

AUGUST 5, 2010 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held Thursday evening August 5, 2010 at 7:45 PM at the Town House, 335 Route 202, Somers New York.

ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Harold R. Bolton
 Councilman Richard G. Clinchy
 Councilman Thomas A. Garrity, Jr.

ABSENT: Councilman Frederick J. Morrissey

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a continuation of a public hearing with regard to the Comcast Franchise Agreement renewal. She said that there was an issue from the last hearing and asked the Town Attorney if it had been resolved. The Town Attorney said that the question was if the DVR revenue was included in the gross revenue calculation and Comcast confirmed that it was.

The Supervisor declared the hearing opened and asked for comments from the public.

A Resident of Heritage Hills, said that their issue was that Channel 12, the Local News Channel, was not available at the basic level as it was for the rest of the Town. They said that it was available in the digital preferred package and that was \$50.00 additional a month. They said that was not fair and she was aware that it was not a Comcast channel but it should be available without buying a digital preferred package.

Ms. Sharon Codeanne, Government and Community Relations Manager, explained that Comcast did not service all of the Town of Somers, Cablevision, Channel 12 was their channel and that was why their customer received it on a basic level package. She said that they had to negotiate a great deal with Cablevision to have access to that channel and as a result to that it was on a tier that cost more. Councilman Clinchy asked if it actually cost an additional \$50.00 more a month. Ms. Codeanne said that \$50.00 seemed high, it may be a total of \$50.00 per month and it included many more channels. Councilman Clinchy asked Ms. Codeanne if she would speak to the resident to clarify the differences.

Mr. Jack Goodman, 27 B Heritage Hills, President of Counsel, said that since the last meeting with the Town Board Comcast did conduct a detailed afternoon and evening review with unit owners as to their current problems. He continued that about 15 people came to that meeting and they all received an assurance from Comcast that the work would be completed as promised. He said that the work was still in progress, the matters were still open and they did not know when they would be completed. Mr. Goodman requested that this matter be put over for another month.

Ms. Codeanne, said that there was an open list of issues that was being worked on. She continued that this was the 5th hearing that the Town was having and the Franchise Agreement had never been discussed or had ever been the subject discussed. She requested that the Board move forward and take action that evening.

Mr. Harold Bolton, 52 B Heritage Hills, said that there were still problems with the internet and transmission and they needed to be addressed. He said that they did do a lot to improve the communications. He also requested that the hearing be continued another month.

Ms. Codeanne, stated that Comcast had over 20,000 customers in the New York area, with that number of customers there were always going to be issues. She said that if the Board kept continuing this every month there was going to be someone else with an issue. She said that they were working on the issues and they were going to continue

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working on them. Ms. Codeanne said that the Board was not accomplishing anything by pushing off the agreement.

Councilman Clinchy said that he understood Ms. Codeanne's point although when they started these hearings they were very contentious and emotional. He said that if they had worked on all of the issues prior to the hearings all of the people would not have come.

The Supervisor suggested putting the hearing over for another month.

There being no one else to be heard on motion of Supervisor Murphy, seconded by Councilman Clinchy, the hearing was adjourned at 7:55 PM to the September 2, 2010 meeting.

Town Clerk

AUGUST 5, 2010 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening August 5, 2010 at 8:00 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Harold R. Bolton
 Councilman Richard G. Clinchy
 Councilman Thomas A. Garrity, Jr.

ABSENT: Councilman Frederick J. Morrissey

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to a proposed amendment to the Best Plumbing Special Exception Use Permit.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the North County News on July 21, 2010 and posted on the Town Clerk's bulletin board the same day.

The Supervisor said that Best Plumbing was requesting to have Saturday Showroom only hours at their Somers location. She said that she did receive a number of correspondences from area residents that were not able to attend the meeting that evening and she was going to request that the hearing be put over to next month.

The Supervisor declared the hearing open and asked for comments from the public.

Mr. Jonas Weiner, Owner of Best Plumbing, Tiling and Stone, said that they were expecting to have 1 car drive down their driveway every 10 minutes. The Supervisor asked if he knew the amount of showroom traffic during the week. Mr. Weiner explained the staffing for the showroom and the amount of time they spent with a client. He said that they were requesting Saturday hours to make it more convenient for their customers. Councilman Clinchy asked if there were trucks there on Saturday. Mr. Weiner said that there were not. Councilman Clinchy asked what hours they wanted to be open on Saturday. Mr. Weiner said that they were going to start with 9:00 AM to 5:00 PM.

Ms. Marla Bedrosian, 3 Whitlock Court, read a prepared statement to the Town Board with regard to what it was like to be a neighbor of Best Plumbing and that Saturday was one of the only 2 days that they could use their yards.

There being no one else to be heard on motion of Supervisor Murphy, seconded by Councilman Clinchy, the hearing was adjourned at 8:20 PM to the September 2, 2010 meeting.

Town Clerk

AUGUST 5, 2010 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening August 5, 2010 at 8:21 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Harold R. Bolton
 Councilman Richard G. Clinchy
 Councilman Thomas A. Garrity, Jr.

ABSENT: Councilman Frederick J. Morrissey

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to a proposed stop sign at Pines Bridge Road and Laura Lane.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the North County News on July 21, 2010 and posted on the Town Clerk's bulletin board the same day.

The Supervisor declared the hearing open and asked for comments from the public.

There being no one to be heard on motion of Supervisor Murphy, seconded by Councilman Garrity, the hearing was adjourned at 8:22 PM.

Town Clerk