

APRIL 9, 2015 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening April 9, 2015 at 6:15 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Richard G. Clinchy
 Councilman Anthony J. Ciriaco
 Councilman William G. Faulkner

ABSENT: Councilman Thomas A. Garrity, Jr.

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, 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 to return that evening.

Thereupon motion of Supervisor Morrissey seconded by Councilman Ciriaco, the meeting was adjourned to an executive session with regard to personnel and contracts at 6:15 PM to return that evening.

7:15 PM – meeting reconvened

Legislator
Kaplowitz
County
update

The Supervisor said that the Board had the privilege of having the Chairman of the Westchester County Board of Legislators, Town of Somers District 4 Legislator Michael Kaplowitz present that evening to update them on Westchester County. Legislator Kaplowitz stated that he had the honor of representing Somers along with District 2 Legislator Peter Harckham. He said that Legislator Harckham sent his regrets, he was unable to be present that evening. He said that Legislator Harckham would be joining him before the Town Board for their second update later in the year, he had also announced that he would not be running again. Legislator Kaplowitz said that for the 5th straight year there had been no raise to the County Taxes and Somers portion for that year was going up 0.83%, which was a manageable and reasonable increase. He pointed out that from 2001 to 2015 the total County tax increase was 3.51% and explained the increases and decreases that the communities received throughout those years. He said that the County Executive stated that he was going to put in for a 0% tax increase for the coming year and they would deal with that in November. Legislator Kaplowitz said that because unemployment was going in the right direction they were seeing consumer confidence was going up and that was reflected in Sales Taxes and Mortgage Tax Receipts. He said that the Town of Somers benefited from that because Westchester was one of the Counties that shared those things with the citizens on a municipal basis. He said that unfortunately the beginning part of this year they were seeing a slowing down of that, and hopefully that will pick back up.

Councilman Faulkner asked if there had been any thought about the weather with regard to the decrease in the Sales Tax. Legislator Kaplowitz said that they were hoping that was the case.

Legislator Kaplowitz he said that Bi-Partisanship was the means of getting things accomplished. He stated that the Town Board did that well on the Town level and he had been trying to introduce that as much as possible on the County level. He said that he felt that for the last year and a half they had accomplished that. Legislator Kaplowitz said that the 17 Legislators had been working more efficiently and better than previous Boards had in the past. He said that they had all been focused on the outcomes and being productive. He stated that this was credited to all of the County Legislators and the County Executive and his office. Legislator Kaplowitz said that there were disagreements but they were handling them respectfully. The Supervisor said that the Town recognized under Legislator Kaplowitz's leadership that County Government had become more efficient and they were

APRIL 9, 2015 – REGULAR MEETING

getting down to the business of running the County. He said that the Town appreciated that very much.

Legislator Kaplowitz said with regard to the County Budget there were things people did not recognize. He said that about 40% of the Budget was Social Services, services to people who needed assistance. He said that there were a lot of Children Programs in the budget.

Legislator Kaplowitz said with regard to Affordable Housing, if the Town had projects that a Developer wanted to develop they were willing to do anything that could be done on the County level. He said that they had the 2009 Affordable Housing Settlement requirement and an economic and moral rationale for building Affordable Housing. He said that kudos was noted by the Monitor for Somers efforts and their projects going forward. Legislator Kaplowitz said that they were going to continue to work with the Town and assist with the Sewer District resources where necessary.

Legislator Kaplowitz said that they were on track with the 2009 Housing Settlement. He said that there had been 750 units built and they barely got over that line on December 31, 2014. He said that they needed to do better to ensure they get 750 units by the end of next year.

Legislator Kaplowitz said that an area that they fell down a bit but were able to replace it was with the Community Development Block monies (CDBG). He said that people were not aware that the County receives \$5,000,000.00 to \$7,000,000.00 a year of their money back from the Federal Government. He said that in 2011, 2012, 2013 and 2014 they lost \$22,500,000.00 of that money. Legislator Kaplowitz said that they did sue to try to recover some of that and they had been unsuccessful thus far. He said that with the help of Congresswomen Nina Lowey, the New York State Governor and working with HUD they did recover 2015 and beyond. He said that because Somers had moved in the building of Affordable Housing where other communities had done nothing they were looking at ways of getting the Town their fair share. Legislator Kaplowitz said that this money could be used for low and median income areas, Seniors, sidewalks and for a number of things that the Town was aware of. He said that HUD would be rolling out with the Congresswoman the criteria and the process to get the application and submitting.

Legislator Kaplowitz said that the Westchester Knicks were new to the County Center. He said that they had a real good season and it was fun to have them in the County. He said that they made Westchester their home this past season.

Legislator Kaplowitz said that the Atlantic Bridge Pipeline project had risen some concern within the Town of Somers. He said that what they had done on the County level was attend meetings, passed resolutions, interceded and discussed the potential effects this could have on park lands and communities. He said that health and safety were major concerns and although they did not have jurisdictions they stood with the Town. Councilman Clinchy said that there had been good news for Somers with regard to the project. The Supervisor said that he received an email that day confirming the fact that the Atlantic Bridge Project, which was going to heavily impact the Town of Somers had ratcheted back the volume of gas that was needed. He said that moved the terminus of the pipeline out of the Preserve to somewhere off of Route 6. He said that he was not aware of where on Route 6 it was going to be placed. The Supervisor said that it was no longer being developed through 53 homes in the Preserve.

Legislator Kaplowitz said that since 2005 he had tried to get an Energy Department and a go to person at the County. He said that there were a lot grant monies and opportunities and on Monday they would be legislating to have an Energy Director. He said that they were going to work with NYPA so that they would have a go to person. Legislator Kaplowitz said that they were going to be able to assist Businesses, Individuals and Municipalities.

Legislator Kaplowitz thanked the Board for their time that evening. The Supervisor thanked Legislator Kaplowitz for all that he did for the Town of Somers.

The Supervisor said that it was in order for the Board to open the continuation of the public hearings with regard to the Draft Environmental Impact Statement and a proposed Local Law to amend Chapter 170 entitled Zoning, Section 170-13C Multifamily Residence MFR District of the Code of the Town of Somers.

7:35 PM – hearing opened
7:50 PM – meeting reconvened

The Supervisor said that it was in order for the Board to open two public hearings with regard to the Petition for the Extension of the Expansion of the Windsor Farm Water District and the Petition to Extend Somers Sewer District #1.

7:55 PM – hearing opened
8:15 PM – meeting reconvened

The Supervisor said that it was in order for the Board to adopt a Resolution to extend the Windsor Farm Water District as follows:

Extend the Windsor Farm Water District
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RESOLUTION TO EXTEND THE WINDSOR FARMS WATER DISTRICT

WHEREAS, a Petition, Map and Plan have been prepared by KEARNEY REALTY AND DEVELOPMENT GROUP, INC. dated February 26, 2015, for the extension of The Windsor Farms Water District of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on March 12, 2015, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying April 9, 2015, at 7:30 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 9th day of April, 2015, commencing at 7:30 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Planning Board as Lead Agency under SEQRA adopted a Negative Declaration on January 28, 2015, having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the subsections pertaining to the proposed expansion of The Windsor Farms Water District; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

APRIL 9, 2015 – REGULAR MEETING

1. As discussed in the Water Engineering Report, there is adequate capacity in the existing system to service the project.
2. In view of the documented need for looping the water supply system in this portion of the District, the Applicant has agreed with input from the Town Engineer to design and install same.
3. The Town Board has given due consideration to the environmental proceedings conducted by the Planning Board.
4. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
5. These SEQRA Findings provide a rationale for the Board’s decision(s).
6. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
7. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Morrissey, seconded by Councilman Clinchy, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of The Windsor Farms Water District as proposed in said petition be approved; that such extension be designated as “the Hidden Meadows Extension”; that the improvements to be constructed by the Petitioner or its successors therein mentioned be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in Schedule A attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:	Vote:
Hon. Rick Morrissey	Aye
Councilman Anthony J. Ciriaco	Aye
Councilman William G. Faulkner	Aye

APRIL 9, 2015 – REGULAR MEETING

Councilman Richard G. Clinchy Aye
Councilman Thomas A. Garrity, Jr. Absent

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Somers, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of Route 6 where the same is intersected by the westerly side of lands of the City of New York;

THENCE southerly along lands of the City of New York, South 30 degrees 01' 40" East 67.93 feet to a monument;

THENCE still southerly along lands of the City of New York, South 16 degrees 21' 00" East 371.99 feet to lands of Algonquin Gas Transmission Company;

THENCE southwesterly along same, South 54 degrees 40' 55" West 817.78 feet to an angle point;

THENCE westerly still along lands of Algonquin Gas Transmission Company, North 86 degrees 12' 40" West 206.98 feet;

North 85 degrees 59' 50" West 127.1 feet;
North 85 degrees 37' 40" West 163.84 feet to a stone wall;

THENCE northerly along center of wall, North 16 degrees 55' 25" East 186.61 feet;

North 16 degrees 48' 10" East 60.85 feet;
North 15 degrees 22' 50" East 198.36 feet;
North 16 degrees 02' 25" East 137.63 feet;
North 15 degrees 53' 55" East 99.62 feet;
North 9 degrees 25' 40" East 67.09 feet;
North 5 degrees 35' 00" East 220.70 feet to the southerly side of Route 6;

THENCE easterly along Route 6, South 71 degrees 12' 30" East 223.20 feet;

South 77 degrees 15' 30" East 263.40 feet;
South 58 degrees 22' 40" East 73.56 feet;
South 85 degrees 40' 20" East 31.53 feet
North 72 degrees 10' 50" East 118.14 feet;
North 70 degrees 07' 20" East 135.65 feet to the point or place of BEGINNING.

Extend the Somers Sewer District No. 1

The Supervisor said that it was in order for the Board to adopt a Resolution to extend the Somers Sewer District No. 1 as follows:

RESOLUTION TO EXTEND THE SOMERS SEWER DISTRICT NO. 1

WHEREAS, a Petition, Map and Plan have been prepared by KEARNEY REALTY AND DEVELOPMENT GROUP, INC. dated February 26, 2015, for the extension of Sewer District No. 1 of the Town of Somers, New York, and duly presented to this Town Board; and

WHEREAS, an Order was duly adopted by the Town Board on March 12, 2015, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying April 9, 2015, at 7:30 p.m.

APRIL 9, 2015 – REGULAR MEETING

as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such Order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 9th day of April, 2015, commencing at 7:30 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Planning Board as Lead Agency under SEQRA adopted a Negative Declaration on January 28, 2015, having conducted a complete environmental review under SEQRA; and

WHEREAS, the Town Board has reviewed the submissions for the Proposed Action and, in particular, the subsections pertaining to the proposed expansion of Somers Sewer District #1; and

WHEREAS, based upon its review of the submitted petition and the environmental record for the Proposed Action, the Town Board makes the following environmental findings pursuant to SEQRA:

1. As discussed in the Wastewater Engineering Report, there is adequate capacity in the existing system to service the project.
2. The Petitioner is proposing to construct a pump station on the subject site that will pump sewage into the force main along U.S. Route 6 leading to the County Peekskill Hollow Sewage Treatment Plant. This pump station would be constructed by the Petitioner and will ultimately be owned and operated by Somers Sewer District #1.
3. Connection to the sewer district will eliminate several problems that would be associated with an on-site sewage disposal system, including on-site impacts associated with treatment and disposal, plant operational costs, reservation of land to accommodate an on-site plant, reservation of land to accommodate disposal fields and buffers for noise and odor.
4. Consistent with the Wastewater Engineering Report upon approval of the proposed expansion of Sewer District #1, it is the Town Board's intention to petition the Westchester County Board of Legislators to extend the boundaries of the Peekskill Hollow Sewer District to include Petitioner's property therein.
5. The Town Board has given due consideration to the environmental proceedings conducted by the Planning Board.
6. The Town Board has weighed and balanced relevant environmental impacts with social, economic and other considerations.
7. These SEQRA Findings provide a rationale for the Board's decision(s).
8. The Town Board hereby certifies that the requirements of Part 617 of Title 6 NYCRR have been met.
9. The Town Board hereby certifies that consistent with the social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be

APRIL 9, 2015 – REGULAR MEETING

avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, upon the evidence given at such hearing and on motion of Supervisor Morrissey, seconded by Councilman Clinchy, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district extension as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of the Somers Sewer District No. 1 as proposed in said petition be approved; that such extension be designated as “The Hidden Meadows Extension”; that the improvements to be constructed by the Petitioner or its successors therein mentioned be constructed at the sole cost and expense of the Petitioner, and such extension be bounded and described as set forth in Schedule A attached hereto; and it is further

RESOLVED, that the Town Clerk shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York and record same with the County Clerk, County of Westchester, Division of Land Records within ten (10) days hereof.

Roll Call:	Vote:
Hon. Rick Morrissey	Aye
Councilman Anthony J. Ciriaco	Aye
Councilman William G. Faulkner	Aye
Councilman Richard G. Clinchy	Aye
Councilman Thomas A. Garrity, Jr.	Absent

SCHEDULE A

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THENCE still southerly along lands of the City of New York, South 16 degrees 21' 00" East 371.99 feet to lands of Algonquin Gas Transmission Company;

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THENCE westerly still along lands of Algonquin Gas Transmission Company, North 86

APRIL 9, 2015 – REGULAR MEETING

degrees 12' 40" West 206.98 feet;

North 85 degrees 59' SO" West 127.1 feet;

North 85 degrees 37' 40" West 163.84 feet to a stone wall;

THENCE northerly along center of wall, North 16 degrees 55' 25" East 186.61 feet;

North 16 degrees 48' 10" East 60.85 feet;

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South 77 degrees 15' 30" East 263.40 feet;

South 58 degrees 22' 40" East 73.56 feet;

South 85 degrees 40' 20" East 31.53 feet

North 72 degrees 10' 50" East 118.14 feet;

North 70 degrees 07' 20" East 135.65 feet to the point or place of BEGINNING.

Petition the County Board of Legislators to extend the County District

The Town Attorney said that the Town Board also needed to Petition the County Board of Legislators to extend the County District to include the Hidden Meadows property that they just extended their local Sewer District to.

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

RESOLVED, that the Town Board of the Town of Somers hereby authorizes the Attorneys for the Town to prepare a Petition to the Westchester County Board of Legislators to extend the Peekskill Hollow Sewer District to include the boundaries of the Hidden Meadows extension area of Somers Sewer District No. 1, and be it further

RESOLVED, that upon preparation thereof, the Supervisor be authorized to execute and file same with the Board of Legislators of Westchester County.

Motion made by Supervisor Morrissey

Seconded by Councilman Ciriaco

Roll Call:

Vote:

Hon. Rick Morrissey

Aye

Councilman Anthony J. Ciriaco

Aye

Councilman William G. Faulkner

Aye

Councilman Richard G. Clinchy

Aye

Councilman Thomas A. Garrity, Jr.

Absent

Monthly reports

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

Earth Week Activities

The Supervisor said that the next item on the agenda was an update from the Energy Environment Committee with regard to activities for Earth Week. Ms. Flo Brodley, Somers Energy Environment Committee, said that that Earth Day was celebrated on April

APRIL 9, 2015 – REGULAR MEETING

22nd, the Town of Somers through the Energy Environment Committee was honoring the Town’s commitment to Sustainability with a comprehensive calendar of events for the entire week. She pointed out the different events and urged all to participate as much as they could.

Public Hearing for propose Chapt. 135

The next item on the agenda was with regard to scheduling a public hearing with regard to a proposed Local Law to add Chapter 135 entitled Property Maintenance to the Code of the Town of Somers on May 14, 2015.

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

RESOLVED, that the Town Board does hereby schedule a public hearing with regard to a proposed Local Law to add Chapter 135 entitled Property Maintenance to the Code of the Town of Somers on May 14, 2015.

Bond Refunding of the Angle Fly Preserve Bond

The Supervisor said that the next item was to authorize Bond Refunding of the Angle Fly Preserve Bond. He explained that the interest rates were down since the Bond was taken to finance the purchase of the Angle Fly Preserve. He said that this was a saving of more than \$20,000.00 a year and about \$450,000.00 over the life of the Bond. The Supervisor said that the Director of Finance will provide the Board with more information for the next meeting.

PERSONNEL:

Current Vacancies:

- Somers Energy Environmental Committee
- Affordable Housing Board (5 – unexpired 2 year term ending July 11, 2015)
- Assessment Board of Review (1 – unexpired 5 year term ending September 30, 2015)
- Library Board of Trustees (1 – 5 year terms ending December 31, 2014)
- Planning Board (1 – 7 year term ending December 31, 2021)

Medicare Part “B” reimburs.

The Supervisor said that it was in order for the Board to authorize Medicare Part “B” reimbursements to retirees for the period of September 1, 2014 to December 31, 2014.

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

RESOLVED, that the Town Board does hereby authorize Medicare Part “B” reimbursements to retirees for the period of September 1, 2014 – December 31, 2014 per memo dated April 7, 2015 from Robert Kehoe, Director of Finance.

Consensus agenda

The next item on the agenda was the consensus agenda. The Supervisor said with regard to item number 10 language needed to be added. He said that it should read: Sustainable Westchester, Inc. in concert with the Somers Energy Environment Committee will issue an RFP for bids. He said by adding that to the resolution it will allow for the Town to become part of the bidding process.

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

Purchase of handicap accessible/inclusive playground equipment

- 1a. RESOLVED, that the Town Board does hereby authorize to purchase the and execute contracts with Game Time for handicap accessible/inclusive playground equipment (on State Bid) to replace the original handicap accessible piece in Reis Park per memo dated March 26, 2015 from Steven Ralston, Superintendent of Parks & Recreation.

APRIL 9, 2015 – REGULAR MEETING

Execute agreement for installation of equipment

- 1b. RESOLVED, that the Town Board does hereby authorize permission to execute agreement for installation of equipment with Pat Corsetti in the amount of \$16,725.00 per memo dated March 26, 2015 from Steven Ralston, Superintendent of Parks & Recreation.

Use of donation of monies from the Gilbert Beaver Farm, Inc.

- 1c. RESOLVED, that the Town Board does hereby authorize use of donation of monies from the Gilbert Beaver Farm, Inc. in the amount of \$48,450.00 per memo dated March 26, 2015 from Steven Ralston, Superintendent of Parks & Recreation.

Allocate partial payment of the equipment

- 1d. RESOLVED, that the Town Board does hereby give permission to allocate \$25,000.00 for partial payment of the equipment as designated per memo dated March 26, 2015 from Steven Ralston, Superintendent of Parks & Recreation.

Bid for Summers Camp Trips Transportation

- 1e. RESOLVED, that the Town Board does hereby give permission to go to bid for Summer Camp Trips Transportation per memo dated March 26, 2015 from Steven Ralston, Superintendent of Parks & Recreation.

Additional Escrow Account for the Somers Crossing project

2. RESOLVED, that the Town Board does hereby authorize additional Escrow Account monies in the amount of \$24,500.00 for the Somers Crossing project per memo dated March 11, 2015 from Joseph Barbagallo, P.E., Town Consulting Engineer.

4 Girls Varsity Soccer Team State Champions Signs

3. RESOLVED, that the Town Board does hereby authorize approval of four (4) Girls Varsity Soccer Team State Champions Signs (30" x 30") per the Architectural Review Board (ARB) approval, and

DOES HEREBY, refer placement of the signs to the Superintendent of Highways.

30 Day Waiver for the Pub at Somers

4. RESOLVED, that the Town Board does hereby authorize waiving of 30 day notice for application of a new liquor license for The Pub at Somers, Inc. "The Pub", 152 Route 202, Lincolndale, NY 10540.

Accept Erosion Control Bond

5. RESOLVED, that the Town Board does hereby accept Erosion Control Bond in the amount of \$500.00 from AT&T Mobility c/o Bechtel (applicant) for Stormwater Management and Erosion and Sediment Control for 17.05-20-2 & 3 and West Hill Drive ROW per memo dated March 23, 2015 from Wendy Getting, Senior Office Assistant.

Execute Westchester County Department of Senior Programs and Services

6. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the following with the Westchester County Department of Senior Programs and Services per memo dated March 23, 2015 from Barbara Taberer, Nutrition Program Director:

- a. 2015 IIIC-1 Federal Funds = \$15,747.00, Corresponding NSIP = \$5,825.00
IIIC-2 Federal Funds = \$13,449.00, Corresponding NSIP = \$4,975.00
b. AAA Transportation Services Second Amendment for PY 2015/2016 in the amount of \$6,324.00.
c. Title III-B Transportation Services Second Amendment PY 2015 Federal Funding in the amount of \$3,483.00.

Refund Bonds

7. RESOLVED, that the Town Board does hereby authorize the refund of the following Bonds per memos from Syrette Dym, AICP, Director of Planning and Steven Woelfle, Principal Engineering Technician:

- a. \$ 225.00 – AT&T Mobility Steep Slopes Permit Application Fee –

APRIL 9, 2015 – REGULAR MEETING

17.05-1-6.

- b. \$1,000.00- Degasperis for T.J./Lloyd Taft Erosion/Sediment Control Permit 38.13-2-10.5

Correction to an Erosion Control Bond

- 8. RESOLVED, the Town Board does hereby authorize correction of Silvio Management for the Hallic Place Wright’s Court Site “B” Site Plan Erosion Control Release in the amount of \$4,516.00 from Tax Map 17.11-1-5 & 18 to the corrected Tax Map 17.11-1-5 per memo dated March 18, 2015 from Steven Woelfle, Principal Engineering Technician.

Support International Awareness Day

- 9. RESOLVED, that the Town Board does hereby adopt resolution of support for International Noise Awareness Day on Wednesday, April 29, 2015.

WHEREAS, Noise Awareness Day, sponsored by The League of the Hard of Hearing, is being observed in the Town of Somers and throughout the world on the twenty ninth day of April 2015, and

WHEREAS, exposure to excessive noise can and does permanently damage hearing, and excessive noise is also detrimental to the quality of life, for New Yorkers. The League for the Hard of Hearing and the New York City Department of Environmental Protection (DEP) have developed a public/private partnership that is working with many city agencies to address noise related problems that impact on the quality of life in our city and towns; and

WHEREAS, New Yorkers and visitors are already noticing lower noise levels on the streets and in public places, we can all help by being good neighbors, by reporting excessive noise and by refusing to put ourselves, our neighbors and our children in danger of permanent hearing loss,

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Somers, in recognition of this important initiative, does hereby proclaim, Wednesday, April 29, 2015 in the Town of Somers as “NOISE AWARENESS DAY.”

Participate in a Community Choice Aggregation Pilot Program

- 10. RESOLVED, that the Town Board does hereby pass resolution to participate in a Community Choice Aggregation Pilot Program to allow residents to purchase electricity from energy service companies, and

WHEREAS, Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County, including the Town of Somers, sought approval of a demonstration community choice aggregation ("CCA") program in Westchester County, which would allow local governments to participate in a Sustainable Westchester program to procure energy supply from energy service companies ("ESCOs") for the residents of the municipalities, and

WHEREAS, on February 26, 2015, the Public Service Commission of the State of New York approved implementation of the first community choice aggregation ("CCA") pilot program in New York State, which allows Sustainable Westchester to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses, and

WHEREAS, the program is intended to provide consumers with the ability to lower their overall energy costs, and

WHEREAS, the potential benefits of CCA programs include price stability for a fixed contract term, lower prices, more favorable contract terms, and

APRIL 9, 2015 – REGULAR MEETING

the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources, and

WHEREAS, the Westchester pilot program is intended to include residential and small non-residential customers, and to permit the aggregation of both electric and natural gas purchases, and

WHEREAS, Sustainable Westchester, Inc. in concert with Somers Environment and Energy Committee, will issue a Request for Proposal (RFP) to suppliers to provide energy to participants, and will then award a contract, and

WHEREAS, Sustainable Westchester, Inc. or the Town of Somers will request individual customer data from the utility, and the selected supplier will then notify the bundled customers of the contract terms and the customer's opportunity to opt-out of the program within twenty (20) days;

NOW THEREFORE, BE IT RESOLVED, that the Town of Somers shall enter into an agreement to participate in a Sustainable Westchester program for its residents and business consumers who are not currently purchasing electricity from an energy service company (ESCO), only if: 1) the default price is guaranteed to be consistently less than the utility price for the same period; or 2) the default price is fixed at a level that is less than the average utility price for the same commodity, for the same customer class, over the preceding twelve month period; or 3) the default price is at first set at a level that is less than the average utility price for electricity, for the same customer class, over the preceding twelve month period, and only floats upward by less than twenty-five percent (25%) of the price increases implemented by the utilities, and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Somers is hereby authorized to execute any and all documents to give effect to this resolution.

Annual Town wide roadside litter cleanup

11. RESOLVED, that the Town of Somers does hereby announce the Annual Town wide roadside litter cleanup for April 12 through April 26, 2015.

Return of Snow Maintenance Bond

12. RESOLVED, that the Town Board does hereby authorize the return of the following Snow Maintenance Bonds per memos dated March 25, 2015 from Steven Woelfle, Principal Engineering Technician:

- a. \$4,070.00 – Lafayette Street Properties for the Wooded Acres Subdivision.
- b. \$1,600.00 – Mrs. A. Pacheco for the Maple Ridge Subdivision.

Request for Stop Sign

13. RESOLVED, that the Town Board does hereby refer a request for a stop sign at the intersection of Entrance and Buena Way to the Somers Police, Superintendent of Highways and Principal Engineering Technician for review and comment.

Renewal of Lincoln Hall Citizens Task Force

14. RESOLVED, that the Town Board does hereby authorize the renewal of the Lincoln Hall Citizens Task Force to serve at the pleasure of the Town Board.

Transfer to the General Fund for Snow Maintenance Deposits

15. RESOLVED, that the Town Board does hereby authorize transfer of \$9,952.00 to the General Fund for Snow Maintenance Deposits per memo dated March 26, 2015 from Steven Woelfle, Principal Engineering Technician.

APRIL 9, 2015 – REGULAR MEETING

Execute an Easement
and Maintenance
Agreement with
Somers Realty Corp.

16. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an Easement and Maintenance Agreement with Somers Realty Corp. for the Sewer Pump Station Parcel located on property of Somers Realty.

Transfer to the
General Fund for the
Chase Manhattan
Bank Erosion
Control Bond

17. RESOLVED, that the Town Board does hereby authorize transfer of \$1,221.00 to the General Fund for the Chase Manhattan Bank Erosion Control Bond per memo dated March 26, 2015, from Steven Woelfle, Principal Engineering Technician.

The Supervisor said that that there was a correction that was needed to be made to the March 12, 2015 agenda. He said they adopted a resolution with regard to a new Cingular Wireless at Heritage Hills refund for \$1,800.00. He said that the refund should be for \$1,840.00.

The Supervisor said that the Town of Emergency Shelter Training was going to be held on Saturday, April 11, 2015 from 8:30 AM to 3:00 PM at the Heritage Hills Lake Lodge.

The Supervisor said that the Somers Lion's Pancake Breakfast was going to be held on Saturday, April 11, 2015. He said that over 1,500 breakfasts will be served and that this was quite a community event.

The Supervisor said that Somers Litter Taskforce was hosting their Roadside Cleanup from April 12th through April 26th. He said that bags and gloves will be handed out at the Lion's Club Pancake Breakfast, the Town House and the Somers Library. He said that the orange bags should be left on the roadsides and either the Town of Somers Highway Department or the State DOT will pick them up.

The Supervisor said the Somers E-Waste Recycling Day was being held on April 18th from 9:00 AM to 5:00 PM in the parking lot between Somers Intermediate School and the Somers Middle School. He said that this was a great opportunity to get rid on old dysfunctional computers and items of that nature. He said that the event was being sponsored by the Somers PTA and City Carting and there was a flyer on the Town Website of acceptable items. Councilman Clinchy said that there also will be a shredder available for \$5.00 per box.

The Supervisor said sign up for Parks and Recreation 2015 Spring and Summer programs was available on the Town Website under the Parks and Recreation tab.

Councilman Faulkner said that the Somers Education Foundation Gala was being held on Saturday, April 18th and they will be honoring four new inductees into the Somers Hall of Fame. He said that there were still seats available and urged all to join them for a fun filled evening.

Councilman Cirienco said that Partners in Prevention was having a Meet and Greet meeting on the Somers Middle School Library on April 28th at 7:00 PM. He invited everyone to come out and meet the Committee and be introduced to what they were trying to accomplish.

Claims for the payment of all Town Bills in the amount of \$686,131.62 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 8:45 PM.