

OFFICE OF THE SUPERVISOR

Telephone
(914) 277-3637
Fax
(914) 276-0082

Town of Somers

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

RICK MORRISSEY
SUPERVISOR



**SOMERS TOWN BOARD
WORK SESSION/REGULAR MEETING 7:00PM
THURSDAY, JULY 11, 2019
www.somersny.com**

A. PLEDGE OF ALLEGIANCE:

7:00PM – Work Session/Regular Meeting

B. PUBLIC HEARING:

1. Proposed Local Law to amend Chapter 118 entitled Littering and Dumping, Paragraph 118-8 Posting Notices Prohibited and delete Paragraph 118-8B Exemptions of the CODE of the Town of Somers.

PUBLIC COMMENT

Please limit your comments to no more than 3 minutes.

C. APPROVAL OF MINUTES:

- D. DEPARTMENT REPORTS:** The Town Clerk announces receipt of the following monthly reports: Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks & Recreation, Planning & Engineering, Tax Receiver, Director of Finance and Department Heads

- E. PARKS & RECREATION:** No additional business

SOMERS TOWN BOARD
WORK SESSION/REGULAR MEETING 7:00PM
THURSDAY, JULY 11, 2019
www.somersny.com

F. TOWN BOARD:

1. Presentation of Proclamation to the Somers Veterans of Foreign Wars
2. Plum Brook Bridge - Discussion
3. The New Private School in Somers - Discussion
 - a. Acknowledge receipt of Submission of Materials by Applicant
 - b. Review the proposed Revised Draft Timeline
 - c. Announce that there will be a joint meeting on Thursday, August 8, 2019 between the Town Board, Planning Board, Open Space Committee, Architectural Review Board, Zoning Board, and the Westchester County Planning Board to publicly review submitted reports and to give and take comments.
4. Somers Hamlet Sidewalks and Pedestrian Bridge Over Stream - Discussion
 - a. Accept role as lead agency under SEQR since more than thirty (30) days have passed since it declared its intent on April 4, 2019 and there have been no objections.
 - b. Issue a Negative Declaration under SEQR for the above proposed action.
5. Somers Realty Road Dedication - Discussion
6. Authorize the Supervisor to execute the Extension Agreement between the Town of Bedford and the Town of Somers, to provide eighty (80) commuter parking spaces in the Commuter Parking Lot for an additional one (1) year term ending June 4, 2020.
7. Approve going to RFP for office/building cleaning services per email dated July 3, 2019 from Bob Kehoe, Finance Director – Discussion
8. Authorize the change of August Town Board meeting dates from August 1, 2019 Work Session and August 8, 2019 Regular Meeting to August 8, 2019 Work Session and August 15, 2019 Regular Meeting – Discussion

G. FINANCIAL: No additional business

E. HIGHWAY: No additional business

**SOMERS TOWN BOARD
WORK SESSION/REGULAR MEETING 7:00PM
THURSDAY, JULY 11, 2019
www.somersny.com**

F. PERSONNEL:

1. Current Vacancies:

- a. Affordable Housing Board (1- 2-year term ending 7/11/2019.)
- b. Affordable Housing Board (1- 2-year term ending 7/11/2020.)
- c. Partners in Prevention (2 – 3-year terms ending 12/31/2019.)
- d. Partners in Prevention (2 – 3-year terms ending 12/31/2020.)
- e. Zoning Board of Appeals (1 – 5-year term ending 12/31/2020.)

2. Upcoming Vacancies - Terms Expiring in 2019:

- a. Affordable Housing Board (1- 2-year term ending 7/11/2019.)
3. Acknowledge resignation of Ms. Debra Elliott as Part-time Food Service Helper in the Nutrition Department effective June 28, 2019.
4. Authorize hiring of Mr. Matthew Fusco as Seasonal Maintenance Worker in Parks and Recreation Department at an hourly rate of \$14.00 per memo dated June 10, 2019 from Steven Ralston, Superintendent of Parks and Recreation effective June 11, 2019.
5. Authorize hiring of Mr. Gregory Fusco as Seasonal Maintenance Worker in Parks and Recreation Department at an hourly rate of \$14.00 per memo dated June 10, 2019 from Steven Ralston, Superintendent of Parks and Recreation effective June 11, 2019.

G. PLANNING & ENGINEERING: – No additional business.

H. POLICE: – No additional business.

I. CONSENSUS AGENDA:

- 1. Accept the following Continuous Removal Bond per June 11, 2019 memo from Steven Woelfle, Principal Engineering Technician:
 - a. \$45,000.00 Continuous Removal Bond – CCATT LLC (Crown Castle)
243 Route 100 - Majestech - TM: 28.10-1-6

SOMERS TOWN BOARD
WORK SESSION/REGULAR MEETING 7:00PM
THURSDAY, JULY 11, 2019
www.somersny.com

2. Authorize the Supervisor to execute the Westchester County Department of Health Permit Renewal for the period beginning September 1, 2019 and continuing through August 31, 2020 per memo dated June 12, 2019 from Barbara Taberer, Nutrition Program Director.
3. Schedule a Public Hearing for the establishment of sewer districts in Lake Lincolndale and Lake Shenorock for August 15, 2019.

2019 Calendar

| | | |
|--------------------|--------|---|
| July 11, 2019 | 7:00pm | Town Board Work Session / Regular Meeting Public Hearing: Proposed Local Law to amend Chapter 118 entitled <u>Littering and Dumping</u> , Paragraph 118-8 <u>Posting Notices Prohibited</u> and delete Paragraph 118-8B Exemptions of the CODE of the Town of Somers. |
| August 1, 2019 | 7:00pm | Town Board Work Session |
| August 8, 2019 | 7:00pm | Town Board Regular Meeting |
| September 5, 2019 | 7:00pm | Town Board Work Session |
| September 12, 2019 | 7:00pm | Town Board Regular Meeting |
| October 5, 2019 | 7:00pm | Town Board Work Session |
| October 10, 2019 | 7:00pm | Town Board Regular Meeting |

Sent to:
TB, ATC
7/5/19
KD

PUBLIC HEARING NOTICE



PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on July 11, 2019 at 7:00 p.m. at the Town House, 335 Route 202, Somers, New York on a proposed Local Law to amend Chapter 118 entitled Littering and Dumping, Paragraph 118-8 Posting Notices Prohibited and delete Paragraph 118-8B Exemptions of the CODE of the Town of Somers.

All persons having an interest in the proposed local law are invited to attend the public hearing and will be afforded an opportunity to be heard. A copy of the proposed local law will be available and may be examined in the Office of the Town Clerk during regular business hours.

By Order of the Town Board
of the Town of Somers

Patricia Kalba
Town Clerk

Dated: June 27, 2019

TOWN OF SOMERS

Local Law No. _____ for the Year 2019

A Local Law to amend the Code of the Town of Somers by amending Chapter 118 entitled Littering and Dumping.

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

1. Paragraph 118-8 Posting Notices Prohibited is amended to read as follows:

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamp post, utility pole or tree or upon any public structure or building, except as may be authorized or required by law. Unauthorized temporary signs placed on Town property or within Town or NYS Rights of Way shall be deemed Littering and in addition to the penalties set forth in Paragraph 118-2, such unauthorized temporary signs may be removed by Town employees and disposed of accordingly.

2. Paragraph 118-8B Exemptions is hereby deleted.

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

Sent To:
TB, TA, TC
7/3/19
KO

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town Board
FROM: Syrette Dym, Director of Planning
DATE: July 2, 2019
RE: Town Board Meeting of July 11, 2019 – Agenda Item for Submittal of Materials Relative to Petition of 294 Route 100 LLC for Re-Use of a Portion of former IBM Property as a Private, For-Profit Day and Boarding High School

After a hiatus of more than six months, a submittal of a Project Assessment Volumes 1 & 2 dated June 18, 2019 and associated plans was received from 294 Route 100 LLC relative to its Petition requesting amendment to the Town of Somers Zoning Ordinance necessary to permit the adaptive re-use of the former IBM campus as a private, for-profit day and boarding “STEAM” high school.

There is no immediate required action by the Town Board as the Town, its staff and consultants begin to review the materials submitted. However, I have asked that this item be placed as an agenda item on the Town Board meeting of July 11, 2019, so the Town Board can have a discussion regarding the following:

- Acknowledge receipt of Submission of Materials by the Applicant
- Review the Proposed Revised Draft Timeline
- Discuss when the Town Board would like to schedule a meeting or special meeting to which other Town boards would be invited for discussion of the submitted reports for the purpose of submitting comments to the Applicant – See suggested dates on attached proposed Timeline

Cc: Planning Board
Roland Baroni
Joe Barbagallo
Patricia Kalba

Tom Tooma
Alvaro Alfonzo-Larrain
Mike Galante
Mark Weingarten
Peter Wise
Roxana Girand
Bonnie VonOhlsen
John Canning
Rich Williams
Erik Kaeyer

Z:\PE\Site plan files\Somers Academy\Town Board Meetings\Memorandum for TB Meeting of July 11, 2019.doc

Sent to:
TB, TA, TC
7/3/19
KD

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers
WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277-5366
Fax
(914) 277-4098

SOMERS TOWN HOUSE
385 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town Board
FROM: Syrette Dym, Director of Planning
DATE: July 2, 2019
RE: Revised Proposed Procedures For Application Review of 294 Route 100 LLC Petition (Somers Academy Project) by Town Board and Planning Board and Other Involved and Interested Agencies

The following is a revision of the draft procedure concept memorandum dated January 11, 2019 that I prepared for the review of the Somers Academy applications which incorporates review by the Town Board along with other key boards including the Planning Board and Open Space Committee, as well as the County Planning Board.

This revised procedural memorandum has been updated in response to the submission by the applicant of a Project Assessment Volumes 1 & 2 dated June 18, 2019 prepared by Kimley Horn. This Project Assessment constitutes Part 3 of the EAF Part 1 dated October 4, 2018 that was submitted with the Petition. It is the Applicant's position that the Project Assessment addresses all the issues identified in my memorandum of January 10, 2019. The Project Assessment is based on preliminary plans for the project which have also been submitted.

October 2018

- **October 11, 2018** -- Intent to be Lead Agency by Town Board – 30-day time period ended November 12, 2018

November 2018

- **Town Board Special Meeting on November 29, 2018** – Town Board held a special meeting and invited the Planning Board, Open Space Committee, Architectural Review Board, Zoning Board and Westchester County Planning Board to attend and provide their

comments on the **August 21, 2018 memorandum from Bonnie VonOhlsen of Kimley Horn to me and my follow-up memorandum to Bonnie of September 24, 2018** identifying items that should be covered in environmental review studies and reports.

The comments from that meeting were incorporated into a revised draft memorandum from Syrette Dym to Bonnie Von Ohlsen, commented on by the Applicant's team and the further revisions were made by Town staff and consultants. That document represents the final version of items to be addressed as part of the SEQR review by the Applicant and will be distributed to team members shortly.

The Town Board formally accepted its role as lead agency at the meeting of **November 29, 2018**.

Re-Start of Process

June 2019

- Applicant submits Project Assessment (EAF Part 3) Volumes 1 & 2 and preliminary plans for review by Town staff and consultants. All submissions distributed to Town Board and Planning Board

July 2019

- Town staff/consultants review and provide completeness comments to Applicant consultants at meeting of July 5, 2019 for revisions to draft reports.
- Town Traffic consultant and Applicant's traffic consultant begin separate review and discussion week of **July 15, 2019**
- Based on input at **July 5 meeting**, Applicant submits applications for preliminary subdivision and site plan review to Planning Board
- Staff and consultants begin technical review of Project Assessment, Site plans and subdivision.

August 2019

- **Town Board Regular Work Session or Special Meeting** – Either at its work session on **August 1, 2019** or at a **special meeting on another day in August**, the Town Board should convene a meeting (date to be **announced at meeting of July 11 or August 1, 2019**) to which the Planning Board, Open Space Committee, Architectural Review Board, Zoning Board and Westchester County Planning Board will be invited, at which time the Town Board will publicly review submitted reports and give and take comments.
- Town staff/consultants submit comments on Project Assessment to Town Board for discussion at special meeting
- Applicant prepares any required amendments to Project Assessment and associated site plan and subdivision reports
- Planning Board continues review of subdivision and site plan; sets date for public hearing on preliminary subdivision and site plan for **September 11, 2019 meeting**.
- **August 14, 2019 Planning Board meeting** – Planning Board begins review of site plan and subdivision plans

- Director of Planning, with input from Town Attorney, prepares draft legislation of zoning text amendment and Comprehensive Plan amendment and submits drafts to Town Board

September 2019

- At Meeting of **September 11, 2019, Planning Board** opens public hearing on site plan and preliminary subdivision
- At meeting of **September 12, 2019, Town Board** sets date of **October 10, 2019** as date for opening public hearing on zone change and first public hearing on comprehensive plan amendment. Refers drafts to Planning Board and Westchester County Planning Board for comment.

October 2019

- **October 9, 2019 – Planning Board** continues public hearings on site plan and preliminary subdivision; considers referred zoning text and comprehensive plan amendments from Town Board and sends comments to Town Board
- **October 10, 2019 – Town Board** opens public hearing on zoning text amendment and first hearing on comprehensive plan amendment;
- **Town Board** requests **County Planning Board** put **Comprehensive Plan amendment** on its agenda for a vote

November 2019

- **November - County Planning Board** considers **Comprehensive Plan Amendment** and sends comments to **Town Board** on zone change and on **Comprehensive Plan**.
- **November 14 - Town Board** closes public hearing on zoning text amendment and first public hearing on comprehensive plan amendment.

December 2019

- **December 12, 2019 Town Board** holds **second public hearing on Comprehensive Plan** and closes hearing
- **County Planning Board** receives results of second Comprehensive Plan public hearing with any modifications. **Votes to recommend approval of comprehensive plan amendment and zone change.**
- **Town Board** considers and then votes on **Parts 2 & 3 EAF and Negative Declaration for zoning text amendment and Comprehensive Plan amendment.**
- **Town Board** issues approval of application and petition for zone change and amendment to comprehensive plan and any associated conditions such as a community benefits package.

January 2020

- **Planning Board** approves preliminary subdivision and accepts final subdivision application. Sets **public hearing on final subdivision Plat** at **January 8, 2020 meeting** for either **special meeting on January 22 or 29, 2020 or February 12, 2020 meeting.**
- **PB** continues review of site plan

Special January or Regular February 2020 Planning Board Meeting

- **Planning Board** closes final subdivision and site plan public hearings
- **Planning Board** adopts final subdivision and site plan resolutions

Cc: Planning Board
Roland Baroni
Patricia Kalba
Tom Tooma
Joe Barbagallo
Alvaro Alfonzo-Larrain
Mike Galante
Mark Weingarten
Peter Wise
Roxana Girand
Bonnie VonOhlsen
John Canning
Rich Williams
Erik Kaeyer

Z:\PE\Site plan files\Somers Academy\Procedures\Revised Proposed Review Procedures - Somers Academy 07-02-19.doc

Sent to:
TB, TA, TC
1/3A
KD
Kim DeLucia

From: Syrette Dym
Sent: Wednesday, July 3, 2019 10:04 AM
To: Kim DeLucia
Cc: Rick Morrissey; rbaroni
Subject: Hamlet Sidewalks and Pedestrian Bridge Over Stream SEQR Determination

Kim – The following is an additional item that needs to be added to the Town Board Agenda for July 11, 2019. Paperwork back-up will follow next week.

SEQR Determination for Somers Downtown Hamlet Sidewalks and Pedestrian Bridge Over Stream

- Town Board needs to accept its role as lead agency under SEQR since more than 30 days have passed since it declared its intent on April 4, 2019 and there have been no objections
- Town Board needs to issue a Negative Declaration under SEQR for the above proposed action

Syrette Dym, AICP
Director of Planning
Town of Somers
335 Route 202
Somers, NY 10589

914-277-5366 (phone)
914-277-4093 (fax)
sdym@somersny.com
www.somersny.com

Project: Hamlet Sidewalk-Bridge Over Stream

Date: July 11, 2019

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

| | No, or small impact may occur | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. public / private water supplies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Project: Sidewalk Bridge/Stream

Date: July 11, 2019

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

9. The proposed action encroaches into the 100 ft. adjacent area of DEC Freshwater Wetland F-1 and within 50 ft. of a Class C(T) stream. There will be no fill or structures below ordinary mean high water or in the wetlands. There will be no impacts to the bed of the watercourse. A total of 5,672 sq.ft. of disturbance is proposed within 100ft. of the watercourse. Structural encroachments are approximately 1,145 sq.ft. of pervious pavers for the sidewalk; 150 sq. ft. for the bridge over the watercourse and 50 sq.ft. for the bridge abutments. Grading and tree planting are also proposed within the wetland buffer. There will be approximately 250 cubic feet of excavation for the concrete bridge abutments within 50 feet of the watercourse but no dredging. Therefore, there is no significant adverse impact to the watercourse or wetland.

15. The site is listed as potentially containing the Northern long-eared bat (NYS Threatened) as a state-listed species. Therefore, any tree removal is required to take place from November 1 to March 31. Since there is no anticipated tree cutting and there will be no impact to state-listed species.

16. The project site is located within a 100-year flood plain.

17. The proposed action will not create a stormwater discharge from a point source; rather, runoff from the sidewalk will sheet flow to the adjacent landscaped area. To mitigate the increase in impervious surfaces from the construction of the pervious paver sidewalk, stormwater runoff will be treated by planting trees on the downgradient side of the sidewalk and the sidewalk will be pitched to direct runoff to the south toward the planted trees. In addition, invasive plants within the easement area will be removed and the area seeded with a Conservation Seed Mix and Native Pollinator Mix. Erosion and sediment control measures will be used to prevent water quality impacts. As a result, there will be no significant adverse impact from stormwater runoff or the construction near the stream.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

| | |
|--|---|
| Town of Somers Town Board | July 11, 2019 |
| Name of Lead Agency | Date |
| Rick Morrissey | Supervisor |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| | |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT FORM

Sent To:
B, TA, TC
7/3/19

Rick Morrissey

KD

From: Linda Whitehead <LWhitehead@mgslawyers.com>
Sent: Wednesday, July 3, 2019 4:22 PM
To: Rick Morrissey; rbaroni
Cc: Peter J. Wise; Rich Williams; Seth Capozza
Subject: Somers Realty Dedications
Attachments: TP584 for Dedication Deed (00097880).PDF; RP5217 for Dedication Deed (00097879).PDF; Letter. Taxes Paid Letter from Receiver of Taxes (00097853).PDF; Bill of Sale (00097887).DOCX; Title Report (00097893).PDF; Deed (00097895).PDF

Supervisor Morrissey,

Following up on my discussions with Roland Baroni, I am providing the following documents relating to the dedication of the roads and utilities within the Somers Realty Planned Hamlet in accordance with the prior approvals.

- Deed
- TP-584 and RPT
- Bill of Sale
- Title Report
- Letter from Receiver of Taxes indicating all taxes are paid as of today

As built plans were submitted a few months ago and we have been awaiting receipt of the necessary letters from the Sewer and Water Superintendent, Highway Superintendent and Engineering Department. All repairs which had been previously requested have been made.

The bonds for these improvements were provided by Avalon, and Avalon will be providing the maintenance bond. I have copied Avalon's attorney and I know they are obtaining the required maintenance bond.

Should any modifications to these documents be required we would be happy to make them.

I understand this matter will be on the agenda for your July 11, 2019 meeting. I will be there if there are any questions.

Thank you.

Sincerely,

Linda B. Whitehead



LINDA B. WHITEHEAD
Attorney at Law
1311 Mamaroneck Ave., Suite 340
White Plains, NY 10605
TEL (914) 949-6400 x215
FAX (914) 949-2510

www.mcculloughgoldberger.com

Sent to:
TB, TA, TC
7/5/19
KS

EXTENSION AGREEMENT

This Extension Agreement ("Extension Agreement") is made as of the _____ 2019 by and between the TOWN OF BEDFORD, a municipal corporation having an office at 321 Bedford Road, Bedford Hills, New York 10507 ("Bedford") and the TOWN OF SOMERS, a municipal corporation having an office at 335 Route 202, Somers, New York 10589 ("Somers"). Bedford and Somers are each a "party" to this Agreement and are collectively referred to herein as the "Parties".

WHEREAS, on April 28, 1988 Bedford and Somers entered into a ten (10) year agreement (the "Original Agreement") wherein Bedford agreed to provide one hundred (100) commuter parking spaces to residents of the Town of Somers in the Town of Bedford Commuter Parking Lot on the westerly side of Woods Bridge Road, 2/10th of a mile south of Route 35 in the Town of Bedford, Hamlet of Katonah (the "Parking Lot"); and

WHEREAS, the Original Agreement was entered into in recognition of payment made by Somers to Bedford in the amount of Thirty Thousand (\$30,000.00) Dollars at the time of the construction of the Parking Lot; and

WHEREAS, the Original Agreement was set to expire by its terms on April 27, 1998; and

WHEREAS, on April 21, 1998, the parties entered into an extension of the Original Agreement wherein Bedford agreed to reserve and provide one hundred (100) commuter parking spaces in the Parking Lot for the exclusive use of Somers residents for an additional ten (10) year term ending on April 28, 2008; and

WHEREAS, on April 10, 2008, the parties subsequently entered into a second extension of the Original Agreement wherein Bedford agreed to reserve and provide one hundred (100) commuter parking spaces in the Parking Lot for the exclusive use of Somers residents for an additional five (5) year term ending on April 28, 2013; and

WHEREAS, on April 16, 2013, the parties entered into a third extension of the Original Agreement wherein Bedford agreed to reserve and provide one hundred (100) commuter parking spaces in the Parking Lot for the exclusive use of Somers residents for an additional five (5) year term ending on April 28, 2018; and

WHEREAS, Bedford extended the Original Agreement to provide eighty (80) commuter parking spaces in the Parking Lot for the exclusive use of Somers residents for an additional one (1) year term that ended on April 27, 2019; and

WHEREAS, Bedford is desirous to extend Agreement to provide eighty (80) commuter parking spaces in the Parking Lot for the exclusive use of Somers residents for an additional one (1) year term ending June 4, 2020.

NOW, THEREFORE, the Parties agree as follows:

1. The term of the Original Agreement shall be further extended from April 27, 2018 to April 27, 2019;

2. Except as expressly amended herein, all of the terms and conditions of the Original Agreement shall remain in full force and effect;

3. This Extension Agreement reserves eighty (80) commuter parking spaces for the exclusive use of Somers residents until July 31, 2018. If by July 31, 2018 there are any unsold permits for the eighty (80) commuter parking spaces to be exclusively used by Somers, these permits will be available for unrestricted sale by Bedford.

4. If the parties fail to renew this Extension Agreement within 10 days of the date of expiration, this Extension Agreement shall be deemed to be terminated as of April 27, 2019.

5. This Extension Agreement constitutes the entire agreement between Bedford and Somers regarding the further extension of Original Agreement. There are no verbal or collateral agreements and representations expressly set forth herein.

6. In the event of any inconsistency between the provisions of this Extension Agreement and those of the Original Agreement or any prior extensions thereof, the provisions of this Extension Agreement shall prevail.

TOWN OF BEDFORD

By: _____

Chris Burdick, Town Supervisor

TOWN OF SOMERS

By: _____

Rick Morrissey, Town Supervisor

Sent to:
TB, TA, TC
7/3/19
KD

Kim DeLucia

From: Bob Kehoe
Sent: Wednesday, July 3, 2019 11:26 AM
To: Kim DeLucia
Subject: Cleaning contract

Kim,

Based on certain departments heads' disapproval with the current cleaning company, please add to the next agenda for the TB to approve going out to bid for a new company.

The current contract expires on August 31, 2019.

Bob

Robert Kehoe
Director of Finance
Town of Somers
335 Route 202
Somers, New York 10589
914-277-4394
914-277-3788 Fax

Sent to:
TB, TA, TC
7/3/19
KD
Kim DeLucia

From: Barbara Taberer
Sent: Monday, June 17, 2019 2:01 PM
To: Rick Morrissey
Cc: Kim DeLucia; Maria Tierney
Subject: FW: Resignation

-----Original Message-----

From:
Sent: Monday, June 17, 2019 11:35 AM
To: Barbara Taberer <btaberer@somersny.com>
Subject: Resignation

Pursuant to our meeting on Friday, June 14, this email serves as my formal resignation to the Town of Somers. After over 11 years (not including the previous 5 while volunteering) it is with a heavy heart that I exit the Nutrition program to pursue a full time position within the teachers union.
My last day will be June 28, 2019.

I have loved everyday working for you and with my other fellow caring employees. We are a family and I will miss you all greatly.

Debra Peters Elliott

Sent to:
TB, TA, TC
7/3/19
KD

Somers Department of Parks & Recreation
PO Box 46 Somers, New York 10589

Phone: (914)-232-8441
Fax: (914)-232-8548
Email: parks@somersny.com
Web: www.somersny.com



Steven Ralston
Superintendent

June 10, 2019

To: Town Board

From: Steven Ralston
Superintendent of Parks and Recreation

Re: Request for Approval

Request permission to hire the following, as Seasonal Maintenance Workers at \$14.00 per hour, to begin June 11, 2019.

Matthew Fusco
3 Woodcrest Terrace
Amawalk, NY 10501

Gregory Fusco
3 Woodcrest Terrace
Amawalk, NY 10501

C: Town Clerk
Park Board
Director of Finance

Sent to
TB, TA, TC
7/3/19
KD

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somerny.com

Telephone
(914) 277-5865
Fax
(914) 277-4098

Steven Woelfle
Principal Engineering Technician
swoelfle@somerny.com



Syrette Dym, AICP
Director of Planning
sdym@somerny.com

Date: June 11, 2019
To: Roland A. Baroni, Jr.
Town Attorney
From: Steven Woelfle SW
Engineering Department
Re: Continuous Removal Bond
CGATT LLC (Crown Castle)
243 Route 100 - Majestech
TM: 28.10-1-6

Please review the enclosed Performance Bond #107098826 by Travelers Casualty and Surety Company of America submitted by the applicant as required by §170-129.5.K. of the Zoning Code of the Town of Somers in the sum of \$45,000 for CCATT LLC (Crown Castle) for 247 Route 100/Majestech to ensure that the equipment /facility is removed if abandoned.

If you are satisfied, I would appreciate being informed so that this item may be placed on a Town Board agenda for acceptance.

SW/wg
Enc.
cc: Town Board
Town Clerk/w original
Director of Planning
Town Consulting Engineer

Bond No. 107098826

CONTINUOUS REMOVAL BOND

KNOW ALL MEN BY THESE PRESENTS, that we, CCATT LLC,
(hereinafter called the "Principal"), as Principal, and Travelers Casualty and Surety Company of America,
(hereinafter called the "Surety"), as Surety, are held and firmly bound unto the
Town of Somers
325 Route 202, Somers, NY 10589 (hereinafter called
the "Obligee"), as Obligee, in the sum of Forty Five Thousand Dollars and 00/100
(\$45,000.00) for the payment of which sum well and
truly to be made, we the said Principal and the said Surety, bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a lease agreement dated 5/30/2019 for the
property at 247 Route 100, Somers, NY 10589
(hereinafter called the "Lease Agreement"), for the purpose of constructing a communications tower,
as more particularly described in the Site Agreement.

NOW, THEREFORE, pursuant to the Requirement of the Lease, the conditions of this obligation are
such, that if the Principal shall faithfully remove all equipment installed by the Principal at the end of
the Lease Agreement, then this obligation shall be null and void; otherwise to remain in full force and
effect.

PROVIDED, HOWEVER, that this bond is executed by the Principal and Surety and accepted by the
Obligee subject to the following express conditions:

1. No assignment of this bond shall be effective without the written consent of the Surety.
2. It shall be a condition precedent to any right of recovery hereunder that, in the event of
any default on the part of the Principal, a written statement of the particular facts of such
default shall be, within Thirty (30) days, delivered to Surety at its Home Office located
at One Tower Square, Hartford, CT 06133
by registered mail to the Surety and the Surety shall not be obligated to perform
Principal's obligation until sixty (60) days after Surety's receipt of such statement.
3. This bond shall be continuous and remain in full force and effect until liability hereunder is
released by the Obligee.
4. This bond may be cancelled by the surety at any time by giving Thirty (30) days notice, by
registered mail or overnight courier service to the Town of Somers. Such termination shall not affect liability incurred under
this obligation prior to the effective date of such termination.
5. In no event shall the liability of the Surety exceed the penal sum of this bond.

Witness whereof, said Principal and said Surety have caused these presents to be executed and their
seal affixed this 31st day of May, 2019.

CCATT LLC

Travelers Casualty and Surety Company of America

BY:

[Signature]
Jessica R. Chiniwicz
Risk & Surety Bond Manager

BY:

[Signature]
Tanya Nguyen

Attorney-in-Fact



NOTARY ACKNOWLEDGMENT OF SURETY:

State of Connecticut

County of Hartford ss.

On this the 31st day of May, 2019, before me, Bethany Stevenson, the undersigned officer, personally appeared Tanya Nguyen, known to me (or satisfactorily proven) to be the person whose name is subscribed as Attorney-In-Fact for Travelers Casualty and Surety Company of America, and acknowledged that s/he executed the same as the act of his/her principal for the purposes therein contained.

In witness whereof, I hereunto set my hand.



Signature of Notary Public

Date Commission Expires: September 30, 2023

Bethany Stevenson
Printed Name of Notary

BETHANY STEVENSON
NOTARY PUBLIC - CT 177A01
MY COMMISSION EXPIRES SEPT. 30, 2023



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company
Farmington Casualty Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Tanya Nguyen of Knoxville, TN, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law, including the following bond:

Surety Bond No.: 107093026
 OR
 Project Description: Tower Removal Bond - 247 Route 100, Somers, NY 10589

Principal: CCATT LLC
 Obligor: Town of Somers

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 6th day of May, 2019.



State of Connecticut

By:
 Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the 6th day of May, 2019, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021



Anne P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 6th day of May, 2019.



Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
 Please refer to the above-named Attorney-in-Fact and the details of the bond to which this Power of Attorney is attached.

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

HARTFORD, CONNECTICUT 06153

FINANCIAL STATEMENT AS OF DECEMBER 31, 2018

CAPITAL STOCK \$ 6,460,000

| ASSETS | | LIABILITIES & SURPLUS | |
|--|-------------------------|---|-------------------------|
| CASH AND INVESTED CASH | \$ 36,724,566 | UNEARNED PREMIUMS | \$ 813,607,375 |
| BONDS | 5,507,432,239 | LOSSES | 753,935,304 |
| STOCKS | 284,198,655 | LOSS ADJUSTMENT EXPENSES | 126,575,871 |
| INVESTMENT INCOME DUE AND ACCRUED | 38,287,129 | COMMISSIONS | 45,368,534 |
| OTHER INVESTED ASSETS | 3,307,839 | TAXES, LICENSES AND FEES | 11,344,863 |
| PREMIUM BALANCES | 250,478,797 | OTHER EXPENSES | 42,833,534 |
| NET DEFERRED TAX ASSET | 48,781,239 | CURRENT FEDERAL AND FOREIGN INCOME TAXES | 10,143,637 |
| REINSURANCE RECOVERABLE | 29,278,755 | REMITTANCES AND ITEMS NOT ALLOCATED | 21,277,163 |
| SECURITIES LENDING PRINICIPAL COLLATERAL ASSETS | 14,277,262 | AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS | 33,239,533 |
| RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES | 27,813,258 | RETROACTIVE REINSURANCE RESERVE ASSUMED | 160,360 |
| ASSUMED REINSURANCE RECEIVABLE AND PAYABLE | 626,488 | POLICYHOLDER DIVIDENDS | 10,410,766 |
| OTHER ASSETS | 4,938,222 | PROVISION FOR REINSURANCE | 1,041,356 |
| | | ADVANCE PREMIUM | 1,809,777 |
| | | REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES | 868,092 |
| | | PAYABLE FOR SECURITIES LENDING | 14,377,282 |
| | | CEDUL REINSURANCE NET PREMIUMS PAYABLE | 43,463,978 |
| | | OTHER ACCRUED EXPENSES AND LIABILITIES | 325,488 |
| | | TOTAL LIABILITIES | \$ 2,136,170,215 |
| | | CAPITAL STOCK | \$ 6,460,000 |
| | | PAID IN SURPLUS | 43,833,730 |
| | | OTHER SURPLUS | 1,870,143,412 |
| | | TOTAL SURPLUS TO POLICYHOLDERS | \$ 2,111,227,178 |
| TOTAL ASSETS | \$ 4,130,447,137 | TOTAL LIABILITIES & SURPLUS | \$ 4,130,447,137 |

STATE OF CONNECTICUT)
 COUNTY OF HARTFORD) ss.
 CITY OF HARTFORD)

MICHAEL J. WOODY, BEING DULY SWORN, SAYS THAT HE IS SECOND VICE PRESIDENT, OF TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2018.

Michael J. Woody
 VICE PRESIDENT, TRAVELERS

Susan M. Weisleder
 NOTARY PUBLIC

SUSAN M. WEISLEDER
 Notary Public
 My Commission Expires November 30, 2022

SUBSCRIBED AND SWORN TO BEFORE ME THIS
 23TH DAY OF MARCH, 2019



Sent to:
TB, TA, TC
7/3/19
KD

INTEROFFICE MEMORANDUM

TO: TOWN SUPERVISOR AND MEMBERS OF THE TOWN BOARD
FROM: PROGRAM DIRECTOR, BARBARA TABERER
SUBJECT: PERMIT TO OPERATE
DATE: JUNE 12, 2019
CC: TOWN CLERK AND FINANCE DIRECTOR

Program Director, Barbara Taberer respectfully requests the Town Supervisor execute the Westchester County Department of Health Permit to Operate Nutrition program at Van Tassell House from September 1, 2019 through August 31, 2020.