

JUNE 8, 2017 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening June 8, 2017 at 6:30 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:       Supervisor       Rick Morrissey  
                  Councilman       Richard G. Clinchy  
                  Councilman       Anthony J. Cirieco  
                  Councilman       William G. Faulkner

ABSENT:        Councilman       Thomas A. Garrity, Jr.

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 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 at 6:30 PM with regard to personnel to return that evening.

7:07 PM – meeting reconvened

PUBLIC COMMENT:

Ms. Maureen Devine, Susan Drive, read and submitted a prepared statement with regard to her concerns about the former Bashar property that was recently donated to a tax-free organization and their proposed public use of the land. She asked if the Zoning Code allowed for private land to be opened for public use to hunt, fish and for trail access. The Town Attorney explained that hunting was regulated by the New York State Department of Conservation (DEC) and if that would be allowed on the property the owner would have to follow the DEC guidelines. He said that he did not recall anyone mentioning that hunting would be allowed on the property. He said that passive recreation of any type was allowed on any land under the Zoning Code.

Mr. Michael Blum, Todd Lane, stated that he submitted to the Board a revised resolution with regard to the Town's inclusiveness and welcoming nature. He said that revision had some changes from the originally proposed resolution that was previously submitted with a petition. He read a prepared statement with regard to his removal of the contention areas of the resolution and what was added. Mr. Blum stated that he would like to have the resolution posted in English and in Spanish in all municipal buildings, on the website and public access channel.

Ms. Heidi Cambareri, Jean Way, stated that she appreciated that the proposed passive land use in the Deans Bridge area was discussed. She said as a follow up passive recreation use required parking and access. She urged all to keep in mind the impact that might have on the neighborhood. Ms. Cambareri thanked Mr. Blum for introducing the resolution and starting the conversation. She urged the community to celebrate and stand with the School District as they pursue a "No Place for Hate" School District status. She said that the School District was involved in the initiative because it was the right thing to do. Ms. Cambareri said that it was one thing to state that Somers was a welcoming and inclusive community. She said that should be reaffirmed and this was the perfect time for that action.

Ms. Virginia Goodfriend-Sheridan, Mahopac Avenue, stated that she shared Mr. Blum's passion for the proposed resolution. She said that she did not want her children to come home from school with fear of the safety of their neighbor and classmates. She said that

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the Town had an opportunity to embrace the resolution and standup for what was right for humankind. She urged the Board to set the example to the Community.

Ms. Patricia Compton, Evergreen Drive, said she supported the proposed resolution. She said that she was present to represent her neighbors of color and different ethnicities. She said that she was a Teacher and had seen the impact and fear being different had on people. Ms. Compton urged the Board to make Somers a better place to live.

Mr. Patrick DeSena, Robert Martin Blvd., stated that his grandchildren urged him to attend the meeting and speak out about bullying. He said that there was an awful lot of bullying coming from all directions. He stated the he was a former Councilman of the Town Board where he served proudly. Mr. DeSena said that he knew Somers was a great Town and in the crazy times they were living in it was important for Local Government Leadership to take a stand. He stated that it was incumbent on the Leaders to make the positive statement Mr. Blum and others were suggesting that all were safe. He said that they should start at the local level and bring people together across the Country.

The Supervisor said that he asked the Town Attorney to clarify the difference between a petition and a resolution. The Town Attorney stated that a resolution was a statement the Board would adopt by way of voting, a petition was generally in the form of a request asking the Board to do something.

The Supervisor said that there was a statement by the Town that the Town was inclusive and that was on the Website. He pointed out some of the concerns he had with Mr. Blum's proposed resolution and did not support the points that did not fall in the purview of the Town.

Councilman Cirienco said that he felt the same way as everyone else and there was a lot going on and people were expressing themselves. He said that they could not legislate individual behavior. He said that they followed the law and the Constitution and he was not getting the sense of what was being expressed was happening in the Town. Councilman Cirienco stated that they did not support discrimination and it was accurate that the demographics did not reflect that at that time. He said that everyone was absolutely welcome in the Town of Somers and the Police and Emergency Personnel followed the law and did their jobs.

The Supervisor said that he pointed out his concerns with the petition and that first responders did not practice asking questions of anyone.

Councilman Clinchy said that the Constitution and Civil Rights should be followed and the Country would do well. He said that Somers should be a place that was open to all, where there was no place for bullying or discrimination. He said that they all agreed with that policy.

There being no one else to be heard on motion of Supervisor Morrissey, seconded by Councilman Cirienco, 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.

CIA Security Proposal

The first item on the agenda was with regard to the statue of the CIA Security proposal. The Supervisor said that they had a discussion last week with regard to the proposal and there were questions with regard to procedures. He explained that CIA Security was off the New York State Bid list and they were currently monitoring the Town and the items were add-ons to the contract.

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Town House Generator

The Supervisor said that the next item on the agenda was a status update with regard to the Town House Generator. He said that the generator was in the process of being installed and he had an update from the Building Inspector laying out the work and stating that the generator would be up and running by June 22<sup>nd</sup>.

Bailey Park Gazebo

The next item was an update with regard to the Gazebo at Bailey Park. The Supervisor said that amount of work that went into that project was unbelievable. He explained that the Gazebo fell into disrepair and it took a while for the Town to make the necessary repairs. He read a memo dated June 7<sup>th</sup> from the Building Inspector with regard to the donated materials and work to repair the Gazebo. The Supervisor thanked all that donated to the restoration.

Risk Mngt Safety Committe

The Supervisor said that the next item was with regard to the Risk Management and Safety Committee. He explained that currently in the Town was a Risk Management and Safety Committee and the Department of Labor came to the Town and found some violations that were addressed. He said that they were doing some follow up training and one of the suggestions was that the Town had a Safety Committee made up of Department Heads and/or Employees. The Supervisor said that there was an operating Risk Management Committee and they needed to have a standalone Safety Committee.

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

RESOLVED, that the Town Board does hereby authorize changing the name of the Risk Management and Safety Committee to the Risk Management Committee.

RESOLVED, that the Town Board does hereby authorize the creation of a separate Safety Committee.

PERSONNEL:

Current Vacancies:

Affordable Housing Board (2 – 2 year terms ending July 11, 2017.)  
Partners in Prevention (4 – 3 year terms ending March 9, 2020.)

Upcoming Vacancies:

Hiring of Seasonal Water Maint. Worker J. LaGrange

The Supervisor said that it was in order for the Board to add the hiring of a Seasonal Water Maintenance Worker for the Water Department.

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

RESOLVED, that the Town Board does hereby authorize the hiring on John J. LaGrange, as Season Maintenance Worker for the Water Department at an hourly rate per hour to be determined effective June 12, 2017.

Partners in Prevention

The Supervisor said with regard to Partners in Prevention, earlier that week the Westchester County Executive, following up on his Safe Communities Campaign, had “Project Worthy”. He said that it was a working session on the Opioid Situations that the Communities were faced with. He said that not many Communities were represented, although Somers was well represented. The Supervisor said that he brought back some good materials for the Town. He said that it was understood that this was something that was in need of immediate attention.

Consensus Agenda

The next item on the agenda was the consensus agenda. The Supervisor said that item number 10 was being removed at that time.

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

Somers  
Pointe  
CC

1. RESOLVED, that the Town Board does hereby authorize the hiring of Valuation Plus, Inc., to provide appraisal services for Somers Pointe Country Club for Tax Certiorari purposes in the amount of \$6,000.00.

Konica  
Minolta  
Bizhub  
Copier

2. RESOLVED, that the Town Board does hereby authorize the purchase of a Konica Minolta Bizhub C287 copier for the Police Department in the amount of \$68.24 per month for a 60 month purchase option plane, with a cost per page of \$.00549 for black and white and \$.05207 for color per memo dated June 5, 2017 from Tammi Savva, Senior Office Assistant.

Troy &  
Banks

3. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute agreements with Troy & Banks Utility and Telecommunication Consultants to provide audits of Electric and Telecommunications Service accounts.

CIA  
Security

4. RESOLVED, that the Town Board does hereby authorize the Supervisor the execute agreements with CIA Security in the total amount of \$12,234.00 per memos dated May 22, 2017 from Michael W. Driscoll, Police Chief and May 25, 2017 from Efreem Citarella, Building Inspector for the following:

- a. Installation, Monthly Rental and Monitoring of Wireless Carbon Monoxide Systems and Duress buttons for the Town House, Annex and Library
- b. Installation, Monthly Rental and Monitoring of Wireless Duress buttons for the Highway, Nutrition and Parks and Recreation
- c. Replace Video Surveillance and additional cameras at the Library
- d. New Video Surveillance System upgrades at the Parks and Recreation Department
- e. Video Surveillance System at the Police Department

Resignation  
M. Wetzel

5. RESOLVED, that the Town Board does hereby acknowledge the resignation of Michael Wetzel as Code Enforcement Officer effective May 31, 2017 per memo dated May 24, 2017 from Efreem Citarella.

Erosion  
Control  
Bond

6. RESOLVED, that the Town Board does hereby accept a check in the amount of \$500.00 posted by Greenbriar – Somers Corp., 75 N. Middletown Road, Nanuet, New York 10954 in payment of an Erosion Control Bond for Greenbriar-Somers Corp, Wetlands, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permit TM: 6.14-1-28 and 29 per memo dated May 16, 2017 from Wendy Getting, Senior Office Assistant.

Adopt  
a Road

7. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute an Adopt-A-Road Agreement with Mr. Richard Detz for Forest Lane and Eastview Place to Lakeview Drive in Shenorock.

Hiring of  
Day Camp  
and Tusker  
Trax

8. RESOLVED, that the Town Board does hereby authorize the hiring of Day Camp and Tusker Trax (Teen Travel) Staff from June 26, 2017 through August 4, 2017 and continue to hire for these programs on an as-needed basis pursuant to the Westchester County Health Department Counselor-to-

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Camper Ratio Regulation per memo dated May 24, 2017 from Steven Ralston, Superintendent of Parks and Recreation.

Standard Work Day

9. **Standard Work Day and Reporting Resolution**

**BE IT RESOLVED**, that the Town of Somers, Location Code 30038 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participants in Employers’ Time Keeping System (Y/N)	Days/Months (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
<b>Elected Officials</b>							
Town Board	Thomas A. Garrity, Jr	6	1/1/16-12/31/19	N	11.67		
Town Board	Anthony J Cirieco	6	1/1/14-12/31/17	N	5.25		
Town Board	William G. Faulkner	6	1/1/14-12/31/17	N	4.03		
Town Clerk	Patricia Kalba	6	1/1/16-12/31/19	N	27.54		
Highway Superintendent	Thomas E. Chiaverini	6	1/1/16-12/31/19	N	29.50		
Tax Receiver	Joan Ribauda	6	1/1/14-5/30/17	N	31.50		
Judge	Michael J. McDermott	6	1/1/16-12/31/19	N	17.00		
<b>Appointed Officials</b>							
Assessor	Teresa Stegner	7	10/1/13-9/30/19	Y			
Parks & Rec Board Chair	James Papa	7	1/1/17-12/31/17	N	1.26		
Director of Finance	Robert Kehoe	7	1/1/17-12/31/17	Y			
*Deputy Town Clerk	Linda Verderame	7	2/6/2017-12/31/17	Y			
Deputy Highway Superintendent	Louis Noto	7	1/1/17-12/31/17	Y			
Deputy Receiver of Taxes	Michele A. McKearney	7	1/1/17-5/30/17	Y			
Acting Receiver of Taxes	Michele A. McKearney	7	5/31/17-12/31/17	Y			
Zoning Board of Appeals Chair	Victor Cannistra	7	1/1/17-12/31/17	N	.55		

**BE IT RESOLVED**, that the Town of Somers, Location Code 30038 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on record of activities maintained and submitted by these officials to the Clerk of this body:

On this 8<sup>th</sup> day of June, 2017

Signature: Patricia Kalba Date enacted: June 9, 2017

I, Patricia Kalba, Town Clerk of the governing board of the Town of Somers, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on 8<sup>th</sup> day of June, 2017, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

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10. REMOVED

Gladys  
Brooks  
Foundation

11. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Gladys Brooks Foundation Grant Application requesting \$88,725.00 in repairs for the Somers Library from J. O'Connell & Associates, Inc.

Councilman Faulkner said that the Somers High School Softball Team was having a Car Wash at Somers Mobile Mart on Saturday, June 17<sup>th</sup> from 10:00 AM to 2:00 PM.

Councilman Faulkner said that on Thursday, June 15<sup>th</sup> Somers Education Foundation was having their Annual Golf Outing at Anglebrook Golf Course.

Councilman Clinchy said that on Tuesday, June 13<sup>th</sup> there was a Blood Drive at the Town House from 2:00 PM to 8:00 PM. He urged all that were able to, to come out and donate.

Councilman Cirieco said that on June 16<sup>th</sup> to June 17<sup>th</sup> from 7:00 PM to 7:00 AM Relay for Life would be held at the Somers Middle School.

The Supervisor said that the Independence Day Celebration was being held on Saturday, June 24<sup>th</sup> with a rain date of Sunday, June 25<sup>th</sup>. He said that there would be many events going on that day ending with the Annual Fireworks. He said that the Somers Lions Club was accepting donations towards the payment of the fireworks.

The Supervisor congratulated Somers High School, Sophomore, Nathan Han for winning the New York State Golf Championship.

Claims for the payment of all Town Bills in the amount of \$555,563.15 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to contracts, to return that evening.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Cirieco, the meeting was adjourned at 8:10 PM to an executive session with regard to contracts, to return that evening.

9:10 PM – meeting reconvened

Councilman Clinchy said that it was in order to authorize the Supervisor to execute the provisional contract with Seamless Docs/Seamless Gov.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a contract with SeamlessGov for SeamlessDocs in the amount of \$35,000.00 to be paid over three (3) years.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Faulkner, the meeting was adjourned at 9:11 PM

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Town Clerk