

SEPTEMBER 6, 2012 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening September 6, 2012 at 7:50 PM at the Town House, 335 Route 202, Somers, New York 10589.

ROLL CALL:

PRESENT: Supervisor Mary Beth Murphy
 Councilman Richard A. Benedict
 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 was a continuation of a public hearing with regard to a proposed Local Law increasing the term of office of the Supervisor of the Town of Somers from two (2) to four (4) years effective January 1, 2014.

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

Ms. Maureen Devine, Susan Drive, Somers, read a letter stating additional reasons she was opposed to the increase in the length of the term of office for the Supervisor. The letter was submitted to the Town Clerk for the record.

Ms. Polly Kuhn, Heritage Hills, Somers, said that she was the former Town Supervisor in the Town of New Castle. She said that it was easy to lose track of how local Government worked when the National Political scene became so noisy and stalled. She said that being on the Town Board was a great and interesting job. Ms. Kuhn said that the Town Board was made up of Part-times and in many cases the Supervisor was Full-time and the head of the Town Board, as it was in Somers. She said that the Supervisor was involved with how the Town works and led the Government through its required responsibilities. She continued that the State Law that set the terms for Town Board membership was wise because it provided for the proximity of Elected Officials to the citizens and it was maintained every two years with a job review. Ms. Kuhn said that it was not necessary for the Supervisor to have some a super packed fund and to spend a great deal of time campaigning, every day the things that the Supervisor did were perfect campaign opportunities.

Ms. Fran McLaughlin, Heritage Hills, Somers, said that she had been a resident for six and a half years and that her husband and herself had been happy with what they had seen from the Town. She asked what prompted the Board to entertain the idea. She said that she had heard Councilman Benedict's name mentioned and asked what this was based on. Ms. McLaughlin said that most Towns and Villages had what Somers had and it had been working. She said that she wanted to know what the Board's thoughts were.

Councilman Benedict said that the genesis of this was him, he did bring it up and it was not discussed with anyone. He said that he was familiar with how Governmental Agencies ran and this was not a political discussion because the current Supervisor was not going to be the Supervisor forever. He said that he believed that it was a more efficient use of the Supervisor's time to have a four year term then a two year term. Councilman Benedict said that a new Supervisor would take a year to come up to speed at best. He continued that for someone to say that this was politically motivated because all that he had done since he lived in Heritage Hills was do Republican Politics was absurd, because they did not know him. He stated that this was not Republican orientated, he was not taking the vote away from the people by asking them to do this, he was asking that it be considered. Councilman Benedict said that people could disagree with him but they were not to question his motives. He explained the issues that a new Supervisor could be faced with and said that a longer term could be better use of Town money. He said during a political season there were not enough hours in a day to do the best job that the residents demand. Councilman Benedict said that this did not have to be voted on that evening, it could be delayed, he believed it was an issue that the Town should face. He said that in no

SEPTEMBER 6, 2012 – PUBLIC HEARING

way would this be taking the power away from the people, the people vote on this, no one else. He said that he was not an interloper; he was there to help the residents of Somers. Councilman Benedict said he was not posing for a Political agenda, he was not running for Office, he volunteered.

Councilman Clinchy said that he understood the concerns people had. He said that he did believe Councilman Benedict was honest in what he said they had many discussions since he became a Councilman and he must attest that he had found Councilman Benedict to be curious, more knowledgeable than he said. He continued that he had no reason to question Councilman Benedict's honesty and motivation. Councilman Clinchy said he must say that and he was the only one on the Board of the other Party. He said that he understood the point if no other Town was doing this why should they. He said that sometimes there was a point to be made for leading the way and asking was there a better way to conduct Government. Councilman Clinchy said that his one theme that he brought up was planning and research and looking to the future to find a better way to do things. He said that if there was a better way to run Town Government he was for that. He said that he would be abstaining from the vote that evening. Councilman Clinchy explained that he understood the argument that four years gave a person more of a chance to make long range plans. He said that he had contacted the New York State Association of Towns and he had asked them for research and statistics with regard to changing the term of Supervisor. He said at the Annual Meeting of all the 932 Towns in New York which he attended he proposed that there be a session there among the Towns with regard to this and what was the best way to run the Government. Councilman Clinchy said that he believed that the proposal was offered in the spirit of trying to find a better way and a sincere belief that a longer term would be most efficient. He said that he had volunteered to lead the discussion in January at the Annual meeting.

Councilman Morrissey said that he was in favor of the four year term of Supervisor for many of the reasons that were pointed out that evening. He said that it would make for a more efficient Government especially when there was a new Supervisor. He said that Government was getting more difficult all the time. He said that he also listened to the people at the Public Hearings and their concerns. He said that he was firmly behind the four year term for Supervisor but it could wait until a year to go on the ballot.

Councilman Garrity said that he felt that this was a good idea and in the last two weeks he had not spoken to anyone that was against this. He said that other Towns could do what they wanted; Somers was its own Town. He said that he was disturbed that it was getting labeled as a political thing and that the Board was rushing it. Councilman Garrity said that he felt that November was a good time; they would have more voters out for the Presidential Election than at a non-Presidential Election. He suggested that they close the public hearing.

The Town Attorney explained that if the Board were to delay the Election in 2013 the change would not be effective until 2015. He said that by delaying this one year they lost two years in the effective date. He said that was because the law had to be in effect and passed by the voters before the Supervisor was elected to a term.

Councilman Benedict said that he felt that this was something that the Town should face for the sheer fact of the volume of work that came through the Town House with the limited amount of people that they had working there. He said that it would take a new Supervisor a year to come up to speed.

The Supervisor said that it seemed as if the Board was moving towards closing the public hearing and tabling the issue. Councilman Garrity agreed and said that was what he would suggest.

There being no one else to be heard on motion of Councilman Benedict, seconded by Councilman Garrity the public hearing was declared closed at 8:15 PM.

Town Clerk

SEPTEMBER 6, 2012 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening September 6, 2012 at 8:20 PM at the Town House, 335 Route 202, Somers, New York 10589.

ROLL CALL:

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| PRESENT: | Supervisor | Mary Beth Murphy |
| | Councilman | Richard A. Benedict |
| | 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 this was a public hearing with regard to a proposed Local Law to amend Chapter 158 entitled Vehicles and Traffic, Section 158-10 entitled No parking areas; fire lanes of the Code of the Town of Somers. She explained that this was located at the Somers Commons Shopping Center.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Journal News on August 28, 2012 and posted on the Town Clerk's bulletin board the same day.

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

The Supervisor said that it was her understanding that the Fire Inspector had been in contact with the property owner and they were in agreement with the proposal.

There being no one to be heard on motion of Supervisor Murphy, seconded by Councilman Morrissey, the public hearing was declared closed at 8:21 PM.

Town Clerk