

OFFICE OF THE SUPERVISOR

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Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

ROBERT SCORRANO
SUPERVISOR



**SOMERS TOWN BOARD
WORK SESSION 7:00PM
THURSDAY, SEPTEMBER 1, 2022
www.somersny.com**

6:00PM – Executive Session

PUBLIC COMMENT

Please limit your comments to no more than 3 minutes.

A. TOWN BOARD:

1. Town of Somers Covid-19 – Update
2. New Westchester Power Solar Credit Offering – Presentation – Carmen Santos – Sustainable Westchester
3. Consideration for Additional Use – Somers Commons – Urstadt Biddle Properties Inc – Discussion
4. Accept the proposal and authorize the Supervisor to execute the contract with Doyle Security in the amount of \$2,262.00 to install additional duress buttons in the Annex (5) and Town House (10) per August 23, 2012 memo from the Thomas J. Tooma, Building Inspector.
5. Authorize the solicitation of Request for Proposals to hire a company to renovate the Teen Room per memo dated August 18, 2022 from Jennifer Daddio, Director of the Somers Library.

**SOMERS TOWN BOARD
WORK SESSION 7:00PM
THURSDAY, SEPTEMBER 1, 2022
www.somersny.com**

6. Adopt-A Road Program for Forest Lane and Eastview Place to Lakeview Drive
Renewal Agreement – Discussion

B. PARKS & RECREATION: No additional business.

C. FINANCIAL: No additional business.

D. HIGHWAY: No additional business.

E. PERSONNEL:

1. **Current Vacancies:**

- a. Affordable Housing Board (3- 2-year terms ending 7/11/2024.)
- b. Assessment Board of Review (1- 5-year term ending 9/30/2023.)
- c. Library Board of Trustees (1 – 5-year term ending 12/31/2025.)
- d. Partners in Prevention (2- 3-year terms ending 12/31/2022.)
- e. Partners in Prevention (1- 3-year term ending 12/31/2023.)

2. **Upcoming Vacancies - Terms Expiring in 2022:**

- a. Assessment Board of Review (1- 5-year term ending 9/30/2022.)

F. PLANNING & ENGINEERING: No additional business.

G. POLICE: No additional business.

H. PROPOSED CONSENSUS AGENDA:

- 1. Authorize the return of the following Bond per August 25, 2022 memo from Steven Woelfle, Engineering Department:
 - a. \$500.00 Erosion Control Bond – Heritage Hills Society, LTD
Wetland and Watercourse Protection and Stormwater
Management and Erosion and Sediment Control Permit
#WSMESC2019-24, TM: 17.06-10-16
West Hills Drive

**SOMERS TOWN BOARD
WORK SESSION 7:00PM
THURSDAY, SEPTEMBER 1, 2022
www.somersny.com**

2022 Calendar

September 1, 2022	7:00pm	Town Board Work Session
September 8, 2022	7:00pm	Town Board Regular Meeting
October 6, 2022	7:00pm	Town Board Work Session
October 13, 2022	7:00pm	Town Board Regular Meeting
November 10, 2022	7:00pm	Town Board Work Session / Regular Meeting

Sent to:
TB, TA, TC 8/29/2022
KD
Kim DeLucia

Subject: FW: New Westchester Power Solar Credit Offering from Sustainable Westchester for Somers

Dear Westchester Power Municipal Member Participant:

Thank you for taking part in the Westchester Power program administered by Sustainable Westchester.

Sustainable Westchester is preparing to launch an exciting, **new Solar Credit offering** (opt-out Community Distributed Generation) within the Westchester Power program. The Solar Credit offering provides guaranteed savings to participating households and small businesses.

Our offering prioritizes the delivery of the Solar Credit savings, first and foremost, to low- to moderate-income households. We will start with those enrolled in the existing utility's low-income assistance program, i.e., Assistance Program Participants.

Please note: This communication is separate from our correspondence with you about the Westchester Power Electricity Supply offering undergoing an extension of its Electricity Supply Agreements in Con Edison Municipalities.

What are the next steps for municipalities that wish to participate?

Participating municipalities that wish to make the Solar Credit offering available to their eligible residents must take the following steps:

1. **Adopt Updated Enabling Law:** The PSC requires that participating municipalities adopt specific language adopting the Solar Credit offering (opt-out Community Distributed Generation) to their existing Westchester Power (Community Choice Aggregation) law.
 - o Attached, please find a template for amending your enabling law (also redline to your existing law and an annotated comparison document that uses the City of New Rochelle's enabling law) together with a draft resolution for the public hearing.
2. **Sign the Administration Agreement:** To enable the Solar Credit offering for your constituents, your municipality must execute the Administration Agreement.
 - o We will circulate the Administration Agreement for your review upon final approval of our implementation plan by the PSC.

Where can we learn more about the Solar Credit offering?

We are attaching a document with a summary of the Solar Credit offering.

We are happy to arrange a time to meet with you to discuss the Solar Credit offering and enabling law. We will be available to join public board meetings, either virtually or in person, to answer any questions about the Solar Credit offering and how your municipality may participate.

We will also hold virtual informational meetings on:

- **Tuesday, May 24th, 2022, at noon** - [To join, please REGISTER HERE](#)
- **Thursday, May 26th, 2022, at 4 pm** - [To join, please REGISTER HERE](#)

By participating in both offerings, Electricity Supply and Solar Credit, a municipality can maximize its impact on accelerating a clean energy future and delivering those benefits to its diverse constituents. As with Electricity Supply, participants will be able to opt out of the Solar Credit offering without penalty upon giving notice to Sustainable Westchester.

Your adoption of the amended enabling law will accelerate the process of launching the Solar Credit offering.

Thank you for your time and consideration of these materials. We look forward to working with you to explore this opportunity for your community.

PS: Please be advised that we will send you a separate email message requesting your municipality sign a letter of your own or co-sign a joint letter to comment on the statewide policy for opt-out Community Distributed Generation to support crucial policy choices that will benefit our low-income communities and all low-income communities throughout the state.

As always, don't hesitate to contact Carmen or myself with any questions.

Enclosures:

1. 01_Summary of new Solar Credit Offering 2022-05-17 (DOCX)
2. 02_CCA Local Law Template to Amend Local Law - 2022-3-21 (DOCX)
3. 03_Resolution calling for a public hearing to incorporate opt-out CDG offering to CCA 2021-4-1 (DOCX)
4. 04_CCA Enabling Law 2022 Comparison Annotated (PDF)
5. 05_Redline of your existing CCA Local Law to add Solar Credit offering (DOCX)

Leo Wiegman, Director, Solar Programs

Sustainable Westchester Inc

leo@sustainablewestchester.org

m:914-980-9437

o:914-242-4725;116

<https://sustainablewestchester.org/solar/>

Westchester Power

Town of Somers- Board Work Session



9/1/22

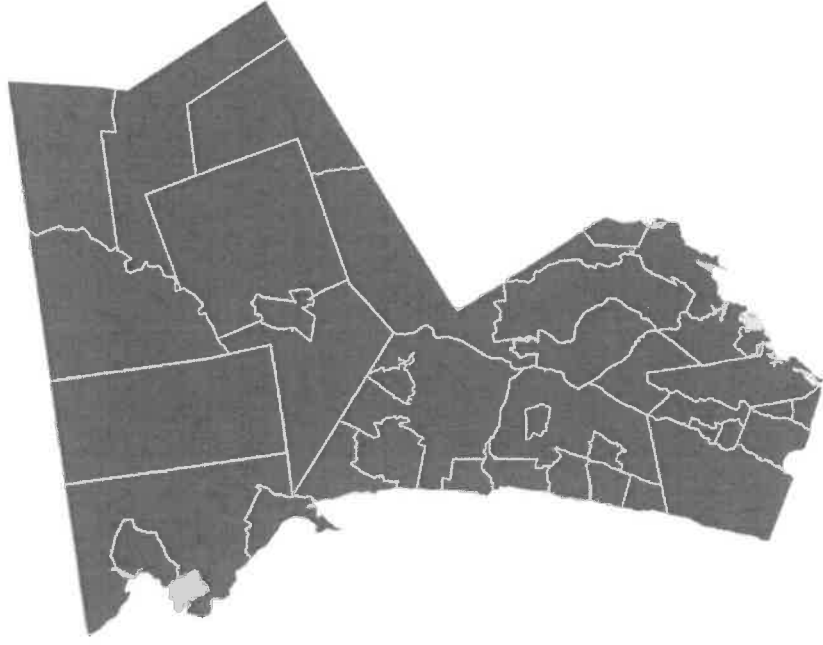
Presented by:

Carmen Santos, Manager, Solar Programs



**SUSTAINABLE
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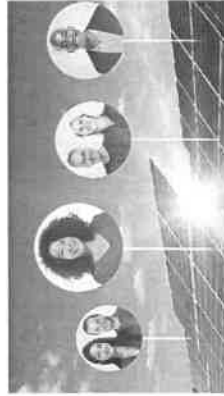
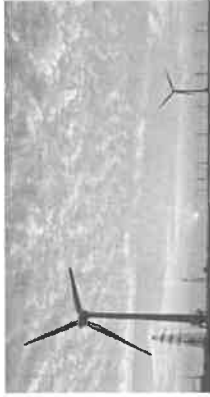


- Sustainable Westchester is a local nonprofit based in Mount Kisco, New York.
- Members include 45 municipalities (cities, towns, and villages) in Westchester, including the County itself.
- Offers environmentally & fiscally sound solutions to build resilient communities.
- Many of our programs focus on achieving a “clean energy” environment.

SUSTAINABLE WESTCHESTER PROGRAMS

COMMUNITY ENERGY

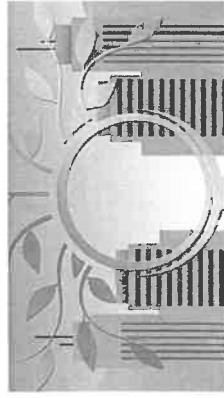
WESTCHESTER POWER



COMMUNITY SOLAR

BUILDING ENERGY

CLEAN HEATING & COOLING EnergySmart HOMES & COMMERCIAL



GRID REWARDS™

ELECTRIFICATION SOLUTIONS

CLEAN TRANSPORTATION



SUSTAINABLE LANDSCAPING LAND CARE AND ELECTRIC TRANSITION

ZERO WASTE

RECYCLE RIGHT APP



NYS CLIMATE LAW: LEADS THE NATION

Climate Leadership and Community Protection Act

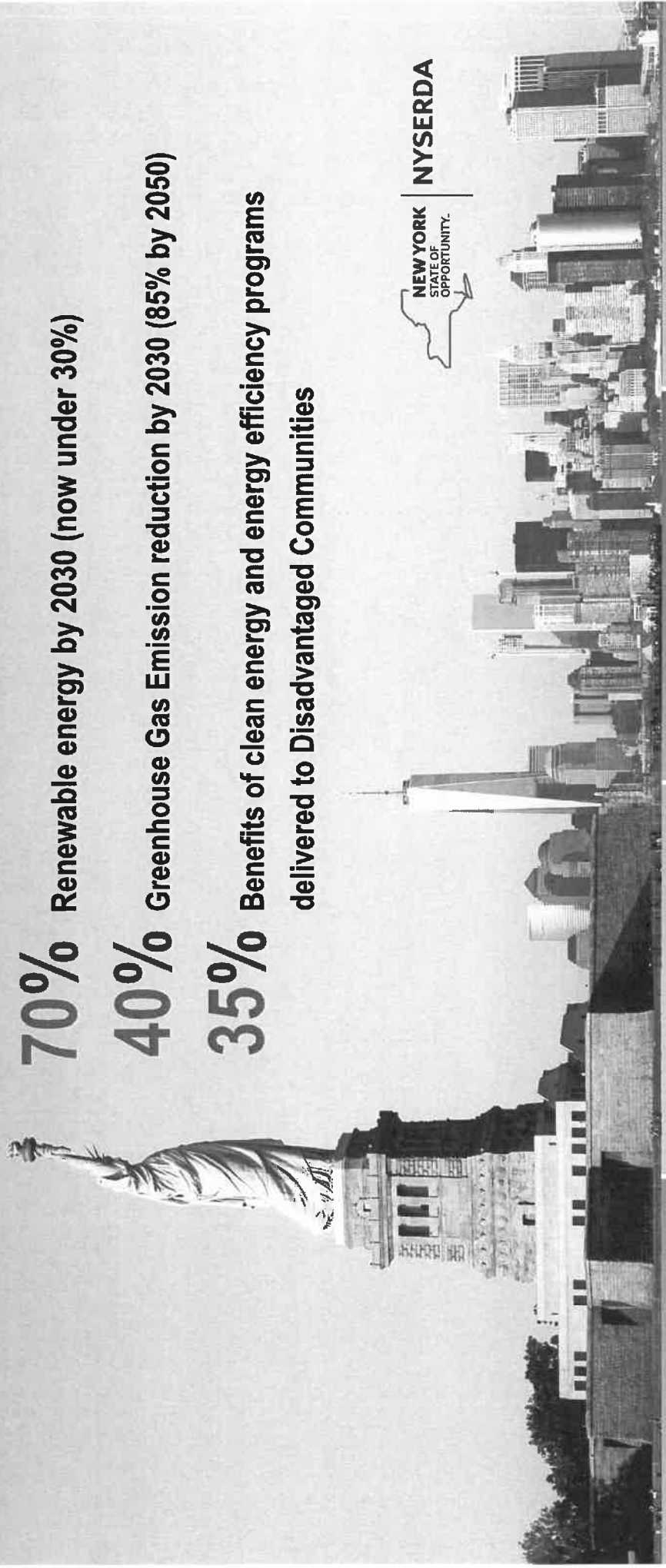
70% Renewable energy by 2030 (now under 30%)

40% Greenhouse Gas Emission reduction by 2030 (85% by 2050)

35% Benefits of clean energy and energy efficiency programs
delivered to Disadvantaged Communities



NYSDA

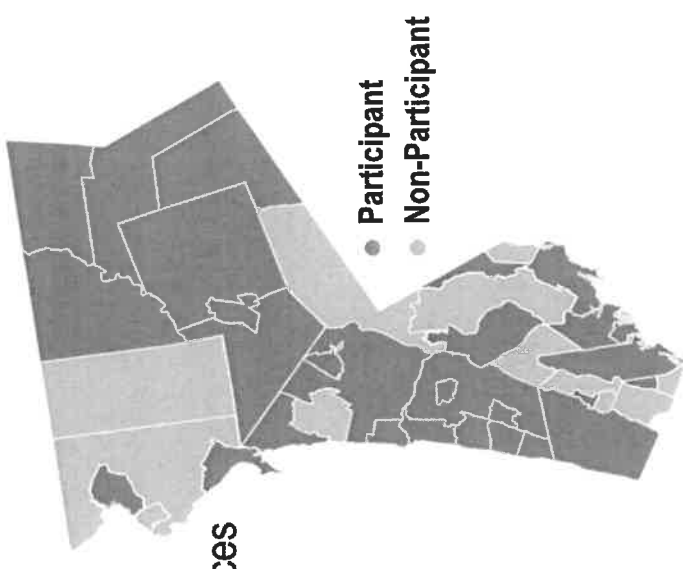


1. What is Westchester Power?

- Community energy program administered by Sustainable Westchester for 29 Participating Municipalities (a.k.a. “Community Choice Aggregation (CCA)”)
- Regulated by NYS Public Service Commission (PSC)
- Municipally reviewed and approved as a safe avenue for clean energy choices
- Program uses opt-out model for all its offerings
- Two offerings from Westchester Power:
 - **Electricity Supply** launched in 2016 (fixed rate electricity supply) from renewable energy or standard grid mix. 145,000 households and small businesses participate in 29 municipalities.

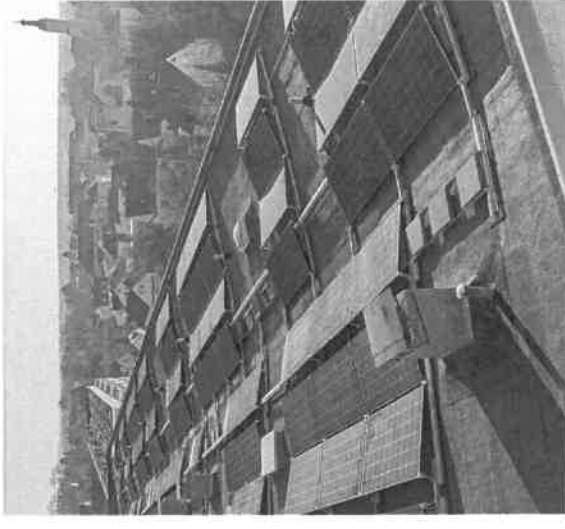
NOTE: Electricity Supply offering is not available for households enrolled in the utility’s assistance programs because fixed rate cannot guarantee saving.

- **Solar Credit** launching Q4 2022 (enhanced community solar)



2. Westchester Power's Solar Credit offering

- A enhanced **community** (shared) **solar** offering that provides **solar credits** (monetary savings) in electricity bills to eligible participants on an **opt-out basis**.
- Low- to moderate-income households are our **top priority** to receive solar credit savings and increase climate justice.
- Because solar credits do guarantee savings, **all households enrolled in utility's assistance programs** are eligible to receive solar credits.
- The Solar Credit offering will be made available to **all Westchester County municipalities**.



2.1. Timeline for launching Solar Credit offering



- **Aug 2021:** Sustainable Westchester submits Solar Credit plan to NYS PSC.
- **Oct 2022:** Estimated NYS PSC approval our Solar Credit plan.
- **Jul - Dec 2022:** Municipalities adopt the local Enabling Law.
- **Oct 2022 - ongoing:** Begin the required 60 day education and outreach in municipalities that choose to participate in the offering.
- **Jan 2023 - ongoing:** Obtain NYS approval for each municipality that undergo 60 days of outreach.
- **Apr - May 2023:** Households enrolled in the utility assistance program in first participating municipalities start to see the savings.
- **2023 - 2024:** Continue enrolling utility assistance program households as more solar projects are contracted.
- **2024 - beyond:** After serving all the assistance program households, the offering is expanded to households/businesses/organizations in Disadvantaged Communities and eventually to all others across Westchester County.

2.2. Why are households in utility assistance program a priority for the Solar Credit offering?

- Households enrolled in the utility assistance programs face the highest burden of energy costs with greatest need for any savings from solar credits.
- Utility assistance program participants may be recipients of:
 - Home Energy Assistance Program (HEAP)
 - Supplemental Nutrition Assistance Program (SNAP)
 - Supplemental Security Income (SSI)
 - Temporary Aid to Needy Families (TANF)
 - Safety Net Assistance (SNA)
 - Medicaid and other similar programs...

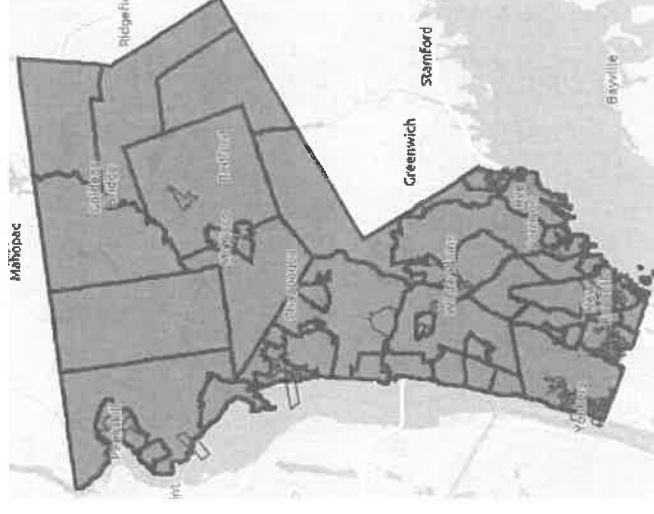
Note: Enrollees in utility' energy assistance programs are referred to as Assistance Program Participants (APP) by the PSC.



2.3. How do we prioritize utility assistance program households?

- 30,000+ households in utility assistance programs in Westchester County and approximately 144 in Somers, according to US Census American Community Survey data.
- Households in census tracts designated as Disadvantaged Communities (DACs) are being prioritized.
 - DAC criteria is developed by the Climate Justice Working Group and takes into account Environmental Burdens and Population Vulnerabilities.
- Then households in non-DAC designated census tracts with the lowest Area Median Household Income will be prioritized.
- Households in utility's assistance programs in municipalities that adopt the enabling law sooner will be prioritized over those municipalities that adopt it later on.
- We will enroll households in utility's assistance programs across all municipalities participating in the Solar Credit offering before moving to the next customer group, households in DACs **not** in the utility's assistance programs.

Source: <https://climate.ny.gov/>



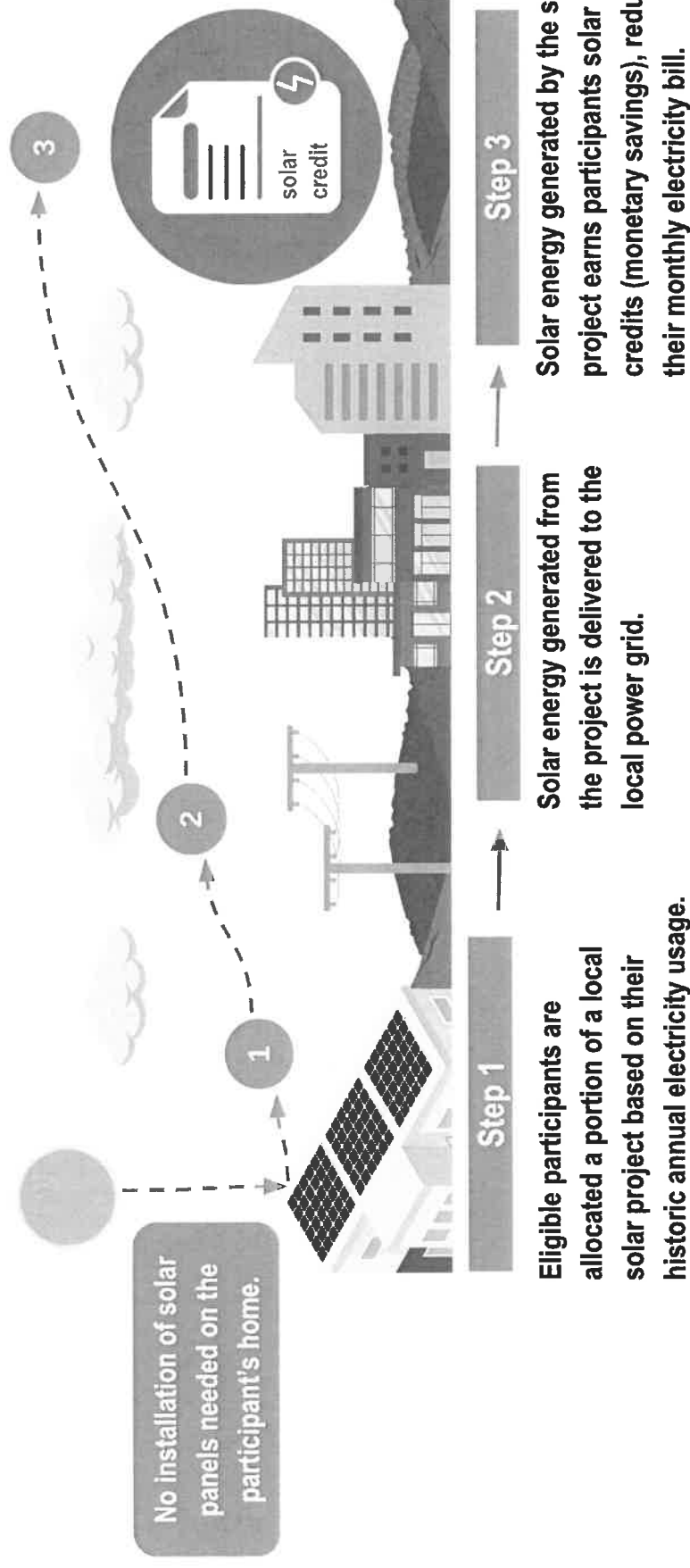
- Designated Disadvantaged Communities



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2.4. How does the Solar Credit offering work?

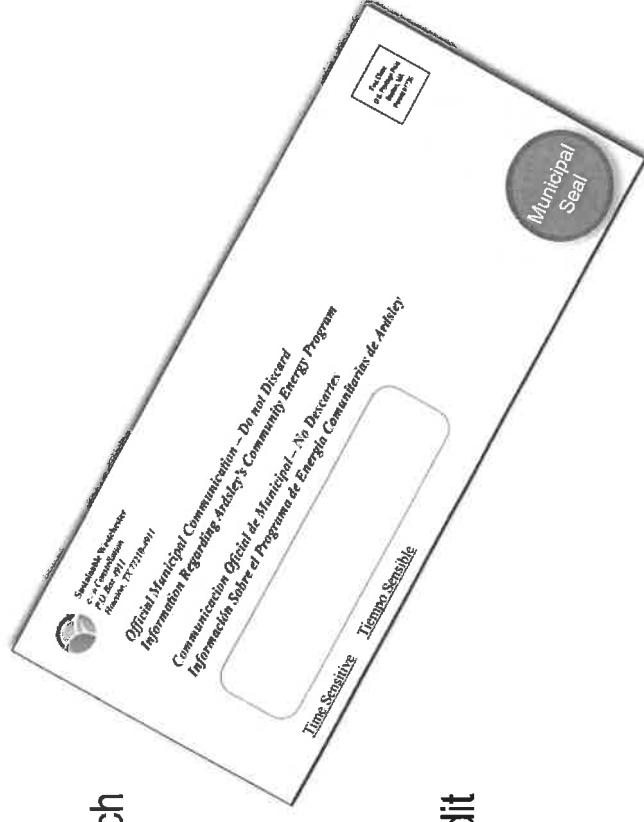
The Solar Credit offering uses NYS's community solar model:



2.4. (cont'd) How does the Solar Credit offering work?

Notification and Enrollment Process:

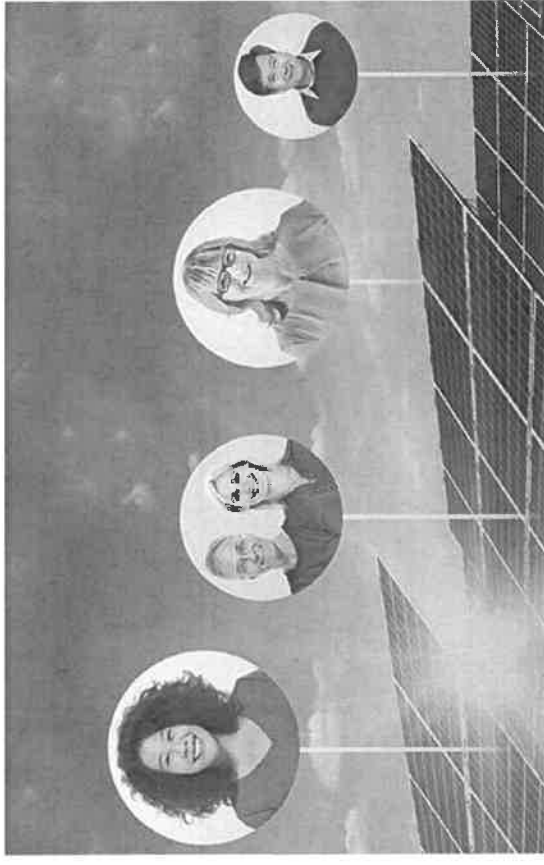
1. Sustainable Westchester performs targeted outreach in each participating municipality through meetings, webinars, etc.
2. Notification letters are sent to each eligible households as local solar project capacity becomes available.
3. Eligible community members have 30 days to opt out before being automatically enrolled as subscribers to the Solar Credit offering.
4. Households that choose not to opt out of the offering are matched to a local solar project for enrollment using NYS community solar model.



2.4. (cont'd) How does the Solar Credit offering work?

The Solar Credit offering uses an opt-out model:

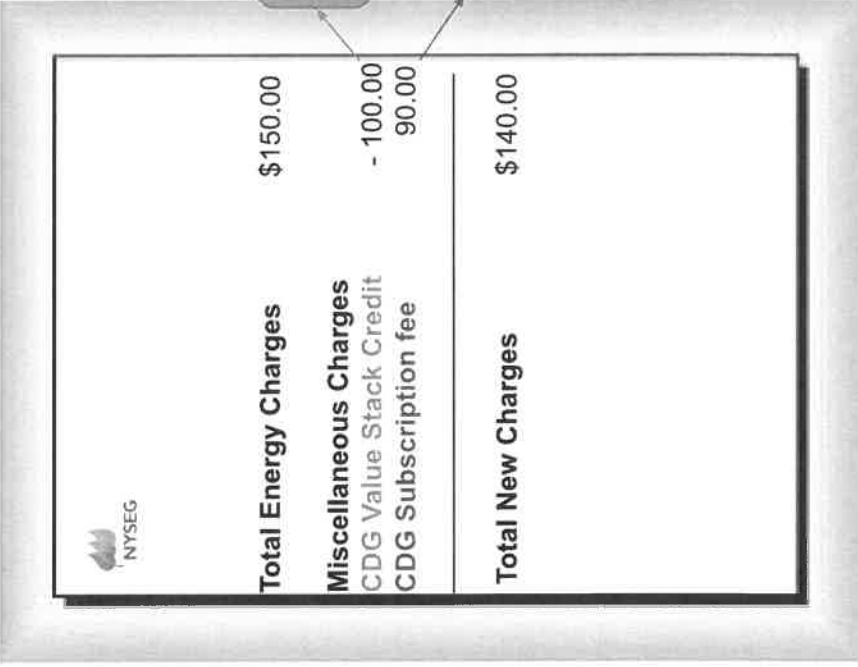
- Although NYS's community solar model has been around **for over 5 years**, the participation of low-to-moderate income households on an sign-up basis has been very low to date, despite **significant** efforts to reach them.
- To reach and direct benefits to low-to-moderate income households on a large scale, Sustainable Westchester is using **the Westchester Power program and its opt-out model**.



2.5. (cont'd) How savings applied to your electricity bill?

For example in this NYSEG bill the participant's **electricity charge is \$150** this month:

1. The participant earned a **\$100 solar credit**, titled “CDG Value Stack Credit” on the participant’s bill
2. **\$90 solar credit subscription fee** is applied, titled “CDG Subscription fee” on the participants bill
3. After the subscription fee reduces the solar credit, the participant **retains \$10 (10% of the solar credit savings)**
4. The participant **pays \$140 in total**. Resulting in a \$10 savings on their overall electric bill this month!



The image shows a NYSEG electricity bill with the following line items:

Total Energy Charges	\$150.00
Miscellaneous Charges	
CDG Value Stack Credit	- 100.00
CDG Subscription fee	90.00
Total New Charges	\$140.00

Two callout boxes are present:

- A box pointing to the "CDG Value Stack Credit" line item: "This is your solar credit earned"
- A box pointing to the "CDG Subscription fee" line item: "This is your solar credit subscription fee, equal to 90% of your solar credit"

2.6. What are the benefits for solar credits?

Benefits for Households:

- Save on each electricity bill!
 - Average assistance program household saves \$110/year (\$9/month).
 - 30,000+ households in utility's assistance programs have potential \$62 million in savings over 20 years.
- How customers pay their bills will remain the same. Solar credit savings will be printed on each bill.
- Remain enrolled in utility assistance programs! When eligible participants receive solar credits, this has no impact on their current assistance program benefits



2.6. (cont'd) What are other benefits for solar credits?

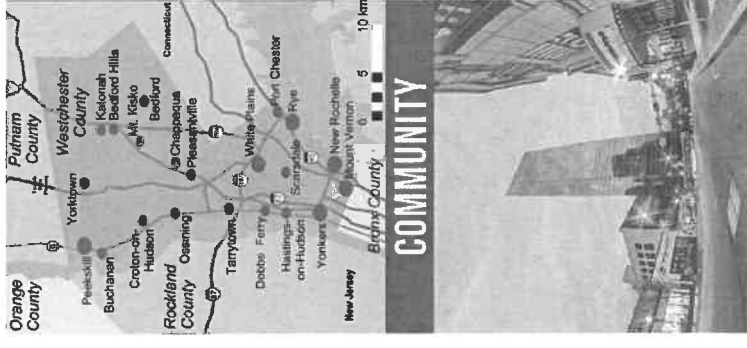
Benefits for Households:

- Keep preferred electricity supplier
 - If you have NYSEG now, you can keep NYSEG with no impact on or effect from your solar credits.
- Use your power to choose.
 - Eligible participants may choose to participate by doing nothing or to opt out by calling, emailing, or mailing us at any time at no cost.
- Cancel anytime without penalty.
- Support a local solar farm
 - Solar credits must come from solar farms in NYSEG territory.
 - Each project decreases fossil fuel use, improves air quality, and provides local jobs for installation and operation.



2.6. (cont'd) What are other benefits for solar credits?

- Benefits for Communities:**
- Promotes climate justice
 - Strengthens local economies with retained savings
 - Stimulates and accelerates local renewable energy development at scale, along with environmental benefits & green jobs
 - Advances several Reforming the Energy Vision and Climate Leadership and Community Protection Act goals



2.7. Our Support Services for Solar Credit offering

- Community outreach – virtual and in-person (as available) community information sessions
- Collateral material (to include newsletter content, social media, flyers, etc.)
- Notification letter sent directly to eligible residents and small businesses to include program offerings, opt-out option and resources links
- Customer service – Monday through Friday, 9am to 5pm (phone calls and emails)
- Support for spanish-speaking residents by offering materials and customer service in Spanish



2.8. Next steps for Somers



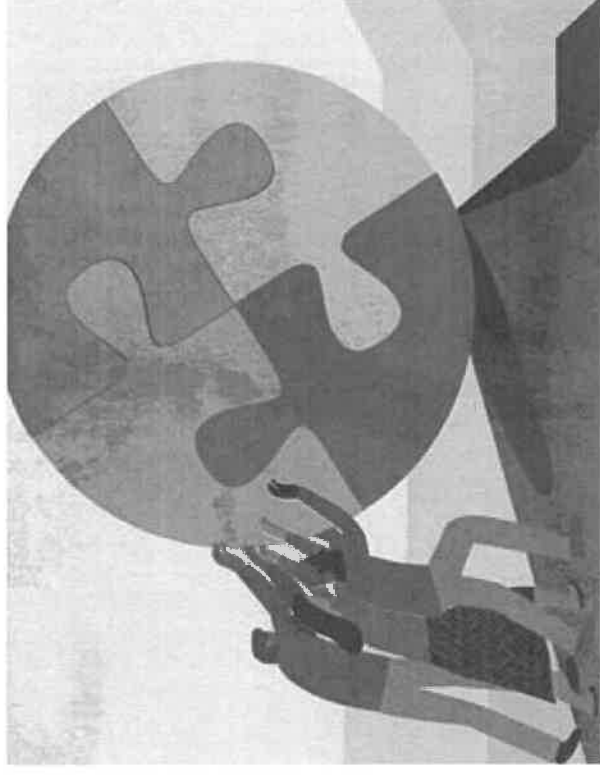
1. Municipalities that wish to make the Solar Credit offering available to their eligible residents must:
 - Adopt Updated Enabling Law: The PSC requires that participating municipalities adopt specific language adopting the Solar Credit offering.
 - Sign the Administration Agreement: To enable the Solar Credit offering for your constituents, your municipality must execute the Administration Agreement.
2. After the enabling law is adopted, Sustainable Westchester starts targeted community outreach
 - For NYS approval of municipal participation we must submit:
 - a copy of municipality's up-to-date local enabling law,
 - evidence of at least 2 months of outreach and education after adoption of the enabling law, and
 - a sample notification letter.

2.9. Enabling Law Updates

- The major impetus behind these updates of the enabling law is recent decisions by the PSC that have clarified CCA's procedures and inclusion of new product offerings such as opt-out Community Distributed Generation under CCA
- Sustainable Westchester has worked on definitions of both existing terms and new terms and concepts to help our municipalities participate in opt-out CDG
- This work has been reviewed by the Department of Public Services and Pace Energy & Climate Center

2.10. What else can municipalities do to help our Solar Credit offering?

- Involve Sustainable Westchester in all solar and energy storage projects for which your municipality is a stakeholder
 - Some of these projects may be able to brought into the Solar Credit offering





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THANK YOU!

Carmen Santos, Manager, Solar Programs

Carmen@sustainablewestchester.org, 914-242-4725 x 105

Summary: New Westchester Power Solar Credit Offering

How does the Solar Credit offering work?

The New York State Public Service Commission (PSC) is reviewing the Sustainable Westchester implementation plan to offer **solar credit (monetary) savings** through the Westchester Power program to eligible residents. We hope to roll out the Solar Credit offering in 2022, with the first cohort of eligible residents seeing solar credit savings on utility bills by early 2023.

Our new Solar Credit offering supports local solar projects. Participants will be matched with a specific solar farm and receive solar credit savings on their electricity bill each month. The solar credits applied to participants' electricity bills are based on the value of the solar energy produced by their share of the solar farm each month.

Is the Solar Credit offering compatible with the Electricity Supply offering?

Yes! Per the PSC, eligible customers may participate in both offerings, except for Assistance Program Participants, who are not eligible to participate in the fixed-rate Electricity Supply offering and only eligible for the guaranteed savings of the Solar Credit offering.

How does the Solar Credit offering provide guaranteed savings?

The solar credits are applied to each participant's monthly electricity bills resulting in savings for the customer. Due to our aggregation of thousands of participants, the typical discount we obtain will be larger than New York State's required minimum discount of 5%. The specific savings amount is yet to be determined.

Why are underserved residents a priority to receive the benefits of the Solar Credit offering?

Our Solar Credit offering will be made available first to residents in participating municipalities who are enrolled with the utility's low-income assistance programs. These members of our community face the highest burden of energy costs and, therefore, have the highest need for any savings flowing from New York's transition to clean energy.

Once we have completed enrollment of this customer group, we will enroll other low-to-moderate-income and Environmental Justice Area residents not enrolled in the utility's low-income assistance program. Third, we will enroll small business customers located in and serving low-to moderate-income neighborhoods and Environmental Justice areas. We are identifying these groups on a census tract basis.

As we acquire further solar capacity, the Solar Credit offering will be rolled out to include additional Westchester Power electricity supply residents and small businesses in your municipality.

Will Sustainable Westchester provide community outreach and education?

Yes! Sustainable Westchester will offer ongoing community support and customer service throughout the implementation of the Westchester Power Solar Credit offering. Importantly, we will submit a package to the Department of Public Service for approval of municipal participation in the offering,

including evidence of at least 2 months of outreach and education, a copy of the updated enabling law, and a sample notification letter.

Our outreach and education activities will include:

- Community outreach – virtual and in-person (as available) community information sessions
- Collateral material (to include newsletter content, social media, flyers, etc.) for distribution by municipality/CAC/Sustainability & Environmental Committees, supporting information and messaging on Sustainable Westchester’s website and social media platforms
- Notification letter sent directly to eligible residents and small businesses to include program offerings, opt-out option and resources links
- Customer service (via our Mount Kisco team) answering constituents’ questions and concerns, Monday through Friday, 9 am to 5 pm (phone calls and emails)
- Support for residents with Spanish-speaking materials and customer service

(last updated 5/17/2022)

LOCAL LAW NO. ____

**A LOCAL LAW TO AMEND ITS COMMUNITY CHOICE AGGREGATION (ENERGY)
PROGRAM IN THE City, Town, Village of**

Be it enacted by the City Council/Town Board/Board of Trustees of City, Town, Village, City of
_____ as follows:

Section 1. Chapter ____ of the Code of the City, Town, Village of titled “Community Choice Aggregation (Energy) Program,” is hereby amended to read as follows:

ARTICLE I

§1. Legislative findings; intent and purpose; authority.

A. It is the policy of both the City, Town, Village of and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation (“CCA”), which allows local governments to procure electric and natural gas supply on behalf of its Eligible Customers.

B. The purpose of this CCA Program is to allow participating local governments including City, Town, Village of to procure Energy Services, such as energy supply and Community Distributed Generation (CDG) Credits, for their Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the City, Town, Village of to put out Energy Services for bid. Eligible Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.

C. The City, Town, Village of is authorized to implement this COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 20, 2016, hereinafter the CCA Framework Order).

D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the City, Town Village of”.

§2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices:

Community Choice Aggregation Program (or "CCA Program"): A municipal energy procurement program that replaces the incumbent utility as the default electric and/or gas Supplier for all Opt-out Eligible Customers within the *City, Town, Village of*. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

Community Distributed Generation (or "CDG"): Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

Community Distributed Generation Credits (or "CDG Credits"): The monetary credit applied to the utility bills of Participating Customers through the CDG program.

Customers:

Eligible Customers: Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

Opt-out Eligible Customers: Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

Participating Customers: Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

Customer-specific Data: Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

Distributed Energy Resources (or "DER"): Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

Distribution Utility: Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Energy Services: The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

Public Service Commission (or "PSC"): New York State Public Service Commission.

Suppliers: Energy service companies (ESCOs) and/or DER providers and/or other entities with authority to provide Energy Services for Participating Customers in connection with this Chapter.

Sustainable Westchester, Inc. (or “Sustainable Westchester”): A not-for-profit organization comprised of member municipalities in Westchester County, New York.

Value of Distributed Energy Resources (or “VDER”): REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to customers and utilities, demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.

§3. Establishment of a Community Choice Aggregation (Energy) Program.

A. A Community Choice Aggregation (Energy) Program is hereby established by the City, Town, Village of, whereby the City, Town, Village of shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework Order, as set forth more fully herein. The City, Town, Village of role under the CCA Program involves the aggregating of demand for energy of its Eligible Customers and the entering into contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.

B. The City, Town, Village of participation in a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The City, Town, Village of will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of Participating Customers.

C. In order to implement the CCA Program, the City, Town, Village of will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more Suppliers, all as consistent with the Local Law and the CCA Framework Order.

D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating Suppliers, the operation by which Suppliers provide Energy Services and the terms on which customers may be enrolled with Suppliers.

§4. Procedures for Eligibility; Customer Data Sharing.

A. As permitted by the CCA Framework Order, the City, Town, Village of may request from the Distribution Utilities aggregated customer information by fuel type, service classification and other relevant, authorized data.

B. Sustainable Westchester, on behalf of the City, Town, Village of shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award one or more contracts in accordance with the CCA Program.

C. Sustainable Westchester or the City, Town, Village of, if the City, Town, Village of so chooses, will then request Customer-specific Data from the Distribution Utility in accordance with the CCA Program.

D. Sustainable Westchester or the City, Town, Village of, if the City, Town, Village of so chooses, and the selected Supplier(s) will then notify Opt-out Eligible Customers of the contract terms and opportunity to opt out of the CCA Program energy supply and/or CDG Credits.

E. In accordance with and for purposes of the CCA Framework Order, the Distribution Utility will provide to Sustainable Westchester Customer-specific Data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Eligible Customers in the City, Town, Village of.

F. Sustainable Westchester and the City, Town, Village of will protect customer information as required by law, subject to the CCA Framework Order and the limitations of the New York State Freedom of Information Law.

§5. Choice of Energy Supplier; Opt-Out Notice and Procedure.

A. The City, Town, Village of will notify, or will cause notification of, its Opt-out Eligible Customers by letter notice of the City, Town, Village of establishing the CCA Program, of the contract terms with the Supplier, and of the opportunity to opt out of the CCA Program offerings.

B. The letter notice will be sent to each Opt-out Eligible Customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the Supplier contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.

C. The opt-out period shall be at least thirty (30) Days.

§6. Verification and Reporting.

A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission as required in the CCA Framework Order.

Section 2. This local law shall take effect upon filing with the Secretary of State.

DRAFT resolution calling for public hearing.

Resolution calling for Public Hearing on the Local Law to update the Community Choice Aggregation (Energy) Program in the ___ City/Town/Village___ of _____

On motion of _____, seconded by _____, the following resolution was adopted by the ___ Board of Trustees/City Council___ of the ___ City/Town/Village___ of _____, New York:

WHEREAS, the ___ City/Town/Village___ established a Community Choice Aggregation (Energy) Program in ___[Date]_____; and

WHEREAS, the ___ City/Town/Village___ wishes to amend Chapter _____ of its Community Choice Aggregation Program to incorporate opt-out Community Distributed Generation pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law;

NOW, THEREFORE BE IT RESOLVED: that the ___ Village Board of Trustees/City Town Council___ hereby calls for a Public Hearing on ___, 2022 at ___ pm in the meeting room of the ___ Municipal Building___ to consider Local Law Introductory No. _ of 2022 creating Chapter ___ of the Village Code.

| Date: _____, 2021+5

DRAFT resolution adopting Local Law.

Resolution calling for adoption of the Local Law to ~~establish~~ update the Community Choice Aggregation (Energy) Program in the ___ City/Town/Village ___ of _____

On motion of _____, seconded by _____, the following resolution was adopted by the ___ Board of Trustees/City Council ___ of the ___ City/Town/Village ___ of _____, New York:

WHEREAS, the ___ City/Town/Village ___ established a Community Choice Aggregation (Energy) Program in its Resolution dated _____ pursuant to the State of New York Public Service Commission's Order Granting Petition (Commission Case 14-M-0564) of Sustainable Westchester for Expedited Approval of the Implementation of a Pilot Community Choice Aggregation Program with the County of Westchester;

WHEREAS, the State of New York Public Service Commission has approved changes to Community Choice Aggregation programs by incorporating opt-out Community Distributed Generation feature;

WHEREAS, the ___ City/Town/Village ___ wishes to update its Community Choice Aggregation Program to incorporate opt-out Community Distributed Generation pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law;

WHEREAS, Local Law Introductory No. ___ of 2021 has been drafted to reflect such language to update Chapter ___; and WHEREAS, the ___ City/Town/Village ___ would like to establish a Community Choice Aggregation (Energy) Program and wishes to implement a Community Choice Aggregation Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and

WHEREAS, Local Law Introductory No. ___ of 2015 has been drafted to reflect such language to create Chapter ___; and

WHEREAS, a Public Hearing was held and closed on _____, 2015,

NOW, THEREFORE BE IT RESOLVED: that the ___ Village Board of Trustees/City Town Council ___ hereby adopts Local Law Introductory No. ___ of 2021 ~~to create~~ to amend Chapter ___ of the ___ City/Town Village ___ Code to enable the establishment of an updated Community Choice Aggregation Program, which upon adoption will become Local Law No. ___ of 2021 ~~to~~ and.

Date: _____, 2021 ~~to~~ and

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City of New Rochelle, NY / The Code / Part II, General Legislation

Chapter 131 Community Choice Aggregation Energy Program

[HISTORY: Adopted by the Council of the City of New Rochelle 9-16-2015 by Ord. No. 176-2015. Amendments noted where applicable.]

LOCAL LAW NO. ____

A LOCAL LAW TO AMEND ITS COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE City of New Rochelle

Be it enacted by the City Council of City of New Rochelle as follows:

Section 1. Chapter 131 of the Code of the City of New Rochelle titled "COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM," is hereby amended to read as follows:

§ 131-1. Legislative findings; Intent and Purpose; Authority.

- A. It is the policy of both the City of New Rochelle and the State of New York to reduce municipal operating costs while providing and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and small commercial customers. Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is Community Choice Aggregation community choice aggregation ("CCA"), which allows local governments to determine the default supplier of electricity procure electric and natural gas supply on behalf of its residential and small commercial customers Eligible Customers.
- B. The purpose of this CCA Program is to allow participating local governments including the City of New Rochelle to procure Energy Services, such as energy supply service and Community Distributed Generation (CDG) Credits, for their residential and small commercial customers Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing distribution utility Distribution Utility. This chapter establishes a program that will allow the City of New Rochelle to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and small commercial customers. Bundled customers- Energy Services for bid. Eligible Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this chapter and fulfilling an important public purpose.
- C. The City of New Rochelle is authorized to implement this Community Choice Aggregation (Energy) Program pursuant to § Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the implementation of a Pilot Community Choice Aggregation Program within the County

City of New Rochelle CCA local law 2022 comparison, page 1

Annotation of the Community Choice (Energy) Aggregation Program Local Law, May 2022, Prepared by Sustainable Westchester.

This annotation of the 2022 amendments for the Community Choice (Energy) Aggregation (CCA) Program highlight the major updates for Westchester Power municipalities. Its purpose is to facilitate timely review and adoption of these important updates. Time is of the essence in order to enable CCA programs to offer Community Distributed Generation (CDG) credits to eligible customers.

We have prepared a redline for each Westchester Power municipality to compare to the template of a clean version of the updated local law. This annotation uses a typical form of the local law adopted by the City of New Rochelle in 2015 as the base for the redline of changes.

The major impetus behind these updates is recent decisions by the New York State Public Service Commission that have clarified CCA's procedures and inclusion of new product offerings such as opt-out CDG under CCA. Sustainable Westchester has worked on definitions of both existing terms and the introduction of new terms and concepts to help our municipalities participate in opt-out CDG. This work has been reviewed by the Department of Public Services Pace Energy & Climate Center.

Here and throughout, the definitions of "customers" have been clarified and updated to reflect the latest definitions needed for CCA going forward as follows: "Eligible Customers," "Opt-out Eligible Customers," and "Participating Customers."

Here and throughout, the term "Energy Services" will be an umbrella for defining all the potential offerings as defined in section 2 below.

Here, the term "Community Distributed Generation (CDG) Credits" is introduced and defined in section 2 below.

Here and throughout, the PSC has clarified the foundational order upon which the CCA authorizations are granted as the "CCA Framework Order," which rests on Case 14-M-0224 issued in April 2016. Most Westchester Power municipalities adopted their CCA local laws in 2015, based on an earlier order granting the "first in New York" pilot program for CCA.

of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the "Order"). "Order" shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2014) to the extent that orders related to Case No. 14-M-0224 enable actions by the City of New Rochelle not otherwise permitted pursuant to orders related to Case 14-M-0564; provided April 20, 2016, hereinafter the CCA Framework Order, however that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No. 14-M-0224, orders from Case No. 14-M-0564 shall govern the CCA Program.

- D. This chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program of the City of New Rochelle."

§ 131-2. Definitions.

For purposes of this chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices, or, if not so defined there, as indicated below:

BUNDLED CUSTOMERS— Residential and small commercial customers of electricity or natural gas ("fuels") who are purchasing the fuels from the distribution utility.

Community Choice Aggregation Program (or "CCA Program"): A municipal energy procurement program, which replaces the incumbent utility as the default supplier electric and/or gas supplier for all bundled customers within the City of New Rochelle. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

Community Distributed Generation (or "CDG"): Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

Community Distributed Generation Credits (or "CDG Credits"): The monetary credit applied to the utility bills of Participating Customers through the CDG Program.

Customers:

Eligible Customers: Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

Opt-out Eligible Customers: Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

Participating Customers: Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

Here, the term "Community Choice Aggregation Program" is expanded to include the offering of CDG Credits (a.k.a. Solar Credit) etc.

- Other new terms, or terms that require revised definitions, include:
- ☐ Community Distributed Generation,
 - ☐ Community Distributed Generation Credits (or "CDG Credits"),
 - ☐ Eligible Customers,
 - ☐ Opt-out Eligible Customers,
 - ☐ Participating Customers,
 - ☐ Customer-specific Data,
 - ☐ Distributed Energy Resources (or "DER"),
 - ☐ Energy Services,
 - ☐ Suppliers,
 - ☐ Value of Distributed Energy Resources (or "VDER")

Customer-specific Data: Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

Distributed Energy Resources for “DER”: Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

Energy Services: The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

Distribution Utility: Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Public Service Commission for “PSC”: New York State Public Service Commission.

SMALL COMMERCIAL — Nonresidential customers as permitted by the Order.

Suppliers: Energy service companies (ESCOs) that procure electric power and natural gas and/or DER providers and/or other entities with authority to provide Energy Services for bundled customers. Participating Customers in connection with this eChapter, or alternatively, generators of electricity and natural gas and/or DERs or other entities who procure and resell electricity or natural gas or DERs.

Sustainable Westchester, Inc. for “Sustainable Westchester”: A not-for-profit organization comprised of member municipalities in Westchester County, New York.

Value of Distributed Energy Resources (or “VDER”): REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to customers and utilities, demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.

§ 131-3. Establishment of a program.

A. A Community Choice Aggregation (Energy) Program is hereby established by the City of New Rochelle, whereby the City of New Rochelle shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework Order, as set forth more fully herein. The City of New Rochelle’s role under the CCA Program involves the aggregating of the electric and/or natural gas supply demand for energy of its residents Eligible Customers and the entering into a contract with one or more suppliers for supply and services; contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the distribution utility, Distribution Utility.

B. The City of New Rochelle’s purchase of energy supply through participation in a CCA

The changes in this section are consistent with the updates above.

Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The City of New Rochelle will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with suppliers on behalf of participating residential and small commercial customers participating Customers.

- C. In order to implement the CCA Program, the City of New Rochelle will adopt one or more ~~measures~~ resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more ~~s~~Suppliers, all as consistent with this chapter and the CCA Framework Order.

- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ~~ESCOs~~ Suppliers, the operation by which ~~ESCOs~~ Suppliers provide energy services, and the terms on which customers may be enrolled with ~~ESCOs~~ Suppliers.

The changes in this section are consistent with the updates above.

§ 131-4. Procedures for eligibility; customer data sharing.

- A. As permitted by the CCA Framework Order, the City of New Rochelle may request from the ~~distribution utilities~~ Distribution Utilities aggregated customer information by fuel type, and service classification ~~on a rolling basis~~ and other relevant, authorized data.
- B. Sustainable Westchester, on behalf of the City of New Rochelle, shall issue one or more requests for proposals to ~~s~~Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program ~~one or more contracts in~~ accordance with the CCA Program.
- C. Sustainable Westchester or the City of New Rochelle, if the City so chooses, will then request individual customer data ~~Customer-specific Data from the distribution utility.~~ Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the City of New Rochelle, if the City so chooses, and the selected supplier Supplier(s) will then notify ~~bundled customers~~ Opt-out Eligible Customers of the contract terms and their opportunity to opt out of the CCA Program. ~~energy supply and/or CDG Credits.~~
- E. In accordance with and for purposes of the CCA Framework Order, the ~~existing distribution utility, Consolidated Edison Company of New York, Inc., and/or New York State Electric and Gas Corporation;~~ the Distribution Utility will provide to Sustainable Westchester aggregate and customer Customer-specific Data (including usage data capacity tag obligations, account numbers, and service addresses) of all ~~bundled customers~~ Eligible Customers in the City of New Rochelle, ~~not currently enrolled with an ESCO.~~

- F. Sustainable Westchester and the City of New Rochelle will protect customer information as required by law, subject to the CCA Framework Order and the limitations of the New York State Freedom of Information Law.

The changes in this section are consistent with the updates above.

§ 131-5. Choice of energy supplier; opt-out notice and procedure.

- A. The City of New Rochelle ~~or in conjunction with the~~ ESCO will notify or will

cause notification of its residential and small commercial customers. Opt-out Eligible Customers by letter notice, of the City of New Rochelle's decision to establish establishing the CCA Program, of the contract terms with an ESCO the Supplier, and of the opportunity to opt out of the CCA Program offerings.

B. The letter notice will be sent to each customer Opt-out Eligible Customer at the address provided by the distribution utility Distribution Utility, and explain the CCA Program and the material provisions of the ESCO Supplier contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.

C. The opt-out period shall be 30 days at least thirty (30) Days.

D. CCA Program-bundled customers upon enrollment will receive a welcome letter that will explain the customers' options for enrolling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated three-day rescission period as detailed in Section 54B(3) of the Uniform Business Practices.

§ 131-6. Verification and reporting.

Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class; the number of customers who returned to utility service of service with another supplier during the reporting period; and the average cost of commodity supply by month for the reporting period as required in the CCA Framework Order.

Section 2. This local law shall take effect upon filing with the Secretary of State.

The PSC has lengthened the mandatory period notification for opt-out to 30 days. The details are spelled out in the CCA Framework Order.

The PSC spells out the mandatory Uniform Business Practices that each CCA Program must follow with regard to notification ("welcome letter"), rescission and other practices. No need to reiterate this information here.

The PSC stipulates the reporting requirements in the CCA Framework Order and any future updates. No need to reiterate this information.

Town of Somers, NY / Part II, General Legislation

Chapter 83 **Community Choice Aggregation (Energy) Program**

[HISTORY: Adopted by the Town Board of the Town of Somers 7-9-2015 by L.L. No. 2-2015. Amendments noted where applicable.]

LOCAL LAW NO. ____

**A LOCAL LAW TO AMEND ITS COMMUNITY CHOICE
AGGREGATION (ENERGY) PROGRAM IN THE Town of Somers**

Be it enacted by the Town Board of Town of Somers as follows:

Section 1. Chapter 83 of the Code of the Town of Somers titled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” is hereby amended to read as follows:

ARTICLE I

§ 83-1. Legislative findings and authority; purpose; title.

- A. It is the policy of both the Town of Somers and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and small commercial customers Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation (“CCA”), which allows local governments to determine the default supplier of electricity procure electric and natural gas supply on behalf of its residential and small commercial customers Eligible Customers.
- B. The purpose of this CCA Program is to allow participating local governments, including the Town of Somers, to procure Energy Services, such as energy supply service and Community Distributed Generation (CDG) Credits, for their residential and small commercial customers Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing distribution utility Distribution Utility. This eChapter establishes a program that will allow the Town of Somers to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and small commercial customers. Bundled customers CDG- Energy Services for bid. Eligible Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this eChapter and fulfilling an important public purpose.
- C. The Town of Somers is authorized to implement this Community Choice Aggregation (Energy) Program — COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to § Section 10, Subdivision 1(ii)a(12), of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14 M-0564, Petition of Sustainable Westchester for Expedited Approval for the

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~~Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the "order"). "Order" shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 20, 2016, hereinafter the CCA Framework Order).~~

D. This chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program Law of the Town of Somers."

§ 83-2. Definitions.

For purposes of this chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices; or, if not so defined there, as indicated below:

BUNDLED CUSTOMERS—Residential and small commercial customers of electricity or natural gas ("fuels") who are purchasing the fuels from the distribution utility.

Community Choice Aggregation Program (or "CCA Program")—A municipal energy procurement program, which, that replaces the incumbent utility as the default supplier electric and/or gas Supplier for all bundled customers. Opt-out Eligible Customers within the Town of Somers. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

Community Distributed Generation (or "CDG"): Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

Community Distributed Generation Credits (or "CDG Credits"): The monetary credit applied to the utility bills of Participating Customers through the CDG program.

Customers:

Eligible Customers: Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

Opt-out Eligible Customers: Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

Participating Customers: Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

Customer-specific Data: Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

Distributed Energy Resources (or "DER"): Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

DISTRIBUTION UTILITY :— Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Energy Services: The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

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~~PUBLIC SERVICE COMMISSION (or PSC) —New York State Public Service Commission. SMALL COMMERCIAL— Nonresidential customers as permitted by the order.~~

~~SuppliersSUPPLIERS:— Energy service companies (ESCOs) that procure electric power and natural gas and/or DER providers and/or other entities with authority to provide Energy Services for bundled customers Participating Customers in connection with this eChapter, or, alternatively, generators of electricity and natural gas and/or DERs or other entities who procure and resell electricity or natural gas.~~

~~Sustainable Westchester, Inc. (or “Sustainable Westchester”); USTAINABLE WESTCHESTER— A not-for-profit organization comprised of member municipalities in Westchester County, New York.~~

~~Value of Distributed Energy Resources (or “VDER”): REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to customers and utilities, demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.~~

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§ 83-3. Establishment of a program.

- A. A Community Choice Aggregation (Energy) Program is hereby established by the Town of Somers, whereby the Town of Somers shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework eOrder, as set forth more fully herein. The Town of Somers' role under the CCA Program involves the aggregating of the electric and/or natural gas supply demand for energy of its residents. Eligible Customers and the entering into a contract with one or more suppliers for supply and services, contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the distribution utility.
- B. The Town of Somers' participation in purchase of energy supply through a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Town of Somers will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of Participating Residential and small commercial customers.
- C. In order to implement the CCA Program, the Town will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more suppliers, all as consistent with this chapter and the CCA Framework eOrder.
- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs Suppliers, the operation by which ESCOs Suppliers provide energy services Energy Services, and the terms on which customers may be enrolled with ESCOs Suppliers.

§ 83-4. Procedures for eligibility; customer data sharing.

- A. As permitted by the order, the Town of Somers may request from the Distribution Utilities aggregated customer information by fuel type, and service classification and other relevant, authorized data on a rolling basis.
- B. Sustainable Westchester, on behalf of the Town of Somers, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award one or more contracts in accordance with the CCA Program.
- C. Sustainable Westchester or the Town of Somers, if the Town of Somers so chooses, will then request Individual customer-specific Data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Town of Somers, if the Town of Somers so chooses, and the selected Supplier(s) will then notify Opt-out Eligible Bundled customers of the contract terms and their opportunity to opt out of the CCA Program energy supply and/or CDG Credits.
- E. In accordance with and for purposes of the CCA Framework Order, the existing distribution utility, New York State Electric and Gas Corporation, the Distribution Utility will provide to Sustainable Westchester Aggregate and customer-specific Data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Eligible Bundled customers in the Town of Somers not currently enrolled with an ESCO.
- F. Sustainable Westchester and the Town of Somers will protect customer information as required by law, subject to the order and the limitations of the New York State Freedom of Information Law.

§ 83 83-5. Choice of energy supplier; opt-out notice and procedure.

- A. The Town of Somers ~~or in conjunction with the ESCO will notify, or will cause notification of, its residential and small commercial customers~~ Opt-out Eligible Customers, by letter notice, of the Town of Somers' ~~decision to establishing the CCA Program, of the contract terms with an ESCO~~ the Supplier, and of the opportunity to opt out of the CCA Program offerings.
- B. The letter notice will be sent to each Opt-out Eligible Customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the ~~ESCO Supplier~~ contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be at least (3)twenty (20) Days.

~~D. CCA Program bundled customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated three-day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.~~

§ 83 83-6. Verification and Reporting.

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission as required in the CCA Framework Order, ~~which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with~~

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~~another supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.~~

Section 2. This local law shall take effect upon filing with the Secretary of State.

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Sent to:
TB, TA, TC
8/26/2022
KD

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

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David B. Smith
Town Planner
directorofplanning@somersny.com

August 26, 2022

To: Hon. Robert Scorrano, Supervisor and
Town Board Members

From: David B. Smith

Re: Proposed Pet Care Services Zoning Text Amendment

The following is a supplement to our earlier memo of August 3, 2022 introducing this matter for consideration by the Board of Trustees. It was brought to our attention that the distance requirement as noted below should actually reflect the distance to a residential property line as opposed to a zoning district line which may not reflect conditions in the field. The text which was initially presented in the August 3rd memo has been edited slightly to reflect this condition. I am available to discuss this matter in advance of the meeting and will be available at the Town Board's upcoming work session if needed.

The proposed text revisions would be applicable to the CS - Community Shopping District only.

Add a definition to Section 170-3 of the Code

PET CARE SERVICES

A daytime care service establishment for dogs, cats, and occasionally other small household pets. This facility may also provide overnight boarding and hygiene/grooming services. In contrast to breeding or boarding kennels, these facilities focus on delivering amenity-rich services geared towards pets and their owners and may include a retail space offering an assortment of associated pet care products. The breeding and/or selling of animals at these facilities is not permitted.

Under Section 170-21.2 Principal Uses, add the following:

- G. *Pet care services with all facilities and amenities within an enclosed building.*
- H. *Pet care services with outdoor areas for pets, subject to the following conditions:*

- (1) *The applicant shall provide a survey which shows the full extent of the areas on the site which may be occupied by pets. This survey shall demonstrate that any area on the site which may be occupied by pets is at least 200 feet from a residential property line in the R-40 or PH zoning districts.*
- (2) *The applicant shall show, to the Planning Board's satisfaction, that noise from the pets on the site will be mitigated.*
- (3) *The applicant shall show, to the Planning Board's satisfaction, that odors from the pets on the site will be mitigated.*

Sent To:
TB, TA, TC
7/26/22
KD



821 Railroad Avenue, Greenwich, CT 06830
Tel: 203.663.8200 / Fax: 203.661.6765 / Website: www.ubproperties.com
New York Stock Exchange Symbols: UBA & UBP

July 25, 2022

Mr. Robert Scorrano
Supervisor
Town of Somers
335 Route 202
Somers, NY 10589

Re: Consideration for Additional Use - Somers Commons

Dear Mr. Scorrano:

I have been discussing with David Smith a relatively new use which likely was not contemplated when the Somers zoning code was written, as the use is not permitted anywhere in the Town of Somers. However, this use is permitted within many other towns of northern Westchester. It is a use which I believe would be an amenity to the people of Somers. As you know, retail and shopping centers have changed in the last few years, and especially since the pandemic. Large shopping centers, such as Somers Commons, that are located in relatively lightly populated areas are finding it increasingly difficult to maintain occupancy.

UBP is always looking for additional uses which would be compatible to shopping centers and provide needed services to the community. We recently leased a 9,000 square foot former retail space to K-9 Resorts at a property we own in Emerson, an affluent town in Bergen County, New Jersey. K-9 Resorts is a "doggie day care" operation which primarily serves as a place that will attend to your dog during the day for a fee. There are a number of these kinds of operations in the Tri-State area. Besides K-9 Resorts, another doggy care facility is Dogtopia (www.dogtopia.com); I understand this business likes to lease slightly less space. I believe the ultimate size would be determined by one of these companies' market studies. As you probably know the pandemic ushered in a huge increase in pet ownership, especially dog adoptions. Now that their owners are heading back to the office full-time there is an increasing need for doggie day care facilities either close to home, or near the workplace.

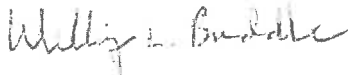
Demographic studies indicate that approximately 50% of households own either a dog or a cat. Finding someone, or a place to care for their pets can be a real challenge as well as being very expensive. A doggie day care business at Somers Commons would be an excellent amenity for dog lovers. It would be a great asset for the community to know there is somewhere that can care for their faithful friend on short notice.

The primary business of these daycare operations is daycare, but I believe all like to offer overnight boarding as an additional amenity. Most doggie day care operations have cameras mounted in locations around the facility so that the owner, or an employee can watch and listen to monitor if there are any problems at any time of day or night. These facilities also have outdoor play areas for their four-legged guests which are enclosed, and overseen by the attendants of the facility. Most of these operations are franchises and it would be very possible that someone already living in Somers might want to open such a business. It would be great to have a local person with all their contacts be the operator, as it would not only create a business and jobs but it would also be great for the community spirit.

While Dogtopia has expressed interest in the property in the past, we were not able to seriously discuss with them the opportunity as the current zoning code does not permit the use. If we knew the use was permitted, we could commence a marketing campaign. I would also point out that Somers Commons, at the intersection of Route 6 and 118, with nearby thruways Route 35, I-84, I-684 and the Taconic Parkway is also ideally located for a doggy day care business.

I was hoping you could bring the doggy day care proposal up with the Town Board to see if this use could be allowed at our Somers Commons shopping center. Please call me at Tel: 203-863-8206 if you would like to discuss further.

Best regards.

A handwritten signature in dark ink, appearing to read "Willing L. Biddle". The signature is fluid and cursive, with the first name "Willing" being more prominent.

Willing L. Biddle
President & CEO

cc: David Smith



321 Railroad Avenue, Greenwich, CT 06830
Tel: 203.863.8200 / Fax: 203.861.6755 / Website: www.ubproperties.com
New York Stock Exchange Symbols: UBA & UBP

June 13, 2022

Mr. David Smith
Director of Planning
600 Main Street
Somers, NY 06071

Re: Consideration for Additional Use, Somers Commons

Dear Mr. Smith:

As you know, retail and shopping centers have changed in the last few years, especially since the pandemic. Large shopping centers such as Somers Commons, which are located in relatively lightly populated areas are increasingly difficult to main occupancy.

UBP is always looking for additional uses which would be compatible to shopping centers, while also providing needed services to the community. We recently leased a 9,000 square foot former retail space to K-9 Resorts at a property we own in Emerson, an affluent town in Bergen County, New Jersey. K-9 Resorts is a "doggie day care" operation which primarily serves as a place that will attend to your dog during the day for a fee. There are a number of these kinds of operations in the Tri-State area. As you probably know the pandemic ushered in a huge increase in pet ownership, especially dog adoptions. Now that their owners are heading back to work full-time there is an increasing need for doggie day care facilities.

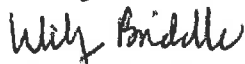
Demographic studies indicate that approximately 50% of households own either a dog or a cat. Finding someone, or a place to care for their pets can be a real challenge as well as being very expensive. A doggie day care business at Somers Commons would be an excellent alternative for dog lovers. It would be a great asset for the community to know there is somewhere that can care for their faithful friend on short notice.

Most doggie day care operations have cameras mounted in locations around the facility so that the owner, or an employee can watch and listen to see if there are any problems at any time of day or night. These facilities also have outdoor play areas for their guests as well as providing overnight stay options.

Somers Commons, at the intersection of Route 6 and 118, with nearby thruways Route 35, I-84, I-684 and the Taconic Parkway is also ideally located for a doggy day care business. Additionally, two bus routes stop at the shopping center and the nearest Metro North train station is less than 8 miles away.

I was hoping you could bring the doggy day care proposal up with the various Town Boards to see if this use could be allowed at our Somers Commons shopping center. Please call me at Tel: 203-863-8206 if you would like to discuss further.

Best regards,


Willing L. Biddle
President & CEO

Telephone
(914) 277-3539

FAX
(914) 277-3790

*Sent to:
TB, TATC
8/24/22
KD*

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

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

Thomas J. Tooma, Jr.
Building Inspector



MEMO TO: Town Board

FROM: Thomas J. Tooma, Jr.
Building Inspector

RE: Additional Duress Buttons in Annex and Town House

DATE: August 23, 2022

As requested, please find attached a proposal from Doyle Security to add additional duress buttons in the Annex (5) and Town House (10).



DOYLE[®]
Security for your life.™

**Doyle Security
Systems**

2 Summit Court, Suite 102, Fishkill, NY 12524

ADDITIONAL WIRELESS DURESS ALARM

PROPOSAL SUBMITTED TO:

Town of Somers

MAILING ADDRESS:

335 Route 202
Somers, NY 10589

EMAIL:

dschirmer@somersny.com

PHONE:

914-277-3637

JOB NAME/LOCATION:

Town Hall and Annex
335 Route 202
Somers, NY 10589

ATTN:

Denise Schirmer

DATE:

August 18th 2022

CONSULTANT:

Joe Lombardi

Thank you for the opportunity to submit our proposal for the installation of a wireless duress system. The installation includes the following:

SCOPE OF WORK:

We will furnish and install duress buttons and wire/program them to the existing DMP XR150N intrusion alarm control panels for off-premise reporting.

WIRELESS RECEIVER:

We will furnish and install one (1) wireless receiver. Receiver will be mounted near control equipment.

NOTIFICATION:

The DMP XR-150N Control Panel includes an internet communicator programmed to report hold-up alarm signals to our own Monitoring Response Center Listed by Underwriters Laboratories, Inc. Please note that internet monitoring requires a reliable broadband connection.

Monitoring via the internet provides transmission of alarm signals at a much faster speed than standard telephone transmission. To ensure the integrity of the system, daily check-ins to our Monitoring Response Center are also provided.

MISCELLANEOUS:

We will furnish and install all necessary programming, supplies and wiring to complete installation.

FIVE DIAMOND CERTIFICATE:

Doyle/CIA has been awarded The Five Diamond Certificate which is the highest certification that can be achieved in the alarm industry. The Five Diamond Certification, awarded by the Central Station Alarm Association, designates a higher level of performance than the industry standard for High Security Monitoring Centers. The industry standard is typically having a UL Listed Monitoring Response Center. The Five Diamond Certificate raises the performance standard to a higher level.

DETECTION DEVICES

WEARABLE PANIC BUTTONS (WIRELESS):

We will furnish and install Fifteen (15) wireless wearable panic buttons which will be Velcro to the bottom of the proposed desks. Anyone pressing the button will activate an audible panic alarm. These will be installed as follows

Annex:

Assessors Office (2)

Building Department (2)

Zoning Department (1)

Town Hall/House
Town Clerks Office (1)
Supervisors Office (3)
Planning and Engineering Office (4)
Finance Office (2)

WIRING/CABLING:

We will re-use the existing wiring/cabling. Doyle does not guarantee the condition of the cabling. All cabling is to be free of shorts and ground faults. If wiring/cabling needs to be replaced or if additional wiring/cabling is required, it will be addressed in a separate agreement.

COMPLETION AND TESTING:

We will connect all new devices to the existing control panel. Upon completion we will test all devices for proper operation and for reporting to our Monitoring Response Center. If any existing devices need to be replaced, it will be addressed in a separate agreement.

INVESTMENT DATA

*****Pricing guaranteed for 60 days*****

PURCHASE PRICE: The above system can be purchased, with a 90 day guarantee on parts and labor, for Two Thousand Two Hundred Sixty Two Dollars (\$2,262.00). *Pricing is based on prevailing rate wages.*

MONITORING FEE: Both Sites To Remain The Same With An Updated Agreement.

DEPOSIT: A 50 percent deposit is due when the contract is accepted, and the balance is due within ten (10) days of completion and sign-off of proposed work.

PLEASE NOTE:

Proposal is designed to be a good faith "notice to proceed". Proposal will become an addendum to the forthcoming Sales/Radio Rental/Monitoring Agreement.

ELECTRICAL AND/OR BUILDING PERMIT FEES: Your local municipality may require an electrical and/or building permit(s) be issued and an inspection be requested for this work. **Any fees associated with the electrical and/or building permit(s) and inspections are not included in the proposal and will be billed to the owner at that cost.*

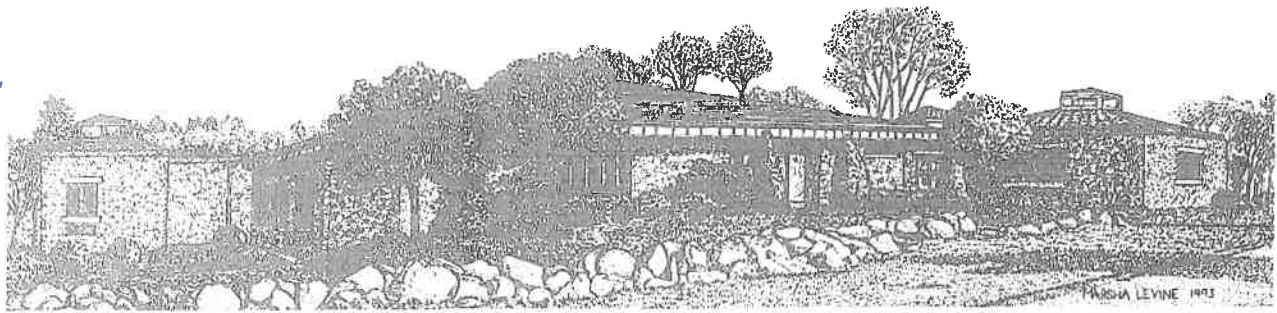
INSURANCE:

Any insurance requirements shall be presented to designer/bidder prior to accepting this proposal. If not, it is presumed that we have satisfied all your insurance requirements.

NOTES:

1. Subscriber is to supply two (2) 120 VAC outlets in close vicinity of control panel and radio and cannot be a GFI outlet.
2. Any changes in the scope of work will be done on a separate agreement.
3. Yard signs and window decals will be provided.
4. The system has been designed with point-of-protection reporting. Each device is mapped to a zone to be reported to Doyle/CIA's Monitoring Response Center. Our dispatcher then advises law enforcement of the activated device and frequency of the signals.
5. System is expandable as future needs grow.
6. Ethernet port will be required for the internet alarm communicator.
7. **Firewall & Internet Security:** The owner shall be responsible for providing a reasonable level of network security and supplying all firewall equipment. Please review this requirement with your computer consultant.
8. Guarantee does not cover any network problems, internet outages, smart phone apps or router issues that may occur. Telephone support is available and will be invoiced at \$45.00 per hour (one hour Minimum). Please have a *Network Administrator* available if you require telephone support.

Sent to:
TB, TA, TC
8/24/22
KD



SOMERS LIBRARY

P.O. Box 443, Somers, New York 10589 • (914) 232-5717 • www.somerslibrary.org

MEMO TO: Town Board

FROM: Jennifer Daddio, Library Director

RE: Bid Request for Teen Room

DATE: August 18, 2022

Permission is being request to solicit bids to renovate the Teen Room. Currently it is two small rooms and the goal is to create one large space.

Sent to:
TB, TA, TC
8/29/2022
KJ

TOWN OF SOMERS

ADOPT-A-ROAD AGREEMENT

This Agreement made this day of 200__, by and between the Town of Somers, a municipal corporation of the State of New, York, having offices at 335 Route 202, Somers, New York 10589, acting by and through the Superintendent of Highways of the Town of Somers, hereafter called the "SUPERINTENDENT", and the organization known as the following and using the mailing address of:

Richard Detz,

hereafter called the "GROUP."

WHEREAS, the GROUP recognizes the need for and desirability of a more attractive and litter free road segment, described as follows: _____

hereafter known as the segment, and

WHEREAS, this Agreement is intended to enable the GROUP to contribute toward the effort of maintaining the appearance for the segment, and

WHEREAS, by signature below, the GROUP acknowledges the hazardous nature of the activity and agrees to the following terms and conditions:

1. No work of any nature will be performed on the pavement or shoulders of the traveled way.
2. No participants' vehicles may be parked on the travel lanes or shoulders of the roadway.

3. Activities permitted are of a roadside maintenance nature including, but not limited to, litter pickup, mowing, brush control and cutting, tree trimming and planting, and maintaining approved vegetation, except as modified by the SUPERINTENDENT.

4. The GROUP will organize and supervise all activities.

5. The GROUP will organize and conduct a "safety briefing." Each day that work is done in the adopted area, a designated safety person must review the safety checklist and have participants sign the safety signature sheet. The designated safety person's sole responsibility must be assuring the safety of the workers and the traveling public. The SUPERINTENDENT will provide a representative to present the safety briefing for the first meeting and after that a designated person from the GROUP will conduct such briefings.

6. All participants must attend the safety briefing before participating in the field activity. The briefing should be held on-site to ensure that all participants are in attendance.

7. The SUPERINTENDENT will provide shirts or vests and head gear and participants must wear approved safety gear including shirts or vests and approved protective gear.

8. The GROUP may provide itself approved safety gear. The GROUP will pick up supplies and materials from the Town Highway Garage during normal working hours. Unused materials and supplies will be returned to the Town Highway Garage during normal working hours within one week following each field activity.

9. The collected waste from the location specified in this agreement shall be delivered to the Town Highway Garage in accordance with any instructions of the SUPERINTENDENT. The SUPERINTENDENT will be responsible for disposing of such waste.

10. The GROUP will conduct activities at a frequency which will enhance the attainment of the goal which is to provide a park-like appearance along the adopted road segment. Except as modified by the SUPERINTENDENT, minimum frequency of pick up along a road segment is four (4) times a year with the first pick up occurring in the April-May "Spring Cleanup" time period, and at rest areas or scenic overlooks, the minimum frequency of pickup is weekly.

11. The SUPERINTENDENT will waive any permit fee. Each group participant (or parent or guardian if participant is 12 to 18 years of age) will sign and date the "Adopt-A-Road General Release" protecting the Town for the duration of the Agreement.

12. The SUPERINTENDENT will publicize the execution of this Agreement and will highlight it at various periods thereafter.

13. The SUPERINTENDENT will furnish and erect Adopt-A-Road signs at the beginning of each adopted Highway segment, or in each adopted rest area or scenic overlook.

14. This agreement shall be for a two (2) year period commencing on

_____ (starting date) and terminating at 12:01 a.m. on

_____ (ending date).

15. Notwithstanding any other provisions of this agreement, the SUPERINTENDENT, in his sole judgment, may terminate this agreement on 30 days notice to the Group, or summarily if based on unsafe activity, and take such other action as the SUPERINTENDENT it deems appropriate.

16. The SUPERINTENDENT recognizes the GROUP is the adopting organization for the segment and the GROUP accepts the responsibility of picking up litter on the adopted facility and of promoting a litter-free environment in the community for the term of this agreement.

17. The relationship of the GROUP to the Town of Somers arising out of this agreement shall be that of an independent contractor. Any and all members or employees of the GROUP under this Agreement, shall be considered agents of the GROUP, and all claims arising under the Workers' Compensation Law of the State of New York on behalf of said employees while so engaged, and any act or omission on the part of the GROUP employees while so engaged in any of the work or services provided to rendered herein, shall be the sole obligation and responsibility of the GROUP. The GROUP shall secure Workers' Compensation insurance, for the benefit of, and keep insured during the life of this agreement, such employees engaged therein as are required to be insured by the provisions of the Workers' Compensation Law.

18. The GROUP hereby agrees to indemnify, save and hold harmless the Town of Somers, and all of its officials, departments, boards, agents and employees from any and all claims, demands, actions or cause of action or whatsoever nature or character arising out of or by reason of this execution or performance of work and services provided for herein and further agrees to defend at its own cost and expense any action or proceeding commenced for the purpose of asserting any claim of any character arising hereunder.

Town of Somers

Richard Detz
Name of Group/Organization

By: _____
Supervisor

Richard Detz
Signature of Organization Leader

Organization Leader Title - Please Print

Richard Detz
Organization Coordinator - Please Print

Coordinator's address

Coordinator's Daytime Phone Number

Coordinator's Evening Phone Number

**TOWN OF SOMERS
ADOPT - A - ROAD PROGRAM
Release**

KNOWN ALL MEN BY THESE PRESENTS, that I

her

(Participant's Name)

st

(Street Address)

(Town, State & Zip)

in consideration of \$1.00 payment of which is hereby waived, and other good and valuable consideration given by the Town of Somers, for myself and my representatives in any capacity release and discharge, and agree to refrain from instituting or aiding any suit or proceeding against the Town of Somers, its departments, officers, employees, representatives, successors and assigns from and/or regarding all causes of action, controversies, claims, judgments or liabilities I may have now or in the future against said Town of Somers and its departments, officers, employees, representatives, successors and assigns arising out of my participation in the Adopt-A-Road Program developed by the Town of Somers pursuant to Section 277 of the General Municipal Law.

IN WITNESS WHEREOF, I have executed this instrument on

Signature

Richard Detz

Print Name

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On the 29 day of August in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Detz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity and that by his/her/their signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

[Signature]

Notary Public

PATRICIA KALBA
Notary Public, State of New York
No. 01KA6080158
Qualified in Westchester County
My Commission Expires Sept. 9, 2026

Sent to:
TB, TA, TC
81

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5866
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
swocfle@somersny.com



David B. Smith
Town Planner
directorofplanning@somersny.com

Date: August 25, 2022

To: Town Board

From: Steven Woelfle *SW*
Engineering Department

RE: **Heritage Hills Society, LTD Wetland and Watercourse Protection and Stormwater Management and Erosion and Sediment Control Permit #WSMESC2019-24**
TM: 17.06-10-16
West Hills Drive
Release of Erosion Control Bond
Check received August 19, 2019

This office has no objection to the return of the Erosion Control Bond in the amount of \$500.00

Please return to:

Heritage Hills Society, LTD
c/o Heritage Management
P.O. Box 304
Somers, NY 10589

SW/wg
cc: Town Clerk
Director of Finance
Heritage Hills Society, LTD