

OCTOBER 13, 2011 – WORK SESSION/REGULAR MEETING

Minutes of a work session/regular meeting of the Town Board of the Town of Somers held on Thursday evening October 13, 2011 at 5:30 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
 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 it was in order for the Board to enter into an executive session with regard to personnel and real estate.

Thereupon motion of Supervisor Murphy, seconded by Councilman Morrissey, the meeting was adjourned to an executive session at 5:30 PM to return that evening.

7:30 PM – meeting reconvened

The Supervisor said that Senator Greg Ball was present that evening who had come to share few thoughts with the Town about what was going on in State Government. She said that as many knew Senator Ball had created a New York State Veteran's Hall of Fame and they were fortunate to have this evening Somers first inductee into the New York State Veteran's Hall of Fame with them that evening.

The Supervisor said that it was in order for the Board to adopt a Resolution to recommend Mr. Stephen Moravick to the New York State Veteran's Hall of Fame.

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

RESOLVED, that the Town Board does hereby recommend that Mr. Stephen Moravick be inducted into the New York State Veteran's Hall of Fame.

Senator Ball thanked the Supervisor and the Town Board for taking the time out of the meeting for him to be there this evening. He said that it went without saying that we live in the greatest Nation that the world had ever known. He stated that was because of many brave men and women who fought for freedom around the world. He said that at the State level they had a Veteran's Hall of Fame and it was his honor to have Mr. Moravick as a nominee.

Mr. Stephen Moravick said that he was truly honored and humbled by his nomination into the New York State Veteran's Hall of Fame. He thanked Veteran's Post 8213 Commander Tim McArdle for nominating him for this special honor. He thanked Senator Ball for helping the organization of this special event. Mr. Moravick thanked the Supervisor and the Town Board for approving his nomination. He said that it was a sincere honor to serve this great Country of ours from 1943-1945 and to help the liberation of Europe. He said that it was their heartfelt wish that current and future generations never take for granted their freedom. He said that freedom had been purchased for them by the blood of brave men and women of the United States Armed Forces. Mr. Moravick stated "God Bless the United States Military and God Bless America."

The Supervisor said that Senator Ball was also present to update the Board about things that were going on in Somers part of the District as well as some things in other parts of the District. Senator Ball thanked the Board for their time and updated them on things

that had gone on in the State in the last 6 months. He said that they had a balanced budget and that was accomplished in a Bi-Partisan way. He pointed out areas that were being cut and explained the 2% Property Tax Cap, Unfunded Mandate Relief, and Ethics Reform. Senator Ball said that he was the Chair of Homeland Security Veteran's Affairs and explained things that he had done in connection with that. He asked the Town Board to pass a Resolution of support of the Funeral Protest Bill. He said that a lot of good things had been accomplished. Senator Ball said that they were working to ensure that his District receives the money that they needed. He introduced Mayor DeFino, the former Mayor of the City of White Plains. He said that Mayor DeFino was able to accomplish great things in a non-partisan way. Senator Ball said that he was working with Mayor DeFino and Jim Coleman to keep businesses in New York. He discussed Fracking and some of the affects of Fracking with the Board.

A member of the audience asked Senator Ball if there was a future of Fracking. Senator Ball said that they were developing the regulations at the same time as they were having the comment period. He said that if that was done on the Local level they would be sued and explained that the right way to go about it was to ask for public input and then develop the regulations. He said that this issue was being pushed through at a rate that concerned him. Senator Ball said that there would not be a session before January 1st because of Redistricting and he was fighting to have a special session. He said that he would like to see them do everything that they can to protect the natural environment in ways that other States had not. He said that they should learn from what other States had done and provide protection for private property, farms, the environment and the State's drinking water. Senator Ball said that if that was done they should find a way to move forward. He said that there were Senators who were pushing for this because of job creation and if this was not done right they will be sorry in the future.

Councilman Clinchy said that New York State required the Counties to fund Medicaid and there were two representatives from Westchester County who proposed a Bill of State take over of Medicaid. He asked Senator Ball what his opinion of that was. Senator Ball said that was absolutely irresponsible and he had let them know that. He said that he did not have the faith that Albany could handle the money properly. Councilman Clinchy asked if it was death on arrival. Senator Ball said that he would fight against it because he felt that it was fiscally irresponsible.

The Supervisor thanked Senator Ball for being present that evening. She said that it was very informative and they appreciated him sharing what was going on in Albany with them. She said that they especially appreciated the opportunity to nominate one of their own to the Veteran's Hall of Fame. Senator Ball said that the actual date for that was November 10th and asked them all to attend if they could.

Senator Ball said that on November 12th there was going to be a free Thanksgiving Dinner for all of the Veterans and there was going to be about 600 Veterans coming to that. He asked anyone who wanted to help to please join them. He thanked the Town Board for their help on the MS4 and the Unfunded Mandate issue. Senator Ball said please contact them for any help that the Board may need.

The Supervisor said that November 10th was a Town Board Meeting and they would look to see if there was a way that they could be present for Mr. Moravick's induction into the Veteran's Hall of Fame.

The Supervisor thanked Mayor DeFino from coming to the meeting. Mayor DeFino said that Senator Ball invited him to be a part of his team and they were there to help Businesses and communities to work together.

The Supervisor said that it was in order to open a public hearing with regard to a proposed Local Law to amend Chapter 158 entitled Vehicles & Traffic of the Town of Somers for stop signs on Entrance Way at Lake Way, Ridge Way and Side Way.

8:17 PM – hearing opened
8:35 PM – meeting reconvened

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PUBLIC COMMENT:

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

The Supervisor said that she had announcements that she would like to make. She said that she wanted everyone to know the Ms. Fedora DeLucia the Chair of the Somers Planning Board had been elected to the Senior Citizens Hall of Fame by Westchester County. She congratulated Ms. DeLucia and stated that they were very proud of her.

The Supervisor said that Bulk Refuse Drop-off will start Saturday October 15th and to end Saturday November 12th. She said that the details were available on the Town's Website and read them for everyone.

The Supervisor said that the Rotary Club was having their Annual Coat Drive. She said that there were boxes in a number of different location and they will be collecting them until November 6th.

The Supervisor said that the Shred Mobile would be at Heritage Hills on Saturday October 22nd from 10:00 AM to 2:00 PM. She said that it would be in a different location this year. She said that in the past it had been at the Activities Center and this year it was going to be held at Pool 5. The Supervisor said that there will be signs directing people where to go.

The Supervisor said that the Halloween Parade will be Sunday, October 30th from 12:30 PM to 2:00 PM at Bailey Park. She said that it was always a fun day. She said that this year the YMCA would be having a Fall Festival immediately following the Parade from 2:00 PM to 5:00 PM at Bailey Court.

The Supervisor said that the Veterans' Group had brought the American Veterans Traveling Tribute and Traveling Wall to the area. She said that the opening Ceremony will be October 20th and there will be information with regard to this on the Town's Website.

Councilman Clinchy said that he wanted to compliment the Moravick's on the benches that had been placed at all of the Schools honoring all of Somers Veterans who had served in Foreign Wars. He said that they were beautiful benches and they were going to be at each of the Schools. He said that there was going to be a dedication for all of them within the month.

Approval of the minutes

The next item on the agenda was approval of the minutes.

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

RESOLVED, that the Town Board of the Town of Somers does hereby approve the minutes of the August 11, 2011 Public Hearing regarding Entertainment, Places of; the August 11, 2011 Public Hearing regarding Vehicles and Traffic, No Parking; the August 11, 2011 Work Session/Regular Meeting; the August 22, 2011 Special Meeting and the September 1, 2011 Work Session.

Monthly reports

The Town Clerk 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. She also announced that pursuant to Section 64, Subdivision 2a of the Alcoholic Beverage Control Law, 7-11, located on Route 100, Somers, was renewing their liquor license.

Update of the Somers Energy Environment Committee

The Supervisor said that the next item on the agenda was an update of the Somers Energy Environment Committee by Mr. Herb Oringel. She said that he was not present and she would follow up with Mr. Oringel and place this item back on the agenda. Councilman Clinchy said that there was going to be a series at the Library about Sustainability on

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October 27th. He said that this was the second in a four month series. The Supervisor said that would be October 27th at 7:00 PM.

Retention of Best, Best and Krieger to recoup Cablevision revenues

The next item was to discuss retaining Best, Best and Krieger in collaboration with other Towns to recoup Cablevision revenues. The Supervisor explained that they collaborated with other municipalities to have their receipts from Cablevision reviewed by an Accounting Firm. She said as a result of that report they discovered that there were a number of different areas where the Accountants who did the review felt that the Town's were being short changed by Cablevision in terms of their receipts. She said that the Town of Harrison, who had some expertise in this area, tried to negotiate resolution with Cablevision. The Supervisor said that Cablevision rejected any idea of a settlement and at this point there was a proposal again to join forces to hire Attorneys who specialize in this area to see if they could negotiate a resolution in this matter. She asked the Town Attorney if he had a chance to review the draft letter agreement that the Firm had sent to her the day before. The Town Attorney said that he had seen another Town's. The Supervisor said that the Town stood to possibly gain with interest about \$66,000.00. She said that it seemed to her that it was worthwhile to make some investment into this. She said that they may want to consider putting a cap on what they were willing to spend. Discussion ensued with regard to the amount of money the Board should spend and the services that would be needed from the Firm. It was agreed to accept the Letter Agreement to Step 5 and reevaluate the agreement at that time.

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

RESOLVED, that the Town Board does hereby authorize retaining Best, Best & Krieger in collaboration with other Towns to recoup cablevision revenue not to exceed Step 5 of the negotiation phase.

Conditions Report

The Supervisor said that the next item was the Conditions Report. She said that she had redrafted the document based on some of the comments that she had received from the Board at the last meeting as well as some material that Councilman Clinchy had provided her with. Councilman Morrissey said that he thought it was comprehensive and addressed everything that they had picked up during their survey of the properties. He said that he would like it sent out. Councilman Clinchy asked about the process. The Supervisor said that the interested parties will send the Board a proposal and the Board would review the proposals and discuss them. She said that she had sent out a questionnaire to the Department Heads who maintain the facilities to try to get the basic information upfront. She said that the more information that they had the earlier it would be for someone to draft a proposal. The Supervisor said that she asked to have the questionnaire back to her by October 21st and she wanted to attach that to the document. Councilman Morrissey suggested that the proposals be sent on Monday, October 24th. The Supervisor said that they will give them until November 7th and schedule the pre-submission meeting for that day at 10:00 AM and asked if Councilman Clinchy and Councilman Morrissey could be present for that meeting. She said that she would make sure that the inventory questionnaire would be available at that time. She asked when the Board thought the proposals should be back to the Board by. It was agreed to have the proposals back by November 28th that way they would have it back by the December meeting. The Supervisor pointed out a language change that needed to be made to keep the document consistent.

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

RESOLVED, that the Town Board does hereby authorize soliciting Request for Proposals (RFP) for the preparation of a Buildings, Structures and Facilities Conditions Assessment Report for Town Properties and Buildings.

Old Bet Statue

The next item on the agenda was with regard to the Old Bet Statue. The Supervisor said that they received a great proposal on the work that needed to be done. She said that she had to thank Emil Antonaccio, the previous Building Inspector for this, he was a huge help with meeting with the company that was going to do the work. She said that she

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was asking the Board to authorize her to work with the Town Attorney to draft a short contract to have the work done. Councilman Garrity asked if any of the cost of the repair was going to be covered by Insurance. The Supervisor said that the entire work was going to be covered by Insurance.

Thereupon motion of Councilman Garrity, seconded by Councilman Morrissey, it was unanimously,

RESOLVED, that the Town Board does hereby authorize retaining CJ Stones of Bedford, New York for repair of the Old Bet Statue in the amount of \$6,500.00 per September 21, 2011 submission from CJ Stones.

Agreement with Grant & Lyons, LLP and George M. Janes Associates Facilities Applications

The Supervisor said that the next item on the agenda was to execute an agreement with Grant & Lyons, LLP and George M. Janes Associates for the provision of professional services in association with the review of the Town's Wireless Facilities Applications. She said that comments that were made at the last meeting were included and pointed out some language that needed to be removed.

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

RESOLVED, that the Town Board does hereby authorize the execution of an agreement with Grant & Lyons, LLP and George M. James Associates for the provision of professional services in association with the review of the Town's wireless facilities applications per memo dated June 20, 2011 from Sabrina Charney-Hull, Town Planner.

Salary adjustment for Non-CSEA Employees

The next item was to authorize a salary adjustment for Non-CSEA Employees. The Supervisor said that in the past whenever the CSEA contract had been resolved they had typically given the same or similar increases to the Non-CSEA Employees. She said that the Library had prepared their payment schedule for consideration and pointed out why it was different.

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

RESOLVED, that the Town Board does hereby adopt resolution authorizing salary adjustment for Non-CSEA employees per memo from Mary Beth Murphy, Supervisor.

Proposed donation of land from the Millers

The Supervisor said that the next item was a proposed donation of land from the Millers. She said that they received comments back from a number of people this was referred to. She said that the only hesitation she had about this was comment #4 from the Principal Engineer. The Supervisor said that there was no way to know if something was buried in the northwest corner of the lot. She said that she did not want to do a Phase II Environmental on the property although if the property owner wanted to do some exploration to satisfy the Board that the property was clean, that would be helpful. She said that she would go back to the property owner and asked them if they were willing to do that.

PERSONNEL:

Current Vacancies:

- Conservation Board (unexpired term to March 15, 2012)
- Substance Abuse Council (1 – 3 year term to December 31, 2012)
- Substance Abuse Council (2 – 3 year term to December 31, 2013)
- Somers Energy Environmental Committee
- Affordable Housing Board (5 – 2 year terms to July 11, 2013)
- Assessment Board of Review (1 – 5 year term to December 31, 2016)

Upcoming Vacancies:

- Library Board of Trustees (2 – 5 year terms to December 31, 2016)

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Planning Board (1 – 7 year term to December 31, 2018)
Substance Abuse Council (6 – 3 year term to December 31, 2014)
Zoning Board of Appeals (1 5 year term to 2016)

The Supervisor said that in was in order to acknowledge the resignation of Dr. Edward Merker and John Purcell from the Conservation Board. She said that she would like to thank them for their service on the Conservation Board and they appreciated all of their hard work.

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

Resignation of
Dr. Merker
from the
Conservation
Board

RESOLVED, that the Town Board does hereby acknowledge the resignation of Dr. Edward Merker from the Conservation Board effective immediately per e-mail dated October 4, 2011 from Dr. Merker.

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

Resignation of
J. Purcell from
the
Conservation
Board

RESOLVED, that the Town Board does hereby acknowledge the resignation of John Purcell from the Conservation Board effectively immediately per e-mail dated October 1, 2011 from John Purcell.

Appoint M.
Blum to the
Somers
Energy
Environmental
Committee

The Supervisor said that it was in order to appoint Michael Blum to the Somers Energy Environmental Committee.

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

RESOLVED, that the Town Board does hereby appoint Michael Blum to the Somers Energy Environment Committee to serve at the pleasure of the Board.

Resignation
of G.
Droese,
Assessor

The Supervisor said that it was in order to acknowledge the resignation of Town Assessor, Glenn Droese, effective September 16th. She said that for those who were not aware they were in the process of looking for a new Assessor. She said that if anyone was interested they were accepting resumes.

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

RESOLVED, that the Town Board does hereby acknowledge the resignation of Glenn A. Droese as Assessor for the Town of Somers effective September 16, 2011 per letter dated September 8, 2011 from Glenn A. Droese, Assessor.

Review and
comment of
the
Mitchell
Subdivision

The next item on the agenda was a review and comment with regard to the Mitchell Subdivision. It was agreed that there were no comments from the Town Board.

Consensus
agenda

The Supervisor said that the next item was the consensus agenda. She said with regard to number 4a, that needed to be removed. She said that they also needed to add number 13 to the agenda to authorize special Counsel to settle litigation on the terms set forth in their September 20, 2011 memo contingent upon property maintenance and repairs being done first.

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

Execute contract with
Woodard & Curran for
Reis Park Concession
Stand Professional
Services

- 1a. RESOLVED, that the Town of Somers does hereby authorize the Supervisor to execute contract with Woodard & Curran for Reis Park Concession Stand Professional Services in the amount of \$5,500.00 per memo dated October 4, 2011 from Steven Ralston, Superintendent of Parks & Recreation.

Set a
budget of
Reis Park
Concession
Stand

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- 1b. RESOLVED, that the Town Board does hereby authorize permission to set a budget of \$5,500.00 (Reis Park Concession Stand) from the Recreation Fee account per memo dated October 4, 2011 from Steven Ralston, Superintendent of Parks & Recreation.

Budget Modifications

- 2. RESOLVED, that the Town Board does hereby authorize the following budget modifications per memo dated October 7, 2011 from Mary Beth Murphy, Supervisor:

RESOLVED, that the Town Board does hereby authorize a budget modification to increase revenues for funding received from Tough Man Enterprises Corp. II and the Student Assistance Services Corp. for enforcement of underage drinking laws, per memo dated September 26, 2011 from Joan E. Kachmarik, Director of Finance:

INCREASE:

001-2709 – Gifts and Donations	(\$1,000.00)
001-2389 – Other Govts., Misc.	(\$3,200.00)

INCREASE:

001-3120.4 – Police Contractual	\$4,200.00
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RESOLVED, that the Town Board does hereby authorize a budget modification to increase revenue for funding received from Comcast Corp and increase police contractual appropriations for expenses relating to the Independence Day fireworks per memo dated October 4, 2011 from Joan E. Kachmarik, Director of Finance:

INCREASE:

001-2709 – Revenue, Gifts & Donations	
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INCREASE:

001-3120.4 – Appropriations – Police, Contractual	\$500.00
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RESOLVED, that the Town Board does hereby authorize a budget modification to provide funding to the line to cover seasonal overtime through the end of the year per memo dated October 4, 2011 from Steven Ralston, Superintendent of Parks and Recreation:

From: A7140.1 – Instructions Programs Personal Services	
To: A7110.11 – Parks Overtime	\$6,000.00

RESOLVED, that the Town Board does hereby authorize a budget modification to cover overage from Hurricane Irene per memo dated October 6, 2011 from Thomas E. Chiaverini, Superintendent of Highways:

From: 5140.4 – Brush Contractual	
To: 5140.11 – Brush Overtime	\$15,000.00

RESOLVED, that the Town Board does hereby authorize a budget modification due to increase in occupied homes purchase of water exceeded anticipated consumption per memo dated September 14, 2011 from Adam Smith, Water Superintendent:

From: 049-8310.4 – Water Administration Contractual	(\$800.00)
049-8320.42 – Source of Supply, Power & Pumping Utilities	(\$1,000.00)
049-8340.401 – Transmission & Distribution Interfund Charges (ASWD)	(\$500.00)
049-8340.41 – Transmission & Distribution Supplies	(\$500.00)
049-8340.44 – Transmission & Distribution Contractual Services	

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To: 049-8320.41 – Source of Supply Purchased Water (\$1,000.00)
\$3,800.00

RESOLVED, that the Town Board does hereby authorize a budget modification to cover coverage from unexpected Part-time help and additional funds for payroll till year end per memo dated October 6, 2011 from Thomas E. Chiaverini, Superintendent of Highways.

From: 5130.1 – Machinery Personal Services
To: 5110.1 – General Repair Personal Services \$25,000.00

Highway employees for shoe allowance

3. RESOLVED, that the Town Board does hereby authorize payment to Highway employees for shoe allowance per Union Contract totaling \$1,200.00 per memo dated September 20, 2011 from Thomas E. Chiaverini, Superintendent of Highways.

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. REMOVED
 - b. \$100.00 – Cheung Tree Preservation Permit – 16.12-1-33.
 - c. \$200.00 – Kapur Stormwater Management & Erosion & Sediment Control Permit – 26.20-2-24.
 - d. \$100.00 – Panek Erosion Control Permit – 6.19-1-39.

Refund Erosion Control Bonds

5. RESOLVED, that the Town Board does hereby authorize the refund of the following Erosion Control Bonds per memos from Steven Woelfle, Principal Engineering Technician:
- a. \$300.00 Roche Wetland Permit – 6.16-2-18.
 - b. \$100.00 Pomerance Wetland Permit – 6.12-1-19.
 - c. \$ 25.00 Ciarletto/Testa Tree Permit – 6.16-3-1 & 2.
 - d. \$200.00 Walraven Tree Permit – 48.17-1-38.

Annual Bulk Refuse Drop-Off

6. RESOLVED, that the Town Board does hereby announce dates of the Annual Bulk Refuse Drop-Off beginning Saturday, October 15, 2011 ending Saturday, November 12, 2011 at the Somers Sanitation Transfer Station, 241 Route 100, Somers.

Execute 2011 – 2012 Justice Court Assistance Program Grant

7. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2011 – 2012 Justice Court Assistance Program Grant in the amount up to \$30,000.00.

Execute annual service agreement from Kinsley Power Systems

8. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the annual service agreement from Kinsley Power Systems in the amount of \$1, 900.00 per memo dated September 22, 2011 from Adam Smith, Superintendent of Water & Sewer.

Correction to the Lien List

- 9a. RESOLVED, that the Town Board does hereby authorize correction of parcel 37.05-1-1 to be removed from the Lien list of 2010 unpaid taxes per memo dated September 22, 2011 from Joan Ribaldo, Receiver of Taxes.

Removal parcels from Lien Collection

- 9b. RESOLVED, that the Town Board does hereby authorize removal of the following parcels from the Lien Collection system per memo dated September 26, 2011 from Joan Ribaldo, Receiver of Taxes:

5.15-2-11
5.19-1-26
6.18-1-3.5
17.16-2-6
28.06-1-15

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RFP for Oil
Tank
Tightness
Testing

10. RESOLVED, that the Town Board does hereby authorize RFP for Oil Tank Tightness Testing for the Senior Center and Police Building at Somers Van Tassell Park, and the Somers Annex Building per memo dated September 27, 2011 from Steven Woelfle, Principal Engineering Technician.

Release road
maintenance
bond for The
Farm

- 11a. RESOLVED, that the Town Board does hereby authorize release of road maintenance bond for The Farm (Country Hollow) Subdivision posted by Gus Boniello, Boniello Development Corp., in the form of a cashier's check in the amount of \$65,967.00 per memo dated October 12, 2011 from Steven Woelfle, Principal Engineering Technician.

Release of
road
maintenance
bond for Twin
Knolls

- 11b. RESOLVED, that the Town Board does hereby authorize release of road maintenance bond for Twin Knolls Subdivision – Section IV posted by CJC Associated, L.P., in the form of a check in the amount of \$27,602.00 per memo dated October 12, 2011 from Steven Woelfle, Principal Engineering Technician.

Transfer
funds from
the Town
Insurance
Reserve

12. RESOLVED, that the Town Board does hereby authorize the transfer of \$4,411.66 from the Town Insurance Reserve to the Library per memo dated October 11, 2011 from Patricia Miller, Director.

Special
Counsel to
settle
litigation

13. RESOLVED, that the Town Board does hereby authorize Special Counsel to settle litigation on terms set forth in his September 20, 2011 memo contingent upon property maintenance and repairs being done first.

The Supervisor thanks everyone for being there that evening and congratulated Somers' Veteran, Stephen Moravick, who had been inducted into the Veteran's Hall of Fame and to Somers' Senior, Fedora DeLucia who had been inducted into the Senior Hall of Fame.

Claims for the payment of all Town Bills in the amount of \$994,918.62 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 Murphy, seconded by Councilman Garrity, the meeting was adjourned at 9:10 PM.

Town Clerk