

SEPTEMBER 10, 2015 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening September 10, 2015 at 6:30 PM at the Nutrition Site at Van Tassell Memorial Park, 98 Primrose Street, Somers New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey  
Councilman Richard G. Clinchy  
Councilman Anthony J. Ciriaco  
Councilman William G. Faulkner

ABSENT: Councilman Thomas A. Garrity, Jr.

Also present was Barbara J. Sherry, Confidential Secretary to the Supervisor.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to personnel.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Clinchy, the meeting was adjourned to an executive session with regard to personnel at 6:30 PM to return that evening.

7:05 PM – meeting reconvened

PUBLIC COMMENT:

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

Monthly reports

Ms. Sherry 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.

PERSONNEL:

Current Vacancies:

Somers Energy Environmental Committee  
Affordable Housing Board (5 – unexpired 2 year terms ending July 11, 2015)  
Zoning Board of Appeals (1 – unexpired term ending December 31, 2017)  
Architectural Review Board (3 – 3 year terms ending March 9, 2018)

Upcoming Vacancies:

Assessment Board of Review (1 – 5 year term ending September 30, 2020)

Consensus Agenda

The Supervisor said that the next item on the agenda was the consensus agenda. Councilman Clinchy said with regard to item number 1, he would like the resident's opinion if the new time was something that was more or less convenient for them. The Board had a brief discussion with regard to item number 3 and how they how like to proceed. Councilman Clinchy said that the Energy Environment Committee might be able to find a way to recognize the Businesses who had made a conversion in some way to something that was more environmentally friendly. The Supervisor said with regard to item number 7, a request for road names for the Planned Hamlet Phase 3, the Developer had suggested some names but they were opened to suggestions. He said that if it was possible this road name should be reflective of an outstanding citizen as they did for Clayton Boulevard. Councilman Faulkner suggested Lynn Adams Way. Councilman Clinchy suggested the name Reynolds be used. The Supervisor said that they needed to

SEPTEMBER 10, 2015 – REGULAR MEETING

add an item number 11 to the consensus agenda. He said that it was an authorization for the Supervisor to execute Settlement Agreement and General Release in the matter Rankel verses the Town of Somers.

The Supervisor said that there was a resident that was present that wanted to make a public comment. He said that at that time he would like to reopen public comment.

Mr. Anil Jambotkar, 1 Orchard Court, said that he had a question with regard to the Algonquin Pipeline. He explained where his home was located and explained that he looked on the Algonquin website and a diagram was shown with a red line that went across his part of the Town. He said that there was nothing that stated where exactly the pipeline was being proposed. Mr. Jambotkar asked where he would be able to find the information. The Supervisor told Mr. Jambotkar where he could locate the information on the internet and said that SPECTRA had all of that information at the meeting they had at the Community Center the week before. He invited him to contact his office for assistance with the internet links and address.

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

The Supervisor said that it was in order for the Board to continue the consensus agenda.

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

Parks and Recreation Office Hours

1. RESOLVED, that the Town Board does hereby authorize the change of office hours to 8:00 am – 3:30 pm on a trial basis of six months per memo dated July 27, 2015 from James Papa, Parks & Recreation Board Chairman.

Schedule Public Hearing for proposal to modify the Conservation Easement for the Angle Fly Preserve

2. RESOLVED, that the Town Board does hereby authorize the scheduling of a Public Hearing on October 8, 2015 on a proposal to modify the Conservation Easement for the Angle Fly Preserve dated May 15, 2006.

Support of developing a consumer and business education program regarding recycling and restricting the use of plastic bags and polystyrene containers

3. WHEREAS, plastic bags and polystyrene containers often are discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine life and causing unsightly litter that last hundreds of years and are a potential source of harmful chemicals when they do break down;

THEREFORE BE IT RESOLVED, that the Town of Somers is in support of developing a consumer and business education program regarding recycling and restricting the use of plastic bags and polystyrene containers.

Accept Erosion Control Bonds

4. RESOLVED, that the Town Board does hereby accept the following Erosion Control Bonds per memos from Wendy Getting, Senior Office Assistant:
  - a. \$500.00 – Palumbo – Wetland & Stormwater Management & Erosion & Sediment Control Permit – 38.13-2-12.
  - b. \$500.00 – Boniello/Wooded Acres Stormwater Management & Erosion & Sediment Control & Steep Slope Permit – 48.17-1-31.

Bid for 2016 materials for the Highway Dept.

5. RESOLVED, that the Town Board does hereby authorize Thomas E. Chiaverini, Superintendent of Highways to go to bid for 2016 materials for the Highway Department per memo dated August 20, 2015.

Accept Performance Bond

6. RESOLVED, that the Town Board does hereby accept the Performance Bond in the amount of \$97,500.00 posted by Landscape Unlimited, Inc. for

SEPTEMBER 10, 2015 – REGULAR MEETING

the Cypress Lane Water Replacement Project pending Town Attorney Approval.

Refer road names for the Planned Hamlet Phase 3

7. RESOLVED, that the Town Board does hereby refer road names for the Planned Hamlet Phase 3 to the Town Historian and Bureau of Fire Prevention for review and comment per letter dated August 26, 2015 from Linda B. Whitehead.

Execute the Zadjelovich Stormwater Control Facility Maintenance and Access Agreement

8. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Zadjelovich Stormwater Control Facility Maintenance and Access Agreement Map #28888, Liber #55204 Page #03430 recorded in the Office of the County Clerk of Westchester (Division of Land Records) effective August 7, 2015

Reappoint B. Singer & E. Devey to Affordable Housing Board

9. RESOLVED, that the Town Board does hereby reappoint Barry Singer to a two (2) year term on the Affordable Housing Board ending July 11, 2017.

RESOLVED, that the Town Board does hereby reappoint Ellen Devey to a two (2) year term on the Affordable Housing Board ending July 11, 2017.

Budget Modification

10. RESOLVED, that the Town Board does hereby authorize a budget modification per memo dated September 4, 2015 from Rick Morrissey, Supervisor:

RESOLVED, that the Town Board does hereby authorize a budget modification in the amount of \$4,000.00 per memo dated August 26, 2015 from Thomas E. Chiaverini, Superintendent of Highways:

FROM:	5132.401 – Highway Garage Fuel	\$4,000.00
TO:	5132.405 – Maintenance & Repairs	\$4,000.00

Execute the Settlement Agreement and General Release

11. RESOLVED, that the Town board does hereby authorize the Supervisor to execute the Settlement Agreement and General Release in the matter entitled RANKEL VS. TOWN OF SOMERS (Civil Action No. 11 Civ. 6617.)

The Supervisor said that Celebrate Somers was being held Saturday September 12<sup>th</sup> from 10:00 AM to 4:00 PM. He said that the Celebration had grown exponentially over the years. He urged all to come out and enjoy all of the activities. The Supervisor said that the road through the Somers Town Shopping Center would be closed during those hours and vendors would be setup.

The Supervisor said that tomorrow was September 11<sup>th</sup> and everyone should share a moment of silence at 8:46 AM and say a prayer of remembrance for the lives lost on that day.

Claims for the payment of all Town Bills in the amount of \$516,327.02 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 Morrissey, seconded by Councilman Ciriaco, the meeting was adjourned at 7:30 PM.

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Supervisor

SEPTEMBER 10, 2015 – REGULAR MEETING