

JANUARY 11, 2018 – WORK SESSION/REGULAR MEETING

Minutes of a work session/regular meeting of the Town Board of the Town of Somers held on Thursday evening at 7:22 PM January 11, 2018 at the Town House, 335 Route 202, Somers, New York immediately following the 2018 Organizational Meeting.

ROLL CALL:

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

ABSENT:

Also present were Patricia Kalba, Town Clerk, Linda Verderame, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that it was in order for the Board to open a public hearing with regard to a proposed Local Law to add Chapter A175, entitled SEWERS, in its entirety to the Code of the Town of Somers.

7:22 PM – hearing open  
7:27 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 to amend Chapter 154, entitled Taxation, Article IX entitled Cold War Veterans Exemption pursuant to Section 154-28 Duration of Exemption of the Code of the Town of Somers.

7:28 PM – hearing open  
7:30 PM – meeting reconvened

The Supervisor said that it was in order for the Board to adopt a Local Law to amend Chapter 154, entitled Taxation, Article IX entitled Cold War Veterans Exemption pursuant to Section 154-28 Duration of Exemption of the Code of the Town of Somers.

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

RESOLVED, that the Town Board does hereby adopt a Local Law to amend Chapter 154, entitled Taxation, Article IX entitled Cold War Veterans Exemption pursuant to Section 154-28 Duration of Exemption of the Code of the Town of Somers as follows:

A Local Law amending Chapter 154 of the Code of the Town of Somers by amending Article IX, Section 154-28 entitled Duration of Exemption as authorized by Section 458-b of the Real Property Tax Law.

1. Section 154-28 is hereby amended to read:

The exemption provided by Subsection A of Chapter 154-27 of this Article shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation and shall be in accordance with the provisions of the Real Property Tax Law as amended by Chapter 290 of the Laws of 2017.

JANUARY 11, 2018 – WORK SESSION/REGULAR MEETING

2. This Local Law shall take effect upon filing of same with the Secretary of State of the State of New York.

PUBLIC COMMENT:

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

Monthly  
Reports

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks and Recreation, Planning and Engineering, Tax Receiver and Director of Finance.

Crossroads  
at Baldwin  
Place  
Presentation

The first item on the agenda was a presentation by Ms. Rose Noonan, Executive Director of Housing Action Council with regard to Crossroads at Baldwin Place. Ms. Noonan explained that the Housing Action Council was a not-for-profit organization that was based in Tarrytown and they were the Marketing Consultants for Crossroads at Baldwin Place Fair and Affordable Housing Development.

Ms. Noonan explained that there were two components of the development. She stated that the first was the Senior Housing component where at least one resident was 55 years or older. She said that there were 52 units and most of them were one-bedroom units. She pointed out that the rent ranges for the one and two-bedroom units and how the rent was determined. Ms. Noonan stated that the units were nicely sized and fully equipped with appliances and a Community Room with a common laundry. She said that another component was the Non-Senior Housing and that was required to be marketed separately and pointed out the rent requirements for those units. She said that there were also 2 Market Rate Units in the development. Ms. Noonan said that they had been marketing the units since November and they were required to follow Westchester County's Affirmative and Fair Marketing Requirements. She said that they have had a lot of interest from both Seniors and Non-Seniors, the application deadline was February 8<sup>th</sup> and there was an Information Session scheduled for January 23<sup>rd</sup> at 6:30 PM in the Community Room at the Mews I. She urged anyone with questions or that needed assistance filling out the application to contact the Housing Action Council. The Supervisor thanked Ms. Noonan for all that she and the Housing Action Council did for the Town and the residents.

NYSEG  
Update

The Supervisor said the next item on the agenda was an update with regard to NYSEG. He said that there had been an inordinate amount of power outages in the Town of Somers. He said that Christmas Day there were 1,700 plus residences without power in Somers. The Supervisor said that the outage was due to a breaker fire at the Croton Falls Substation, which was equipment related and unacceptable. He said that the Town of North Salem had been experiencing a lot of the same issues due to equipment failure. He said that the Supervisor of North Salem and he sent a formal complaint to the Public Service Commission with copies to Congressman Maloney, Senator Murphy, Assemblyman Byrne, Assemblyman Buchwald and Legislator Kaplowitz. The Supervisor said that the letter was on the Town website for anyone to review. He pointed out the challenges that were faced, especially in Heritage Hills when there was no power and why they asked the Public Service Commission to intervene. The Supervisor said that they were meeting with the President and CEO of NYSEG on January 24<sup>th</sup> and they want to know what the plan was to improve their service to the Towns.

The next item was with regard to the termination of probationary period for Frank Rende, Road Maintainer, Highway Department.

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

Termination of  
probationary  
period F. Rende

RESOLVED, that the Town Board does hereby acknowledge the termination of Probationary Statue and appoint permanent Frank Rende, Road Maintainer at an hourly

JANUARY 11, 2018 – WORK SESSION/REGULAR MEETING

rate of \$24.6082 effective November 14, 2017 per memo dated November 9, 2017 from Thomas E. Chiaverini, Superintendent of Highways.

PERSONNEL:

Current Vacancies:

Affordable Housing Board (2 – 2 year terms ending July 11, 2019)  
Partners in Prevention (3 – 3 year terms ending December 31, 2019)  
Partners in Prevention (4 – 3 year terms ending December 31, 2020)  
Planning Board (1 – 7 year term ending December 31, 2024)  
Zoning Board (2 – 5 year terms ending December 31, 2022)

Upcoming Vacancies:

Architectural Review Board (1 – 3 year term ending March 31, 2018)  
Parks and Recreation Board (3 – 3 year terms ending March 9, 2018)

The Supervisor said that it was in order to reappoint Ms. Nancy J. Gerbino as member to the Somers Planning Board.

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

Reappoint  
N. Gerbino  
PB

RESOLVED, that the Town Board does hereby authorize the reappointment of Nancy J. Gerbino as member of the Somers Planning Board to a term ending December 31, 2024.

The Supervisor said that it was in order for the Board to acknowledge resignation of Mr. Robert Scorrano as a member of the Somers Zoning Board of Appeals.

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

Resignation  
R. Scorrano  
ZBA

RESOLVED, that the Town Board does hereby acknowledge the resignation of Robert Scorrano as a member of the Somers Zoning Board of Appeals, effective January 2, 2018

The Supervisor said that it was in order for the Board to appoint Ms. Melissa D'Ippolito member of the Zoning Board of Appeals.

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

Appoint M.  
D'Ippolito  
ZBA

RESOLVED, that the Town Board does hereby appoint Melissa D'Ippolito to the Zoning Board of Appeals to a five (5) term ending December 31, 2022

The Supervisor said that item number 6 under personnel was being removed from the agenda at that time.

The Supervisor said that it was in order for the Board to hire Ms. Carolyn Brush provisionally as a Full Time Senior Bookkeeper in the Finance Department.

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

Hire C. Brush  
Sr. Bookkeeper  
Finance

RESOLVED, that the Town Board does hereby authorize the provisional hiring of Carolyn Brush as Senior Bookkeeper in the Finance Office effective January 16, 2018 at an annual salary of \$54,295.00 per memo dated December 21, 2017 from Robert Kehoe, Director of Finance.

Consensus  
Agenda

The Supervisor said that the next item was the consensus agenda. He said that it was in order for the Board to add a number 8 with regard to authorizing the Supervisor to execute a change order in the amount of \$1,850.00 with SCA Tax Program. He explained that would allow for the Tax Receiver to process the partial tax payments of the Town Tax that was collected before the year end.

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

Return  
Erosion  
Control  
Bond

- 1. RESOLVED, that the Town Board does hereby authorize the return of the following Erosion Control Bond per memo dated December 18, 2017 from Steven Woelfle, Principal Engineering Technician:

\$500.00 Gibbons/Mastrantoni Tree Preservation/Stormwater Management and Erosion and Sediment Control Permit #ATSMESC2016-19 – 6.19-1-35

Fee  
Schedule  
P&R

- 2a. RESOLVED, that the Town Board does hereby authorize the Fee Schedule for 2018 Programs and Services per memo dated December 20, 2017 from Steven Ralston, Superintendent of Parks and Recreation.

Day Camp Trips  
Pre-Pay  
Vouchers P&R

- 2b. RESOLVED, that the Town Board does hereby authorize the inclusion of Day Camp Trips as Pre-Pay Vouchers per memo dated December 20, 2017 from Steven Ralston, Superintendent of Parks and Recreation.

Execute NE  
Westchester  
Special Rec  
Agreement

- 2c. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the North East Westchester Special Recreation Interagency Agreement for the 2018 Program year per memo dated December 20, 2017 from Steven Ralston, Superintendent of Parks and Recreation.

Reis Park  
Portable  
Water  
Project

- 2d. RESOLVED, that the Town Board does hereby authorize the increase of the Reis Park Portable Water Projects Budget from \$30,000.00 to \$45,000.00 per memo dated December 20, 2017 from Steven Ralston, Superintendent of Parks and Recreation.

Hazard  
Mitigation  
Plan Update

3. **A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SOMERS AUTHORIZING THE ADOPTION OF THE 2015 WESTCHESTER COUNTY, NY HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, all jurisdictions within Westchester County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Westchester County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Westchester County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Somers:

- 1) Adopts in its entirety, the 2015 Westchester County Hazard Mitigation Plan (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Water Main  
Extension Bid

4. RESOLVED, that the Town Board does hereby authorize the solicitation of bids for the Water Main Extension from Windsor Farms to Mahopac Avenue in relation to Hidden Meadows and Somers Realty projects per request from Joseph Barbagallo, Woodard & Curran, Consultant Engineers.

Attendance  
Bonus  
Highway

5. RESOLVED, that the Town Board does hereby authorize the Attendance Bonus, per Collective Bargaining Agreement (CBA) with the Teamsters and memo dated December 29, 2017 from Thomas E. Chiaverini, Superintendent of Highways as follows:

Edward Gall	\$700.00
Dennis Coffey	\$200.00
Matthew Pfaffenback	\$200.00

Execute 2018-  
2019 NYS  
Archives Grant  
Application

6. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2018-2019 New York State Archives Grant Application per memo dated January 5, 2018 from Patricia Kalba, Town Clerk.

Grant Refuse  
& Recycling  
License

7. RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2018 to City Carting, Inc., PO Box 17250, Stamford, CT 06907 to collect refuse in the Town of Somers, pursuant to Local Law No. 2-2017, which amended Local Law No. 1-2007, which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2017 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2018 to County Waste Management, Inc., P.O. Box 548, Harrison, New York 10528 to collect refuse in the Town of Somers, pursuant to Local Law No. 2-2017, which amended Local Law No. 1-2007,

which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2017 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2018 to CRP Sanitation, Inc., 2 Bayview Road, Cortlandt Manor, New York 10567 to collect refuse in the Town of Somers, pursuant to Local Law No. 2-2017, which amended Local Law No. 1-2007, which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2017 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

RESOLVED, that the Town Board does hereby grant refuse and recycling license for 2018 to Winter Bros Hauling of CT, Inc., 307 White Street, Danbury, CT 06810 to collect refuse in the Town of Somers, pursuant to Local Law No. 2-2017, which amended Local Law No. 1-2007, which amended Local Law No. 6-1993, which amended Local Law No. 1-1989, which amended Local Law No. 3-1986 regulating the collection of residential refuse within the said Town of Somers, Chapter 109 of the CODE of the Town of Somers, for a period ending December 31, 2017 and as a condition of the License each Carter must provide recycling services for the residents of the Town of Somers and further that the Town Board does hereby encourage and recommend that the Licensed Carter issue a coupon, during the year for a free three cubic yard bulk pick-up to their customers.

Execute SCA  
Tax Receiver  
Office

8. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Municipality Custom Change Request Proposal dated December 26, 2017 prepared by Software Consulting Associates (SCA) in an amount totaling \$1,850.00 for the setup of 2017 as 2018 Collection in the Tax Receivers Office.

Councilman Garrity said that he wanted to thank Drini's Taverna, Granite Springs for donating lunch to the Town House staff over the holiday season.

The Supervisor said that recently there was a Blood Drive at the Town House and there were 53 Donors. He wanted to thank all of those who donated.

Claims for the payment of all Town Bills in the amount of \$517,071.74 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 Cirieco, the meeting was adjourned at 8:15 PM