

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  
REGULAR MEETING - 7:00pm  
THURSDAY, SEPTEMBER 10, 2020  
[www.somersny.com](http://www.somersny.com)**

**I. PLEDGE OF ALLEGIANCE:**

7:00pm Regular Meeting

**II. ROLL CALL:**

**III. PUBLIC HEARINGS (Via Remote Access):**

1. Rescind Local Laws - Bureau of Fire Prevention.
2. For the establishment of Somers Sewer District # 2 in Lake Shenorock and Lake Lincolndale - Continuation

**PUBLIC COMMENT**

Please limit your comments to no more than 3 minutes.

**IV. APPROVAL OF MINUTES:**

**V. 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

**SOMERS TOWN BOARD**  
**REGULAR MEETING - 7:00pm**  
**THURSDAY, SEPTEMBER 10, 2020**  
**www.somersny.com**

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**VI. BUSINESS OF THE BOARD:**

**A. PARKS & RECREATION:** No additional business.

**B. TOWN BOARD:**

1. Town of Somers Covid-19 – Update
2. Authorize the re-solicitation of Request for Proposals from companies that can provide a contract to furnish emergency and non-emergency services for HVAC per memo dated September 4, 2020 from Thomas J. Tooma, Building Inspector - Discussion.
3. Authorize the re-solicitation of Bids from companies that can provide a contract to furnish and deliver #2-TW Fuel and Heating Oil to multiple Town of Somers buildings per memo dated September 4, 2020 from Thomas J. Tooma, Building Inspector - Discussion

**C. FINANCIAL:** No additional business.

**D. HIGHWAY:** No additional business.

**E. PERSONNEL:**

1. **Current Vacancies:**

- a. Affordable Housing Board (3- 2-year terms ending 7/11/2021.)
- b. Library Board of Trustees (1- 4-year term ending 12/31/2023.)
- c. Partners in Prevention (3 – 3-year terms ending 12/31/2020.)
- d. Partners in Prevention (2 – 3-year terms ending 12/31/2022.)

2. **Upcoming Vacancies - Terms Expiring in 2020:**

- a. Assessment Board of Review (1- 5-year term ending 9/30/2020.)

3. Acknowledge resignation of Ms. Ann Westerman as a member of the Somers Library Board of Trustees effective August 31, 2020.

**F. PLANNING & ENGINEERING:** No additional business.

**G. POLICE:** - No additional business.

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**H. CONSENSUS AGENDA:**

1. Accept the following Erosion Control Bonds per August 10, 2020 and August 17, 2020 memos from Wendy Getting, Planning and Engineering Senior Office Assistant:
  - a. \$780.00 Erosion Control Bond – Coral Seafood Site Plan Resolution No. 2019-09a - TM: 4.20-1-5
  - b. \$500.00 Erosion Control Bond – Andriano Stormwater Management and Erosion and Sediment Control Permit - TM: 28.05-1-53
2. Acknowledge the retirement of Police Officer Gregory Naranca, from the Somers Police Department effective September 12, 2020. Officer Naranca has been with the Somers Police Department for thirty-two (32) years.
3. Authorize the Supervisor to execute the Proposal to Provide a Peer Review - Traffic Impact Study from Frederick P. Clark Associates, Inc. for the review of CVS Pharmacy, 81 U.S. Route 6, Somers, NY in the amount of \$12,200, plus out-of-pocket expenses per referral from Syrette Dym, Director of Planning.
4. Authorize the Supervisor to execute the Proposal to Provide On-Call Traffic and Planning Consulting Services from Frederick P. Clark Associates, Inc. for the Town of Somers and will continue to bill for their services on an hourly basis per referral from Syrette Dym, Director of Planning.
5. Adopt a resolution for the new LGS-1 Retention and Disposition Schedule for New York Local Government Records, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, for use by all officers in legally disposing of valueless records listed therein effective September 3, 2020.
6. Approve the implementation of a contribution for retiree spouses with dual Family Health Coverage effective September 1, 2020. The contribution will be an amount not to exceed the maximum contribution allowed by NYSHIP rules and will be modified January of each year dependent on any changes to the Family premium. There will be no contribution for single coverage. The calculation will remain unchanged should the Town change healthcare providers.

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**2020 Calendar**

September 10, 2020	7:00pm	Town Board Regular Meeting <b>Public Hearing via Remote Access:</b> Rescind Local Laws - Bureau of Fire Prevention. <b>Public Hearing (Continuation) via Remote Access:</b> Somers Sewer District #2
October 1, 2020	7:00pm	Town Board Work Session
October 8, 2020	7:00pm	Town Board Regular Meeting
November 5, 2020	7:00pm	Town Board Work Session
November 12, 2020	7:00pm	Town Board Regular Meeting
December 3, 2020	7:00pm	Town Board Work Session
December 10, 2020	7:00pm	Town Board Regular Meeting

9/9/2020 4:01 PM

Z:\Supervisor\kdelucia\TB Agendas\2020\Sep 10, 2020 Regular Meeting.docx

Sent to:  
TB, TA, TC  
9/9/2020  
KD

**PUBLIC HEARING NOTICE**

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on September 10, 2020 at 7:00 p.m. at the Town House, 335 Route 202, Somers, New York to rescind Local Law No. 1 of 1975 (BOCA Basic Fire Prevention Code/1975), Local Law No.1 of 1985, and Local Law No. 2 of 1977 as referenced on the Department of State, Division of Building Standards & Codes website.

The meeting may or may not be in person in accordance with the Governor's Covid-19 Guidelines.

**IF** the meeting is **NOT** in person please follow the ZOOM Meeting Access details belows:

View on TV:

Residents can view the meeting live on the Town's local Cablevision Channel 20 or Comcast Channel 12 (Heritage Hills).

View on the Internet:

The meeting will be streamed live on the Town of Somers NY YouTube page:  
[https://www.youtube.com/channel/UCd\\_Bfxhc\\_GFW8ilyrKAgOCw](https://www.youtube.com/channel/UCd_Bfxhc_GFW8ilyrKAgOCw)

Call In during designated time during the meeting to provide comments and ask questions:

Dial any of the following Zoom phone numbers:

1 253-215-8782, 1 301-718-8592, 1 312-626-6799, 1 346-248-7799, 1 408-638-0968, 1  
646-876-9923, 1 669-900-6833

Enter Meeting ID: 599 874 6566

Please wait in the queue for your call to be answered.

Text comments/questions:

914-804-6613

Email comments/questions:

Town Board -- [tbmeeting@somersny.com](mailto:tbmeeting@somersny.com)

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 made available by contacting 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: August 28, 2020

Telephone  
(914) 277-3539

FAX  
(914) 277-3790

Thomas J. Tooma, Jr.  
Building Inspector

*Sent to:  
TB/TA/TC  
9/4/2020  
KD*

**BUILDING DEPARTMENT**  
**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

**TOWN HOUSE  
ANNEX  
337 ROUTE 202  
SOMERS, NY 10589**



**MEMO TO:** Rick Morrissey, Town Supervisor  
**FROM:** Thomas J. Tooma, Jr., Building Inspector  
**RE:** HVAC and Oil Contracts  
**DATE:** September 4, 2020

September 3, 2020 was the deadline to receive bids for HVAC and Oil. Again, no bids were received. Two companies have committed to submitting an RFP and Bid respectively if they are split.

Permission is being requested to re-solicit RFP's from companies that can provide a contract for emergency and non-emergency services, including maintenance for HVAC.

Permission is also being requested to re-solicit Bids from companies that can provide a contract to furnish and deliver oil.

With regard to oil, the contract is to furnish and deliver #2-TW Fuel and Heating Oil to the Somers Highway Department, Somers Library, Somers Parks and Recreation Office, Somers Police Station, Somers Town House and Annex, as well as the Van Tassell House (Nutrition).

Sent to:  
TB, TA, TC  
8/28/2020  
KD

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  
Town Planner  
sdym@somersny.com

Date: August 10, 2020  
To: Director of Finance T10(914)  
From: Wendy Getting *WJ*  
Senior Office Assistant  
RE: **Erosion Control Bond  
Coral Seafood Site Plan  
Resolution No. 2019-09a  
TM: 4.20-1-5**

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Attached is a check in the amount of \$780.00 posted by Alba Arch Metal & Glass Corp.,  
120 Anderson Ave., Mount Vernon, NY 10550 in payment of an Erosion Control Bond for  
Coral Seafood Site Plan.

Att.  
cc: Town Board  
Town Clerk



Sent to:  
TB, TA, TC  
8/28/2020  
KD

PLANNING AND ENGINEERING DEPARTMENTS

Telephone  
(914) 277-5366  
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**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
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Steven Woelfle  
Principal Engineering Technician  
swoelfle@somersny.com



Syrette Dym, AICP  
Town Planner  
sdym@somersny.com

Date: August 17, 2020  
To: Director of Finance T10(914)  
From: Wendy Getting *WJG*  
Senior Office Assistant  
RE: **Erosion Control Bond**  
**Andriano Stormwater Management and Erosion and Sediment Control**  
**Permit**  
**TM: 28.05-1-53**

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Attached is a check in the amount of \$500.00 posted by Mike Senatore,  
in payment of an Erosion Control Bond for Andriano.

Att.  
cc: Town Board  
Town Clerk

R/FVR  
Sent to:  
TB, TA, TC  
8/31/2020  
KD

TOWN OF SOMERS POLICE DEPARTMENT  
P.O. BOX 342, SOMERS, NEW YORK 10589

INTER-OFFICE MEMO

FROM: P.O. NARANCA #24  
TO: Chief Driscoll  
DATE: 8/3/2020  
SUBJECT: Retirement

RECEIVED  
AUG 3 2020  
SOMERS TOWN POLICE

I am going to Retire at the  
end of the pay period ending Sept 11, 2020.  
My decision to retire is based on  
both personal and professional reasons.  
I am requesting a retired Police Officer-I.D.  
upon completion of employment.

Thank You  
P.O. Gregory Naranca #24

RECEIVED  
AUG 04 2020  
OFFICE OF THE SUPERVISOR  
TOWN OF SOMERS

32 years

Sent to:  
TG, TC, ITA  
8/27/2020  
KO

August 19, 2020

Ms. Syrette Dym, AICP  
Director of Planning  
Town of Somers  
Town House  
335 Route 202  
Somers, New York 10589

Subject **Proposal to Provide a Peer Review – Traffic Impact Study – CVS Pharmacy – 81 U.S. Route 6, Somers, NY**

Dear Ms. Dym:

As requested, we are pleased to submit this proposal to continue to provide on-call Traffic-Consulting Services to the Town. This proposal is specifically for a proposed CVS Pharmacy to be located on U.S. Route 6 directly opposite the signalized intersection of Clayton Boulevard. Our review will be limited to traffic impacts and the review of the Applicant's proposed Site Plan, as it relates to internal circulation, turning templates for delivery trucks and emergency vehicles, pavement markings and traffic control signing. The following sections describe the steps necessary to complete this two-step review and the anticipated information to be provided by the Applicant's Traffic Consultant.

**Project Understanding**

The preliminary Site Plan provided to our office and prepared by VHB indicates a Pharmacy comprising 14,812 square feet of floor area and 76 parking spaces. The proposal indicates a two-lane, two-way, main access drive to U.S. Route 6 directly opposite the Clayton Boulevard signalized intersection. A secondary exit drive is proposed near the westerly property line and would accommodate movements from the loading area located behind the building and the Pharmacy drive-thru window/lane.

**Scope of Services**

**Step 1**

In light of the recent pandemic it is obvious that the drive-thru Pharmacy window for drop-off and pick-up is likely to generate more traffic the last several months, as compared to previous months prior to the pandemic. We assume CVS has actual information and, if not, should conduct actual traffic counts at another similar and nearby CVS Pharmacy to make this determination and use the appropriate estimates for site traffic for the drive-thru, in addition to a comparison to the total site traffic volumes for a similar size Pharmacy, as outlined in the Institute of Transportation Engineers (ITE) 10<sup>th</sup> Edition, published in 2017

Ms. Syrette Dym, AICP  
CVS – 81 U.S. Route 6, Somers  
Page 2  
August 19, 2020

The Applicant proposes to request a variance from the Town Zoning Board of Appeals for the drive-thru window/lane. If approved, the Applicant will prepare a full traffic report for submission to the Town and NYSDOT.

We will comment on the Applicant's submission for the drive-thru.

### **Step 2**

As noted above, our involvement will be limited to a review of the Traffic Impact Study and the Site Plan, as it relates to traffic movements, overall safety, turning templates for trucks and emergency vehicles, pavement markings and traffic control signing. For the Traffic Study we will review the Scope, specifically the intersections included in the analysis, the time periods, estimates for site traffic, distribution and future build traffic volumes. A review of the existing, no-build and build traffic volumes and a specific comparison between a no-build and build condition for traffic volumes will indicate potential impact and need for mitigation.

At the completion of our work, which will include a field investigation in addition to a review of the Traffic Report(s) and Site Plan, we will prepare a written report for submission to the Town for review. We will be available for discussion at a Town Board meeting either in person or a video-type arrangement to discuss our comments, findings and eventually recommendations. It is possible the review prepared by our office will request additional information or modifications to the information provided; therefore, a second letter for Step 2 may be appropriate to review additional information submitted by the Applicant's Traffic Consultant or the Site Engineer.

### **Schedule and Fee**

We will be available to initiate this work immediately upon receiving the documentation, which will include the final Site Plan and final Traffic Report. We will meet the deadline and meeting schedule setup by the Town. If we have difficulty meeting a deadline for a public hearing or a submission of comments prior to a public hearing we will inform you as soon as possible.

Our estimated fee to conduct this review and include each of the items noted above will be \$2,200 for Step 1 and up to \$10,000 for Step 2, plus out-of-pocket expenses. This is only an estimate since we have not received a Traffic report from the Applicant and one has not been prepared. At a later date, we will discuss the Scope of the Study with the Town and Applicant. This estimated fee includes a second review and a second letter; however, is limited to one public hearing. If our attendance at a second public hearing is needed, we will bill for this time on an hourly basis. All work will be completed on an hourly basis. A copy of our current Schedule of Hourly Charges for 2020 for the Town of Somers is attached.

### **AUTHORIZATION TO PROCEED**

If you find this proposal suitable and wish to authorize this work, please sign in the space provided below and return a copy of the signature page to my attention.

Ms. Syrette Dym, AICP  
CVS – 81 U.S. Route 6, Somers  
Page 3  
August 19, 2020

Respectfully submitted,



**Michael A. Galante**  
**Director of Traffic**  
**Hardesty & Hanover, LLC**

Enclosure

ACCEPTANCE

Our estimated fee to conduct this review and include each of the items noted above is \$12,200, plus out-of-pocket expenses. This estimate for fee includes a second review and a second letter; however, is limited to one public hearing. If our attendance at a second public hearing is needed, we will bill for this time on an hourly basis.

Accepted by \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Typed or Printed Name and Organization (Required)

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

Email Address \_\_\_\_\_

**Town of Somers**

**Schedule of Hourly Charges for Traffic Project  
2020/2021**

Michael A. Galante, Director of Traffic:	\$275
Sarah L. Brown, Senior Planner:	\$185
Steven T. Cipolla Traffic Engineer:	\$175
Nicole Rawlins, Junior Traffic Engineer:	\$145
Paul Volpicella, Senior CADD Technician:	\$135

The above charges are inclusive of all secretarial, clerical and administrative services, local telephone, postage and other customary overhead expenses. Costs of such items as the printing and reproduction of reports and maps, priority mail charges, telecopier services, travel, etc. will be invoiced separately in addition to the above rates at actual cost plus a 15% administrative servicing charge.

Hourly charges for all Depositions and Court appearances to present expert testimony will be 1.5 times those stated above.

Evening public hearings will be invoiced at a minimum of \$750.

3.

**Town of Somers**

**Schedule of Hourly Charges for Traffic Project  
2020/2021**

Michael A. Galante, Director of Traffic:	\$275
Sarah L. Brown, Senior Planner:	\$185
Steven T. Cipolla Traffic Engineer:	\$175
Nicole Rawlins, Junior Traffic Engineer:	\$145
Paul Volpicella, Senior CADD Technician:	\$135

The above charges are inclusive of all secretarial, clerical and administrative services, local telephone, postage and other customary overhead expenses. Costs of such items as the printing and reproduction of reports and maps, priority mail charges, telecopier services, travel, etc. will be invoiced separately in addition to the above rates at actual cost plus a 15% administrative servicing charge.

Hourly charges for all Depositions and Court appearances to present expert testimony will be 1.5 times those stated above.

Evening public hearings will be invoiced at a minimum of \$750.

Sent to:  
TB, TA, TC  
8/31/2020  
KD

August 24, 2020

Ms. Syrette Dym, AICP  
Director of Planning  
Town of Somers  
Town House  
335 Route 202  
Somers, New York 10589

Subject        **Proposal to Provide On-Call Traffic and Planning Consulting Services – Town of Somers, New York**

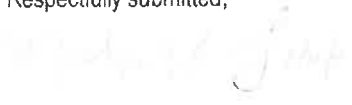
Dear Ms. Dym:

The purpose of this proposal is to continue to provide Traffic and Planning Consulting Services, as needed, for 2020. It would include any Traffic and Planning Consulting Services as a Peer Review process or to complete a specific Traffic-related or Planning Study for the Town. We will continue to bill for our services on an hourly basis, as referenced in the attached hourly rates for 2020, which are the same from last year. However, we will provide a specific proposal for each request indicating our schedule, fee and a description of the task requested.

Our services include, at no additional charge, all secretarial and clerical time necessary to complete our reports and reviews, as well as mailing costs, office supplies and any other similar and ordinary overhead expenses related to our work. We will bill for our time and travel to and from meetings or site visits. We will continue to bill for our time for evening meetings at a minimum of 3 hours and day meetings and site visits on an hourly basis.

If you agree with this proposal to continue providing these services, please request the Town Board to authorize this work, with the understanding that we will provide a specific proposal for each requested task. Please return the signed signature page at your convenience.

Respectfully submitted,



**Michael A. Galante**  
**Director of Traffic**  
**Hardesty & Hanover, LLC**

Enclosure



Ms. Syrette Dym, AICP  
On-Call Services, Somers  
Page 2  
August 24, 2020

ACCEPTANCE

Accepted by \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
Typed or Printed Name and Organization (Required)  
\_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_  
Email Address \_\_\_\_\_

Sent to: TB, TA, TC  
9/1/2020  
KD

**Kim DeLucia**

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**From:** Patricia Kalba  
**Sent:** Tuesday, September 1, 2020 4:05 PM  
**To:** Kim DeLucia  
**Subject:** Agenda

This is the back up as to why we are adopting a “new” Schedule for Records Management.

## Local government retention and disposition schedules:

The State Archives revised and consolidated its local government records retention and disposition schedules and issued a single, comprehensive retention schedule for all types of local governments on August 1st, 2020. The new schedule, *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, supersedes and replaces the CO-2, MU-1, MI-1, and ED-1 Schedules. Local governments must adopt the LGS-1 prior to utilizing it, even if they adopted and have been using the existing schedules, and will have until January 1st, 2021 to do so. For adopting the LGS-1, a fillable PDF copy of a [model resolution form](#) is available. For more information, visit our [LGS-1 press release](#) and [List of Major Revisions](#).

Local governments are responsible for preserving and making available records marked as permanent on the schedule and those they have determined to have historical value. While the State Archives can provide guidance on appraising local government records for their enduring historical or research value, local governments should consult the Archives' publication titled *Appraisal of Local Government Records for Historical Value (Pub #50)*. For more information contact your [Regional Advisory Officer \(RAO\)](#) or the [Scheduling Unit](#) for assistance.

Patricia Kalba, RMC, CMC  
Town Clerk

Town of Somers  
335 Route 202  
Somers, New York 10589

914-277-3323  
914-277-3960 (fax)  
[pkalba@somersny.com](mailto:pkalba@somersny.com)

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