

JULY 5, 2012 – WORK SESSION

Minutes of a Work Session of the Town Board of the Town of Somers held on Thursday evening, July 5, 2012 at 7:00 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:        Councilman       Richard A. Benedict

Also present were 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.

Thereupon motion of Supervisor Murphy, seconded by Councilman Clinchy, the meeting was adjourned to an executive session to discuss personnel matters at 7:00 PM to return that evening.

7:45 PM – meeting reconvened

Update reg. Lincoln Hall	The Supervisor said that she wanted to give an update with regard to Lincoln Hall. She said that there had been press about it and she wanted to thank the press for communicating issues to the public. She said that she wanted to let everyone know what the status was, what she had been doing and what she was hearing from Lincoln Hall. The Supervisor said that she had spoken to the Federal Office of Refugee Resettlement (ORR) that day. She said that the background of this was that the Town was notified by Lincoln Hall recently that they were changing their program and they would not be taking juvenile delinquent boys from New York City any longer although they would be taking another clientele through the Federal Government's ORR. She explained that these were young boys that were picked up by Homeland Securities and they were minors and were housed by the Government for a couple of months while they found their family or sponsors and they could be relocated. The Supervisor said she was told by ORR that the Lincoln Hall process was expedited because they were looking for someone to come on board immediately. She said that there were currently 37 children housed at Lincoln Hall under this program, they were not integrated into the general population and they did not have interaction with the Persons In Need of Supervision (PINS) that were also housed there. She said that the stay was an average of 70 days while they looked for a custodian or sponsor, the children were not allowed to go into the Community independently and ORR told her that this particular population did not have any criminal record nor do they tend to go AWAL. The Supervisor said that Chief Driscoll had also been meeting with Lincoln Hall over the course of the last several months with regard to their security. She said that she was also told that Somers was not a sponsor destination. She said that she had asked if someone from ORR would come to update the Board and answer the questions that they may have. The Supervisor said that they were trying to arrange that for either next week's meeting or the one in August. Discussion ensued with regard to some of the Board's questions and the Supervisor ensured them that ORR would be present at a meeting with the Board to answer their questions.
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This being a work session the following actions were taken:

Homeland Towers Erosion and Sediment Control Bond	The Supervisor said that there were a couple of items that she would like for the Board to take action on that evening. She said that the first was to accept the Homeland Towers Erosion and Sediment Control Bond and Tower Removal Bond. She said that they were asked to act on this at that meeting and she did not see any reason not to. The Supervisor asked the Town Attorney if there was a reason not to move forward at that time. The Town Attorney said that he had seen the bonds and said that he had no concerns with them. Councilman Clinchy asked about the odd amount of the Tower Removal Bond. The Supervisor explained that the Engineering Department had a formula that they used to come up with the figure.
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Thereupon motion by Councilman Garrity, seconded by Councilman Morrissey, it was unanimously,

RESOLVED, that the Town Board does hereby accept the Homeland Towers Erosion and Sediment Control Bond and Tower Removal Bond per memo dated June 29, 2012 from Steven Woelfle, Principal Engineering Technician as follows:

- a. Erosion and Sediment Control Bond Account No. 1008700 in the amount of \$5,740.00 issued by Hanover Insurance Company, dated June 11, 2012 and signed by Beth K. McNellis, Attorney-in-Fact.
- b. Tower Removal Bond #BLQ9577219 in the amount of \$29,002.30 issued by the Hanover Insurance Company, dated June 11, 2012, and signed by Beth K. McNellis, Attorney-in Fact.

Open Space  
Committee  
access to  
IBM property  
for Ecological  
Bio-diversity  
mapping

The next item was an agreement with International Business Machines Corporation (IBM) allowing the Open Space Committee access to their property for Ecological Bio-diversity mapping. The Supervisor said that the Open Space Committee had mapped the Ecological Bio-diversity of almost the entire Town. She said that IBM had graciously allowed them access to their property to do the mapping there as well.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the agreement date June 15, 2012 with International Business Machines Corporation (IBM) allowing the Open Space Committee access to the IBM property located at 294 Route 100, Somers, New York for Ecological Bio-diversity mapping.

Film  
Permit

The Supervisor said that the last item was a Film Permit. She said that Ms. Kara Janeczko of Rare Bird Pictures, Inc. came to see her because she was working on a film, "A Birders Guide to Everything" and they wanted to do some filming in Somers. She said that Ms. Janeczko asking the Board to waive the \$500.00 filming fee.

Ms. Janeczko explained that the project was being done with a grant received by the Independent Film Industry. She said that they were looking for five days of filming and the locations included Somers High School, Muscoot River and along Route 100 between Route 35 and Route 118. Councilman Garrity asked at what time were they planning on filming on Route 100. Ms. Janeczko explained their film plan to the Board. Councilman Garrity asked if part of their budget included what they would have to pay for the Police Officers that were going to be needed. Ms. Janczko said that it did and she had spoken to the State Police Office in Somers although she wanted to come to the Town before proceeding any further with them. Councilman Garrity said that she should be speaking with the Somers Chief of Police with regard to the roads. He said that it was his feeling that the fees were in place for a reason and if they waived them and the film cost the Town money then the taxpayers would be paying for that. Ms. Janeczko said that their budget was so; they could either pay for the Police Officer or for the filming fee.

Councilman Clinchy asked for some background information on the film. Ms. Janeczko explained that the project was work shopped at the Sundance Institute and was given grant money to develop. She explained the process that they were going through getting the film started.

Councilman Garrity said that he appreciated what Ms. Janeczko was doing. He said that they were going to need the Police more than she thought and stated that the fees were in place for a reason.

The Supervisor asked the Police Chief to join the Board. The Police Chief said that he did not have the resources to assign on-duty Police to the filming. He said that Route 118 and Route 35 were very busy especially during rush hour traffic and for safety concerns they needed to have at least one Police Officer at that location. Councilman Morrissey said that a Saturday or a Sunday may be better days for them to film. Ms. Janeczko said that was difficult and they would work with the Town to try to come up with an ideal time for filming on the roadways. The Police

JULY 5, 2012 – WORK SESSION

Chief said that the best time would be from 10:00 AM to 3:00 PM. He said that Ms. Janeczko needed to contact the NYCDEP to film at Muscoot River, which was their jurisdiction.

Councilman Clinchy asked if all of the filming was going to be done outside. Ms. Janeczko said that they were shooting some scenes inside the High School.

The Police Chief asked when they planned on shooting in Somers. Ms. Janeczko gave the dates and locations that were tentatively planned. Councilman Morrissey said that if they were on schedule they were planning five days of shooting. He asked how many people would be involved in the production. Ms. Janeczko said roughly there would be fifty people.

The Town Attorney asked if she would be following all of the Town's insurance requirements. Ms. Janeczko said that they would and gave the Town Attorney their Insurance Certificate for his review. She said that she had a certificate for the School as well.

The Supervisor said that this sounded like a great film although it also sounded like a drain of the Town's resources. She said that she felt that the fee was reasonable compared to what they would find elsewhere. Councilman Garrity said that they had a lot of events in Somers and they could not have the Town paying for private events.

Councilman Morrissey said that he was torn about waiving the fee because having the additional people in Town could boost the economy. Councilman Garrity said that they would not only be eating in Somers, they could go to any of the surrounding Towns to purchase lunch. Councilman Morrissey said that they could make it part of the contract. Ms. Janeczko said that was something that they could potentially do. She explained that they had two meals catered, breakfast and lunch, and then there was something they called "second meal" that they had to provide. She said that they could put into the contract for the five days they were to use local restaurants for their second meal requirement.

The Supervisor asked what direction the Board wanted to go in. She said that maybe there was a compromise that they do not waive the fee and apply the fee towards the hours of Police service. Councilman Clinchy said that the fee should be applied to any legitimate Town expenses and anything above that was to be billed at the usual rate. The Supervisor said that she could not think of any other expenses.

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

RESOLVED, that the Town Board does hereby approve the Application for Filming Permit for Rare Bird Pictures, Inc. for the Film Permit fee of \$500.00 and;

BE IT RESOLVED, that the Town Board does hereby authorize that the \$500.00 Film Permit fee be deduced from any legitimate Town costs that made be incurred during filming and all additional cost above the \$500.00 will be paid by the applicant and;

BE IT FURTHER RESOLVED, that the Town Board does hereby require that Rare Bird Pictures, Inc. use Somers Purveyors for their second meal needs.

VOTE:	Aye	3	Murphy, Clinchy, Morrissey
	Nay	1	Garrity
	Absent	1	Benedict

This being a work session no further actions were taken.

Thereupon motion of Supervisor Murphy, seconded by Councilman Garrity the meeting was adjourned at 8:25 PM.