

OFFICE OF THE SUPERVISOR

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**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, MARCH 11, 2021  
[www.somersny.com](http://www.somersny.com)**

6:30pm Executive Session

***I. PLEDGE OF ALLEGIANCE:***

7:00pm Regular Meeting

***II. ROLL CALL:***

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

1. Town of Somers Police Reform and Reinvention Improvement Plan (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

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***VI. BUSINESS OF THE BOARD:***

***A. TOWN BOARD:***

1. Town of Somers Covid-19 – Update
2. COVID-19 Vaccine Roll-out – Update
3. Telecommunications Task Force – Update
4. Summer Camp Status - Update

***B. PARKS & RECREATION:***

1. Request approval to purchase a John Deere mower and tractor in the amount of \$44,600.59 (on state bid contract) to replace the 1992 Kubota Mower and 1994 Ford Tractor as proposed in the five-year budget projection. Funding will be able to be covered from personal services and contractual lines within the department budget per memo dated March 3, 2021 from Steven Ralston, Superintendent of Parks and Recreation.

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

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

***E. PERSONNEL:***

***1. Current Vacancies:***

- a. Affordable Housing Board (1- 2-year terms ending 7/11/2021.)
- b. Assessment Board of Review (1- 5-year term ending 9/30/2025.)
- c. Partners in Prevention (3- 3-year terms ending 12/31/2023.)
- d. Partners in Prevention (2- 3-year terms ending 12/31/2022.)

***2. Upcoming Vacancies - Terms Expiring in 2021:***

- a. Architectural Review Board (1- 3-year term ending 3/31/2021.)
- b. Parks and Recreation Board (3- 3-year terms ending 3/9/2021.)

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3. Authorize the provisional promotion of Ms. Ann Garrity to an Office Assistant (Auto Sys) in the Town Clerk's office, Grade IV, Step 1 at an annual salary of \$ 43,786 per memo dated March 1, 2021 from Patricia Kalba, Town Clerk effective March 1, 2021.
4. Authorize the hiring of Ms. Roseann Siegel, to replace Ms. Helga Stanton, for the position of part-time Dog Control Officer at an hourly rate of \$22.00 contingent upon the successful results of a physical, drug test, reference, background and NYS driver's license checks per memo dated March 5, 2021 from Michael W. Driscoll, Police Chief effective March 29, 2021.

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

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

**H. CONSENSUS AGENDA:**

1. Authorize the following SEQRA refunds per memos dated February 9, 2021 and March 1, 2021 from Syrette Dym, Director of Planning:
  - a. \$5.32 Tamarack & Vine Realty
  - b. \$2,852.08 John F. Kennedy High School
2. Accept the following Bond per March 1, 2021 memo from Wendy Getting, Planning and Engineering Senior Office Assistant:
  - a. \$5,765.00 Erosion Control Bond – 2 Amawalk Point Road –  
TM: 36.12-2-6
3. Accept the following Subdivision Performance Bond per March 4, 2021 memo from Steven Woelfle, Principal Engineering Technician:
  - a. \$17,500.00 Executed Subdivision Performance Bond – 2 Amawalk Point Road, No: 5938842
4. Schedule a Public Hearing for the Comcast Franchise Agreement between the Town of Somers, NY and Comcast for April 8, 2021.
5. Schedule a Public Hearing for proposed stop signs at Warren Street & Hachaliah Brown Drive and at Westridge Drive & Lovell Street for April 8, 2021.
6. Authorize the commencement of work to consolidate the water district in the Town of Somers.

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7. Accept and authorize the Supervisor to sign, the proposal form Ashpaugh & Sculco, CPAs, PLC for the analysis of franchise fees paid by Cablevision to the Town of Somers and other participating New York local franchise entities for a five (5) year period. The cost of which shall not exceed \$6,500.00.
8. Authorize the Supervisor to accept Somers Town Tax Warrants for 2021.
9. Authorize the Supervisor to execute the Mutual Aid Agreement between the Northern Westchester Joint Water Works, the Town of Cortland, the Town of Yorktown, the Town of Somers, and the Montrose Improvement District for a ten (10) year term commencing on March 1, 2021, and terminating on February 28, 2031.
10. Authorize the solicitation of Request for Proposals for the replacement of the generator and associated components with the installation at the Heritage Hills Activity Center per memo dated February 25, 2021 from Thomas J. Tooma, Jr., Building Inspector.
11. Authorize 2020 Budget Transfers and Modifications per email from Robert Kehoe, Director of Finance.
12. Acknowledge resignation of Ms. Annamaria Gizzo as Senior Office Assistant (Office Manager) in the Town of Somers Building Department effective February 23, 2021.
13. Acknowledge promotion of Mr. Charles Huber III from Road Maintainer to Motor Equipment Operator at an hourly pay rate of \$35.3120 per memo dated February 24, 2021 from Nicholas DeVito, Superintendent of Highways effective February 22, 2021.
14. Acknowledge promotion of Mr. Dennis Coffey from Road Maintainer to Skilled Road Maintainer at an hourly pay rate of \$28.0760 per memo dated February 24, 2021 from Nicholas DeVito, Superintendent of Highways effective February 22, 2021.
15. Authorize the promotion of Ms. Erica Gentile from part-time Chauffeur to part-time Food Service Helper at the same hourly rate of \$17.45 effective July 1, 2019.
16. Authorize the hours change of Ms. Erica Gentile from Part-time Food Service Helper to Full-time Food Service Helper, Grade 2, Step 10 at an annual salary of \$47,882.00 on the CSEA salary schedule effective March 1, 2021.

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**2021 Calendar**

March 11, 2021	7:00pm	Town Board Regular Meeting <b>Public Hearing (Continuation) via Remote Access:</b> Town of Somers Police Reform and Reinvention Improvement Plan Somers.
April 1, 2021	7:00pm	Town Board Work Session
April 8, 2021	7:00pm	Town Board Regular Meeting
May 6, 2021	7:00pm	Town Board Work Session
May 13, 2021	7:00pm	Town Board Regular Meeting
June 3, 2021	7:00pm	Town Board Work Session
June 10, 2021	7:00pm	Town Board Regular Meeting

Sent to:  
TB, TA, TC  
3/3/21  
KD

## PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on March 4, 2021 at 7:00 p.m. via Remote Access with regard to the Town of Somers Police Reform and Reinvention Improvement Plan.

Meeting Access details are as follows:

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 participating are invited to attend the public hearing and will be afforded an opportunity to be heard. A copy of the proposed plan 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: February 12, 2021



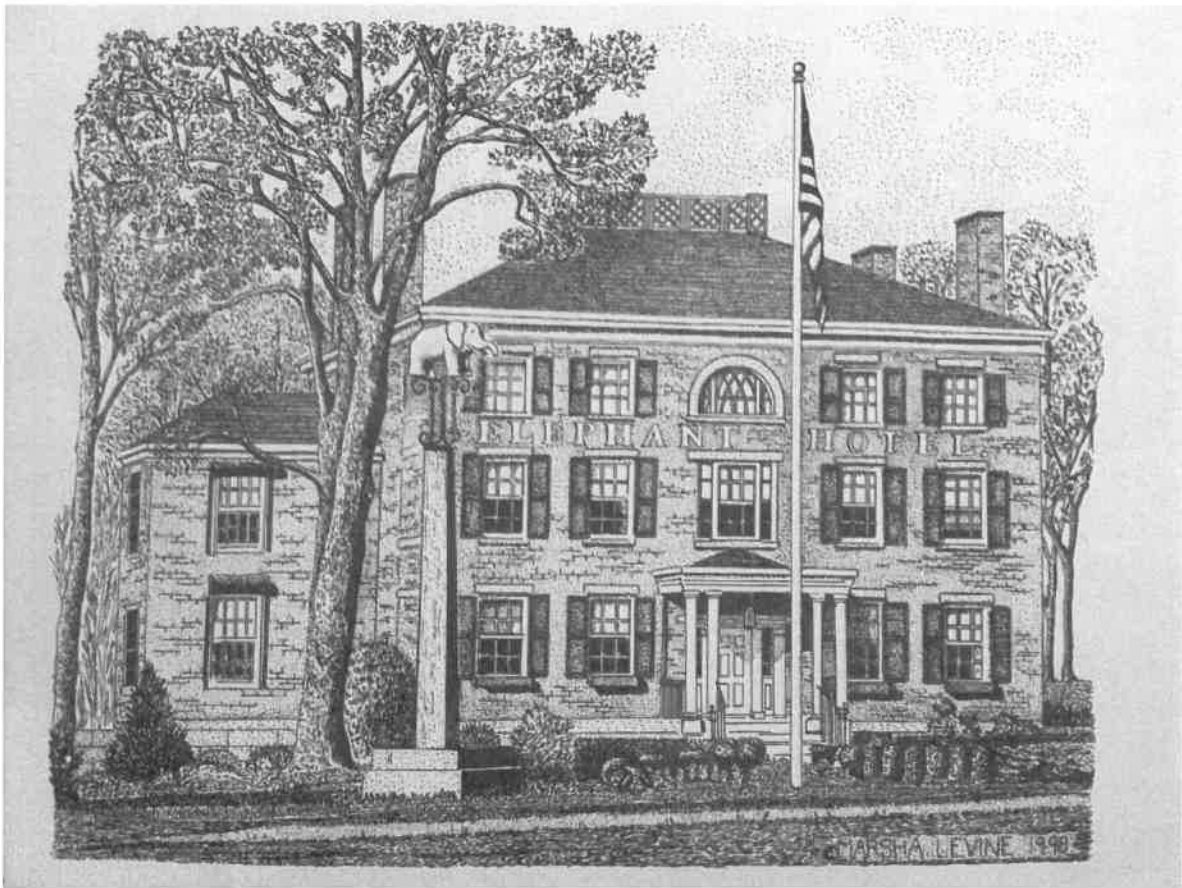
# TOWN OF SOMERS POLICE REFORM AND REINVENTION COLLABORATIVE

Draft of March 8, 2021



**Note:** This patch was designed by Chief Michael Driscoll in conjunction with former Town Historian Florence “Mickey” Oliver.





## **Town of Somers Police Department Reform Plan**

### **Mission Statement**

Our mission as a sub-committee of the Somers Community Council is to examine our local police department operations, make recommendations, and submit a report that the Town will forward to the State in compliance with Governor Andrew Cuomo's executive order. We must elevate trust, fairness, and legitimacy of the police and legal authorities through transparency and collaboration within the Somers community. In this capacity, we will be responsive and impartial without bias to our residents, and accountable for the character of our interactions in the fulfillment of our duties.

The Somers Community Council's goal is to provide a forum for participants and liaisons that includes our town's faith leaders, school leadership and counselors, police leadership, municipal leadership, charitable organizations, mental health professionals and elder care professionals to bring community issues to the forefront of our attention for remediation.

**Our Task Force Contributors:**

- Rick Morrissey, Supervisor, Town of Somers
- Anthony Ciriaco, Councilman, Town of Somers
- Chief Michael Driscoll, Town of Somers Police Department
- Officer David Burpee, Town of Somers Police Department
- Lieutenant Peter Healey, NY State Police
- Sharla St. Rose, Somers Resident
- Susan Cody, Race Amity of Northern Westchester & Putnam, and Yorktown-Somers Interfaith Council
- Grace Zimmermann, Somers Resident
- Rabbi Shoshana Leis, Yorktown-Somers Interfaith Council
- Jack Mattes, Somers Resident
- The Somers Community Council

To help everyone in our community understand why the Police Reform Initiative is of importance to the Town of Somers, it stems from a letter from Governor Andrew Cuomo, dated August 17, 2020, addressed to Chief Executives, Police Chiefs and Sheriffs.

“Many communities all across the country are dealing with issues concerning their police departments. The millions of people who gathered in protest, even in the midst of a public health crisis, made that clear. The situation is unsustainable for all.

Maintaining public safety is imperative; it is one of the essential roles of government. In order to achieve that goal, there must be mutual trust and respect between police and the communities they serve. The success and safety of our society depends on restoring and strengthening mutual trust. With crime growing in many cities, we must seize this moment of crisis and turn it into an opportunity for transformation.

While the conflict is real and the issues are complicated, we know in New York that denial or avoidance is not a successful strategy. To that end, on June 12, 2020, I signed an Executive Order requiring each local government in the State to adopt a policing reform plan by April 1, 2021. The Order authorizes the Director of the Division of the Budget to condition State aid to localities on the adoption of such a plan.

To ensure these plans are developed through an inclusive process, I called for the New York State Police Reform and Reinvention Collaborative. With more than 500 law enforcement agencies in our large and diverse state, there is no "one size fits all" solution. To rebuild the police-community relationship, each local government must convene stakeholders for a fact-based and honest dialogue about the public safety needs of their community. Each community must envision for itself the appropriate role of the police. Policies must be developed to allow the police to do their jobs to protect the public and these policies must meet with the local communities' acceptance.

"Collaborative" is the key word. It would be a mistake to frame these discussions as an adversarial process or an effort to impose top-down solutions. Issues must be aired but solutions must be crafted. The collaborative process should:

- Review the needs of the community served by its police agency, and evaluate the department's current policies and practices;
- Establish policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;
- Develop policy recommendations resulting from this review;
- Offer a plan for public comment;
- Present the plan to the local legislative body to ratify or adopt it, and;
- Certify adoption of the plan to the State Budget Director on or before April 1, 2021.

I urge everyone to begin these discussions immediately. Restoring the relationship between the community and the police is in everyone's best interest, and conversation may be required to enable each stakeholder to understand others' points of view. Time is short.

Change is hard. But change is necessary if we are to grow. The tension must be resolved. Order and public safety must be ensured. I am excited by the possibilities and I am hopeful that this time of crisis will evolve into a moment of creativity and progress. It is normal to make adjustments to fit changing values and circumstances.

We are addressing the COVID crisis by acknowledging the problem, having productive dialogue and by working together. Let's do the same here.

This is an opportunity to reinvent law enforcement for the 21st century”.

New York Governor Cuomo subsequently issued Executive Order #203 requiring each local government with a police agency to perform a comprehensive review of police policies, procedures and practices; and develop

a plan to improve such protocols for the purpose of addressing particular needs of the communities served by such police agencies”.

The intent of the process is to be collaborative and transparent in ensuring ever-greater equity in local law enforcement. Public forums will be announced. As the Police Reform discussion and process moves forward to the April 1, 2021 deadline, public participation will be on-going, with all information posted to the Town’s webpage for reference.

The Town of Somers is already at the regional forefront in promoting racial harmony by being the first town in the Hudson River Valley to proclaim an annual Race Amity Day, and the first to sponsor, along with our Somers Public Library, monthly Race Amity discussion meetings.

The Somers Town Police Department, located on Route 139 (100 Primrose St.), consists of one lieutenant, three sergeants and 14 police officers led by Chief Michael Driscoll. Among the services provided by the Department are vacant house checks, neighborhood watch, car etching and child-safe programs for the community. All officers are trained first responders in the use of automated defibrillators.

The Somers Town Police are dispatched by the New York State Police. To report an emergency dial 911 rather than the SPD directly. All 911 calls are answered at the New York State Police Traffic Management Center (TMC) in Hawthorne, NY. Either a Somers Town Police Officer, a New York State Trooper, or both, will respond to a call for assistance.

At this time all officers are recruited from highly qualified former Police offices from other departments. All have been well-trained and have served their departments until it was their decision to retire or to relocate. Presently the composition of the officers includes 10 from the NYPD, the others are from North Castle, White Plains and Mt. Vernon.

They include former detectives, sergeants and lieutenants. There is a single female officer with a background in de-escalating domestic disputes which are

sadly, at this time, one of the most frequent types of calls this Department faces. The Department includes an officer whose responsibilities include training fellow officers, and serves that function for the SPD.

In situations encountered by the SPD requiring arrest of any alleged criminals or perpetrators, the NY State Police respond and assist in the facilitation of that arrest.

The SPD was established in 1970. Chief Driscoll joined the Department in 1986. It functions well in the role it plays for our community. While we all understand there is bias of many types in each of us, we must also understand overcoming these issues is critical for communal harmony and equitable law enforcement.

A review of Policy 300 of the SPD Policy Manual (available on the Somers Town website) indicates many of the objections referred to in reviews of Police Department interaction with the community have been dealt with in accordance with what would be logical solutions for the problems outlined. Kudos to those who have worked to create these policies. There is, however, always an opportunity to improve such policy items, which is why this Task Force was created. Input from the stakeholders in the Town of Somers is requested toward making needed reforms possible.

## **The Goal**

Specific goals are to develop an ongoing community engagement model and review process that conforms to best practices and policies assuring duties are performed without racial, ethnic, religious or gender bias. We must work to assure people of color (Black or African American, American Indian/Native American or Alaska Native, Asian, Native Hawaiian and Pacific Islanders, other) equal treatment.

The plan is what our Task Force suggests for the Town of Somers and will be based on our locality's needs specifically, accounting for past, present and trending future shifts in the makeup of our community. It will be predicated on

review of our past practices, policing activity statistics and ongoing community input.

## **Recommendations for Reform Actions of the Town of Somers Police Department:**

1. Continue preparing law enforcement personnel (civilian and uniformed) for consistent, positive community encounters and engagement. We recommend implicit bias training and intercultural competency training for all law enforcement personnel. Color, race, ethnicity, religion, gender or LGBTQIA+ should never play a role in how any individual is treated.
  - This recommendation is for all personnel, regardless of where and when they serve.
  - In-service trainings should be continued in the Westchester County Academy and similar programs throughout New York State.
2. Training facilitation should be a team approach between experts in these topics and law enforcement.
  - Trainings on implicit bias and intercultural and interracial competency should be in tandem with experts in the diversity, equity and inclusion field.
3. Create an environment that reinforces positive community engagement by identifying and valuing skills and competencies within police officers. These characteristics are essential for a successful officer-community engagement program to exist.
  - Identify skills and competencies needed for successful officer community engagement that can be recognized and valued in other officers.

4. There shall be a formal review of use of social media, and an analysis of how this medium could be used for branding and community outreach.
  - Electronic communications (the Town of Somers website, the Town's community cable channels and Town sanctioned social media) shall be used to provide information to bridge the gap between law enforcement and the community by sharing information about SPD and ways the Department may collaborate with the community.
  - Website enhancements for the SPD should include a list of current officers, description of duties, contact information for partnering law-enforcement agencies, policies and related forms for community interaction with the department.
  - SPD shall encourage its members to become an integral part of the community.
5. Somers police officers will continue to use force as a last resort and explore non-lethal technology.
  - The use of non-lethal technology such as pepper spray may be a possible alternative when dealing with unarmed people.
  - The use of non-lethal force (SPD Policy 300) should be reviewed as it pertains to any possible difference between its use with regard to color, race, ethnicity, religion, gender or LGBTQIA+.
6. Create a Community Advisory Board to hear issues/complaints from the community and act as a go-between for the neighborhoods, residents, and police department.
7. Create community liaisons to serve as ambassadors to various segments of the population, especially those that have traditionally been marginalized.



8. SPD and NYS Police should jointly hold community forums to explain their policies and practices when responding to regular police calls and to 911 calls, as well as update the public on any other issues that may arise. They should meet at least twice a year with the community.
9. Provide written reports to local elected officials on a quarterly basis and include the following statistics:
  - What kind of police calls do officers typically respond to?
  - What police actions are typically taken in response to calls?
  - What are interactions between individuals and the police like, and how do they proceed and resolve?
  - What is the race, color, ethnicity, or gender of the individuals involved?
10. Create and add a series of questions regarding an officer's interaction with the community they serve when considering promotions and/or annual evaluations including any disparity in interaction based on color, race, ethnicity or gender.
11. SPD must commit to being transparent with the public, which means to embrace those principles and values that promote transparency in its internal and external policies and practices. This way, those principles will be ingrained in the culture of the current administration and hopefully for future administrations.

Some examples of those policies and practices include, but are not limited to:

- Establishing a culture of transparency to build community trust;

- Educating the public with respect to Westchester County Department of Public Safety (SRO) policies and procedures;
- SPD policies, procedures, and law enforcement data should always be available to the public in English and Spanish. Other languages available through translation app on website;
- Proactively engaging in positive non-enforcement activities

12.Promote and engage in more non-investigatory community interaction.

- Implement a program to encourage and support community engagement to build relationships. Examples of community engagement for police officers include, but are not limited to:
- Engaging in youth activities/sports (for example, establish a Police Athletic League, sponsoring/coaching community teams).
- Identifying and allowing police officers to engage in activities which are important to the community to build trust, having nothing to do with law enforcement. For example, collaborating with the community on a project, community event, or bridging a gap with respect to a community need.
- Continue creating community liaisons to serve as ambassadors to various segments of the population, especially those that have traditionally been considered marginalized.

13.Evaluate the feasibility of providing a body-worn camera to every police officer, no matter their rank, and equipping every police vehicle with dashboard cameras.

14. Enhance officer training.

- Training should include implicit bias, interracial, intercultural, and sensitivity issues.
- Crisis Intervention Training (CIT).
- Mental Health: Enhance training to identify when an individual involved with a police interaction is having a mental health crisis. Create protocols disabilities.
- Engage in collaborative peer review to utilize real world scenarios in an effort to establish best practices. These can provide opportunity to put into practice learned anti-bias trainings.
- Children: Review and enhance policy for interactions with minors. Work with experts to develop a policy including training to protect minors, community members and police officers.

15. When a library of training videos is available from the County, State or other sources, make use of videos on a wide range of relevant topics; not to be used in place of in-person interactive training but to make best practices available to all members of SPD.

16. Identify liaison officers who are trained to respond to domestic issues and bias or hate incidents.

- Should be responsible for any reporting requirement to the Chief of Department and to any questions on incidents within the municipality.

17. Seek a more diverse and qualified base of persons to work as police officers by expanding recruiting efforts to include ads and listings in print publications, on-line publications, and social media.

- To provide a more varied base of expertise and experience.
- To make finding diverse candidates incrementally easier by increasing the pool of applicants.

18. Evaluate the compensation package provided to the members of the SPD.

- Are they paid fairly in relation to similar departments in our area of the Hudson Valley?

19. Ensure the Department provides for mental health counseling with a Psychologist and ensure the Town's employee assistance program serves the needs of the Department.

20. Develop a policy regarding the investigation of police involved shootings.

- SPD shall issue a publicly available written policy ensuring that any shooting involving a member of the SPD be investigated by an outside law enforcement agency and identifying that agency in advance of any incident.
- To the knowledge of this task force there has never been a shooting by any officer of the SPD.

21. Establish an open disciplinary process.

- Publish the procedures of disciplinary process on SPD's website.
- Provide for anonymous and non-anonymous complaint procedures.

- Provide procedures by which a member of the public may compliment a police officer or the department.
- Implement a policy of providing or status updates to complainants on request.
- Implement a policy of speaking with a complainant prior to a final determination.

## **Conclusion**

In the ensuing months our newly-formed Community Advisory Board will gather additional statistics from the records of the SPD and evaluate the data on a quarterly or bi-annual basis. If any additional reforms are deemed necessary or desirable, we will endeavor to work with the Town Board and the SPD to make those reforms a reality. We realize this needs to be an on-going process as the complexion of our community, as well as the number of residents within the community, change with each passing year.

The Somers Police Department currently engages in the type of ongoing training our Task Force applauds, as witnessed by the following letter we just received:

POLICE DEPARTMENT  
TOWN OF SOMERS

March 2, 2021

To: Jack Mattes

From: Michael Driscoll Chief/FOIC, Somers Police Department

Subject: PO DAVID BURPEE COMPLETED INSTRUCTOR DEVELOPMENT TRAINING COURSE

Police Officer David Burpee successfully completed a four-day instructor development training program at the Westchester County Police Academy in Valhalla last week (2-23 through 2-26). The training program was sponsored and presented by The New York State Division of Criminal Justice Services (DCJS)

Police Officer Burpee is now authorized to deliver Principled Policing Procedural Justice One and Principled Policing Procedural Justice Two. This training is designed to highlight the concept of procedural justice and how it strengthens the relationship and trust between police agencies and the communities they serve. Procedural Justice is a tactic, Justice is the goal.

The training is designed around the concepts of Procedural Justice and Principled Policing and how the core concepts of Community Policing and understanding police legitimacy and procedural justice build better relationships between the police and the communities that they serve. A large component of the training focused on the role history has played in hindering legitimacy in some communities and how the trauma of past events can be transferred to the present affecting today's relationship between the police and the community. Procedural Justice is intended to be a cultural shift in an approach to policing.

Michael Driscoll  
Chief/FOIC  
Somers Police Department

## The Following Chart Reflects all Actions by the SPD for 2020

2020 Department Totals													
Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Arrest	14	2	4	1	2	3	0	0	0	0	0	2	0
Summons-V&T	161	35	25	26	4	13	5	15	6	8	9	4	11
Summons-Parking	83	33	18	10	2	1	3	1	5	1	1	5	3
Summons-Town	13	2	0	3	6	1	0	1	0	0	0	0	0
911 Hang-Up	25	5	0	5	2	1	0	3	2	1	1	2	3
Abandoned Vehicle	2	0	0	0	2	0	0	0	0	0	0	0	0
Alarm-Burglar	300	15	29	27	26	22	23	43	22	25	27	22	19
Alarm-Panic/Robbery	18	0	1	3	0	1	1	2	1	0	5	4	0
Animal Complaint	95	2	10	7	10	8	11	13	6	8	6	10	4
Assault	11	4	3	2	0	0	0	0	0	0	0	2	0
Assist EMS	583	42	60	54	51	53	49	63	40	37	46	43	45
Assist Fire Department	123	10	15	7	10	16	10	5	15	8	12	6	9
Assist Other Agency	77	13	2	3	5	4	12	5	14	7	2	7	3
Assist Motorist	54	4	2	3	5	6	2	4	6	6	5	5	6
Burglary	13	2	0	1	2	0	4	0	1	3	0	0	0
Criminal Mischief	56	4	7	4	7	7	3	6	5	1	1	7	4
Detail-Court	88	10	8	8	0	0	0	0	14	13	12	18	5
Detail-School Crossing	301	64	39	20	0	0	0	0	0	49	61	34	34
Detail-Traffic Control	207	33	22	27	6	13	29	10	15	9	21	16	6
Disabled Vehicle	78	3	6	10	3	3	4	2	9	4	11	7	16
Dirt Bike/ATV	63	0	0	3	20	12	5	7	5	8	1	1	1
DOA	6	0	0	1	2	0	0	0	0	0	2	0	1
Domestic Dispute	74	6	3	8	7	9	7	10	10	6	3	4	1
DWI	2	0	0	0	0	1	0	0	0	1	0	0	0
Fraud	20	3	2	2	1	3	3	2	1	1	0	0	2
Harassment	63	3	3	1	5	5	5	8	7	6	2	11	7
Larceny	37	5	0	1	2	2	8	7	4	4	2	0	2
Littering/Dumping	11	0	1	0	2	3	1	0	1	0	1	2	0
Loitering	14	0	0	1	4	5	1	2	0	0	1	0	0
Mental Health Complaint	50	7	8	2	5	2	2	7	6	5	1	1	4
Missing Person	11	0	0	1	3	1	0	1	2	0	1	0	2
Noise Complaint	94	1	1	1	5	13	19	10	10	11	9	4	10
Order of Protection Served	17	2	1	2	0	0	0	5	1	0	6	0	0
Parking Complaint	33	2	3	3	3	0	4	0	8	4	3	2	1
Premise Check	2553	116	225	224	216	179	223	273	241	239	187	242	188
Property Found	11	1	1	0	0	1	2	1	4	1	0	0	0
Property Lost	5	1	0	0	0	0	0	2	0	0	1	0	1
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Shots Fired/Heard	11	0	1	3	1	0	2	0	0	0	3	1	0
Stolen Vehicle	6	0	1	0	0	1	0	2	0	1	1	0	0
Suspicious Person	141	3	8	14	10	13	10	16	23	10	13	8	13
Suspicious Vehicle	101	5	8	12	10	8	14	9	7	3	10	7	8
Traffic Complaint	187	4	6	10	35	5	25	27	36	5	21	5	8
Traffic Stop	357	51	48	37	27	24	29	23	15	20	26	33	24
Trespass	26	2	2	6	1	1	2	0	5	3	2	2	0
Traffic Accident	278	32	20	17	14	27	17	28	19	24	34	19	27
Welfare Check	114	4	6	8	8	8	8	16	13	11	13	11	8
Activity Per Year/Month:	6587	531	599	578	524	475	543	629	579	543	563	547	476

## The Following Chart Reflects a Subset of all 2020 Incident Reports Generated for Minorities

Note: This is in line with the most recent census data for the Town of Somers.

March 10, 2021

TYPE OF INCIDENT	BLACK	HISPANIC/LATINO	ASIAN
Possible Drowning	1		
MHL (Mental Health Law)	1		
Domestic Violation	1		
Domestic Dispute		2	1
Theft from Mailbox		1	
Violation of Order of Protection		1	
Suspicious Act	1		
Dept. of Social Service		1	
Trespass	1		
Auto Accident		1	
Fallen Tree on House		1	1
Group Home Call		1	1
Neighbor Dispute		1	
Car Damaged by Brick		1	
Civil Matter	1		
ATV's in Back of House		4	
Riding ATV		1	
Lost License Plate			1
Large Party		1	
Sick Raccoon		1	
Dog Complaint		1	
<b>TOTALS</b>	<b>6</b>	<b>18</b>	<b>4</b>

In 2020, this Department responded to 486 (four hundred eighty-six) calls requiring an Incident Report to be generated. The above indicates the number of minorities this Department interacted with. There were no adverse interactions with this Department.

  
Michael Driscoll

Chief

Town of Somers Police Department



**The following section is for Police Reform Public Comments**

## Police Reform Comments

artep@comcast.net <artep@comcast.net>

Wed 2/17/2021 4:38 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I think the Somers Police Department does a great job exactly as they are.

Use of the word reform is offensive because it implies the need to fix something bad and there is no such case.

Big thank you to the Somers Police Department.  
And extra big thank you in memory of Lieutenant Bob Stanton!

... Arthur Epstein, 702 Heritage Hills, Somers, NY

## Police reform plan??

Leroy Junker <leroyjunker@yahoo.com>

Wed 2/17/2021 4:39 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

You omitted one important detail:

WHAT IS THE POLICE REFORM PLAN?

Sent from Yahoo Mail for iPhone

## Police reform comments

Fred Faustini <faustdds@aol.com>

Wed 2/17/2021 4:51 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

More cops are needed, that should be the reform. Less cops = more crime.

Sent from my iPhone

## Police reform plan

Nadia Lerner <nadalex@comcast.net>

Wed 2/17/2021 6:26 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

My husband and I are absolutely not in favor of any police reform plan and very pleased with the way things have been going. We have been Somers, New York residents for the past 20 years at Heritage Hills.

Nadia Lerner

Sent from my iPhone

**FW: From the Office of Somers Town Supervisor Rick Morrissey | Public Comment on Police Reform Plan**

Townsend, Cheryl {PBC} <Cheryl.Townsend@pepsico.com>

Wed 2/17/2021 6:27 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

***Please note: the time for the Zoom meeting on 3/4/2021 is not provided. I would like to join the Zoom call, but I'm not aware of "when".***

Personally, In my 25 years in Somers I have had nothing but good interactions with the Somers Police Department. They are diligent, personable and always professional. I am in Shenorock directly next to the Nine Acres, and with the kids partying and causing damage to my property the Officers have been here many times.

I have always stood firmly with Officers and value them highly in our community. I do not believe in defunding.

That being said, I do understand the concerns of the movements across the nation about modernizing and better protecting our Officers and communities. I agree that Officers should be trained to diffuse situations, including dealing with mentally challenged and scared individuals. (No child should EVER be pepper sprayed for being scared and out of control.) I would agree that embedded trained senior experts should be available with the officers to help identify and guide situations before they escalate.

As well, work with the black and brown communities to personalize the Officers. Make them familiar and accessible. No one should be afraid of the Police simply due to the color of their skin. I realize that this may be learned at home, but get in front of children, perhaps grow your presence at the schools, so emerging adults learn to respect and personalize the Officers. (I grew up in Yonkers and Officers would come in several times a year simply to introduce themselves and talk about their role in the community.)

Thank you for allowing me my piece, and I look forward to hearing other ideas from the community!

Sincerely,  
Cheryl Townsend

---

**From:** noreplycoderedgeneral@somersny.com <no-reply@onsolve.com>

**Sent:** Wednesday, February 17, 2021 4:35 PM

**To:** Townsend, Cheryl {PBC} <Cheryl.Townsend@pepsico.com>

**Subject:** From the Office of Somers Town Supervisor Rick Morrissey | Public Comment on Police Reform Plan

For Immediate Release

Information (914) 277-3637

CALL FOR PUBLIC COMMENT ON POLICE REFORM PLAN FOR SOMERS POLICE DEPT.

February 17, 2021 -The Town of Somers is seeking public comment about community policing and police reform for the Town of Somers Police Department in response and compliance to Governor Andrew Cuomo's Executive Order requiring municipalities to present a Police Reform Plan for their municipality. (Executive Order #203, "NY State Police Reform and Reinvention Collaborative")

PUBLIC COMMENTS may be made in writing via:

2/25/2021

Mail - tbmeeting@somersny.com - Outlook

Email: [tbmeeting@somersny.com](mailto:tbmeeting@somersny.com) In subject line please state "Police Reform Comments"

Mail: Somers Town Supervisor, 335 Rte. #202, Somers, NY 10589 Attn: Police Reform

In person: via Zoom at a Town Board Public Hearing Thursday, March 4, 2021

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

Public comment period closes March 11, 2021.

## Police reform

Andrea Klekman <andreaellen28@gmail.com>

Wed 2/17/2021 6:52 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

What is the reform plan, how do we find it,

Sent from my iPad



**What is time of meeting on March 4**

**Andrea Klekman** <andreaellen28@gmail.com>

Wed 2/17/2021 6:53 PM

**To:** tbmeeting@somersny.com <tbmeeting@somersny.com>

Sent from my iPad

## Police Reform

John Peters <jcpeters46@yahoo.com>

Wed 2/17/2021 6:58 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

On the few occasions I've needed the police to respond, they were there in a timely manner, were very professional and empathetic. Maybe it's our society that needs to be reformed. John Peters, LincolnIndale

Sent from my iPad

## Police Reform

Al Farago <fara591@optonline.net>

Wed 2/17/2021 7:05 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

In my humble opinion I feel the Somers police are doing an excellent job and no reform to the way they conduct themselves need to be changed

Al

Sent from my iPad

## Police reform

Richard Savino <richardjs43@hotmail.com>

Wed 2/17/2021 8:16 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Leave the Somers Police Department alone. They are doing a great job!

I've had several experiences interacting with the department. The members are always very professional and respectful.

May the Somers Police continue to serve our community and always be safe!

From Law Enforcement True Supporter,  
Richard J. Savino

Sent from my iPhone

## Police Reform Comments

Joseph Pizzimenti <Joe@cclean.it>

Thu 2/18/2021 8:39 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

It isn't immediately apparent to me that the police department actively engages in community partnerships and largely interacts with the public by traffic enforcement. It would serve the needs of a community policing framework to have more of a beat presence in the town centers as well as local sporting and community events. This model would benefit from a geographic deployment plan with individual officers assigned to different areas of town to facilitate more contact between police and community members, thereby establishing a stronger relationship, as well as a proactive approach to problem solving through community engagement.

Best Regards,

Joseph Pizzimenti, LEED AP

Owner | CClean | 480 Bedford Road | Chappaqua, NY

D. 914.340.0213

[joe@cclean.it](mailto:joe@cclean.it)

[www.cclean.it](http://www.cclean.it)



## Police Reform Comments

SANDRA FERRANTELO <sandyferr54@comcast.net>

Thu 2/18/2021 9:24 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Thank you for the opportunity to comment. While I feel our officers do a good job for our community, I strongly believe changes in training for all officers is needed in our country. While Somers doesn't have a high population of minorities, I feel it's extremely important to train our officers in the handling of minorities if only to make them better officers.

To reduce systemic racism:

- 1) Have mandatory training classes in the academy and mandatory yearly seminars covering minority cultures and policing biases.
- 2) Ongoing training should include rotating with down county officers (maybe once a year for a couple months each time) in communities of color to understand racial differences and open minds to biases.
- 3) Officers should meet regularly with minority organizations for their input on what's needed to understand minority populations.
- 4) Attend community outreach programs and volunteer to get to know our community and communities of color.

To help those affected by mental illness:

- 1) Partnership with mental health professionals for training on how to recognize possible mental illness.
- 2) Listen to family members when they inform officers of mental illness history.
- 3) Train officers in deescalation procedures
- 4) Eliminate deadly force with mental health offenders whenever possible.

There needs to be a major change in police training in order to make a change in our culture. The training they receive is antiquated and perpetuates the inequality in our country.

Thank you,  
Sandy

## Police Reform Commnts

Barbra Kagan <mackthecat@comcast.net>

Thu 2/18/2021 9:35 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Very happy with our police and the job they do. Cuomo needs reform not the Somers Police Department.

Barbra Kagan  
[mackthecat@comcast.net](mailto:mackthecat@comcast.net)

## Police Reform comments

Jan's Email <jscteacher@optonline.net>

Thu 2/18/2021 10:10 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

My name is Janice Clough, 10 Brady Lane, Somers, NY. 10589. Resident of the town of Somers.

Our Somers police department is excellent. They are respectful, considerate, responsive, compassionate, extremely helpful, law abiding protectors of our safety and our entire community. No Reform is Needed!!!! Please respond to Governor Cuomo's executive order and let him know that I hold our Somers Police department in the Highest Regard and fully support them AS THEY ARE! No reform needed! They protect and serve our community very well!!!!

Thank you

Janice Clough

Jscteacher@optonline.net

Sent from my iPhone



## Police Reform Comments

Janice Clough <jscteacher@icloud.com>

Thu 2/18/2021 10:33 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

No police reform needed. The only reform needed is in the office of Governor Cuomo. !!!!!!! He needs to fully support our brave police department! Those people put their lives in danger daily! And he needs to support them NOW!!!!

Sent from my iPhone

## Police Reform Comments

ceciliadepinho@gmail.com <ceciliadepinho@gmail.com>

Thu 2/18/2021 11:16 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

You need to be more specific. Give examples of types of reforms. I am very happy with the police. They keep us safe and help us when there's an emergency, such as car accident and aided case. We need more police and they should be better funded. They are heroes and need to be treated as such. The no cash bail is a big problem... letting criminals back on the street with no consequences.

Somers Police

Bob Marona <bobmarona@aol.com>

Thu 2/18/2021 11:33 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

***February 18, 2021***

***Re: Police Reform Plan - Town of Somers, New York***

***We're so very fortunate to have a really fine Police Force here in Somers!***

***They set an example as to how a well-trained Force should perform, to all the townships around us.***

***Keep up the good work!***

***Sincerely submitted,***

***Robert & Nan Marona***

***455-B Heritage Hills***

## SOMERS Police Department

Charlie <foxc10540@optonline.net>

Thu 2/18/2021 2:30 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I think Chief Driscoll does a great job running the SOMERS Police Department. He has selected a great group of men & women who retired from the different Police Departments in our area, these men & women put their life on the line everyday of the week to keep us citizens of SOMERS safe.

Thank you Chief Driscoll.

I don't think the SOMERS Police Department need any sort of reform. What they really need is all our help keeping these fine Police Offers safe in their job.

Charlie Fox

Sent from my iPad

## Police Reform Comments

ccburns@optonline.net <ccburns@optonline.net>

Thu 2/18/2021 4:57 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Per your email of Feb. 17, I am offering my perspectives on Governor Cuomo's executive order requiring a plan for reform of the Town of Somers Police Department.

My wife and I have lived in Somers over 22 years. During that time we have had multiple opportunities to interact with members of the Somers Police Department and the NY State Highway Patrol.

I have always found the officers to be courteous, professional, responsive, and helpful. I am convinced there is no need for police reform in the Town of Somers.

The governor should avoid striving for "liberal political correctness" and support our brave officers.

*Charlie Burns*

## Police Reform Comments

Michael Gilberg <michael.gilberg@gmail.com>

Thu 2/18/2021 7:59 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I would recommend the Somers police do more Autism and disability training on dealing with people with disabilities with qualified trainers who have disabilities.

--

Michael Gilberg, Attorney At Law

## Police Reform Comments

Tammi Savva <tsavva@somersny.com>

Fri 2/19/2021 12:10 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

The Supervisor's Office received a call yesterday from a resident wanting to voice her comments on the Police Reform Plan.

Janice Clough from 10 Brady Lane, Somers (Somers Chase) called to say that she loves the Somers Police force. There is nothing that needs to be changed. The reason we have such a great community is because of them.

**TAMMI SAVVA**

SENIOR OFFICE ASSISTANT

OFFICE OF SUPERVISOR RICK MORRISSEY

TOWN OF SOMERS

335 ROUTE 202

SOMERS, NY 10589

PHONE: 914-277-3637

FAX: 914-276-0082

[WWW.SOMERSNY.COM](http://WWW.SOMERSNY.COM)

## Comments on Police Reform Executive Order #203

Edward Clough <emcgolfer@icloud.com>

Sat 2/20/2021 1:48 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Good afternoon.....I am writing this memo to vocalize my support of the Somers Police Dept and the NYS Troopers located at the barrack on Route 100. Both the Somers police and the NYS Troopers give both me and my family the security and assurance we need that should anything arise, we are well protected. What I will suggest is rather than looking for my comments and ideas for reformation as they pertain to our local Somers police Dept and NYS Troopers, we should refocus our attention by commenting and reforming our NYS Government, starting with the Governor himself Andrew Cuomo. Once again he has let us New Yorkers down, and he continues not to represent all of us, but only a select minority. The recent nursing home scandal is the latest example of his incompetence, deceitful nature and lack of transparency which makes him not worthy nor fit to hold that office. Thank you for your consideration.

Ed Clough  
10 Brady Lane  
Somers, NY 10589

Sent from my iPhone



## Police Reform Comments

Ty Baldwin <williambaldwin@yahoo.com>

Tue 3/2/2021 10:28 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I think the police in Somers are doing an excellent job.  
William Baldwin

**"Police Reform Comments"**

Lauren Clough <laurencloughdvm@gmail.com>

Wed 3/3/2021 8:05 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

To Whom This May Concern,

I received this email regarding police reform. I have been living in the town of Somers for over 20 years. My husband and I have actually purchased a new home here and plan to raise our family here. We love the safety and security of the town, the schools, and the community in general. We do NOT want to see any changes in the police department. They have done, and are continuing to do, an AMAZING job to protect our community and our schools. They, as all of the members of the fire department as well, play a very vital role in the continued safety and security of our community for all individuals and our children.

Thank you for your time.

Sincerely,

Lauren Lyn

## Somers Police Comments

FLORENCE BRODLEY <flo613@comcast.net>

Wed 3/3/2021 4:07 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

The only interactions I've had with our Somers Police have been positive. They've been cordial, professional and attentive during their presence at functions, such as the Heritage Hills Flu Clinic in 2019. We're lucky to have them, Flo Brodley, 351C Heritage Hills.

## Police Reform Comments

Andrea B <andrea1beatrice@gmail.com>

Wed 3/3/2021 4:12 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Why would the police need "reforming". Don't speed, don't do drugs, stay out of trouble, respect those that protect you, and we all should be fine.



Virus-free. [www.avast.com](http://www.avast.com)

## Police Reform Comments

Maureen Pollack <mpollack@karpreilly.com>

Wed 3/3/2021 4:38 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I think the Police Department in Somers does a great job of maintaining law and order in the community and doesn't need to change a thing.

Maureen Pollack  
34 Heritage Hills Unit C  
Somers, NY 10589

Kind Regards,

**Maureen Pollack**

Executive Assistant

**KarpReilly LLC**

102 Greenwich Ave  
Greenwich, CT 06830  
(914) 552-1873 Phone

*Please consider the environment before printing this email*

In response to your request for comments on police reform as requested by the NY state Governor, I offer the following. In my 30+ years of residency I have always felt very safe and satisfied with with the job ur local law enforcement people have don...

golfpop33 <golfpop33@aol.com>

Wed 3/3/2021 4:39 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Sent via the Samsung Galaxy A11, an AT&T 4G LTE smartphone

## Comments on Somers Police

Alan Tepper <astepper@gmail.com>

Wed 3/3/2021 4:41 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Living in Heritage Hills I have little interaction with Somers police officers. However, what little interaction that I have had has been uniformly positive.

Keep Safe and Healthy,  
*Alan Tepper*

**Police Reform Act** I feel the police have done a great job in the community they step up to the plate at anytime they are needed I commend the job they have done

robert stuart <bobstuart1223@yahoo.com>

Wed 3/3/2021 4:49 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Sent from my iPhone



## Police reform comments

Jessica Sposato <jlsposato@gmail.com>

Wed 3/3/2021 5:08 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I do not think any reform is needed. I believe our police department is doing a great job. I have never once seen or heard of any race, religious, or sexist biased from any police officer or state trooper working for the town of Somers.

Thank you,  
Jessica Massi

Sent from my iPhone

## Police Reform Comments

SANDRA MESSINA <max21405@msn.com>

Wed 3/3/2021 9:04 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Reform implies improvement. The improvements necessary in the Somers Police Department are as follows:

Employ more officers, the ones that work here are awesome!  
Pay the officers more money.

Sandra Messina

Sent from my iPhone

## Police Reform Comments

A <anavalentin@gmail.com>

Wed 3/3/2021 11:08 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Hi-

I have not lived here in Somers very long, but I imagine like most police departments (I've worked as a psychotherapist for many officers) there'd only be gains by better training officers in areas historically overlooked—

1) De-escalation strategies- The NYS Office of Mental Health has mandated hospitals to do this to more safely manage dysregulated patients and it is very effective.

2) Undoing Racism workshops and anti-racist workshops- which help trainees recognize their own biases, which we all possess.

There's never enough learning and as we evolve, standards and expectations evolve so this type of training should be ongoing just like some professions require Continuing Education Credits for the lifetime of their career. The material should be covered annually.

Thanks,

Ana Valentin, LCSW

## Somers Police Department - Police Reform

Rob Casasanta <RWC130@aol.com>

Thu 3/4/2021 3:37 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Somers Police Department is extremely professional and has wonderful officers.

I SUPPORT SPD 100%!

I think the Town of Somers needs to utilize the Somers PD more.

I'd like to see the patrol hours/coverage extended to 24/7.

Also, you should fill the School Crossing Guard position on 202. I don't feel we should take a Town of Somers Police Officer out of service everyday to cover a School Crossing/Traffic.

Respectfully,

Rob Casasanta  
914-652-8551

Sent from my iPhone

## Police Reform Comments

Jane Hanley <jane.poolbabe@yahoo.com>

Thu 3/4/2021 8:28 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

My name is Jane Hanley and I am a resident of Heritage Hills since 2012. On Sunday, Dec. 13, 2020 a Paraco truck backed up into my car at the entrance to Heritage Hills. The other driver called the police and a Somers Town policeman showed up. I was pretty shook up from the accident and also I am handicapped in that I don't understand speech and depend on lip reading to "hear". The policeman presented with a stern, dour, uncaring attitude. I do not feel he wrote the report fairly and did try to get in touch with him afterwards about it but was unsuccessful. My insurance company said I could try to get an amended report but my husband ( a former NYPD Police Captain himself ) said not to bother as it wouldn't change anything and I agreed with him . So this was my only exposure to the Somers Town Police and it was NOT a very good one. It did NOT leave me with a good feeling about our "community" police.

**police reform comments****Sandra Brinkman** <slizzybrink@gmail.com>

Thu 3/4/2021 10:21 AM

**To:** tbmeeting@somersny.com <tbmeeting@somersny.com>

Is Somers PD part time closing early eve? This is important to reform as any PD should be full time. Looking at duties, vacant home monitoring? Resident should invest in a private monitoring system. this may free up time/money.

Are there any other duties that could be given to an other Dept? If none exists, is it less expensive to create such department? Check Police Dept duties. Are they still valid? Has role changed where police more involved in crime prevention/apprehension which would indicate need for a full time department? Overhaul Somers PD mission and responsibilities.

If Somers is to going to begin using cameras to protect community/police, Somers PD should be full time!

## Police reform

Claudette <zxman@optonline.net>

Thu 3/4/2021 1:50 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

In my opinion police reform is not needed. The public need to be more respectful of our officers.

In nursing we always had yearly compliance requirements.

For example:

Harassment

Language/Cultural understanding

CPR

Advanced life support with AED use.

Safety

I am sure Police have to do the same.

Keep doing the great job that you do.

Sincerely,

Claudette and Bobby Wenke

Shenorock, NY

Sent from my iPad

## Police Reform

Alfred Longhitano <alonghitano@cs.com>

Thu 3/4/2021 2:11 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

We moved to Somers at the end of 2016. To date, we have had no occasion to interact with the Somers PD. However, before moving to Somers, we lived in Chappaqua for over 40 years and as citizens, as volunteer firefighters, and as volunteer EMTs in the local ambulance corps, we had numerous occasions to interact with the New Castle PD. Based on those experiences I believe that small-town police officers act professionally, willingly put themselves in harm's way to protect others, and provide assistance at some of the worst times in people's lives. It is a great comfort to know that if we dial 911, we will get prompt response from local police who know our community well.

Al Longhitano  
244A Heritage Hills Drive  
Somers, NY 10589  
Office: (914) 617-9705  
Cell: (914) 450-0778



## Police Reform Comments

emsadm@aol.com <emsadm@aol.com>

Thu 3/4/2021 6:50 PM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Is there a document to review?

## Police Reform Comments

Joseph Pesola <yank481@live.com>

Fri 3/5/2021 10:06 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Sent from Mail for Windows 10

To Whom It May Concern:

The Governor's Executive Order is in my opinion an overreach of his authority. Local police decisions are better left to the locality in which they serve. The police need our support.

Joseph Pesola

## Police Reform Comments

Phil Kuther <philkuther@gmail.com>

Sun 3/7/2021 10:55 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

Hi,

I'm a resident of Heritage Hills, and I think the Somers Police are doing a fine job and do not need reform.

Keep up the good work.

Sincerely,  
Phil Kuther

## NY State Police Reform and Reinvention Collaborative

Irene Kuther <irene.kuther@gmail.com>

Sun 3/7/2021 11:15 AM

To: tbmeeting@somersny.com <tbmeeting@somersny.com>

I am a resident of the Town of Somers and I disagree that our police department is in need of any "reinvention". I believe the Somers Police Dept is doing a fine job.

Irene Kuther  
710B Heritage Hills  
Somers, NY

## Members of the Somers Community Council

Name	Affiliation
Rick Morrissey	Town of Somers
Tom Garrity	Town of Somers
Anthony Cirieco	Town of Somers
Barbara Taberer	TOS - Senior Services
Steve Ralston	TOS - Parks and Recreation
Michael Driscoll	TOS - Police Dept.
Kim Maguire	TOS - Police Dept.
David Burpee	TOS - Police Dept.
Jonathan Mackey	TOS - Volunteer Fire Department
Emil Antonaccio	Somers Historical Society
Grace Zimmerman	Somers Historical Society
Rev. John Lagiovane	St. Joseph's Church
Rev. Hal Rourke	Church of Good Shepard
Rabbi Shoshana Leis	Hebrew Congregation of Somers
Marilyn Kaufman	Hebrew Congregation of Somers
Jeffrey Gilberg	Hebrew Congregation of Somers
Robert Fischer	Hebrew Congregation of Somers
Vicki Prusnofsky	Hebrew Congregation of Somers
Rev. Mark Vaillancourt	Kennedy Catholic HS
Paul Gehrmann	Affirmation Presbyterian Church
Father Michael Watson	St. Luke's Church
Raymond Blanch	Somers Central School District
Jennifer Spirelli	Somers Middle School
Roman Catalino	Somers High School
Marc Hattem	Somers High School
Elizabeth Turner	Somers Intermediate School
Katie Winter	Primrose Elementary School
Sarena Meyer	Somers Central School District
Heidi Cambareri	No Place For Hate Committee (SMS) / BOE Trustee
Lisa Cheatham	No Place For Hate Committee (SMS)
Carol Christiansen	Drug Crisis In Our Backyard
Kathy Cucchiarella	Somers Partners In Prevention
Dom Rubino	Heritage Hills Society
Jack Mattes	Heritage Hills Community Relations Committee
David Jacobsen	Heritage Hills Security

## Members of the Somers Community Council

Name	Affiliation
Gary Forbes	Somers Lions Club / Somers Angels
Ann Marie Demm	Somers Chamber of Commerce
Kimberly Kristensen	Somers Chamber of Commerce
Carolyn Moss	Somers Chamber of Commerce
Donna Martone	Somers Chamber of Commerce
Amanda Casabona-Cohen	Somers Chamber / Little People of Somers
Steve Ucko	Somers Holocaust Memorial Commission
Katherine Quinn	Support Connection
Melissa Higgins	Support Connection
Scott Merrow	Lincoln Hall
Noble Varughese	Lincoln Hall
Barbara Morris	Lincoln Hall
Caroline Shenefield	Lincoln Hall Task Force / Opengate
Jane Fulton	Lincoln Hall Task Force
Sari Manza	Lincoln Hall Task Force
Judith Factor	Friends of Karen
Terri Sorrentino	Friends of Karen
Reverend Merle McJunkin	Antioch Baptist Church
Brian Hulten	Opengate
Patricia Gunderson	Opengate
Kristen Elkins	Opengate
Anthony John Messina	Knights of Columbus
Joseph Manna	Knights of Columbus
Mark Badolato	The Paramount
Soumya Thomas, RN	The Paramount
Kelly Mancini	Town of Somers
Michael O'Keefe	Somers Lake Sustainability Program Committee
Karen Barnes	2020 Census / Resident
Susan Cody	Race Amity
Katie Goldberg	BLM Rally
Sharla St. Rose	Somers Resident
Wendy Webb-Weber	Sharing Works / Licensed Clinical Social Worker
Keeva Young-Wright	Northern Westchester Hospital
Ronald San Jose	Somers Resident

Sent to:  
TB, TA, TC  
3/5/21  
KD

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

OFF: (914)-232-8441  
FAX: (914)-232-8548  
Email: [parks@somersny.com](mailto:parks@somersny.com)  
WEB: [www.somersny.com](http://www.somersny.com)



**Steven Ralston**  
**Superintendent**

March 3, 2021

To: Town Board

From: Steven Ralston   
Superintendent of Parks and Recreation

Re: Request for Approval

Request approval to purchase a John Deere Mower and Tractor in the amount of \$44,600.59 (on State Bid Contract) to replace our 1992 Kubota Mower and 1994 Ford Tractor as proposed in the five-year budget projection attached. The purchases have been discussed and vetted with the Director of Finance. We have determined funding will be able to be covered from Personal Services and Contractual lines within the Department budget.

C: Director of Finance  
Town Clerk  
Park Board

**JOHN DEERE**

# Selling Equipment

Quote Id: 23774516

Customer Name:

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**Deere & Company  
2000 John Deere Run  
Cary, NC 27513

FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**R. Argento & Sons Inc.  
1 Prospect Avenue  
White Plains, NY 10607  
914-949-1152  
al@argentoandsons.com

## JOHN DEERE Z970R ZTrak

Hours:

Suggested List \*

Stock Number:

\$ 17,688.00

Contract: NY State Landscaping Grounds PC68131 (PG XN  
CG 22)

Selling Price \*

\$ 13,619.76

Price Effective Date: March 1, 2021

\* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
2213TC	Z970R ZTrak	1	\$ 16,739.00	23.00	\$ 3,849.97	\$ 12,889.03	\$ 12,889.03
<b>Standard Options - Per Unit</b>							
001A	United States/Canada	1	\$ 0.00	23.00	\$ 0.00	\$ 0.00	\$ 0.00
1041	24x12N12 Michelin X Tweel Turf for 72 In. Decks	1	\$ 949.00	23.00	\$ 218.27	\$ 730.73	\$ 730.73
1506	72 In. Side Discharge Mower Deck	1	\$ 0.00	23.00	\$ 0.00	\$ 0.00	\$ 0.00
2093	Fully Adjustable Suspension Seat with Armrests (24" High Back)	1	\$ 0.00	23.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Standard Options Total</b>			<b>\$ 949.00</b>		<b>\$ 218.27</b>	<b>\$ 730.73</b>	<b>\$ 730.73</b>
<b>Value Added Services Total</b>			<b>\$ 0.00</b>			<b>\$ 0.00</b>	<b>\$ 0.00</b>
<b>Total Selling Price</b>			<b>\$ 17,688.00</b>		<b>\$ 4,068.24</b>	<b>\$ 13,619.76</b>	<b>\$ 13,619.76</b>



**JOHN DEERE**

# Selling Equipment

Quote Id: 23749819

Customer Name:

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**Deere & Company  
2000 John Deere Run  
Cary, NC 27513

FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**R. Argento & Sons Inc.  
1 Prospect Avenue  
White Plains, NY 10607  
914-949-1152  
al@argentoandsons.com

## JOHN DEERE 3039R Compact Utility Tractor (31 PTO hp)

Hours:

Suggested List \*

Stock Number:

\$ 37,781.50

Contract: NY State Landscaping Grounds PC68131 (PG XN  
CG 22)

Selling Price \*

\$ 30,980.83

Price Effective Date: February 25, 2021

\* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
1389LV	3039R Compact Utility Tractor (31 PTO hp)	1	\$ 28,042.00	18.00	\$ 5,047.56	\$ 22,994.44	\$ 22,994.44
<b>Standard Options - Per Unit</b>							
0202	United States	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	English Operator's Manual and Decal Kit	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
1520	eHydro™	1	\$ 1,435.00	18.00	\$ 258.30	\$ 1,176.70	\$ 1,176.70
1701	Factory Installed Loader with Bucket	1	\$ 6,327.00	18.00	\$ 1,138.86	\$ 5,188.14	\$ 5,188.14
2000	Open Station with Standard Seat	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
2650	Less Radio	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
3330	Dual Mid & Single Electrohydraulic Rear SCV	1	\$ 1,066.00	18.00	\$ 191.88	\$ 874.12	\$ 874.12
3420	Mid PTO	1	\$ 780.00	18.00	\$ 140.40	\$ 639.60	\$ 639.60
4061	Less iMatch™ Quick Hitch Category 1	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
5223	41x14-20 (4PR, R3 Turf, 2 Position)	1	\$ -243.00	18.00	\$ -43.74	\$ -199.26	\$ -199.26
6223	27x8.5-15 (6PR, R3 Turf, 2 Position)	1	\$ 72.00	18.00	\$ 12.96	\$ 59.04	\$ 59.04
<b>Standard Options Total</b>			<b>\$ 9,437.00</b>		<b>\$ 1,698.66</b>	<b>\$ 7,738.34</b>	<b>\$ 7,738.34</b>
<b>Dealer Attachments/Non-Contract/Open Market</b>							
BW15073	Ballast Box	1	\$ 302.50	18.00	\$ 54.45	\$ 248.05	\$ 248.05
<b>Dealer Attachments Total</b>			<b>\$ 302.50</b>		<b>\$ 54.45</b>	<b>\$ 248.05</b>	<b>\$ 248.05</b>
<b>Value Added Services Total</b>			<b>\$ 0.00</b>			<b>\$ 0.00</b>	<b>\$ 0.00</b>

## **PARKS AND RECREATION**

### **FIVE YEAR BUDGET PROJECTION 2021 – 2025**

#### **OPERATIONS**

For normal operating and program expenses, I expect there to be a three to five percent increase, annually. Our vendors will pass on most of their increased expenses to us which will depend on the economy and fuel market and prevailing wage rates, I expect to cover the cost increases in self supporting programs with increased revenue.

#### **SALARIES**

Full-time employees' salary increases will be determined by the union contract. Non-union and part-time personnel salaries will be adjusted accordingly.

**VEHICLES/MACHINES/EQUIPMENT:** All vehicles will be purchased from State Bid and are on a ten-year (more or less) rotation.

- Chevy (dump bed) truck replacement - 2022
- Toro wing mower replacement – 2021
- Ford Tractor Replacement 2021
- Kubota Mower replacement 2022

#### **Van Tassell Park**

- Replace the front entrance fence
- Silo - work needs to be completed
- Due to continuously low gallons-per-minute a second irrigation well is needed

#### **Reis Park**

- Administration Building exterior block painting
- Construct Splash Pad/Spray Park
- Water system piping needs to be reconfigured
- A separate well is need to separate the irrigation system from the potable water system

#### **Koegel Park Caretakers Residence**

- Replace the Roof - 2021
- Stain the exterior – 2021
- Pave Entry Drive - 2021

#### **Bailey Park**

- Beatification project - 2021

#### **West Somers Park**

- Dredge pond

#### **Shenorock Lake Park**

- Dredge Lake



**JOHN DEERE**

## **NEW YORK - Piggyback Contract of Sourcewell – Landscaping and Grounds Related Equipment, Accessories & Supplies Contract**

**Contract Number:** PC68131

**Contract Period:** May 16, 2018 – August 18, 2021

**Eligibility:** State Agencies, political subdivisions, local governments, public authorities, public school and fire districts, public and nonprofit libraries and other nonpublic/nonprofit organizations. **John Deere dealers must refer to DealerPath to verify the nonpublic/nonprofit agencies.** For assistance with verifying an agency's eligibility, call 518-474-6717 or e-mail [customer.services@ogs.ny.gov](mailto:customer.services@ogs.ny.gov). Eligible agencies are not required to be members of Sourcewell to utilize this contract.

### **Piggyback Guidelines:**

Access the [Sourcewell](#) contract discounts and guidelines.

### **Quotes and Purchase Orders:**

To obtain a quote, contact your local [John Deere Dealer](#). Submit purchase order to your local dealer. Your local John Deere Dealer will contact the Direct Government Sales office.

All purchase orders must show Deere & Company as the vendor and reference the contract number.



**JOHN DEERE**

## **Sourcewell – Landscaping and Grounds Related Equipment, Accessories & Supplies Contract**

**Contract Number:** 062117-DAC

**Contract Period:** August 18, 2017 – August 18, 2021

**Eligibility:** The contract allows for service to Sourcewell Member agencies in all states.

The following eligibility requirements must be met:

- Entity must be a Sourcewell Member. John Deere dealers must verify membership before quoting. Please include the Sourcewell member number on the dealer quote or on the Sourcewell Member's purchase order.

- Eligible Sourcewell Members are state, city, county, municipal or local tax-supported governmental agencies, turnpikes, airports, housing authorities, electric cooperatives, water cooperatives, K-12 public school systems, public and private higher education facilities such as colleges and universities, public and volunteer fire departments, public or non-profit museums, libraries and zoos.

- Eligible Sourcewell Member non-profit agencies are eligible to purchase John Deere equipment on the Sourcewell contract.

- Charter Schools, Montessori Schools and K-12 private schools are required to pay in full (EFT, credit card or check) prior to receiving purchased equipment.

**Members of the Illinois Public Higher Education Cooperative (IPHEC) are also eligible to use this Sourcewell Contract.** IPHEC is comprised of universities and community colleges located in Illinois. Before quoting, please review the [list of IPHEC Members](#) to verify eligibility.

To become a Sourcewell Member you can call 877-585-9706 for more details or visit the [Sourcewell website](#) to complete an application.

To obtain a membership list for eligible entities belonging to Sourcewell, please visit the [Sourcewell Member Locator](#) and select Membership List Spreadsheet.

### **Quotes and Purchase Orders:**

To obtain a quote, contact your local John Deere Dealer. Submit your purchase order to your dealer. The John Deere Dealer will submit the purchase order to John Deere's Government Sales office.

All purchase orders must show Deere & Company as the vendor and reference the contract number.



## Contract Details

**Quotes** Quotes are valid for 30 days from the creation date of the quote OR when the contract expires, whichever occurs first. All quotes created in JDQ2 have creation and expiration dates on the upper right hand corner of the first quote page for your convenience.

**Allied (non-Deere)** Allowed. Allied equipment may only be sold in connection with the sale of a contract item. Items must be clearly labeled on the purchase order or quote as Allied.  
Allied items are Order Zone products, Frontier, Implements, attachments, accessories, parts or bundles not manufactured by John Deere that are requested by the customer to complete the purchase of John Deere equipment awarded on contract.

**Credit Cards** Only allowed for the types of schools listed in the Eligibility section above when they are paying in full upfront.

**Special Delivery Obligations** None.

**Fees** An optional delivery charge of \$4 per loaded mile is allowed for the delivering dealer. If charged, the fee must appear on the quote or purchase order. Use [Google Maps](#) to calculate the mileage.

### State Fees:

- **California Tire Fee** All Motorized Equipment \$1.75 per New Tire  
(Bunker Rakes, Mowers, CUT and Ag Tractors, Utility Vehicles and ProGators)
  - Also review Miscellaneous section below
- **Louisiana Waste Tire Fee** CUTS and Ag Tractors \$10.00 per New Tire  
Utility Vehicles (including ProGators) \$2.25 per New Tire
- **Mississippi ATV Trauma Fee** Utility Vehicles (including ProGators) \$50.00 per Vehicle

Fees must be clearly labeled on the purchase order or quote.

**Financing** Allowed. The John Deere Municipal Lease or a third party type municipal lease (if applicable) is allowed. The low interest rate, low cost John Deere Municipal Lease, is a type of financing that is specifically designed for qualified state, government, and educational entities which allow full ownership at the end of the lease term.

**Leasing** Allowed.



**Multiple Unit Discount** Multiple unit discounts are permitted. The contract discount plus the multiple unit discount equals the total discount. Discounts are based on the following schedule:

Quantity	Additional Discount
3-4	1%
5-6	2%
7-8	3%
9 units or more	4%

Sales of 3 or more like self-propelled products sold on the same purchase order are eligible for the multi-unit discount. Self-propelled products, with the exception of our utility vehicles, must be listed in the same tabbed price book section. Compatible implements sold with such products also qualify for the multi-unit discount but do not count as a unit.

Frontier Equipment is excluded from the Multiple Unit Discount.

**Non-contract (Deere)** Allowed. Non-contract equipment may only be sold in connection with the sale of a contract item. Items must be clearly labeled on the purchase order or quote as Non-Contract. Non-contract items are John Deere manufactured Order Zone products, implements, attachments, accessories, parts or bundles that are not currently on contract but are requested by the customer to complete the purchase of John Deere equipment awarded on contract.

**Rental** Not allowed on this contract.

**Substitutions** Allowed.

**Trade-ins** Allowed. Items must be clearly labeled on the purchase order or quote as Trade-In. The agency and the dealer determine the trade-in value.

**Demo** Not allowed on this contract.

**Miscellaneous** **Shipping charges**  
**Alaska (AK) and Hawaii (HI):** Shipping charges apply.  
For deliveries to AK or HI, factory freight to the delivering dealer will be paid by the Sourcewell member. Factory freight is known at the time of quoting and will be included on the quote to the Sourcewell member.

**Continental US:** For all other deliveries within the continental US (excludes AK & HI), the Sourcewell member will NOT be charged factory freight to the delivering dealer.

**Tire Fee (per tire)**

**California:** All Purchase Orders submitted for the State of California to John Deere should now include a separate line stating, "Tire Fee" and list it as a Non-Contract item on the Purchase Order. Please refer to the State of California's website for details on the tire fee.

**Effective Date** as of 1/1/05



# JOHN DEERE

**Per New Tire** \$1.75

Please review the California Tire Fee publication issued by the California Department of Tax and Fee Administration for more details.

**Delivery  
Obligations**

None.

**Payment  
Remittance  
Information**

Remit to Address:  
Deere & Company  
Ag & Turf CBD & Government Sales  
21748 Network Place  
Chicago, IL 60673-1217

## Price Structure

Price Page Tabs	Product Descriptions	Discounts off MSRP	Price Page Dates
L21	Residential Zero-Turn-Radius Mowers & Equipment	0%	Current
L25	Lawn Tractors (D100's only) & Equipment	0%	Current
L25	Lawn Tractors (X300s only) & Equipment	18%	Current
L30	Garden Tractors & Equipment	18%	Current
L35	Equipment for Lawn & Garden Tractors	18%	Current
C10	Commercial Walk-Behind Mowers & Equipment	23%	Current
C13	Commercial Zero-Turn-Radius Mowers & Equipment	23%	Current
C15	Commercial Front Mowers & Equipment	23%	Current
C18	Commercial Wide Area Mowers & Equipment	23%	Current
C20	Compact Utility Tractors & Equipment	18%	Current
C21	Equipment for Commercial Mowing Products	23%	Current
C25	Equipment for Compact Utility Tractors	18%	Current
C39	Recreational Utility Vehicles & Equipment	13%	Current
C40	Mid Duty Crossover Utility Vehicles & Equipment	13%	Current
C41	Heavy-Duty Crossover Utility Vehicles & Equipment	13%	Current
C42	Traditional Utility Vehicles & Equipment	16%	Current
C47	HPX Utility Vehicles & Equipment	13%	Current
C48	Utility Vehicles and Equipment	13%	Current
G10	Reel Mowers & Equipment	24%	Current
G15	Special Application Mowers & Equipment	24%	Current
G20	Special Application Vehicles & Equipment	24%	Current



G25	Aeration & Equipment	24%	Current
G30	Debris Maintenance & Equipment	24%	Current
G35	Fleet Management (golf)	14%	Current
Frontier	Cutting & Mowing	18%	Current
	Hay & Forage	18%	Current
	Landscaping	18%	Current
	Material Handling	18%	Current
	Planting & Seeding	18%	Current
	Sprayers	18%	Current
	Snow Equipment	18%	Current
	Loader Attachments	18%	Current

## Contract Updates

September 9, 2019 – Added IPHEC to eligibility section of contract. Effective 26Aug2019.

February 27, 2019 – Changed LA Tire Fee from \$2 per tire to \$2.25 per tire.

February 18, 2019 – Updated descriptions for LA Tire Fee and MS ATV Trauma Fee to include ProGators.  
Updated CA Tire Fee to include all motorized equipment.

September 7, 2018 – Added state fees.

June 7, 2018 – Changed Contract name from NJPA to Sourcewell

May 18, 2018 – Changed Frontier discounts from 17% to 18%. 18% was effective 26Apr2018 per note below.

April 26, 2018 – Discounts have been updated. October 19, 2017 - Updated eligibility verbiage.

March 22, 2017 - Updated description to include new 5000R models. August 2, 2016 - Updated description to include new 5000G models.

May 21, 2015 - Removed the 5085E tractor from the 14% discount category because the model was appearing in both the 14% and 18% discount categories. The 5085E should receive a 18% discount.



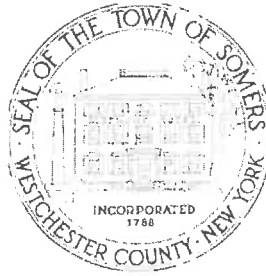
TEL: 914-277-3323  
FAX: 914-277-3960

TOWNCLERK'S OFFICE

Town House  
335 Route 202  
Somers, N.Y. 10589

## Town of Somers

WESTCHESTER COUNTY, N.Y.



PATRICIA KALBA  
TOWN CLERK

Sent to:  
TB, TA, TC  
3/11/21  
KD

### MEMO

TO: Supervisor  
Town Board

FROM: Patricia Kalba  
Town Clerk

DATE: March 1, 2021

I am requesting to promote Ann Garrity to a full-time provisional Office Assistant (Automated Systems) for the Town Clerk's Office in the Town of Somers, Group IV, Step 1 at an annual salary of \$43,786.00, in accordance with the CSEA contract, effective March 1, 2021.

I understand that civil service rules require that Ann must meet minimum qualifications, pass a future dated exam, and be reachable by the Rule of Three in order to be status changed from provisional to probationary.

Cc: Director of Finance  
CSEA

TOWN POLICE  
MICHAEL DRISCOLL  
CHIEF

# Town of Somers

WESTCHESTER COUNTY, N.Y.

PO BOX 342  
SOMERS, N.Y. 10589  
T. 914-232-9622  
F. 914-232-1795  
Email: Police@SomersNY.com

*Sent to:  
TB, TA, TC  
3/5/21 KD*



## MEMO

TO: Supervisor  
Town Board

FROM: Michael W. Driscoll  
Police Chief

*MWD*

CC: Town Clerk

DATE: March 5, 2020

RE: DCO

I recommend that the Town Board hire Ms. Roseann Siegle, to replace Helga Stanton, for the position of Part-time Dog Control Officer at a salary of \$22.00, effective March 29, 2021. Please place this matter on the March 11<sup>th</sup> Town Board Meeting.

Sent to:  
TB, TA, TC  
3/3/21  
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](http://www.somersny.com)

Steven Woelfle  
Principal Engineering Technician  
[swoelfle@somersny.com](mailto:swoelfle@somersny.com)



Syrette Dym, AICP  
Town Planner  
[sdym@somersny.com](mailto:sdym@somersny.com)

DATE: February 9, 2021

TO: Town Board  
Director of Finance

FROM: Syrette Dym, AICP  
Director of Planning

Re: **Tamarack & Vine Subdivision**  
**Refund of SEQRA/Professional Service Fee**

---

The above-mentioned project has been completed. Please refund the SEQRA/Professional Service Fee in the amount of \$5.32, as follows:

Mailing Address: Tamarack & Vine Realty Corp.  
7 Palmer Lane West  
Pleasantville, NY 10570

SD/wg

cc: Town Clerk  
Michael Gyory  
Barry Perlow

Sent to:  
TB, TA, TC  
3/5/21  
KD

PLANNING AND ENGINEERING DEPARTMENTS

**Town of Somers**

WESTCHESTER COUNTY, N.Y.

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

SOMERS TOWN HOUSE  
835 ROUTE 202  
SOMERS, NY 10589  
[www.somersny.com](http://www.somersny.com)

Steven Woelfle  
Principal Engineering Technician  
[swoelfle@somersny.com](mailto:swoelfle@somersny.com)



Syrette Dym, AICP  
Town Planner  
[sdym@somersny.com](mailto:sdym@somersny.com)

DATE: March 1, 2021

TO: Town Board  
Director of Finance

FROM: Syrette Dym, AICP  
Director of Planning

Re: **Kennedy Catholic High School Re-Grant Site Plan  
Lighting and Concession Stand  
Refund of SEQRA/Professional Service Fee**

---

The above-mentioned project has been completed. Please refund the SEQRA/Professional Service Fee in the amount of \$2,852.08, as follows:

John F. Kennedy Catholic High School  
54 Route 138  
Somers, New York 10589

SD/wg  
cc: Town Clerk  
Fred Compton

Z:\PE\Site plan files\Kennedy Catholic HS - Lighting-Concession Bldg\Re-Grant\Return of SEQRA fees.doc

Sent to:  
TB, TA, TC  
3/5/21  
KO

PLANNING AND ENGINEERING DEPARTMENTS

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

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: March 1, 2021  
To: Director of Finance T10(914)  
From: Wendy Getting *wog*  
Senior Office Assistant  
RE: Erosion Control Bond  
Steep Slopes, Tree Removal and Stormwater Management and Erosion  
and Sediment Control Permit  
Resolution #2012-01  
TM: 36.12-2-6 (2 Amawalk Point Road)

---

Attached is a check in the amount of \$5,765.00 posted by Mastrantoni Brothers Inc., 10  
Boxwood Drive, Mahopac, NY 10541 in payment of an Erosion Control Bond for 2  
Amawalk Point Road.

Attn:  
cc: Town Board  
Town Clerk

Sent to:  
TB, TA, TC  
3/5/21  
KD

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers

WESTCHESTER COUNTY, N.Y.

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

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: March 4, 2021

To: Town Board

From: Steven Woelfle *SW*  
Engineering Department

Re: Performance Bond  
Steep Slope, Tree Preservation and Stormwater Management and  
Erosion and Sediment Control Permit  
Resolution #2012-01  
TM: 36.12-2-6  
2 Amawalk Point Road

Please accept the attached document.

The Town Attorney has already reviewed and found acceptable.

- Executed Subdivision Performance Bond No.: 5938842 in the amount of \$17,500 issued by Old Republic Insurance Company, dated February 18, 2021 and signed by Diana Toledo, Attorney-in-Fact of Old Republic Insurance Company.

SW/wvg

Att.

cc: Town Clerk w/original – hand delivered  
Town Attorney

Z:\PE\Environmental files\Steep Slopes\Mastrantoni FKA McEntegart 36.12-2-6\Performance Bond.doc

Bond No. 5938842

## SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS, that we, **Mastrantoni Brothers, Inc.**  
as Principal, and **Old Republic Insurance Company** a corporation organized  
and existing under the laws of the State of **Pennsylvania** and duly authorized to transact  
business in the State of **New York** as Surety, are held and firmly bound unto  
the Town of Somers as Obligee in the penal sum of  
\*\*\*Seventeen Thousand Five Hundred & 00/100s\*\*\* Dollars (\$), \*\*\*17,500.00\*\*\*  
lawful money of the United States payment of which well and truly to be made, the said Principal  
and Surety hereby bind ourselves and our heirs, administrators, successors, and assigns, jointly and  
severally, firmly by these presents.

WHEREAS the Principal has submitted to the Town of Somers  
a site plan titled **Amawalk Point Road Resolution No. 2012-01; Block 2, Lot 6**  
whose terms and conditions are hereby incorporated by reference in this bond and is hereinafter  
referred to as Site Plan.

WHEREAS the Town of Somers has approved said  
plan on condition that said Principal file a surety bond in the amount of  
\*\*\*Seventeen Thousand Five Hundred & 00/100s\*\*\* Dollars (\$), \*\*\*17,500.00\*\*\*  
in form approved by the Obligee, securing to the Obligee actual completion of the work specified  
by the Site Plan.

NOW, THEREFORE, the condition of this obligation is such that, if the above named Principal  
shall promptly and faithfully complete such Site Plan, then this obligation shall be null and void,  
otherwise to remain in full force and effect. In no event shall the liability of the Surety exceed  
\*\*\*Seventeen Thousand Five Hundred & 00/100s\*\*\* Dollars (\$), \*\*\*17,500.00\*\*\*

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals this  
18th day of February 2021

**Mastrantoni Brothers, Inc.**

(Principal) (Seal)  
By Paul Mastrantoni (Pres)

Witness [Signature]

Witness [Signature]

**Old Republic Insurance Company**

(Surety) (Seal)  
By [Signature]  
, Attorney-in-Fact **Diana Toledo**



# OLD REPUBLIC INSURANCE COMPANY

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania stock insurance corporation, does make, constitute and appoint:

JEFFREY P. DELDIN, DIANA TOLEDO, RAEGAN GUGLIELMO, CHRISTOPHER GREENE, CAROL MCTARSNAY, WILLIAM J. PATERNO  
of BREWSTER, NY

its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than the company's bonds), as follows:

### ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC INSURANCE COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting held on December 10, 2019. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC INSURANCE COMPANY on December 10, 2019.

RESOLVED FURTHER, that the chairman, president or any vice president of the Company's surety division, in conjunction with the secretary or any assistant secretary of the Company, be and hereby are authorized and directed to execute and deliver, to such persons as such officers of the Company may deem appropriate, Powers of Attorney in the form presented to and attached to the minutes of this meeting, authorizing such persons to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, other than the company's bonds. The said officers may revoke any Power of Attorney previously granted to any such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by chairman, president or any vice president of the Company's surety division and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by a duly authorized Attorney-in-Fact and sealed with the seal of the Company (if a seal be required).

RESOLVED FURTHER, that the signature of any officer designated above, and the seal of the Company, may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC INSURANCE COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 29th day of September, 2020.

*Karen J. Haffner*

Assistant Secretary



OLD REPUBLIC INSURANCE COMPANY

*Alan Pavlic*

Vice President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 29th day of September, 2020, personally came before me, Alan Pavlic and Karen J. Haffner, to me known to be the individuals and officers of the OLD REPUBLIC INSURANCE COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said organization.



*Kathryn R. Pearson*

Notary Public

My Commission Expires: September 28, 2022

### CERTIFICATE

(Expiration of notary's commission does not invalidate this instrument)

I, the undersigned, assistant secretary of the OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.



95-0046

Signed and sealed at the City of Brookfield, WI this 18th day of February, 2021

*Karen J. Haffner*

Assistant Secretary



**OLD REPUBLIC INSURANCE COMPANY  
OF MT. PLEASANT, PENNSYLVANIA**

STATUTORY FINANCIAL STATEMENT AS OF DECEMBER 31, 2019

**ADMITTED ASSETS**

Bonds	\$1,700,421,473
Common stocks	697,255,292
Cash, cash equivalents and short-term investments	91,915,363
Bonds, short-term investments and cash held under retrospective rating agreements	22,635,797
Premiums and considerations - uncollected premiums and agents' balances in the course of collection	251,065,666
Deferred premiums, agents' balances and installments booked but deferred and not yet due	6,683,519
Accrued retrospective premiums	430,089
Funds held by or deposited with reinsured companies	392,657
Amounts recoverable from reinsurers	70,113,985
Electronic data processing equipment and software	382,660
Investment income due and accrued	16,545,264
Receivables from parent, subsidiaries and affiliates	3,337,943
Other assets	8,759,887
<b>TOTAL ADMITTED ASSETS</b>	<b>\$2,869,920,515</b>

**LIABILITIES AND SURPLUS**

Losses	\$774,719,410
Reinsurance payable on paid losses and loss adjustment expenses	8,803,210
Loss adjustment expenses	152,191,364
Commissions payable, contingent commissions and other similar charges	8,209,349
Other expenses (excluding taxes, licenses and fees)	19,559,435
Taxes, licenses and fees (excluding federal income taxes)	72,694,006
Current federal income taxes	1,060,956
Net deferred tax liability	14,730,878
Unearned premiums	292,772,015
Dividends declared and unpaid - policyholders	851,532
Advance premium	46,082
Ceded reinsurance premiums payable (net of ceding commissions)	169,762,316
Funds held by company under reinsurance treaties	103,948,022
Amounts withheld or retained by company for account of others	32,753,655
Remittances and items not allocated	634,002
Provision for reinsurance	13,338,346
Payable to parent, subsidiaries and affiliates	2,666,572
Other liabilities	3,000,644
<b>TOTAL LIABILITIES</b>	<b>\$1,668,742,400</b>
Common capital stock	3,800,004
Surplus notes	155,000,000
Gross paid in and contributed surplus	103,869,422
Unassigned funds (surplus)	938,308,689
<b>SURPLUS AS REGARDS POLICYHOLDERS</b>	<b>\$1,201,178,115</b>
<b>TOTAL LIABILITIES AND SURPLUS</b>	<b>\$2,869,920,515</b>

Securities carried at \$367,439,547 are deposited with States or Other Authorities as required by law.

STATE OF WISCONSIN )

)SS

COUNTY OF WAUKESHA)

Alan P. Pavlic, Vice President, and Karen J. Haffner, Vice President of Old Republic Insurance Company of Mt. Pleasant, Pennsylvania being duly sworn, each for himself, deposes and says that they are the above described officers of the said company, and that on the 31st day of December, 2019, the company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as here-in-before indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said company on the 31st day of December, 2019, according to the best of their information, knowledge and belief, respectively.

Alan P. Pavlic, Vice President

Karen J. Haffner, Vice President

Sworn to and subscribed before me this 12th day of March, 2020.

Notary Public, State of Wisconsin

My Commission expires: July 31, 2023



INDIVIDUAL  
ACKNOWLEDGEMENT

State of \_\_\_\_\_  
County of \_\_\_\_\_ ss.  
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known,  
and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed  
the same.

My commission expires \_\_\_\_\_  
Notary Public

PARTNERSHIP  
ACKNOWLEDGEMENT

State of \_\_\_\_\_  
County of \_\_\_\_\_ ss.  
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known and known to me  
to be a member of the firm of \_\_\_\_\_  
described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the  
act and deed of said firm.

My commission expires \_\_\_\_\_  
Notary Public

CORPORATE  
ACKNOWLEDGEMENT

State of NEW YORK  
County of Westchester ss.  
On this 4 day of MARCH, 2021, before me personally came  
PAUL MASTANTONI, to me known,  
who being by me duly sworn, did depose and say that he is the PRESIDENT  
of MASTANTONI BROTHERS INC  
the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to  
said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his  
name thereto by like order.

LOUIS ROSTEN  
Notary Public, State of New York  
Reg. No. 4834354  
Qualified in Putnam County

My commission expires 5/31/23  
Notary Public

SURETY  
ACKNOWLEDGEMENT

State of New York  
County of Putnam ss.  
On this 18th day of February, 2021, before me personally came  
Diana Toledo to me known, who, being by me duly sworn, did depose and say that  
he is an attorney-in-fact of Old Republic Insurance Company  
the corporation described in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal  
affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fact  
by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

My commission expires \_\_\_\_\_  
Notary Public

RM # 13

RAEGAN A. GUGLIELMO  
Notary Public, State of New York  
No. 01GU62707380  
Qualified in Putnam County  
Term Expires June 15, 2021

Sent to:  
TB, TA, TC  
2/12/21 & 3/1/21  
KD

## Water & Sewer Department

Adam Smith  
Superintendent of Water & Sewer  
asmith@somersny.com

## Town of Somers

WESTCHESTER COUNTY, N.Y.

P.O. Box 618  
40 Lakeview Drive  
Shenorock, NY 10587  
Telephone & Fax  
(914) 248-5181



Date: February 10, 2021

To: Somers Town Board

From: Adam Smith *AJS*  
Water Superintendent

RE: **Water District Consolidation**

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In 2001 the Amawalk-Shenorock Water District made improvements to the water system which included the installation of water mains and a two-mile transmission main. The improvements also include extensions to other areas of town including Horton Estates and the Route 6 area. The improvements were financed through the Environmental Facilities Corporation and Clean Water State Revolving Fund. This loan is set to expire in April 2022. This will be an opportunity for the Town to consolidate the three Town Water Districts Amawalk Heights, Amawalk-Shenorock, and Windsor Farms.

The consolidation will provide long term reliable water supply for all customers in those districts, maintain stability, and reduce administrative and operational costs wherever possible. The proposed district will not result in any additional costs or debts to the district residents.

Consolidating the districts will require some time to complete. Should the Town Board wish to pursue the consolidation I would consider beginning the process as soon as possible.

Sent to:  
TB, TA, TC  
3/2/21  
KO



ASHPAUGH & SCULCO, CPAs, PLC  
Certified Public Accountants and Consultants

October 30, 2020

Andrea Carapella Rendo, Esq.  
Deputy Village Attorney  
Town/Village of Harrison  
1 Heineman Place  
Harrison, NY 10528

**Subject: PROPOSAL FOR A REVIEW OF THE CABLE TELEVISION FRANCHISE FEES PAID BY  
ALTICE/CABLEVISION**

Dear Ms. Rendo:

Ashpaugh & Sculco, CPAs, PLC ("A&S") appreciates the opportunity to provide this proposal to the Town/Village of Harrison, New York ("Town/Village") for the review of franchise fees paid by Altice/Cablevision ("Cablevision") for the most recent review period to the Town/Village of Harrison as well as the following communities, Town of Bedford, Town of Lewisboro, Village of Mount Kisco, Town of New Castle, Town of Pound Ridge, Town of Somers, Town of Yorktown (jointly the "Participants"). We have worked with consortiums, large and small, across the country conducting these types of projects. A&S has significant and recent experience reviewing the franchise fees paid by Cablevision.

We are confident that our service, analytical expertise, and proprietary software will meet and exceed your expectations. We continue to be on the cutting edge of identifying and quantifying issues related to gross revenues and associated franchise fee payments. We have listed the following reasons why we are the most qualified choice for the Participants, and what differentiates us from our competition. These strengths include:

- **Unparalleled Expertise** – A&S brings over 60 years of combined experience with documented results. The Participants will not be hiring the name or size of a firm, but instead, the expertise of our Certified Public Accountants (CPAs), Garth Ashpaugh and Carolyn Sculco, who each has over 30 years of experience. As CPAs, we are held to the highest standards and have a level of expertise that isn't found at non-CPA firms.
- **Prior Experience with the Participants** – A&S previously completed a 5-year review of Cablevision on behalf of the Participants, which resulted in payments to the Participants. More recently, we reviewed Cablevision on behalf of the City of Greenburgh and the City of White Plains.
- **Experience with Cable Operators** – A&S has significant experience reviewing the records of companies such as AT&T, Cablevision, Comcast, Cox, and Verizon. We have executed non-disclosure agreements with companies for over a decade.

Andrea Carapella Rendo, Esq.  
Town/Village of Harrison, New York  
October 30, 2020

- **Successful Results** – A&S has unparalleled experience in meeting our clients' needs in these areas, which has resulted in retaining several major clients for well over a decade. Our combined expertise has achieved recoveries exceeding \$40 million.
- **Personal Service** – A&S is committed to personal service and excellence. We will personally execute the work, and the Participants will have direct contact with us to address any of the Participants' concerns. This intimate level of service is the trademark of our firm.
- **Unique Tools** – We have proprietary software and methods that accurately identify the revenue base and analyze any underpayments due to the Participants.

We take pride in our reputation and are equally proud of our cost-effective services. A&S has included the following information: scope of work, proposed budgets, labor rates, resumes, client listing and references. Our objective is to provide consulting services that reflect the highest standard of quality. Thank you for the opportunity to provide you with this proposal. If you need any additional information, please feel free to call.

Sincerely,

**ASHPAUGH & SCULCO, CPAs, PLC**



Carolyn Sculco, CPA  
Vice-President & Member

cc: Garth Ashpaugh, Ashpaugh & Sculco, CPAs, PLC

**SECTION 1**  
**SCOPE OF WORK**

The Scope of Work, set forth below, is for "Agreed Upon Procedures" and not a traditional audit of financial statements as defined by Generally Accepted Auditing Standards ("GAAS"). A traditional audit includes the issuance of an opinion stating whether the financial statements are presented fairly in conformity with Generally Accepted Accounting Principles ("GAAP"). Because the procedures listed in the scope of work do not constitute a traditional audit, A&S will not express an opinion on Cablevision's or the Participants' financial statements or any elements, accounts, or items thereof. Our analysis and reports are Agreed-Upon Procedures and will relate only to an analysis of the companies' gross revenues and related elements of expenses.

Our Scope of Work is outlined below and identifies the steps that we would perform to ensure that gross revenues were accurately reported by Cablevision in accordance with the Participants' franchise agreements.

**SCOPE OF WORK**

**Project Kick-Off**

1. Contact the Participants to obtain the documentation required to kick-off the project.
2. Review the franchise agreements to understand the definition of gross revenues and determination of franchise fees.
3. Submit initial data request to Cablevision requesting information related to the review period. During the project, if needed, submit additional data requests to Cablevision.
4. If required, execute non-disclosure agreements with Cablevision.
5. Correspond with the Participants, legal counsel and Cablevision, as required via phone and email, to obtain documentation, resolve issues, provide periodic updates on the status of projects, and obtain any appropriate assistance.

**General Steps**

6. Recalculate the franchise fees paid to the Participants for the review period.
7. Identify each revenue type or source that Cablevision did not include in the determination of franchise fees remitted to the Participants for the review period.
8. Ensure that gross revenues recorded on the general ledger are included in the gross revenues reported to the Participants in accordance with the franchise agreements.

**Subscriber Revenues**

9. Reconcile subscriber revenues reported to the Participants to Cablevision's billing records.
10. Review non-sufficient funds fees, late fees and other fees to ensure that they were correctly included in the gross revenues reported to the Participants.
11. Review bad debt expense and bad debt recoveries reported to the Participants.
12. Request and review detail from Cablevision regarding:

- a. Identification of bundled packages offered;
  - b. Parsing of bundled price among the bundled products; and,
  - c. Determination of franchise fees on applicable portions of the bundle.
13. Review monthly subscriber counts. If there are significant changes in subscriber counts, obtain an explanation from Cablevision. Investigate unusual discrepancies.

**Non-Subscriber Revenues**

14. Reconcile and recalculate allocation of non-subscriber revenues to ensure that they were correctly included in gross revenues reported to the Participants.
15. Reconcile and recalculate advertising revenues reported in franchise fee payments to data provided by Cablevision. Ensure that Cablevision reported advertising revenues to the Participants in accordance with the definitions of gross revenues.
16. Review any "contra-expenses" recorded by Cablevision to ensure that amounts were reported to the Participants in accordance with the definitions of gross revenues.

**Summarize Results and Issue Final Reports**

17. Develop spreadsheet models that include the following calculations:
  - a. Compare franchise fees reported to the Participants to calculations by A&S, by category of revenues.
  - b. Calculate under/overpayment of amounts due to the Participants, interest charges and any other applicable fees.
18. Submit final reports to the Participants. A&S will issue a separate report to each Participant. Each report will include a table that summarizes our findings, interest, and penalties due to that Participant.
19. Prepare a sample draft demand letter for the Participants to finalize and send to Cablevision requesting payment.
20. If requested by Cablevision, submit workpapers to Cablevision for their review.

**SECTION 2**  
**PROPOSED BUDGETS**

Ashpaugh & Sculco, CPAs, PLC ("A&S") is pleased to provide this proposal for a 5-year review of the franchise fees paid by Cablevision to the Participants listed in the table below, which lists each Participant and their associated franchise agreements. Please note that the franchise agreements have varying language and definitions of gross revenues. So, Cablevision maintains billing records and submits franchise fee payments based on the separate franchise agreements.

<b>Eight Participants</b>	<b>Ten Franchise Agreement(s)</b>	<b>Standalone Budget per Participant</b>	<b>Discounted Budget per Participant</b>
Town of Bedford	Westchester, Wappinger Falls	\$25,000	\$8,000
Town/Village of Harrison	Single franchise agreement	\$20,000	\$6,500
Town of Lewisboro	Single franchise agreement	\$20,000	\$6,500
Village of Mount Kisco	Single franchise agreement	\$20,000	\$6,500
Town of New Castle	Northern, Southern	\$25,000	\$8,000
Town of Pound Ridge	Single franchise agreement	\$20,000	\$6,500
Town of Somers	Single franchise agreement	\$20,000	\$6,500
Town of Yorktown	Single franchise agreement	\$20,000	\$6,500
<b>TOTAL PROJECT COST</b>		<b>\$170,000</b>	<b>\$55,000</b>

If the Town/Village was undertaking a 5-year review of Cablevision as a stand-alone project, the cost of the review would be \$20,000. Having everyone participate allows us to provide a deeply discounted price because there are certain efficiencies that we gain by having concurrent reviews. It may also allow us to recognize more issues when we concurrently review Cablevision's accounting data. Please note that our proposed budgets assume that all Participants will participate in the project.

A&S will issue individual reports that address the findings by Participant. Each report will include a table that summarizes our findings, interest, and penalties due to the Participant. A&S will request half of the fee upfront from each Participant after we initiate the project. The remaining balance will be due and payable to A&S after the final report has been issued to the Participants.

**TRAVEL COSTS AND OTHER SERVICES**

It has been our experience that it is more cost-effective to communicate via email and courier rather than perform extensive onsite visits. Our proposed budgets assume that Cablevision will send responses to our data requests to our offices and not require any out-of-town visits. Our budgets do not include any onsite visits, presentations or litigation.

Please note that our assistance with the recovery of any unpaid franchise fees are additional services and not included in the proposed budgets. We will perform these tasks, if requested, at our standard billing rates at a budget mutually agreed to by the Participants and A&S.



Typically, our follow-up assistance includes review Cablevision's response to our final report and correspondence with Cablevision and the Participants to formulate solutions for noted issues and recovery of any unpaid franchise fees.

### **TIMELINE**

A&S anticipates completing the reviews within six months of the award of the contract. However, our work depends on data provided by the Participants and Cablevision. If the responses from Cablevision are incomplete and or not provided timely, it may impact our anticipated schedule. We will notify the Participants if our schedule is affected in such a manner.

### **INFORMATION REQUIRED FROM THE PARTICIPANTS**

To initiate the review, we will need a letter of introduction from each Participant. A&S will then submit an initial data request, on behalf of all Participants, to Cablevision requesting data regarding the franchise fee payments.

The Participants will need to provide us with the following information:

- Copies of the franchise fee payments and supporting data for the review period;
- Copies of any true-up payments and correspondence concerning payments;
- Copies of or links to any local ordinances concerning the cable television franchise; and,
- Copies of the franchise agreements in place during the review period.

A&S will request the Participants and the Participants' legal representative to assist us in obtaining the necessary information if Cablevision does not provide the requested information or does not provide it timely.

### **SECTION 3 EXPERIENCE AND QUALIFICATIONS**

#### **OVERVIEW**

Ashpaugh & Sculco, CPAS, PLC (A&S) provides a broad spectrum of rate, financial and management services, with special emphasis on franchise and franchise-related issues, including assistance in cable television, telephone, and telecommunications franchise fee and regulatory matters. A&S has completed over 200 cable franchise and PEG fee projects. Specifically, our services include the following:

- Review of Franchise and PEG Fees;
- Cable Television Rate Filing Reviews;
- Franchise Agreement Negotiations and Discussions;
- Rate and Cost of Service Studies;
- Litigation Services and Expert Testimony; and
- Telecommunications Education and Planning.

A&S is recognized nationally as one of the leading firms assisting local governments in cable television issues. Furthermore, A&S has extensive experience in reviewing both cable operators and has been the leading firm in addressing the following innovative issues:

- Gross-up of revenues to include franchise fees in the fee base (the Baltimore decision);
- Treatment of subscriber revenues such as DVR revenues, late fees, franchise fees, wire maintenance, service protection plan fees, bad debt and bad debt write-offs;
- Treatment of commissions paid on advertising and allocation of advertising revenues from affiliated companies; and
- Contra-expenses – moneys received by cable operators that were recorded as negative expenses instead of as revenues, such as launch fees.

We review these issues as a normal component of our Scope of Work. We often find that the revenues recorded on the cable operators' books may be reported correctly in accordance with generally accepted accounting principles but should be reported differently in compliance with the definition of gross revenues. Also, when reviewing several years of data, there are opportunities for clerical errors, changes in accounting methodologies, or changes in accounting staff that may result in incorrect revenues reported to the Participants for the purposes of determining franchise fees paid to the Participants.

#### **PROJECTS AND REFERENCES**

We take pride in our reputation and excellent client service. We are equally proud of the cost-effective services we offer to help local governments obtain the maximum recovery. We have included several case studies and references, with contact information, for which similar services were provided. We have also provided you with a recent client listing. We would encourage you to contact any of our clients to confirm that we have an excellent reputation. We have also included our resumes at the end of this Section.

### City of Los Angeles, California

Since 1995, Ashpaugh & Sculco, CPAs has been continuously engaged by the City of Los Angeles. We have reviewed the franchise and PEG fees paid by the various companies in the City's rights-of-way. During that time, the companies that serve the City have merged, transferred, and acquired different franchise areas. We have enabled the City to recover additional payments from companies due to miscoded subscribers, clerical errors, methodology differences, incorrect reporting of revenues, and incorrect accounting methods.

Over time, the companies have "cleaned" up their accounting records because of our ongoing reviews and resolution of findings. Now the City receives more accurate franchise fee payments. A&S undertook detailed reviews of each company consisting of:

- submitted detailed information requests, and negotiated and executed confidentiality agreements to obtain the data needed to review the revenues and payments,
- performed analyses of revenues, including comparing reported revenue streams to the requirements of the franchise agreements, ordinances, and state law,
- determined discrepancies, and computed amounts owed including interest & penalties,
- provided a report to the City with our findings and recommendations and assisted the City in negotiating a resolution with the companies.

*"It is my humble opinion that Ashpaugh & Sculco has proven to be one of the premier accounting firms that the City of L.A. relies upon for franchise fee reviews of the City's cable/video TV operators. They have worked in that capacity for at least 18 years. That firm has now become the City's sole provider of reviewing services for such reviews since 2007. If asked, I would highly recommend Ashpaugh & Sculco to any other public entity that is seeking to utilize their services. Please contact me if you need any further information."*

William Imperial, Information Technology Agency

### Recoveries Paid to the City

A&S has had a successful relationship with the City since 1999. We have listed our recent projects and associated findings:

Cable Operators	Review Period	Project Costs	Findings
AT&T	2008 - 2016	\$89,075	\$1,565,711
Cox	2010 - 2015	\$55,538	\$29,159
TWC [1]	2008 - 2013	\$168,118	\$9,289,514
Verizon	2010 - 2015	\$33,836	\$0
Total Project Costs and Findings		\$346,567	\$11,445,795

[1] – The TWC project costs included A&S providing expert testimony.

### Reference:

Vanessa Regalado  
Information Technology Agency  
Video Services Regulatory Division Manager  
200 N. Main Street, Suite 1255  
Los Angeles, CA 90012  
(213) 978-3337  
[Vanessa.Regalado@lacity.org](mailto:Vanessa.Regalado@lacity.org)

### Montgomery County, Maryland

When regulation of cable television rates went into effect in 1992, Montgomery County turned to Garth Ashpaugh. Over the 20 years since, Garth has assisted the County in franchise fee reviews, franchise transfers, franchise renewals, local ordinance language (franchise renewal), cost studies and other matters that have required his financial expertise. This work has included reviews of Comcast, Verizon, and RCN.

*"For over 20 years, Garth Ashpaugh and Carolyn Sculco have provided consulting and analytical services to Montgomery County, Maryland. The County has utilized their services to review and analyze franchise fees and cable service and equipment rates, evaluate the costs of the County managing its rights-of-way, and to draft rate regulation orders, financial settlements, proposed revisions to franchise language. We rely on Garth and his extensive expertise in cable television and telecommunication matters in these situations. In addition, Garth recently helped analyze the impact on local governments of proposed reform of Maryland's communications tax structure and his analysis was instrumental in shaping the recommendations of the tax reform commission.*

*I have also had the pleasure of working with Garth in his capacity as Secretary-Treasurer of the National Association of Telecommunications Officers and Advisors (NATOA). He is a tireless champion for local governments when it comes to the national scope of issues in cable and telecommunications, including comments he has filed at the Federal Communications Commission in matters pertinent to local governments and consumers. A benefit of dealing with the personal touch of a small firm, Garth and Carolyn have been and continue to be responsive to our needs, available when we need them, and have provided us with excellent service."*

Mitsuko R. Herrera, Cable & Broadband Communications Administrator

The City received the following from our review of franchise fees:

Company	Recoveries Paid to the County
Comcast for the review period of 2006 through 2008	\$900,000

### Reference

Mitsuko R. Herrera  
Cable & Broadband Administrator  
Office of Cable and Broadband Services  
Montgomery County, Maryland  
100 Maryland Avenue, Suite 250  
Rockville, Maryland 20850  
(240) 773-8111 main  
(240) 777-2928 direct  
[mitsuko.herrera@montgomerycounty.gov](mailto:mitsuko.herrera@montgomerycounty.gov)

### City of Lincoln, Nebraska

The City of Lincoln required our expertise in the review of franchise fees paid by Time Warner Cable and of occupation taxes paid by its 18 telecommunications companies to the City. The City engaged A&S for these projects, from the year 2000 to the present to evaluate whether the payments complied with the franchise agreements, ordinances and law. We have completed many of the reviews, and some are still underway. When required, the City took legal action to pursue recoveries due to the City utilizing our litigation experience to obtain recoveries. A&S undertook detailed reviews of each company consisting of:

- negotiated and executed confidentiality agreements,
- compared revenue streams to the franchise agreements and City ordinances,
- recomputed customer bills to determine items taxed as opposed to items claimed being taxed by the companies,
- determined discrepancies, computed amounts owed including interest and penalties,
- provided a report to the City of our findings from each company review,
- assisted the City in negotiating resolution with the companies, and
- provided recommendations to assist the City with future payments.

The City received the following recoveries from A&S's work:

Company	Recoveries
<b>Franchise Fee Reviews</b>	
Time Warner Cable: reviewed May 1995 - Sep 2001, Jan 2007 - Dec 2011	\$1,000,000
<b>Telecommunications Occupation Tax Reviews</b>	
Windstream Telecommunications Company: reviewed Aug 2005 - Dec 2010	\$2,437,500
Alltel Wireless (now part of Verizon Wireless): reviewed Jan 2002 - Dec 2006	\$4,360,181
Sprint Spectrum: reviewed Jan 2005 through Dec 2010	\$450,000
Cingular (AT&T Wireless): reviewed Jan 2005 - Dec 2010	\$532,000
Cricket Communications: reviewed Jan 2005 - Dec 2010; found an error for Aug 2010 - May 2011, resulting in additional payment of \$192,000, not included in \$406,000	\$406,000

### References

Steven J. Huggenberger, Esq.  
 Assistant City Attorney  
 555 S. 10th Street, Suite 300  
 Lincoln, NE 68508  
 Phone: (402) 441-7286  
[shuggenberger@lincoln.ne.gov](mailto:shuggenberger@lincoln.ne.gov)

Jocelyn W. Golden, Esq.  
 Assistant City Attorney  
 555 S. 10th Street, Suite 300  
 Lincoln, NE 68508  
 Phone: (402) 441-7281  
[jgolden@lincoln.ne.gov](mailto:jgolden@lincoln.ne.gov)

**City of Austin, Texas**

Rondella Hawkins, Director  
Telecommunications & Regulatory Affairs  
(213) 974-2711  
[Rondella.Hawkins@austintexas.gov](mailto:Rondella.Hawkins@austintexas.gov)

A&S reviewed the franchise and PEG fees paid by AT&T to the City. A&S recently completed a review of the franchise and PEG fees paid by Charter/Time Warner Cable, which resulted in a significant payment to the City.

**City of Seattle, Washington**

Alice Lawson  
Broadband and Cable Program Manager  
Office of Cable Communications  
(206) 684-5957  
[alice.lawson@seattle.gov](mailto:alice.lawson@seattle.gov)

A&S is currently reviewing the franchise fees paid by Wave. Previously, A&S reviewed the franchise fees paid by Comcast and Broadstripe. Also, we reviewed the financial qualifications of Wave Broadband in the transfer of the cable television franchise from Broadstripe to Wave. All projects were resolved in favor of the City.

**City of Greenburgh, New York**

David Fried, Esq.  
First Deputy Town Attorney  
(914) 989-1620  
[drfried@greenburghny.com](mailto:drfried@greenburghny.com)

A&S completed a 5-year review of the franchise fees paid by Cablevision. The project resulted in a favorable payment to the City. A&S also performed a limited review of Verizon.

**Howard County, Maryland**

Donna Richardson  
Howard City Cable Administrator  
(410) 313-0669  
[drichardson@howardcountymd.gov](mailto:drichardson@howardcountymd.gov)

A&S is currently reviewing the franchise fees paid by Comcast and Verizon. Previously, A&S reviewed the franchise fees paid to the County by Comcast. The review resulted in a significant payment to the County. Also, we have reviewed the American Tower fees and a review of the dark fiber project. All matters were resolved in favor of the County.

**King County, Washington**

Christina Jaramillo  
Cable Compliance Officer  
(206) 263-7880  
[chris.jaramillo@kingcounty.gov](mailto:chris.jaramillo@kingcounty.gov)

A&S assisted the County in negotiating the new franchise agreement with Comcast. Previously, A&S reviewed the franchise and PEG fees paid to the County by Comcast and Millennium. All projects were resolved in favor of the County.

**Sacramento Metropolitan Cable TV Commission, California**

Robert Davison  
Executive Director  
(916) 874-6926  
[davisonb@SacCity.NET](mailto:davisonb@SacCity.NET)

A&S recently completed reviews of the cable/video franchise and PEG fees paid by AT&T, Comcast, and Consolidated Communications. Previously, A&S reviewed the franchise and PEG fees paid by AT&T. All projects resulted in payments to the SMCTC.

**Representative Client Listing of Projects**

We have listed projects that are similar in scope and nature to the proposed review of Cablevision.

**Amherst Media, Massachusetts and Two Communities**

Project: Franchise and PEG Fee Review of Comcast  
Contact: Jim Lescault, Director of Amherst Media  
Phone: (413) 259-3300  
Email: [director@amherstmedia.org](mailto:director@amherstmedia.org)

**Anne Arundel County, Maryland**

Projects: Review of Telecommunication Taxes Paid by Broadstripe and Verizon  
Review of Franchise and PEG Fees Paid by Broadstripe  
Contact: Gail Karish, Esq., Best & Krieger  
Phone: (909) 466-4916  
Email: [Gail.Karish@bbklaw.com](mailto:Gail.Karish@bbklaw.com)

**Arlington County, Virginia**

Project: Feasibility Analysis of Fiber  
Contact: Rob Billingsley, IT Procurement and Franchise Manager  
Phone: (703) 228-3195  
Email: retired December 31, 2016

**Arlington County, Virginia**

Project: Review of PEG Payments by Comcast  
Contact: Matt Ames, Esq., Hubacher & Ames, PLLC  
Phone: (703) 279-6526  
Email: [mames@hubacherames.com](mailto:mames@hubacherames.com)

**Bergman Dacey Goldsmith, California**

Project: Expert Analysis and Testimony in City of Inglewood v. Time Warner  
Contact: Richard Fond, Esq.  
Phone: (310) 470-6110  
Email: [rfond@bdgfirm.com](mailto:rfond@bdgfirm.com)

**Bernalillo County, New Mexico**

Project: Right-of-Way Cost Analysis, Litigation Support  
Contact: Nann Winter, Esq., Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, PA  
Phone: (505) 937-7770  
Email: [nwinter@stelznerlaw.com](mailto:nwinter@stelznerlaw.com)

**Carroll County Regulatory Commission, Maryland**

Project: Analysis of Franchise and PEG Fees Paid by Comcast  
Contact: Carol Shawver, Cable Administrator  
Phone: (410) 386-2095  
Email: [cshawver@carr.org](mailto:cshawver@carr.org)

**Charter Township of Meridian, Michigan**

Projects: Analysis of Franchise and PEG Fees Paid by Comcast  
Financial Review of TWC-Comcast-Charter-Spinco  
Contact: Deborah Guthrie, Communications Director  
Phone: (517) 853-4380  
Email: [Guthrie@meridian.mi.us](mailto:Guthrie@meridian.mi.us)

**City of Albuquerque, New Mexico**

Project: Analysis of Franchise and PEG Fees Paid by Comcast  
Contact: Jane Yee, Esq., Assistant City Attorney  
Phone: (505) 768-4657  
Email: [jyee@cabq.gov](mailto:jyee@cabq.gov)

**City of Cape Coral, Florida**

Project: Analysis of Franchise Fees Paid by LCEC  
Contact: Connie Barron, Assistant City Manager  
Phone: (239) 574-0448  
Email: [cbarron@capecoral.net](mailto:cbarron@capecoral.net)

**City of Carson, California**

Projects: Analysis of Franchise and PEG Fees Paid by AT&T and TWC  
Contact: Trinidad Catbagan, City Controller  
Phone: (310) 952-1749  
Email: [TCatbaga@carson.ca.us](mailto:TCatbaga@carson.ca.us)

**Cities of Gillette and Sheridan and Town of Jackson, Wyoming**

Project: Analysis of Franchise and PEG Fees Paid by Cablevision  
Contact: Joe Van Eaton, Esq., Best & Krieger  
Phone: (202) 370-5306 Email: [Joseph.VanEaton@bbklaw.com](mailto:Joseph.VanEaton@bbklaw.com)

**City of Greensboro, North Carolina**

Project: Right-of-Way Cost Analysis  
Contact: John Gribble, Engineering & Inspections Department  
Phone: (336) 373-2464  
Email: [John.Gribble@ci.greensboro.nc.us](mailto:John.Gribble@ci.greensboro.nc.us)



**Client: City of Los Angeles, California - Law Department**

Project: Time Warner Litigation Expert and Support  
Contact: Michael Dundas, Esq., Deputy City Attorney  
Phone: (213) 978-8147  
Email: [mike.dundas@lacity.org](mailto:mike.dundas@lacity.org)

**City of Memphis, Tennessee**

Project: Right-of-Way Cost Analysis with Litigation  
Contact: Allan Wade, Esq., Wade Law Firm  
Phone: (901) 322-8005  
Email: [awade@thewadefirm.com](mailto:awade@thewadefirm.com)

**City of Minneapolis, Minnesota**

Project: Financial Review of TWC-Comcast-Charter-Spinco  
Contact: Michael Bradley, Esq., Bradley Hagen & Gullikson  
Phone: (651) 379-0900  
Email: [mike@bradleylawmn.com](mailto:mike@bradleylawmn.com)

**City of Napa, California**

Projects: Analysis of Franchise and PEG Fees Paid by AT&T and Comcast  
Contact: Tracy Thompson, Revenue Operations Supervisor  
Phone: (707) 257-9399  
Email: [TThompso@cityofnapa.org](mailto:TThompso@cityofnapa.org)

**City of Omaha, Nebraska**

Project: Review of Telecommunication Occupation Taxes for Five Companies  
Contact: Donna Waller, Treasurer  
Phone: (402) 444-5472  
Email: [donna.waller@cityofomaha.org](mailto:donna.waller@cityofomaha.org)

**City of Santa Clara, California**

Project: Analysis of Franchise and PEG Fees Paid by AT&T  
Contact: Harriet Steiner, Esq., Best Best & Krieger  
Phone: (916) 551-2821  
Email: [Harriet.Steiner@bbklaw.com](mailto:Harriet.Steiner@bbklaw.com)

**City of Santa Fe, New Mexico**

Project: Litigation Support & Expert Testimony, Qwest v. City of Santa Fe  
Contact: Patricia S. Ives, Esq.  
Phone: (505) 988-4476  
Email: [PIves@cuddymccarthy.com](mailto:PIves@cuddymccarthy.com)

**City of Southfield, Michigan**

Project: Financial Review of TWC-Comcast-Charter-Spinco  
Contact: Joe Van Eaton, Esq., Best Best & Krieger  
Phone: (202) 370-5306  
Email: [Joseph.VanEaton@bbklaw.com](mailto:Joseph.VanEaton@bbklaw.com)

**City of Wallingford, Connecticut**

Project: Electric Division, Rate Review/Litigation Support/Expert Testimony  
Contact: Robert O'Neil, Esq.  
Phone: (202) 296-2960  
Email: [roneil@McCarter.com](mailto:roneil@McCarter.com)

**City of White Plains, New York**

Projects: Analysis of Franchise and PEG Fees Paid by Cablevision and Verizon  
Contact: Leslie Maron, Esq., Special Counsel  
Phone: (914) 422-1240  
Email: [lmaron@whiteplainsny.gov](mailto:lmaron@whiteplainsny.gov)

**City of Yuma, Arizona**

Project: Financial Review of TWC-Comcast-Charter-Spinco  
Contact: Joe Van Eaton, Esq., Best Best & Krieger  
Phone: (202) 370-5306  
Email: [Joseph.VanEaton@bbklaw.com](mailto:Joseph.VanEaton@bbklaw.com)

**DeKalb County, Georgia**

Project: Franchise Fee Review of Comcast  
Contact: Gerard Lederer, Esq., Best Best & Krieger  
Phone: (202) 370-5304  
Email: [Gerard.Lederer@bbklaw.com](mailto:Gerard.Lederer@bbklaw.com)

**District of Columbia**

Project: ABRY (RCN) Transfer to TPG (RCN)  
Contact: Gail Karish, Esq., Best Best & Krieger L.L.P.  
Phone: (213) 617-7491  
Email: [Gail.Karish@bbklaw.com](mailto:Gail.Karish@bbklaw.com)

**Fairfax County, Virginia**

Projects: Analysis of franchise fees, PEG fees and CST Paid by Comcast, Cox and Verizon  
Contact: Fredrick Ellrod, Esq., Director of Communications Policy and Regulation Division  
Phone: (703) 324-5904  
Email: [frederick.ellrod@fairfaxcounty.gov](mailto:frederick.ellrod@fairfaxcounty.gov)

**Kenyon Disend, Washington**

Project: ATT Mobility Refund Claims  
Contact: Chris D. Bacha, Esq.  
Phone: (425) 392-7090, ext. 2193  
Email: [Chris@kenyondisend.com](mailto:Chris@kenyondisend.com)

**Lane Council of Governments, Oregon**

Project: Analysis of Franchise and PEG Fees Paid by Comcast  
Contact: Anne Davies, Esq.  
Phone: (541) 682-4283  
Email: [adavies@Lcog.org](mailto:adavies@Lcog.org)

**Marin General Services Authority, California**

Projects: Analysis of Franchise and PEG Fees Paid by AT&T and Comcast  
Contact: Michael Frank, Executive Officer  
Phone: (415) 446-4428  
Email: [mfrank@marinipas.org](mailto:mfrank@marinipas.org)

**Meridian Township, Michigan and Twelve Communities**

Project: Analysis of Franchise and PEG Fees Paid by AT&T  
Contact: Deborah Guthrie, Communications Director  
Phone: (517) 853-4380  
Email: [Guthrie@meridian.mi.us](mailto:Guthrie@meridian.mi.us)

**Metropolitan Area Communications Commission, Oregon**

Project: Review of Franchise Fees Paid by Frontier  
Contact: Darryl Willis, Finance Manager  
Phone: (503) 645-7365  
Email: [dwillis@maccor.org](mailto:dwillis@maccor.org)

**Metropolitan Government of Nashville and Davidson County, Tennessee**

Project: Right-of-Way Cost Study and Litigation  
Contact: Lora Fox, Esq., City of Nashville  
Phone: (615) 862-6310  
Email: [lora.fox@nashville.gov](mailto:lora.fox@nashville.gov)

**Midpeninsula Community Media Center, California**

Project: Review of PEG and PEG Expenditures, Analysis of Capital and Capital Policy  
Contact: Joe Van Eaton, Esq., Best Best & Krieger  
Phone: (202) 370-5306  
Email: [Joseph.VanEaton@bbklaw.com](mailto:Joseph.VanEaton@bbklaw.com)

**Minnesota Assoc. of Community Telecommunications Administrators, Minnesota**

Project: Financial Review of Companies in Transfer: Comcast-Time Warner-Charter Merger  
Contact: Mike Reardon, Cable Communications Officer, City of St. Paul  
Phone: (651) 266-8875  
Email: [Mike.Reardon@ci.stpaul.mn.us](mailto:Mike.Reardon@ci.stpaul.mn.us)

**Northern Dakota County Cable Communications Commission, Minnesota**

Project: Review of Franchise and PEG Fees Paid by Comcast  
Contact: Jodie Miller, Executive Director  
Phone: (651) 450-9891  
Email: [jmiller@townsquare.tv](mailto:jmiller@townsquare.tv)

**Prince George's County, Maryland**

Projects: Analysis of Franchise Fees, PEG Fees, and Telecom Tax Payments Paid by Verizon  
Financial Review of TWC-Comcast-Charter-Spinco  
Contact: Lakisha Pingshaw, ICBN Program Manager  
Phone: (301) 883-5194  
Email: [lpingshaw@co.pg.md.us](mailto:lpingshaw@co.pg.md.us)

**Ramsey-Washington Suburban Cable Commission, Minnesota**

Project: Analysis of PEG Subscriber Recovery  
Contact: Timothy Finnerty, Executive Director  
Phone: (651) 779-7144 Email: [timfinnerty@rwcable.com](mailto:timfinnerty@rwcable.com)

**St. Paul, Minnesota**

Project: Comcast Bundle Pricing Analysis  
Contact: Mike Reardon, Cable Communications Officer, City of St. Paul  
Phone: (651) 266-8875  
Email: [Mike.Reardon@ci.stpaul.mn.us](mailto:Mike.Reardon@ci.stpaul.mn.us)

**Town of Lewisboro, New York and Seven Communities**

Project: Franchise Fee Review of Cablevision  
Contact: Joe Van Eaton, Esq., Best Best & Krieger  
Phone: (202) 370-5306  
Email: [Joseph.VanEaton@bbklaw.com](mailto:Joseph.VanEaton@bbklaw.com)

**Township of Canton, Michigan**

Projects: Analysis of Franchise and PEG Fees Paid by AT&T and Comcast  
Contact: Kristin Bricker Kolb, Esq., Corporation Counsel  
Phone: (734) 394-5198  
Email: [kristin.kolb@canton-mi.org](mailto:kristin.kolb@canton-mi.org)

## CLIENT LISTING

We have listed projects that have either been completed or are currently in progress within the past five years. If you would like to contact any of the below clients, please let us know and we can provide you with their contact information.

<b>Clients</b>	<b>Review</b>	<b>Cable Operator</b>
Charter Township of Canton, Michigan	Franchise and PEG Fees	AT&T
City of Carson, California	Franchise and PEG Fees	AT&T
City of Dearborn, Michigan	Franchise and PEG Fees	AT&T
City of Grand Rapids, Michigan	Franchise and PEG Fees	AT&T
City of Kentwood, Michigan	Franchise and PEG Fees	AT&T
City of Livonia, Michigan	Franchise and PEG Fees	AT&T
City of Los Angeles, California	Franchise and PEG Fees	AT&T
City of Napa, California	Franchise and PEG Fees	AT&T
City of Santa Clara, California	Franchise and PEG Fees	AT&T
City of Southfield, Michigan	Franchise and PEG Fees	AT&T
City of Wyoming, Michigan	Franchise and PEG Fees	AT&T
Los Angeles County, California	Franchise and PEG Fees	AT&T
Marin Telecommunications Agency, California	Franchise and PEG Fees	AT&T
Sacramento County, California	Franchise and PEG Fees	AT&T
Township of Addison, Michigan	Franchise and PEG Fees	AT&T
Township of Meridian, Michigan	Franchise and PEG Fees	AT&T
Township of Orion, Michigan	Franchise and PEG Fees	AT&T
Township of Oxford, Michigan	Franchise and PEG Fees	AT&T
Township of Van Buren, Michigan	Franchise and PEG Fees	AT&T
Township of Waterford, Michigan	Franchise and PEG Fees	AT&T
Village of Lake Orion, Michigan	Franchise and PEG Fees	AT&T
Anne Arundel County, Maryland	Franchise and PEG Fees	Broadstripe
City of Seattle, Washington	Franchise Fees	Broadstripe
City of Gillette, Wyoming	Franchise Fees	Cablevision
City of Jackson, Wyoming	Franchise Fees	Cablevision
City of Sheridan, Wyoming	Franchise Fees	Cablevision
City of White Plains, New York	Franchise Fees	Cablevision
Town of Bedford, New York	Franchise Fees	Cablevision
Town of Lewisboro, New York	Franchise Fees	Cablevision
Town of North Castle, New York	Franchise Fees	Cablevision
Town of Somers, New York	Franchise Fees	Cablevision
Town of Yorktown, New York	Franchise Fees	Cablevision
Town/Village of Harrison, New York	Franchise Fees	Cablevision
Village of Mount Kisco, New York	Franchise Fees	Cablevision
City of Los Angeles, California	Franchise and PEG Fees	Charter
Arlington County, Virginia	Franchise Fees	Comcast
Carroll Cable Regulatory Commission, Maryland	Franchise and PEG Fees	Comcast

## REVIEW OF CABLE TELEVISION FRANCHISE FEES PAID BY CABLEVISION

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Charter Township of Meridian, Michigan	Franchise and PEG Fees	Comcast
City of Albuquerque, New Mexico	Franchise and PEG Fees	Comcast
City of Bloomington, Minnesota	Franchise and PEG Fees	Comcast
City of Federal Way, Washington	Franchise and PEG Fees	Comcast
City of Los Altos, California	Franchise Fees	Comcast
City of Los Angeles, California	Franchise and PEG Fees	Comcast
City of Napa, California	Franchise and PEG Fees	Comcast
City of San Jose, California	Franchise Fees	Comcast
City of Santa Clara, California	Franchise and PEG Fees	Comcast
City of Seattle, Washington	Franchise Fees	Comcast
DeKalb County, Georgia	Franchise Fees	Comcast
Fairfax County, Virginia	PEG Fees	Comcast
Howard County, Maryland	Franchise Fees	Comcast
King County, Washington	Franchise Fees	Comcast
Lane County Council of Governments, Oregon	Franchise Fees	Comcast
Los Angeles County, California	Franchise Fees	Comcast
MACC, Oregon	Franchise and PEG Fees	Comcast
Marin Telecommunications Agency, California	Franchise and PEG Fees	Comcast
Montgomery County, Maryland	Franchise Fees	Comcast
NDCCCC, North Dakota	Franchise and PEG Fees	Comcast
NDC4, Minnesota	Franchise and PEG Fees	Comcast
Prince George's County, Maryland	Franchise Fees	Comcast
Quad Cities, Minnesota	Franchise and PEG Fees	Comcast
St. Louis Park, Minnesota	Franchise and PEG Fees	Comcast
Township of Meridian, Michigan	Franchise and PEG Fees	Comcast
City of Los Angeles, California	Franchise and PEG Fees	Cox
Fairfax County, Virginia	PEG Fees	Cox
City of Austin, Texas	Franchise Fees	TWC
City of Carson, California	Franchise and PEG Fees	TWC
City of Lincoln, Nebraska	Franchise Fees	TWC
City of Los Angeles, California	Franchise and PEG Fees	TWC
Los Angeles County, California	Franchise Fees	TWC
Anne Arundel County, Maryland	Franchise and PEG Fees	Verizon
City of Greenburgh, New York	Franchise and PEG Fees	Verizon
City of Los Angeles, California	Franchise and PEG Fees	Frontier/Verizon
City of White Plains, New York	Franchise Fees	Verizon
Fairfax County, Virginia	PEG Fees	Verizon
Montgomery County, Maryland	Franchise Fees	Verizon
Prince George's County, Maryland	Franchise Fees	Verizon
MACC, Oregon	Franchise and PEG Fees	Frontier/Comcast

# GARTH T. ASHPAUGH, CPA

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<b>Education</b>	BS, Business Administration, University of Missouri, 1977
<b>Professional Registration</b>	Certified Public Accountant, State of Florida #0023193 Certified Public Accountant, State of Florida #007098
<b>Professional Affiliations</b>	American Institute of Certified Public Accountants National Association of Telecommunications Officers and Advisors

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## QUALIFICATIONS AND EXPERIENCE

Mr. Ashpaugh has been engaged in utility matters and regulation full-time for over 40 years. His previous experience includes consulting since 1991 and working as Audit Supervisor with the Missouri Public Service Commission. He holds licenses as a Certified Public Accountant in the states of Missouri and Florida.

### Cable Rate Regulation and Franchise Negotiation

Mr. Ashpaugh has performed cable rate reviews and assisted in cable franchise renewals and transfers for franchisers in Arizona, California, Florida, Maryland, Michigan, New Mexico, New York, Pennsylvania, Virginia, Wisconsin and Wyoming. He has reviewed and recalculated franchise fees paid to the local authorities and performed detailed financial analyses related to franchise renewals and transfers. He has analyzed the rate filings of companies, provided detailed reports of the analyses to the franchising authorities, and recommended new cable rates to the franchising authorities that either have been implemented or are under consideration. He has assisted in the filing of comments with the Federal Communications Commission (FCC) regarding rate regulation of cable. He has made presentations in Florida, Georgia, Hawaii, Massachusetts, New Mexico, Oklahoma, Oregon, and South Carolina on cable matters. He is a Life Member of the National Association of Telecommunications Officers and Advisors (NATOA) and currently serves on the NATOA Board of Directors as the Secretary/Treasurer.

### Litigation Support and Expert Testimony

- Cost of Service Mergers and Acquisitions
- Cost of Service Issues and Analysis
- Construction Audits

Mr. Ashpaugh has an extensive background in providing litigation support and expert testimony. In addition to his presentations to local authorities in cable rate matters, he has assisted clients in evaluating proposed mergers including Kansas City Power and Light and UtiliCorp, Baltimore Gas and Electric Company, and Potomac Electric Power Company. He also filed testimony addressing the issues developed in the BGE/PEPCO merger.

He has reviewed the filings, developed cost analyses, and workout proposals regarding bankruptcies of electric utilities. He has analyzed accounting and rate issues regarding most current issues before the Federal Energy Regulatory Commission (FERC), including the 1990 Amendments to the Clean Air Act and pronouncements of the Financial Accounting Standards Board (FASB). He has provided expert testimony in twenty-nine Missouri rate cases regarding cost of service, mergers and acquisitions, and construction audits; these included telephone, electric, gas, and water utility companies.

## **GARTH T. ASHPAUGH, CPA**

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### **Telecommunications**

Mr. Ashpaugh has assisted local governments for many years regarding: ordinances addressing users of rights-of-way; telecommunications planning and design for their internal uses and for the local government; strategic planning regarding telecommunications, the community, economic development, and quality of life issues; contract negotiation and franchise renewals; and regulatory matters. He has made presentations regarding telecommunications for the American Public Power Association, Northwest Public Power Association, Massachusetts Municipal Wholesale Electric Corporation, Municipal Electric Authority of Georgia and Florida Municipal Power Agency. He organized and chaired a conference and seminar on telecommunications for the Orlando Utilities Commission. He has participated in performing initial feasibility studies, helped local authorities in evaluating requests by companies for rate increases or changes in service offerings, and provided expert testimony before County councils and other regulatory bodies.

### **Retail and Wholesale Rates**

- Cost of Service Studies
- Electric Rate Audits
- Nuclear Power Plant Audits

Mr. Ashpaugh has worked extensively in the area of rates. He has analyzed wholesale electric rate filings, assisted in the negotiation of electric rates and charges under contract rates, and testified on electric cost of service. He performed and supervised cost of service studies in over thirty cases before the Missouri Commission. While at the Commission, he served as the lead auditor for electric rate case audits, and project coordinator for the construction audit of a nuclear plant. This required the supervision and coordination of the efforts of fifteen auditors with the Commission's engineering, legal, and rate design departments. Mr. Ashpaugh also developed the phase-in model methodology utilized by the Missouri Commission in ordering phase-ins of Union Electric's Callaway Nuclear Plant, Kansas City Power and Light's portion of the Wolf Creek Nuclear Plant, and Arkansas Power and Light Company's allocation of costs associated with the Middle South's Grand Gulf Nuclear Plant.



# CAROLYN A. SCULCO, CPA

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<b>Education</b>	BA, Business Administration, Stetson University, 1986
<b>Professional Affiliation</b>	Certified Public Accountant, State of Florida #0020217
<b>Professional Affiliation</b>	National Association of Telecommunications Officers and Advisors

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## QUALIFICATIONS AND EXPERIENCE

Ms. Carolyn Sculco has been performing franchise fee reviews since 1995. She is a Certified Public Accountant with over 27 years of experience. Her previous experience includes consulting since 1993, public accounting with Ernst & Young, and internal audit with New England Electric System. She graduated from Stetson University with a BBA in Accounting.

### Franchise Fee Reviews

- Compliance with Franchise Agreements/Ordinances
- Review of Gross Revenues and Franchise Fee Calculations
- Dollar Impact of Unreported Revenues

Ms. Sculco's area of expertise is focused on franchise and PEG fee reviews. These reviews encompass multiple years, transfers of companies, and varying definitions of gross revenues. She has performed or is in the process of performing cable franchise fee reviews for franchisers in Arizona, California, Florida, Maryland, Michigan, Minnesota, Nebraska, New Jersey, New York, New York, Tennessee and Virginia. Her collective findings have resulted in unreported revenues exceeding \$10,000,000. These findings are a result of reviewing historical revenues and do not include the impact of unreported revenues on future years. These findings have been utilized to obtain additional revenues from the companies, modify franchise agreements during the franchise renewal or transfer process, and ensure that future years are reported accurately.

These franchise and PEG fee reviews have included the following procedures:

- recalculated gross revenues reported by companies to the local regulatory bodies and reconciled gross revenues to source accounting documents;
- analyzed components of the franchise fee calculations to determine compliance with provisions of the franchise agreement, ordinances, and applicable statutes;
- developed spreadsheet models to analyze the franchise fees reported by the companies as compared to the franchise fees calculated by A&S; recalculated allocation factors used to determine non-subscriber revenues;
- reviewed treatment of non-traditional revenue sources, advertising revenues, and contra-expenses to ensure proper inclusion in gross revenues;
- prepared report discussing the methodology used by the companies, whether the method complied with the franchise agreement, any clerical errors noted, and any differences between the gross revenues reported by the companies as compared to the gross revenues calculated by A&S.

## **CAROLYN A. SCULCO, CPA**

---

### **Management Services**

- Financial Analyses of Cable Operators
- Management Audits
- Financial and Operational Reviews

Ms. Sculco has reviewed several transfers of companies. The purpose of the reviews was to determine the feasibility of the transfers and assist the local regulatory bodies with the negotiation process. Ms. Sculco developed a computer model to project revenues and expenditures to determine the viability of the companies.

Ms. Sculco has performed management audits for municipal utilities in order to review current operations and procedures. She proposed recommendations for streamlining procedures and policies to improve the utilities' efficiencies. She reviewed internal controls, reorganized management structure, developed salary pay grades and job descriptions, conducted employee surveys, developed standard operating procedures, and prepared reports and recommendations.

Ms. Sculco has performed financial and operational audits for an investor-owned utility with over \$5 billion in assets. Her audit reports included recommendations for reducing costs and improving overall efficiency and effectiveness in the areas under review. Projects included a review of a \$500 million repowering project, an \$80 million participant support agreement, and several joint-ownership projects.

Ms. Sculco has reviewed customer service functions for investor-owned and municipal utilities. These reviews included areas such as cash receipts and deposits, revenues, and application of rates. The reports identified weaknesses in internal controls, and provided overall recommendations to improve the efficiency of current procedures.

Sent to:  
TB, TA, TC  
3/2/21  
KD

## AGREEMENT

AGREEMENT made this day of 2/19, 2021 by and between:

NORTHERN WESTCHESTER JOINT WATER WORKS, a municipal corporation of the State of New York; having an office and place of business at 2065 East Main Street, Cortlandt Manor, New York

(hereinafter referred to as the "NWJWW")

and

TOWN OF CORTLANDT, a municipal corporation of the State of New York having an office and place of business at 1 Heady Street, Cortlandt Manor, New York 10566—1244

(hereinafter referred to as "CORTLANDT")

and

TOWN OF YORKTOWN, a municipal corporation of the State of New York having an office and place of business at 363 Underhill Avenue, Yorktown Heights, New York 10598

(hereinafter referred to as "YORKTOWN")

and

TOWN OF SOMERS, a municipal corporation of the State of New York having an office and place of business at Routes 100 & 202, Somers, New York 10589

(hereinafter referred to as "SOMERS")

and

MONTROSE IMPROVEMENT DISTRICT, a municipal corporation Of the State of New York having an office having an office and Place of business at 2065 East Main Street, Cortlandt Manor, New York 10567

(hereinafter referred to as "MID")

WHEREAS, the Signatory Municipalities desire to make its water personnel and equipment available to the others when a condition existed which was beyond the scope of its water department resources; and

WHEREAS, the Signatory Municipalities desire to execute an agreement which governs the use of equipment and personnel on an emergency basis; and

WHEREAS, said Plan is governed and liabilities and costs are apportioned pursuant to the provisions of New York General Municipal Law, Section 120.U--in which provides, inter alia, an agreement may be entered into between municipalities, and it is the desire of the Signatories to this agreement that the municipality receiving aid (the "Requesting Municipality") shall reimburse

the municipality providing such aid (the "Assisting Municipality") for any money paid by it for water department salaries and other expenses incurred by it including damage to or loss of equipment and supplies; and

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: Definitions

(1) Chief Executive Officer: The officer within a Signatory Municipality who is authorized to request or grant a request for water assistance from another signatory municipality.

(2) Department Head: Any Water Superintendent, Town Engineer or Manager or other official in command or acting command of the water department of a Signatory Municipality.

(3) Requesting Municipality: Any Signatory Municipality requesting the assistance of the water department of another Signatory Municipality pursuant to the terms of this agreement.

(4) Assisting Municipality: Any Signatory Municipality providing assistance to a Requesting Municipality pursuant to the terms of this agreement.

(5) Emergency: Shall have its common dictionary definition.

SECOND: This Agreement shall be for a ten (10) year term commencing on March 1, 2021, and terminating on February 28, 2031, unless terminated sooner in accordance with the provisions hereof.

THIRD: Subject to the limitations set forth below, the Signatory Municipalities hereby agree to render appropriate water repair services to any Requesting Municipality whenever the Chief Executive Officer of that municipality deems the general public interest requires it. All such requests for assistance shall be made as hereinafter set for by the Chief Executive Officer or Department Head of the Requesting Municipality and granted by the Chief Executive Officer or Department Head of each Assisting Municipality.

(a) In the event of such request for which no advance warning is available, any request for assistance may be made by telephone, directly by the Requesting Municipality to each Assisting Municipality.

(b) All other requests for mutual aid shall be made in writing, sufficiently in advance of the event necessitating such aid so as to enable each Assisting Municipality to best utilize its forces.

(d) The Director of the NWJWW shall be notified whenever water repair is sought from the any other municipality.

FOURTH: (a) The water repair to be provided by the Assisting Municipality shall include only the water repair services of the Assisting Municipality unless specialized assistance is requested along with all necessary equipment and supplies.

(b) In addition to the mutual aid services provided pursuant to Paragraph THIRD (a) of the Agreement, the parties expressly agree that a Signatory Municipality may request or provide, as part of its normal water functions, those specialized water services heretofore provided including, without limitation and administrative support.

FIFTH: The water services of the Assisting Municipality, immediately upon assignment to the Requesting Municipality, shall be under the control and direction of the department head of the Requesting Municipality for the duration of their duty within and until discharged by the Requesting Municipality.

SIXTH: The cost of water repair services provided pursuant to this Agreement shall be paid by the Requesting Municipality subject to the following exceptions:

(a) The Requesting Municipality shall reimburse each Assisting Municipality for all liability for damages arising out of acts performed by the Assisting Municipality in rendering aid. In addition, the Requesting Municipality shall provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly resulting from the rendering of aid by each Assisting Municipality. Notwithstanding the foregoing, the Requesting Municipality shall not be liable for any damages resulting from any negligent conduct by the work force of the Assisting Municipality.

(b) The responding municipality is responsible for providing workers' compensation benefits and administering workers' compensation for its employees. The requesting municipality will reimburse the responding municipality for any costs or expenses incurred not covered by insurance.

(c) The assisting municipality shall comply with all Workers Compensation and Collective Bargaining requirements.

SEVENTH: Notwithstanding any other provision of this Agreement, the Signatory Municipalities hereby certify that the following condition shall be met before any request for assistance is made:

The emergency condition existing in the Requesting Municipality is a situation that is beyond the scope of that municipality's water repair resources.

EIGHTH: Any party to this agreement may withdraw at any time, upon thirty days' written notice to each of the other parties, and thereafter such withdrawing party shall no longer be a party to this agreement; but this agreement shall continue to exist among the remaining parties.

NINTH: (a) The Director of the NWJWW shall assume responsibility for the administration of the Plan. Administration shall entail, but not be limited

to, the development of an organized effort, identification of special equipment, and interface with auxiliary services and agencies for the development of protocols and assumed responsibilities.

(b) During a mutual aid response, any matters of dispute between the Signatory agencies will be decided upon by the Requesting Municipality if such response is limited to the zone of occurrence.

TENTH: The rights and obligations set forth in this Agreement shall be binding upon and shall inure to the benefit of each municipality which has executed this Agreement.

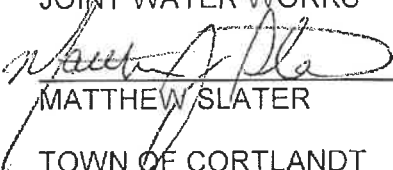
ELEVENTH: As to any signatory municipality, this Agreement shall not be enforceable until signed by both parties and approved by the governing board thereof.

TWELFTH: This Agreement may be executed in counter parts and will be effective for those entities who exchanged signed counterparts.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

NORTHERN WESTCHESTER  
JOINT WATER WORKS

BY:

  
MATTHEW SLATER

TOWN OF CORTLANDT

BY:

\_\_\_\_\_  
LINDA D. PUGLISI

TOWN OF YORKTOWN

BY:

  
MATTHEW SLATER

TOWN OF SOMERS

BY:

\_\_\_\_\_  
RICK MORRISSEY

MONTROSE IMPROVEMENT DISTRICT

BY:

\_\_\_\_\_  
JEFFREY SCOTT

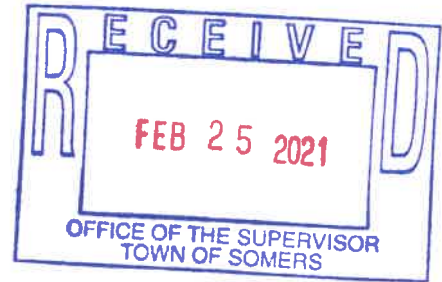
Telephone  
(914) 277-3539

FAX  
(914) 277-3790

Thomas J. Tooma, Jr.  
Building Inspector

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

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



**MEMO TO:** Town Board

**FROM:** Thomas J. Tooma, Jr.  
Building Inspector

**RE:** Generator at Heritage Hills

**DATE:** February 25, 2021

I respectfully request permission to go to bid for the replacement of the generator and associated components with the installation at the Heritage Hills Activity Center.

# 2020 General Fund Budget Transfer

## FROM:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
1	9060.08	Health Insurance	\$300,680.00
1	7310.1	Youth Programs Personal Services	\$190,000.00
1	7310.4	Youth Programs Contractual	\$36,491.00
1	1990.4	Contingency	\$25,000.00
1	3001	NYS Revenue Sharing ( AIM)	\$53,000.00
Total:			\$605,171.00

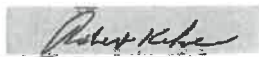
## TO:

FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
1	1220.01	Supervisor Personal Services	\$2,009.00
1	1320.04	Auditor	\$2,240.00
1	1330.01	Tax Collection	\$801.00
1	1375.04	Credit Card Fees	\$9.00
1	1620.02	Building Equipment	\$49,871.00
1	1950.04	Town Owned Property Taxes	\$15,258.00
1	1980.04	MTA Tax	\$188.00
1	3120.02	Police Equipment	\$112,411.00
1	3620.01	Safety Inspections Personal Services	\$2,968.00
1	4020.01	Vital Statistics Personal Services	\$4,142.00
1	4322.042	FEMA	\$40,265.00
1	6410.04	Cable Television Contractual	\$9,690.00
1	6772.0401	Nutrition Subcontractor Food	\$15,053.00
1	6773.0401	Nutrition SNAP Subcontractor Food	\$38,395.00
1	8010.011	Zoning Overtime	\$1,126.00
1	8989.011	ARB Overtime	\$356.00
1	9010.08	Retirement - ERS	\$1,859.00
1	9050.08	Unemployment Insurance	\$14,768.00
1	9950.09	Transfer to Capital Fund	\$240,791.00
1	4210.11	Substance Abuse Council O/T	\$189.00
1	2750	Aim Related Payments	\$53,000.00
1	5010.1	Supt. of Highways Personal Services	\$1,682.00
1			
Total:			\$605,171.00

## Explanation:

To cover budget shortfalls for 2020.

## Signature:



Bob Kehoe, Director of Finance

## Date:

2/23/2021

Sent to:  
TB, TA, TC  
3/2/21  
KD



# 2020 Highway Budget Transfer

**FROM:**

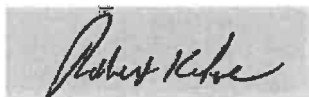
<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
2	9040.8	Workers Comp.	\$102,689.00
2	5142.04	Snow Removal	\$190,140.00
2	5142.01	Snow Removal Personal Services	\$61,828.00
2	5142.011	Snow Removal Personal Services-OT	\$61,569.00
2	9060.8	Health Insurance	\$50,458.00
			\$466,684.00

**TO:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
2	5110.01	General Repairs Personal Services	\$132,319.00
2	5112.02	Chips Equipment	\$172,458.00
2	5140.01	Brush & Weeds Personal Services	\$149,432.00
2	9050.08	Unemployment Insurance	\$12,475.00
			\$466,684.00

**Explanation:**

To cover budget overages for 2020.



Robert Kehoe  
Director of Finance

**Date:**

2/23/2020

# 2020 Library Budget Transfer

**FROM:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
5	9060.08	Health Insurance	\$435.00

\$435.00

**TO:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
5	9050.08	Unemployment Insurance	\$435.00

\$435.00

**Explanation:**

To cover budget overages for 2020.

**Signature:**

  
Jennifer Daddio  
Library Director

**Date:** 2/23/21

# 2020 Somers Sewer Budget Modification

**INCREASE:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
40	40.212	Sewer Rents	\$3,870.00

**INCREASE:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
40	8120.04	Contractual Expense	\$3,870.00

**Explanation:**

To cover contractual expense budget shortfall in 2020.

**Signature:**



Adam Smith  
Water Superintendent

Date: 2/23/21

# 2020 Windsor Farms Budget Transfer

## FROM:

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
49	49.0909	Fund Balance Unreserved	\$3,991.00
49	8340.44	Water Transmission Contracted Services	\$1,834.00
49	8340.41	Water Transmission Supplies	\$465.00

Total: \$6,290.00

## TO:

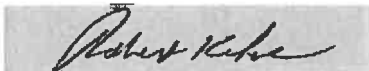
<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
49	8320.041	Purchase of Water	\$6,290.00

Total: \$6,290.00

## Explanation:

To cover budget overages for 2020.

## Signature:



Robert Kehoe  
Finance Director

3/2/21

# 2020 Windsor Farms Budget Modification

## INCREASE:

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
49	.0049.2140	Metered Sales	\$20,023.00
49	49.2148	Penalties	\$570.00
49	49.2401	Interest	\$120.00
			\$20,713.00

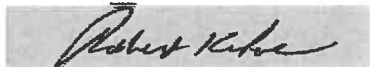
## INCREASE:

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
49	8310.4	Contractual Expense	\$3,889.00
49	8320.041	Purchase of Water	\$16,824.00
			\$20,713.00

## Explanation:

To cover contractual expenses shortfall for in 2020.

## Signature:



Robert Kehoe  
Finance Director

3/2/21

# 2020 Amawalk Heights Budget Transfer

**FROM:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
50	8340.04	Water Transmission Contractual Expense	\$2,518.00
50	8320.041	Purchase of Water	\$5,857.00

Total: \$8,375.00

**TO:**

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
50	8310.04	Water Admin Contractual Expense	\$8,375.00

Total: \$8,375.00

**Explanation:**

To cover budget shortfalls for 2020.

**Signature:**



Adam Smith  
Water Superintendent

**Date:** 2/23/2021

## 2020 Amawalk Heights Budget Modification

### INCREASE:

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
50	50.214	Metered Sales	\$122.00

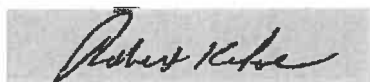
### INCREASE:

<u>FUND</u>	<u>ACCOUNT CODE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
50	8310.04	Water Admin Contractual Expense	\$122.00

### Explanation:

To cover contractual expense and personal services not budgeted for in 2020.

### Signature:



Director of Finance

3/2/21

Sent to:  
TB, TA, TC  
3/3/21  
KD

## 2020 General Fund Budget Transfer

FROM:			
FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
1	9060.08	Health Insurance	\$20,000.00
1	1680.4	Information Technology	\$93,633.00
1	9089.8	Dental	\$27,635.00
1	7310.4	Youth Programs Contractual	\$80,886.00
1	7140.4	Rec Centers Contractual	\$72,522.00
1	7110.4	Parks Contractual	\$37,744.00
1	7020.1	Rec Admin Personal Services	\$35,544.00
1	6775.1	Nutrition Transportation Personal Services	\$26,219.00
1	6774.41	Nutrition Recreation Contractual	\$8,400.00
1	1010.4	Town Board Contractual	\$45,538.00
1	1310.1	Finance Personal Services	\$39,880.00
1	1310.11	Finance Personal Services OT	\$4,602.00
1	1310.4	Finance Contractual	\$1,709.00
1	1310.41	Payroll Service	\$1,931.00
1	1420.41	Legal Services	\$34,258.00
1	1460.2	Records Mgt Equipment	\$9,000.00
1	1460.4	Records Mgt Contractual	\$4,000.00
1	9090.8	Optical Insurance	\$5,339.00
1	9040.8	Workers Comp	\$8,807.00
1	8020.1	Planning Personal Services	\$16,271.00
1	7550.44	Fireworks	\$12,100.00
1	7520.4	Historical Properties Contractual	\$6,699.00
1	7520.43	Reis House Restoration	\$7,198.00
1	6775.405	Nutrition Transportation-Maint & Repairs	\$2,499.00
1	6775.406	Nutrition Transportation-Oil	\$8,556.00
1	5132.401	Highway Fuel	\$5,780.00
1	5132.41	Highway Major Repairs	\$12,820.00
1	5132.405	Highway Maint. & Repairs	\$10,000.00
1	1910.4	Insurance Unallocated	\$6,109.00
1	1930.4	Refunds Tax Payments	\$5,000.00
1	3310.4	Traffic Control Contractual	\$4,167.00



1	3410.1	Bureau of Fire Prevention Pers Services	\$14,394.00
1	3510.1	Dog Control Pers Services	\$4,707.00
1	3510.4	Dog Control Contractual	\$1,664.00
1	9045.8	Life Insurance	\$3,610.00
1	1110.4	Town Justice Contractual	\$4,680.00
1	1355.4	Assessment Contractual	\$1,616.00

Total: \$685,517.00

TO:

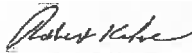
FUND	ACCOUNT CODE	ACCOUNT NAME	AMOUNT
1	9950.09	Transfer to Capital Fund	\$685,517.00

Total: \$685,517.00

Explanation:

To cover budget shortfalls for 2020.

Signature:



Bob Kehoe, Director of Finance

Date:

3/2/2021

Sent to:  
TB, TA, TC 3/2/21 KO

**Kim DeLucia**

---

**From:** Annamaria Gizzo  
**Sent:** Tuesday, February 9, 2021 11:57 AM  
**To:** Tom Tooma  
**Cc:** Kim DeLucia  
**Subject:** Resignation letter

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Tommy,

This email is to inform you of my resignation from the Town of Somers as the Senior Office Assistant/Office Manager of the Building Department. My last day of employment will be Monday, February 22, 2021.

Thank you.

Sincerely,

Annamaria Gizzo

Sent to:  
TB, TA, TC  
3/1/2021  
KD

Highway Department

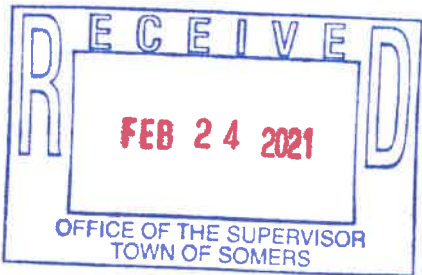
**Town of Somers**  
WESTCHESTER COUNTY, N.Y.

250 RT. 100  
P.O. BOX 281

TELEPHONE  
(914) 232-4848  
FAX  
(914) 232-0150

NICHOLAS DEVITO  
Superintendent of Highways

THOMAS DEAGAN  
Deputy Supt. of Highways



MEMO TO: SUPERVISOR  
TOWN BOARD


FROM: NICHOLAS DEVITO  
SUPT. OF HIGHWAYS

DATE: FEBRUARY 24, 2021

RE: CHARLES HUBER III

As of February 22, 2021, Charles Huber III has been promoted to Motor Equipment Operator at the pay rate of \$ 35.3120 per hour.

If you should have any questions please feel free to contact me.

  
\_\_\_\_\_  
Nicholas DeVito  
Supt. of Highways

Cc: Finance  
Town Clerk  
File

Sent to:  
TB, TA, TC  
3/1/2021  
KD

Highway Department

# Town of Somers

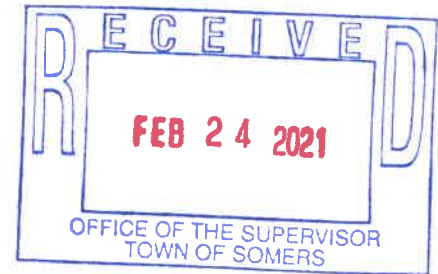
WESTCHESTER COUNTY, N.Y.

TELEPHONE  
(914) 232-4848  
FAX  
(914) 232-0150

250 RT. 100  
P.O. BOX 281

NICHOLAS DEVITO  
Superintendent of Highways

THOMAS DEAGAN  
Deputy Supt. of Highways



MEMO TO: SUPERVISOR  
TOWN BOARD

FROM: NICHOLAS DEVITO  
SUPT. OF HIGHWAYS

DATE: FEBRUARY 24, 2021

RE: DENNIS COFFEY

As of February 22, 2021 Dennis, Coffey has been promoted to Skilled Road Maintainer at the pay rate of \$ 28.0760 per hour.

If you should have any questions please feel free to contact me.

Nicholas DeVito  
Supt. of Highways

Cc: Finance  
Town Clerk  
File

Sent to:  
YB, TA, TC  
3/1/2021  
KD

OFFICE OF THE SUPERVISOR

**Town of Somers**

WESTCHESTER COUNTY, N.Y.

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

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

RICK MORRISSEY  
SUPERVISOR



February 24, 2021

**Memo**

**TO:** Town Board

**FROM:** Kim DeLucia, Executive Assistant to the Supervisor *KD*

**RE:** Erica Gentile

It has come to our attention that Erica Gentile, part-time Chauffeur – Nutrition Department has been performing the duties of a part-time Food Service Helper since July 1, 2019 when Debra Elliott resigned from the part-time Food Service Helper position. On the recommendation from the Westchester County Department of Human resources, I am requesting that the Town Board appoint Erica to the part-time food service helper position effective July 1, 2019. Her hourly rate remains the same.

With the retirement of Margaret Eichorn as Nutrition Site Manager effective March 1, 2021, Barbara Taberer is requesting that Erica be moved into a full-time Food Service Helper role with an annual salary of \$47,882 which is equivalent to Grade 2, Step 10 of the CSEA salary schedule effective March 1, 2021.

Thank you.

Cc: Barbara Taberer – Nutrition Director  
Patty Kalba - Town Clerk  
Roland Baroni – Town Attorney

RM/kd  
Z:\Supervisor\kdelucia\Memos\Town Board\_E. Gentile\_FT Food Service Helper.doc