

OCTOBER 12, 2017 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening October 12, 2017 at 6:15 PM at the Town House 335 Route 202, Somers, New York.

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 Gerald D. Reilly, 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 at 6:15 PM to an executive session with regard to personnel.

7:00 PM – meeting reconvened

PUBLIC COMMENT:

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

The first item of the agenda was the approval of the minutes.

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

RESOLVED, that the Town Board does hereby approve the minutes of the March 9, 2017 Regular Meeting; the April 13, 2017 Regular Meeting; the May 4, 2017 Work Session; the May 11, 2017 Public Hearing with regard to a proposed amend to Chapter 43 of the Code of the Town of Somers entitled Officers and Employees adding Article VII thereof entitled Residency Requirements for Assistant Court Clerk.; the May 11, 2017 Regular Meeting; the June 1, 2017 Work Session; the June 8, 2017 Regular Meeting; the July 6, 2017 Work Session; the July 13, 2017 Regular Meeting; the August 10, 2017 Public Hearing with regard to a proposed Local Law to amend Chapter 154, entitle Taxation, Article VII entitled Exemption for Volunteer Fire Fighters and Ambulance Workers; the August 10, 2017 Work Session/Regular Meeting; the September 7, 2017 Work Session; the September 14, 2017 Public Hearing with regard to a proposed Local Law to amend Chapter 158 entitled Vehicles & Traffic of the Town of Somers to install a stop sign at the Southwest corner of Stuart Lane at Moseman Avenue and the September 14, Regular Meeting.

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.

Auditors Report

The Supervisor said that the next item on the agenda was the presentation of the Town of Somers 2016 Auditor’s Report by Mr. Allan Kassay, O’Connor Davies, Town Auditors. Mr. Kassay stated that he was going to give an overview of the December 31, 2016 Financial Statement and Auditor’s Report and he directed the Board to the first page. He said that was where the Independent Auditor’s Report was located. He pointed out that the

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first paragraph discussed what was done, they audited the accompanied Financial Statement of the Town for the year ending December 31, 2016, the second paragraph discussed the managements responsibility, which was the preparation of a fair presentation of the Financial Statements and the third paragraph was the Auditor’s responsibility to express an opinion of the Financial Statements based on their Audit. Mr. Kassay stated that their opinion was an unmodified or known as a “clean” opinion and the best that the Town could receive. He walked the Board through the report highlighting areas of importance within the different funds of the Town. He said that the Town was in a good sound financial position.

The Supervisor asked Mr. Kassay to sum up where the Town was financially. Mr. Kassay said that the General Fund was sound, the annual Debit Service which is out of the General Fund was about 2 ½% of the Budget, which was considered very good. He stated that the Highway Fund had a higher percentage but only because there were more projects that were bonded within the Highway Fund. He said that the fact that the Town was able to take surplus or Fund Balance from the General Fund and transfer that to the Capital Projects Fund was a very smart financial and fiscal move. Mr. Kassay said that issuing costs and interest was being saved while services were being provided to the Town.

Councilman Clinchy asked if there were any long term trends that the Board should be conscience of. He said that in the past one of the things that were pointed out was the long-term Health Care costs for retirees and employees. Mr. Kassay directed the Board to page 46 of the Auditor’s Report where the Actuarial Accrued Liability was located and he explained that to the Board and explained how that trend was going to keep increasing. He stated that it was something that the Town should be aware of but unless there was a drastic increase to the Health Benefits or the number of employees or retirees it would be something that would increase steadily each year. Discussion ensued with regard to retirement costs and projections over the years.

Town Code  
Book Update

The next item was a discussion with regard to an update of the Town Code Books by General Code. The Town Clerk explained that the Code Book was adopted in 1983 and amended and updated with Supplement # 92 in 2017. She continued that a complete review, analysis and codification should be done about every 15 years. She said that project would change the book size to be more user friendly and update friendly. The Town Clerk explained that the review and analysis would identify any duplications, conflict and inconsistencies within the Town Code and New York State Law. She pointed out that the complete project would cost \$17,400.00 and the cost would be spread over three (3) budget years if they start the project at that time with a current expenditure of \$3,480.00.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Authorization and Agreement with General Code for the Base Codification Project of the Code of the Town of Somers in the total amount of \$17,400.00 and;

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the initial payment of \$3,480.00 from the 2017 Budget.

CodeRED  
vs. Nixle

The Supervisor said that the next item was a discussion with regard to CodeRED vs. Nixle. He stated that CodeRED was the emergency notification system that the Town was currently using and Nixle was a new product that the Town had learned about that was used by a number of surrounding municipalities. He said that the Company that was developing the new website said that Nixle was a good addition to their product. Councilman Clinchy explained that SeamlessGov partnered with Nixle and their product worked together but was not required. Discussion ensued with regard to the difference between CodeRED and Nixle including cost, types of notifications, sources of notifications, transition of service to

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residents and usage. It was agreed that both companies should give a presentation of their services to the Board.

Computers  
in Police  
Vehicles

The Supervisor said that it was in order for the Board to add the discussion of computers for the Town Police vehicles to that evenings agenda. He said that the computers were currently in the Police budget for 2017 and they received a proposal to install computers, printers and docking stations into three (3) Police vehicles. He explained that the Finance Director contacted other vendors to find a comparable price and did not locate another company that provided a complete service package. The Supervisor said that they would continue to look into getting another proposal although he would like the Board to authorize an expenditure in an amount not to exceed \$25,000.00 to retrofit three (3) Police Vehicles with computers, printers and docking stations. He said that included the installation and maintenance to the computers. Councilman Ciriaco asked if the training costs were included. The Supervisor said that the training was done by the New York State TRAX Police Software at no cost to the Town and they would be doing the training.

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

RESOLVED, that the Town Board does hereby authorize an expenditure in an amount not to exceed \$25,000.00 to outfit three (3) Police Vehicles with Computers, Docking Stations and Printer/Scanners.

PERSONNEL:

Current Vacancies:

Affordable Housing Board (2 – 2 year terms ending July 11, 2019)  
Partners in Prevention (3 – 3 year terms ending March 9, 2020)  
Planning Board (1 – 5 year term ending December 31, 2022)

Upcoming Vacancies:

Bureau of Fire Prevention (3 – 1 year terms ending December 31, 2017)  
Library Board of Trustees (1 – 5 year term ending December 31, 2017)  
Partners in Prevention (4 – 3 year terms ending December 31, 2017)  
Planning Board (2 – 7 year terms ending December 31, 2017)  
Zoning Board (2 – 5 year terms ending December 31, 2017)

The Supervisor pointed out that the opening for the Planning Board was due to the passing of Ms. Fedora DeLucia. He said that she would be sorely missed on that Board.

Councilman Garrity said that he was not present at the last meeting and he wanted to add to the comments that were made with regard to the passing of Planning Board member, Ms. Fedora DeLucia. He said that Ms. DeLucia was the Planning Board Chair when he was a Planning Board member, she was a fantastic Board member, she loved the Town of Somers and always was a font of information.

Consensus  
Agenda

The next item on the agenda was with regard to the consensus agenda. Councilman Faulkner asked with regard to item number 3e, if that was for a Full-time employee and what the comparison was to paying their mileage for the use of their personal vehicle. The Director of Finance said that there was a correction that needed to be made to that item. He said that the Building Department needed to amend their request to an expenditure not to exceed \$30,000.00 to purchase a vehicle similar to what was currently being used. Councilman Garrity pointed out that this would be a Town vehicle and able to be used for multiple purposes not just what was being proposed. The Finance Director stated that it was more sensible to have the employee using a Town owned vehicle.

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

Accept  
Erosion  
Control  
Bond

1. RESOLVED, that the Town Board does hereby authorize the acceptance of the following Erosion Control Bond per memos dated September 13, 2017, September 14, 2017 and September 20, 2017 from Wendy Getting, Senior Office Assistant:

- a. \$500.00 Hoth – Stormwater Management and Erosion and Sediment Control and Tree Permit – 16.14-1-15
- b. \$500.00 Deutsch – Wetland, Stormwater Management and Erosion and Sediment Control Permit – 48.09-1-22
- c. \$26,449.00 Somers Crossing (Commercial Component) –Erosion – 17.15-1-15.1
- d. \$500.00 Boniello/Wooded Acres Development Corp. – Stormwater Management and Erosion and Sediment Control Permit – 47.20-1-30

Return  
Erosion  
Control  
Bond

2. RESOLVED, that the Town Board does hereby authorize the return of an Erosion Control Bond for NYCDEP – Croton Falls Pumping Station Stormwater Management and Erosion and Sediment Control Permit #ASMESC2012-04, TM: 6.12-25-13, to Arcadis, 630 Plaza Drive, Suite 600, Highlands Ranch, CO 80129 in the amount of \$200.00 per memo dated September 12, 2017 from Steven Woelfle, Principal Engineering Technician.

Permit for  
Menorah &  
Nativity Scene

- 3a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a temporary Town House Green Permit to Mitch Kaufman for the Menorah to be displayed on the front lawn of the Town House beginning December 2, 2017 ending January 6, 2018.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute a temporary Town House Green Permit to the Knights of Columbus for an illuminated Nativity Scene to be displayed on the front lawn of the Town House beginning December 10, 2017 ending January 7, 2018.

Engineering  
Dept. Vehicle

- 3b. RESOLVED, that the Town Board does hereby authorize the purchase of an Engineering Department vehicle from the Westchester County Contract in an amount not to exceed \$30,000.00 per memo dated October 5, 2017 from Steven Woelfle, Principal Engineering Technician.

Justice Court  
Assistance  
Program

- 3c. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Justice Court Assistance Program (JCAP) Grant Application per memo dated October 5, 2017 from Barbara Lloyd, Court Clerk.

DASNY  
Solar  
Panels

- 3d. RESOLVED, that the Town Board does hereby authorize the execution of the State and Municipal Facilities Program (“SAM”) Grant documents required by Dormitory Authority of the State of New York (DASNY) for receipt of the \$100,000.00 grant for the Installation of Solar Panels on the Highway Garage, Project ID: #8076 per email dated October 3, 2017 from Syrette Dym, Director of Planning.

Building  
Dept.  
Vehicle

- 3e. RESOLVED, that the Town Board does hereby authorize the purchase of an 2017/2018 Cargo/Passenger Van for the Building Department from the Westchester County Contract in an amount not to exceed \$30,000.00 per memo dated October 10, 2017 from Efrem Citarella, Building Inspector.

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Budget  
Transfer

- 4. RESOLVED, that the Town Board does hereby authorize the transfer of the balance of the inactive trust account for Parks and Recreation Revolving Fund in the amount of \$2,894.00 and SNAP/Frail and Elderly in the amount of \$820.00 and any accrued interest to the General Fund and;

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the write-off of a \$250.00 receivable within the Parks and Recreation Revolving Fund per memo dated September 28, 2017 from Robert Kehoe, Director of Finance.

Term  
Life Ins.  
For P/T  
SPD

- 5. RESOLVED, that the Town Board does hereby authorize the extension of the Town of Somers Term Life Insurance to all active Part-time Police Officers currently not receiving the coverage effective October 1, 2017.

Public  
Hearing- Cold  
War Veterans

- 6. RESOLVED, that the Town Board does hereby schedule a public hearing for November 9, 2017 with regard to the Cold War Veteran’s Exemption.

American  
Archives  
Month

- 7. RESOLVED, that the Town Board does hereby authorize resolution of support declaring October 2017 as “American Archives Month” in the Town of Somers

WHEREAS, the historical records of the Town of Somers are crucial to the way we understand our past and plan for our future; and,

WHEREAS, these records have been professionally administered and made accessible by dedicated, yet often unheralded, archivists; and,

WHEREAS, the work of these archivists and the importance of these records programs seldom receive the recognition they deserve;

NOW THEREFORE BE IT RESOLVED, that the Town Board declares the period of October 1, 2017 through October 31, 2017 to be “American Archives Month” throughout the Town of Somers and urges the fellow citizens of the Town to participate in the special activities and learn more about the importance of archives and historical records in our community.

The Supervisor pointed out the October 17<sup>th</sup> and 18<sup>th</sup> the Town Board would be holding their Department Budget Hearings at the Town House from 1:00 PM to 4:00 PM.

Councilman Garrity said that the Rewilding School, Family Forest Weekends was being held on Sundays from 1:00 PM to 3:00 PM at the Angle Fly Preserve until November 19<sup>th</sup> for children ages 2 to 6 years old. He stated that there was further information on the Town website.

Councilman Ciriaco said that on Sunday, October 15<sup>th</sup> the SMS PTA was hosting a Clothing Drive from 9:00 AM to 12:30 PM at the Somers Middle School Parking Lot.

Councilman Ciriaco said that the Annual Bulk Refuse Drop-off for Somers Residents only was being held from October 21<sup>st</sup> to November 18<sup>th</sup> at City Carting located on Route 100. He said that pricing and contact information was available on the Town website.

Councilman Faulkner said that on Saturday, October 14<sup>th</sup> was Soccerfest from 8:00 AM to 4:00 PM at Reis Park. He said that there were many activities in the Park that Day and urge all to come out in support.

Councilman Faulkner said that the First Annual Chili Cookoff was being held on Sunday, October 29<sup>th</sup> in conjunction with the Somers Lions’ Fall Festival and the YMCA Halloween Parade. He said this was being held at Reis Park beginning at 11:00 AM, tasting mugs could be purchased from the Somers Education Foundation.

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Councilman Clinchy said that the Annual Fall Town wide Cleanup was going on the entire month of October sponsored by the Town of Somers Litter Taskforce. He said that bags and gloves could be picked at the Town House and the Library.

Councilman Clinchy said that on Saturday, October 14<sup>th</sup> at the Church of the Good Shepherd there was going to be an Antiques Appraisal and Arts Jam. He said that there would be live entertainment all day with a Putnam Humane Society Meet and Greet, baked good sale and raffles. He said that there would also be presentations on How to get Into the Best College and Juvenile Delinquency as Seen Through the Eyes of Kids, based on a book, “Yo God, What the Hell” by Deacon Norman Fulton.

Councilman Clinchy said that from Monday, November 13<sup>th</sup> to Monday, November 20<sup>th</sup>, Affirmation Presbyterian Church, located at Route 100 and Route 139, was collecting for Operation Christmas Child Shoebox. He explained that local Churches around the world were asking people to pack a shoebox with things such as small toys, hygiene items and school supplies as means to reach out to children around the world.

The Supervisor said that the Lions Trail of Terror would be held on Saturday, October 28<sup>th</sup> at Upper Reis Park at 7:00 PM. He said that this was a great time and very well attended and urged all to come out.

The Supervisor said that the Angle Fly Preserve Trail Cleaning Day was being held on October 15<sup>th</sup> at 10:00 AM. He urged all to contribute to that day.

The Supervisor said that the Town of Somers entered into a partnership with the Westchester County Parks Department and there were a lot of events happening. He said Saturday, October 14<sup>th</sup> at Muscoot Farm, there would be a Hands-on Farm experience for children 8 years and older to learn about morning farm chores.

The Supervisor said that on October 14<sup>th</sup> and 15<sup>th</sup> Lasdon Park Arboretum was having their Fall Festival and Holiday Train Show. He said that there would be Fairy tales and Storybooks coming to life at that event.

The Supervisor said that there was an Art Exhibit at Muscoot Farm on weekend from 12:00 PM to 4:00 PM at the Main House Gallery.

The Supervisor said that there was a Farmers Market at Muscoot Farm every Sunday from 10:00 AM to 3:00 PM.

Claims for the payment of all Town Bills in the amount of \$520,119.63 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 Councilman Faulkner, seconded by Councilman Ciriaco, the meeting was adjourned at 8:25 PM

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Town Clerk