

FEBRUARY 20, 2014 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening February 20, 2014 at 7:00 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. Ciriaco
 Councilman William G. Faulkner

ABSENT: Councilman Richard G. Clinchy

Also present were Kathleen R. Pacella, Town Clerk and Patricia Kalba, Deputy Town Clerk.

PUBLIC COMMENT:

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

Approval
of the
minutes

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

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

RESOLVED, that the Town Board does hereby approve the minutes of the January 2, 2014 Organizational Meeting and the January 9, 2014 Regular Meeting.

Monthly
reports

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

Discussion
w/ Father
Key reg. the
St. Luke's
Food Pantry

The Supervisor said that the next item on the agenda was a discussion with Father Sandy Key of St. Luke's Church, Somers regarding the Food Pantry. Father Key thanked the Board for allowing him to come before them that evening. He said that he was before the Board that evening to tell them what St. Luke's was doing. He explained that over the last seven years that he had been at St. Luke's he had been working on ways to help the needy in the community. Father Key continued that they had been working with the school through Ms. Teresa Rita to try and help the individuals in the community who were having difficulty making ends meet. He said that when he arrived in 2007 there were about 18 families that were receiving food aid, as of 2012, which was the last data that he had there were about 65 families that needed assistance. He said that they had been looking at other ways to help and a variety of ideas were explored. Father Key said that when Super Storm Sandy hit the area it became self-evident that St. Luke's was in a great position to help and help with their food. He said that there was an Eagle Scout Project done at St. Luke's that converged on some of their storage area to maximize the storage space. He continued that they were now in a position to begin to claim space for food. Father Key said that they had to wait 3 months before they could apply to be in coordination with the Food Bank, they had to be in process and active for a 3 month period and they were moving in that direction. He said that at the end of the month St. Luke's will be opening the Food Pantry. He said that he was there that evening to let the Board know what St. Luke's was doing to help the people of the community, this was not just about the members of the parish, this was for anyone who needed help. Father Key stated that their plan was to be open on Fridays from 2:00 PM to 6:00 PM and they would look to see if that was going to be needed every Friday. He said that they would continue to work through the details of how this would play out over the course of the next few months. He said that they were not asking the Town Board for any assistance other than being aware of it and having the knowledge.

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Councilman Garrity asked if the food they were receiving was being donated. Father Key explained that some was being donated and that some was going to have to be purchased at this time. Councilman Garrity said from their standpoint the Town Board could get the word out that St. Luke's was looking for donations. He asked if there were particular food items that work better for them than others. Father Key said that every two weeks in their bulletin, but they could make it available in other venues, a list of what they were in need of was posted. He gave a list of what they were currently in need of as an example. Councilman Garrity asked if St. Luke's had a website that would include the Food Pantry and what was needed. Father Key said that they did. Councilman Garrity said that they could place a link to the website to the Town of Somers website.

Supervisor Morrissey said that he would place the flyer with regard to the opening of the Food Pantry on the Town website tomorrow and when Father Key sent them the link with more specific information they could put that on as well. Father Key said that he would send the Supervisor the link as soon as it was active.

Councilman Garrity said that they wanted to get this information out to the public because as everyone remembers when Super Storm Sandy hit the area St. Luke's opened the church to the Town to come and get a hot meal when no one had electricity and it was a great thing that they did. He said that the fact that they were trying to do it for others in the community was a great thing and they always gave back to the Town in great ways. He thanked Father Key for all that he did for the community.

Father Key said that he was also going to be reaching out to the other areas of the community and making personal appeals to them as well to get them involved. The Board pointed out different entities in Town that they could assist Father Key with reaching out to. Father Key stated that if anyone had any questions they could contact him for information.

Discussion
w/ Ms. M.
Henning
reg.
Driver's
Safety
Program

The next item on the agenda was a discussion with Ms. Marie Henning with regard to a Driver's Safety Program. Ms. Henning introduced herself to the Board and stated that she was 17 years old, a Junior at Somers High School and an Ambassador Girl Scout, which was the highest level of Girl Scouting. She said that she was present that evening to talk to the Town Board about her Gold Award, which was something that the Girl Scout worked independently on and it was a big project. She continued that it took her awhile to decide on a project that she wanted to do. Ms. Henning explained that when she got her New York State Learner's Permit the idea came to her. She explained incidents that she had incurred while learning to drive. She said that her Gold Award project was to try and reduce the amount of road rage towards Student Driver's. Ms. Henning explained that she would educate students on the dangers of both texting while driving and driving under the influence were. She said that she would be giving the Sophomore Class of Somers High School magnets for the vehicle they would be learning to drive in, and once they received their Driver's Licenses they would be able to remove the magnet. She said that this will alert the other drivers on the road that they were learning to drive and that people needed to take caution and give them a safe opportunity to learn how to drive. Ms. Henning explained that there were these types of alerts on Driver's Ed cars and they should be the same when a Student Driver was learning with their parents. She said that New Jersey had a law that Student Drivers had to have a magnet on their license plates to identify them and she thought that was something that should be done in New York. She gave the Board some statistical information with regard to accidents that involved teen drivers. Ms. Henning said that she hoped that her project could reduce the statistics, at least in Somers. She said that she was going to alert the community of her project by contacting the Local Newspapers, Flyers and word of mouth. Supervisor Morrissey asked if she was limiting this project to just the Students of Somers High School. She said that as of that time she was just working with the Somers High School first and after that she would try to put it out to the surrounding communities.

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Ms. Henning said that she had been in touch with the Teachers that run the Sophomore Classes Student Council to set up an assembly with the Class. She said that at the assembly she would distribute the magnets and explain to the students the dangers of driving. She said that she did not think that teenagers understood what the dangers of driving were and teenagers listen better when it came from another peer. Councilman Faulkner asked if she was getting the access she wanted to the Sophomore Class. Ms. Henning said that she was and she was planning the assembly with the appropriate staff.

Supervisor Morrissey said that he agreed with her project and it will help the young driver from being distracted by other drivers while learning to drive.

Councilman Garrity said that with regard to talking to the press, there was a reporter present at the meeting and they could help her get in touch with the Somers Record as well. He said that he thought this was a great project and asked her to come back and let the Board know how the roll out went.

Supervisor Morrissey asked when they should start looking for the magnets on vehicles. Ms. Henning said that she did not have a set date for the assembly at that time but she will send the Board an e-mail letting them know when it would be to keep them posted.

The Supervisor said that the next item was to award Request For Proposals for Electrical and HVAC services for Town Buildings. Councilman Cirienco stated that this was not for a specific project it was for general work in the Town Buildings. Supervisor Morrissey said that was correct it was for general maintenance.

Supervisor Morrissey said that the next item was a more specific authorizing rebids for the electrical wiring of the Town Generator. He said that this was to install a generator for the Town House.

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

RESOLVED, that the Town Board does hereby award the Request for Proposal (RFP) for Emergency and Non- Emergency Electrical services for the Town Buildings to A-AMP Electric Corp., PO Box 386, Baldwin Place, NY 10505 for a two year contract whereby the Town reserves the right to extend the contract for up to an additional two (2) years with no more than a 2% increase per year.

RESOLVED, that the Town Board does hereby award the Request for Proposal (RFP) for Emergency and Non-Emergency HVAC services for the Town Buildings to CF Air Conditioning and Heating, Inc., 11 Rose Drive, Mahopac, NY 10541 for a two year contract whereby the Town reserves the right to extend the contract for up to an additional two (2) years with no more than a 2% increase per year.

RESOLVED, that the Town Board does hereby authorize obtaining new Request for Proposals (RFP) for the Electrical wiring for the Town House Generator.

The next item was to discuss and authorize the Supervisor to execute an agreement with Woodard and Curran for Professional Engineering Services for the Hidden Meadows Park Property. Supervisor Morrissey explained that this for Woodard and Curran to undertake the study of the park at Hidden Meadows. He said that he was asking for authorization to execute the agreement although he was not going to execute the agreement until the Board received input from the other Boards. He explained that this initially will be paid for out of Recreation Fees, when the applicant got to the point where they were paying Recreation Fees there would be a reimbursement. Supervisor Morrissey said that he wanted authorization to execute the agreement when appropriate not to exceed \$17,500.00

Award RFPs for Electrical and HVAC services & authorizing rebids electrical wiring of the Town Generator

Execute agreement w/ Woodard and Curran for Professional Engineering Services for Hidden Meadows Park Property

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute when appropriate the agreement with Woodard and Curran for Professional Engineering Services for the Hidden Meadows Park Property not to exceed \$17,500.00 per letter dated February 7, 2014 from Joseph Barbagallo, Consulting Engineer.

Councilman Garrity said that he wanted to commend the Highway Superintendent and his Department for the great job that they had done during the last snow storm. He said that they were doing a tremendous job this year and were having a lot thrown at them.

PERSONNEL:

Current Vacancies:

Somers Energy Environment Committee
Substance Abuse Council (2 – unexpired 3 year terms to December 31, 2016)
Affordable Housing Board (1 – unexpired 2 year term ending July 11, 2015)
Affordable Housing Board (4 – 2 year terms ending July 11, 2015)

Upcoming Vacancies:

Architectural Review Board (3 – 3 year terms to March 31, 2017)
Parks and Recreation (4 – 3 year terms to March 9, 2017)

The Supervisor said that the Somers Energy Environment Committee was a very active Committee. He explained that they were dealing with a lot of sustainability issues not to mention solar energy and panels. He said that in the future the Board would be discussing adopting uniform language for a permit for solar. Supervisor Morrissey explained that when a resident came to the Town to have solar panels placed on their homes it would be an expedited process. He said that he wanted to remind everyone the Somers Energy Environment Committee kept pushing Energy Audits. He explained that they were free audits of someone's home that showed where the house was losing heat and the homeowner was given a report when complete. Supervisor Morrissey continued that the homeowner could then pick and choose what they wanted to address. He said that there were also low interest loans that residents could apply for to have the work done. He encouraged everyone who wanted to save on heating their homes to have an Energy Audit done. Councilman Faulkner suggested that anyone who wanted to have this done to do it sooner rather than later, he took the advice and is now on a waiting list that was about two months long.

The Supervisor said that there were also openings on the Substance Abuse Council. He stated that they were an important group. He said that in the last few years there had been some overdose tragedies involving young adults in Somers. He said that this was something that affected the whole community and they were looking for volunteers.

The Supervisor said that they were also looking to fill some vacancies on the Affordable Housing Board. He said that there were some upcoming projects in the Town that they would appreciate hearing from the Affordable Housing Board. He said that if anyone had any interest in that to contact his office to setup an interview.

The Supervisor said with regard to upcoming vacancies the Architectural Review Board had some openings coming up. He explained that the Architectural Review Board reviewed all architectural renderings for Commercial Businesses in Town, anything that happened in the Business Historic District and any kind of signage a business wanted to put up.

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The Supervisor said that the Parks and Recreation Board had some upcoming openings and said that if anyone had any interest in either of the Board's to contact his office.

Consensus agenda

The Supervisor said that the next item was the consensus agenda. He said with regard to item number 4, the date should read February 24, 2014 not February 19, 2014. He said that the Board was adding item number 18, to accept the amended Scoping Document and authorize the circulation to all involved agencies and interested parties. Councilman Cirioco gave a brief history of the project and pointed out the changes to the project. He said that they were in the very beginning stages of the project and it will be going to the Planning Board to address all the issues with regard to setbacks, the number of housing, and the environmental impacts. Councilman Garrity said with regard to item number 10, 10 c had been added, that was not listed on the work session agenda. Councilman Faulkner asked with regard to item number 17, were the fees going to be listed. The Town Clerk explained that the fees were part of the agreement that was going to be signed. She read the rates to the Board from the agreement.

Thereupon motion of Councilman Garrity, seconded by Councilman Faulkner, it was unanimously,

RFP for Emergency and Non-Emergency Plumbing services to Bee and Jay Plumbing and Heating Corp

1. RESOLVED, that the Town Board does hereby award the Request for Proposal (RFP) for Emergency and Non-Emergency Plumbing services for the Town Buildings to Bee and Jay Plumbing and Heating Corp., PO Box 78, Mahopac, NY 10541 for a two year contract whereby the Town reserves the right to extend the contract for up to an additional two (2) years with no more than a 2% increase per year.

Authorize the hiring of C. Dammeyer as part-time Maintenance Mechanic (Repair)

2. RESOLVED, that the Town Board does hereby authorize the hiring of Charles Dammeyer as part-time Maintenance Mechanic (Repair) at an hourly rate of \$25.50 to work no more that seventeen (17) hours per week effective January 21, 2014 per memo dated February 18, 2014 from Barbara J. Sherry, Secretary to the Supervisor.

Authorize that K. Andersen be appointed temporary promotion from Maintenance Laborer (Parks & Recreation) to Water Maintenance Worker Grade II (Water Department)

- 3a. RESOLVED, that the Town Board does hereby authorize that Karl Andersen be appointed to a temporary promotion from Maintenance Laborer (Parks & Recreation) to Water Maintenance Worker Grade II (Water Department) per memo dated November 21, 2013 from Barbara J. Sherry, Secretary to the Supervisor.

Appoint P. Green from Water Maintenance Worker Grade II to provisional Water Maintenance Worker Grade I

- 3b. RESOLVED, that the Town Board does hereby appoint Paul Green from Water Maintenance Worker Grade II to provisional Water Maintenance Worker Grade I per memo dated November 21, 2013 from Barbara J. Sherry, Secretary to the Supervisor.

Authorize the hiring of J. F. Gugliucciello as Somers Part-time Police Officer

4. RESOLVED, that the Town Board does hereby authorize the hiring of Joseph F. Gugliucciello as Somers Part-time Police Officer at an hourly rate of \$29.2451 to work no more than twenty (20) hours per week effective February 24, 2014.

Lease of a 2013 Chevrolet Tahoe for the Somers Police Department

5. RESOLVED, that the Town Board does hereby authorize revision of Town Board Resolution dated October 11, 2013 to correct the year of the 2014 Chevrolet Tahoe to a **2013** Chevrolet Tahoe for the Somers Police Department per memo dated January 30, 2014 from Michael W. Driscoll, Somers Police Chief.

Combination of the March meetings to be held on March 6th

6. RESOLVED, that the Town Board does hereby authorize the combining the March Work Session and Regular Meeting to be held on March 6, 2014.

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Release
Erosion
Control
Bonds

7. RESOLVED, that the Town Board does hereby authorize the release of \$25,000.00 Erosion Control Bond to Pembroke Management per memo dated January 21, 2014 from Steven Woelfle, Principal Engineering Technician.

Accept Stormwater
Management &
Erosion & Sediment
Control Permit

8. RESOLVED, that the Town Board does hereby authorize the acceptance of \$200.00 – Vieira Stormwater Management & Erosion & Sediment Control Permit – 38.10-1-22 per memo dated February 4, 2014 from Wendy Getting, Senior Office Assistant.

Adopt resolution
requesting a sub-
allocation of
West. County
QECCB

9. RESOLVED, that the Town Board does hereby adopt resolution requesting a sub-allocation of Westchester County’s Qualified Energy Conservation Bond (QECCB) and,

DOES HEREBY, authorize the Supervisor to complete “Request for Sub-Allocation of QECCB Cap.

Refuse
Permit for
City Carting,
Inc.

- 10a. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2014 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, 2014 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 Permit
for Sani-Pro
Disposal
Services Corp.

- 10b. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2014 to Sani-Pro Disposal Services Corp. dba/Suburban Carting Co., 566 North State Rd., Briarcliff Manor, NY 10510 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, 2014 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
Permit for
Winters Bros.
Hauling of
CT

- 10c. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2014 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, 2014 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.

Authorize
Change Order
to the Reis Park
Improvement
Project

11. RESOLVED, that the Town Board does hereby authorize Change Order to the Reis Park Improvement Project – East Wall of Library – to approve the

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additional cost of the project in the amount of \$10,300.00 per memo dated January 28, 2014 from Thomas J. Tooma, Jr., Assistant Building Inspector.

Authorize the Building Department to charge Title Companies for searches

12. RESOLVED, that the Town Board does hereby authorize the Building Department to charge Title Companies \$25.00 for residential property municipal searches and \$50.00 for commercial property municipal searches in addition to the twenty five cents (.25) per page copy cost per memo dated January 29, 2014 from Efreem Citarella, Building Inspector.

Authorize Home Depot as a monthly pre-pay account

13. RESOLVED, that the Town Board does hereby authorize Home Depot as a monthly pre-pay account per memo dated February 6, 2014 from Barbara Sherry, Secretary to the Supervisor.

Approve application for Temporary Display of White Ribbons

14. RESOLVED, that the Town Board does hereby approve application for Temporary Display of White Ribbons for the month of May, 2014, for the National Alliance of Mental Illness and,

DOES HEREBY, authorize the Supervisor to execute said application.

Execute the application regarding the Bond for Highway/DEP Land Use

15. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the application regarding the Bond for Highway/DEP Land Use Project No. 2208 – Highway Garage Retrofit and,

DOES HEREBY authorize the Supervisor to execute the Bond in the amount of \$250,000.00 subject to review by the Town Attorney and Consulting Engineer, the Bond amount will be reimbursed by East of Hudson Water Corp.

Re-appoint H N. Oringel as Chairman to the Somers Energy Environment Committee

16. RESOLVED, that the Town Board does hereby again re-appoint Herbert N. Oringel as Chairman to the Somers Energy Environment Committee to a term ending December 31, 2014.

Authorize approval of appraisal fee or Valuation Plus, for the Anglebrook Golf Course Certioraris

17. RESOLVED, that the Town Board does hereby authorize approval of appraisal fee or Valuation Plus, for the Anglebrook Golf Course Certioraris per letter dated January 23, 2014 from Steven T. Sherwood, MAI to Somers Town Attorney.

Amend the petition from Boniello Land and Realty, Ltd.

18. RESOLVED, that the Town Board does hereby amend the petition from Boniello Land and Realty, Ltd. for a Zoning Text and map change to establish a Multi-family Residence Downtown Hamlet (MFR-DH) Zoning District for designation on Tax parcel 17.15-1-15.1 together with an amended concept plan and amended Scoping Document that eliminates the former proposed Memory Care facility and replaces it with additional townhouse dwellings in addition to the sixty (60) townhouse dwellings previously proposed and maintains the approximate 19,000 square foot proposed grocery store for the Somers Crossing project and,

DOES HEREBY, adopt the amended Scope and directs its circulation to all involved and interested agencies and parties.

The Supervisor said that the Board was only having one Board meeting in March because Somers was hosting the Westchester County Municipal Officials dinner on March 13, 2014. He said that each Town hosts a dinner each month and they are always held on the second Thursday of the month. He said that Pepsi had been gracious enough to host the dinner for the Town of Somers. Supervisor Morrissey said that was why they were having a combined work session/regular meeting on March 6, 2014.

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The Supervisor thanked the Highway Department once again for all of their hard work during the recent snow storms. He said that there were times where they were working 24/7 keeping the Town roads open and safe for the residents.

Councilman Faulkner said that there were about three days left of the Winter Olympics and he wanted to congratulate all of the American Athletes.

The Supervisor said that the reason that Councilman Clinchy was not present that evening was because he was Coaching his Basketball team in a tournament. He wished Councilman Clinchy the best of luck.

Claims for the payment of all Town Bills in the amount of \$864,792.26 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 Garrity, the meeting was declared closed at 7:50 PM.

Town Clerk