

DECEMBER 12, 2013 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening December 12, 2013 at 7:20 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	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco

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.

Thereupon motion Supervisor Murphy, seconded by Councilman Ciriaco, the meeting was adjourned to executive session with regard to personnel at 7:20 PM to return that evening.

7:45 PM – meeting reconvened

Update reg. Northern Westchester Hospital
--

The Supervisor said that Mr. Joel Seligman of Northern Westchester Hospital was present that evening to update the Board with regard to the Stellaris situation. Mr. Seligman thanked the Board for having them that evening and stated that there were some very important things happening in Health Care as it related to the local hospitals. He said that it was important for the Board to know what was going on and some of the decisions that they were facing.

Mr. Seligman said before he began he wanted to thank Supervisor Murphy for being a great partner of the hospital for many years. He said that Somers had always been available with wisdom and advice for them and they had appreciated her service to the Hospital.

Mr. Seligman said that with him was Judge Spolzino, Chairman of the Hospital Board of Trustees and they both would be presenting the PowerPoint presentation to the Board. The PowerPoint presentation was with regard to key points of Population Health Management, the future of the Health Care System, Insurance Companies and what they were looking towards for the future.

Councilman Ciriaco asked what they would like from the Town Board. Mr. Seligman said that they were looking for the Town Board's understanding of the process. He stated that they wanted the leaders of the Community to know what was going on and understand that they were looking at this carefully and thoughtfully. He said that they would like their input if they had ideas and suggestions. Mr. Seligman said that they wanted to make sure that when there were announcements the Board understood that there was a thought process behind it and they spent a lot of time studying it.

The Supervisor asked if someone wanted more information who should they contact. Mr. Seligman said that they could contact Mr. Mark Vincent, Vice President of Marketing and there was also information on the Hospital website.

DECEMBER 12, 2013 – REGULAR MEETING

The Supervisor said that it was in order for the Board to open a public hearing with regard to the proposed Amawalk Shenorock, Amawalk Heights and the Windsor Farms Water District’s Rate increase.

8:10 PM – hearing opened
8:11 PM – meeting reconvened

The Supervisor said that it was in order for the Board to adopt the proposed Amawalk Shenorock, Amawalk Heights and the Windsor Farms Water District’s Rate increase.

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

RESOLVED, that the Town Board does hereby adopt the proposed Amawalk-Shenorock, Amawalk Heights, and the Windsor Farms Water District’s rate increase.

PUBLIC COMMENT:

Dr. Henry Olsen, Heritage Hills, said on behalf of the residents of Heritage Hills, they wanted to thank Supervisor Murphy, for her service to the Town and wished her luck in the future.

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

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.

2014 Budget

The next item on the agenda was to adopt the 2014 Budget. The Supervisor said that the Budget had been discussed at several meetings and the appropriate changes had been made.

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

RESOLVED, that the Town Board does hereby adopt the Preliminary Budget as presented on December 12, 2013 as the 2014 Budget.

ROLL CALL:	Councilman Anthony J. Ciriaco	AYE
	Councilman Richard G. Clinchy	AYE
	Councilman Frederick J. Morrissey	AYE
	Councilman Thomas A. Garrity, Jr.	AYE
	Supervisor Mary Beth Murphy	AYE

Councilman Morrissey said that Supervisor Murphy did a great job on the budget. Councilman Garrity thanked the Supervisor. The Supervisor said that they had a good Town and told them not to spend too much money next year.

Lease-Purchase of Chevy Tahoe for Police

The Supervisor said that the next item on the agenda was the Lease-Purchase of a Chevy Tahoe for the Somers Police Department as well as authorizing the Supervisor execute the appropriate documents and make the payment.

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

RESOLVED, that the Town Board does hereby authorize the following for a new 2014 Chevy Tahoe for the Somers Police Department:

DECEMBER 12, 2013 – REGULAR MEETING

- a. Supervisor to execute Lease-Purchase Agreement with Ford Credit Company.
- b. Payment in the amount of \$14,558.00 to be made to the Ford Motor Credit Co., LLC.

Funding for
Reis Park
and Town
House
improvement
projects

The next item was a memo from Mr. Robert Kehoe, Finance Director, to verify the funding for the Reis Park and Town House improvement projects. She said that the lights for the Town House Parking Lot come out of the General Fund, not out of the Rec Fees Fund. She continued that the rest of the Parking Lot of the Town House was paid for from EOHWC and the Concession Stand and the lights at the Park were being paid from Rec Fees and not paid for by EOHWC. The Supervisor said that she just wanted to verify that with the Board.

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

RESOLVED, that the Town Board does hereby verify their agreement to fund the Town’s portion of the projects at Reis Park and the Town House from Recreation Fees and the General Fund per memo dated November 26, 2013 from Robert Kehoe, Director of Finance

PERSONNEL:

Current Vacancies:

- Somers Energy Environmental Committee
- Substance Abuse Council (2 – unexpired 3 year terms to December 31, 2016)
- Affordable Housing Board (1 – unexpired 2 year term ending July 11, 2013)
- Affordable Housing Board (4 – 2 year terms ending July 11, 2013)

Upcoming Vacancies:

- Library Board of Trustees (2 – 5 year terms ending December 31, 2018)
- Planning Board (1 – 7 year term ending December 31, 2020)
- Zoning Board of Appeals (1 – 5 years term to December 31, 2018)

consensus
agenda

The Supervisor said that the next item was the consensus agenda. She said that she wanted to add an additional item to the consensus agenda. She said that they needed to authorize the Supervisor to execute a General Release to LipOp, LLC for the Concession Stand Contract. The Town Attorney said that was in return of their granting title to the equipment that they had purchased with the exception of the Ice Cream Maker. The Supervisor said that they would be looking for a new Concessionaire next year. Councilman Garrity said with regard to item number 6, who was that being awarded to. The Supervisor that they received two proposals. She explained that they had a proposal from North County and agreed to request additional proposals from additional Companies. She stated that North County’s proposal was the least amount of money. The Supervisor said that A-Amp’s proposal was \$24,647.63 and North County’s was in the amount of \$20,000.00. She said that since this was not a formal bid they could accept all of the proposals. She said they were going to be awarding the contract to North County. Councilman Cirieco asked when the work was going to be done. The Supervisor said that Mr. Tooma was working on this and she believed that it would be done soon.

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

Request to
purchase
Town
Owned
Properties

- 1. RESOLVED, that the Town Board does hereby deny request to purchase Town Owned Properties located at:
 - a. 1 Birch Road

DECEMBER 12, 2013 – REGULAR MEETING

b. 7 Juniper Drive

Schedule a Public Hearing to allow the Bureau of Fire Prevention to issue tickets
Budget Modification

2. RESOLVED, that the Town Board does hereby schedule a Public Hearing for January 9, 2014 to allow the Bureau of Fire Prevention to issue tickets for cars parked within 15 feet of either side of a fire hydrant.
3. RESOLVED, that the Town Board does hereby authorize approval of the following budget modifications per memos dated November 25, 2013 Revised December 6, 2013, Revised December 11, 2013 from Mary Beth Murphy, Supervisor:

RESOLVED, that the Town Board does hereby authorize a budget modification to cover overage in budget line per memo dated November 19, 2013 from Thomas E. Chiaverini, Highway Superintendent:

From: 5140.4 – Brush - \$15,000.00

To: 5130.4 – Machinery \$15,000.00

RESOLVED, that the Town Board does hereby authorize a budget modification to cover cost of New Loader per memo dated November 19, 2013 from Thomas E. Chiaverini, Highway Superintendent:

From: 5142.4 – Snow - \$11,000.00

To: 5130.2 – Machinery Equipment \$11,000.00

RESOLVED, that the Town Board does hereby authorize a budget modification to cover overtime for Tall Trees Court drainage project per memo dated November 12, 2013 from Thomas E. Chiaverini, Highway Superintendent:

From: 002.5112.1 – CHIPS Personal Services- \$1,000.00

To: 002.5112.11 – CHIPS Overtime \$1,000.00

RESOLVED, that the Town Board does hereby authorize a budget modification to cover overage in General Repairs per memo dated November 27, 2013 from Thomas E. Chiaverini, Highway Superintendent:

From: 002.5142.1 – Snow – Personal Services - \$32,132.92

To: 002.5110.1 – General Repair – Personal Services \$32,132.92

Return Erosion Control Bonds

4. RESOLVED that the Town Board does hereby authorize return of the following Erosion Control Bonds per memos from Steven Woelfle, Principal Engineering Technician:
 - a. \$200.00 – Fusco Landscape Architects (Rzyk) – Stormwater Management & Erosion & Sediment Control – 48.17-2-11.
 - b. \$200.00 – Surfside Pools & Construction Corp. (Friedberg) – Stormwater Management & Erosion & Sediment Control – 58.12-1-4.1.
 - c. \$500.00 – Carfagno – Steep Slope Permit – 37.16-1-23.
 - d. \$1,000.00 – Rex Realty of Conn., Inc. – Erosion Control Bond – 16.16-1-19 & 20.
 - e. \$200.00 – Dahling – Stormwater Management & Erosion & Sediment Control – 37.06-1-4.

DECEMBER 12, 2013 – REGULAR MEETING

Execute the deed and closing documents for a portion of Railroad Avenue to Perry/Broderick

- 5a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the deed and closing documents for a portion of Railroad Avenue to Perry/Broderick.

Execute agreement with CAI Technology for mapping services

- 5b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute agreement with CAI Technology for mapping services (formerly James Sewall) in the amount of \$7,800.00 for two (2) years ending June 1, 2015.

RFP for Town House Generator Wiring

6. RESOLVED, that the Town Board does hereby award the Request for Proposal (RFP) to North County Electric in the amount of \$20,000.00 for the Town House Generator wiring.

Bid for replacement of the stainless steel chimney lining

7. RESOLVED, that the Town Board does hereby authorize going to bid for replacement of the stainless steel chimney lining (due to deterioration) at Van Tassell per memo dated December 6, 2013 from Thomas J. Tooma, Jr., Assistant Building Inspector.

Authorize longevity payment

8. RESOLVED, that the Town Board does hereby authorize \$975.00 longevity payment in December 2013 to Susan Greenman, Senior Library Clerk, per memo dated December 6, 2013 from Robert Kehoe, Director of Finance.

Bad Weather Stipend for Highway Department

9. RESOLVED, that the Town Board does hereby authorize Bad Weather Stipend to Deputy Highway Superintendent, Lous Noto in the amount of \$3,000.00 and to Secretary to the Highway Superintendent, Catherine DeSisto in the amount of \$2,000.00 for 2013.

Execute General Release to LipOP, LLC

10. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a General Release to LipOp, LLC for the Concession Stand Contract pending the return of their granting title to the equipment that they had purchased with the exception of the Ice Cream Maker per advice of Town Attorney.

Councilman Garrity said that he had known Supervisor Murphy for almost her whole tenure with the Town. He said that she appointed him to the Zoning Board and then the Planning Board and from there he became a Councilman. He said that he had a prepared statement with regard to the Supervisor. Councilman Garrity said that it was easy to sum up the accomplishments of a job well done over the last 15 years by looking around the beautiful Town. He said it was because of Supervisor Murphy's leadership that their independent Auditors had continually told them that Somers was in excellent financial shape. He said that it was because of her commitment and economizing that they maintained one of the lowest tax rates in Westchester County. Councilman Garrity said that it was because of Supervisor Murphy's forward thinking that they did not need to make sweeping changes to adhere to the State 2% Tax Cap because they were already there in many cases. He stated that this was all done in one of the worst Economies since the Great Depression. He said that when they looked at their commitment to affordable housing you saw Supervisor Murphy there as well, thanks to her leadership Somers had made large strides towards satisfying their annual plot agreement and at the same time putting in smart affordable housing that minimizes the impact of the Schools and other Services. Councilman Garrity said that the fact that the Angle Fly property was not crammed with condos and houses was also due to Supervisor Murphy's hard work. He said that it was her love of the Town's open spaces as she led Somers in one of the largest land acquisitions in Westchester County by purchasing that property in conjunction with the State and the County. He said that now that property was a beautiful park, in fact that the Town was more beautiful thanks to Supervisor Murphy's initiatives. Councilman

DECEMBER 12, 2013 – REGULAR MEETING

Garrity said that she took it upon herself to do an assessment of all the Town owned buildings in Town and put together a multi-year maintenance repair plan. He said that there were new roofs on the Library and Police Building because of Supervisor Murphy's leadership. He said that the parking lots at both the Town House and Reis Park were safer because Supervisor Murphy worked hard to get grant money to make that happen. Councilman Garrity said that Supervisor Murphy always found a way to take the Town's resources and use them to the best economy and accomplished tasks in-house whenever possible. He stated that this was all done while raising her three children with her husband Ken and volunteering tirelessly for the Lion's Club as well. He said that her dedication, her service and love of this Town did not come without a cost. Councilman Garrity said that anyone involved in Public Service knows what it was like to miss events in the lives of your children and family and Supervisor Murphy was not different. He said that over the course of the last 15 years Supervisor Murphy had missed numerous important events, birthdays, anniversaries, school concerts and sporting events all in an effort to keep Somers a great Town as it was today. He thanked her husband and children for their understanding. Councilman Garrity said that there was always the belief that no one was irreplaceable but as he looked around the Town and saw how much Supervisor Murphy had contributed, she came pretty close. He said that it had not always been easy but Supervisor Murphy always accepted criticism with grace and conviction. He said that they had worked together on many issues for that he got to call her not only a colleague but a friend as well. Councilman Garrity thanked Supervisor Murphy for her guidance, knowledge and time over the last 15 years, she will be missed.

Councilman Morrissey said that he wanted to present Supervisor Murphy with a gift from the Town Board, Town Employees and a grateful Somers. He presented her with a Key to the City and read the plaque; which read that it was presented to Mary Beth Murphy for her 15 years of everlasting love and commitment to the Town of Somers. Somers Town Board, Town of Somers New York, December 12, 2013.

The Supervisor presented Councilman Morrissey with his Supervisor's name plate.

Councilman Clinchy said that he had sat next to Supervisor Murphy for the last 6 years and he had enjoyed it. He said that the things people remember most were the times that they worked with someone cooperatively to accomplish something. He said that he remembered during last year's hurricane which created all sorts of problems in Town they spent every day of that time in the Fire House twice a day in the spirit of getting things done. Councilman Clinchy said that although that was a tough time he looked back on it with fondness because of what the Town Board did, what Supervisor Murphy did at that time to get the Town back on track. He said that sort of working together made a job better. He said that he also enjoyed working with Supervisor Murphy on the last three union contracts. Councilman Clinchy said that they did it together for the Town, saving the Town money while being fair to the employees. He said that he had really enjoyed working with her and he thanked her for those opportunities. He said that as Councilman Garrity said 15 years was hard to replace and her wisdom, knowledge and experience would be missed by many people.

Councilman Ciriaco said that Councilman Garrity's synopsis was great of Supervisor Murphy's time as a Supervisor. He said for a legacy point of view Angle Fly's open space and East of Hudson Watershed became a real legacy of her in the Town. He said that it went beyond the things that she had done as Supervisor. Councilman Ciriaco pointed out that Supervisor Murphy was a Youth Advisor for the Lion's Club and she had done things that had focused on the youth and that was important to the Town. He said that now there were emergency shelters in place in Town. He said that Supervisor Murphy was very in touch with the residents that needed help although she understood the limits of Government and she tapped everyone's volunteerism. Councilman Ciriaco said that she would be missed, she had done an outstanding job for the Town.

DECEMBER 12, 2013 – REGULAR MEETING

The Town Attorney said that he wanted to add that about 12 years ago the Dean of all Supervisor's Jack Lombardi said to him that the Supervisor in Somers was as smart as could be and he should try and work for her. He said that he was glad to have the opportunity to work for Supervisor Murphy.

The Supervisor said that she wanted to thank all of the Town Staff, they were very lucky in the Town of Somers to have people who were truly dedicated to the Town. She said that they were very leanly staffed in all of the Departments and everyone worked hard and they had people who truly cared about the Town. She said from their Town Clerk, Kathie Pacella down to all of the Department Heads that they took a general interest in making sure that they do their jobs right and well. The Supervisor said that this made her job easier to have Department Heads that were so committed and dedicated to their work. She said that her own Office staff never got the accolades that were deserved. She said that without them the Office would not function, they fielded thousands of phone calls every year on a variety of issues. The Supervisor said that they were experts on everything and they always did it with grace and niceness toward people and that had allowed her to shine. She said she started out with an excellent Board and she was ending with a great Board. She said that it had been a pleasure working with the Board. The Supervisor's advice to them moving forward was to let the decisions they make be right in their heart. She wanted to thank her Deputy Supervisor, he was not only a relation to her, he was a close friend. She said that he had been a supporter and with her through some of her most challenging times both personally and professionally. The Supervisor said that someone mentioned the volunteers, the Town ran on volunteers. She said that they were valuable assets to the Town. She said that she appreciated all that they did and that it was a pleasure getting to know them. The Supervisor thanked the residents of the Town, she had made so many friends through her role as Supervisor and she will miss them. She said finally she wanted to thank her family. She said that her husband had been her rock through it all and her children too. The Supervisor said that politics was something that the whole family got involved with and it was not something they had to deal with. She said that she was proud to say that her children were grown up now and in their lives doing well. She said that she was grateful to her family for supporting her. She said that she saw great things for the Town in the future, Councilman Morrissey was going to be a terrific Supervisor, he had a great Board. She said that she would be looking forward to see all the great things they were doing. The Supervisor thanked everyone for the beautiful plaque that she was presented with and all of the support and kind words.

The Town Clerk said that she wanted to thank Supervisor Murphy also for all of the agenda meetings. She said that she had learned a lot from her and thanked her for her help. She said that she will be missed.

The Supervisor wished everyone a Happy New Year.

Claims for the payment of all Town Bills in the amount of \$1,602,366.89 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 Councilman Garrity the meeting was adjourned at 8:35 PM.