

APRIL 12, 2012 – REGULAR MEETING

Minutes of a Work Session/Regular Meeting of the Town Board of the Town of Somers held on Thursday evening April 12, 2012 at 6:40 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Richard G. Clinchy
 Councilman Frederick J. Morrissey
 Councilman Thomas A. Garrity, Jr.

ABSENT:

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 to discuss personnel matters with regard to the appointment of a Board member and to Insurance Broker proposals received.

Thereupon motion of Supervisor Murphy, seconded by Councilman Morrissey, the meeting was adjourned to an executive session to discuss personnel matters with regard the appointment of a Board member and to Insurance Broker proposals received at 6:40 PM.

7:30 PM – meeting reconvened

The Supervisor said that it was in order for the Board to continue a public hearing with regard to an unsafe and dangerous structure located at 133 Mahopac Avenue, Somers known as Tax ID 26.08-1-11.

7:35 PM – hearing opened
8:05 PM – meeting reconvened

PUBLIC COMMENT:

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

The Supervisor said that she wanted to acknowledge that Ms. Thelma Barlow received the Women of Distinction Award from Senator Greg Ball. She said that she went with Ms. Barlow to the Ceremony and she was very humbled by the acknowledgement and she asked the Supervisor to express her appreciation to the Town Board and to the Town. She said that Mrs. Barlow was well deserving of the Award and they were happy that she was able to receive the Award.

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

Approval of the minutes

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

RESOLVED that the Town Board does hereby approve the minutes of the March 8, 2012 Public Hearing regarding a Local Law to amend Chapter 158 Vehicles and Traffic to include Stop and Yield Intersections for Pines Bridge Road and Laura Lane; the March 8, 2012 Public Hearing regarding an Unsafe and dangerous structure located at 133 Mahopac Avenue; the March 8, 2012 Regular Meeting and the March 30, 2012 Special Meeting.

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. She also announced that Billmark Quick Foods, Inc. d/b/a Super Deli located at 1 Lovell Street, Route 202, Lincolndale, New York 10540 was applying for a Retail Renewal Liquor License.

Monthly reports

Update
from
Litter
Taskforce

The Supervisor said that the next item on the agenda was an update from the Town's Litter Taskforce. She said that they had been doing a fabulous job getting everyone in Town energized. She said that the streets were looking better already and the Taskforce deserved a huge applause. Ms. Linda Simpson thanked the Board for their time and listed the members of the Litter Taskforce. She said that they were making efforts to get the Town cleaned up for Green Week. She said that the first cleanup was scheduled for April 14th and April 15th and the second cleanup was April 21st and April 22nd. Ms. Simpson said that they had been doing a lot to get the information out to the residents; they placed Car Trash Bags at the Somers Library and the Mobile Station. She said that there were also orange trash bags available and they had distributed them door to door to all of the businesses in Somers. She said that they placed flyers in all doors and windows of the businesses that would allow them to. Ms. Simpson said that Ms. Moravick and she handed out Car Trash Bags to the High School students and they will be handing out trash bags at the Pancake Breakfast. She said that they were notifying the public of their efforts to keep Somers clean. She said that there were volunteer sign up sheets on the Town website, through their Facebook page, at the Somers Town Hall and the Library.

Ms. Moravick said that Ms. Simpson spearheaded an Art Contest for Somers High School Graphic Art Students and the winning artwork would become the Anti- Litter Sign for the Town of Somers. She said that was very exciting one of Student's artwork would be on every road entering Somers. She said that the winner will be announced on Tuesday, April 17th. Ms. Moravick said that Ms. Simpson also spearheaded a Keep Somers Clean poster contest for the Somers Middle School. She said that the winning Artist would receive a \$20.00 Gift Certificate donated by Aunt B's Frozen Yogurt located in the Somers Town Shopping Centre.

Ms. Moravick said that the Somers Litter Taskforce would like to extend a heartfelt thank you to Supervisor Murphy and all of the Town Board members, Harry Bolton, Tammi Savva, Barbara Sherry, Steve Woelfle, the State Highway Department, the Town Highway Department, Somers School District, the Adopt-A-Road and the Adopt-A-Highway volunteers and all of the people who would come out and help them clean over the next two weekends for all of their support and encouragement for their mission.

Ms. Moravick said that she would like to address the audience. She said that the Somers Litter Taskforce needed their help to keep Somers clean. She asked if they were physically able to volunteer they would greatly appreciate their help. Ms. Moravick said that they could clean a road around their homes, around their properties or businesses or any road in Somers. She asked them to please be careful while cleaning the roads, always wear bright clothing or safety vests. She said that there were gloves and bags available at the Library, the Town House and they will be available at the Pancake Breakfast. Ms. Moravick said that they should always walk against traffic, make sure people see you and be aware of your surroundings. She said that if they planned on having young children help please stay to the subdivisions, something more secure than the Town and State roads. She asked that all drivers slow down and give the people cleaning the roads the courtesy that they deserve. Ms. Moravick said that if anyone had any questions or concerns to feel free to contact the Somers Litter Taskforce at 914-486-0355 or by visiting the Somers Litter Taskforce Facebook page or by e-mailing them at keepsomersnyclean@yahoo.com. She said that all of that information was available on the Town of Somers website. She said that in advance they wanted to thank everyone for their help and invited anyone who wanted to the join the Litter Taskforce.

The Supervisor said that the group of individuals was one of the most enthusiastic startup groups that she had ever worked with before. She said that they were incredible, they took the initiative on everything, the amount of stuff that they had done in just a couple of months was astounding. She said that Mr. Nash took her on a tour of all of the roads and litter in the Town and she was happy to say that she was seeing some serious improvement. The Supervisor said that this Taskforce had knocked on the door on every business in the Town to get their buy-in on this effort. She said that this was an incredible undertaking. She said that she knew that they were going to be seeing more and more results. The Supervisor said that the Town Board was committed to help in any way that they could. She said that residents could go to the Town website and sign up for a road. She explained that the litter did not have to be taken home, it could be left on the side of the road in an orange bag and the Highway Department will pick it up as long as the road was signed up for.

APRIL 12, 2012 – REGULAR MEETING

Ms. Moravick said that if people were not able to get the bags themselves they would deliver them and if necessary home trash bags could be used. She said that the main thing was to secure the bags and place them near the main roads.

Ms. Simpson said for the sign competition she did not know if the Board wanted to change the fine amount. The Supervisor said that was not something that they could do that evening that was something that would require a public hearing and legislation. She said that the fine was actually set by the Judge, they could have maximum in the legislation. The Town Attorney said that because it was a violation they had to follow the Penal Law and what that mandated.

Mr. Richard Nash said that what he told the businesses that he gave bags to was to write their business name on the bag as advertising and to show they cared. He said that safety was an issue and stressed that everyone be safe while cleaning the roads.

Contract for
CodeRed
Notification
System

The next item was to authorize the Supervisor to enter into a contract for CodeRed Notification System. The Supervisor said that the Emergency Preparedness Committee had also been working very hard. She said that one of the things that they had been working on together with the Police Chief and Officer Burpee was getting a notification system for the Town. She explained that it would allow for them to call landlines, cell phones, deliver text messages and e-mails. The Supervisor said that they researched several different providers of that service and it was a consensus that CodeRed was the best choice for Somers. She said that they had the most experience in this area, they did all of the background things themselves instead of third partying it out. She said that they had a lot of other services that they could avail themselves of at a future point in time. The Supervisor said that the important thing was going to be getting cell phone numbers, some of them they would be getting automatically from the resources that they had and others would have to be obtained by people going to the website and signing up. She said that they were having forums where they advise people basically of self-preparedness for an emergency. She said that they were going to use those forums to get people to sign up. The Supervisor said that the service was \$9,000.00 a year and it was a three year contract, she had applied for a grant for the first year. She said that she had not received a response with regard to the grant at that time although she felt that this was important enough to move forward with whether or not they receive the grant. The Supervisor said that she was happy to answer any of the Board's questions if they had any. She said that the Town Attorney had some suggestions with regard to the contract and she had those suggestions incorporated into the contract.

Councilman Clinchy said that the residents needed to sign up for the notifications. He asked if the Supervisor looked into a way for people to call in to get information in the event of emergency. The Supervisor said that was discussed at the Emergency Preparedness Committee meeting and they designate a phone number that could be answered anywhere. She said that was the Supervisor's Office number, which there was several lines for, which would be the call in number. Councilman Clinchy asked if they would speak to someone in person or will there be a recording. The Supervisor explained that could be either way.

Councilman Morrissey said that he wanted to add that this was tried and true technology, recently in Texas during the tornados they were texting alerts which actually got people off the streets and underground before tornados struck. The Supervisor said that the prediction was that they were going to have more not less of weather events. She said that she thinks that this would be wise to have this service in place. She said that they also needed to advertise it in a way to get people signed up as quickly as they could.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute service agreement with CodeRED Emergency Notification System at an annual payment of \$9,250.00 for three (3) years.

Councilman Garrity suggested that they use the Pancake Breakfast to make people aware and sign up for CodeRed. The Supervisor asked if there was wireless in the High School. Councilman Clinchy said that there was they would need a code to access. The Supervisor said that if they brought a laptop they could have people sign up. She said that was if they could have CodeRed up and running by Sunday. Councilman Garrity said that there was going to be a lot of

APRIL 12, 2012 – REGULAR MEETING

residents there, it might be a good opportunity. The Supervisor said that she would try to get that up and running. Councilman Clinchy said that they could get the High School's password from the School to get on their wireless network. Councilman Morrissey said that there was also the Independence Day Celebration that would be a good opportunity as well. The Supervisor said that she would try to get everything in place to register residents at the Pancake Breakfast.

Buildings
Condition
Assessment

The Supervisor said that the next item was a discussion with regard to the Buildings Condition Assessment. The Supervisor said that they had gone out for proposals for Architects with regard to Buildings Conditions Assessment. She said that in review the proposals she found that she was unsure if a Buildings Condition Assessment of all of the Town's Buildings by an Architect was necessarily the best or most efficient use of the dollars that they had. She said that when they first did the proposal they were anticipating that they would go to bond and do potentially several million dollars of work. The Supervisor said since then they had somewhat of a windfall in terms of a sale of a Town property which gave them some resources to work with. She said that there was also the tax cap implication which they would not be able to stay within if they went to bond for significant dollars. She said that what she was thinking they might be able to do looking at the various structures that they discussed, they were the Elephant Hotel, there was a very good Conditions Report on that and over the course of time they had been implementing and that was a document that they could continue to work off of. The Supervisor continued that she thought that they all agreed that the Somers Library needed a new roof and the Library Board had laid out for them in detail other issues and concerns that they had with regard to the Library building. She said that most of them seemed to do with drainage issues and it was a fairly good assessment and she was not sure how much more needed to be done in order to prioritize what needed to be done. She said that she felt that the Library Board knew what their priorities were for themselves. The Supervisor said with regard to Reis Park they did a Parks Master Plan in 2004 and that laid out a lot of the things that they wanted. She said that with regard to the Van Tassel House and the Police building, the Police building needed some professional assistance in preparing a scope of work and bid documents and things of that nature. She said that building needed a number of different things and it made sense to try and set it out in some sort of reasonable, sensible fashion. The Supervisor said the Van Tassel House, if they thought that they wanted to look at the upper floor and potentially something the Town would look to use then they would need professional assistance with that. She said if they were going to just continue to use the ground floor, make the building as energy efficient as they could and fix the porch and make that look nice they would need something a bit different. She said that to find out how to make the building energy efficient they could do one of those Red Door Tests to show where the building was leaking may be the smartest way to go there. The Supervisor said the porch itself was in disrepair and did need to be repaired. She said that their own Building Inspector's Staff could help them spec that out. She said with regard to the Highway Garage, the Highway Superintendent provided the oversight for that. The Supervisor continued with regard to the Water Department building, she did not see them putting a lot of money into the Water Department building. She said that the Historical Properties Board oversaw the various Historic buildings that the Town had and they did prepare five year plans as to what should go into those buildings. She suggested that they scale things back a bit and use the resources that they had where they could and move forward with the money that they had with the projects that they knew needed to be done. The Supervisor said those projects were the Library, Police building and the Van Tassel porch. She said that those were the things that she felt needed to take priority and she did not need someone to tell her that she could see that the work needed to be done.

Councilman Clinchy said that his prospective was different. He agreed with the Supervisor there were immediate needs there were easily identifiable. He said that he would like to use the opportunity to develop a long range plan. Councilman Clinchy said that he hoped that State Law would change so that capital needs were not a part of the Tax Cap. He said that he would like to see a more comprehensive view; they could end up spending the same amount of money doing this piecemeal in the long run. He said that he did not disagree with the Supervisor on the immediate needs; he felt that they should look at a longer range in addition to those needs. The Supervisor said that she thought that they had in many instances and that was what she was saying. She said that when she looked back at the documents that they already had there were plans in place for most of the facilities.

Councilman Garrity said that they all knew that the Library roof needed to be repaired and the Police Station needed work and he was in favor of both of those projects. He said that the Town had volunteers who gave of their time freely who were experts in many different areas. He said

APRIL 12, 2012 – REGULAR MEETING

that he spoke to the Building Inspector and it was mentioned that possibly they could get some volunteers to work with the Building Inspector and look at some of the buildings. Councilman Garrity suggested that they move forward with the buildings that had been discussed as for the long term of the other buildings they could use the in-house staff with some good volunteers to look at the other issues.

Councilman Morrissey said that when they began the survey of the buildings it was always predicated on the point that interest rates were low and they would bond to work. He said that the two major things they were looking at were safety items and maintenance. Councilman Clinchy said energy efficiency as well. Councilman Morrissey said that in a perfect world where there was no Tax Cap and they were going to bond the work then following Councilman Clinchy logic would be the correct way to proceed. He said that the reality was they did not want to take on anymore burden for the Town to have professionals tell them what they already knew. He said that since they had some discretionary funds through a sale of a property to apply the direct things that had been identified. Councilman Morrissey said that his feeling was to go with what they knew had to be done and use the funds to make those properties safe and as energy efficient as they possible could. Councilman Clinchy said that he agreed and that was why he would want professional guidance. The Supervisor said that she understood that Councilman Clinchy came from a School mentality and the Schools were mediated to make a new plan every five years for their buildings. She said that was another unfunded mandate from the State. She said that she did not think that the Town should voluntarily impose an unfunded mandate on itself.

The Supervisor said that if they were going to go in the direction of fixing what they knew needed to be fixed she was going to proceed to work with the Library to get the bid specs together for the roof and the gutter on the Library. She said that she was going to talk to the Building Department about the Van Tassel House and the Police Building and if they needed, which she thought they would, a professional for the Police Building she would talk to one of the two professionals that the Town had been looking at. The Board agreed to that. The Supervisor said that once the bid documents were complete they would be back to the Board for review.

Mr. Ian Carnow, member of the Library Board of Trustees, said that they correctly identified that the main issue with the Library was the roof and the gutters. He said that the Assistant Building Inspector and himself were more then willing to donate their time to do the small portion and help with the bid specs. He said that the Library Board was willing to help to move this process forward. Mr. Carnow said that if it exceeded their capacities to do this they would let the Board know. The Supervisor said that they had gone out to bid for the entire roof a couple of years ago and they could not do the whole roof because they did not have the money. She said that they should be able to take that document and update it. She said that should move along quickly. Councilman Morrissey said that if there were other safety issues at the Library they should be included as well. Mr. Carnow said that they were working on the other issues and they were obtaining quotes for other work. He said that as many things that they could do themselves so that they could give the Town Board as much information as possible.

Councilman Clinchy asked if it would be their intent to come out of this process with a five year plan of capital improvements in place. The Supervisor said that they had pieces of a plan already so they could do that. Councilman Clinchy said that they should look at capital expenses to accomplish some of that work. The Supervisor said that they could make that part of their budgeting process.

Library
Gallery
Exhibit
Policy

The next item of the agenda was to review and comment on the Library Gallery Exhibit Policy. The Board agreed that they had no comment with regard to the policy.

Opt out of
the Town's
Health
Insurance

The Supervisor said that the next item on the agenda was to clarify the personnel policy permitting employees to opt out of the Town's Health Insurance with regard to retirees. She explained that they had a policy that allowed for employees to buy out of health insurance. She said that if they did not take health insurance they could receive a payment in lieu of the insurance; it was \$2,000.00 for a single coverage and \$4,000.00 for a family coverage. The Supervisor said in reviewing the policy with regard to retirees there were some areas where it was not clear and other areas that if they added to them they could benefit. She said that she had drafted a proposed amendment that addressed questions that had been raised after the policy was adopted. She listed the questions and gave the proposed answers. Councilman Clinchy said that the status at time of retirement needed to be clarified. The Board discussed language to be

APRIL 12, 2012 – REGULAR MEETING

added. The Supervisor read her suggestion to the Board. Discussion ensued with regard to proposed changes and it was decided that the Supervisor would incorporate the discussed changes and put it back on the agenda for the Board's review.

The next item was with regard to Insurance proposals. The Supervisor said that the Board met in executive session with regard to this item.

Thereupon motion by Councilman Garrity, seconded by Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby retain the Spain Agency, Inc. to quote us on NYMIR Insurance and Fairfield County Bank Insurance Services to quote the Town the fifteen (15) companies that they have listed.

Voyager
Fleet Fuel
Card and
an E-Z
Pass for the
Highway
Department

The Supervisor said that the next item was to discuss a Voyager Fleet Fuel Card and an E-Z Pass for the Highway Department. She explained that the Highway Superintendent had been purchasing equipment off of the Federal Surplus list and in doing so he had come to feel that the expenses for gasoline and tolls were difficult to pay for through petty cash. She said that for gasoline they paid tax on when buying it from the Gas Station. The Supervisor said that the Fleet Fuel card would allow for them not to pay tax on the gasoline. She asked the Town Attorney if he saw the memo from the Highway Superintendent for the gasoline credit and E-Z Pass. The Town Attorney said that he had seen them before. The Supervisor said that she would propose that they be kept in the Town Clerk's Safe and that they would be released when the travel event arose that require the use of them. Councilman Clinchy asked if the receipts of any cost that were incurred would be submitted when they return. The Supervisor said that the Town would be billed monthly. She said that the person returned the receipts for the gasoline and the E-Z Pass would be billed.

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

RESOLVED, that the Town Board does hereby approve request for obtaining an E-Z Pass and Voyager Fleet Card for the Superintendent of Highways, Thomas E. Chiaverini to use when traveling out of State to purchase vehicles through the Federal Surplus Program with the requirement that the cards be housed in the Town Clerk's safe to be retrieved when needed for travel, and

DOES HEREBY ask, that the Highway Superintendent submit a written request for the cards which notes where he is going and when he will leave and return and to provide receipts for the gas.

PERSONNEL:

Current Vacancies:

Somers Energy Environmental Committee
Architectural Review Board (2 – 3 year terms to March 31, 2015)
Parks and Recreation Board (3 – 3 year terms to March 9, 2015)
Town Board (1 unexpired term ending December 31, 2012)

Upcoming Vacancies:

Architectural Review Board 2 – 3 year terms to 3/31/2015
Parks & Recreation Board 3 – 3 year terms to 3/9/2015

The Supervisor said that in was in order to acknowledge the resignation of Ms. Theresa Eaker, Bookkeeper and Ms. Joan Kachmarik, Director of Finance.

Resignation
of T. Eaker
PT
Bookkeeper

Thereupon motion of Councilman Garrity seconded by Supervisor Murphy, it was unanimously,
RESOLVED, that the Town Board does hereby acknowledge the resignation of Theresa Eaker, Bookkeeper effective March 23, 2012 per letter dated March 16, 2012 from Theresa Eaker.

APRIL 12, 2012 – REGULAR MEETING

Resignation
of J.
Kachmarik
Director of
Finance

The Supervisor said that Joan Kachmarik, Director of Finance, was retiring as they all knew. She said that she wanted to take an opportunity to publically thank Ms. Kachmarik for everything that she had done for the Town in the Finance Department. She said that Ms. Kachmarik was incredibly diligent and treated the Town's money more safely than her own. The Supervisor said that she automated a lot of the things, kept their books and records impeccable, gone through several reviews by the Comptroller's Office and they always came through in flying colors and clean audits annually. She said that Ms. Kachmarik had the respect of all of her colleagues here in the Town Government and everyone knew that she was so important to the working of the Town. She said that she wanted to personally thank her for the work that she had done to keep the Town on the straight and narrow and for keeping the Town financially sound and secure. The Supervisor said that in these difficult financial times they could proudly say that their Town was financially sound and secure and they owed Ms. Kachmarik a debt of gratitude because of that. She said that Ms. Kachmarik was a real asset. She said that Mr. Bill Kehoe was in the audience and he helped bring Ms. Kachmarik on board eleven years ago and she thanked him for his wisdom in that decision because it was an extremely good one. The Supervisor said that they were going to miss Ms. Kachmarik and they wished her the best in retirement and lot of good things and a good life. She thanked Ms. Kachmarik from the bottom of her heart. Councilman Clinchy said that the way she treated the Town's money was the thing that had impressed him most about Ms. Kachmarik. He said that she would be in her office until 10:30 PM – 11:00 PM on nights and she would be here on weekends. He said that even this year on New Year's Day she was here going over things getting ready for her departure. Councilman Clinchy said that commitment to the public good always went unnoticed. He said that he commended her for that. He said that she was always very patient and answered questions for him and he wanted to thank her for that. Councilman Morrissey said that he knew that Ms. Kachmarik had a special place in her heart when they purchased the Angle Fly Preserve and some of the dignitaries hiked the property; she joined them and had a great time. Councilman Garrity said that she was going to be missed.

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

RESOLVED, that the Town Board does hereby acknowledge the resignation of Joan E. Kachmarik, Director of Finance effective April 27, 2012 per letter dated April 1, 2012 from Joan E. Kachmarik.

Reappoint
J.
Billingsley
to AHB

The Supervisor said that it was in order to authorize the reappointment of Jerome Billingsley to the Affordable Housing Board.

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

RESOLVED, that the Town Board does hereby reappoint Jerome Billingsley to the Affordable Housing Board to a term ending July 11, 2013.

Resignation
of D. J.
Smith Town
Historian
and rehire as
Town
Historian PT
Availability

The Supervisor said that it was in order for the Board to acknowledge the resignation of Ms. Doris Jane Smith as Town Historian Part-time and rehire her as Town Historian Part-time Availability.

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

RESOLVED, that the Town Board does hereby acknowledge letter of resignation from Doris Jane Smith as Town Historian – Part-Time effective March 29, 2012 and,

DOES HEREBY, hire Doris Jane Smith as Town Historian Part-Time availability.

Promote M. De
Milto Parks
Groundkeeper

The Supervisor said that it was in order for the Board to authorize the probation of Mr. Michael De Milto to Park Groundskeeper, Group IV, Step 2.

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

RESOLVED, that the Town Board does hereby authorize promotion of Michael De Milto from Maintenance Laborer - \$37,717.00 Group III – Step 6 to Parks Groundskeeper at \$39, 507.00, Group IV – Step 2 effective Monday, April 16, 2012, per memos dated October 18, 2011 from

APRIL 12, 2012 – REGULAR MEETING

Adam Smith, Water & Sewer Superintendent, October 5, 2011 from Stephen J. Ernst, Parks Foreman and October 14, 2011 from Gregory Maroni, CSEA President.

Consensus
Agenda

The next item of the agenda was the consensus agenda. The Supervisor said with regard to item number 1, they would allow 4 weeks for the resident to obtain his permits and applications. Councilman Clinchy asked if they would be advised of that. The Supervisor said that they would. She said with regard to item number 14, she wanted to thank Sabrina Charney Hull, Town Planner for her service to the Town; she was resigning as Town Planner. She thanked her for her service to the Town and said that she had been a real good asset to the Town. The Supervisor said that they wished her the best in her future endeavors at New Castle.

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

Temporary
waiver of
Application
Processing
Restrictive
Law

1. RESOLVED, that the Town Board does hereby authorize a temporary waiver for the Application Processing Restrictive Law pursuant to §67-5 of the Somers Town Code to Michael Norton, 3 Wellington Lane, Tax Map ID #28.06-1-33 for a period of four (4) weeks per memo dated March 21, 2012 from Steven Woelfle, Principal Engineering Technician.

Proclamation
for the
celebration of
Earth Day

- 2a. RESOLVED, that the Town Board does hereby authorize a Proclamation for the celebration of Earth Day – April 22, 2012,

WHEREAS, a sound environment is the foundation of a healthy society and a robust economy and the knowledge of ways to live in harmony with our environment and methods and technologies to accomplish this end already exist, and

WHEREAS, local communities can do much to reverse environmental degradation and contribute to building a healthy society by addressing issues such as energy use, transportation, waste prevention and sprawl and in furtherance of this the Town of Somers encourages all its citizens to help our environment both at home and in our community, and

WHEREAS, the environmental realities of our time require humans to make a dramatic shift in our relationship to the earth.

NOW THEREFORE BE IT RESOLVED, that I Mary Beth Murphy, Supervisor of the Town of Somers, do recognize April 22, 2012 as **“EARTH DAY”** and commit the Town to undertaking programs and projects that enhance our community’s natural environment and encourage its residents, businesses and institutions to celebrate the Earth and commit to building a sustainable society.

International
Noise
Awareness
Day

- 2b. RESOLVED, that the Town Board does hereby adopt resolution of support for International Noise Awareness Day on Wednesday, April 25, 2012.

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-fifth day of April 2012, 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,

APRIL 12, 2012 – REGULAR MEETING

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 25, 2012 in the Town of Somers as “NOISE AWARENESS DAY.”**

30th
Anniversary of
the Somers
Library in Reis
Park

- 2c. RESOLVED, that the Town Board does hereby authorize a Proclamation for the celebration of 30th Anniversary of the Somers Library in Reis Park,

WHEREAS, in 1876 a Library Association was begun by Ruth and Sarah Tompkins on a shelf in the small village school, and

WHEREAS, since that time the Somers Library has been housed in various locations in the Town including an old chicken coop and former cobbler shop; each move due to the need for more space, and

WHEREAS, the final move of the Somers Library, in 1982 was to the lower acres of the Wright Reis Farm today known as Reis Park where it was expanded in 1993, and

WHEREAS, the library’s circulation has grown by over 800% since 1980, its book holdings grown by 300% and non-book holdings by over 800% in the same period, and

WHEREAS, the Town of Somers wishes to officially recognize and praise both current and former members of the Somers Library Board of Trustees and staff for their constant contributions and dedication to our community.

NOW, THEREFORE BE IT RESOLVED, that on behalf of the entire Town Board of the Town of Somers I, Mary Beth Murphy, Supervisor, do hereby officially congratulate the Somers Library for thirty years of service to the community in Reis Park and hereby declare today, **Saturday, April 14, 2012 as Somers Library Day in the Town of Somers.**

Public Hearing on
legislation
to
transfer the duties
former Conservation
Board to the Open
Space Committee

3. RESOLVED, that the Town Board does hereby schedule a Public Hearing on legislation to transfer the duties from the former Conservation Board to the Open Space Committee for May 17, 2012.

Accept
Erosion
Control Bonds

4. RESOLVED, that the Town Board does hereby accept the following Erosion Control Bonds per memo dated March 19, 2012 from Wendy Getting, Senior Office Assistant:

- a. \$200.00 – Capoccia/Member 82 Moseman LLC – Stormwater Management and Erosion and Sediment Control Permit – 48.13-1-25.
- b. \$500.00 – Wintje Stormwater Management and Erosion Control and Sediment Control Permit – 18.09-1-63.
- c. \$200.00 – Mensi Stormwater Management and Erosion and Sediment Control Permit – 27.06-1-12.

Refund
Erosion
Control Bonds

5. RESOLVED, that the Town Board does hereby authorize the refund of the following Erosion Control Bonds per memos from Steven Woelfle:

- a. \$25.00 – Mc Dermott – Tree Preservation Permit – 17.10-1-4
- b. \$25.00 – Fullerton – Tree Preservation Permit – 16.17-1-7
- c. \$25.00 – Saraceno – Tree Preservation Permit – 17.10-1-32
- d. \$25.00 – Mancini – Tree Preservation Permit – 17.11-2-7
- e. \$25.00 – McTernan – Tree Preservation Permit – 17.12-2-19
- f. \$25.00 – Olmetti – Tree Preservation Permit – 27.12-1-27
- g. \$25.00 – Adornetto – Tree Preservation Permit – 27.16-1-23
- h. \$25.00 – Zattola – Tree Preservation Permit – 36.07-1-44
- i. \$25.00 – Richter – Tree Preservation Permit – 36.07-1-42
- j. \$25.00 – Barefoot – Tree Preservation Permit – 18.13-2-29

APRIL 12, 2012 – REGULAR MEETING

Permission for an Eagle Scout Project

6. RESOLVED, that the Town Board does hereby authorize permission for Eagle Scout Candidate Alexander Court to perform rehabilitation work at the Frost Green Cemetery on Route 202, with Denise Schirmer, Historic Properties Clerk providing Mr. Court with the sponsorship oversight necessary.

Agreement with Atlantic Wireless for an audit of the Town's Spring/Nextel phones

7. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute agreement with Atlantic Wireless for an audit of the Town's Spring/Nextel phones.

Award Summer Camp trip transportation

8. RESOLVED, that the Town Board does hereby award bid for summer camp trip transportation to Royal Coach Lines, Inc. per memo dated April 4, 2012 from Steven Ralston, Superintendent of Parks and Recreation. The bids received are as follows:

Royal Coach Lines, Inc.	\$14,925.00
Baumann & Sons Buses, Inc.	\$15,671.00
County Coach Corp.	\$17,090.00

Amend the May Town Board Meeting schedule

9. RESOLVED, that the Town Board does hereby amend the May Town Board Meeting schedule to May 3 (Work Session) and May 17 (Regular Meeting.)

Resolution to amend IMA Forming EOH Coalition,

10. RESOLVED, that the Town Board does hereby pass resolution to amend IMA Forming EOH Coalition,

WHEREAS, municipalities located in the New York City watershed east of the Hudson River ("EOH Municipalities") have entered into an intermunicipal agreement ("IMA") to form the EOH Coalition; and

WHEREAS, Article 3 of the IMA provides at paragraph 3.1 that there shall be an executive committee consisting of three representatives from Putnam County and three representatives from Westchester County; and

WHEREAS municipalities located in Dutchess County have indicated an interest in joining the EOH Coalition by signing the IMA and have requested that one representative from Dutchess County be added to the executive committee; and

WHEREAS, the EOH Coalition held a meeting of members on October 13, 2011 at the Somers Town Hall at which a quorum was present, and the members present voted unanimously to amend the IMA to add one representative from Dutchess County to the executive committee; and

WHEREAS, the vote by each member's representative is not binding on the municipality unless the municipal board approves the amendment to the IMA;

NOW THEREFORE BE IT RESOLVED that the Town of Somers hereby approves the amendment of the IMA by the revision of paragraph 3.1 to read as follows: "There shall be an executive committee consisting of three representatives from Putnam County, three representatives from Westchester County and one representative from Dutchess County," and

BE IT FURTHER RESOLVED, that a new paragraph 3.1.5 is added to the IMA to read as follows: "One representative shall be elected by a majority vote of the Members from Dutchess County and shall serve for a term of two years."

Rehire E. Voss - Food Service Helper PT for Nutrition

11. RESOLVED, that the Town Board does hereby authorize the rehiring of Elizabeth Voss as food service helper - part time availability at an hourly rate of \$13.20 effective April 4, 2012 per memo dated April 11, 2012 from Barbara Taberer, Nutrition Program Director.

Budget modification

12. RESOLVED, that the Town Board does hereby authorize approval of a budget modification for Water Administration expenses that were higher than anticipated

per memo dated April 10, 2012 from Adam Smith, Water & Sewer Superintendent:

From: 050-8320.0410 AHWD – Water Supply – Purchase of Water
 To: 050-8310.0400 – Water Administration \$2,800.00

Settlement of
 Somers
 Woods
 Development
 Tax Certiorari

13. **RESOLUTION AUTHORIZING TAX CERTIORARI SETTLEMENT**

RESOLVED, that the Town Board does hereby authorize the settlement of Somers Woods Development Tax Certiorari:

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Town’s assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
SOMERS WOODS DEVELOPMENT	Section 17.15, Block 1, Lot 15.1 (Routes 100 and 202)	2009-2011

WHEREAS, petitioner’s tax certiorari proceedings are now pending in Supreme Court, Westchester County; and

WHEREAS, the Town and the property owner have reached a resolution with regard to the assessments at issue in the tax certiorari proceedings; and

WHEREAS, the Town has reviewed the settlement and has found that the terms of the settlement are reasonable; and

WHEREAS, the settlement of these proceedings are in the best interests of the Town;

NOW THEREFORE BE IT RESOLVED, the Tax Certiorari Special Counsel to the Town is authorized to execute settlement documents on behalf of the Town for assessments for no less than the following:

	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
	220,900	149,200	71,700
	220,900	154,900	66,000
	220,900	158,400	62,500

The Town of Somers’ share of the refund is \$2,486.98±.

Resignation of
 S. Charney
 Hull Town
 Planner

14. **RESOLVED**, that the Town Board does hereby acknowledge the resignation of Sabrina Charney Hull as Somers Town Planner effective April 27, 2012 per letter dated March 23, 2012 from Sabrina Charney Hull.

APRIL 12, 2012 – REGULAR MEETING

The Supervisor said that she wanted to remind everyone that Sunday was the Lion's Pancake Breakfast. She said that they were expecting the whole Town to come out; it was going to be a beautiful sunny day. She said that it was going to be a good way to start the day.

Councilman Morrissey said that a number of Community Groups were going to have informational tables at the Pancake Breakfast. He said that it was be a great day to come out and have breakfast and get some information about that Town and the volunteer services the Town had.

Councilman Garrity said that it was a fun event to attend.

Councilman Clinchy said that on Saturday there would be an Energize Somers information session at the Town House from 10:00 AM to 12:00 PM.

Councilman Clinchy said that Saturday the Library would be celebrating their 30th Birthday. He said that would be a full day event at the Library.

Councilman Clinchy said that on April 21st would be the Energize New York Kickoff at the Town House. He said that was when people could come in and sign up for free home energy assessments.

Councilman Garrity said that the Lion's Club Carnival was going to be held at Fireman's Field and would be from Wednesday April 25th to Sunday April 29th.

The Supervisor said that April 18th was Relay Restaurant Day. She said that many of the restaurants in Town were donating a portion of their proceeds to Relay for Life for anyone who ate out on Wednesday April 18th.

Claims for the payment of all Town Bills in the amount of \$838,374.92 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 Murphy, seconded by Councilman Garrity, the meeting was declared closed at 9:30 PM.

Town Clerk