

DECEMBER 11, 2014 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening December 13, 2014 at 6:30 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT: Supervisor Rick Morrissey
 Councilman Thomas A. Garrity, Jr.
 Councilman Anthony J. Ciriaco
 Councilman William G. Faulkner

ABSENT: Councilman Richard G. Clinchy

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.

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

7:10 PM – meeting reconvened

The Supervisor said that it was in order for the Board to open a public hearing with regard to a proposed Local Law with regard to the placement of a stop sign on the northwest corner of Primrose Drive and Lalli Drive.

7:10 PM – hearing opened
7:11 PM – meeting reconvened

The Supervisor said that it was in order for the Board to adopt a Local Law with regard to a stop sign on the northwest corner of Primrose Drive and Lalli Drive.

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

RESOLVED, that the Town Board does hereby adopt a Local Law with regard to the placement of a stop sign on the northwest corner of Primrose Drive and Lalli Drive as follows:

A Local Law to amend Chapter 158 entitled Vehicles and Traffic of the Code of the Town of Somers.

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

1. Article V entitled Stop and Yield Intersections Section 158-19 Stop Intersections Designated is hereby amended to add the following:

OOO. Pursuant to Section 1660 Subdivision 1 of the Vehicle and Traffic Law, Stop Signs shall be installed at the following location:

1. The Northwest corner of Primrose Drive and Lalli Drive.

2. Effective Date: this Local Law shall be effective immediately upon filing of same with the Secretary of State of the State of New York.

DECEMBER 11, 2014 – REGULAR MEETING

PUBLIC COMMENT:

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

Councilman Clinchy present at 7:11 PM.

Approval of the minutes

The Supervisor said that the first item on the agenda was the approval of the minutes.

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

RESOLVED, that the Town Board does hereby approve the minutes of the October 9, 2014 Public Hearing regarding the proposed Local Law to amend the Town of Somers 1994 Comprehensive Master Plan; the October 9, 2014 Public Hearing regarding the proposed Local Law to amend Chapter 170-13 Multifamily Residence MFR District; the October 9, 2014 Public Hearing regarding the proposed Local Law to amend Chapter 154-7A (2) Taxation of the Code of the Town of Somers; the October 9, 2014 Regular Meeting and the November 6, 2014 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 announced that Somers Hibachi, Inc., located at 80 Route 6, Suite 501, Baldwin Place was applying for a liquor license.

2015 Budget

The next item on the agenda was the adoption of the 2015 Budget. The Supervisor thanked the Town Board members and all of the Department Heads for all of their hard work on the budget. He said that he wanted to especially recognize the Director of Finance, Robert Kehoe for all of his overtime and effort he put into the Budget.

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

RESOLVED, that the Town Board does hereby adopt the Preliminary Budget as presented on December 11, 2014 as the 2015 Budget.

Extend the Determination of Completeness - Somers Crossing DEIS

The Supervisor said that the next item on the agenda was to authorize to extend the Determination of Completeness of the Somers Crossing DEIS to February 12, 2015 with the consent of the Applicant. He asked Mr. Gus Boniello to come to the podium. He stated that the Board could only authorize the extension if he made the request. Mr. Boniello requested a two month extension for the Determination of Completeness of the Somers Crossing DEIS. The Supervisor asked if February 12, 2015 was agreeable with Mr. Boniello.

Thereupon motion of Supervisor Morrissey, seconded Councilman Clinchy, it was unanimously,

RESOLVED, that the Town Board does hereby authorize, with the consent of the applicant, to extend the determination of the completeness of the Somers Crossing DEIS to February 12, 2015 as per memo dated December 11, 2014 from Syrette Dym, Director of Planning.

PERSONNEL:

Current Vacancies:

Somers Energy Environmental Committee
Substance Abuse Council (2 – unexpired 3 year terms to December 31, 2016)

DECEMBER 11, 2014 – REGULAR MEETING

Affordable Housing Board (1 – unexpired 2 year term ending July 11, 2015)
Affordable Housing Board (4 – 2 year terms ending July 11, 2015)
Assessment Board of Review (1 – unexpired 5 year term ending September 30, 2015)
Assessment Board of Review (1 – unexpired 5 year term ending September 30, 2016)
Library Board of Trustees (1 – 5 year terms ending December 31, 2014)

Upcoming Vacancies:

Library Board of Trustees (2 – 5 year terms ending December 31, 2014)
Planning Board (1 - 7 year term ending December 31, 2014)
Substance Abuse Council (5 – 3 year terms ending December 31, 2014)
Zoning Board of Appeals (2 – 5 year terms ending December 31, 2014)

Termination
and Hire of
D. Schirmer

The Supervisor said that it was in order for the Board to authorize the termination of Ms. Denise Schirmer as Part-time Intermediate Typist and hire her as Part-time Secretary to the Zoning Board of Appeals and Part-time Secretary to the Architectural Review Board.

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

RESOLVED, that the Town Board does hereby authorize the termination of Denise Schirmer as part-time Intermediate Typist and,

DOES HEREBY, hire her as part-time Secretary to the Zoning Board of Appeals and part-time Secretary to the Architectural Review Board at an annual salary of \$44,285.00 effective December 8, 2014.

Appoint K.
Cucchiarella
Chair –
Somers
Substance
Abuse
Council;

The Supervisor said that it was in order to appoint Kathleen Cucchiarella as Chairman of the Somers Substance Abuse Council.

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

RESOLVED, that the Town Board does hereby appoint Kathleen Cucchiarella as Chairman of the Substance Abuse Council effective December 11, 2014 term ending December 31, 2015.

Consensus
Agenda

The next item was the consensus agenda. Councilman Garrity asked with regard to item number 6, if those monies were going to be going into the General Fund. The Supervisor said that was correct. Councilman Garrity asked if they were monies that were already spent. The Supervisor said that they were monies that were held by the Town and what was not spent was permitted to go into the General Fund. The Supervisor said that they needed to add an item number 7, to authorize the Town Attorney to execute a Consent of Judgment for a Tax Certiorari of William Hoth, Jr. which included properties at 16, 18 and 20 Lakeside Drive. He said that they needed to add an item number 8, to authorize a Request For Proposal for the removal and replacement of furnaces at the Highway Garage. Councilman Clinchy asked if this expense would be coming out of the 2014 Budget or the 2015 Budget. Mr. Robert Kehoe, Director of Finance stated that this would be coming out of the 2015 Budget.

The Supervisor said that it was in order for the Board to enter into an executive session to discuss contracts.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, the meeting was adjourned to an executive session to discuss contracts at 7:20 PM to return that evening.

7:40 PM – meeting reconvened

DECEMBER 11, 2014 – REGULAR MEETING

The Supervisor said that they needed to add item number 9, to authorize the Supervisor to execute a contract with B.F.J. Planning Consultants in the amount of \$30,500.00 to consult with the Town Board with regard to updating of the Town of Somers Comprehensive Master Plan.

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

- | | |
|---|--|
| Execute proposal for Complete Streets | 1a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal from Barton & Loguidice, D.P.C. for Complete Streets – Concept Phase for Engineering and Landscape Architectural Services in the amount of \$5,000.00 per proposal dated October 27, 2014 from B&L. |
| Execute the 2015 Service Agreement with RDM Computer Consultants, Inc., | 1b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2015 Annual Service Agreement with RDM Computer Consultants, Inc., in the amount of \$1,350.00 per month per letter dated September 4, 2014 from Raymond Maggi. |
| Increase hourly pay rate for Nutrition Employees | 2. RESOLVED, that the Town Board does hereby authorize an increase in hourly pay rate for Debra Elliott, Erica Gentile and Liz Voss from \$13.67 to \$16.00 per hour effective November 19, 2014 per memo dated November 20, 2014 from Barbara Taberer, Program Director. |
| Accept Construction Bond | 3. RESOLVED, that the Town Board does hereby accept \$3,813.00 Construction Bond for Somers Commons Gravity Sewer Line post by Somers Realty for Stormwater Management and Erosion and Sediment Control, Steep Slopes, Tree Removal and Wetland Permit – 4.20-1-15 & 18 per memo dated November 17, 2014 from Wendy Getting, Senior Office Assistant. |
| Accept Erosion Control Bond | 4. RESOLVED, that the Town Board does hereby accept \$3,390.00 Erosion Control Bond for Somers Commons Gravity Sewer Line posted by Somers Realty for Stormwater Management and Erosion and Sediment Control, Steep Slopes, Tree Removal and Wetland Permit – 4.20-1-15 & 18 per memo dated November 17, 2014 from Wendy Getting, Senior Office Assistant. |
| Purchase of one (1) new small dump/utility truck | 5a. RESOLVED, that the Town Board does hereby authorize the purchase of one (1) new small dump/utility truck from Van Bortle Ford off the Onodaga County Bid List #7974 F-550 in the amount of \$56,344.44 from the 2014 Budget per memo dated December 4, 2014 from Thomas E. Chiaverini, Superintendent of Highways. |
| Hire E. Gall Road Maintainer | 5b. RESOLVED, that the Town Board does hereby announce the hiring of Edward E. Gall as Road Maintainer at an annual salary of \$48,233.00 (for the first six months he will receive 90%, (\$20.8699 per hour) then after 26 weeks he will receive 95% per memo dated December 4, 2014 from Thomas E. Chiaverini, Superintendent of Highways. |
| Bad weather stipend for L. Noto and C. DiSisto | 5c. RESOLVED, that the Town Board does hereby authorize a bad weather stipend in the amount of \$5,000.00 for Deputy Highway Superintendent Louis Noto and \$1,500.00 for Catherine DiSisto, Secretary to the Highway Superintendent for 2014. |
| Transfers from Trust and Agency to the General Fund | 6. RESOLVED, that the Town Board does hereby authorize the following transfers from Trust and Agency to the General Fund per memos dated December 2, 2014 from Steven Woelfle, Principal Engineering Technician: |

DECEMBER 11, 2014 – REGULAR MEETING

- a. \$78,572.13 – St Joseph’s Church Engineering Inspection Fee.
- b. \$61,257.27 – St. Joseph’s Church & JFK High School Engineering Inspection Fee

Execute a Consent of Judgment for Tax Certiorari

7. RESOLVED, that the Town Board does hereby authorize the Town Attorney to execute a Consent of Judgment for Tax Certiorari settlement for William F. Hoth, Jr. vs. Town of Somers Index #67273/13 et al, for properties known as 16 Lakeside Drive – Tax Map 16.14-1-15, 18 Lakeside Drive – Tax Map 16.14-1-14.1 and 20 Lakeside Drive – Tax Map 16.14-1-14.2 per memo received December 10, 2014 from Roland A. Baroni, Jr., Town Attorney.

RFP for the removal and replacement of furnaces at the Highway Garage

8. RESOLVED, that the Town Board does hereby authorize the Building Inspector to solicit proposals for a Request for Proposals (RFP) for the removal and replacement of the oil fired furnace in the main building, as well as the removal of four (4) gas fired heaters and the installation of two (2) gas fired furnaces in the outbuilding at the Somers Highway Department. The total cost should not exceed \$35,000.00, per memo dated December 11, 2014 from Efreem Citarella, Building Inspector.

Execute a contract with B.F.J. Planning Consultants

9. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a contract with B.F.J. Planning Consultants in the amount of \$30,500.00 to consult with the Town Board with regard to the updating of the Town of Somers Comprehensive Master Plan per letter dated December 19, 2014 from Frank F. Fish, FAICP.

The Supervisor said that the Town had a very successful tree lighting on December 7th. He said that they had pictures taken with Santa Claus.

Councilman Garrity said that he wanted to say the Supervisor Morrissey’s ruler idea was phenomenal and the residents loved it. The Supervisor said that the ruler was available for anyone to take a picture with the tree.

The Supervisor said that he wanted to thank Mr. Pete Milhonic, for all his help with the trees. He said that he wanted to thank Mr. Lawton Adams who was part of the process and Mr. John Currie, those two gentlemen were responsible for the newly planted healthy thriving Town Tree. He said that he also wanted to thank Ms. Meg Timone and Ms. Grace Zimmermann for the fantastic decorations at the Town House.

The Supervisor said that there was a Menorah Lighting coming up on December 16th and asked all to join them at 6:00 PM in front of the Town House.

The Supervisor wished everyone of wonderful, peaceful and safe Holiday Season.

Councilman Ciriaco said that he wanted to wish the Town a great Holiday Season. He said that they had just finished the Town Budgets and were going into the Holidays. He said he wanted to thank everyone for their efforts, they had a great Town and a great Staff.

Councilman Garrity wished everyone a Happy New Year as well.

Councilman Clinchy said the Town of Somers was a great Town with a lot of wonderful things going on during the Holidays.

Councilman Faulkner said that he wanted to echo the other Councilmen’s sentiments.

DECEMBER 11, 2014 – REGULAR MEETING

Claims for the payment of all Town Bills in the amount of \$1,817,501.25 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 Garrity, the meeting was adjourned at 7:45 PM.

Town Clerk