft Comprehensive Plan Update 2015. He said that this was the final meeting on the Draft Plan.

The Supervisor declared the hearing open and asked for comments from the public.

The Supervisor said that they received a lot of input and he thanked all who had written in comments or met with members of the Town Board and Staff. He said that he also wanted to thank all of the Master Plan Committees, this document represented all of their time and effort.

There being no one to be heard on motion of Supervisor Morrissey, seconded by Councilman Clinchy, the public hearing was declared closed at 7:15 PM.

Town Clerk

FEBRUARY 11, 2016 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening February 11, 2016 at 7:05 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Cirienco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that he wanted to open that evening's meeting with a recognition of the passing of two Somers Residents, Ms. Jean Reidy and Mr. Robert Pease. He said that Ms. Reidy passed away on February 8th and Mr. Pease passed on February 9th. He said that Ms. Reidy was the Librarian at Primrose for 40 years in the Town of Somers and a member of the Library Board of Trustees for almost 50 years where she served as President for many years. The Supervisor said that Mr. Pease was the Deputy Town Attorney in 1975 and Town Attorney from 1976 to 1989. He said that he was a caring and faithful Attorney advising the Town during the first SEQRA and Wetlands processes through the development of Pepsi, IBM and the Willows, to name a few. He said that they were both some of the Town of Somers' finest citizens.

Councilman Garrity said that he had Ms. Reidy as his Library Teacher when attended Primrose as a child. He said that Ms. Reidy was also very good friends with his mother and he was able to keep up a relationship with her through the years. He said that one of his proudest moments as a Councilman was a few months ago when he was able to present her with a proclamation from the Town Board for all of her years of service at her Appreciation Party. Councilman Garrity explained how she gave many children their love for reading and touched many of them including his own children. He said that Ms. Reidy was going to be sorely missed.

Councilman Clinchy agreed with Councilman Garrity and stated that Ms. Reidy was one of the driving forces that brought the Library into Reis Park. He said that he believed that was one of the best moves that the Town had ever made. He remembered when he lived in the same neighborhood as the Reidy's and Ms. Reidy would have Tea Parties for all of the girls in the neighborhood.

Councilman Cirienco said that he had the opportunity to attend the Party with Councilman Garrity and Ms. Reidy was full of energy and addressed everyone that was present.

The Supervisor called for a moment of silence to honor both of the amazing residents that had passed.

The Supervisor said that it was in order for the Board to continue a public hearing with regard to the Draft Comprehensive Plan Update 2015.

7:10 PM – hearing open
7:15 PM – meeting reconvened

FEBRUARY 11, 2016 – REGULAR MEETING

PUBLIC COMMENT:

Ms. Jane Pepino, Somerset Drive, said that she lived across the street from the Somers Intermediate School and Somers Middle School and the traffic in that location for after school pickup was very congested. She said that she was concerned that when Somers Crossing was built it was going to add to the congestion at the intersection at Route 100 and 202. She said that she also had concerns with regard to the aquifer that was behind the Somers Middle School. Ms. Pepino discussed with the Board the traffic congestion and the possible increase to the traffic in the area.

Ms. Maureen Devine, Susan Drive, said that she wanted to add something to that evening's comments with regard to Ms. Jean Reidy. She said that she had a 45 year history with Ms. Reidy, she was the Assistant Librarian when the Library was located on the corner of Route 202 and 116. She said that Ms. Reidy was vital in the building of the Library in Reis Park and trying to pass the bond funding.

Ms. Devine said that Mr. Robert Pease was the Town Attorney during her tenure as a Councilman. She said that he was very valuable to the Town and they would refer to him as the sixth Town Board member. She shared the story of how Mr. Pease was hired by the Town and the great experience he gained.

Ms. Alice Molodec, Raemont Road, asked if the Town Board had done anything to have West Somers Park cleaned up since the last time she spoke to the Board. The Supervisor said that this was something that they had the Grant Writers, the Town hired, working on obtaining a grant to address.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirioco, public comment session was declared closed.

EIS Parts 1, 2, and 3 and a Neg Dec with regard to the Draft Comprehensive Plan Update 2015

The Supervisor said that it was in order for the Board to adopt the Environmental Impact Statement (EIS) Parts 1, 2, and 3 and a Negative Declaration with regard to the Draft Comprehensive Plan Update 2015. He said that they were adopting this with any amendments still pending on the EIS.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirioco, it was unanimously,

RESOLVED, that the Town Board does hereby adopt a Negative Declaration and the Full Environmental Assessment Forms Part 1 – Project and Setting, Part 2 – Identification of Potential Impacts and Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance in connection with the Town of Somers Comprehensive Plan Update.

ROLL CALL:	Supervisor Rick Morrissey	AYE
	Councilman Richard G. Clinchy	AYE
	Councilman Thomas A. Garrity, Jr.	AYE
	Councilman Anthony J. Cirioco	AYE
	Councilman William G. Faulkner	AYE

Adopt the Comprehensive Plan

The Supervisor said that it was in order for the Board to adopt the Comprehensive Plan as it was amended.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby adopt the Town of Somers Comprehensive Plan Update as amended.

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ROLL CALL:	Supervisor Rick Morrissey	AYE
	Councilman Richard G. Clinchy	AYE
	Councilman Thomas A. Garrity, Jr.	AYE
	Councilman Anthony J. Cirieco	AYE
	Councilman William G. Faulkner	AYE

Ms. Devine asked when a final Comprehensive Plan would be available to the public. The Supervisor said that it should be available early next week.

Monthly reports

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks and Recreation, Planning and Engineering, Tax Receiver and Director of Finance.

NWJWW Tank Replacement

The next item was a discussion with Mr. Matt Geho, Operations Director, Northern Westchester Joint Water Works (NWJWW). The Supervisor said that along with Mr. Geho, Ms. Catherine Paget was present, and he invited them to meet with the Board that evening to discuss a situation at the Joint Water Works. Mr. Geho gave a PowerPoint presentation with regard to a brief History of the Organization, the failing tank and the work that needed to be done to address the failing tank. He explained the different ways to address the failing tank, bid process and the funding that he was going to need from each Town in the NWJWW. He said that the Town of Somers was responsible for 6% of the total costs of the repairs. Mr. Geho said that they were projecting the cost at \$2.5 to \$3 Million for the total project. Discussion ensued with the Board with regard to what was entailed to complete the repair, how they were currently working around the tank and when they would like to be back up and running.

The Supervisor thanked Mr. Geho for being present that evening. He said that Mr. Geho had only been with NWJWW since 2011 and this was not something that happened overnight. He said that Mr. Geho's predecessors did not follow standard operating procedures by doing inspections of the tank. The Supervisor said that fortunately this was discovered and any catastrophic failure would be avoided.

Councilman Clinchy asked what the Town Board needed to do at that time to proceed with this obvious immediate need of the NWJWW.

Mr. Geho said that he was present to bring this matter to the Town Board's attention and there had been dialog with the staff with regard to options for payment.

The Supervisor said that the Board had been given a Capital Projects Budget that included the tank replacement from Mr. Robert Kehoe, Director of Finance. He said that Mr. Geho was estimating that Somers' share of the repair was going to be \$150,000.00 for the tank and there were additional fees for prep work and engineering fees. He said that the Town's final obligation was going to be about \$300,000.00. Mr. Geho said that they will have firmer numbers in the next couple of weeks when the bids were received.

The Supervisor asked Mr. Kehoe to walk the Board through the estimated projects on how their obligations were going to be met. He said that Mr. Adam Smith, Superintendent of Water and Sewer was also present to answer any questions.

Mr. Smith said that one thing that was not mentioned was that it was the upper portion of the tank that was failing; the lower structure, under the water, was in fine condition. He said that if there was a problem it was going to be with the roof of the structure not the tank itself. Mr. Geho agreed with Mr. Smith and explained that was why they were looking at several different types of tanks as replacements.

The Supervisor said that he had met with Mr. Kehoe and Mr. Smith earlier that week to come up with a solution for the funding with regard to the estimates that they had. Mr. Kehoe explained that they were thinking that the General Fund would loan the money to

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the Water Districts and the Water District would pay the share to NWJWW. He continued that the Water Districts would reimburse the General Fund with interest of 1.25% a year. He said that the question that they needed to answer at that time was how long they wanted to give that loan. Mr. Kehoe said that he laid out scenarios from 1 year to 5 years for the Board's consideration. He said that they were looking at the 3 year scenario which would work out to be \$22.00 a quarter per resident in the District. He said that it was not going to be a tax, it was going to be in their Water Bills.

Round-About at Routes 100 and 35; and reduction of speed on Route 100 from Route 202 to Plumbrook Road

The Supervisor said that the next item was with regard to traffic discussions with regard to a round-about at the intersection of Route 100 and 35 and a reduction of the speed limit on Route 100 from Route 202 to Plumbrook Road from 55 MPH to 35 MPH. He said that these were issues that were currently impacting the Town. He asked the Town Board for their opinion with regard to the two proposed solutions to some of the traffic concerns. Discussion ensued with regard to making the roads safer. The Board was in favor of referring the two items to the Somers Police Department, Fire District and the Highway Department for their comments.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby refer and requests comments from the Superintendent of Highway, Somers Police Chief and the Somers Fire District with regard to the following:

- a. Round-About at the intersection of Routes 100 and 35
- b. Reduction of speed from 55 MPH to 35 MPH on Route 100 from Route 202 to Plumbrook Road

The next item on the agenda was with regard to Somers Crossing. The Supervisor said that item was going to be removed from the agenda at that time at the Applicant's request.

PERSONNEL:

Current Vacancies:

Somers Energy Environmental Committee
Affordable Housing Board (3 – unexpired 2 year terms ending July 11, 2017)

Upcoming Vacancies:

Parks and Recreation Board (2 – 3 year terms ending March 9, 2019)

Appoint Mr. Paul Green probationary Water Maintenance Worker I

The Supervisor said that it was in order for the Board to appoint Mr. Paul Green probationary Water Maintenance Worker I effective February 11, 2016.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the probationary promotion of Paul Green, Water Maintenance Worker to Water Maintenance Worker, Grade I, Grade 6, Step 9 of the CSEA Contract at an annual salary of \$67,596.00 per memo dated February 8, 2016 from Barbara J. Sherry, Secretary to the Supervisor.

Hire L. Maenza for the Nutrition Department as a part-time as needed Driver

The Supervisor said that it was in order for the Board to authorize the hiring of Mr. Lawrence Maenza for the Nutrition Department as a part-time as needed Driver. He said that the start date for this hire would be February 10th at a rate of \$16.00 per hour.

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Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the hiring of Lawrence Maenza Part-time Van Driver for the Adult Transportation Program on an as needed basis at a salary of \$16.00 per hour effective February 10, 2016 per memo dated February 9, 2016 from Barbara Taberer, Director of the Senior Nutrition Program.

Consensus
Agenda

The Supervisor said that the next item on the agenda was the consensus agenda. He pointed out with regard to item 4d they needed to add A-Amp Electrical, Corp. to the list of contracts for Electrical services.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirieco, it was unanimously,

Appoint J. Crawford to
the Somers Energy
Environment Committee

1. RESOLVED, that the Town Board does hereby appoint Jason L. Crawford to the Somers Energy Environment Committee.

Appoint V. D'Agnesse to
the Substance Abuse
Council/Partners in
Prevention

2. RESOLVED, that the Town Board does hereby appoint Vincent G. D'Agnesse to the Substance Abuse Council/Partners in Prevention to fill the unexpired term ending December 31, 2016.

Hire M. Cleary as
Seasonal Laborer for the
Amawalk Shenorock
Water District

3. RESOLVED, that the Town Board does hereby authorize the hiring of Michael J. Cleary as Seasonal Laborer for the Amawalk Shenorock Water District at an annual salary of \$14.00 per hour per memo dated January 28, 2016 from Adam Smith, Superintendent of Water and Sewer.

Execution of the 2016
Annual Renewal

- 4a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execution of the 2016 Annual Renewal with ESI in the amount of \$3,104.00 effective January 1, 2016.

Execute the Collective
Bargaining Agreement
with the International
Brotherhood of Teamsters
Local 456

- 4b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 456 effective January 1, 2016 to December 31, 2020.

Execute applications to
the NY State Dept of
Health for the Water and
Sewer Main extensions
for the proposed Avalon
Bay Communities, Inc.
Site Plan

- 4c. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute applications to the New York State Department of Health for the Water and Sewer Main extensions for the proposed Avalon Bay Communities, Inc. Site Plan.

Execute the 2 year
Service Contract for
Emergency and Non-
Emergency Services for
HVAC with CF Air
Conditioning and
Heating, Inc

- 4d. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the two (2) year Service Contract for Emergency and Non-Emergency Services for HVAC with CF Air Conditioning and Heating, Inc. effective February 24, 2016 to February 24, 2018, per memo dated February 8, 2016 from Efreem Citarella, Building Inspector.

Execute the 2 year
Service Contract for
Emergency and Non-
Emergency Services for
Electrical to A-Amp
Electrical Corp.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the two (2) year Service Contract for Emergency and Non-Emergency Services for Electrical to A-Amp Electrical Corp. effective February 24, 2016 to February 24, 2018, per memo dated February 8, 2016 from Efreem Citarella, Building Inspector.

Execute the two (2) year
Service Contract for
Emergency and Non-
Emergency Services for
Plumbing to Bee and Jay
Plumbing

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the two (2) year Service Contract for Emergency and Non-Emergency Services for Plumbing to Bee and Jay Plumbing effective February 24, 2016 to February 24, 2018, per memo dated February 8, 2016 from Efreem Citarella, Building Inspector.

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Execute the Shared Services Agreement with NYS DOT to facilitate disaster assistance as the need arises

- 4e. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Shared Services Agreement with New York State Department of Transportation to facilitate disaster assistance as the need arises.

Return of Erosion Control Bond

5. RESOLVED, that the Town Board does hereby authorize the return of the following Erosion Control Bond:

a. \$1,000.00 82 Moseman Ave., LLC, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permit 48.18-1-1

Refuse and recycling license for 2016 to Winters Bros. Hauling of CT

- 6a. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2016 to Winters Bros. Hauling of CT, LLC, 307 White Street, Danbury, CT 06810 to collect refuse in the Town of Somers, pursuant to Local Law No. 1-2007, which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2016 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

Refuse and recycling license for 2016 to City Carting, Inc.

- 6b. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2016 to City Carting, Inc., PO Box 17250, Stamford, CT 06907 to collect refuse in the Town of Somers, pursuant to Local Law No. 1-2007, which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2016 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

Update of the Emergency Evacuation Plan for the Somers Town House

7. RESOLVED, that the Town Board does hereby acknowledge the update of the Emergency Evacuation Plan for the Somers Town House per memo dated February 2, 2016 from Barbara J. Sherry, Secretary to the Supervisor.

Budget modifications/transfers

8. RESOLVED, that the Town Board does hereby authorize the following budget modifications/transfers per memo dated February 8, 2016 from Robert Kehoe, Director of Finance:

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$86,002.00 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Robert Kehoe, Director of Finance:

FROM:	001.1990.0400 Contingency	\$86,002.00
TO:	001.1010.0400 Town Board Contractual	\$11,000.00
	001.1110.0100 Town Justices – Pers. Svces.	5,000.00
	001.1330.0100 Tax Collection – Pers, Svces.	750.00
	001.1310.0100 Finance – Pers, Svces.	17,500.00
	001.1440.0400 Engineering Contractual	14,000.00

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001.4020.0100	Vital Statistics – Pers, Svces.	1,950.00
001.1320.0400	Auditor Contractual	100.00
001.1355.0100	Assessment – Pers, Svces.	2,600.00
001.1640.0100	Shared Services – Pers, Svces.	9,000.00
001.7020.0100	Rec Admin – Pers, Svces.	5,200.00
001.1410.0100	Town Clerk – Pers, Svces.	4,600.00
001.8010.0100	Zoning – Pers, Svces.	2,400.00
001.8020.0100	Planning – Pers, Svces.	10,200.00
001.4989.0400	Advance Life Support	2.00
001.8160.0400	Town Cleanup - Drop-off	1,700.00

TOTAL \$86,002.00

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$240,000.00 to cover 2015 costs related to Tax Certioraris per memo dated February 7, 2016 from Robert Kehoe, Director of Finance:

FROM:	001.9060.0800	Health Insurance	\$180,000.00
	001.9010.0800	Retirement – ERS	60,000.00

TOTAL \$240,000.00

TO:	001.1420.0410	Legal Services	\$116,000.00
	001.1930.0400	Refunds – Tax Payments	124,000.00

TOTAL \$240,000.00

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$161,650.00 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Robert Kehoe, Director of Finance and Thomas E. Chiaverini Superintendent of Highways:

FROM:	002.9030.0800	Social Security Tax	\$1,700.00
	002.9060.0800	Health Insurance	7,000.00
	002.9050.0800	Unemployment Insurance	9,500.00
	002.9950.0900	Transfer to General Fund	12,000.00
	002.5112.0100	CHIPs Pers Svces	62,000.00
	002.5140.0110	Misc. Brush/Weeds – Pers Svces O/T	3,000.00
	002.5140.0400	Misc. Brush/Weeds – Contractual	11,800.00
	002.5148.0100	Svces Other Govt's – Pers Svces	1,900.00
	002.5148.0400	Svces Other Govt's – Contractual	1,900.00
	002.9010.0800	Retirement – ERS	21,400.00
	002.9040.0800	Workers Comp.	28,900.00
	002.9045.0800	Life Insurance	750.00

TOTAL \$161,650.00

TO:	002.1980.0400	MTA Tax	\$196.00
	002.5110.0100	General Repairs – Pers Svces	64,000.00
	002.5110.0400	General Repairs – Contractual	9,400.00
	002.5130.0400	Machinery – Contractual	16,700.00
	002.5142.0400	Snow Removal – Contractual	22,704.00
	002.5142.0110	Snow Removal – O/T	47,100.00
	002.9089.0800	Dental Insurance	1,550.00

TOTAL \$161,650.00

FEBRUARY 11, 2016 – REGULAR MEETING

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$29,600.00 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Robert Kehoe, Director of Finance and Thomas E. Chiaverini Superintendent of Highways:

FROM: 002.5142.0400	Snow Removal - Contractual	\$ 29,600.00
TO: 002.0002.3501	CHIPs	\$ 29,600.00

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$2,000.00 to cover 2015 Unemployment Insurance expense per memo dated February 3, 2016 from Andrew Farber, Library Director:

FROM: 005.9010.0800	State Retirement – ERS	\$ 2,000.00
TO: 005.9050.0800	Unemployment Insurance	\$ 2,000.00

RESOLVED, that the Town Board does hereby authorize the following budget modifications/transfers per memo dated February 9, 2016 from Adam Smith Superintendent of Water and Sewer:

RESOLVED, that the Town Board does hereby authorize a budget modification in the amount of \$108,289.00 to cover costs of the Cypress Lane Water Main Capital Project per memo dated February 9, 2016 from Adam Smith Superintendent of Water and Sewer:

FROM: 051.0051.0909	Fund Balance - Unreserved	\$108,289.00
TO: 051.9950.0900	Transfers to Capital Projects	\$108,289.00

RESOLVED, that the Town Board does hereby authorize a budget transfer for Somers Sewer District #1 in the amount of \$11,368.49 to cover 2015 year-end budget overages per memo dated February 9, 2016 from Adam Smith Superintendent of Water and Sewer:

FROM: 040.8120.0400	Sanitary Sewers Contractual	\$ 11,368.49
TO: 040.8110.0401	Sewer Administration	\$ 2,780.09
040.9950.0940	Transfers Capital Fund	8,588.40
	TOTAL	\$ 11,368.49

RESOLVED, that the Town Board does hereby authorize a budget transfer for Amawalk Heights Water District in the amount of \$2,529.23 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Adam Smith Superintendent of Water and Sewer:

FROM: 050.8320.0400	Source Supply	\$ 1,556.87
050.8340.0401	Interfund – ASWD	909.36
050.3840.0400	Transmission Distribution	63.00
	TOTAL	\$ 2,529.23
TO: 050.8310.0401	Administration Interfund	\$ 166.32
050.8310.0400	Administration Contractual	674.97
050.9950.0940	Transfers Capital Fund	1,687.94

FEBRUARY 11, 2016 – REGULAR MEETING

TOTAL \$ 2,529.23

RESOLVED, that the Town Board does hereby authorize a budget transfer for Amawalk Shenorock Water District in the amount of \$23,975.95 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Adam Smith Superintendent of Water and Sewer:

FROM: 051.8320.0400 Source Supply Power & Pumping \$ 23,975.95

TO: 051.9950.0940 Transfers Capital Fund \$ 23,975.95

RESOLVED, that the Town Board does hereby authorize a budget transfer for Windsor Farms Water District in the amount of \$1,895.00 to cover 2015 year-end budget overages per memo dated February 8, 2016 from Adam Smith Superintendent of Water and Sewer:

FROM: 049.8340.0401 Water Transmission later Fund \$ 577.38
 049.8340.0410 Water Transmission Supplies 500.00
 049.3840.0400 Water Transmission Contracted Svces 817.62

TOTAL \$ 1,895.00

TO: 049.8310.0400 Water Administration Contractual \$ 222.93
 049.8320.0400 Water Supply Purchased Water 237.67
 049.9950.0940 Transfers Capital Fund 1,434.40

TOTAL \$ 1,895.00

The Supervisor said that he submitted a letter to be published in the Somers Record with regard to a notice that residents will be receiving with regard to the Community Choice Aggregation Program. He said that he wanted to call everyone's attention to that letter. Councilman Clinchy explained the process in detail and pointed out how residents were going to save on energy costs.

The Supervisor said that he wanted to remind the residents that septic systems needed to be pumped out every 5 years and that the deadline of May 2016 was approaching. He urged all who had not had their septic systems pumped to please do so before May.

The Supervisor said that the Lions' were hosting a Blood Drive on February 20, 2016 at the Somers Middle School from 9:30 AM to 2:00 PM. He urged all that were able to come out and donate blood.

The Supervisor said that Solarize Somers was doing a free, no obligation site visit for anyone who was interested in solar for their homes.

Claims for the payment of all Town Bills in the amount of \$852,259.82 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirioco, the meeting was adjourned at 8:30 PM.

Town Clerk

MARCH 3, 2016 – WORK SESSION

Minutes of a work session of the Town Board of the Town of Somers held on Thursday evening March 3, 2016 at 7:00 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Cirieco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

This being a work session the following actions were taken:

The Supervisor said that it was in order for the Board to refer the Petition of Kearney Realty and Development Group, Inc. for a text change modifying the parameters of the Neighborhood Shopping (NS) Zoning District to the Town of Somers Planning Board, Westchester County Planning Board, Town of Carmel Planning Board and Putnam County Planning Board.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner it was unanimously,

RESOLVED, that the Town Board does hereby refer the Petition of Kearney Realty and Development Group, Inc. for a text change modifying the parameters of the Neighborhood Shopping (NS) Zoning District to the Town of Somers Planning Board, Westchester County Planning Board, Town of Carmel Planning Board and Putnam County Planning Board.

The Supervisor said it was in order for the Board authorize an additional escrow of \$7,900.00 for TRC Engineers, Inc. to complete their Traffic Review of the Environmental Impact Statement for the Boniello Land and Realty, Ltd. with regard to Somers Crossing application.

RESOLVED, that the Town Board does hereby authorize an additional escrow of \$7,900.00 for TRC Engineers, Inc. to complete their Traffic Review of the Environmental Impact Statement for the Boniello Land and Realty, Ltd. – Somers Crossing application.

The Supervisor said that it was in order to award the bids for 2016 Highway Materials with the exception of categories 16A and 16B Catch Basins.

RESOLVED, that the Town Board does hereby award the bids for 2016 Highway Materials with the exception of categories 16A and 16B Catch Basins per memo dated February 23, 2016 from Thomas E. Chiaverini, Superintendent of Highways.

The Supervisor said that it was in order for the Board to authorize the purchase of a Stainless Steel Salt Spreader/Plow/Hydraulic Package retro fit onto a Military Chassis for the Oneida County Contract #1685 at the cost of \$52,830.00.

RESOLVED, that the Town Board does hereby authorize the purchase of a Stainless Steel Salt Spreader/Plow/Hydraulic Package retro fit onto a Military Chassis for the Oneida County Contract #1685 at the cost of \$52,830.00 per memo dated February 29, 2016 from Thomas E. Chiaverini, Superintendent of Highways.

MARCH 3, 2016 – WORK SESSION

This being a work session no further actions were taken.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity the meeting was adjourned at 8:50 PM.

Town Clerk

DRAFT

MARCH 10, 2016 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening March 10, 2016 at 7:00 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Rick Morrissey
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Cirieco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Geraldine Gilmore, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that Senator Terrence Murphy was unable to attend that evening's meeting and give his New York State Senate Legislative update.

Children of the Somers Police Department led the Pledge of Allegiance that evening as they were there for Police Award Night.

The Supervisor said that the first item on the agenda was the Police Award Night.

Chief Driscoll explained that what made the Town of Somers special was that the State Police Department, the Somers Police Department, the Volunteer Fire Department and the EMS all work together in difficult situations.

Chief Driscoll invited Officers Siegel and Porteus of the Somers Police Department to the front of the meeting room. He said that Officer Porteus had three Driving While Intoxicated (DWI) arrests that past year. Chief Driscoll explained the three arrests and presented him with a Certificate of Excellent Police Duty. He thanked Officer Porteus and stated that he saved a lot of lives.

Chief Driscoll said that Officer Siegel was off duty on November 15, 2015, driving with his wife on the Taconic State Parkway when he observed a car being driven erratically. He said Officer Siegel followed the vehicle onto Route 6 and called for assistance and the driver was arrested. He continued that on the same night a Somers resident was killed in a separate DWI incident. Chief Driscoll presented Officer Siegel with a Certificate for Meritorious Service in the Second Degree.

Chief Driscoll said that on February 13th at about 1:45 PM there was a report of a dog in the Amawalk Reservoir behind Kennedy Catholic High School. He said New York State Trooper Spallone, Somers Police Officer Dustin and Somers Volunteer Firefighter Cyrulik were dispatched to the area on Route 138. He said that they arrived on the scene about five minutes later and found the dog in the water, about forty feet out, trying to climb onto the ice. Chief Driscoll said that the temperature that day was about 2°F and the owner of the dog had tried unsuccessfully to rescue the dog and was in his car fighting off hypothermia. He said that the Officers decided that they could not wait for the Fire Department to arrive with their ice rescue equipment because the dog was going to perish. He said that the Trooper found a piece of board and was tied to it with a rope, when he went out into the water and the board sank. Chief Driscoll said the Trooper continued to try and rescue the dog, on the way back the rope broke and the Trooper went in the water. He said that he was close enough to shore that the dog was able to swim by itself to safety and Officer Dustin and Firefighter Cyrulik went in to save Trooper Spallone.

MARCH 10, 2016 – REGULAR MEETING

Chief Driscoll invited Officer Dustin and Firefighter Cyrulik to the front of the room and said Trooper Spallone was not able to be present that evening. Chief Driscoll pointed out that this was the second example that evening of the Emergency Services working together and presented Officer Dustin and Firefighter Cyrulik with certificates in appreciation for what they had done. He said that the owners of the dog also sent a letter of thanks to the Department to show their appreciation.

Chief Driscoll invited Fire Commissioner Chrysogelos, EMS Crockett and Officers Walker and Porteus to the front of the room. He said that on December 26, 2015, the Officers were dispatched to a residence in Purdys where a young woman was not breathing. He said that they observed the two members of the Somers Volunteer Fire Department who were the first to respond assisting the young woman. He said that the Officers were able to give their AED defibrillator to be used to shock the young woman and save her life. Chief Driscoll presented certificates of appreciation to Fire Commissioner Chrysogelos, EMS Crockett and Officers Walker and Porteus. Chief Driscoll said that Somers was lucky to have people like them and he was very proud.

Councilman Garrity said that the Fire Department and Police Department do a great job. He said that he has had the opportunity to do multiple ride-alongs with the Police and saw what they did each day. He thanked all the Police and said that they did a phenomenal job. Councilman Garrity said there was a house fire on his street a few years ago and the Fire Department went above and beyond to make sure that the area was safe. He thanked everyone for what they did for the Town every day.

The Supervisor said that the number of calls for 2015 is posted outside the Lincolndale Fire Department and they responded to over 2,000 calls. He also thanked them for their service to the Town.

7:21 PM -- 5 minute break
7: 25 PM – meeting reconvened

PUBLIC COMMENT:

There being no one to be heard on motion of Supervisor Morrissey, seconded by Councilman Faulkner, public comment session was declared closed.

Monthly
Reports

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks and Recreation, Planning and Engineering, Tax Receiver and Director of Finance. She also announced a new liquor license application from Salsa Verde Enterprises, Inc. located in Somers Town Shopping Center.

The next item on the agenda was to authorize continuation of Recreation Office hours to open at 8:00 AM.

Councilman Clinchy said that he was glad that they were continuing those hours. He said that office staff came in at 8:00 AM and some of the professional staff stay until 4:30 PM so the hours were staggered which meant that they could be opened longer. He said that allowed more access to the public. The Supervisor commended Mr. Ralston for taking the initiative to move the hours around in order to serve the residents better.

Recreation
Office hours

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the continuation of Recreation Office hours to open at 8:00 AM per memo dated March 3, 2016 from Steven Ralston, Superintendent of Parks and Recreation.

MARCH 10, 2016 – REGULAR MEETING

The Supervisor said the next item was to authorize the hiring of Brendon Scrobol, Maintenance Laborer, to be shared with the Parks Department and Water Department.

Appoint Mr
Brendon
Scrobola as
Maintenance
Laborer

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the hiring of Brendon Scrobola as a Maintenance Laborer, Grade III Step II of the CSEA Contract, at an annual salary of \$35,831.00 to be shared between Parks Department and the Water Department, effective March 14, 2016 per memo dated March 1, 2016 from Steven Ralston, Superintendent of Parks and Recreation.

The Supervisor said that the next item was to authorize the writing off a \$15,732.50 loan from the General Fund to Capital Project Fund 59 for costs related to the proposed acquisition of the Heritage Hills Infrastructure. He explained that a number of years ago there was an evaluation of the Heritage Hills Water and Sewer Plants for possible takeover by the Town. He explained that did not happen and the loan was being paid back to the General Fund.

Writing off
loan

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize writing off a \$15,732.50 loan from the General Fund to Capital Project Fund 59 for the cost related to the proposed acquisition of the Heritage Hills Infrastructure per memo dated March 3, 2016 from Robert Kehoe, Director of Finance.

The next item on the agenda was to authorize the release of \$60,000 Letter of Credit to Diamond Getty Inc. The Supervisor said that this was a bond for infrastructure work which was never done. He explained that the Department of Transport came through and reworked the whole intersection. Mr. Woefle advised that the work is no longer relevant and the bond should be released.

Release of
Letter of
Credit

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the release of \$60,000.00 Letter of Credit to Diamond Getty, Inc., 87 Route 6, Baldwin Place, New York per memo dated February 24, 2016 from Steven Woefle, Principal Engineering Technician and e-mail dated March 1, 2016 from Roland A. Baroni, Jr., Town Attorney.

The Town Attorney said that he believed that the Letter of Credit was for \$50,000 and a \$10,000 cash deposit and not everything is to be returned to the same person. He said that the Town needed to ensure that the funds were returned to the appropriate parties due to litigation between them.

The Supervisor said that the next item on the agenda was a request to purchase a Town Owned property from Mr. Douglas Lee. Councilman Faulkner asked about zoning for this piece of property. He said that he believed that Mr. Lee intended to do nothing with the land but wanted to verify that there was going to be a Deed Restriction on the land. The Town Attorney said that if granted a Deed Restriction would be placed on Mr. Lee's Deed. It was agreed to refer this request to Parks, Highway and Planning and Engineering for their review and comment.

Purchase of
Town property

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirioco, it was unanimously,

MARCH 10, 2016 – REGULAR MEETING

RESOLVED, that the Town Board does hereby refer Mr. Douglas W. Lee's request to purchase two (2) Town Owned parcels, Section: 5.15 Block: 3 Lot: 37 and Section: 5.15 Block: 3 Lot: 40, to Parks and Recreation, Superintendent of Highways, Planning and Engineering for their review and comment.

Somers
Crossing

The next item was with regard to the Somers Crossing Final Environment Impact Statement (FEIS). The Supervisor said there had been a flurry of activity this week by all parties involved.

Mr. Fred Wells, Tim Miller Associates, said that a number of comments had been received and the document had been revised since the last meeting. Ms. Bonnie Von Ohlsen handed out a document listing all of the revisions to the Board, Mr. Wells pointed out the major changes made since the last copy was received. He said that a lot of the changes were only minor edits. The Supervisor said that there would not be an opportunity for the Board to review all the changes that night but Mr. Wells was satisfied that the document was ready for acceptance.

Mr. Wells said that the applicant would revise the FEIS so that it adequately addressed the concerns and comments raised during the public hearing period. He brought to their attention a table in the handout. Discussion then ensued with regard to the recreation facility being proposed and the number of sidewalk improvements being proposed. Mr. Wells also mentioned the possibility of a land dedication for future sidewalks.

Mr. Wells pointed out the donation of one special needs unit to the Town or the appropriate entity. He said that another donation would be the paving of a parking lot on land currently owned by the Fire Department for possible future public use. He said that the proposal was for Somers Crossing to connect to the Heritage Hills Sewer and Water Systems and that would also provide access to adjacent parcels. The Town Attorney asked whether the lines were being sized appropriately. Mr. Wells replied that they were and stated that there was a detailed cost description in the back of the document. Discussion ensued with regard to sidewalk language, affordable housing, zoning changes and the benefit of the grocery store.

The Supervisor said that Mr. Wells and the two other Consultants had rendered an opinion that the FEIS was complete and Ms. Von Ohlsen had given the Board the corrections that will be incorporated into a final document before circulation. Mr. Wells pointed out that the fiscal analysis was going to change due to the proposed inclusion of the 66th unit. He said that they should accept the document with the caveat that it was approved by him before the final circulation.

Councilman Garrity asked about the reconfigured driveway and traffic signal and verified that the responsibility would be handled by both parties. Mr. Boniello explained that he would be responsible for the upgrade of the signal and the future operating costs would be shared with Heritage Hills.

FEIS Statement
Acceptance and
circulation

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby accept the Final Environmental Impact Statement (FEIS) for Somers Crossing, Boniello Land & Realty, LTD. as complete and;

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the circulation of the FEIS to all Involved and Interested Agencies.

MARCH 10, 2016 – REGULAR MEETING

ROLL CALL:	Supervisor Rick Morrissey	AYE
	Councilman Richard G. Clinchy	AYE
	Councilman Thomas A. Garrity, Jr.	AYE
	Councilman Anthony J. Ciriaco	AYE
	Councilman William G. Faulkner	AYE

The Supervisor said that the next item was a discussion with regard to the funding for Water Storage Tank replacement for Northern Westchester Joint Water Works (NWJWW). He reminded the Board of the failing tank which served about 20% of Somers residents. He said that they were requesting that Somers comes up with their share of the cost so that NWJWW can start the bid process. He said that he saw no reason why the Town should not agree to that.

NWJWW tank replacement

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the payment of \$150,000.00 to the Northern Westchester Joint Water Works (NWJWW) for the Catskill Treatment Plant 3MG Water Storage Tank Replacement.

PERSONNEL:

Current Vacancies:

Somers Energy Environment Committee
Affordable Housing Board (3 – unexpired 2 year terms) ending 7/11/2017
Parks & Recreation – (2 – 3 year terms) ending 3/9/2019

The Supervisor said that it was in order for the Board to acknowledge the resignation of Mr. Gary Friedman from the Parks & Recreation Board. The Supervisor added that Mr. Friedman had been an asset to the Town and he was very active in the community. He said that he wanted to thank Mr. Friedman for all his service to the Town. Councilman Clinchy also thanked Mr. Friedman and said that he would be missed.

Resignation of G. Friedman from the Parks & Recs Board

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge the resignation of Gary Friedman from the Parks and Recreation Board per e-mail dated February 23, 2016 from Gary Friedman.

The Supervisor said that it was in order for the Board to reappoint Mr. James Papa to a 3-year term ending March 9, 2019 on the Parks & Recreation Board.

Reappoint J. Papa to Parks & Recs Board

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the reappointment of James V. Papa to the Parks and Recreation Board to a three (3) year term ending March 9, 2019.

The Supervisor said that it was in order for the Board to authorize the hiring of Ms. Teresa Delaney as Assessment Clerk.

Hire T. Delaney as Assessment Clerk

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the hiring of Teresa Delaney as Assessment Clerk, Grade IV Step I of the CSEA Contract, at an annual salary of

MARCH 10, 2016 – REGULAR MEETING

\$41,000.00, effective March 14, 2016 per memo dated March 4, 2016 from Barbara J. Sherry, Secretary to the Supervisor.

Consensus Agenda

The next item on the agenda was the consensus agenda. He said that they were removing item number 4, per memo from the Building Inspector. Councilman Faulkner asked with regard to item number 5, why they were removing that property from the Tax Roll. The Supervisor explained that the Town was rectifying a coding anomaly.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, it was unanimously,

Return Maintenance Bond and Erosion Control Bond

1. RESOLVED, that the Town Board does hereby authorize the release and return of the following Bonds per memo dated March 1, 2016 from Steven Woelfle, Principal Engineering Technician:

- a. \$11,555.00 Maintenance Bond – Rosemary Zappi Subdivision – 28.09-1-8
- b. 955.00 Erosion Control Bond – Nuclerio Property Site Plan – 4.20-1-7

Execute Agreement with CodeRED Services

2a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a three (3) year agreement with CodeRED Services, effective April 13, 2016 in the amount of \$37,750.00, \$9,250.00 per year.

Execute 2016 Town Tax Warrant

2b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2016 Town Tax Warrant.

Execute Records Management Grant Application

2c. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2016 Records Management Grant Application to New York State Achieves.

Schedule Public Hearing for Police Dept

3. RESOLVED, that the Town Board does hereby schedule a public hearing for April 14, 2016 with regard to a proposed Local Law amending Chapter 46 of the Code of the Town of Somers entitled Police Department to add Article II. Residency Requirements.

Authorize Removal of Property from Tax Roll

5. RESOLVED, that the Town Board does hereby authorize the removal of 1 Route 199, Section: 58.08, Block: 1, Lot: 4, from the Tax Roll due to exemption status per memo dated February 23, 2016, from Joan Ribaldo, Receiver of Taxes.

6a. RESOLVED, that the Town Board does hereby authorize a Request for Proposal (RFP) be sent to replace half of the wood shingled roof of the Wright-Reis Homestead per memo dated February 19, 2016 from the Historical Properties Board.

RFP to replace half of the wood shingled roof of the Wright-Reis Homestead

6b. RESOLVED, that the Town Board does hereby authorize a Request for Proposal (RFP) be sent for the cleaning of the windows, carpets and floors of the Town House and Annex and the cleaning of the upper gutters of the Town House, Annex and Wright-Reis Homestead per memo dated February 16, 2016 from Efreem Citarella, Building Inspector.

Authorize a refund of Town and County taxes

7. RESOLVED, that the Town Board does hereby authorize a \$878.50 refund of Town and County taxes to Maryellen Olin Myers, per e-mail dated February 24, 2016 from Teresa Stegner, Assessor.

Authorize a refund of Town and County taxes

8. RESOLVED, that the Town Board does hereby authorize a \$410.05 refund of Town and County taxes to Rodd, Linde & Erika Kauffman, per

MARCH 10, 2016 – REGULAR MEETING

letter dated March 2, 2016 from Mary Beth Murphy, Executive Director, Westchester County Tax Commission.

Authorize display of NAMI ribbons

9. RESOLVED, that the Town Board does hereby authorize the display of no more than twenty-five (25) white National Alliance of Mental Illness (NAMI) ribbons around the Town of Somers to raise the awareness of mental illness from May 1, 2016 to May 31, 2016.

Authorize Budget Transfers

10. RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$1,573.00 to cover 2015 year-end budget overages per memo dated February 25, 2016 from Robert Kehoe, Director of Finance:

FROM: 001.1990.0400 Contingency \$1,573.00

TO: 001.1420.0510 Legal Services \$1,573.00

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$1,432.00 to cover Water System Modeling Project previously coded as transfer out to Capital Project for the Winsor Farm Water District per memo dated March 4, 2016 from Robert Kehoe, Director of Finance:

FROM: 049.9950.0940 Capital Fund Transfer \$1,432.00

TO: 049.8340.0400 Water Transmission Contractual Expense \$1,432.00

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$1,687.94 to cover Water System Modeling Project previously coded as transfer out to Capital Project for the Amawalk Heights Water District per memo dated March 4, 2016 from Robert Kehoe, Director of Finance:

FROM: 050.9950.0940 Capital Fund Transfer \$1,687.94

TO: 050.8340.0400 Water Transmission Contractual Expense \$1,687.94

RESOLVED, that the Town Board does hereby authorize a budget transfer in the amount of \$23,250.00 to cover Water System Modeling Project previously coded as transfer out to Capital Project for the Amawalk Shenorock Water District per memo dated March 4, 2016 from Robert Kehoe, Director of Finance:

FROM: 051.8310.0400 Water Administration Contractual Expense \$23,250.00

TO: 051.8340.0400 Water Transmission Contractual Expense \$23,250.00

The Supervisor said that he had signed a contract under the Community Choice Aggregation Program. He explained that the Town had locked in at a price of \$0.695 per kilowatt hour for residential and small commercial property. He said that the average NYSEG customer in Somers had been paying \$0.759 per kwh for residential and \$0.8414 for small commercial. The Supervisor said that the rates would be going up but now the Town had a three-year deal and those new rates would stay the same. He thanked all those involved and said that all the information was available on the Town website. He said that this was a great accomplishment and a great benefit for the Town.

MARCH 10, 2016 – REGULAR MEETING

Councilman Faulkner wished everybody a Happy St Patrick's Day, Happy Easter and Passover. He said that the rescheduled Somers Education Foundation Blackjack Ball would be on March 19th at Villa Barone Manor in Mahopac. He said that they had three wonderful honorees that night from the community.

Councilman Faulkner said that he also wanted to announce that there would be a Pasta Dinner Fundraiser at the Amawalk Fire House for the Herbert family on Saturday, March 12th, from 4:00 PM to 8:30 PM. He asked that everyone come out to support that very worthy cause.

Councilman Clinchy said that he wanted to remind everyone that March Madness was underway and to give his annual basketball report. He said that last year the Boys' Basketball Team had a record-setting season but this year the Girls were 18 and 2 and were ranked in the State for a while and had their best season ever. He said that the Sectional Basketball Tournament just completed and Mr. Roman Cattalino, Somers Athletic Director, was the Sectional Basketball Chairman, Mr. Richard Leaf who lives in Heritage Hills was the voice of Westchester Basketball and Mr. Howard Green, also of Heritage Hills, was the Head Official.

Councilman Clinchy also wanted to announce that the Annual Easter Egg Hunt would take place on March 19th at Reis Park at 10:00 AM.

Councilman Clinchy announced that April 2nd was the 50th Anniversary Reunion and Plaque Dedication of the Somers Circus Stamp Day. He said that there would be a dedication at 12:00 PM at the Somers Post Office and then the Original Elephant Float from the 1964 World's Fair will travel to the Somers Library for a reception from 1:00 PM to 3:00 PM where the Somers Historical Society would make a Presentation. The Supervisor added that it will be explained why Somers was the Cradle of the American Circus.

Councilman Clinchy announced that Solarize Somers was supposed to end on March 7th but it had been extended to the end of the month. He said that there was a link on the Town website with more information.

Councilman Ciriaco held up a leaflet and said that he wanted to remind everyone that five years ago the Town Board adopted a Local Law requiring all residents with septic systems to pump them out every 5 years and that the deadline of May 2016 was approaching. He said that residents who have not had their septic system inspected may be subject to a \$200.00 fine and all the relevant information was on the Town website. The Supervisor clarified that an inspection meant an evacuation of the septic system.

Councilman Ciriaco also wanted to remind the residents that Daylight Savings Time would be the weekend of March 12th and clocks needed to be set forward. He said that the Fire Department also wanted to remind everyone to change the batteries on both Smoke Detectors and Carbon Monoxide Detectors.

Councilman Garrity announced that on Sunday, April 3rd, the Lions' would be hosting their Annual Pancake Breakfast at Somers High School cafeteria from 8:00 AM to 12:00 PM. He said that this was where Little League Softball and Baseball uniforms were handed out. He said that they expect to serve between 1,000 and 1,500 breakfasts.

Councilman Garrity announced that the Lions' Club would be hosting their 50th Anniversary Gala on Friday, May 6th, at 7:00 PM at Villa Barone. He believed that the event was close to selling out if not sold out although they were still accepting donations and placements of ads for their journal.

Councilman Garrity said he had two other announcements. He said the first was the third largest Saint Patrick's Day Parade in New York which happened to be in Mahopac would

MARCH 10, 2016 – REGULAR MEETING

be on Sunday, March 13th at 2:00 PM. He said that the second was that past weekend, together with his son and the Supervisor, he had volunteered at the Special Olympics for the Basketball Skills Event. He said that it was great to see the joy of those young adults hitting the rim and getting a point and how excited they were for each other. Councilman Garrity said that it was a fantastic experience and he hoped to continue doing it every year. He said that spring there would be a Special Olympics Spring Event, he thought at Somers High School. He said that it would be much larger than the Basketball Event and they would need volunteers. Councilman Garrity said that as the time got closer he would have additional information. He said that he and the Supervisor had a great time at the event.

The Supervisor said that the Somers Litter Task Force would be present at the Pancake Breakfast handing out trash bags for the Town-wide Clean Up. He said he wanted to remind all residents that if there is debris in front of their house, to make the effort to collect it. He said that his office should be contacted if residents do not wish to receive the blue-wrapped Express Advertisement that was thrown in their driveways.

The Supervisor wished everyone a Happy St Patrick's Day and urged everyone to be safe and smart.

Claims for the payment of all Town Bills in the amount of \$704,589.91 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, the meeting was adjourned at 8:20 PM.

Town Clerk

cc: TB April 14 Agenda
TC
TA
Finance

Telephone
(914) 277-3539

FAX
(914) 277-3790

BUILDING DEPARTMENT

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

EFREM CITARELLA
Building Inspector



April 8, 2016

Memo

To: Rick Morrissey, Supervisor
Town Board

From: Efrem Citarella *EC*
Building Inspector

Re: Municipality - Building Department System Proposal

On March 17, 2016 Teresa Stogner, Tammi Savva, Ray Maggi, my staff, and myself met with Wil LaBossier of SCA (Software Consulting Associates). We are requesting to purchase the updated software to replace the current Building Department software with SCA. The software allows the Building Department to create permits, create Certificate of Occupancies, track inspections, and record additional data. We found that the best programs for the Town of Somers are Municipality 5 and Municipality Mobile. The cost of Municipality 5 is \$7,900.00. The cost of Municipality Mobile is \$1,500.00 plus an annual fee of \$300.00 for a 1 gig data plan for a total of \$1,800.00. (Samsung Galaxy tablet included at no cost) Subsequent annual costs will be \$1,500.00 for maintenance and \$300.00 data plan for a total of \$1,800.00.

*Data plan subject to change upon expiration of two year contract.

MUNICIPALITY SOFTWARE REQUEST

Municipality 5	Fee
Data Conversion	\$ 2,000
Base Software	\$ 4,200
Setup, Installation & training	\$ 1,700
TOTAL	\$ 7,900

Municipality 5	Fee
Building Dept. annual maintenance	\$ 800
Planning & Engineering Dept. annual maintenance	\$ 500
SUBTOTAL	\$ 1,300

Municipality Mobile	Fee
Initial set up & 1st user	\$ 1,500
Samsung Galaxy tablet	FREE
**Data plan (\$25 per month-1 gig)	\$ 300
TOTAL	\$ 1,800

Municipality Mobile	Fee
*Annual maintenance (per user)	\$ 200
**Data plan (\$25 per month-1 gig)	\$ 300
SUBTOTAL	\$ 500

SUBSEQUENT ANNUAL COST TOTAL \$ 1,800

Municipality 5 will replace SCA (currently used in the Building Dept.) and Municipality (an older version, currently used in the Planning & Engineering Dept.) Both of these programs currently cost \$2,200.00 for annual maintenance. The town will see a reduced annual maintenance fee of \$400.00 with this proposed update.

Per Wifi - we will receive a complementary Samsung Galaxy tablet.

*We are currently purchasing one Samsung Galaxy tablet, therefore above represents an annual maintenance fee for one user.

**This is a Verizon Data Plan purchased thru Wifi. Price subject to change upon expiration of two year contract.

TEL:914-277-3323
FAX:914-277-3960

TOWN CLERK'S OFFICE

Town House
335 Route 202
Somers, N.Y. 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



KATHLEEN R. PACELLA
TOWN CLERK

RESOLUTION

RESOLVED, that the Town Board does hereby authorize additional hours to Syrette Dym, Town Planner from 29 hours per week to 35 hours per week at an annual salary of \$97,125.00 for a one year period beginning May 11, 2015 and ending on May 10, 2016 and,

DOES HEREBY, authorize the Supervisor to execute contract for same.

I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of Somers at a Regular Meeting held on May 14, 2015.

Dated: May, 15, 2015


Town Clerk

Cc: Supervisor
Director of Finance
Syrette Dym

Telephone
(914) 277-3539

FAX
(914) 277-3790

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Efrem Citarella
Building Inspector

*April 14 Agenda
EC-TB-TC-TA
Fur
4/5/16 bjp*



MEMO TO: Town Board

FROM: Efrem Citarella, Building Inspector

RE: Permanent Status Charles Dammeyer

DATE: April 5, 2016

Please be advised that Charles Dammeyer was hired as a full-time employee on January 1, 2015. I would like to have his status changed from probationary to permanent full-time.

EC -
TB 4/5/16 BJS

PLANNING AND ENGINEERING DEPARTMENT'S

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
885 ROUTE 902
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swocflc@somersny.com



Syrette Dym, AICP
Town Planner
sdym@somersny.com

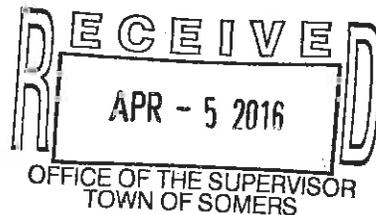
Date: April 5, 2016

To: Town Board
ARB
Fire Prevention Bureau
Highway

From: Planning Department

Re: The following is submitted for your review and comment.

Project Name: The Crossroads at Baldwin Place
Plan: See Cover Letter
Dated: March 30, 2016
Prepared by: Insite Engineering



Referral is made under the provisions of the following regulations:

- 1. Informal Discussion: _____
- 2. Final Subdivision Approval: _____
- 3. Preliminary Subdivision: _____
- 4. Site Plan: _____ X _____
- 5. Wetland Activity Permit:
Administrative _____
Planning Board _____
- 6. Steep Slope Permit:
Administrative _____
Planning Board _____

EC -
TB 4/5/16 Bjs

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Town Planner
sdym@somersny.com

Date: April 5, 2016
To: **Town Board**
ARB
Fire Prevention Bureau
Highway
From: Planning Department
Re: **The following is submitted for your review and comment.**



Project Name: The Crossroads at Baldwin Place
Plan: See Cover Letter
Dated: March 30, 2016
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Referral is made under the provisions of the following regulations:

- 1. Informal Discussion: _____
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- 4. Site Plan: _____ X _____
- 5. Wetland Activity Permit:
Administrative _____
Planning Board _____
- 6. Steep Slope Permit:
Administrative _____
Planning Board _____

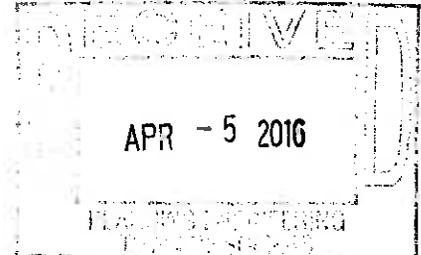
2
C-
PB
TP
CTC

CHARLES V. MARTABANO
Attorney at Law

9 Mekeel Street
Katonah, New York 10536
cmartabano@gmail.com
(914) 242-6200 Telephone
(914) 242-3291 Facsimile
(914) 760-9241 Cell

April 4, 2016

VIA EMAIL DELIVERY
Chairman John Currie and
Members of the Planning Board
Town of Somers
335 Route 202
Somers, New York 10589



Re: The Crossroads at Baldwin Place
57 US Route 6
Tax Map #4.20-1-3.1

980

Dear Chairman Currie and Members of the Planning Board:

Please be advised that the undersigned is counsel to the Kearney Realty & Development Group, Inc. (hereinafter "the Applicant"), proponent of the project known as The Crossroads at Baldwin Place (hereinafter "the Project"). By this letter, I wish to set forth the Applicant's position with respect to certain aspects of the SEQRA process as same pertain to the processing of this application. The position of the Applicant as set forth herein was discussed at length with Director of Planning Syrette Dym and Town Attorney Roland Baroni in a pre-application meeting held at the Director of Planning's offices on March 9, 2016 and was further discussed with Director of Planning Syrette Dym and Town Consultant Planner Sarah Brown in discussions with the undersigned on March 31, 2016. At the conclusion of the aforementioned discussions it was suggested that I provide the information set forth herein and in the attached for your Board's consideration.

As set forth in the letter from Rich Williams of Insite Engineering, Surveying & Landscape Architecture, P.C. (hereinafter "Insite") dated March 30, 2016, and as discussed with your Board at its March 9, 2016 meeting, for SEQRA purposes, it is the intent of the Applicant to rely upon the Negative Declaration adopted by your Board on February 13, 2013 in connection with a prior iteration of the Project at this location known as "The Green at Somers Project" (hereinafter "The Green Negative Declaration"). Specifically, it is the intent of the Applicant to demonstrate to the satisfaction of your Board that an analysis of the comparison between the Project and its impacts and proposed mitigation to The Green at Somers Project and

the SEQRA analysis upon which The Green Negative Declaration was based should result in a determination on the part of your Board to adhere to and reaffirm the previously issued negative declaration, modified as appropriate to reflect the current project parameters and the impacts and mitigation associated therewith. To that end, there was attached to the Applicant's submission a document entitled "Proposed Action Comparison to Previously Issued Negative Declaration" dated March 30, 2016 (hereinafter "the Comparative Analysis"). The Applicant respectfully submits, as set forth in detail below, that the procedure requested to be followed by your Board as lead agency for SEQRA purposes is completely appropriate and has been determined to be so through a recent decision by the Commissioner of NYSDEC. Moreover, due to unique timing constraints applicable to the issuance of a building permit for construction of the Project, utilization of this procedure is essential to the potential success of the Project.

As set forth above, the procedure suggested by the Applicant and the propriety of same is based upon a recent (July 2012) decision by the Commissioner of NYSDEC in connection with a lead agency dispute between the Village Planning Board (hereinafter "VPB") and the Town Planning Board (hereinafter "TPB") of Red Hook, New York. A copy of the decision of the Commissioner dated July 19, 2012 (hereinafter "the NYSDEC Determination") is attached hereto for your review. As can be seen from the content thereof, said dispute related to the propriety of actions taken by the VPB as lead agency pursuant to SEQRA when a project which was the subject of a prior negative declaration and approvals by the VPB: (1) went dormant for six (6) years following issuance of the negative declaration with all approvals expiring; (2) was thereafter sold to a new applicant; (3) was modified and resubmitted for approval based upon the negative declaration issued six (6) years previously; and (4) was the subject of changes to the zoning code and subdivision regulations applicable to the Town of Red Hook.

Following submission of a new application by the project sponsor¹ with a revised project, the VPB analyzed the revised project and concluded that there were no significant changes to the project warranting further additional study or a reversal of the previously issued negative declaration. As the VPB was the lead agency for the review of the prior project proposed for the site and had already issued a negative declaration as aforesaid, the VPB took the position that, as the duly designated lead agency, it was appropriate to reaffirm the 2006 negative declaration with a revised or updated negative declaration. The VPB then issued what was described by the Commissioner as a "courtesy notification" to previously involved agencies informing them that they had received new applications from the new sponsor and that the TBP intended to reapprove the action in their role as the original lead agency. Upon receipt of such courtesy notification, the TBP objected and circulated its own notice of intent to assume lead agency status. The dispute was therefore submitted to the Commissioner for determination.

¹ Ironically, the applicant/project sponsor of the project involved in the Red Hook NYSDEC determination was Kearney Realty & Development Group, Inc., the Applicant herein.

As set forth in the NYSDEC Determination, the Commissioner dismissed the lead agency challenge and, in so doing, concluded that the SEQRA regulations precluded any need or legal ability on the part of the TBP as an involved agency to attempt to cause the SEQRA process to be "restarted" despite:

- a. the passage of seven (7) years from the date of determination of the lead agency for coordinated review;
- b. the passage of six (6) years from the date of the approvals of the earlier iteration of the project;
- c. the lapsing of all prior approvals;
- d. proposed changes to the project;
- e. changes of ownership and applicant;
- f. changes of zoning regulations and subdivision regulations for the Town of Red Hook.

In determining that the actions of the VPB as lead agency for SEQRA were appropriate under the circumstances, the Commissioner relied upon the initial lead agency determination process and concluded in pertinent part as follows:

"The fact that the new project sponsors may need one or more additional approvals for the same project does not serve to reopen the lead agency coordination process. The same is true with respect to the fact that the project sponsor has made minor modifications to the project or that the Village Planning Board exercised due diligence in evaluating whether there were substantial changes or circumstances that warranted a reevaluation of the negative declaration issued in 2006."

It is respectfully submitted that the NYSDEC Determination in the Red Hook case confirms the propriety of your Board administering the SEQRA process in the same manner as requested by the Applicant. Indeed, it is respectfully submitted that the facts applicable to this matter are less significant (in terms of the passage of time between applications) than the circumstances involved in the Red Hook case. Here, the Applicant is requesting that your Board, the duly constituted lead agency in connection with the review of the prior and current applications, conduct a review of the proposed modifications to the Project with the appropriate inquiry being whether the proposed Project changes can be viewed as posing significant adverse environmental impacts which have not been appropriately mitigated with the result that the changes themselves can be viewed as creating significant adverse environmental impacts on a comparative basis. If your Board determines that the changes cannot be viewed as creating significant adverse environmental impacts not appropriately mitigated, it is respectfully submitted that your Board should adhere to its prior negative declaration and reaffirm same, modified as appropriate to reflect the Project changes.

Accordingly, the Applicant believes that the appropriate manner in which to implement the SEQRA process with respect to the Project would be for your Board to perform its due diligence in connection with its review of the Comparative Analysis and, if your Board determines that the Project changes cannot be viewed as creating significant adverse environmental impacts not appropriately mitigated, your Board should resolve to affirm the previously issued negative declaration, appropriately modified to reflect Project changes. If your Board determines to act in this manner, at your discretion your Board could issue an appropriate courtesy notification to other involved agencies in like manner to the procedure utilized by the VPB in the Red Hook matter.

I hope that the foregoing and the attached adequately demonstrates to the satisfaction of your Board that the procedure for implementation of the SEQRA process as outlined above is indeed appropriate under the circumstances applicable to the Project. If, however, any member of your Board or any consultant or counsel to your Board requires any further information pertaining to same, I would be most happy to address any issues, questions or concerns.

Yours very truly,



Charles V. Martabano

cc: Director of Planning Syrette Dym
Town Consultant Planner Sarah Brown
Town Attorney Roland Baroni, Esq.
Kearney Realty & Development Group, Inc.
Insite Engineering, Surveying & Landscape Architecture, P.C



Joe Martens
Commissioner

July 19, 2012

Ms. Christine Kane, Chair
Town of Red Hook Planning Board
7340 South Broadway
Red Hook, New York 12571

Ms. Victoria L. Polidoro, Esq.
Attorney for the Village of Red Hook Planning
Board
Rapport Meyers, LLP
20 Spring Brook Park
Rhinebeck, NY 12572

Reference: Lead agency dispute: Village of Red Hook Planning Board v. Town of Red Hook Planning Board, Anderson Commons Project, Dutchess County, New York

Dear Ms. Kane and Ms. Polidoro:

This letter is in response to your letters¹ to the Commissioner requesting that a lead agency be designated for the environmental review of the proposed Anderson Commons development ("the project" or "Anderson Commons") under the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law; "SEQR"). The project is partially located in the Town of Red Hook and partially in the Village of Red Hook. Both the Town of Red Hook Planning Board ("Town Planning Board") and the Village of Red Hook Planning Board ("Village Planning Board") seek to assume the role of lead agency for the SEQR review of this project.

Based upon the materials submitted by the Village and Town planning boards and the project sponsor, the Department finds that there is no basis for the Commissioner to make the requested designation as the SEQR lead agency coordination process was completed in 2005 and there is no basis to now re-establish lead agency.² Therefore, the dispute is dismissed.

¹ The Town Planning Board's letter is dated March 5, 2012 and the Village Planning Board letter, submitted by Rapport Meyers LLP, is dated March 23, 2012.

² In the past, the Department has dismissed lead agency disputes submitted to the Commissioner where the party filing the dispute lacked standing to do so and where there was only one involved agency. This case presents a different circumstance where the coordination has already occurred, the time to challenge that process has expired, and there is no basis for reestablishment of lead agency.

Facts

Anderson Commons is a mixed-use development consisting of a commercial component, townhouses, and single-family detached structures on approximately 49 acres with the majority of the development occurring in the town.

In 2005, the Village Planning Board conducted a coordinated review under SEQR with the Town Planning Board, as well as other involved agencies. The Village Planning Board, with the consent of the Town Planning Board, served as lead agency for the project.

On March 29, 2006, the Village Planning Board published notice of a negative declaration in the Environmental Notice Bulletin. Thereafter, the Village Planning Board approved the preliminary subdivision plat and granted conditional final subdivision approval for the project. The Town Planning Board gave preliminary and final plat approvals and site plan approval.

Amendments to the Town of Red Hook Zoning Law and subdivision regulations were adopted sometime after the original project was approved in 2006.

The project went dormant with an ownership change between December 2008 and April 2010. In the spring of 2011, ownership changed to the current owner, Ken Kearney (Kearney Realty and Development Group). Permits and approvals had expired and the current project sponsor is preparing, or has submitted, new applications to the village and town planning boards.

Following the change in ownership to Kearney and its resubmission of the project plans for approval, the Village Planning Board received an evaluation from Morris Associates on behalf of the applicant, dated October 6, 2011, assessing whether there were any new issues related to water supply capacity, traffic, and threatened and endangered species that might prevent re-affirming the original negative declaration. The Morris Associates' report concluded that there were no substantive changes to the project. The Village Planning Board concluded that there have been no significant changes to the project warranting further additional study or a reversal of the negative declaration.

Following the re-evaluation of Anderson Commons, the Village Planning Board distributed a courtesy notification to previously involved agencies informing them that they had received new applications from the new sponsor and that the Planning Board intended to re-approve the action in their role as the original lead agency. On October 12, 2011, the Town Planning Board notified the Village Planning Board that they would like more time to consider the letter. On October 20, 2011, the Village Planning Board agreed to delay taking any action on the project while the Town Planning Board considered the resubmission.

On November 8, 2011, the Village Planning Board received a letter from consultant M. A. Day Engineering indicating they had completed a review of the revised plans for Anderson Commons. The consultant identified the following differences from the original plan: the project would be constructed in two phases, the cluster of single/multi-family housing constructed in the first phase,

and the larger single family lots constructed in the second phase; the through road (Colon's Way) would be a dead end road until the second phase of the project is completed; and the SWPPP (Stormwater Pollution Prevention Plan) would need to be changed to reflect the changed construction schedule. On November 8, 2011, the Village Planning Board sent a letter to the Town Planning Board identifying the above stated differences between the original project and current project.

On November 16, 2011, the Village Planning Board, by resolution, re-affirmed the 2006-negative declaration with a revised or updated negative declaration. On November 30, 2011, the Village Planning Board published a notice of the negative declaration in the Environmental Notice Bulletin.

On December 6, 2011, the Town Planning Board circulated its own Notice of Intent to Assume Lead Agency to the Village Planning Board for Anderson Commons. The Town Planning Board identified its jurisdictions as subdivision plat approval, special use permit approval and site plan review. The Town Planning Board describes the Village Planning Board's jurisdiction as limited to subdivision approvals.

On December 21, 2011, the Village Planning Board contested to the Town Planning Board's assumption of lead agency and questioned the need for the new SEQR review. The Village Planning Board informed the Town Planning Board that they found no event that would trigger re-establishment of lead agency under SEQR and notified the Town Planning Board that the Village Planning Board intended to continue to act as lead agency.

The Town Planning Board, as a basis for reestablishing itself as lead agency, argues that certain environmental issues were inadequately dealt with in 2006. These include impacts of traffic, impacts to the school district, impacts to cultural resources, and impacts to the aquifer. The Town Planning Board also stated that the Village Planning Board failed to take a "hard look" in its previous SEQR review, arguing that the first negative declaration lacked information such as name and address of the Lead Agency, location and description of the action, and reasons supporting the determination. The 2005 documents indeed suffered from some of the failures described by the Town Planning Board, but none of these were taken to task during the earlier review. The re-affirmed negative declaration does not have the same weaknesses. The Town Planning Board also argues that changes in local laws warrant reopening the SEQR process.

On February 9, 2012, the Village Planning Board re-approved the preliminary subdivision plat for the project.

Analysis

It is clear that the coordination process for SEQR was completed during the earlier review of the project in 2005. There were no challenges to the 2005 lead agency coordination and the time has more than expired to commence the lead agency dispute resolution process. The SEQR regulations

(6 NYCRR 617.6[b][5]) provide a 30-day period to commence the dispute resolution process. To the contrary, as set out above, in 2005 the Town Planning Board had consented to the Village Planning Board's assumption of the lead agency role.

The fact that the new project sponsors may need one or more additional approvals for the same project does not serve to reopen the lead agency coordination process. The same is true with respect to the fact that the project sponsor has made minor modifications to the project or that the Village Planning Board exercised due diligence in evaluating whether there were substantial changes or circumstances that warranted a reevaluation of the negative declaration issued in 2006.³

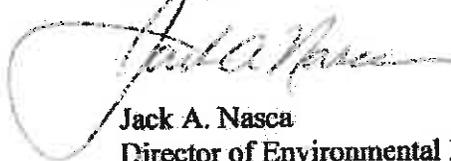
There is also no basis for the reestablishment of a lead agency. The SEQRA regulations, at 6 NYCRR 617.6(b)(6), provide for reestablishment of a lead agency by agreement of all involved agencies for a supplement to a final or generic EIS; upon failure of the lead agency's basis of jurisdiction, or upon agreement of the project sponsor, prior to the acceptance of the draft EIS. Such reestablishment is subject to the dispute resolution procedures for the initial establishment of lead agency. This section is inapplicable here since there has not been a failure of the Village Planning Board's jurisdiction and the case does not involve a supplement to a draft or final EIS.

Conclusion

Under the facts presented, the lead agency coordination process was completed in 2005. There is no basis to reestablish the lead agency. By this letter I am confirming that the Town of Red Hook Planning Board versus the Village of Red Hook Planning Board dispute request is dismissed from consideration.

This assessment does not in any way remove or diminish the municipal jurisdictions of the Town Planning Board, or any other involved agency. The Town Planning Board asserts that the resubmission of the Anderson Commons development implicates its subdivision, special use permit, and site plan review jurisdictions. These are substantial jurisdictions that should enable the Town Planning Board to resolve whatever issues it may still have with the project.

Sincerely,



Jack A. Nasca
Director of Environmental Permits
and Pollution Prevention

³ See *Residents of Bergen Believe in Env't & Democracy, Inc. v. County of Monroe*, 159 A.D.2d 81 (N.Y. App. Div. 4th Dep't 1990), *appeal denied*, 77 N.Y.2d 803 (1991). The Town Planning Board would not be bound by the Village's negative declaration if the Village Planning Board had failed to exercise due diligence in coordinating for lead agency (*see* 6 NYCRR 617.6[b][3][iii]).

Town of Red Hook Planning Board v
Village of Red Hook Planning Board
July 19, 2012
Page 5 of 5

cc: Robert A. Spolzino, Attorney for the Project Sponsor
Edward Blundell, Mayor, Village of Red Hook
Teresa Burke, Highway Superintendent, Town of Red Hook
Dutchess County Dept. of Health

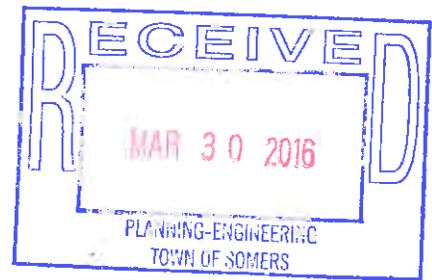
e-copy:
NYS DEC, Region 3 Office, Attention: Rebecca Crist
Lawrence H. Weintraub, NYS DEC Office of General Counsel



March 30, 2016

Town of Somers Planning Board
335 Route 202
Somers, New York 10589

RE: The Crossroads at Baldwin Place
57 U.S. Route 6
Tax Map # 4.20-1-3.1



Dear Chairman Currie and Members of the Board:

Enclosed please find fourteen (14) copies of the following in support of site plan and associated permits for the above referenced project:

- Site Plan Application, dated March 28, 2016.
- Letter from Receiver of Taxes indicating taxes have been paid, dated February 20, 2016.
- Affidavit for Corporate Owner, dated March 24, 2016.
- Applicant Acknowledgement, dated March 28, 2016.
- Applicant Processing Certification, dated March 28, 2016.
- Stormwater Management and Erosion Control Application, dated March 28, 2016.
- Wetland and Watercourse Protection Permit, dated March 28, 2016.
- Full Environmental Assessment Form, dated March 30, 2016.
- Proposed Action Comparison to Previously Issued Negative Declaration, dated March 30, 2016.
- Site Plan Drawing Set, 9 sheets, dated March 30, 2016.
- Preliminary Stormwater Pollution Prevention Plan, dated March 30, 2016 (4 copies only).
- Architectural Rendering of Building #1.
- Architectural Rendering of Building #2.

This project was informally presented to your Board at the March 9th Planning Board meeting. The Crossroads at Baldwin Place is proposing to redevelop the existing golf driving range at 57 US Route 6 into a mixed use development. The total property is 11.07 acres with 10.54 acres in the Town of Somers and 0.53 acres in the Town of Carmel. Located in the Town of Somers NS Zone, the property is identified as Town of Somers Tax Map # 4.20-1-3.1 and Town of Carmel Tax Map #86.14-1-6. No development is proposed within the Town of Carmel.

The proposed redevelopment program consists of:

1. A 2 story, 24,000 square foot building consisting of 12,000 square feet of retail/professional service and 12,000 square feet of professional office.
2. 52 Senior Affordable Housing rental apartments located in two, one 2 story and one 2 ½ story building.

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
www.insite-eng.com

Z:\E\15335100\Correspondence\Admin\2016\033016PB.doc

3. 12 non-age restricted rental apartments in a 2 story building.

Sixty-two of the above units will meet either the Town of Somers or Westchester County affirmatively furthering fair and affordable housing (AFFH) requirements.

On February 13, 2013 the Town of Somers Planning Board adopted a Negative Declaration for The Green at Somers Project.

As we discussed at the March 9th Planning Board meeting, based on the similarity of the proposed action to the previous action, it is our intent to provide the Planning Board with sufficient information for you to re-affirm the previous Negative Declaration. A comparison of the proposed action to the previously issued Negative Declaration has been attached herewith.

We respectfully request to be placed on the April 13 Planning Board agenda to obtain additional input from the Board, as well as determine what, if any additional items, the Board may need relative to its re-affirmation of the previously issued Negative Declaration. At this meeting we will also request that you issue a courtesy notification to the previous interested and involved agencies under SEQRA, indicating you have received an updated application.

If you have any questions or comments regarding this information, please do not hesitate to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:


Richard D. Williams, Jr., PE
Senior Project Engineer

RDW/amh

cc: K. Kearney, The Kearney Realty and Development Group, Inc., w/enclosures
R. Noonan, Housing Action Council, Inc., w/enclosures

Insite File No. 15335.100

**TOWN OF SOMERS
PLANNING BOARD
APPLICATION FOR SITE PLAN APPROVAL**

Application Processing Affidavit must also be completed. Click here for form.

I. IDENTIFICATION OF APPLICANT:

- A. Owner: NATIONAL GOVERNOR Applicant: THE KEARNEY REALTY & DEVELOPMENT GROUP, INC
 Address: 212 W 79th ST NY, NY Address: 34 CLAYTON BLVD, SUITE A BALDWIN PLACE NY 10505
 Tele #: _____ Tele #: 845 306-7705
- B. Architect: CORONA ASSOCIATES Engineer: INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, PC
 Address: 6 HONOLULU PLANE RD WILSONVILLE NY 13550 Address: 3 GARBER PLACE CAROLER, NY 10512
 Tele #: 845-361-3559 Tele #: _____
- C. Surveyor: SAME AS ENGINEER Tele #: _____
 Address: _____

II. IDENTIFICATION OF PROPERTY:

- A. Identifying Title: Crossroads at Baldwin Place
 B. Tax Map Design: Sheet 4.20 Block: 1 Lot(s): 3.1 (86.14-1-6, Cornell)
 C. Zoning District: NS
 D. Street which property abuts: US Route 6
 E. Does property connect directly into State or County highway? YES
 F. Is site within 500 feet of Town Boundary? YES
 G. Total area of site: 11.07 Area of site activity: APPROX 7AC
 H. Site coverage: 27 % +/- Building coverage: 9 % +/-
 I. Affected Wetland Area: 200.6 +/- Wetland Buffer Area: 1.9AC +/- PREVIOUSLY DISTURBED
 J. Affected Steep Slope Area: 15%-25% Over 25% _____
 K. Existing building size: _____ New/additional building size: _____
 L. Existing parking spaces: _____ New parking spaces: _____

III. APPLICATION FEE:

\$500 base fee plus \$50 per 1,000 sq.ft or part thereof plus \$25 per parking space to be paid by certified check to the Town of Somers.

Wetland Permit Fee: \$200 min. fee + \$100 per 5,000 sf. of regulated area or proposed area to be disturbed.

Steep Slope Fee: \$150 min. fee + \$75 per 10,000 s.f. of regulated area or proposed area to be disturbed.

Total Fee: _____ Date Paid: _____

IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

Submit 14 copies of all correspondence and plans to the Planning Board.

- A. 14 copies of Site Plan with north arrow and location map drawn to scale of 1" = 1,000'
- B. Survey Map defining precise boundaries of property.
- C. Copies of all existing and proposed deed restrictions or covenants applying to the property, including covenants and agreements restricting use, and establishing future ownership and maintenance responsibilities for all private roads, recreation and open space areas.
- D. Preliminary Architectural Drawings to be submitted to Planning Board prior to public hearing for referral to Building Inspector and Architectural Advisory Review Board.
- E. Environmental Assessment Form.
- F. Proof that taxes have been paid.

It is the responsibility of the applicant to be knowledgeable of the law. The following are available at the Town Clerks Office: Master Plan, Zoning Ordinance, Site Plan Regulations, State Environmental Quality Review (SEQR) and Environmental Quality Review, Wetland and Steep Slope Ordinances of the Town of Somers.

All revised plans shall be accompanied by a letter indicating what changes were made. All costs incurred by the Town for professional services and SEQR review will be paid by the applicant.

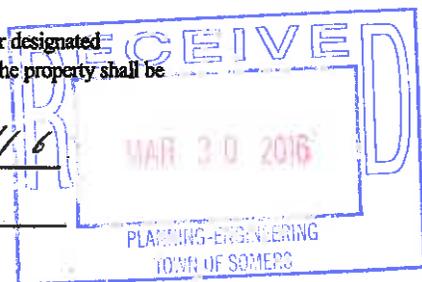
By submission of this application, the property owner agrees to permit Town Officials and their designated representatives to conduct on-site inspections in connection with the review of the proposal. The property shall be identified on site as being proposed for site plan approval.

 Signature of Applicant

Date: 3/28/16

 Signature of Owner

Date: 3/20/16



OFFICE OF THE TAX RECEIVER

Town of Somers

WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277.3610

Fax
(914) 277.8932

Joan Ribaldo
Receiver of Taxes
jribaldo@somersny.com



335 Route 202
Town House
Somers, NY 10589

Michele McKearney
Deputy Receiver of Taxes
mmckearney@somersny.com

February 22, 2016

RE: National Golfworx, New York Realty, LLC
57 Route 6
4.20-1-3.1

To Whom It May Concern,

All taxes have been paid in full on the above referenced parcel. There are no outstanding liens or taxes due as of the date of this letter.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Michele McKearney
Deputy Receiver of Taxes

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK)

ss:

COUNTY OF NY)

Rick VanBenschoten, being duly sworn, deposes and says that he resides at 875 Fifth Avenue #30 in the County of New York, State of New York that he is the manager of National Golfways (Title)

New York Realty, LLC (Name of Corporation)

which is the owner in fee of all property shown on plat entitled _____

_____ application for approval of which is herein made. That said National Golfways New York Realty, LLC (Name of Corporation)

acquired title to the said premises by deed from Eagle Golf Associates, LLC recorded in the Office of the Clerk of the County of Westchester on 1/12/99 in Liber 12205 of Conveyances at Page 242

That the statements contained herein are true to the best of deponent's knowledge and belief, and are made for the purpose of obtaining the approval of the submitted application by the Planning Board of the Town of Somers.

(Signed) [Signature]

Sworn to before me this 24th day of March, 2016

[Signature]
(Notary Public)

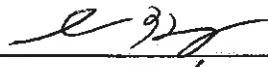
ERIC C. SEMELKA
Notary Public, State of New York
No. 01SE6078317
Qualified in Nassau County
Commission Expires 2018

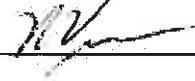
APPLICANT ACKNOWLEDGEMENT

By making this application, the undersigned Applicant agrees to permit Town officials and their representatives to conduct on-site inspections in connection with the review of this application.

The applicant also agrees to pay all expenses for the cost of professional review services required for this application, as referred to in §133-1 of the Code of the Town of Somers. As such, an Escrow Account, according to §133-2 of the Code of the Town of Somers, may be required.

It is further acknowledged by the Applicant that all bills for the professional review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant:  Date: 3/28/16

Signature of Property Owner:  Date: 3/20/16
(if different from applicant)

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
CHAPTER 67 "APPLICATION PROCESSING RESTRICTIVE LAW"

CERTIFICATION

I hereby certify that to the best of my knowledge no outstanding fees are due and owing to the Town of Somers for the following property:

Section 4.20 Block 1 Lot 3.1

Property Address US ROUTE 6

Permit Applying For SITE PLAN WETLAND PERMIT, STORM WATER
MANAGEMENT AND EROSION AND SEDIMENT CONTROL

Furthermore, I hereby certify that to the best of my knowledge no outstanding violation (as that term is defined for the purposes of the Application Processing Restrictive Law, Paragraph 4D) of local laws or ordinances of the Town of Somers exist with respect to the above cited property or any structure or use existing thereon.

Signed [Signature]
(Owner of Record)

Signed [Signature]
(Applicant for Permit)

Rob Van Benschoten
(Print Name)

Sean Kearney
(Print Name)

Date 3/20/16

Date 3/28/16

CONFIRMATIONS

Zoning Enforcement Officer Date: _____

Director of Finance for Fees Date: _____

Engineering Department Date: _____

Receiver of Taxes Date: _____

11/08

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 93 "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL"

Application Processing Affidavit must also be completed. Click here for form.

APPLICATION FEE: \$100 for disturbances of five thousand (5,000) square feet and/or for the placement or removal of 50 cubic yards of soil, plus \$500 for each additional acre of disturbance.

OWNER: National Golfworks Tel.#: _____
Mailing Address: 212 W 79th ST NY NY
APPLICANT: THE KENNEDY REALTY AND DEVELOPMENT Tel.#: 845-306-7705
Mailing Address: 34 CLAYTON BOULEVARD, SUITE A BALDWIN PLACE, NY 10505
State authority: If other than owner, authorization must be submitted in writing

PREMISES: Sheet: 4.30 Block: 1 Lot:31 (86.14-1-6 CAROL)

DESCRIPTION OF WORK AND PURPOSE: REDEVELOPMENT OF EXISTING DRIVING RANGE INTO A MIXED USE DEVELOPMENT CONSISTING OF 12,000 SF OF RETAIL PROFESSIONAL SERVICE, 12,000 SF OF PROFESSIONAL OFFICE & SENIOR APARTMENTS UNITS AND 12,000 SF REGISTERED UNITS

SIZE OF ACTIVITY AREA: _____ feet by _____ feet
(include all construction activity area)

VOLUME OF EXCAVATED MATERIAL: To be determined
(leave blank if not known)

IN CONJUNCTION WITH:
Wetland Permit: yes Steep Slopes Permit: _____ Tree Preservation Permit: _____
Site Plan: yes Subdivision: no

PROPOSED STARTING DATE: 12-1-16 PROPOSED COMPLETION DATE: 7-1-18
PLANS PREPARED BY: MAITE ENGINEERING DATED: 3-30-16

Plans and copy of Stormwater Pollution Prevention Plan must be submitted with application.

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS:
SEE ATTACHED COMPARISON OF PROPOSED ACTION TO NEGATIVE DECLARATION

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY
NAME ADDRESS BLOCK/LOT
To be provided prior to public hearing

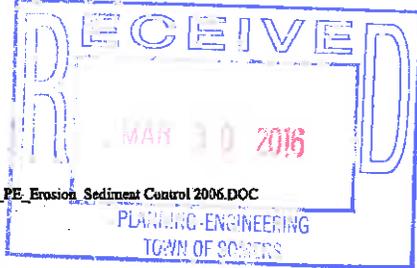
APPLICANT'S SIGNATURE: [Signature] DATE: 3/29/16
OWNER'S SIGNATURE: [Signature] DATE: 3/20/16

*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, A VICINITY MAP, A DEVELOPMENT PLAN, EROSION AND SEDIMENT CONTROL PLAN, AND THE PROPOSED PHASING OF DEVELOPMENT OF THE SITE.

.....Office Use Only.....

Administrative Permit: _____

Planning Board Permit: _____



TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR ENVIRONMENTAL PERMIT
CHAPTER 167 "WETLAND AND WATER COURSE PROTECTION"

APPLICATION FEE:

Alteration of Wetlands: \$200 minimum fee plus \$100 per 5,000 S.F. of regulated area or proposed portions thereof to be disturbed.

Annual Maintenance Permit Renewal Fee: Administrative Permit: \$25.00, Planning Board Permit: \$75.00

OWNER: NATIONAL GOLFWORKS Tel.#: _____

Mailing Address: 212 W 79TH STREET NEW YORK, NEW YORK

APPLICANT: THE KEARNEY REALTY AND Tel.#: 945-306-7705

Mailing Address: 34 CLAYTON BOULEVARD, SUITE A BALDWIN PLACE NY 11505

State authority: CONTRACT VENDOR If other than owner, authorization must be submitted in writing.

PREMISES: Sheet: 420 Block: 1 Lot: 3.1 (86.14-1-6 CARMEL)

Situated on the NORTH side of US ROUTE 6 (Street), 12 feet from the intersection of the future end of CLAYTON BOULEVARD (Street)

DESCRIPTION OF WORK AND PURPOSE: REDEVELOPMENT OF EXISTING DRIVING RANGE INTO A MIXED USE DEVELOPMENT CONSISTING OF 12,000 SF OF RETAIL/PROFESSIONAL SERVICE 12,000 SF OF PROFESSIONAL OFFICE 50 SENIOR AFFORDABLE UNITS AND 12 NON-AGE RESTRICTED UNITS

SIZE OF ACTIVITY AREA: 7.26 +/-

Is work proposed in Wetland: YES or Wetland Control Area: YES

Is there an existing house located on the site: NO COMMERCIAL BUILDING ON DRIVING RANGE

Is pond, lake or detention basin proposed to be cleaned: NO

Functions provided by Wetland: SEE PREVIOUS WETLAND REPORT

Wetland Expert delineating Wetland: _____

ESTIMATED QUANTITY OF EXCAVATION: 0 C.Y. 0 CUT 0 FILL? SEE DRAWINGS

ESTIMATED TOTAL VALUE OF WORK: TO BE DETERMINED

PROPOSED STARTING DATE: 12-1-16 PROPOSED COMPLETION DATE: 7-1-18

PLANS PREPARED BY: LAISITE DATED: 3-30-16

Plans must be submitted with application.

LIST OF APPLICABLE COUNTY, STATE, OR FEDERAL PERMITS: SEE ATTACHED COMPARISON OF PROPOSED ACTION TO NEGATIVE DECLARATION

LIST OF PROPERTY OWNERS OF RECORD OF LANDS AND CLAIMANTS OF WATER RIGHTS WITHIN 100 FEET OF SUBJECT PROPERTY

NAME	ADDRESS	BLOCK	LOTS
<u>TO BE PROVIDED PRIOR TO PUBLIC HEARING</u>			

APPLICANT'S SIGNATURE: [Signature] DATE: 3/28/16

OWNER'S SIGNATURE: [Signature] DATE: 3/28/16

*APPLICATION MUST BE ACCOMPANIED WITH A COMPLETED ENVIRONMENTAL ASSESSMENT FORM, COMPLETE PLANS FOR LOT IMPROVEMENTS, AND LOCATION MAP OF WETLANDS AS THEY EXIST IN THE FIELD OR AS SHOWN ON SOMERS ENVIRONMENTAL MAPS.

Office Use Only

Administrative Permit: _____

Planning Board Permit: _____



PROPOSED ACTION COMPARISON TO PREVIOUSLY ISSUED NEGATIVE DECLARATION

For

**Crossroads at Baldwin Place
57 US Route 6
Town of Somers, New York**

Dated: March 30, 2016



Introduction:

On February 13, 2013 the Town of Somers Planning Board adopted a Negative Declaration for The Green at Somers Project. The previous project initially studied, and upon which some of the studies are based, is more intense in use than both the current Proposed Action and the project for which the Negative Declaration was adopted. The previous project for which the Negative Declaration was adopted was revised to:

1. 8,000 square feet of commercial development.
2. 72 non-age restricted rental apartments meeting the Town of Somers definition of Affordable and also counting towards the Westchester County Housing Settlement.

Since the adoption of the Negative Declaration The Kearney Realty & Development Group, Inc. have become the contract vendee on the property. The new applicant is proposing a similar project to previous project, but has been revised to address several concerns raised by the Town as it relates to the associated Zoning Text Amendment. Specifically the ratio of the commercial development to residential development has been increased to address the concern to develop commercial uses in the NS zone.

The intent of this document is to provide a summary of the potentially significant adverse impacts cited in the previously adopted Negative Declaration and demonstrate that the Crossroads at Baldwin Place project either:

1. Results in a smaller potential impact for which a negative declaration was already adopted.
2. Results in a slightly larger potentially significant impact but, provides adequate mitigation, or documents a project change that has been made such that the potential impact has been mitigated and the Negative Declaration can be re-affirmed.

For each section below, the text in *italics* is taken directly from the previously issued Negative Declaration. A discussion comparing the Proposed Action to the statement in the Negative Declaration follows each statement from the Negative Declaration.

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717

www.insite-eng.com

Z:\E\15335100\SEQR\Crossroads at Baldwin Place Neg Dec Comparison.doc

Impact on Land

1. From Negative Declaration: Any construction on slopes of 15% or greater. Site work is proposed in a limited number of areas having slopes greater than 15%. One area is located at the base of the "tee boxes" on the existing driving range and comprises 6,525 square feet; the other area is located along the easterly property line of the Site and comprises 5,925 square feet. Construction activity on the steep slopes associated with the tee boxes would be limited to the deposition and grading of fill material. Due to the location of these existing steep slopes, it is not possible to further reduce the impact by alteration of the site plan. This area of steep slopes is limited, not naturally occurring, and the area would be filled, thereby reducing concerns about potential erosion. Within the sloped area along the easterly property line, some grading would take place as part of the grading operations during construction of the outer loop road that encircles the proposed residential buildings. The potential impacts related to the grading of the steep slopes would be minimized by the design and layout of the site; however, road geometry and desired road gradients would not entirely eliminate disturbance to existing or the creation of new steep slopes in this area. Therefore, mitigation of any potential impacts related to grading activities within the steep slope areas or the creation of new steep slopes would be provided by implementation of soil and erosion controls, including permanent erosion protection by installation of stone rip rap as shown on the Sediment and Erosion Control Plan (Sheet 7 of 17), vegetative slope stabilization, and minimizing the extent and steepness of new steep slopes, which should limit the magnitude of any impacts. The Applicant will be required to design and implement a Stormwater Pollution Prevention Plan (SWPPP) that complies in all respects with the requirements of Somers Town Code Chapters 93 and 148, as well as the "New York State Stormwater Management Design Manual," dated August 2010, and the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, both published by the NYSDEC. Based upon the foregoing, there will be no significant adverse impacts to steep slopes.

- a. **Proposed Action:** There is no change being proposed to the quantity of construction on slopes 15% or greater. With a similar overall layout the reasons for the slope disturbance remain unchanged as well. The Crossroads at Baldwin Place will be designed to similar standards as the previous project, conforming to the *New York State Standards and Specifications for Erosion and Sediment Control*, dated August 2005 (Blue Book), and the new version of the *New York State Stormwater Management Design Manual*, dated January 2015 (Design Manual). Similar to the previous project, the Proposed Action will provide stone rip rap, vegetative slope stabilization, minimization of steepness of new slopes, and will also provide erosion control blankets on slopes in excess of 3H : 1V.

2. From Negative Declaration: Construction on land where the depth to water table is less than 3 feet. Based upon the results of soil borings completed by Carlin-Simpson & Associates on behalf of the Applicant (which are summarized in a report dated May 31, 2012), it has been determined that the Proposed Action would not involve any construction where the depth to ground water is 3 feet or less. However, it is anticipated that some of the proposed site work will encounter the groundwater table at a depth of more than 3 feet in a limited number of locations. In the event that further soil investigations indicate that dewatering will need to be undertaken, the water will not be discharged directly into the existing wetlands and all dewatering activities will be performed in accordance with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC. Based upon the foregoing, there will be no significant adverse impacts to areas of shallow water table or where the groundwater table may be encountered during construction, and procedures will be in place to avoid negative impacts to the adjacent wetland in the event that groundwater is encountered.

- a. **Proposed Action:** The overall site layout and grading is similar to the previous application in that the building pads will be constructed primarily in fill. Similar to the previous action it is anticipated that that construction in the groundwater table will occur in a limited number of locations, such as for stormwater management practice (SMP) construction and building footing construction. The same mitigation will be provided in that should dewatering need to be undertaken it will not be discharged directly in the existing wetlands and all dewatering activities will be performed in accordance with the Blue Book.

One additional potential impact is the contract vendee has determined there is an isolated area of contaminated soil in the south eastern corner of the site. Located under the existing parking lot, the contamination is thought to have originated from a gas station that is reputed to have existed on the site. Any contaminated soils that are encountered, including the associated groundwater if located in the groundwater table, will be mitigated by removing and properly disposing of the soil and groundwater in accordance with local, state, and federal regulations. The identification and removal of any contaminated soil / groundwater during construction will provide mitigation that results in a net benefit to the overall groundwater supply in the area.

3. From Negative Declaration: Construction of paved parking area for 1,000 or more vehicles. *The Proposed Action would not involve the construction of 1,000 or more parking spaces, but would involve the construction of approximately 187 parking spaces. The number of required parking spaces is directly related to the amount of floor area and the number of dwelling units that are proposed. The use of underground parking garages will reduce the amount of impervious surfaces that would otherwise be created on the Site if all proposed parking spaces were located in outdoor surface parking lots. The proposed parking does not exceed the amount required for the proposed land uses by the applicable off-street parking requirements of the Town of Somers Zoning Ordinance and the Applicant is also proposing the shared use of one parking space. Stormwater runoff generated by paved parking spaces will be handled by multiple practices to be incorporated into an approved Stormwater Pollution Prevention Plan (SWPPP) that fully complies with all applicable requirements of the New York State Stormwater Management Design Manual, dated August 2010, published by the NYSDEC. These practices, which will include vegetated swales, a bioretention filter area, other water quality treatment areas, stormwater planters, and permeable pavement, will be designed to promote the removal of pollutants from stormwater while controlling the peak rate in runoff after construction of the proposed development. Based upon the foregoing, there will be no significant adverse impacts associated with the proposed construction of 187 parking spaces.*

- a. **Proposed Action:** Similar to the previous action, the Proposed Action would not involve the construction of 1,000 or more parking spaces, but is proposing to construction 201 parking spaces (182 impervious and 19 pervious). The Proposed Action will result in 3.0 acres of paved / building surfaces as follows, 2.2 acres of new impervious surfaces, 0.1 acres of permeable pavement and 0.7 acres of existing impervious surfaces being redeveloped. This is more than the previous action, which proposed a total of 2.8 acres of paved / building surfaces as follows 1.7 acres of new impervious surfaces, 0.4 acres of permeable pavement and 0.7 acres of existing impervious surfaces to be redeveloped. A SWPPP will be developed that will capture and treat the proposed impervious surfaces. The project SWPPP will conform to a later version of the Design Manual that the previous action, and will also meet the requirements of the NYCDEP *Rules and Regulations from the Contamination, Degradation and Pollution of the Water Supply and Its Sources*, dated April 2010 (Rules and Regulations). The project SWPPP will include vegetated swales (NYSDEC

Design O-1), bioretention filters (NYSDEC Design F-5), porous pavement, a surface sand filter (NYSDEC Design F-1), and a Pocket Wetland (NYSDEC Design W-4).

4. From Negative Declaration: Proposed Action involves importation of 24,289± cubic yards of fill. Based on the results of preliminary soil investigations undertaken by Carlin-Simpson & Associates on behalf of the Applicant, it has been determined that several areas of the Site contain fill material that cannot provide structural support for the proposed buildings and certain other structures. For that reason, it will be necessary to remove the unsuitable material where encountered and replace it with structural fill that will need to be imported to the Site to create the proposed finished grades. In its current condition, the Site slopes down from U.S. Route 6 towards the rear of the property. The proposed site improvements would be located in the southern half of the Site. Based on the proposed grading plan, most of the fill would be placed in areas closest to the Site's U.S. Route 6 frontage, thereby providing for considerable separation between areas of fill and the State-and Town-regulated wetlands. The Site is not located in the 100-year flood zone. Therefore, the proposed filling operation should not affect neighboring or downstream properties due to displacement of flood storage areas. During the construction phase of the project, a sediment and erosion control plan will be implemented in accordance with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC and the NYSDEC's Best Management Practices (BMP) to prevent mud and silt from entering into existing and proposed drainage facilities and to protect the receiving waters from contamination. Based upon the foregoing, there will be no significant adverse impacts associated with the proposed importation of 24,289 cubic yards of fill.

- a. **Proposed Action:** The proposed action is similar to the previous action in that the building pad will be constructed primarily in fill. Based on the proposed grading plan a similar quantity of fill is anticipated to be imported than analyzed in the previous action.

The construction techniques are similar to that of the previous action in that unsuitable material may need to be removed, and structure fill imported under structures. Also similar to previous action is that the proposed action would be placing fill in the southern half of the property in the portion of the site closest to US Route 6. The site is still not located in a 100-year flood zone, therefore no downstream flooding impacts area anticipated as a result of the fill importation. Finally, during the construction phase of the project, erosion controls designed in accordance with the Blue Book will be implemented and include, silt fence, dust control, stabilized construction entrances, inlet protection, stabilization of disturbed areas and construction of a temporary sediment trap.

Impact on Water

1. From Negative Declaration: The Proposed Action involves the removal of two existing drainage pipe(s) and a 50-foot high chain link fence that currently defines the perimeter boundary of the of a State-regulated wetland (identified as Wetland "A" on the site plan). As part of the proposed Site redevelopment, the Applicant is proposing to remove two existing drainage pipes that are located in the 100-foot buffer of the State regulated wetland on the Site. One of these drainage pipes runs along the westerly boundary of the Site; the other runs through the center of the Site. Both pipes currently discharge to the State wetland. Under the proposed site plan, stormwater would continue to be discharged to the same wetland, but it would be done in accordance with an approved Stormwater Pollution Prevention Plan (SWPPP) that meets all applicable requirements of Somers Town Code Chapter 93 and the New York State Stormwater Management Design Manual, dated August 2010, published by the NYSDEC. The

Applicant is also proposing to install new plant material in the 100-foot buffer of the State-regulated wetland. Plant materials selected will be suited to the expected hydrologic conditions where they are proposed to be planted, will be native species, and will not include invasive species. While these activities technically involve disturbance within the 100-foot buffer of the State-regulated wetland and are likely to require approval of a State wetland permit, they are intended to provide for enhancements to the functioning of that wetland buffer. During the construction phase of the project, a sediment and erosion control plan will be implemented in accordance with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC and the NYSDEC's Best Management Practices (BMP) to prevent mud and silt from entering into existing and proposed drainage facilities and to protect the receiving waters from contamination during construction. Other disturbances in the 100-foot buffer of the State-regulated wetland that were previously proposed and/or under consideration are no longer part of the Proposed Action, such as the construction of a stormwater mitigation area substantially within the 100-foot buffer, the installation of a new pipe discharging from the proposed pocket wetland to the State-regulated wetland, and the establishment of a wetland creation area. Based upon the foregoing, there will be no significant adverse impacts to the State regulated wetland.

- a. **Proposed Action:** The proposed action is no longer proposing to remove / shorten portions of the existing piping. Similar to the previous action, the Proposed Action will continue to discharge stormwater into the same NYSDEC wetland, but will do so under an approved SWPPP designed to the latest standards. Part of designing to the latest standards involved additional GIP's to be located upstream of the permanent SMP's. While the amount of impervious surfaces proposed, and general locations of the SMP's are similar between the previous and proposed action (3.0 acres versus 2.8 acres), the results of the 2015 revision to the Design Manual and latest General Permit have resulted in the proposed action's SMP's extending beyond what was previously proposed. The increased size of the proposed SMP does not allow the existing pipe in the center of the site be shortened. However, a portion of the second drainage pipe previously proposed to be shortened will still be eliminated.

It should be noted that the two existing drainage pipes were not previously proposed to be removed in their entirety, but shortened. The one existing pipe that runs through the center of the site was proposed to be replaced and relocated. This pipe, which conveys runoff from US Route 6 is still proposed to be replaced and relocated, but it will also be increased in size. As determined in the Somers Realty Phase 3 SWPPP the existing drainage line in the center of the subject property currently limits the capacity of the upstream NYSDOT Drainage System. The proposed application will increase the size of this drainage line so the NYSDOT system can flow at its design capacity which is equal to the 50-year storm event. This improvement being undertaken by the Proposed Action will improve the safety of US Route 6, by reducing the potential for flooding, and will improve the existing NYSDOT collection system.

Similar to the proposed action the area between the proposed SMP's and the NYSDEC wetland will be allowed to re-naturalize. A total of three wetland mitigation areas are provided, all located within the Town / NYSDEC Wetland Buffer. These areas comprise 26,400 s.f. total, are currently lawn, and will be planted with wetland mitigation planting. As a result, the performance of the existing wetland buffer will be improved by the Proposed Action. Another benefit to the receiving wetland is that the SWPPP will not only treat the new development, but also the onsite existing impervious surfaces being redeveloped, as well as portions of US Route 6 which currently untreated. As such there will be an improvement in stormwater quality being discharged to the wetland.

2. From the Negative Declaration: The Proposed Action involves the removal of existing site features (pavement, structures, drainage pipes), new grading, construction of a stormwater management system, installation of portions of the Site's vehicular circulation system, and addition of plantings within the 100-foot buffer of Town-regulated Wetland "B," located in the southwesterly portion of the Site. The Proposed Action also involves the removal of an existing equipment storage shed and portions of a 50-foot high chain link fence that currently defines the perimeter boundary of the existing golf driving range within the 100-foot buffer of Town regulated Wetland "C," located along the easterly property line of the Site. To offset the proposed disturbance to the 100-foot buffer of Town-regulated Wetland "B," the buffer area will be enhanced with diversified plantings suited to the hydrologic regime expected to be found where such plants will be installed. In addition, the proposed site plan involves the use of permeable pavement in selected locations as a means of further reducing potential adverse impacts on Town-regulated wetlands and their 100-foot buffers resulting from an increase in impervious surface areas. The final details of any walking trail to be established on the Site will be designed to prevent residents from encroaching into Town regulated wetland buffer areas. During the construction phase of the project, a sediment and erosion control plan will be implemented in accordance with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC and the NYSDEC's Best Management Practices (BMP) to prevent mud and silt from entering into existing and proposed drainage facilities and to protect the receiving waters from contamination during construction. Based upon the foregoing, there will be no significant adverse impacts to Town-regulated wetlands.

- a. **Proposed Action:** The proposed action is similar to the previous action in that wetland mitigation is still proposed throughout the site, and within the wetland buffers of Wetland A and B. In addition permeable pavement is proposed within the Wetland B 100' buffer area. Further an erosion control plan has been prepared for the project which is consistent with the Blue Book and will prevent mud and silt from entering the wetlands during construction. The Proposed Action will result in decrease buffer area disturbance from what exists today. In addition the SWPPP will not only treat the new impervious surfaces but will also provide treatment for the redeveloped onsite impervious areas, as well as portions of US Route 6 which are currently untreated. As such the Proposed Action still results in no significant adverse impacts to Town regulated wetlands.

3. From Negative Declaration: Proposed Action will adversely affect groundwater. The addition of impervious surfaces to the Site will create additional runoff that could contain pollutants that may adversely affect the groundwater. To promote the removal of pollutants from stormwater while controlling the peak rate in runoff after development, a Stormwater Pollution Prevention Plan will be prepared for the Site in accordance with the New York State Stormwater Management Design Manual, dated August 2012, published by the NYSDEC (the "Design Manual"). The Design Manual provides a wide range of acceptable practices which are to be incorporated into the required Stormwater Pollution Prevention Plan (SWPPP). These practices are designed to promote the removal of pollutants from the stormwater stream while controlling the peak rate in runoff after development. For this project, the SWPPP will include such practices as vegetated swales, a pocket wetland, a bioretention filter area, other water quality treatment areas, stormwater planters, and permeable pavement. In addition, slow release fertilizers will be applied by hand to horticultural plantings as part of regular horticultural maintenance program and will be limited to a single spring application. During construction, petroleum products will be stored in tightly sealed containers that are clearly labeled and all vehicles on the Site will be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. The use of road salt for maintenance of driveway and

parking lot areas will be minimized on the Site. Based upon the foregoing, there will be no significant adverse impacts on groundwater.

- a. **Proposed Action:** The Proposed Action will create slightly more impervious surfaces than previously proposed. The Proposed Action will result in 3.0 acres of paved / building surfaces as follows, 2.2 acres of new impervious surfaces, 0.1 acres of permeable pavement and 0.7 acres of existing impervious surfaces being redeveloped. This is more than the previous action, which proposed a total of 2.8 acres of paved / building surfaces as follows 1.7 acres of new impervious surfaces, 0.4 acres of permeable pavement and 0.7 acres of existing impervious surfaces to be redeveloped. The SWPPP prepared for the Proposed Action will be designed in accordance with the latest addition of the Design Manual, and will be designed to capture and treat the proposed impervious surfaces. Similar to the previous action the Proposed Action will provide a wide range of SMP's including vegetated swales (NYSDEC Design O-1), bioretention filters (NYSDEC Design F-5), porous pavement, a surface sand filter (NYSDEC Design F-1), and a Pocket Wetland (NYSDEC Design W-4). Also fertilizers will only be used as necessary and will be applied in accordance with the New York State *Dishwasher Detergent and Nutrient Runoff Law*. During construction, petroleum products will be stored in tightly sealed containers that are clearly labeled. Fueling and maintenance of vehicles will occur in specific staging areas as discussed in the project SWPPP. The project SWPPP also requires the routine inspection of vehicles to minimize the change of leakage throughout the site. The use of road salt for maintenance of driveway and parking areas will be minimized. Based on the above the Proposed Action results in no change from the previous action's determination.

4. From Negative Declaration: Proposed Action would use water in excess of 20,000 gallons per day. The Proposed Action would use water but it involves the projected consumption of 12,900 gallons of water per day upon completion of proposed development. The proposed development will receive water from the Amawalk-Shenorock Water District, which is expected to provide an ample supply of water to the Site. Based upon the foregoing, there will be no significant adverse impacts associated with the proposed consumption of water.

- a. **Proposed Action.** The Proposed action will also receive water from the Amawalk- Shenorock Water District. The Proposed Action's design flow of 10,720 gpd is less than the previous action's design flow of 12,900 gpd, and as such there will still be no significant adverse impacts associated with the proposed consumption of water. The proposed water demand for the project is calculated as follows:

Crossroads at Baldwin Place
Proposed Action Comparison To Previously Issued Negative Declaration

Proposed Use	Hydraulic Loading Rate ¹	Average Daily Design Flow (gpd)
24,000 Square feet of Commercial Space (retail, professional service, professional office)	0.08 gpd/ s.ŕ.	1,920 gpd.
48 –One Bedroom Apartments	110 gpd/bedroom	5,280 gpd
16 –Two Bedroom Apartments for a total of 32 bedrooms.	220 gpd/dwelling	3,520 gpd
Total		10,720 gpd

¹ Hydraulic Loading Rates taken from *New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, 2014*.

² A 20% reduction has been applied to the Commercial Design Flow as permitted by *New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, 2014*.

5. From Negative Declaration: Proposed Action will require the storage of petroleum or chemical products greater than 1,000 gallons. The Proposed Action will require the use of Bioxide for odor control as part of the operation of the proposed Sewage Pump Station, but the amount of Bioxide to be stored on the Site will be less than 1,100 gallons. Bioxide will be handled and stored in accordance with "Recommended Standards for Wastewater Facilities 2004 Edition," published by the Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers ("10 States Standards Wastewater Design Manual") and with "Design Standards for Wastewater Treatment Works Intermediate Sized Sewerage Facilities 1988", dated 1980, revised 1988, published by the NYSDEC. Based on the foregoing, there will be no significant adverse impacts associated with the storage of petroleum or chemical products on the Site.

- a. **Proposed Action:** There is no change from the previous action, except that the use of Bioxide may no longer be required based on other offsite improvements to the sewer district. If Bioxide is determined to be required than less than 1,100 gallons will be stored on site and it will be stored in accordance with the previously cited requirements in #5.

6. From Negative Declaration: Proposed Action involves site dewatering activities in areas of proposed central drainage pipe removal and proposed building foundations during construction. Based upon the results of soil borings completed by Carlin-Simpson & Associates on behalf of the Applicant (which are summarized in a report dated May 31, 2012), it has been determined that the Site has a shallow groundwater table that is likely to be encountered during the construction phase. The Carlin-Simpson & Associates report also notes, however, that its findings are based on only seven borings completed in May 2012 and that additional sub-surface soil investigation will be necessary to determine the elevation of the water table in all areas to be disturbed. The Applicant will be required to complete the additional soil investigations prior to the Planning Board granting final site plan approval. Depending on the elevation of the water table, dewatering of the Site during construction may be required. At a minimum, these locations are expected to include the area where an existing drainage

pipe to be removed in the central portion of the Site is now located as well as the location of one or more proposed building foundations. Any groundwater that may be encountered during the normal course of construction is proposed to be piped or pumped via a low head "trash pump" into the temporary sediment basin in accordance with the requirements of the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC and will be part of the approved Stormwater Pollution Prevention Plan (SWPPP) that will be prepared in accordance with the requirements established by the NYSDEC SPDES General Permit. The Applicant will also be required to submit a dewatering plan that complies with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC, prior to the Planning Board granting final site plan approval. The required dewatering plan will identify the proposed collection and conveyance routes of intercepted groundwater, and will detail the quantity and duration of the dewatering, discharge points, and erosion and sediment control measures. The Applicant will not be permitted to discharge any water associated with dewatering operations into any State- or Town-regulated wetland on the Site. Based on the foregoing, there will be no significant adverse impacts associated with site dewatering activities.

- a. **Proposed Action:** The proposed action is similar to the previous action with respect to the overall limits of disturbance, elevations of construction, and removal of the existing drainage line in the center of the site. Therefore there is no change in what was previously studied and discussed above with the exception of the potential for contaminated soil / groundwater in the south eastern corner of the site.

Located under the existing parking lot, the contamination is thought to have originated from a gas station that is reputed to have existed on the site. Any contaminated soils that are encountered, including the associated groundwater if located in the groundwater table, will be mitigated by removing and properly disposing of the soil and groundwater in accordance with local, state, and federal regulations. The identification and removal of any contaminated soil / groundwater during construction will provide mitigation that results in a net benefit to the overall groundwater supply in the area.

7. From Negative Declaration: Proposed Action may cause substantial erosion.

Proposed grading activities on the Site and areas stripped of vegetation during and after construction may result in erosion on the Site. During the construction phase of the project, a sediment and erosion control plan will be implemented in accordance with the "New York State Standards and Specifications for Erosion and Sediment Control," dated August 2005, published by the NYSDEC and the NYSDEC's Best Management Practices (BMP). The primary goals of the sediment and erosion control plan are to prevent the tracking of dirt and mud onto adjacent roads, to prevent mud and silt from entering into existing and proposed drainage facilities, to protect the receiving waters from contamination during construction, and to provide proper site stabilization. Based upon the foregoing, there will be no significant adverse impacts resulting from erosion.

- a. **Proposed Action:** The proposed action has a similar limit of disturbance as the previous action. An Erosion and Sediment Control Plan designed in accordance with the Blue Book will be prepared for the project, and similar to the previous application will offer adequate mitigation such that there will be no significant adverse impacts resulting from erosion.

Impact on Open Space and Recreation:

1. **From Negative Declaration: Proposed Action involves elimination of existing privately-owned golf driving range.** According to the Applicant, the existing golf driving range is no longer considered a viable commercial enterprise. The loss of a privately-owned recreation facility is a relatively small and unavoidable impact. Based upon the foregoing, there will be no significant adverse impacts resulting from elimination of the existing golf driving range.

a. **Proposed Action:** There is no change from the determination made above.

Impact on Transportation

Proposed Action involves the generation of up to 254 vehicle trips per hour upon completion. The Applicant completed a Traffic Report on the basis of the originally proposed development concept, which included approximately 24,760 square feet of retail space, a 4,000 square-foot restaurant and 71 residential units. According to the Applicant's Traffic Consultant, the proposed development was originally estimated to generate 69, 125 and 180 vehicle trip ends during the weekday morning, weekday afternoon and Saturday midday peak hours, respectively, based on trip rates provided by the Institute of Transportation Engineers (ITE). The analysis was based on full occupancy in 2015 and accounts for other planned or approved developments along the U.S. Route 6 corridor. Based upon the findings of the Applicant's Traffic Report, the proposed multi-use commercial/residential development would not have a significant adverse impact on the overall traffic operation along U.S. Route 6, based upon implementation of the following recommended transportation improvements:

1. U.S. Route 6 at Curry Street/New York State Route 6N – Traffic Signal Timing Improvements.
2. U.S. Route 6 at Mahopac Avenue – Traffic Signal Timing Improvements.
3. U.S. Route 6 at Somers Commons Access (South) – Traffic Signal Timing Improvements.
4. U.S. Route 6 at New York State Route 118/Baldwin Place Road – Traffic Signal Timing Improvements.
5. U.S. Route 6 at Proposed Site Access Drive/Planned Hamlet Site Access Drive – Recommend signalization of this intersection and the construction of separate left turn lanes on U.S. Route 6 at the location of the proposed access drive.

Each of the recommended improvements along U.S. Route 6 requires approval from the New York State Department of Transportation (NYSDOT). Therefore, the Applicant will be required to obtain a Highway Work Permit for the proposed improvements at the Site access drive, which includes signalization and left turn lane construction. Modification to traffic signal timing plans upstream of the Site will also require an approval by the NYSDOT or findings that the NYSDOT will implement the traffic signal timing improvement plans, as needed. Subsequent to the completion of the Traffic Study by the Applicant's Traffic consultant, the development concept for the Site continued to evolve. The Proposed Action now includes 6,000 square feet of retail floor area, 2,000 square feet of restaurant floor area, and 72 multifamily dwelling units (36 one-bedroom and 36 two-bedroom). Because the scale of the proposed development has been reduced, projected trip generation would be slightly lower than originally estimated. However, the findings remain the same. Based upon the analysis completed by the Applicant's Traffic Consultant and the recommended improvements to be provided by the Applicant, the proposed development will not result in an adverse impact on the overall traffic operations along U.S. Route 6 along the Site frontage and at upstream traffic signals. Based upon the foregoing, there will be no significant adverse impacts resulting from the generation of additional Site traffic.

- a. **Proposed Action:** The use for which the above traffic report was prepared was more intense than the Proposed Action and as such results in a higher traffic generation rate. Thus there is no change from the determination made above.

For comparison purposes:

- The Traffic Report analyzed 24,760 square feet of retail plus a 4,000 square foot restaurant.
 - The Proposed Action only has 24,000 square feet of commercial space with 12,000 s.f. of retail / professional service and 12,000 s.f. of office. Thus the Proposed Action will generate less traffic for the commercial component of the development.
- The Traffic Report analyzed 71 market rate residential units.
 - The Proposed Action has a total of 64 residential units with only 12 non-age restricted units, and 52 age-restricted units. Thus the Proposed Action will generate less traffic for the residential component of the development.

Similar to the findings above, the Proposed Action will result in less traffic than contemplated in the Traffic Study prepared for the project. However, while the impact is less than previously studied, the mitigation proposed above will still be implemented, and as such there will be no significant impacts resulting from generation of additional site traffic.

2. From Negative Declaration: Proposed Action involves generation of traffic during construction phase, including that associated with importation of fill to the Site. *During the initial phases of site work, earthwork activities will require the importation of fill. Because of constraints that would limit the availability of on-site staging areas, the Applicant has projected that no more than 40 truckloads of fill could be imported to the Site on a daily basis. This represents a total of 80 truck trips per day that could be expected to result from filling operations, probably over the course of an 8-hour work day for approximately 5 weeks. This could result in short-term delays along U.S. Route 6 since trucks of this type and size are typically slow-moving vehicles. To reduce potential impacts associated with this type of construction traffic, the Applicant will employ a flag person to direct traffic at the Site entrance drive and will use standard signing along U.S. Route 6. Prior to the Planning Board granting final site plan approval, the Applicant will also be required to submit a construction management plan that accounts for the projected amount of delivery truck activity generally. In addition, the final approved Sediment and Erosion Control Plan will be designed to ensure that dirt and mud from trucks transporting fill and as well as other construction vehicles will not be deposited onto U.S. Route 6 and other area roads during the construction phase. Based upon the foregoing, there will be no significant adverse impacts associated with construction traffic.*

- a. **Proposed Action:** Since the Proposed Action will require a similar amount of fill as previously studied, a similar number of truck trips are anticipated. As such the previous mitigation will still be provided, i.e. a flag person will be employed, a construction management plan will be provided, and the required Erosion and Sediment Control Plan will be provided. Since the quantity of material to be imported is the similar, and the same mitigation will be provided, there will be no significant adverse impacts associated with construction traffic.

Impact on Growth and Character of Community or Neighborhood:

1. From Negative Declaration: Proposed Action will conflict with officially adopted plans or goals. *The Proposed Action is consistent with Town Development Plan policies, but does not comply with existing zoning policies concerning the specific location of residential and retail uses in the NS District. Under existing zoning provisions, apartments are not permitted on the first floor of any building in an NS District and, when proposed, such apartments must be located over stores (i.e., retail uses) but may not be located over other permitted nonresidential uses, such as but not limited to restaurants. The Proposed Action includes the proposed adoption of supplementary zoning provisions that*

seek to create more flexibility in the permitted location of apartments in an NS District. If all applicable criteria can be satisfied, the supplementary zoning text provisions would allow apartments to be located on any floor of a building that is set back more than 100 feet from the road frontage. The proposed zoning provisions would have limited applicability because they could only be applied to a property larger than 8 acres in size, with road frontage of less than 500 feet, and located on the same road as and within 2,000 feet of property in the CS District, and then only if at least 50% of the proposed residential units would qualify as "affordable dwelling units." Before the normally applicable provisions of the NS District could be modified and replaced with the supplementary zoning provisions, the approval authority would also be required to make a specific finding that nonresidential uses located in the rear portion of a development site would not be marketable. Based upon the foregoing, there will be no significant adverse impacts associated with the proposed zoning text amendments.

- a. **Proposed Action:** Similar to the previous action the Proposed Action requires a text change to the zoning code. The text changes are summarized as follows:
- i. For mixed commercial and affordable residential developments the commercial and residential units may be located in separate buildings provided:
1. There is a minimum lot size of 8 acres.
 2. The lot has less than 500 feet of frontage.
 3. The lot is serviced by public water and sewer.
 4. The minimum ratio of commercial floor area to residential floor area is 0.27.
 5. The project shall include at a minimum, residential units where at least 50% of the total number of residential units are considered affordable dwelling units as defined in Section 170-3 of the zoning code.
 6. The maximum building footprint is 12,500 s.f.
 7. Except as modified above the dimensional standards applicable to a mixed commercial and affordable residential development project shall be governed by provisions of Section 170-20.3.

As indicated above the approval authority would need to make the same specific finding that nonresidential uses located in the rear portion of a development site would not be marketable. Based on the above, the determination that there will be no significant adverse impacts associated with the proposed zoning text amendments can be reaffirmed.

2. From Negative Declaration: Proposed Action will cause a change in the density of land use. *The Proposed Action involves the construction of approximately 72 multifamily dwelling units and approximately 8,000 square feet of commercial floor area (to be occupied by retail and restaurant uses) in place of an existing golf driving range. In comparison to the character of the existing golf driving range, the proposed development would clearly represent a change in the density of land use. However, the proposed number of dwelling units and amount of commercial floor area are permitted by the existing provisions of the NS District, in which the Site is located. Based upon the foregoing, there will be no significant adverse impacts related to changes in the density of land use.*

- a. **Proposed Action:** Similar to the previous application the project density is permitted by existing provisions of the NS District. When compared to the previous action, the Proposed Action's ratio of commercial to residential development has been increased so there is 24,000 square feet of commercial development and 64 units of residential development. The ratio of commercial to residential was increased to address the concern to develop commercial uses in the NS zone. While the ratio of commercial to residential development was

increased, the overall project density is similar to the previous action such that the previous finding can be reaffirmed.

3. Development will create a demand for additional community services (e.g., schools, police and fire, etc.). Because the approximately 72 proposed residential dwelling units would not be age-restricted, and because 50% of the proposed dwelling units would have two bedrooms, the Proposed Action is expected to attract some families with school-age children. In addition, the construction of new residential and nonresidential buildings where a golf driving range previously existed would create a demand for additional police and fire protection services. However, Somers Central School District has sufficient capacity to accommodate additional students. Additionally, according to the Applicant, the Somers Fire District has indicated that its fire apparatus would be able to access the Site based upon the currently proposed site layout. Any new development with residential dwelling units would also generate a demand for recreation facilities. To offset the increased demand for those facilities by residents of the proposed dwelling units, the Proposed Action includes payment of a \$400,000 recreation fee. To the extent that the recreation fee required by Somers Town Code § 55-3 would be higher than \$400,000, the Applicant will be seeking a Town Board waiver of the normally applicable requirements pursuant to Somers Town Code § 55-5. Based upon the foregoing, there will be no significant adverse impacts related to the creation of additional demand for community services.

- a. **Proposed Action:** The Proposed Action will result in less school age children than the previous action because 52 of the 64 residential units proposed will be senior age restricted units. As such there will be less demand for community services. The applicant will review the recreation fee with the Town Board as it relates to Section 55-3 of the Somers Town Code.

4. Proposed Action will create or eliminate employment. The Proposed Action involves the creation and elimination of jobs, but would result in a net increase in employment. Closure of the existing golf driving range would eliminate 3 jobs. The proposed development of residential, retail, and restaurant uses would create 30-35 jobs during construction and approximately 15 jobs once the proposed development is occupied. Based upon the foregoing, there will be no significant adverse impacts associated with employment.

- a. **Proposed Action:** The Proposed Action proposes more commercial development than the previous action and as such will result in a greater amount of long-term employees at the site, particularly when compared to the existing golf driving range. As the project is of similar size and nature to the previous application the jobs created during construction are expected to be similar. As such the previous finding can be re-affirmed and there will be no significant adverse impacts associated with employment.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

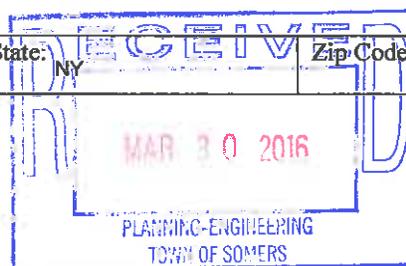
Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: The Crossroads at Baldwin Place		
Project Location (describe, and attach a general location map): 57 US Route 6, Somers, New York (See Location Map on Project Drawings)		
Brief Description of Proposed Action (include purpose or need): The Crossroads at Baldwin Place is proposing to redevelop the existing golf driving range at 57 US Route 6 into a mixed use development. The total property is 11.1 acres with 10.54 acres in the Town of Somers and 0.53 acres in the Town of Carmel. Located in the Town of Somers NS Zone the property is identified as Town of Somers Tax Map # 4.20-1-3.1 and Town of Carmel Tax Map #86.14-1-6. No development is proposed within the Town of Carmel. The proposed redevelopment program consists of: 1. A 2 story, 24,000 square foot building consisting of 12,000 square feet of retail/ professional service and 12,000 square feet of professional office. 2. 52 Senior Affordable Housing rental apartments located in two, 2 1/2 story buildings. 3. 12 non-age restricted rental apartments. Sixty-two of the above units will meet either the Town of Somers or Westchester County affirmatively furthering fair and affordable housing (AFFH) requirements. On February 13, 2013 the Town of Somers Planning Board adopted a Negative Declaration for The Green at Somers Project. The previous project initially studied, and upon which some of the studies are based, is more intense in use than both the current Proposed Action and the project for which the Negative Declaration was adopted. A comparison of the proposed action to the previous action has been provided.		
Name of Applicant/Sponsor: The Kearney Realty and Development Group, Inc.	Telephone: (845) 306-7705	E-Mail: kkearney@kearneyrealtygroup.com
Address: 34 Clayton Boulevard, Suite A		
City/PO: Baldwin Place	State: New York	Zip Code: 10505
Project Contact (if not same as sponsor; give name and title/role): Same As Sponsor	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): National Golfworx	Telephone:	E-Mail:
Address: 212 W. 79th Street		
City/PO: New York	State: NY	Zip Code: 10024



B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Zoning Code Text Amendment	February 26, 2016
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan, Stormwater Management Erosion and Sediment Control, Wetland and Watercourse	March 30, 2016
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Fire Prevention Bureau (Advisory to Planning Board) Open Space Committee (Advisory to Planning Board) Architectural Review Board	To Be Determined To Be Determined To Be Determined
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County - Funding & Water and Sewer Approval	Submitted April
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP - Stormwater Pollution Prevention Plan and Sewer Approval	April
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Freshwater Wetland Permit NYSDOT - Coverage Under General Permit and Highway Work Permit	April April
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): NYC Watershed Boundary _____	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
Neighborhood Shopping

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? A text amendment to the Zoning Code is proposed

C.4. Existing community services.

a. In what school district is the project site located? Somers Central School District

b. What police or other public protection forces serve the project site?
Town of Somers Police Department

c. Which fire protection and emergency medical services serve the project site?
Somers Volunteer Fire Department

d. What parks serve the project site?
Town of Somers Parks and Recreation Department facilities

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed Use-Retail/Professional Service, Office, and Affordable Residential

b. a. Total acreage of the site of the proposed action? 11.07 acres
 b. Total acreage to be physically disturbed? 6.2 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 11.07 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated 3
 • Anticipated commencement date of phase 1 (including demolition) 12 month 2016 year
 • Anticipated completion date of final phase 7 month 2017 year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: Phasing only for construction activities.
Phase 1 is SMP construction. Phase 2 is site / building pad / building construction and Phase 3 is installation of wetland mitigation.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				0
At completion of all phases				64

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures 1
 ii. Dimensions (in feet) of largest proposed structure: <30' height; 60 width; and 190 length
 iii. Approximate extent of building space to be heated or cooled: 24,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: Stormwater
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Stormwater
 iii. If other than water, identify the type of impounded/contained liquids and their source.
Not Applicable
 iv. Approximate size of the proposed impoundment. Volume: 0.37 million gallons; surface area: 0.2 acres
 v. Dimensions of the proposed dam or impounding structure: 2 height; 230 length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Earth Fill

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? Site work
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 0 (unless contaminated or unsuitable soil encountered)
 • Over what duration of time? 2 months
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Unsuitable soil for building construction or contaminated soil removed in accordance with applicable regulations.
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. Dewatering ancillary to building footing/utility construction
 v. What is the total area to be dredged or excavated? 0.2 acres
 vi. What is the maximum area to be worked at any one time? 0.2 acres
 vii. What would be the maximum depth of excavation or dredging? Approximately 5 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan:
Site will be stabilized with final surface treatments, i.e. building, pavement, sidewalk, lawn or landscape areas.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Restoration of approximately 26,400 s.f. of currently disturbed wetland buffer/adjacent area.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

Proposed action will recreate 26,400 s.f. of adjacent / buffer area currently being used as lawn

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

Disturbance in adjacent / buffer area is to convert existign lawn into a SMP and renaturalize 26,400 s.f. of lawn

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ design flow 10,790 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Amawalk Shenorock Water District
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

Not Applicable (N/A)

vi. If water supply will be from wells (public or private), maximum pumping capacity: N/A gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: design flow 10,790 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Peekskill Wastewater Treatment Plant
- Name of district: Somers Sewer District 1 / Westchester County Peekskill Sanitary Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ <p>A sewer forcemain will be installed that connects to an existing municipal pump station</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>Not Applicable</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>Note Applicable</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ 3 acres (impervious surface)</p> <p>_____ Square feet or _____ 11.1 acres (parcel size)</p> <p>ii. Describe types of new point sources. Discharge from stormwater management practices.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>Onsite stormwater management practices (SMP's).</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ The onsite SMP's discharge to NYSDEC Wetland ML-12. • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ 1 _____

iii. Parking spaces: Existing 60± Proposed 201 Net increase/decrease 141

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Not Applicable

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
To Be Determined

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Local Utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7am - 6 pm</u> • Saturday: <u>7am - 6pm</u> • Sunday: <u>0</u> • Holidays: <u>0</u> 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>Anticipated 9am to 5pm for commercial</u> • Saturday: <u>Anticipated 10am to 6pm for commercial</u> • Sunday: <u>Not anticipated for commercial</u> • Holidays: <u>Not anticipated for commercial</u>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Monday - Saturday 7am to 6pm

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Details to be determined but direct down lighting with full cut off shields are anticipated in proposed parking areas next to buildings.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored Potential for Bioxide as part of pump pit odor control.

ii. Volume(s) TBD per unit time TBD (e.g., month, year)

iii. Generally describe proposed storage facilities:
To be determined, if deemed necessary by Town.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 1 to 2 tons per week (unit of time)
- Operation : 1.5 tons per week (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: Recycling meeting Westchester County Recycling Law will be provided.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Onsite dumpster managed by private waste hauler.
- Operation: Onsite dumpster managed by private waste hauler.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

Property is located along a commercial corridor and across the street from a mixed use development. Residential neighborhoods are located to the north and west of the site.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.7	3.0	+2.3
• Forested	1.3	1.3	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)		0.6	+0.6
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	3.2	3.2	0
• Non-vegetated (bare rock, earth or fill)			0
• Other Describe: Grass Turf	5.9	3.0	-2.9

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): 9810929
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): 360023
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
 Remediation closed out with NYSDEC.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? Not Encountered feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Udorthents, Smoothed	_____	22 %
Udorthents, Wet Substratum	_____	34 %
Ridgebury Loam	_____	36 %

d. What is the average depth to the water table on the project site? Average: 4 feet

e. Drainage status of project site soils: Well Drained: 30 % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: 70 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 97 % of site
 10-15%: _____ % of site
 15% or greater: 3 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, NYS Wetland, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) ML-12

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): _____ _____	
ii. Source(s) of description or evaluation: _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. CEA name: Baldwin Place Area ii. Basis for designation: Difficulties w/ portable water source iii. Designating agency and date: Date:9-26-90, Agency:Somers, Town of	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
<i>i.</i> Identify resource: <u>Taconic State Parkway</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Scenic byway</u>	
<i>iii.</i> Distance between project and resource: _____ <u>3</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

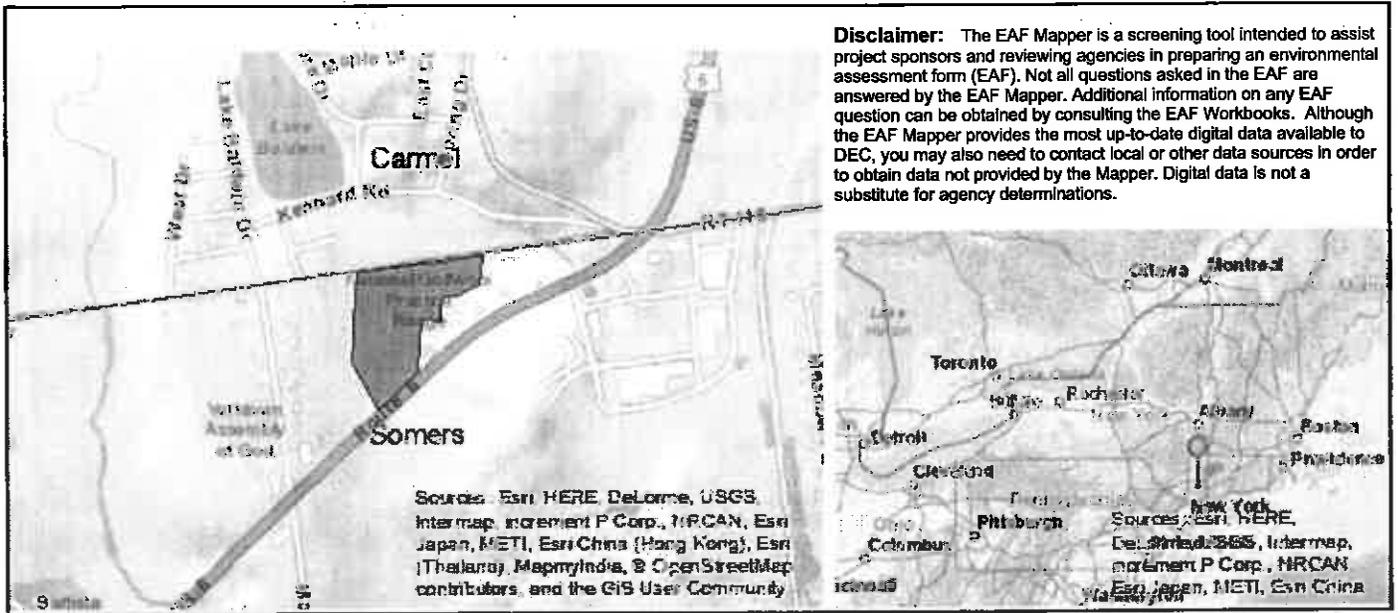
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Jeffrey Costelmo Date 3/30/16

Signature  Title Senior Principal Engineer
Insite Engineering



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	360023
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):4.9
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	ML-12
E.2.h.v [Impaired Water Bodies]	No

E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Baldwin Place Area
E.3.d.ii [Critical Environmental Area - Reason]	Difficulties w/ portable water source
E.3.d.iii [Critical Environmental Area – Date and Agency]	Date:9-26-90, Agency:Somers, Town of
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Town Supervisors of Northern Westchester:

At the February NWH President's Council a few people came up with a novel crazy idea. As you may know, we at NWH are passionate about encouraging citizens to register as potential organ donors. New Yorkers are dying every single day, needlessly, because we have the lowest organ donation rates in the country!

October 6 is National Organ Donor Day. The idea was to create a fun competition between the various Towns of Northern Westchester to see which Town can register the greatest number of organ donors that day. (we haven't yet come up with the prize)

What we are imagining is setting up an organ donor registration table at each participating Town Hall for that full day. It would be staffed by people from the hospital, the organ donor network (LiveONNY), perhaps an organ recipient or two and perhaps a few representatives of the Town. Perhaps we can add some screening programs or a farmer's market. It would be a day for education and registration – pretty simple model.

With so few details known as yet, I am just inquiring whether you would consider suggesting that your Town participate – I'm trying to gauge the general interest level.

Please give me some sense of your level of interest at this early stage. Many thanks and best regards,

Joel

Highway Department

TELEPHONE
(914) 232-4848
FAX
(914) 232-0150

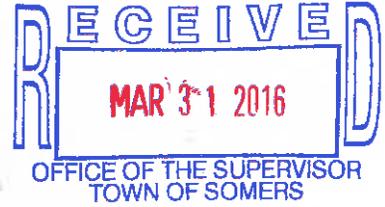
Town of Somers
WESTCHESTER COUNTY, N.Y.

250 RT. 100
P.O. BOX 281

THOMAS E. CHIAVERINI
Superintendent of Highways

LOUIS N. NOTO, JR.
Deputy Supt. of Highways

*April Agenda
EC-TB TCTA
3/31/16 bjs*



MEMO TO: SUPERVISOR
TOWN BOARD

FROM: THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

DATE: MARCH 28, 2016

RE: 2016 MATERIAL RE-BIDS

I recommend that a resolution be passed accepting low bid for 2016 Highway Materials for the category of 16A and 16B Catch Basins.

If you should have any questions please feel free to contact me.


THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

cc: Town Clerk

			M&M Precast	Expanded Supply			
16A PRECAST CATCH BASINS							
2016							
SUMPS WITH 6" WALLS							
OUTSIDE DIMENSIONS 56" x 45"							
INSIDE DIMENSIONS 44" x 33"							
KNOCKOUT DIMENSIONS 24" x 36"							
TYPE A 36" SUMP+FLAT TOP/GRATE		COM B COST	638.00	613.00			
TYPE B 48" SUMP +FLAT TOP/GRATE		COM B COST	660.00	643.00			
TYPE A 36" SUMP		PER UNIT	299.00	262.50			
TYPE B 48" SUMP		PER UNIT	322.00	293.50			
TYPE A & B SUMP EXTENSIONS							
SUMP EXTENSION (RISER) 2"		PER UNIT	66.00				
SUMP EXTENSION (RISER) 4"		PER UNIT	76.00				
SUMP EXTENSION (RISER) 6"		PER UNIT	83.00				
SUMP EXTENSION (RISER) 12"		PER UNIT	117.00	72.00			
SUMP EXTENSION (RISER) 24"		PER UNIT	192.00	165.00			
SUMP EXTENSION (RISER) 36" W/KNOCKOUTS		PER UNIT	299.00	216.49			
SUMP BOTTOM 12" WITHOUT KNOCKOUTS		PER UNIT	256.00				
SUMP BOTTOM 24" WITHOUT KNOCKOUTS		PER UNIT	259.00				
OUTSIDE DIMENSIONS 32" x 32"							
INSIDE DIMENSIONS 24" x 24"							
KNOCKOUT DIMENSIONS 15"							
TYPE C 24" SUMP		PER UNIT	239.00	229.00			
SUMP EXTENSION (RISER) 2"		PER UNIT					
SUMP EXTENSION (RISER) 4"		PER UNIT					
SUMP EXTENSION (RISER) 6"		PER UNIT	93.00	50.00			
SUMP EXTENSION (RISER) 12"		PER UNIT	104.00				
SUMP EXTENSION (RISER) 19"		PER UNIT	208.00	202.00			
SUMP EXTENSION (RISER) 24"		PER UNIT	224.00	218.00			
SUMP BOTTOM 12" WITHOUT KNOCKOUTS		PER UNIT	224.00				
SUMP BOTTOM 24" WITHOUT KNOCKOUTS		PER UNIT	224.00	218.00			

Town of Somers

WESTCHESTER COUNTY, N.Y.

PATRICIA KALBA
TOWN CLERK



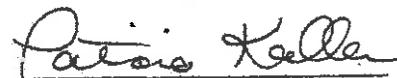
RESOLUTION

RESOLVED, that the Town Board does hereby refer and requests comments from the Superintendent of Highway, Somers Police Chief and the Somers Fire District with regard to the following:

- a. Round-About at the intersection of Routes 100 and 35
- b. Reduction of speed from 55 MPH to 35 MPH on Route 100 from Route 202 to Plumbrook Road

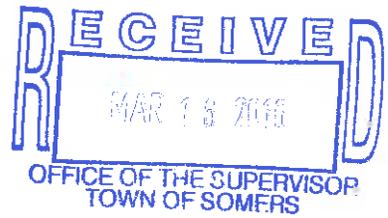
I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of Somers at a Work Session Meeting held on February 11, 2016.

Dated: February 12, 2016


Town Clerk

Cc: Supervisor
Director of Finance
Superintendent of Highways
Police Chief
Somers Fire District

April Agenda
EC-TB TCTA Fu
3/16/16 bp



Tom Chiaverini
Town of Somers
250 Route 100
Somers, NY 10598

Dear Mr. Chiaverini,

This is to inform you that I have accepted a position with the Village of Ossining Water Department. I want to thank you for my time here at the Highway Department.

This new position will require me to begin employment on March 28, 2016 therefore my last day of work here will be March 25, 2016

Thank you,

Joseph Mirra

A handwritten signature in black ink that reads "Joseph Mirra".

Barbara Sherry

file

*P&R
members*

From: Steve Ralston
Sent: Monday, March 07, 2016 2:39 PM
To: Barbara Sherry
Subject: FW: Parks & Rec Board

Steve Ralston

Superintendent
Parks and Recreation
Town of Somers
Phone (914) 232-8441
Fax (914) 232-8548

Sent: Tuesday, February 23, 2016 4:10 PM
To: Rick Morrissey; Bill Faulkner; Anthony Ciriaco; Tom Garrity; Richard Clinchy; Rick Morrissey
Cc: Steve Ralston;
Subject: Parks & Rec Board

Dear Supervisor Rick and Town Board Members:

Thank you for your letter asking if I was interested in being considered for reappointment to the Parks & Recreation Board.

After due consideration, I have decided not to seek reappointment to the Board.

It has been my pleasure to serve on this board for approximately 14 years. I have served with some great people, whose only objective was to determine what was best for the residents of Somers. I have served under 2 great Superintendents, Sylvia and Steve, and a great Chairman in Jim Papa. Our relationship with the Supervisor and Town Board members has always been a relationship that "got things done".

I am very proud of our Board's accomplishments such as Tusker Trax camp, Van Tassel fields and playground, scoreboards, Angle Fly, strengthening the relationship with the School district, the end of SYSA and beginning of SYSO, and the many upgrades to our Parks and programs.

I am certain with the leadership of Steve and Jim, and the dedicated members of the Parks and Recreation Board, the Board will continue to serve the people of Somers as the BEST Board in Town.

Thank you, Gary

Gary A. Friedman

TEL: 914-277-3323
FAX: 914-277-3960

TOWN CLERK'S OFFICE

Town of Somers

WESTCHESTER COUNTY, N.Y.

Town House
335 Route 202
Somers, N.Y. 10589

PATRICIA KALBA
TOWN CLERK



RESOLUTION

RESOLVED, that the Town Board does hereby acknowledge the resignation of Gary Friedman from the Parks and Recreation Board per e-mail dated February 23, 2016 from Gary Friedman.

I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of Somers at a Regular Meeting held on March 10, 2016.

Dated: March 14, 2016


Town Clerk

Cc: Supervisor
Director of Finance
Parks and Recreation Board
Gary Friedman

Somers Department of Parks & Recreation

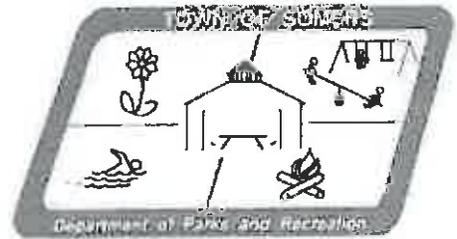
PO Box 46 Somers, New York 10589

OFF: (914)-232-3441

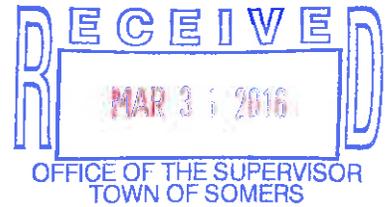
FAX: (914)-232-8548

Steven Ralston
Superintendent

*April Agenda
EC-TB TC TA
3/31/16 bjo*



March 28, 2016



To: Town Board

From: Steven Ralston *[Signature]*
Superintendent of Parks and Recreation

Re: Request for Approval

Request permission to accept with gratitude a \$2,400.00 donation from the Somers Women's Club to provide scholarships for Day Camp participants.

C: Town Clerk
Park Board
Director of Finance

Somers Women's Club

P O Box 108
Somers, NY 10589



March 20,2016

Somers Department of
Parks and Recreation
Reis Park
Somers, NY 10589

This donation is being made by the Somers Women's Club to sponsor four summer camp tuitions. These funds are earmarked for a specific family of 4 children.

Thank you for providing opportunity for the children of Somers to enjoy a summer camp program.

Very truly yours,

Marie Sugar, Treasurer
swc@somerswomensclub.com

Enclosure

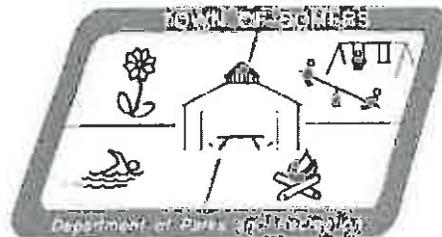
Somers Department of Parks & Recreation

PO Box 46 Somers, New York 10589

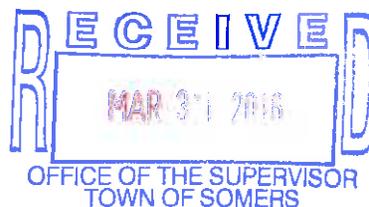
OFF: (914)-232-8441

FAX: (914)-232-8548

Steven Ralston
Superintendent



March 28, 2016



To: Town Board

From: Steven Ralston 
Superintendent of Parks and Recreation

Re: Request for Approval

Request permission to go to bid for Summer Camps Trip Transportation.

C: Director of Finance
Town Clerk
Park Board


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[Life-Changing Services](#)
[Since 1910 About](#)
[Hearing Aids and Technology](#)
[CHC in the Community](#)
[Center for Life](#)
[Home](#) » [The Noise Center](#) » International Noise Awareness Day 21st anniversary

International Noise Awareness Day 21st anniversary

INAD 2016: Wednesday, April 27, 2016

You have to make some noise to end it.

All over the world, people, organizations, and governments will commemorate the 21st Annual International Noise Awareness Day (INAD) on Wednesday, April 27, 2016. The Center for Hearing and Communication (CHC) founded this yearly event in 1996 to encourage people to *do something* about bothersome noise where they work, live, and play.

Contact us to share what you're planning for INAD so we can publish it on the Noise Center. So far, we've heard from people fed up with noise who are planning INAD events here in New York City to as far as Italy and Latvia. Watch this space for info on INAD commemorations all over the globe, how to start your own, and learn more about the history.

Why do we care so much about unwanted noise?

In the short term, noise causes stress, and as most of us understand, stress is terrible for your health. In the long term, noise causes hearing loss—and hearing loss is also detrimental to your health.

Individuals and communities no longer accept that noise is a natural by-product of an industrial society. Grassroots activist groups address the issue of noise in their own communities. New Yorkers gave noise as the leading complaint to quality to the city's life quality hotline.

Adults may be the ones to have the greatest concerns about and problems dealing with noise, but children can suffer just as much, and there may be no indication as such to their parents.

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[Community](#)



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- Senior Services
- Forms

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- [Clubs & Organizations](#)
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Town of Somers Roadside Cleanup

[Printer-Friendly Version](#)



ANNUAL SPRING TOWN-WIDE CLEAN UP Sunday, April 3rd through Saturday, April 30, 2016

"Official" Orange garbage bags and gloves are available at:

- Somers Lions Club Pancake Breakfast: Sunday, April 3rd at Somers High School (9:00 AM to 12:00 PM)
- Somers Town House: Monday thru Friday: (9:00 AM to 4:30 PM) or call: 914-277-3637. Bags & gloves available now!
- Somers Library: (check www.somerslibrary.org for hours) or call: 914-232-6717. Bags & gloves available now!

VOLUNTEERS NEEDED!

Please [sign up](#) to "Keep Somers Clean"

1. Please use caution when cleaning the roadways.
2. Always walk *facing* traffic when picking up litter.
3. Wear brightly colored clothing (preferably neon).
4. Leave the full orange garbage bags securely closed and on the side of the road.

The Somers Litter Task Force would like to extend a sincere "Thank you" to *City Carting, The Kearney Group, Forbes Insurance Agency, Mobil Route 100 Market and Aries Automotive* for their financial support.

[SIGN UP HERE](#)



For more information or questions, please contact the Town of Somers at (914) 277-3637.

Thank you in advance for helping us to *Keep Somers Clean*

*April Agenda
EC - TB TC TA
3/9/16
dk*

THIS AGREEMENT is made on this 9th day of March, 2016, between GARDEN STATE FIREWORKS, INC., hereinafter known and designated as The Party of the First Part; and

Town of Somers NY herein after known as the designated Party of the Second Part.

WITNESSETH: For and in consideration of all mutual covenants and agreements hereinafter entered into, the Party and Parties hereinafter agree as follow:

1. The Party of the First Part agrees to furnish to the Party of the Second Part at Reis Park, RT. 138 On the 25th day of June, 2016 in a location to be designated by the Party of the Second Part and approved by the Party of the First Part, an exhibition of fireworks.
2. The Party of the First Part agrees to pay all expenses for the freight and cartage for the said display, all necessary labor and equipment, and experienced Pyrotechnic Operators to discharge the said display.
3. See Page 2
4. The Party of the First Part agrees to supply to the Party of the Second Part, insurance coverage in the amount of FIVE MILLION DOLLARS for liability and/or property damage. The Party of the First Part agrees to hold harmless the Party of the Second Part from all claims, legal fees incurred from the operations of the Party of the First Part. The Party of the Second Part agrees to hold harmless the Party of the First Part of all and any claims, legal fees incurred outside the operations or the control of the Party of the First Part.
5. The Party of the Second Part agrees to furnish ample security or police protection and barricades to prevent any persons from coming into the safety zone area designated for discharging said fireworks display. With the exception of conditions stated in paragraph 4 above, the Party of the Second Part also agrees to assume sole responsibility for spectator safety, including seating, lighting, and ground surfaces, and agrees to conduct an inspection of the site approximately 24 hours in advance of the display to ensure a safe spectator environment.
6. The Party of the Second Part agrees to produce any and all permits which may be required by municipal authorities for the discharging of the said fireworks display at their own expense.
7. The Party of the Second Part agrees that any and all publicity, media coverage, announcements, and advertising shall name GARDEN STATE FIREWORKS, INC., as the primary contractor for the said display.
8. See Page 2
9. Upon delivery of the said display, the full balance for the contract amount shall be paid to the Pyrotechnic Operator in a sealed envelope either before or immediately following the discharging of the display.
- 10.. Total contract amount \$10,000.00 United States Dollars.

WITNESS:

James Deimel

GARDEN STATE FIREWORKS, INC

BY

August Santore

WITNESS:

TOWN OF SOMERS N.Y.

BY

GARDEN STATE FIREWORKS CONTRACT WITH THE TOWN OF SOMERS, N.Y.

PAGE 2

- 3. The Party of the First Part and the Party of the Second Part agree to a cancellation of the said display in the event of inclement weather. In the event of cancellation, the Party of the Second Part agree to carry the contract to the 2017 Independence Day Celebration in the Town of Somers.

- 8. The Party of the First Part will submit a completed voucher to the Town of Somers in June 2014. Payment will be made for the fireworks in the July abstract of the Town of Somers after the fireworks exhibition.

TOWN OF SOMERS N.Y.

August Santore

GARDEN STATE FIREWORKS

DATE

March 9, 2016

DATE

ADRIAN HARRISON
C-TC, TA, LANCE
orig - TC
T.A.
3/11/16

RDM Computer Consultants, Inc. Annual Service Agreement

10.4.15

Town of Somers
335 Route 202
Somers, NY 10589

Executive Summary

RDM Computer Consultants, Inc. will provide Town of Somers with small business computer consulting services. In consideration for your one year commitment, which starts on January 1st 2016 and ends December 31st 2016, RDM will provide IT consulting, network, file server and desktop support for Town of Somers computer system.

As part of the contract, RDM will provide one scheduled ~~full day~~ service call per month to update the file servers and desktops with the newest service packs, updates, virus protection, and spyware definitions. The service call will also include installing any software updates, training, as well as troubleshooting any network, file server and desktop issues. Telephone and email support is also included. Cost of the contract is \$1,350 per month for the 2016 calendar year.

RDM will provide remote access to the file servers and desktops via a virtual private network or remote desktop application to troubleshoot and resolve issues that occur on a daily basis. After hours and emergency service is available for the duration of the contract. These services are billable at the current hourly rate.

For specific figures and terms of our agreement, signed by you and I, please refer to the attached Letter of Engagement.

Letter of Engagement for Annual Service Agreement

This Letter of Engagement supercedes all prior agreements between the parties. Any mutually acceptable and authorized Change Orders will be appended to this Letter of Engagement and supercede, as necessary, the corresponding elements in this letter.

This agreement is between the following parties: Town of Somers hereinafter referred to as Client, and RDM Computer Consultants, Inc., hereinafter referred to as RDM.

Tasks

A) Monthly On Site Visits – Each file server will be updated to the most current service pack, security fixes, and updates. Antivirus servers will be checked to make sure all virus definitions are up to date and virus free. Backup software and logs will be examined to make sure backups are current and successful. Event logs will be checked for operating system and application errors. Desktops will be examined for virus and spy ware activity. Any other IT related problems could also be addressed at this time.

B) Telephone / email Support – There is no charge for telephone and email support for clients under the annual support agreement.

C) Remote Support – VPN and remote desktop support is available at the current hourly rate under the contract.

D) Service Calls – Clients can schedule a service call at any time for additional work that cannot wait until the monthly onsite visit. The current contract hourly rate applies.

Time

The service contract, which includes one full day on site visit, is \$1,350 per month in the 2016 calendar year. The hourly rate for service that extends beyond the contract will be \$140 per hour for desktop and network/server support for clients who purchase the annual service agreement. Specialty consulting services will be estimated on a per project basis. It should be noted that hourly project estimates are not a fixed-price commitment and are only an estimate, based on needs analysis and network design.

Materials

Due to the volatile nature of the industry, estimates for hardware, software, peripherals and procured services are not a fixed-price commitment and are only estimates, based on needs analysis and network design. Prices and specifications are subject to revision at the time of ordering. Client will be notified verbally, or in writing upon request, of any material differences before proceeding.

Terms

A) Minimum Charges – One hour minimum for on-site service, after hour service, emergency service, and remote support.

B) Terms for Services - Client agrees to bear full responsibility and reimburse RDM for any and all collection costs incurred due to Client's non-payment or late payment of fees and other costs enumerated herein. Such collection costs may include but are not limited to, attorney fees and court costs.

C) Rate Lock – Hourly billing rate will be held at \$140 for desktop and server service through 2016.

D) Software Licensing – RDM does not support unlicensed software. Client represents that all installed software is licensed. In the event that Client has any unlicensed software on premises, Client is responsible for notifying RDM of such so that a remediation plan can be prepared and implemented to assist Client in achieving 100% license compliance.

E) Recruiting or Hiring of RDM Staff and Contractors – Client agrees to not recruit or hire or retain any RDM staff and/or outside contractors for employment or work of any kind, either as an employee or an independent contractor, except through RDM during the duration of RDM's servicing client and for a period of 12 months thereafter.

F) Sanctity of Administrator Password – Client agrees that all reasonable attempts will be made to ensure only authorized and properly trained Client employees are privy to the current administrator password(s). RDM recommends that a minimum of two Client employees, but no more than three, be entrusted with this responsibility. In addition, Client agrees that these authorized employees who have access to administrator password(s) will be available for both initial and ongoing training with RDM staff.

G) Risk of Data Loss -- Client assumes all risk of data loss from any and all causes or in any way related to or resulting from the repair or service of computer hardware, software or other equipment by RDM. Client agrees to bear full responsibility for all data backup prior to any repair or service of computer hardware, software or other equipment by RDM. Client hereby releases RDM from any claim or liability related to data loss for any reason whatsoever.

H) Computer Viruses – RDM agrees to take all reasonable measures to protect Client's computer systems from computer viruses, including installation and maintenance of the latest versions of anti-virus software. Client assumes all risk of computer viruses and will not hold RDM responsible. Client is responsible for the costs of consulting time and materials required to remove any computer viruses.

Principal Contacts

- A) Primary Financial Contact (authorized signer) – Tammi Savva
- B) Primary Technical Contact (Client on-site project manager, responsible for prioritization of projects and tasks, authorization to schedule work and act on-behalf of Primary Financial Contact) – Tammi Savva
- C) Billing Contact (invoices will be sent to this person at address listed above) – Tammi Savva

Enforceability of Surviving Parts

- A) Modification or Amendment – No amendment, change or modification of this Agreement shall be valid unless in writing signed by the parties hereto.
- B) Entire Understanding – This document and any exhibit attached constitute the entire understanding and agreement of the parties, and any and all prior agreements, understandings and representations are hereby terminated and canceled in their entirety and are of no further force and effect.
- C) Unenforceability of Provisions – If any provision of this Agreement, or any portion thereof, is held to be invalid and un-enforceable, then the remainder of this Agreement shall nevertheless remain in full force and effect.

Approval

Please sign below to indicate your approval and return (2) copies at your earliest convenience. An executed copy will be returned to you within 7 days.

Client Acceptance

Signature

Print Name

Date

RDM Computer Consultants, Inc. Acceptance

Signature *Raymond Maggi*

Print Name *RAYMOND MAGGI*

Date *7.8.16*

Barbara Sherry

April Agenda

EC-9BTC.TA
Prin ENG TR
11/4
Up

Joe Barbagallo
Thursday, February 18, 2016 12:52 PM
Rick Morrissey
Steve Robbins; Steve Woelfle; Barbara Sherry
FW: 2016-02-18 Water Quality Improvement Program Proposal
2016-02-18 Water Quality Improvement Program Proposal.pdf

Hi Rick. I have attached the scope of work and fee estimate for the work to develop the storm and septic maintenance program which we have called the Somers Water Quality Improvement Program. The reason for the renaming, which we surely can discuss, is that the overall funding and our study was focused on improving water quality and not just septic/sewage. By defining the program in this way, we think it will keep the spotlight off stormwater while giving the Town the greatest flexibility to include the O&M of stormwater retrofit projects that are focused on improvements in water quality. I will be happy to discuss with you and the Board in March.

This proposal is eligible for reimbursement through the County. I suspect the Town would get full reimbursement, unless the County starts splitting hairs about the inclusion of stormwater in the event it is not accepted for inclusion in the program. I think that risk is low, but the Town should be aware of the potential risks before authorizing us to work on this project. I'm travelling to New Mexico, but can come by next Thursday to discuss if you see that as helpful.

In addition to this proposal, we are working on two others that I would like the Town Board to consider in March. Both of them are paid for with non-Town monies: 1. Adams Loop (to be paid by Somers Realty) and 2. Windsor Road Water Main Extension (to be paid for by the County). These two proposal require agreements that Roland is working with the County and Linda Whitehead on. I expect to get you copies of those proposal on March 1 in preparation for the Work Session. Again, I will be happy to come to the work session to present and discuss. I am not sure if Roland received the IMDA from the County for review yet, but I have checked in with Anthony Zaino who said about a month ago it was forthcoming. Me, Linda and Roland spoke about the MDA for Somers Realty, and she is taking the first draft of that. I am not aware of the present status. We recognize that neither effort would proceed until the funding and agreements are in place.

Thank Rick, and if you need to talk to me over the next week, please send me an email with your availability

Thanks,
Joe

-----Original Message-----
From: Steve Robbins
Sent: Thursday, February 18, 2016 12:10 PM
To: Joe Barbagallo
Subject: 2016-02-18 Water Quality Improvement Program Proposal

Joe,

See attached for the SWQIP proposal.

- Steve

Hand Delivered

February 18, 2016



Rick Morrissey, Supervisor
Town of Somers
335 Route 202
Somers, NY 10589

Re: Proposal for Professional Services
Water Quality Improvement Program Development

Dear Rick:

Woodard & Curran is pleased to present the Town of Somers with this proposal for professional services related to the implementation of recommendations from the May 2015 Wastewater Study. Below please find our Project Background and Scope of Services.

Project Background

The Town of Somers retained Woodard & Curran to perform a Wastewater Study for the Lake Shenorock area with the goal of identifying options to improve water quality within the New York City Watershed, and specifically the Amawalk Reservoir. Phosphorus and coliform bacteria were identified as the two primary water quality concerns. Based on the analyses performed as part of the Study, and through consultation with the Town Board, Lake Shenorock community, New York City Department of Environmental Protection (NYCDEP) and Westchester County, a recommended plan for water quality improvement was developed, including the following key elements:

- Community Maintenance and Education;
- Investigation and repair of illicit connections to the stormwater system;
- Lake Rehabilitation; and
- Implementation of a Septic Maintenance and Repair Program

As water quality improvement was the focus of the Study, the Town is seeking to establish a town-wide Somers Water Quality Improvement Program (SWQIP) to address septic maintenance and repair as well as other projects focused on reducing pollutants of concern identified in the Study. Funding is available for the SWQIP, including program development and administration, through the funds established by the NYCDEP for EOH Water Quality Funds, currently managed by Westchester County, and contingent on final recommendation and approval from the Northern Westchester Watershed Coalition, NYCDEP, and Westchester County.

Scope of Services

Woodard & Curran will assist the Town of Somers with the development of the SWQIP, including additional discussions and review of funding applicability for the other recommended water quality improvement plan elements. Project work will be conducted in three phases, as described below. All work will be conducted in accordance with the current Master Services Agreement between the Town of Somers and Woodard & Curran.



Phase 1 – Review of Neighboring Plans and Funding Mechanisms

As part of Phase 1, Woodard & Curran will review and summarize existing septic maintenance and repair funding programs previously funded by NYCDEP. Key program elements and decisions for the Town of Somers will be identified and summarized in a letter report format and presentation to the Town Board. In addition, we will continue discussions with the NYCDEP and Westchester County regarding the applicability of EOH Water Quality Funds for aspects of the recommended Water Quality Improvement Plan that are less clearly eligible for funding than septic maintenance and repairs. All elements of the proposed plan will have a positive impact on water quality in Lake Shenorock and the NYCDEP Watershed, but the availability of grant funding for all of them needs additional discussion. We will work with the approval authorities for a comprehensive program approach that improves water quality in Lake Shenorock and the NYCDEP watershed. The outcome of these discussions will be included in the summary letter report.

Phase 1 is anticipated to take four to six weeks, and will be conducted for a lump sum fee of \$8,000.

Phase 2 – Detailed Program Development

Following the presentation to the Town Board at the conclusion of Phase 1, Woodard & Curran will work with the Supervisor and Town Attorney, with regular reporting to the Town Board, on the development of a detailed plan for implementation of the Water Quality Improvement Program. Elements, including the septic maintenance and repair program components, anticipated to be included in this plan are:

- Program description;
- Applicable definitions;
- Program components (septic, stormwater, lake, etc.)
- Priority area(s);
- Program eligibility;
- Eligible costs;
- Application process;
- Review process;
- Appeals process;
- Reimbursement process;
- Applicable standards; and
- Inspection procedures.

Phase 2 is anticipated to take four to six months, and will be conducted for a lump sum fee of \$25,000. At the conclusion of Phase 2, Woodard & Curran will present the plan to the Town Board, and meet with Westchester County to confirm acceptability and the next steps for final approvals and implementation. Meetings beyond those with the Town Board and Westchester County (i.e. – Westchester County Board of Legislators), are not anticipated nor included in this proposal at this time.

Phase 3 – Additional Plan Elements Implementation

At this time, only the development of the Water Quality Improvement Program is proposed to be conducted. Following additional discussions as part of Phase 1, Woodard & Curran will inform the Town of additional elements of the water quality improvement plan that can be reimbursed with EOH Water Quality Funds and propose a separate scope of services for the development of implementation plans for those elements.

(signatures next page)

Sincerely,

WOODARD & CURRAN ENGINEERING P.A. P.C.



Joseph C. Barbagallo, P.E., BCEE
Principal



Via Regular US Mail

March 2, 2016



Rick Morrissey, Supervisor
Town of Somers
335 US-202
Somers, NY 10589

Re: Professional Engineering Services Proposal
Route 6 Water Main Connection

Dear Rick:

Woodard & Curran is pleased to provide the Town of Somers with this proposal for Professional Engineering services related to the design of a new 10-inch cement lined, ductile iron water main on State Route 6 between Windsor Road and Mahopac Avenue. Below please find our Project Understanding and proposed Scope of Work.

PROJECT UNDERSTANDING AND APPROACH

The Town intends to install a new 10-inch cement lined ductile iron water main on State Route 6 between Windsor Road and Mahopac Avenue. The goal of this project is to connect the Windsor Farms water district with the Amawalk-Shenorock water district to provide additional redundancy in the system. Currently, there is no connection between the two districts. The scope of work includes approximately 1,900 linear feet (L.F.) of new 10-inch water main along Route 6 between Windsor Road and Mahopac Avenue and a below-grade vault with a pressure-reducing valve (PRV).

This work will be completed in accordance with the Terms of the agreement between the Somers Realty Developer and the Town. Per this agreement the work, including design, permitting, and construction oversight, as well as the construction of the project itself, will be funded by Somers Realty up to an agreed-upon amount. This amount is estimated to include the total project cost at this time. Although contingency is included in this estimate, the actual price may vary depending on the bidding conditions at the time of the bid as well as changes that may be needed to address permitting requirements.

SCOPE OF WORK

Phase 1 –Field Investigation and Preliminary Design

Phase 1 will include field investigations and survey to define existing site conditions, discuss the project with involved agencies, and develop the design basis and major design components of the proposed improvements.

Woodard & Curran will retain the services of a licensed boring sub-consultant to advance up to twelve (12) borings along the proposed alignment on Route 6. Borings will be performed to 1.5 times the depth of bottom of the proposed depth of trench, to confirm the depth to groundwater, classify existing soil characteristics, and determine if any rock removal will be required. If rock is encountered, confirmatory borings will be done 5 feet from the refusal boring. Pavement damaged by this work will be restored to existing conditions.



Wetlands along the route will be delineated and flagged. Woodard & Curran will retain the services of a surveyor to collect boring locations, wetland flags, and any additional infrastructure or site features not previously collected for the project area.

Permits for roadway opening and survey activities along Route 6 will be required from the New York State Department of Transportation (NYSDOT) and will be obtained by Woodard & Curran and its subcontractors. A maintenance and protection of traffic plan will be prepared for review by NYSDOT and included with the permit application.

Due to the borings in wetland buffers, a Wetland and Watercourse Permit may be required from the Town of Somers. The borings will not result in any direct impacts to wetlands nor will they cause permanent disturbance of the wetland buffers.

Preliminary project discussions will be held with the Town of Yorktown, Northern Westchester Joint Water Works, New York State Electric and Gas, and NYSDOT to inform them of the project and coordinate any conflicts or needs of the respective agencies prior to the initiation of design development.

We anticipate the Field Investigation to be completed within 8 weeks following project authorization, and project discussions and conceptual design to take another 6 weeks.

Phase 2 – Design Development

Information collected under Phase 1 will be used to prepare 40-scale base plans for the design. Plans and technical specifications will be developed. The design will include new 10-inch cement lined ductile iron pipe, isolation valves, hydrants, and a PRV vault. Communication and controls systems will be designed to integrate the new PRV with the Water Department's existing SCADA system. Woodard & Curran will provide a 50% Design submittal to the Town of Somers for review. Comments from the 50% Design review will be incorporated into a 100% Design submittal for use in permitting activities.

A Final Design submittal will be prepared following issuance of construction permits for use by the Town to publicly bid and award the project.

Woodard & Curran will also provide an Opinion of Probable Construction Cost (Engineer's Estimate) with the 50%, 100%, and Final Design submittals. This estimate will be prepared from computed quantities and recent bid prices received for similar projects.

Woodard & Curran will submit the Final Design to the Westchester County Health Department (WCHD), along with the required application, Engineer's Report, and Application Fee. The budget assumes one (1) plan revision and a memorandum response to comments from the WCHD.

In addition to WCHD permitting, the following permits are anticipated to be required for this project:

1. Town of Somers Wetland and Water Course Permit – The proposed water main alignment crosses a wetland area. The possibility of a directional drill water main installation will be evaluated to mitigate direct wetland impacts. Wetland buffer impacts during construction are likely, but will not result in permanent disturbance to the buffers.
2. New York State Department of Environmental Conservation (NYSDEC) Protection of Waters Permit – The proposed water main alignment crosses a type A(T) stream
3. New York State Department of Transportation (NYSDOT) Permit – Route 6 is a state road, and thus will require State DOT permitting



Phase 2 will include coordination with regulatory agencies and preparation of permit applications for the WCHD permit plus the three permit applications listed above. A SEQR review is not currently anticipated to be included as it is a Type II action under Section 617.5(c)(11): "extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list." Woodard & Curran will consult with the Town's counsel, and if a SEQR review is required, a change order may be required to prepare an Environmental Assessment Form.

A maintenance and protection of traffic plan for construction activities will be prepared for review by NYSDOT and included with the permit application.

We anticipate the 50% Design to be completed in approximately four (4) weeks after the Field Investigations. The 100% Design will be completed and permit applications submitted within four (4) weeks of the receipt of comments from the Town. The Final Design to be completed within two (2) weeks of the receipt of comments from the regulatory agencies.

The following deliverables are included under Phase 2:

- 50% Design Submittal: Drawings and Specifications
- Final Design Submittal: Drawings and Specifications (10 hard copies, plus a PDF-format)
- Opinion of Probable Construction Cost (Engineer's Estimate).
- WCHD Permit Application.
- Freshwater Wetlands Permit Application.
- NYSDEC Protection of Waters Permit Application.
- NYSDOT Permit Application.

Phase 3 – Bid Phase Services

Woodard & Curran will assist the Town of Somers with the procurement of a contractor to complete the construction of the project. The following work items will be completed under this phase:

- Facilitate a pre-bid meeting with the Town of Somers and prospective bidders.
- Address Contractor's questions before, during and after the pre-bid meeting.
- We will provide input on addenda to Contract Documents to address Contractor questions, or to clarify the Contract Documents to facilitate the bid process.
- Assist in the evaluation of bids, insurance documents, references, etc. and providing a recommendation of award to the Town of Somers.
- It is assumed that the Town of Somers will advertise and administer the bid process, including distribution of plans and tracking of plan holders. The budget does not include costs associated with this work.
- The budget assumes a 4 week bid period. If additional effort is required in the event of a bid protest, or contractor negotiations, Woodard & Curran will inform The Town of Somers of any additional budget authorizations required to assist with those services.



Phase 4 – Construction Administration and Resident Engineering

During the Construction Phase, Woodard & Curran shall provide full time construction oversight to facilitate contractor coordination and document the contractor's activities. The Woodard & Curran inspector will observe the construction progress on a daily basis and prepare inspection and activity logs. Based upon the on-site observations and coordination with Town of Somers staff, Woodard & Curran will review and recommend payments to the contractor for work completed. Change orders will be administered, if required. Woodard & Curran will inform WCHD when the required testing will be conducted and of test results. At the conclusion of the construction period, Woodard & Curran will document conditions observed during Woodard & Curran's inspections, prepare Record Drawings and file for Construction Completion with WCHD.

When the PRV is installed, Woodard & Curran will coordinate with the contractor during startup and integrate the new PRV into the Water Department's existing controls system.

We have assumed that the project will be constructed over a three (3) month period, and full time construction oversight will be required for 40 hours per week for the 14 week construction period.

PROPOSED FEES SUMMARY AND PROJECT SCHEDULE

Phase	Proposed Fee	Type	Anticipated Phase Duration
1 – Field Investigations	\$66,380	Lump Sum	14 weeks
2 – Design Development	\$74,335*	Lump Sum	10 weeks, plus Town and Agency review time
3 – Bid Phase Services	\$9,165*	Time and Materials	5 weeks
4 – Construction Administration and Resident Engineering	\$112,715*	Time and Materials	2 months
Project Total	\$262,595*		

* Estimated, to be confirmed after completion of Phase 1 and as noted above and not to be exceeded without prior approval.

This work will be conducted on a lump sum basis with monthly progress billing as a percentage of project completion, in accordance with our most recent Terms and Conditions with the Town of Somers.

Sincerely,

WOODARD & CURRAN ENGINEERING P.A. P.C.

Joseph C. Barbagallo, P.E., BCEE
Principal

Steven C. Robbins, P.E., LEED AP
Project Manager

SEEN AND AGREED:

Rick Morrissey Date
Supervisor, Town of Somers, NY

Via Electronic Mail

March 2, 2016



Rick Morrissey, Supervisor
Town of Somers
335 US-202
Somers, NY 10589

Re: Professional Engineering Services Proposal
Hidden Meadows Construction Phase

Dear Rick:

Woodard & Curran is pleased to provide the Town of Somers with this proposal for Professional Engineering services related to the bidding and construction administration of a new 10-inch cement lined, ductile iron water main on Windsor Road between Brianna Lane and State Route 6. Below please find our Project Understanding and proposed Scope of Work.

PROJECT UNDERSTANDING AND APPROACH

As part of the Hidden Meadows project, a water main extension was designed to extend water service from the existing terminus of the Windsor Farms Water District to the proposed Hidden Meadows Development. This water main extension, Route 6 road widening, and wastewater pump station have been designed and permitted by the Hidden Meadows project team and will be funded through a Westchester County HIF grant. As such, Westchester County and Hidden Meadows that the Town take the lead on administering the construction contract. The terms of this agreement will be outlined in an Intermunicipal Developer Agreement (IMDA), which is in the process of being developed and executed. Woodard & Curran will assist the Town with this aspect of the Hidden Meadows project as described in the Scope of Work. As will be outlined in the IMDA, all fees for this work will be paid for by either the County or Hidden Meadows, and not the Town.

SCOPE OF WORK

Phase 1 – Bid Documents Preparation

Woodard & Curran will review the design prepared by the Hidden Meadows Developer to confirm concurrence with the approach and the Town's design standards. With the design drawings and technical specifications from the developer's team, Woodard & Curran will prepare a procurement package for use by the Town in bidding. Two meetings with the Town and the developer's team are anticipated during this phase. The developer will be responsible for final permitting and will be the Engineer of Record for the design.

Phase 2 – Contractor Procurement

Woodard & Curran will assist the Town of Somers with the procurement of a contractor to complete the construction of the project. The following work items will be completed under this phase:

- Facilitate a pre-bid meeting with the Town of Somers and prospective bidders.
- Address Contractor's questions before, during and after the pre-bid meeting, with technical answers being required by the Developer's engineer.



- Work with the Developer's engineer to provide input on addenda to Contract Documents to address Contractor questions, or to clarify the Contract Documents to facilitate the bid process.
- Assist in the evaluation of bids, insurance documents, references, etc. and provide a recommendation of award to the Town of Somers.
- It is assumed that the Town of Somers will advertise and administer the bid process, including distribution of plans and tracking of plan holders. The budget does not include costs associated with this work.
- The budget assumes a 4 week bid period. If additional effort is required in the event of a bid protest, or contractor negotiations, Woodard & Curran will inform The Town of Somers of any additional budget authorizations required to assist with those services.

Phase 3 – Construction Administration and Resident Engineering

During the Construction Phase, Woodard & Curran shall provide full time construction oversight of the Route 6 road widening, wastewater pump station, and water main installation to facilitate contractor coordination and document the contractor's activities. The Woodard & Curran inspector will observe the construction progress on a daily basis and prepare inspection and activity logs. Based upon the on-site observations and coordination with Town of Somers staff, Woodard & Curran will review and recommend payments to the contractor for work completed. Change orders will be administered, if required, and coordinated with the Developer's engineer. Woodard & Curran will inform WCHD when the required testing will be conducted and coordinate with the Developer's engineer for joint oversight of the testing. The Developer's engineer will visit the site periodically to stay appraised of construction progress and documentation sufficient to maintain records to prepare Record Drawings and file for Construction Completion with Westchester County Health Department.

We have assumed that the water main will be installed over a three (3) month period, and full time construction oversight will be required for 40 hours per week for 14 weeks.

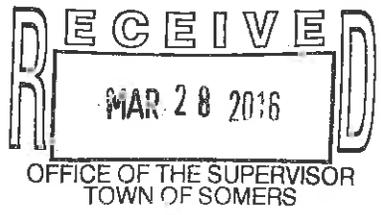
PROPOSED FEES SUMMARY AND PROJECT SCHEDULE

Phase	Proposed Fee	Type
1 – Bid Documents Preparation	\$15,000	Lump Sum
2 – Contractor Procurement	\$12,000	Lump Sum
3 – Construction Administration and Resident Engineering	\$141,000	Time and Materials
Project Total	\$168,000	

This work will be conducted on a lump sum basis with monthly progress billing as a percentage of project completion, in accordance with our most recent Terms and Conditions with the Town of Somers.

(signatures next page)

Appl Agenda
SC - TB TC TA
Finance
3/28/16 KJP



Westchester County
Change of Use Application Form

Property Information

- 1. Property Name: Van Tassell House
 Property Location (provide full address): 100 Primrose Street, Katonah State: NY Zip: 10536
 Tax Map # (Sec/Blk./Lot): 27.12 - 2 - 2 Municipality: _____
- 2. Property Owner Name: Town of Somers
 Mailing Address: 335 Route 202 Somers State: NY Zip: 10589
 Telephone: Home: 914-276-0082 Work: _____ Cell: _____
- 3. Property Use: Mixed Use Industrial commercial Other - describe: Town Senior Center/ Recreation
- 4. Is the property located on NYC Watershed: Yes No
- 5. Facility Name (if different): Van Tassell Park
 Facility Owner/Lessee: Town of Somers
 Facility Address (if different): _____ State: _____ Zip: _____

Existing Onsite Wastewater Treatment System (OWTS) /Water Supply Information

- 6. Is there an OWTS approved by WCDH: Yes No WCDH File #: S9483 Attach copy of WCDH approval
- 7. Does property have a NYSDEC SPDES permit? Yes No If Yes: permit # _____ Attach a copy of SPDES permit
- 8. Domestic water supply source: Public Private Well If Public Name _____
- 9. Is property located in a County Sewer District: Yes No If Yes, Name _____
- 10. Date septic tank last pumped: 2015
- 11. Was there any evidence of exposure or discharged septage onto ground surface reported on the Septic System Data Form (SSDF): Yes No NA (septic tank pumped prior to January 24, 2008)

Proposed Change of Use

12. Describe proposal see attached

- 13. Are there water meter records for the property: Yes No Attach copy of water records for one year
- 14. Is there a Food Service Establishment on premises Yes No If yes: Name: _____
- 15. Is it expected that the proposed change in use will result in an increase in flows to the existing OWTS: Yes No
- 16. Provide a copy of plans of building showing existing and proposed space.

II. PROPERTY OWNER (SIGNATURE REQUIRED)	FACILITY OWNER/LESSEE (SIGNATURE REQUIRED)
NAME <u>Rick Morrissey</u>	NAME _____
SIGNATURE _____	SIGNATURE _____
DATE _____	DATE _____

Change of use Proposal - Westchestergov
Town of Somers Nutrition Program
Van Tassell House
Program director, Barbara Taberer, 914-232-0807
98 Primrose Street, Katonah, NY 10536

August 15, 2015

The Nutrition Program at Van Tassell House currently holds permit to Operate SOFA Food service with the following conditions: No Cooking + No Food preparation. The program receives large containers of prepared food from the Yorktown Nutrition Program. As many as 182 meals daily. 120 are sent out to home bound clients. The rest are served at the Center. 62 is our max seating in the dining rooms. We would like to continue to order the cooked food for the bulk of the seniors. However, for on-site participants we would like to have the option to prepare fresh meals and incorporate local garden fruits and vegetables on days where time permits to compliment Westchester County Health and Wellness Initiative.

The Town seeks approval for cooking and prep to serve a maximum Of 62 participants.

Gallons per person – currently permitted per day for Van Tassell House – 830 gallons

- | | |
|---|-----------------------|
| 1. The Town of Somers employs four F.T. staff at the center | 4 x15 gallons = 60 |
| 2. Lunch is served once a day at 12 noon and cleaned up
once following that service. Maximum 62 diners in house
no more than 3 hours | 62 x 10 gallons = 620 |
| 3. Exercise classes, camp meetings and club meetings are
Scheduled at the House also. Groups are not permitted to use
the kitchen and generally do not stay more than 1 hour.
During the course of one day the max total participants in this
category would be 40. | 40 x 3 gallons = 150 |

Max total daily 820 - daily

The kitchen has been renovated to accommodate requirements for cooking and prep.
A grease trap has been installed by a licensed professional technician and services for regular cleaning are in place.
A prep sink has been installed for use- food preparation only along with prep surface.
A three bay sink for washing pans/dishes has been installed.
A separate hand washing sink has been installed in the kitchen.

A commercial refrigerator is in place.

Application for Purchase Advantage Card

Required fields are indicated with an asterisk (*)

BUSINESS/ORGANIZATION INFORMATION

* Business/Organization Name [Please provide the full legal name of the business/organization entering into this Agreement.]

Town of Somers

* Address Line 1 335 Route 202

* Address Line 2 _____

* City Somers * State NY * Zip 10589

* Phone 914 - 2774394 Ext. _____

* Federal ID No. 136007329

Parent Company Name [If applicable, please indicate how you would like your parent business/organization name to appear on the card(s).]

BILLING INFORMATION

* Business/Organization Name [Please provide the name of the business/organization where you would like your billing statement to be mailed.]

Somers Nutrition Program

* Address Line 1 P.O. Box 236

* Address Line 2 _____

* City Lincolndale * State NY * Zip 10540

* Phone 914 - 232 - 0807 Ext. _____

* ORGANIZATION TYPE School Government Faith Based Business Other

* CARDS [Please indicate the number of cards your business/organization wishes to receive.] 1 2 3 4

* REQUESTED CREDIT LINE \$ 1,000

SALES TAX EXEMPTION [If your business/organization is entitled to a sales or use-tax exemption please provide your exemption/resale number.]

13-6007329

Presentation of the card alone is not sufficient documentation for a sales tax exemption. The Account Holder agrees to supply any additional forms or documents required under state law at the time of purchase or pay the applicable sales tax.

TRADE REFERENCES [Please provide information on two of your current charge accounts.]

* Name Shoprite Supermarkets, Inc

* Address 176 North Main Street

* City Florida * State NY * Zip 10921

* Phone 845 - 651 - 4411 Ext. _____

* Name _____

* Address _____

* City _____ * State _____ * Zip _____

* Phone _____ - _____ - _____ Ext. _____

By signing this application on behalf of your business, you agree to be bound by the Card Terms & Conditions which will accompany the card and will be effective if your application is accepted. On behalf of your business, you represent that (a) all information contained in this application is complete and accurate; (b) you are an authorized representative with authority to enter agreements; (c) your business is a commercial, non-profit or governmental entity; and (d) your purchases will be used only for business, commercial, agricultural, or organizational purposes and not for any personal, family or household purposes. You authorize Albertsons to use the information in this application to conduct a credit check and obtain information about your business from credit reporting agencies and other resources deemed appropriate in establishing, renewing, updating, or maintaining a card account with Albertsons, including for receiving or collecting on amounts owed.

* NAME OF PERSON REQUESTING ACCOUNT:

Rick Morrissey

* TITLE OF PERSON REQUESTING ACCOUNT:

Town Supervisor

FOR ANY QUESTIONS CONCERNING THIS APPLICATION PLEASE CONTACT THE STORE WHERE YOU RECEIVED THIS APPLICATION.
PLEASE SUBMIT ONLY ONE APPLICATION TO ONE STORE.

April Agenda EC - TB TC TA 3/31/16 BP

INTEROFFICE MEMORANDUM

TO: TOWN SUPERVISOR, RICK MORRISSEY AND MEMBERS OF THE TOWN BOARD
FROM: PROGRAM DIRECTOR, BARBARA TABERER
SUBJECT: ACME DIRECT PAY ACCOUNT
DATE: 3/31/2016
CC: TOWN CLERK AND FINANCE DIRECTOR

The Director of Adult Programs, respectfully requests permission to submit an application for a "Purchase Advantage Card". This card will permit the Nutrition staff to purchase items for the Adult Nutrition Program at local Acme stores and submit to Town of Somers for payment. Tax exempt status will be programmed into the card.

Highway Department

TELEPHONE
(914) 232-4848
FAX
(914) 232-0150

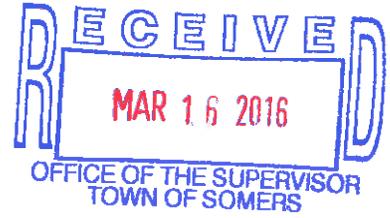
Town of Somers

250 RT. 100
P.O. BOX 281

WESTCHESTER COUNTY, N.Y.

THOMAS E. CHIAVERINI
Superintendent of Highways

LOUIS N. NOTO, JR.
Deputy Supt. of Highways



MEMO TO: SUPERVISOR
TOWN BOARD

FROM: THOMAS E. CHIAVERINI
SUPT OF HIGHWAYS

RE: RELEASE OF THE STREET OPENING BOND

DATE: MARCH 14, 2016

After final inspection of street opening located on 28 Equestrian Park Dr. Katonah NY
I recommend release of bond in the amount of \$140.00 to 58A JVD Industries, Ltd
261 West Lincoln Ave. Mt. Vernon, NY 10550

THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

cc: Director of Finance
Town Clerk

TOWN OF SOMERS
HIGHWAY DEPARTMENT
TOWN HIGHWAY WORK PERMIT # 509-14



Date: 9/4/14

Thomas E. Chiaverini
Superintendent of Highways

Louis Noto
Deputy Superintendent of Highways

Job Address 28 EQUESTRIAN PK

Section 2720 Block 1 Lot 12

Owner's Name ANNE & LEWIS LOWMYER Contractor Name S&A TUD INDUSTRIES

Address 28 EQUESTRIAN PK Address 261 W HUNTERDON AVE

City/Town/Village KATONAH (SOMERS) City/Town/Village MT VERNON, NY

State & Zip NY State & Zip NY 10550

Phone 914-232-9240 Phone 914-699-5805

Emergency Number _____ Emergency Number SAME

Issued By [Signature] Date 9/4/14

Bond Release Process

Final Inspection By [Signature] Date 3/7/16

Record Release By _____ Date _____

Bond Released On _____ (Date)

509-14

TOWN OF SOMERS
APPLICATION FOR WORK ON TOWN HIGHWAY

To the Town Superintendent of Highways
Somers, New York 10589

Sec. 27.20 Blk. 1 Lot 12

Bond Calculation

Driveway _____ each at \$500 bond each = _____

Street Opening (asphalt area) 28 FT square feet @ \$5.00 per square foot = 140.00

Shoulder _____ square feet @ \$1.00 per square foot = _____

Total Bond = _____

Application fee received by Catherine D. Dintz Date 9/4/14

Application is hereby made for permission under the "Highway Permits" ordinance of the Town of Somers adopted September 19, 1991 by L.L. No. 5-1991 to enter upon, construct in or under or to place in or upon a town highway or a sidewalk within the said Town of Somers, as follows:

1. Applicant 58A JVD INDUSTRIES
2. Address 261 WEST LINCOLN AVE
City MT. VERNON State NY Zip 10550
Contact PIE CR 24 Phone 914 899 5805
3. Town Highway - Location _____
4. Work to be Commenced _____ Completed _____
5. Purpose of Application REPLACE CHALE
6. Environmental Determination YES _____ NO _____
7. Environmental Permits YES _____ NO _____ N/A _____

In consideration of the granting of the permit applied for, I agree to conform to all terms and conditions herein imposed, forming a part of such permit and to the provisions of the "Street Opening Ordinance" and to any special regulations or requirements that may be made from time by the Town Superintendent of Highways.

Peter T. Frow
Applicant

9/4/14
Date

Approved by [Signature]
Highway Superintendent

9/4/14
Date

Highway Department

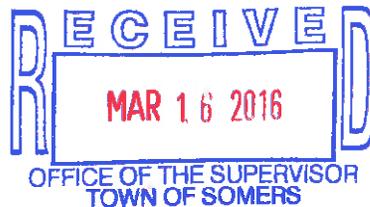
TELEPHONE
(914) 232-4848
FAX
(914) 232-0130

Town of Somers
WESTCHESTER COUNTY, N.Y.

250 RT. 100
P.O. BOX 281

THOMAS E. CHIAVERINI
Superintendent of Highways

LOUIS N. NOTO, JR.
Deputy Supt. of Highways



*April Agenda
EC-TBTCETA
Fun
3/16/16 bsp*

MEMO TO: SUPERVISOR
TOWN BOARD

FROM: THOMAS E. CHIAVERINI
SUPERINTENDENT OF HIGHWAYS

RE: RELEASE OF THE DRIVEWAY BOND

DATE: MARCH 15, 2016

After final inspection of driveway located at 9 Jean Way Somers, NY 10589 Section 17.12 Block 2 Lot 24, I recommend release of bond in the amount of \$500 to Michael Cambareri and Heidi Cambareri of 9 Jean Way Somers, NY 10589


THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

cc: Director of Finance
Town Clerk

TOWN OF SOMERS
HIGHWAY DEPARTMENT
TOWN HIGHWAY WORK PERMIT # D15-11



Date: 5/10/11

Thomas E. Chiaverini
Superintendent of Highways

Louis Noto
Deputy Superintendent of Highways

Job Address 9 Jean Way, Somers, NY

Section 17.12 Block 2 Lot 24

Owner's Name Michael + Heidi Cambareni Contractor Name Cambo Construction Giuseppe Cambareni

Address 9 Jean Way Address 140 Byram Lake Rd.

City/Town/Village Somers City/Town/Village NY RISCO

State & Zip NY 10589 State & Zip NY 10549

Phone 914-276-0120 Phone 914-244-0477

Emergency Number 914-953-1163 Emergency Number 914-424-1527

Issued By [Signature] Date 5/10/11

Bond Release Process

Final Inspection By [Signature] Date 3/15/16

Record Release By _____ Date _____

Bond Released On _____
(Date)

Highway Department

TELEPHONE
(914) 232-4848
FAX
(914) 232-0150

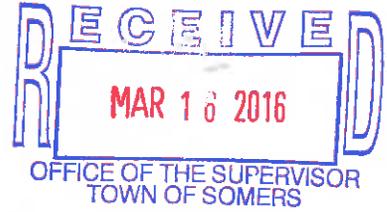
Town of Somers

WESTCHESTER COUNTY, N.Y.

250 RT. 100
P.O. BOX 281

THOMAS E. CHIAVERINI
Superintendent of Highways

LOUIS N. NOTO, JR.
Deputy Supt. of Highways



MEMO TO: SUPERVISOR
TOWN BOARD

FROM: THOMAS E. CHIAVERINI
SUPERINTENDENT OF HIGHWAYS

RE: RELEASE OF THE DRIVEWAY BOND

DATE: MARCH 15, 2016

After final inspection of driveway located at 19 Lounsbury Dr. Baldwin Place, NY 10505
Section: 5.13 Block: 1 Lot: 16 I recommend release of bond in the amount of \$1,000.00 to C&C
Land Company, LLC 19 Lounsbury Dr. Baldwin Place


THOMAS E. CHIAVERINI
SUPT. OF HIGHWAYS

cc: Director of Finance
Town Clerk

TOWN OF SOMERS
HIGHWAY DEPARTMENT
TOWN HIGHWAY WORK PERMIT # D 11-10



Date: 7-15-10

Thomas E. Chiaverini
Superintendent of Highways

Louis Noto
Deputy Superintendent of Highways

Job Address 19 Lounsbury
Baldwin Place NY 10505
Section 5.13 Block 1 Lot 16

Owner's Name Francis Ciara Contractor Name C+C Land Comp.

Address 19 Lounsbury Address _____

City/Town Village Baldwin Pl. City/Town/Village _____

State & Zip NY 10505 State & Zip _____

Phone 914-906-6723 Phone _____

Emergency Number _____ Emergency Number _____

Issued By [Signature] Date 7/19/10

Bond Release Process

Final Inspection By [Signature] Date 3/15/16

Record Release By _____ Date _____

Bond Released On _____
(Date)

April
Agenda
EC - TBTC TPA
Fur
3/25/16
RP

INTEROFFICE MEMORANDUM

TO: TOWN SUPERVISOR, RICK MORRISSEY AND MEMBERS OF THE TOWN BOARD
FROM: PROGRAM DIRECTOR, BARBARA TABERER
SUBJECT: ADULT TRANSPORTATION PURCHASE ORDER
DATE: 3/25/2016
CC: TOWN CLERK AND FINANCE DIRECTOR

The Director of the Adult Nutrition/ Transportation Program, respectfully requests the Town Supervisor approve a purchase order # for one 2016, 14 passenger van with one wheelchair access. Total price due upon delivery - \$55,554

State contract # with FORD

Shepard Bros., Inc.

20 Eastern BLVD.

Canandaigua New York

LOT E BUSES : Dual Rear Wheel Cutaway 11 Passenger (10A/1WC)
New York STATE OGS Group 40523
Award Number: 22945
Contract Number: PC67314SB

ORDER DATE: 3/17/16

PURCHASE ORDER # _____ (PURCHASE ORDERS MADE OUT TO: SHEPARD BROS., INC.)

NAME OF AGENCY: Town of Somers

ADDRESS: _____ DELIVERY ADDRESS(if different): _____

CITY: _____ CITY: _____

STATE: _____ STATE: _____

ZIP CODE: _____ ZIP CODE: _____

CONTACT: Barbara Taberner CONTACT: _____

PHONE: 914-232-0807 PHONE: _____

FAX: _____ FAX: _____

EMAIL ADDRESS _____ EMAIL ADDRESS _____

BASE VEHICLE

158" WHEEL BASE DUAL REAR WHEEL VEHICLE 10 PASSENGERS 1 WHEELCHAIR BASE VEHICLE CAPACITY

\$50,749.00 X 1 = \$50,749.00

Optional Equipment available directly under NYS Contract IFB

Additional Wheel Chair Restraint System

-\$643.00 X = \$0.00

Optional Wheel Chair Restraint System

-\$32.00 X = \$0.00

Continuous "L" Track

\$237.00 X = \$0.00

Raised Floor

\$3,352.00 X = \$0.00

Additional 3 Step Fold-away Seat

\$803.00 X = \$0.00

Change Auxillary A/C To Roof Mounted Condensor

\$816.00 X = \$0.00

6 Camera Seon System

\$2,918.00 X = \$0.00

Reverse Camera

\$200.00 X = \$0.00

Spare Tire and Rim (Spare Tire And Rim Not Able to Be Stored on bus during operation)

\$325.00 X = \$0.00

Driver's Side Running Board

\$121.00 X 1 = \$121.00

TOTAL VEHICLE QUANTITY

= 1

State's 80% Portion

= \$40,696.00

Grantee's 20% Portion

= \$10,174.00

NYS Contract Options Total

= \$121.00

Total Grant Vehicle Base Price Plus State Contract Options

= \$50,870.00

Total Non-Contract Optional Equipment (Requires a separate agency purchase order, NOT COVERED BY NYS GRANTS)

= \$4,684.00

GRAND TOTAL

= \$55,554.00

ADDITIONAL OPTIONS SELECTED FROM WORKSHEET PAGES

UPHOLSTERY COLOR: _____
 LETTERING COLOR: _____
 STRIPING PACKAGE: _____
 FLEET NUMBER(S): _____

OFFICE OF THE SUPERVISOR

Town of Somers

WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277-3637
Fax
(914) 276-0082

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

RICK MORRISSEY
SUPERVISOR



April 1, 2016

AGENDA

TO: Town Board
FROM: Rick Morrissey
Supervisor
RE: Budget Transfers

Authorize the following Request for Budget Transfer of Funds.

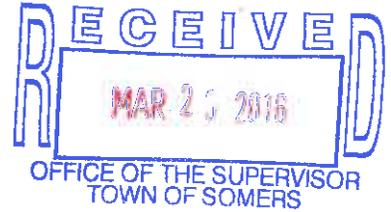
FROM	TO	AMOUNT	REASON
Debt Service Fund – 003.9714.0007.0000 Open Space Interest	Debt Service Fund – 003.9714.0006-0000 Open Space Principal	\$20,000.00	Transfer required due to 2015 bond refunding.
Somers Sewer District – 040-9950- 0940 – Transfer to Capital Fund	Somers Sewer District – 040.81020.0400 – Sanitary Sewers Contractual Expense	\$8,588.40	Transfer due to reclass of water system modeling project to Sewer Contractual

Z:\Supervisor\My Documents\BUDGET MODIFICATION.docx

April
Agenda
SC - all
3/23/16
RJP

2015

BUDGET TRANSFER



From:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
Debt Service Fund	003.9714.0007.0000	Open Space Interest	\$20,000

To:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
Debt Service Fund	003.9714.0006.0000	Open Space Principal	\$20,000

Explanation: Transfer required due to 2015 bond refunding.

Authorized Signature Robert Kehoe, Director of Finance 

Date : 3/23/16

2015

BUDGET TRANSFER

From:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
Somers Sewer District	040.9950.0940	Transfer to Capital Fund	\$8,588.40

To:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
Somers Sewer District	040 8120.0400	Sanitary Sewers Contractual Expense	\$8,588.40

Explanation: Transfer due to reclass of water system modeling project to Sewer Contractual.

Authorized Signature: Robert Kehoe, Director of Finance

Date : 3/23/16



Telephone
(914) 277-5300
Fax
(914) 277-1093

Town of Somers
WESTCHESTER COUNTY, N.Y.

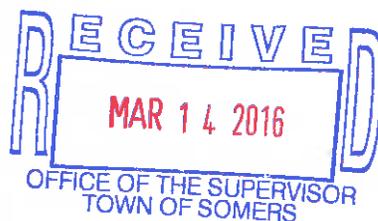
SOMERS TOWN HOUSE
385 ROUTE 292
SOMERS, NY 10589
www.somersny.com

April Asenda

Steven Woch
Principal Engineering Technician
swoch@somersny.com



Syretta Dym, MEd
Town Planner
sdym@somersny.com

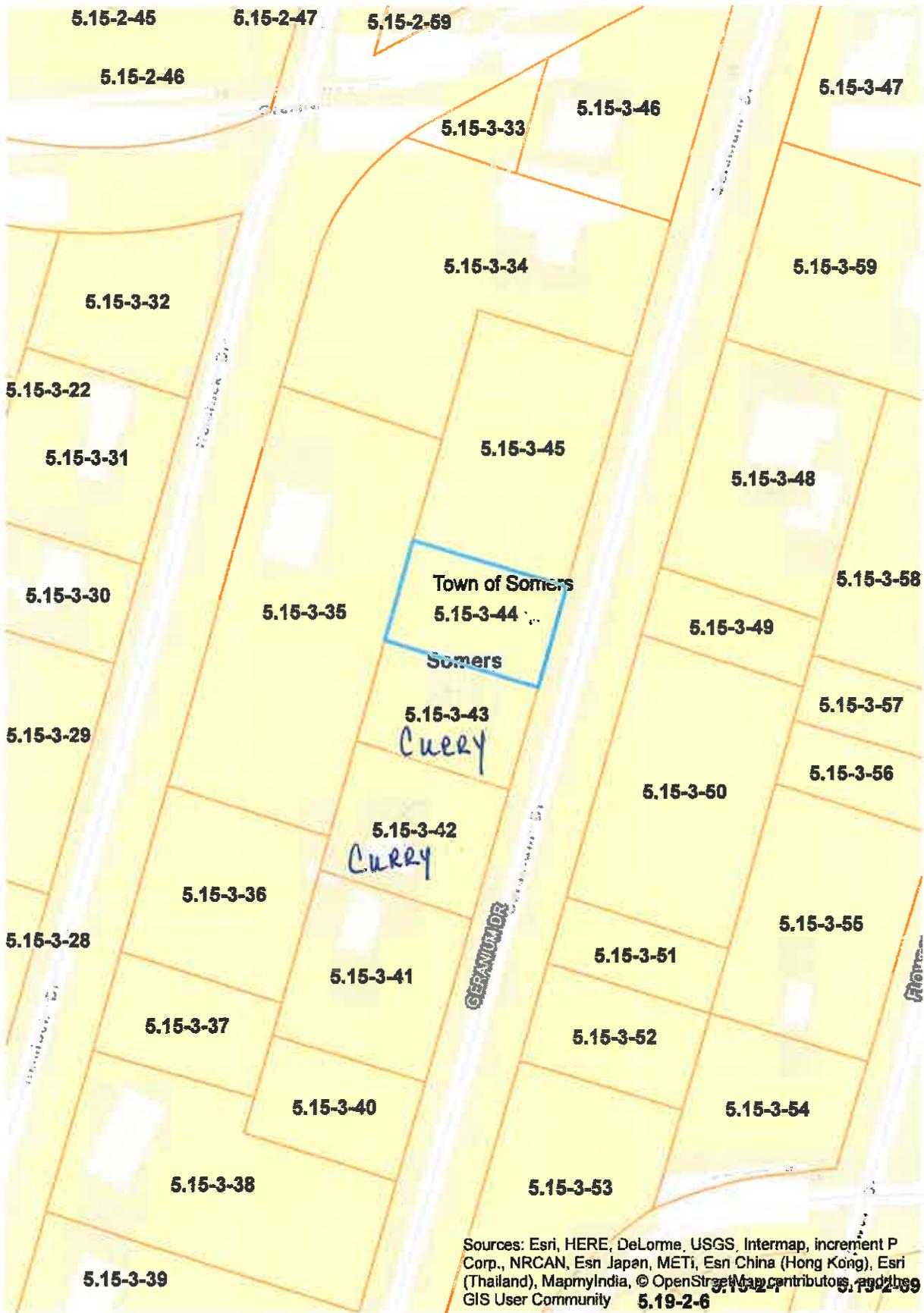


Date: *MARCH 11, 2016*
To: Director of Finance T10(314)
From: Wendy Getting *WJG*
Senior Office Assistant
RE: Erosion Control Bond
Boniello/RAM STAR REALTY, LLC Tree Preservation and Stormwater
Management and Erosion and Sediment Control Permit
T#M: 36.08-1-74

Attached is a check in the amount of \$500.00 posted RAM STAR REALTY, LLC., 39 Moseman Avenue, Katonah, NY 10536 in payment of an Erosion Control Bond.

Att.
cc: Town Board
Town Clerk

Request to Purchase Town Owned Parcel in Lincoln Dale Section 5.15-3-44, 11 Geranium Drive



Monday, March 28, 2016 1:35 PM
Rick Morrissey
Barbara Sherry; Tammi Savva
5.15-3-45 aka 11 Geranium Drive

Good Afternoon Mr. Morrissey,

I hope all is well with you. My name is Joseph Curry & I live at 7 Geranium Drive for the past 2 years. I really like the Town & services provided to me are very good, in particular the Department of Public Works they do a great job at all times of day & night snow plowing.

The reason for my note is; I would like to make an offer to purchase the vacant lot 5.15-3-45 the Town currently owns that adjoins my 5.15-3-43. My intentions are to clean up the property there is a lot of under growth comprising of downed trees etc. I do not intend to build. I would like to offer \$1500.00. Please let me know if this is acceptable to the Town Board.

Thank you

Best Regards
Joseph Curry
7 Geranium Drive
Mahopac NY 10541

Barbara Sherry

From:
Sent: Sunday, April 03, 2016 10:08 PM
To: Barbara Sherry
Subject: Fwd: Request to purchase "Bud Court"
Attachments: IMG_0189.JPG; IMG_0188.JPG; Survey.pdf; Riccardi Request to Purchase Bud Court.docx

Dear Barbara,

Attached please find, A letter to Rick Morrissey, Town Supervisor, requesting to purchase "Bud Court" (paper road), survey, and photos of same.

Please advise if you require anything additional.

Thank you.

Rena Riccardi

----- Forwarded message -----

From: Rena Riccardi
Date: Sat, Apr 2, 2016 at 3:13 PM
Subject: Photos of Bud Court
To: HOME

Sent from my iPhone

Rena M. Riccardi

April 2, 2016

**Rick Morrissey
Supervisor, Town of Somers
335 Route 202
Somers, NY 10589**

Re: Request to purchase Bud Court (paper road)

Mr. Morrissey,

I recently spoke with Steven Woelfle, Town Engineer regarding my desire to purchase Bud Court, a paper road adjacent to the home/property I recently purchased. He felt my request was realistic and recommended I send a written request to you.

Purchasing Bud Court would allow me to complete and pave the preexisting circle driveway that currently sits, partially on Bud Court. Herewith, please find property survey and photos.

In the photo with the telephone pole near midline, between the shrub and the first fence post, is a preexisting (small gray stone) property marker showing approximately 10 feet of the preexisting circular driveway retaining wall on Bud Court.

The previous owners and now I, maintain the property. The road does not provide access to public land. My neighbor on the opposite side of Bud Court has no objection to my request to purchase the land.

I would like to offer \$1,000.00 to purchase said land.

I look forward to hearing from you regarding this request.

**Thank you,
Rena M. Riccardi**





PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5365
Fax
(914) 277-4002

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com



Steven Woolfe
Principal Engineering Technician
swoolfe@somersny.com

Suzette Dym, AICP
Town Planner
sdym@somersny.com

*April 14 Agenda
EC - TBCTA Fu
4/6/16 bp*

Date: April 6, 2016
To: Director of Finance T10(914)
From: Wendy Getting *wg*
Senior Office Assistant
RE: Erosion Control Bond
Crook Wetland Permit
TM: 47.12-1-18



Attached is a check in the amount of \$300.00 posted Robert Roy Crook III, mailing address: 4 Sun Hill Road, Katonah, NY 10538 in payment of an Erosion Control Bond.

Att.
cc: Town Board
Town Clerk

Update on New York Prize Phase 1 Feasibility Assessment

Somers Microgrid

*This document is confidential and is intended solely for the use and
information of the client to whom it is addressed.*

Booz | Allen | Hamilto

Somers lacks natural gas and has relatively small loads, adversely impacting project financials

- ▶ The project does not show financial feasibility given the lack of natural gas and relatively small loads
- ▶ The design ties municipal facilities, a commercial cluster including medical services, sewage treatment, and several residential units into a microgrid. Emergency services from the Town Government and Fire Department will remain online in an outage.
- ▶ 5% of loads qualify for NYPA financings



Proposed Facilities
Heritage Hills Sewage Treatment
Somers Fire Station
Somers Crossing Retail Group
Town Government and Elephant Hotel
MK Medical Group
Heritage Hills Cluster Load Clusters 1-2

Proposed Microgrid	
Model	DER Ownership
Third Party Ownership and Utility Operation	3rd Party (private/community/combination)
Software/ Hardware Ownership	Operations

Utility	Utility contracts for operation
---------	---------------------------------

Proposed DERs	Revenues					
<ul style="list-style-type: none"> • 300 kW PV (carport) • 300 kW PV (ground) • 3 X 1MW/4MWh • 15 kW anaerobic digester 	<table border="1"> <tr> <td>\$120,000</td> </tr> <tr> <td>O&M Costs</td> </tr> <tr> <td>\$130,000</td> </tr> <tr> <td>Capital Costs</td> </tr> <tr> <td>\$4,950,000</td> </tr> </table>	\$120,000	O&M Costs	\$130,000	Capital Costs	\$4,950,000
\$120,000						
O&M Costs						
\$130,000						
Capital Costs						
\$4,950,000						

Somers has several paths ahead in the absence of a full, integrated community microgrid

- ▶ Standalone energy resources
 - Solarize Somers continues to show success. Work to continue the momentum given that solar is a positive value proposition in Somers even without Solarize discounts
 - The anaerobic digester proposed for the wastewater treatment plant projects as a net positive investment. While it cannot support extended island operation, it will reduce costs at Heritage Hills and improve the local energy posture
 - The proposed storage does not support a standalone investment
- ▶ NYSERDA energy efficiency programs offer a wide range of possibilities
 - NYSERDA Economic Development Growth Extension (EDGE) – primary pathway to NYSERDA EE programs. The local contractor is Melissa Herreria at Courtney Strong, Inc.
 - Home Performance with Energy STAR – free audit and 10% discount on retrofits
 - Commercial Existing Facilities Program – up to \$60,000 for audits and retrofits
- ▶ NYSEG Programs



Menu

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- [E.I.C. Info](#)

Energize NY Staff, Officers and Service Providers

[Energize NY Commercial](#) | [Energize NY Finance](#) | [Energize NY Municipal](#) | [Energize NY Residential](#) | [Management Team](#) | [Communications and Technology](#) | [Advisors](#)

COMMERCIAL TEAM

ROBERT FISCHMAN, Director of Energize NY Commercial. Robert brings three decades of professional experience in the building industry, having directed more than \$500 million in capital construction programs for commercial, residential, educational and cultural institutions, municipal facilities, research laboratories, hotels and athletic facilities. Robert holds a BS in Civil Engineering from Union College and a MS in Sustainability Management from Columbia University. [LinkedIn Profile](#).

JANA PETRIKOVA, Assistant Director of Energize NY Commercial. Jana is passionate about environmentally and socially responsible business practices and has seven years of experience working with businesses on sustainability issues. Jana also serves as the Program Manager at [Westchester Green Business Challenge](#), helping Westchester businesses implement sustainable practices into their business operations that save money and create a healthier working environment. Jana previously worked as a Data Analyst at CSRHUB, a B Corporation that offers sustainability and corporate social responsibility (CSR) ratings on over 15,000 companies from 130 different countries. Jana received her M.B.A. from the University of Massachusetts Amherst and her master's degree in Financial Management and Accounting from the University of Economy in Bratislava, Slovakia. [LinkedIn Profile](#)

MARK THIELKING, Executive Director of Energize NY and the Energy Improvement Corporation (EIC). Mark is also a member of the Energy Advisory Panel for the Town of Bedford, NY and Bedford's representative to [Sustainable Westchester](#). Mark previously was

Managing Director within UBS Investment Bank's Environmental Advisory Group (EAG), joining EAG from the bank's Fixed Income Department where he ran the US Dollar GSE Agency trading desk. Mark is a graduate of Boston University with a BA in Economics. [LinkedIn profile](#).

FINANCE TEAM

MARK THIELKING, Executive Director of Energize NY and the Energy Improvement Corporation (EIC).

MICHAEL CASTRACAN, Director of Underwriting. Mike has more than 18 years experience as a municipal bond credit analyst, assessing the creditworthiness of municipal issuers, with an emphasis on utility credits, including public power entities. He has previously worked for Kroll Bond Rating Agency, Fitch Ratings, and MBIA Insurance Corporation. Mike holds a JD from the Delaware Law School and an MBA from Pace University.

MUNICIPAL TEAM

ELYSSA ROTHE, Director of Municipal Membership & Member Services. Prior to joining Energize NY, Elyssa represented energy efficiency incentive programs in various capacities since 2007, including as coordinator of NYSERDA's (New York State Energy Research and Development Authority) Energy Smart Communities Program for Westchester and the Bronx. Elyssa also serves as the Secretary of the Board of Directors for SPARC Inc., a non-profit that provides therapeutic recreation to people with developmental disabilities. Elyssa has a BA from NYU in social entrepreneurship and completed NYU's Certificate Program for Fundraising in 2015.

RESIDENTIAL TEAM

THOMAS BREGMAN, Director of Energize NY Residential. Tom has led Energize NY's residential energy efficiency (EE) efforts since its inception in 2010. During his tenure, Energize NY has helped drive energy efficiency market transformation in northern Westchester using a community based approach and homeowner support tools that have increased the number of energy efficiency upgrades by almost 300%. Tom has over 20 years experience in corporate marketing and management, IT, environmental advocacy, political campaigns and high-tech starts ups. Tom has a BA in International Relations from SUNY Stony Brook and an MBA in Sustainability from Antioch University New England.

LAUREN BROIS, Assistant Director of Energize NY Residential. Lauren joined Energize NY in 2013 after having been a summer intern. She graduated from SUNY New Paltz with a BS in Education and minors in Environmental Studies and Visual Arts. At SUNY New Paltz, she was the Recycling Coordinator, working to educate students, staff, and faculty on proper recycling rules and the value of recycling through large scale events, consumption

demonstrations and interactive programs. Prior to joining Energize NY, Lauren taught a Kindergarten Enrichment class for pre-schoolers. On the weekends she is a Naturalist at Teatown Nature Preserve and enjoys visiting museums, traveling and taking photos.

MANAGEMENT TEAM

MARK THIELKING, Executive Director of Energize NY and the Energy Improvement Corporation (EIC).

KATHRYN HOENIG, Chief Operating Officer of Energize NY and Energy Improvement Corporation (EIC). Ms. Hoenig served on EIC's Board since its founding in 2011 until 2015, as well as on EIC's Audit, Governance and Finance Committees. Ms. Hoenig is a member of the Town of Bedford's Energy Advisory Panel. Prior to joining Energize NY, Ms. Hoenig provided consulting services to private investment funds, asset managers, brokerage firms, investment banks and other financial service companies with respect to a variety of regulatory, risk and operational issues. Prior to that, Ms. Hoenig was Executive Vice President for Corporate Strategy for Investment Technology Group (ITG), an independent research and execution broker and leader in electronic trading. From 1992 until 2002, Ms. Hoenig was a director and General Counsel of Hoenig Group Inc., a public financial services firm focused on global institutional brokerage and asset management. Ms. Hoenig holds a J.D. from New York University School of Law and an A.B. from Duke University.

DAN KILLOURHY, Treasurer. Dan has significant international experience in financial accounting and audit having worked for Siemens, the German electronics and manufacturing firm for over 18 years, most recently as Director of Operational and Financial Audit for North and South America. Dan also worked for several of the big 4 accounting firms, including PWC, earlier in his career. Dan has substantial experience directing compliance, operational and financial audits as well as significant fraud investigations. After leaving Siemens, Dan worked for the Public Integrity and Economic Crimes Unit of Westchester County, N.Y. as Investigator and Forensic Accountant. Dan is a CPA and holds an MBA in Finance. [LinkedIn Profile](#)

COMMUNICATIONS AND TECHNOLOGY

HEATHER FLOURNOY, Director of Communications and Operations. Heather has 20+ years of experience working with mission-driven businesses, entrepreneurs and nonprofits to build community engagement and reputation. She has a passion for renewable energy, for people and the planet, with a special emphasis on food and water and human impact on the environment. She was previously co-owner of Really Social Strategies, a social media and grassroots marketing company, and is the founder of Katonah Green, an online

sustainable living network. She is chair of the Town of Lewisboro Sustainability Committee.
[LinkedIn profile](#)

BOBBY VEIT, Office Manager and IT support. Bobby is a full time geek who has had a lifetime passion for technology. Computers and renewable energy are at the forefront of this unyielding obsession. Trained for twenty years in the corporate IT environment, before joining Energize NY, Bobby spent several years helping local Mom & Pop business with their technology and Internet concerns.

ADVISORS

JOSEPH M. DEL SINDACO, PACE Finance Advisor to Energize NY. Joe served as Executive Vice President and Chief Financial Officer of the New York Power Authority (NYPA) from 2004–2011, having been appointed by the Governor of the State of New York. From 1995–1999, Joe was the Chief Operating Officer of the Empire State Development Corporation. Prior to serving government on a state-wide basis, Joe was elected Councilman and later Supervisor of the Town of Bedford, New York. Joe holds an MBA Degree in Management from the Executive Program of the University of New Haven.

NORM JEN, Energy Coach, Energize NY Residential Program. Norm Jen has been teaching Building Performance Institute (BPI) certification classes and administering certification exams for the past five years. He holds several BPI certifications and is a HERS rater. When not teaching, Norm is a principal at the Jenesis Group, a local builder and general contractor with over 20 years of building experience. Norm has overseen the construction of over 150 homes in Westchester, Putnam and Manhattan. [LinkedIn](#).

JAMES S.J. LIAO, Portfolio Management Advisor for Energize NY. James is an experienced financial and banking executive with more than 35 years of hands-on experience in financial operations and management in banking, not-for-profit and Fortune 500 companies. He has been a Vice President in the International Leasing Division of Manufacturers Hanover Leasing where he had credit responsibility for its \$300+ million portfolio in London, Spain, Italy, Hong Kong, Korea and Indonesia; Manager at Touche Ross & Co. in its management consulting practice; Director in the Corporate Management Audit Group at Siemens Corporation; Executive Vice President of the Jockey Club; and Vice President of Finance and Administration of the Municipal Art Society.

PFM (Public Financial Management, Inc. ([PFM](#))), serves as Financial Advisor to the Energy Improvement Corporation. Laura Franke leads the effort as the head of PFM's Environmental Finance group. Laura joined PFM in 2011 after running her own independent financial advisory firm that focused on clean energy financing for municipal clients. Her practice includes development, structuring, credit presentation, funding selection assistance and management of Property Assessed Clean Energy (PACE) Programs in multiple states. Additionally, Laura works with municipal clients to evaluate and select appropriate debt,

incentives and special funding options for a variety of energy-related improvements, capital improvements, refundings and cash flow financing.

SRS (Sustainable Real Estate Solutions, Inc) is a service provider to Energize NY Commercial program. SRS's cloud-based energy finance underwriting software platform enables the multiple stakeholders (program administrators, building owners, contractors, capital providers and insurers) to underwrite energy efficiency and renewable energy projects that yield compelling investment returns. SRS clients include industry-leading energy finance programs such as the state of Connecticut's C-PACE program.

CONNECT WITH ENERGIZE ON LINKEDIN

Energize NY
2051 Baldwin Road - Suite 107
Yorktown Heights , New York , 10598
(914) 302-7300
info@energizeny.org

About Us

Energize NY is a community-based energy efficiency program operating within the Energy Improvement Corp (EIC), a New York State local development corporation. Our core mission is to provide energy efficiency and renewable energy benefits to New York property owners that help them save money and reduce energy waste in their buildings. Energize NY provides direct support, tools and PACE (Property Assessed Clean Energy) financing to help building owners access existing New York State Energy Research and Development Authority (NYSERDA) energy efficiency and renewable energy programs.

Contact Us

Energize NY
French Hill Elementary School
2051 Baldwin Road - Suite 107
Yorktown Heights, NY, 10598

<http://energizeny.org/energize-ny-staff>

2/19/2016

(914) 302-7300
info@energizeny.org

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