

OCTOBER 3, 2013 – WORK SESSION

Minutes of a work session of the Town Board of the Town of Somers held on Thursday evening October 3, 2013 at 7:35 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       Anthony J. Cirieco

ABSENT:        Councilman       Thomas A. Garrity, Jr.

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

The first item on the agenda was a discussion with Mr. Domenick Consolo of O'Connor Davies, LLP, the Town's Auditing Firm regarding the 2012 Annual Audit. The Supervisor explained that Mr. Consolo was going to give the Town Board a report on the Town's Financial Statement for the year ending December 31, 2012. She asked Robert Kehoe, Director of Finance to join the Board as well. Mr. Consolo went over the major aspects of the 2012 Financial Report which were the General and Highway Funds and answered questions that the Board had. He stated that the Town was in excellent financial condition as of December 31, 2012.

Councilman Garrity present at 7:50 PM.

The Supervisor said that the next item on the agenda was the continuation of the Scoping Session with regard to Somers Crossing. She asked the Planning Board members that were present and all other interested parties to join the Town Board. Ms. Syrette Dym, Town of Somers Director of Planning, Mr. Joseph Barbagallo, of Woodard and Curran, Engineering Consultant for the Town of Somers, Mr. Christopher Foley, Ms. Fedora Delucia, Ms. Nancy Gerbino, and Ms. Vicki Gannon, Planning Board members joined the Town Board. Mr. Richard O'Rourke of Keane & Beane, P.C. representing Boniello Land & Realty, Ltd., was with Bonnie Von Ohlsen, Planner of VHB Engineering, Surveying and Landscape Architecture, P.C. Mr. Timothy Allen of Bibbo Associates and Mr. Gus Boniello, applicant, also joined the Board.

The Supervisor said that at the last meeting the Board had discussed the scoping and had discussion with regard to a number of disciplines. She said that they were up to Mr. Barbagallo's engineering. Mr. Barbagallo said that he wanted to give the Board an update about what had been done since the last meeting. He said that there was a site walk of the entire property and concurrent with that wetlands work was done. He said that they met with the applicant's team and went over the scope. Mr. Barbagallo said the latest version of the scoping document that the Board had was a result of all of the input from those meetings. Mr. Barbagallo said that he still needed to go through the document and do a final verification but it should be a relatively complete and coordinated scope. Councilman Clinchy asked Mr. Barbagallo if the letter from the Open Space Committee was included in the Scoping document. Mr. Barbagallo explained that the markups on this version of the document also included going through all the outside agency letters, including one that was received that day from the NRCC. Councilman Clinchy said that there was also a letter from the Energy and Environment Committee. Mr. Barbagallo said that came in too late and they did not get to that letter although it would be added. He said that he wanted to explain how they were handling the letter from the NRCC. He said that by regulation there was a certain requirement for the type of storms to analyze, and the data they were requesting was not the required data. Mr. Barbagallo said what they chose to do and were recommending was put it in as an alternative. He continued that they kept the main body of the scope focused on what the regulatory requirements

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were and add the alternative, to review of the data reference by the Attorney General. He said therefore they would be able to determine if there was a change or not to what they required. Mr. Barbagallo said that at that point the Board would be able to contemplate if they want to proceed with that alternative. He said that this scope does incorporate some of what was received and his office wanted to take one last read through before final adoption. He said that and anything that came in that day would be incorporated into it.

Ms. Linda Simpson, Plumbrook Road, read and submitted a prepared statement with regard to the impacts the proposed development would have on the quality of life in Somers. She pointed out the negative impacts and disturbances the development would have to the Town in that area and as a whole.

Mr. Gene Goldenberg, Heritage Hills, said that he was present that evening as a citizen and taxpayer of Somers and what he said was his own view. He stated that in the September 26, 2013 edition of the Somers Record it was reported that the project would put sixty Town homes as well as two businesses on a 27 acre site behind Somers Town Centre. He said that the article continued that Mr. Boniello was seeking a new Zoning Classification to permit the envisioned businesses, a 75 bed nursing facility and a 19,000 square foot grocery store to sit on the same site as the residential units. Mr. Goldenberg discussed his concerns with regard to what could be built on the property if the Zoning change was granted, the increase to the traffic in that area and what streets were going to be studied and what was needed to make a 19,000 square foot grocery store and a 75 bed Memory Care Facility successful and the impact that would have on the Town.

Discussion ensued with the Town Board, Planning Board members, Consultants and the applicant's Professionals with regard to additional concerns and how and where they were or should be addressed in the scoping document.

The Supervisor recommended that they close the public scoping session except they would leave it open for letters until October 10, 2013. She said that they will place this back on the agenda for the October 10, 2013 Regular Meeting.

Thereupon motion of Councilman Garrity, seconded by Councilman Morrissey, the public scoping session was declared closed with a written comment period to October 10, 2013.

9:35 PM – 5 minute break  
9:40 PM – meeting reconvened

This being a work session the following actions were taken:

The Supervisor said that the Town Board need to consider a change order to the Reis Park Improvement Project with regard to the east wall of the Library. She explained the issues that they were having at the Library and what was causing the water getting into the basement. She continued to explain the work that needed to be done to correct the situation. The Supervisor said that there were two alternatives depending on what the situation was once they started and if Plan A did not work they were going to abandon that and move on to Plan B. She said that she was asking the Board to authorize both Plan A at \$3,500.00 and Plan B at \$9,000.00 if Plan A did not address the issues. She said that all the work was being done by Pugini & Son and he was very familiar with all that was going on at the Library.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute either Plan A in the amount of \$3,500.00 or Plan B in the amount of \$9,000.00 for a Change

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Order to the Reis Park Improvement Project with regard to the east wall of the Library. If Plan A does not work then Plan B will be used.

The Supervisor said that they needed to consider additional work at the Police Building and a Change Order in the amount of \$5,000.00 was needed. She explained that there was some additional carpentry work that needed to be done.

Thereupon motion of Councilman Clinchy, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby authorize a change order in the amount of \$5,000.00 for the Somers Police Building Exterior Renovation.

This being a work session no further action was taken.

Thereupon motion of Supervisor Murphy, seconded by Councilman Morrissey, the meeting was adjourned to an executive session for the purpose of Collective Bargaining at 10:00 PM not to return that evening.

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Town Clerk