

JULY 20, 2016 – SPECIAL MEEING

Minutes of a special meeting of the Town Board of the Town of Somers held on Thursday evening July 20, 2016 at 5:00 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Richard G. Clinchy
 Councilman Anthony J. Cirieco

ABSENT: Councilman Thomas A. Garrity, Jr.
 Councilman William G. Faulkner

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

The Supervisor explained that this was a special meeting to acknowledge the receipt of Petition from Kearney Development Group and others to extend Somers Sewer District #1.

The Supervisor explained that this extension was part of a Community Benefits Package that the Developer of Crossroads at Baldwin Place was proposing. He said that this would bring water and sewer lines as well as sidewalks to residents and businesses in that area. He continued that this will be of great benefit to the businesses that were limited by their water usage.

Councilman Cirieco explained that the petition defined the scope of the project and there was no cost to the Town of Somers.

Councilman Clinchy asked if there was a dollar value to the Benefits Package. The Town Attorney explained that in the Order Calling for the Public Hearing they estimated a cost of \$700,000.00. Councilman Clinchy asked if there was a breakdown of that cost. The Town Attorney said that Mr. Barbagallo, Town Engineering Consultant might have a breakdown. Councilman Clinchy asked if they could be provided with a copy of the breakdown. The Town Attorney said that he would ask the Developer's Attorney for a copy of the breakdown.

The Supervisor said that the Town Board had not adopted or signed off on a Benefits Package at that point. He said that would be done at another meeting.

The Supervisor explained that the hurdle they were facing was not with the County allowing the Crossroads at Baldwin Place project into the Sewer District, it was them packaging the other eight to nine properties into the District. He said that the projected usage numbers were not tremendous. He said that he would like the request that was being sent to the Board of Legislators to be inclusive of the other properties. The Supervisor said that they did not have the signatures of all the parcels that would be included in the petition. The Town Attorney explained that after the meeting the Town Clerk was required to send each property owner a notice of the Public Hearing where at that time they could come to the public hearing and express their support or objections. He continued that the majority of assessed value supported the extension and that was what controlled the vote.

Discussion ensued with regard to the opposition of the proposed Code change that was received during the public hearing at the last meeting. It was agreed that they would ask the Developer to contact the resident and try to address some of his concerns.

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

RESOLVED, that the Town Board of the Town of Somers does hereby adopt an Order Calling for a Public Hearing to Extend Somers Sewer District #1 for Thursday, August 4, 2016 at 7:00 PM as follows:

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At a Special Meeting of the Town Board of the Town of Somers at the Town Hall, 335 Route 202, Somers, New York in the Town of Somers, Westchester County, New York, on the 20th day of July, 2016, at 5:00 p.m.

P R E S E N T :

Hon. Rick Morrissey
Anthony J. Cirieco
Richard G. Clinchy

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In the Matter of the Extension of the Somers Sewer District #1 in the Town of Somers Westchester County, New York, pursuant to Article 12 of the Town Law.

ORDER CALLING
PUBLIC HEARING

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WHEREAS, a petition, a map and plan have been prepared by KEARNEY REALTY AND DEVELOPMENT GROUP, INC. and others in such manner and in such detail as has heretofore been determined by the Town Board relating to the extension of the Somers Sewer District #1, and

WHEREAS, said petition, map and plan have been prepared by an engineer, duly licensed by the State of New York, showing the boundaries of the proposed extension and a general plan of the water system connection, and

WHEREAS, said petition, map and plan have been duly filed in the office of the Town Clerk of said Town and are available for public inspection during normal business hours, and

WHEREAS, said map shows the transmission mains and appurtenant facilities to be connected to the existing sewer mains, and

WHEREAS, the boundaries of the proposed extension to said district to be known as “The Crossroads at Baldwin Place Extension” are as follows:

SEE SCHEDULE A

WHEREAS, the improvements proposed are as set forth in the petition, and

WHEREAS, the cost of the improvements, including professional fees, will be paid for by the applicant, and

WHEREAS, the maximum amount proposed to be expended for said improvements is Seven Hundred Thousand (\$700,000.00) Dollars, and

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NOW, on motion of Supervisor Morrissey, seconded by Councilman Cirienco, it is hereby

ORDERED, that the Town Board of the Town of Somers shall meet and hold a public hearing at the Somers Town Hall, 335 Route 202 in said Town on the 4th day of August, 2016, at 7:00 p.m. in that day to consider said petition, map and report and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law.

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Rick Morrissey	voting	Aye
Anthony J. Cirienco	voting	Aye
Richard G. Clinchy	voting	Aye
William G. Faulkner	voting	Absent
Thomas A. Garrity, Jr.	voting	Absent

and the order was thereupon declared duly adopted.

BY ORDER OF THE TOWN BOARD

Dated: Somers, New York
July 20, 2016

TOWN OF SOMERS
Patricia Kalba, *Town Clerk*

SEE SCHEDULE A

i. Tax Parcel Number 4.20-1-3.1	57 US Route 6	Petitioner
ii. Tax Parcel Number 4.19-2-20	250 Mahopac Ave.	Petitioner
iii. Tax Parcel Number 4.19-2-19	51 US Route 6	
iv. Tax Parcel Number 4.20-1-1	55 US Route 6	
v. Tax Parcel Number 4.20-1-5	63 US Route 6	Petitioner
vi. Tax Parcel Number 4.20-1-6	71 US Route 6	Petitioner
vii. Tax Parcel Number 4.20-1-7	75 US Route 6	Petitioner
viii. Tax Parcel Number 4.20-1-8	Vacant	Petitioner
ix. Tax Parcel Number 4.20-1-9	77 US Route 6	Petitioner
x. Tax Parcel Number 4.20-1-10	81 US Route 6	Petitioner
xi. Tax Parcel Number 4.16-1-1	85 US Route 6	
xii. Tax Parcel Number 4.16-1-2	87 US Route 6	

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The Supervisor said that Steven Ralston, Superintendent of Parks and Recreation had asked for the Board to approve to go to bid for the resurfacing Tennis Court. He explained the issue that had occurred with the current bid and why it was thought that the project was going to be rebid. He said that how they were going to address the situation was to send an addendum to the Companies that received a bid package. The Supervisor said that this item was being removed from that evening's agenda.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Ciriaco the meeting was adjourned at 5:20 PM.

Town Clerk