

AUGUST 26, 2010 – SPECIAL MEETING

Minutes of a special meeting of the Town Board Town of Somers held on Thursday evening August 26, 2010 at 7:40 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 Frederick J. Morrissey

ABSENT: Councilman Thomas A. Garrity, Jr.

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

The Supervisor said that it was in order for the Board to open a public hearing to consider a proposed Local Law with regard to the New York State Retirement Incentive.

7:42 PM – meeting reconvened

The Supervisor said that it was in order to adopt a Local Law with regard to the New York State Retirement Incentive.

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

RESOLVED, that the Town Board does hereby adopt a Local Law with regard to the New York State Retirement Incentive as follows:

A Local Law to add chapter 56 entitled Retirement Incentive Program to the Code of the Town of Somers.

Be It Enacted by the Town Board of the Town of Somers as follows:

70-1 Program authorized.

The Town of Somers hereby elects to provide its eligible employees with a Retirement Incentive Program authorized by Chapter 105, Laws of 2010 (Part A).

70-2 Commencement.

The commencement date of the Retirement Incentive Program shall be October 1, 2010.

70-3 Open Period.

The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length and shall end on December 29, 2010.

70-4 Funding of benefits; determination of amounts.

The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as a lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Somers for each employee who receives retirement benefits payable under this local law.

70-5 Effective Date: This Local Law shall be effective immediately upon approval by the Somers Town Board and upon filing with the Office of the Secretary of State and the NYS Retirement System as provided by law.

The Supervisor said that it was in order for the Board to indentify the positions that were able to participate in the New York State Retirement Incentive program.

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

RESOLVED, that the Board does hereby identify the position of Senior Office Assistant Recreation and Assistant Park Foreman as the position that were eligible for the New York State Retirement Incentive program.

PUBLIC COMMENT:

Ms. Anita Krusko, 32 Ross Drive, said that she thought that the Town Attorney was going to be present that evening because that had some questions about the legal issues in conjunction with the Shenorock Park District. Discussion ensued with the Board with regard to liability and binding issues.

Mr. Anil Jambotkar, 1 Orchard Court, approached the Board with regard to the lake being contaminated, when would studies be done to ensure that it was not and how it was determined who was included in the District.

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

The first item on the agenda was to authorize the final dedication of road in the Country Hollow (the Farm) Subdivision.

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

RESOLVED, that the Town Board does hereby authorize the Final dedication of Country Hollow Drive, Morning View Court and Carriage Court for the Country Hollow (The Farm) Subdivision.

The next item was to consider authorizing the Town Attorney to join the Nassau County lawsuit against MTA Payroll Tax. The Supervisor said that she was speaking to legislator Kaplowitz and he told her that there were no filing fees for municipalities.

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

RESOLVED, that the Town Board does hereby authorize the Town Attorney to join Nassau County lawsuit against MTA Payroll Tax.

The Supervisor said that the next item was to acknowledge the completion of the Town Justice Court Audit and authorize the submission to the New York State Office of Court Administration.

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

RESOLVED, that the Town Board does hereby acknowledge completion of the Town Justice Court Audit by our Certified Public Accountants O'Connor Davies Munns & Dobbins LLP, Bennett Kielson Storch DeSantis Division in accordance with Section 2019-A of the Uniform Justice Court Act and does hereby authorize submission of copy of said report to the NYS Office of Court Administration.

Thereupon motion of Supervisor Murphy, seconded by Councilman Clinchy, the meeting was adjourned at 8:40 PM.